

NOVEMBER 16, 1988

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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

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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 November 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 fourteen percent (14%) for the fourth calendar quarter of 1988.

WASHINGTON STATE REGISTER

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

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1988 – 1989

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
88-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
88-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
88-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
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88-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
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
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89-01	Nov 23	Dec 7	Dec 21, 1988	Jan 4, 1989	Jan 24
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89-03	Dec 21, 1988	Jan 4, 1989	Jan 18	Feb 1	Feb 21
89-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 7
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89-12	May 10	May 24	Jun 7	Jun 21	Jul 11
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89-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1990

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 88-21-086
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Filed October 19, 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 boarding homes, amending chapter 248-16 WAC;

that the agency will at 10:00 a.m., Tuesday, December 6, 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 December 7, 1988.

The authority under which these rules are proposed is RCW 18.20.090.

The specific statute these rules are intended to implement is chapter 18.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 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 November 22, 1988. The meeting site is in a location which is barrier free.

Dated: October 17, 1988

By: Rosemary Carr
 for Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 248-16 WAC, Boarding homes.

Purpose of Rule Change: To amend existing licensing rules establishing standards for maintenance and operation of boarding homes.

Reason These Rules are Necessary: To update minimum standards for operation of boarding homes consistent with changes in legislation and with regard to safety and well being of residents.

Statutory Authority: Chapter 18.20 RCW.

Summary of Rule Change: Chapter 248-16 WAC is amended to include substantive changes regarding medication management; format revisions consistent with DSHS policy; and update of sections consistent with

other information and recommendations from the boarding homes environment and public health.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Bliss Moore, Section Head, Personal Care Facilities Survey, Division of Health, phone 586-0347, mailstop ET-33.

The Department of Social and Health Services proposes these rule changes.

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

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-001 DEFINITIONS. For the purposes of these regulations, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise.

(1) "Abuse" means the injury, sexual use or sexual mistreatment of an individual resident by any person under circumstances which indicate the health, welfare, and safety of the resident is harmed thereby. Abuse includes emotional, as well as physical, abuse.

(a) "Physical abuse" means damaging or potentially damaging non-accidental acts or incidents which may result in bodily injury or death.

(b) "Emotional abuse" means verbal or nonverbal actions which constitute harassment.

(2) "Ambulatory ((resident))" means ((a resident who)) physically and mentally ((is)) capable of ((walking unaided or is capable of independent mobility with the use of a cane, crutches, a walker, a walker, a wheelchair or artificial limb. It shall mean an individual who is able to walk or traverse a normal path to safety unaided by another individual. This definition shall not be interpreted to include an individual who needs the assistance of another individual in order to get into and out of bed, to transfer to a chair or toilet or to move from place to place)) walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

(a) "Semi-ambulatory" means physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

(b) "Nonambulatory" means physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

(c) "Physical assistance" as used in subsection (2)(a) and (b) of this section means carrying, pushing, pulling, holding, or dragging a resident along a normal path to safety.

(3) "Area," ((f)) except when used in reference to a major section of a boarding home((f)), means a portion of a room which contains the equipment essential to carry out a particular function and is separated from other facilities of the room by a physical barrier or adequate space.

(4) "Bathing facility" means a bathtub, shower or sit-down shower.

(5) "Bathroom" means a room containing at least one bathing facility.

(6) "Board" as used in RCW 18.20.020(2) means the provision of daily meal service and lodging.

(7) "Boarding home" means:

(a) A facility as defined in RCW 18.20.020(2) and in this chapter;

(b) The licensee or person granted a license by the department to operate a boarding home.

(8) "Department" means the Washington state department of social and health services (DSHS).

(9) "Dietitian" means an individual meeting the eligibility requirements for active membership in the American dietetic association described in Directory of Dietetic Programs Accredited and Approved, American Dietetic Association, edition 100, 1980.

((f)) (10) "Domiciliary care," as used in RCW 18.20.020 and this chapter, means the care offered an individual in his or her living accommodation which includes the assumption of a general responsibility for the safety and well-being of the individual and provision of assistance in the activities of daily living, as needed.

((f)) (11) "Facilities" means a room or area and/or equipment to serve a specific function.

((f)) (12) "Foot candle" means a measurement of light approximately equal to the light produced by a lighted candle at the distance one foot away from the candle.

(13) "Functional abilities" means the physical, mental, emotional and social abilities to cope with the affairs and activities of daily living.

~~((14))~~ (14) "Grade" means the level of the ground adjacent to the building measured at required windows ~~(:)~~ with ground ~~((shall be))~~ level or ~~((slope))~~ sloping downward for a distance of at least ten feet from the wall of the building.

~~((15))~~ (15) "Health care practitioner" means any individual, group or organization ~~((that provides))~~ providing health care as ~~((he-gally))~~ authorized by Washington state law, including, but not limited to, physician, chiropractor, naturopath, certified registered nurse, physician's assistant.

~~((16))~~ (16) "Home health care ~~((service))~~ agency" means any nursing ~~((service))~~ or other service provided by licensed nurses, other practitioners or aides on a periodic or short-term basis ~~((which does not include))~~ excluding continuous nursing care.

~~((17))~~ (17) "Infirmity," as used in RCW 18.20.020 and this chapter, means a disability which materially limits normal activity ~~((but does not cause))~~ without causing an individual to need inpatient medical or nursing care of a type provided by institutions licensed under the provisions of chapters 18.46, 18.51, 70.41 or 71.12 RCW. An infirmity may be based on conditions including, but not limited to, physical handicap, mental illness, developmental disability, chemical addiction or habituation or mental confusion, disability or disturbance.

~~((18))~~ (18) "Lavatory" means a plumbing fixture designed and equipped to serve for handwashing purposes.

~~((19))~~ (19) "May" means to permit, at the discretion of the department.

~~((17))~~ "Medication service" means the procurement and administration of drugs in accordance with the orders of a physician or other health care practitioner who is legally authorized to prescribe drug therapy and acting within the scope of his or her license in prescribing such therapy.

~~((18))~~ (20) "Medication" means all pharmaceuticals, vitamins, and nutrient supplements, both over-the-counter and prescribed.

(21) "Medication administration" means an act in which a single dose of a medication is given to a resident by an authorized person, other than the resident, under laws and regulations governing such acts and entailing:

(a) Removing an individual dose from a previously dispensed, properly labeled container;

(b) Reviewing the label on the container with prescriber's order or with a direct copy of a verified transcription of the order;

(c) Giving an individual dose to the proper resident; and

(d) Properly recording the time and dose given.

(22) "Minor alteration" means:

(a) Physical or functional modification in a boarding home without changing department-approved use of the modified room or area; and

(b) Prior department review of the plan specified in WAC 248-16-055 is not required.

(23) "Neglect" means negligent treatment or maltreatment; an act or omission which evinces a disregard of consequences of such a magnitude as to constitute a clear and present danger to a resident's health, welfare, and/or safety.

~~((19))~~ (24) "New construction" means ~~((any of the following started after promulgation of these rules and regulations))~~:

(a) Constructing or building ~~((s))~~ a new physical plant or facility to be used as a boarding home;

(b) ~~((Addition(s)))~~ Additions to an existing ~~((building(s) to be used as))~~ facility or physical plant constructed for intended use as part of a boarding home;

(c) A ~~((structural))~~ physical alteration, modification, or ~~((functional modification within an existing boarding home which changes the))~~ renovation changing department-approved use of ~~((the))~~ a room or area excluding "minor alteration".

~~((20))~~ (25) "Nurse" means either a licensed practical nurse under provisions of chapter 18.78 RCW or a registered nurse.

(26) "Nursing care" means services:

(a) Designed to maintain or promote achievement of optimal, independent function, and health status; and

(b) Planned, supervised, and evaluated by a registered nurse in the context of an overall individual plan of care as in WAC 248-14-001.

(27) "Physician" or "doctor," as used in RCW 18.20.160 and in this chapter, means an individual licensed as a physician under chapters 18.57 or 18.71 RCW.

(28) "Prescriber" means a physician, dentist under chapter 18.32 RCW, or registered nurse with prescriptive authority or others legally authorized in Washington state to prescribe drugs.

(29) "Registered nurse" means an individual licensed under chapter 18.88 RCW.

(30) "Resident" means an individual who, by reason of age or infirmity, requires domiciliary care and who is not related by blood or marriage to the operator of the boarding home.

~~((21))~~ (31) "Room" means a space set apart by floor to ceiling partitions on all sides with all openings provided with doors or windows.

~~((22))~~ (32) "Self-administration of medication" means medication administration by a resident taking his or her own medication from a properly labeled container.

(33) "Sit-down shower" means a shower which has a molded seat, fold-down type of seat, or an equivalent means for sitting and is designed for bathing while in a sitting position.

~~((23))~~ (34) "Suitable chair" means a piece of furniture intended to accommodate the act of sitting which is sturdy, comfortable, and appropriate for the age and physical condition of a resident.

(35) "Supervised medication service category A" means:

(a) A level of self-medication or self-administration; or

(b) Self-directed medication service for a resident requiring limited assistance or no assistance, and monitoring by boarding home staff to assure medication is taken and stored properly.

(36) "Supervised medication service category B" means a level of service for residents requiring assistance and monitoring by boarding home staff to assure:

(a) Medications taken in accordance with a health care practitioner's instructions; and

(b) Inaccessibility of medications to other residents.

(37) "Supervised medication service category C" means a full medication administration service.

(38) "Toilet" means a disposal apparatus consisting of a hopper, fitted with a seat and flushing device, used for urination and defecation.

~~((24))~~ (39) "Usable floor space" means floor area available for:

(a) Use in a resident bedroom ~~((exclusive of))~~ excluding areas with ceiling height ~~((less than))~~ under seven feet six inches and walk-in closets if initially and continuously licensed prior to December 31, 1988; or

(b) Living and sleeping, excluding bathrooms, toilets, toilet compartments, closets, halls, storage, or utility spaces if initially licensed after December 31, 1988.

~~((25))~~ "Utility sink" means a plumbing fixture of adequate size and proper design for filling and emptying mop buckets.)

NEW SECTION

WAC 248-16-031 BOARDING HOME LICENSE APPLICATION—DEPARTMENT DENIAL, SUSPENSION, REVOCATION OF LICENSE. (1) Boarding home license applicants shall:

(a) Submit appropriate, signed, completed department application forms to the department;

(b) Apply at least thirty days prior to expiration of license for renewal;

(c) Promptly report changes in information related to the application including identity of:

(i) Officers and directors if operated by a legally incorporated entity; and

(ii) Partners if a legal partnership.

(2) The department shall:

(a) Evaluate qualifications of persons named in boarding home license application prior to granting initial and subsequent licenses;

(b) Deny, suspend, or revoke a boarding home license if the department finds persons named unqualified or unable to operate or direct operation of the facility as described in chapter 18.20 RCW and chapter 248-16 WAC;

(c) Determine if reasonable relationship exists between any previous conviction of the applicant and ability to competently, safely oversee, or operate a boarding home;

(d) Deny, suspend, or revoke a boarding home license if any person named:

(i) Was previously denied a license to operate an agency for care of children, aged, ill, or infirm in Washington or elsewhere;

(ii) Had a license to operate an agency for treatment or care of people revoked or suspended;

(iii) Has a record of a criminal or civil conviction for:

(A) Operating an agency for care of aged, children, ill, or infirm without an appropriate, applicable license; or

(B) Any crime involving physical harm to another person.

- (iv) Is identified on department abuse registry as perpetrator of substantiated abuse described in chapter 26.44 RCW;
 - (v) Committed, permitted, aided, or abetted an illegal act on boarding home premises;
 - (vi) Demonstrated cruelty, abuse, negligence, assault, or indifference to welfare and well-being of a resident;
 - (vii) Failed to exercise fiscal accountability and responsibility involving:
 - (A) A resident;
 - (B) The department;
 - (C) Public agencies; or
 - (D) The business community.
- (3) The department may grant a license to operate a boarding home to previously disqualified licensees as specified in subsection (2) of this section if such person provides evidence including demonstrated ability to operate a boarding home according to applicable laws and rules.

NEW SECTION

WAC 248-16-033 CHANGE OF LICENSEE. (1) Boarding homes shall:

- (a) Notify the department in writing at least thirty days prior to planned change of boarding home license including:
 - (i) Full names of the present licensee and prospective licensee;
 - (ii) Name and address of the boarding home concerned;
 - (iii) The date of the proposed change; and
 - (iv) The kind of change to be made, such as sale, lease, or rental.
- (b) If a corporation or partnership:
 - (i) Notify the department, in writing, with the name and address of the responsible officers in corporation or controlling partners; and
 - (ii) Submit a signed statement testifying the new controlling officer or officers is in compliance with WAC 248-16-031.
- (2) Applicants for an initial boarding home license shall submit a new application thirty days or more before proposed effective date of license as specified in WAC 248-16-031.

NEW SECTION

WAC 248-16-036 REQUIREMENT FOR AND QUALIFICATIONS OF BOARDING HOME ADMINISTRATOR. (1) Boarding homes shall have continuous availability of an administrator or designated alternate who:

- (a) Is available in person or by phone or page at all times;
- (b) Is at least twenty-one years of age;
- (c) Is not a resident as defined in WAC 248-16-001;
- (d) Possesses a high school diploma or equivalent unless administering a boarding home in Washington state prior to January 1, 1958;
- (e) Has demonstrated competence and experience in management of a boarding home or completed high school or post-high school courses including:
 - (i) Basic accounting, except when a designated alternate administrator is in charge for two weeks or less;
 - (ii) Management including personnel management; and
 - (iii) Care of persons characteristic of those admitted or accepted as residents in a specific boarding home, such as frail elderly, developmentally disabled, or mentally ill persons.
- (f) Meets requirements as specified in WAC 248-16-046 (2)(b).
- (2) Boarding homes shall notify the department when changes in the administrator occur including:
 - (a) Provide written notice to the department of new administrator's name upon appointment; and
 - (b) Provide a statement of administrator's compliance with WAC 248-16-036 and 248-16-046.

NEW SECTION

WAC 248-16-046 STAFF AND EMPLOYEES—OTHER PERSONS LIVING IN BOARDING HOME. (1) Boarding homes shall provide:

- (a) Sufficient, trained staff in each boarding home to provide:
 - (i) Services and care needed by residents;
 - (ii) Maintenance of the facility for resident health and safety;
 - (iii) Implementation of fire and disaster plans.
- (b) One or more staff aged eighteen years of age or older:
 - (i) On boarding home premises at all times when residents are present;
 - (ii) Capable of assisting all residents present in boarding home; and

- (c) Staff present and responsible for "on-premises" supervision when any resident is working as staff or employed by the boarding home unless approved in advance by the department;
- (d) Orientation and appropriate training of employees and staff pertinent to expected duties including:
 - (i) Organization of boarding home;
 - (ii) Physical facility layout;
 - (iii) Specific duties and responsibilities;
 - (iv) Policies, procedures, equipment necessary to perform duties as expected, minimally including:
 - (A) Actions during emergencies;
 - (B) Actions related to suspected, or alleged abuse, neglect, or accidents involving residents; and
 - (C) Methods of preventing transmission of infection.
- (2) Boarding homes shall require and have:
 - (a) Staff with resident care duties possessing:
 - (i) Current first aid cards, unless licensed nurses, from instructors certified by:
 - (A) American Red Cross; or
 - (B) American Heart Association; or
 - (C) United States Bureau of Mines; or
 - (D) Washington state department of labor and industries.
 - (ii) Current cardiopulmonary resuscitation cards from instructors certified as in subsection (2)(a)(i)(A), (B), (C), and (D) of this section.
 - (b) A written statement from all staff and persons other than residents living or working in a boarding home regarding:
 - (i) Convictions for felony;
 - (ii) Convictions for crimes involving physical harm to another; and
 - (iii) Previous perpetrator of substantiated abuse as described in chapter 26.44 RCW.
 - (c) Exclusion of persons other than residents from living or working on the premises when evidence indicates previous conviction or abuse, as in subsection (2)(b) of this section, unless the boarding home licensee:
 - (i) Determines such person is rehabilitated enough to warrant public trust; and
 - (ii) Records the facts and basis for decision.
- (3) Boarding homes shall reassign and/or restrict staff contact with residents when:
 - (a) Staff have a known communicable disease in the infectious stage; and
 - (b) The disease is likely to be spread in the boarding home setting or by casual contact.
- (4) Boarding homes shall maintain documentation of:
 - (a) Staff orientation and training pertinent to duties, including cardiopulmonary resuscitation and first aid if required in subsection (2)(a) of this section; and
 - (b) Individual staff statements related to conviction or abuse and related boarding home actions as required in subsection (2)(b) and (c) of this section.

NEW SECTION

WAC 248-16-057 NEW CONSTRUCTION—MODIFICATION OF EXISTING STRUCTURE. (1) Boarding homes shall forward plans for new construction, if applicable, to the department including:

- (a) Preliminary documents with:
 - (i) Description of program, services, and operational methods affecting boarding home building, premises, or residents;
 - (ii) Scaled drawings for any physical or functional construction or modification;
 - (iii) Two sets of plans drawn to scale including:
 - (A) Plot plan showing streets and driveways;
 - (B) Water supply;
 - (C) Sewage disposal system;
 - (D) Grade and location of each building;
 - (E) Designated function of each room; and
 - (F) Fixed equipment.
 - (iv) General description of construction and materials.
- (b) Final construction documents requiring department approval which are two sets of final plans and specifications including:
 - (i) Plot plans;
 - (ii) Plans for each floor of each affected building designating function for each room and fixed equipment;
 - (iii) Interior and exterior elevations, building sections, and construction details;

(iv) A schedule of floor, wall, and ceiling finishes and the type and size of doors and windows;

(v) Plumbing, heating, ventilating, and electrical systems;

(vi) Specifications which fully describe workmanship and finishes; and

(vii) A sample of each different carpet, if provided, including tests for flame spread and smoke density conducted by an independent testing laboratory approved by the department.

(2) Boarding homes involved in new construction projects shall:

(a) Obtain department approval of final construction documents prior to starting construction;

(b) Consult with the department prior to changing approved plans and specifications;

(c) Submit modified plans or addenda if required by the department;

(d) Construct only changes approved by the department;

(e) Provide a written notice of construction project completion to the department indicating date to be completed and compliance with requirements of chapter 18.20 RCW and chapter 248-16 WAC; and

(f) Occupy and use buildings or rooms only after authorization by the department.

(3) When modifications or alterations to existing boarding home structure are planned, boarding homes shall forward plans to the department including:

(a) Preliminary documents with:

(i) Descriptive drawings of each floor of proposed modifications indicating area to be modified;

(ii) Description of impacts on physical plant, operations, and services;

(iii) A plan showing existing and proposed function of each room and fixed equipment; and

(iv) A sample of carpets, if provided, including tests for flame spread and smoke density conducted by an independent testing laboratory approved by the department.

(b) Final plans submitted after department review of preliminary documents.

(4) Boarding homes involved in alteration or modification projects shall:

(a) Begin modifications only after department approval of final plans; and

(b) Make adequate provisions for the health, safety, and comfort of residents during construction.

(5) Boarding homes shall obtain approval of the Washington state division of fire protection prior to new construction, modifications, alterations, and minor alterations under RCW 18.20.130.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-060 COMMUNICATION SYSTEM(S). Boarding homes shall provide:

(1) ~~((There shall be at least))~~ One ~~((^))~~ or more ~~((^))~~ nonpay ~~((^))~~ telephones in each ~~((boarding home so))~~ building located ~~((as to be easily accessible from all parts of the building(s)))~~ for ready access by staff;

(2) ~~((A telephone, which may be a "pay phone," shall be accessible for personal use by the residents.))~~ Intercoms, phone extensions, or other means of communications as required for maintaining resident safety;

(3) ~~((When))~~ Resident ~~((safety conditions require, internal means of communication shall be available, such as intercom or phone extensions))~~ access to one or more pay or nonpay telephones on the premises.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-070 WATER SUPPLY. Boarding Homes shall:

(1) Provide a water ~~((used for domestic purposes in boarding homes shall meet the standards of the department.))~~ supply system and water meeting requirements described in chapter 248-54 WAC ~~((:))~~ public water supplies;

(2) ~~((Cross connections of any kind are prohibited.))~~ Maintain water supply systems free of cross-connections;

(3) ~~((In the event that an unsafe or nonpotable water supply is used for irrigation, fire protection or other purpose, it shall be adequately color-coded or labeled so as to lessen any chance of its being used for domestic purposes.))~~ Provide hot and cold water under adequate pressure readily available throughout the facility;

(4) Provide hot ~~((and cold))~~ water ~~((under pressure shall be readily available at all times.))~~ not to exceed 120° Fahrenheit at lavatories and bathing facilities used by residents;

~~((Hot water at lavatories, bathtubs, and showers shall not exceed 120° Fahrenheit))~~ Label or color code unsafe or nonpotable water supplies used for irrigation, fire protection, and purposes other than domestic use;

(6) Meet laundry requirements of WAC 248-16-160; and

(7) Meet dishwashing machine requirements in WAC 248-16-141.

AMENDATORY SECTION (Amending Order 147, filed 6/29/77)

WAC 248-16-080 SEWAGE AND LIQUID WASTE DISPOSAL. Boarding homes shall:

~~((1) Have all sewage and ((liquid)) waste((s shall be discharged)) water drain into a ((public)) sewerage system ((where such system is available and is acceptable to the department; otherwise sewage and liquid wastes shall be collected, treated and disposed of in an independent sewerage system which meets the requirements of the department)) approved by the governmental agency having jurisdiction;~~

(2) Prevent discharge of sewage or liquid wastes directly on the surface of the ground ~~((, or into bodies of water,))~~ or directly into ground water ~~((is prohibited)); and~~

(3) For new construction, if on-site sewage disposal systems are used, discharge sewage and liquid wastes per chapter 248-96 WAC on-site sewage disposal or chapter 173-240 WAC.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-090 GARBAGE AND REFUSE DISPOSAL. Boarding homes shall:

~~((1) ((Storage pending disposal. There shall be provided and maintained.)) Provide garbage containers which are:~~

~~((a) In a suitable location((, a)) or storage area;~~

~~((b) Sufficient in number ((of garbage containers of watertight construction, made of));~~

~~((c) Constructed to be nonabsorbent ((material)) and water-tight;~~

~~((d) Appropriately ((covered or otherwise contained. Garbage containers shall be) maintained; and~~

~~((e) Cleaned ((at adequate intervals)) frequently to prevent presence of vectors, odors, and other nuisances.~~

~~((2) ((Disposal.)) Dispose of garbage and ((refuse shall be disposed of)) wastes at ((sufficiently)) sufficient frequent intervals ((so as not)) to ((create a)) prevent hazards and nuisance((:)); and~~

~~((3) Assure final disposal ((shall be)) of garbage and refuse by ((an)) use of authorized garbage collection ((agency or by some other method satisfactory to the)) services or other department-approved methods.~~

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-105 LIGHTING. ~~((All areas shall be appropriately lighted by natural or artificial means when in use.))~~ Boarding homes shall maintain light fixtures and lighting to provide for comfort and safety of residents minimally to include an intensity of:

(1) Five foot-candles of light measured thirty inches from the floor in all areas;

(2) Thirty foot-candles of light measured at reading, work, and recreation surfaces in any room or area used by residents for reading, work, and recreation; and

(3) Ten foot-candles of light measured thirty inches from the floor in toilet rooms and bathrooms.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-110 HEATING-TEMPERATURE. ~~((+))~~ Boarding homes shall ~~((be equipped with an approved heating system capable of maintaining a healthful temperature. Use of portable space heaters is prohibited unless approved in writing by the Washington state fire marshal.))~~

(1) Equip each resident-occupied building with an approved heating system capable of maintaining a healthful temperature for residents;

(2) ((Temperature shall be maintained at a healthful level)) Prohibit use of portable space heaters unless approved, in writing, by the Washington state director of fire protection; and

(3) Maintain a temperature during sleeping hours no less than 60° Fahrenheit and no less than 68° Fahrenheit during waking hours except when:

(a) A room is designated for activities requiring physical exertion; or

(b) Individual residents can control temperature in their own unit, independent from other areas.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-115 VENTILATION. Boarding homes shall:

- (1) Ventilate rooms ((with)) to prevent excessive odors or moisture ((shall be appropriately ventilated.));
- (2) ((Operable windows or openings that serve for ventilation shall be provided with insect screening. Screening used in openings designated for rescue or fire exit shall be of a type which do not restrict or hinder escape or rescue, in event of a fire emergency)) Designate and maintain appropriately ventilated smoking areas to prevent air contamination throughout the facility if smoking is permitted in a boarding home;
- (3) Provide insect screens for operable windows or openings serving for ventilation; and
- (4) Avoid using a type of screen which might restrict or hinder escape or rescue in emergencies if a screen is used in a fire or emergency exit opening.

NEW SECTION

WAC 248-16-121 RESIDENT ROOM—ROOM FURNISHINGS—STORAGE. (1) Boarding homes shall have resident sleeping rooms with:

- (a) Eighty square feet usable floor space in a one-person room;
- (b) At least seventy square feet of usable floor space per person in rooms occupied by two or more;
- (c) Ceiling heights of at least seven feet six inches over all portions of rooms considered usable floor space;
- (d) Accommodations for a maximum of four persons per room if initially and continuously licensed prior to December 31, 1988;
- (e) Maximum occupancy of two persons per room for boarding homes applying for initial license or increasing number of resident sleeping rooms after December 31, 1988;
- (f) Appropriate room identification and resident capacity consistent with department-approved list;
- (g) Unrestricted direct access to a hallway, living room, outside, or other acceptable common-use area;
- (h) An exclusion for use as corridors or passageways;
- (i) Window sill or sills of a window or windows used for required window area, under subsection (1)(j) of this section:
- (i) No more than three feet eight inches from the floor;
- (ii) At or above grade extending ten or more feet outside horizontally from the window sill.
- (j) Windows, excluding openings into window wells, enclosed porches, light or ventilation shafts, or similarly enclosed areas, providing:
- (i) Clear glass area at least one-tenth of required room area;
- (ii) Minimum area of ten square feet.
- (k) Windows designed to operate freely if necessary for fire exit or ventilation;
- (l) Adjustable window curtains, shades, blinds, or equivalent for visual privacy;
- (m) One or more duplex electrical outlets per bed if initially licensed after July 1, 1983;
- (n) Switch at entry of bedroom to control one or more light fixtures in room;
- (o) Artificial lighting at bedside if requested by a resident under WAC 248-16-105; and
- (p) Noncombustible wastebaskets.
- (2) Boarding homes shall provide or ensure each resident has:
- (a) Sufficient storage facilities either in or immediately adjacent to his or her sleeping room to adequately store a reasonable quantity of clothing and personal possessions;
- (b) Individual towel and washcloth rack or equivalent;
- (c) A secure space for valuables at least one-half cubic foot and a minimum dimension of four inches if requested by the resident;
- (d) A comfortable bed appropriate for size of resident and at least thirty-six inches wide with:
- (i) A mattress which:
- (A) Fits the bed frame;
- (B) Is in good condition; and
- (C) Is at least four inches thick unless otherwise requested or necessary for resident health and/or safety.
- (ii) Spacing at least three feet from the other beds unless otherwise requested by all affected residents; and
- (iii) Acceptable types including:
- (A) Standard household bed;
- (B) Studio couch;

- (C) Hide-a-bed;
- (D) Day bed; and
- (E) Water bed if it is structurally and electrically safe.
- (e) One or more comfortable pillows;
- (f) Clean, and in good repair, bedding at least one time per week, or as necessary to maintain cleanliness;
- (g) Clean towels and washcloths at least once each week or more often if necessary to maintain cleanliness; and
- (h) At least one suitable chair excluding those used to permanently furnish the day room, dining room, or other common-use rooms.
- (3) Boarding homes may permit a resident to use his or her own furniture and furnishings when consistent with health and safety of all residents including:
- (a) Cooking equipment, coffee makers, and other equipment and appliances in sleeping rooms when approved by the Washington state director of fire protection; and
- (b) Food and beverage storage and preparation area in sleeping room if maintained in a sanitary condition.
- (4) Boarding homes shall regularly:
- (a) Ascertain functional ability of residents to use cooking facilities safely; and
- (b) Take appropriate actions to prohibit resident access to cooking facilities when a resident is judged unable to cook safely, including:
- (i) Rewire, disconnect, or remove stove or appliance;
- (ii) Transfer of resident to another accommodation; or
- (iii) Ensure constant attendance by a responsible person when resident has access to or use of cooking facilities.
- (5) Boarding homes may use and allow use of carpets or other floor coverings if:
- (a) Securely fastened to the floor or provided with nonskid backing;
- (b) Free of hazards such as curling edges or tattered sections; and
- (c) Clean.
- (6) If a boarding home plans to install carpeting, the boarding home shall submit samples to the department for approval prior to purchase and installation as required in WAC 248-16-055 (3)(a)(iv).

NEW SECTION

WAC 248-16-131 TOILET AND BATHING FACILITIES. (1) Unless a private toilet and bathing facility is provided for exclusive use in each resident living unit, boarding homes shall provide common-use facilities for residents, staff, and others as follows including:

- (a) At least one toilet and one lavatory available in a ratio of one toilet and lavatory for each eight or fewer persons;
- (b) Toilet rooms containing more than one toilet reserved for use by one sex;
- (c) No more than one toilet in a room containing a bathing facility to be counted as a required toilet;
- (d) A lavatory located in:
- (i) Each toilet room; or
- (ii) In a directly adjacent adjoining lounge, dressing room, locker room, or other suitable common-use area; or
- (iii) In a resident's room if the toilet room opens into resident's room.
- (e) Lavatories equipped with:
- (i) Suitable mirrors;
- (ii) Soap; and
- (iii) Single-use or disposable towels, blower, or equivalent hand-drying device.
- (f) Bathing facilities and toilets for resident use located where:
- (i) Reasonable access is possible from a common hall or area for all residents living on the same level or floor;
- (ii) Residents served live on same floor or level as toilet;
- (iii) Residents served live on same floor or level as bathing facility or no more than one floor or level up or down;
- (iv) Resident access is possible without passage through facility kitchen, pantry, food preparation, food storage, or dishwashing area; and
- (v) Access occurs without passage from one bedroom through another bedroom.
- (g) At least one bathing facility for every twelve or fewer persons;
- (h) Bathrooms containing more than one bathing facility reserved for use by one sex only;
- (i) At least one bathtub available for every forty-eight or fewer residents excluding resident living units containing private bathing facilities.
- (2) General requirements for all resident toilets, bathing facilities, and lavatories:

- (a) Bathing facilities designed to meet the needs of residents living in the facility;
- (b) Toilets and bathroom facilities equipped with:
- (i) Water resistant, smooth, low gloss, nonslip, and easily cleanable materials;
 - (ii) Walls washable to height of splash or spray;
 - (iii) Suitable numbers of grab bars installed and located to minimize accidental falls including:
 - (A) At least one grab bar installed at each bathing facility; and
 - (B) Grab bars at toilets if needed by residents.
 - (iv) Sanitarily designed plumbing fixtures in good repair with clean, nonabsorbent toilet seats free of cracks;
 - (v) Adequate lighting;
 - (vi) A suitable mirror at each lavatory; and
 - (vii) Adequate ventilation to outside.

NEW SECTION

WAC 248-16-141 FOOD AND NUTRITION SERVICES. (1) Boarding homes shall maintain food service facilities and practices required in chapter 248-84 WAC food service sanitation. Boarding homes may use home-canned high-acid foods with a pH of less than 4.6, such as fruit, jelly, and jam.

- (2) Boarding homes using dishwashing machines shall ensure:
- (a) Machine operation per manufacturer directions; and
 - (b) "Home-type" machines, without high temperature sanitation cycles, maintain water temperature at 155° Fahrenheit or above.
- (3) Boarding homes shall:
- (a) Provide a minimum of three meals in each twenty-four-hour period;
 - (b) Deviate from minimum of three meals in a twenty-four-hour period only following written approval by the department;
 - (c) Allow no more than fourteen hours between the evening meal and breakfast unless a snack contributing to the daily nutrient total is served or made available to all residents between the evening meal and breakfast;
 - (d) Provide sufficient time for residents to consume meals;
 - (e) Have written menus which:
 - (i) Are available at least one week in advance;
 - (ii) Include date, day of week, month, and year;
 - (iii) Are retained at least six months; and
 - (iv) Provide a variety of foods with cycle duration of at least three weeks before repeating.
 - (f) Prepare palatable, attractively served foods, meals, and nourishments sufficient in quality, quantity, and variety to meet the recommended dietary allowances of the food and nutrition board, National Research Council, 1980;
 - (g) When substituting for food contributing to daily nutrient total requirement, use food of comparable nutrient value and record food actually served;
 - (h) Keep a record of all food and snacks served and contributing to nutritional requirements; and
 - (i) Maintain an adequate dining area approved by the department with seating capacity for fifty percent or more residents per meal setting.
- (4) Boarding homes shall prepare and serve:
- (a) Resident specific modified or therapeutic diets when and as prescribed by a health care practitioner using a dietitian-approved menu or diet manual; and
 - (b) Only nutrient concentrates and supplements prescribed in writing by a health care practitioner.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-150 DAY ROOMS. (~~Suitable day room or living room space, comfortably furnished, adequately heated and adequately lighted, shall be provided which has space adequate for the usual functions of daily living and which includes an area for social and diversional activities. Floor space requirements shall be related to the number of residents as follows: One to fifty beds, inclusive, ten square feet per bed, fifty-one beds and over, five square feet per bed in addition to the first five hundred square feet, except that no boarding home shall provide less than one hundred fifty square feet. In arriving at the total square footage available for day room or living room usage;~~) Boarding homes shall provide day room area or areas for residents to participate in social, recreational, and diversional activities. Boarding homes shall provide in the day room area or areas:

- (1) Comfortable furniture and furnishings to meet resident needs;

- (2) Heat and light appropriate for the comfort of residents;
- (3) Floor space of no less than one hundred fifty square feet or ten square feet per resident, whichever is larger. Such total area may include:
 - (a) Solariums,
 - (b) Enclosed sun porches,
 - (c) Recreation rooms,
 - (d) Dining rooms(~~etc., may be included as part of the required floor space. Residents' rooms, entryways, corridors and hallways shall not be considered as part of required day room or~~), and
 - (e) Living rooms.
- (4) Floor space of no less than one hundred fifty square feet or twenty square feet per resident, whichever is larger, for boarding homes newly licensed after December 31, 1988.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-160 LAUNDRY (~~ROOM~~). (1) (~~The~~) Boarding homes shall provide or make provision (~~and be responsible~~) for (~~the proper~~) appropriate handling, cleaning, and storage of linen and (~~other~~) washable goods.

(2) (~~Unless all laundry is sent out, every boarding home shall be provided with a laundry room equipped with adequate laundry facilities:~~

- (a) Laundry equipment shall have the capability of reaching a temperature of one hundred forty degrees Fahrenheit.
- (b) There shall be separation of clean and soiled laundry.
- (c) The laundry room, storage, and sorting areas shall be located in rooms not) When facility and/or comingled personal resident laundry is washed on the premises, boarding homes shall provide, maintain, and appropriately equip a laundry room including:
 - (a) Washing machines with hot water intake temperature of 140° Fahrenheit for each load;
 - (b) Means of separating clean and soiled items; and
 - (c) Soiled laundry and linen storage and sorting areas in rooms other than those used for open food storage, food preparation, or (~~serv~~ing) food service.

Reviser's note: The spelling 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 264, filed 6/16/83)

WAC 248-16-170 STORAGE SPACE(~~S~~). (1) Boarding homes shall provide adequate storage space (~~shall be provided~~) for:

- (a) Supplies(~~;~~);
- (b) Equipment(~~;~~ stored personal possessions of residents);;
- (c) Linen(~~;~~); and (~~similar items~~;
- (~~+) Storage space shall be such that it does not constitute a fire or accident hazard)~~
- (d) Personal possessions of residents including spaces described in WAC 248-16-121(2).
 - (2) Boarding homes shall maintain storage space to:
 - (a) Prevent fire or accident hazards; and
 - (b) Provide separate, lockable storage for disinfectants and poisonous compounds (~~shall be stored separately~~) in (~~cabinets~~;) drawers, rooms, or equivalent(~~;~~ which can be locked).

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-180 STAIRS—RAMPS. (~~At~~) Boarding homes providing stairways (~~used by~~) or ramps for resident(~~s~~) use shall (~~have~~) maintain:

- (a) Nonskid surfaces(~~;~~);
- (2) Step(~~s shall be~~) treads at least nine inches deep (~~run~~) and (~~not more than~~) a maximum of eight inches high (~~rise~~); and
- (3) Ramps with a maximum slope of one to twelve (vertical to horizontal), as needed for resident safety.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-190 GUARDRAILS, HANDRAILS. (1) Boarding homes shall install and maintain sturdy handrails (~~may be required~~) located:

- (a) In halls and corridors if conditions indicate a need(~~;~~ All inside and outside stairs shall be equipped with sturdy handrails on each side:

PROVIDED, HOWEVER, That one handrail may be permitted following evaluation by the department to determine safety of residents is maintained. Guardrails may be required);

(b) On each side of interior and exterior stairways unless rail installation on one side;

(i) Maintains safety of residents; and

(ii) Is approved in writing by the department.

(c) In stairways with more than one step riser; and

(d) On each side of interior and exterior ramps.

(2) The department may require a boarding home to install guardrails if safety of residents is jeopardized.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-202 MAINTENANCE AND HOUSEKEEPING. Boarding homes shall provide maintenance and housekeeping including:

(1) ((The)) Safe and sanitary exterior grounds, boarding home structure, ((its)) and component parts((facilities, equipment and furnishings shall be kept clean and in good repair and maintained in the interest of residents' safety and well-being. No hazard shall exist from structural conditions:));

(2) ((All bedrooms used by residents shall be kept in a safe and sanitary condition at all times. If a resident does not care for his or her own room, such maintenance shall be provided by staff of the boarding home.)) Clean facilities, equipment, and furnishings in good repair;

(3) ((The boarding home shall provide a utility sink or an equivalent means of obtaining and disposing of mop water in areas other than those used for food preparation and serving. Wet mops shall be stored in an area with adequate ventilation.)) Safe and sanitary conditions in resident bedrooms;

(4) Provision for maintaining each resident bedroom if a resident does not keep his or her room clean and safe;

(5) Absence of safety hazards;

(6) A utility sink or equivalent means of obtaining and disposing of mop water away from areas used in food preparation and food service; and

(7) Storage for wet mops in areas:

(a) mechanically ventilated; or

(b) Ventilated to outside air.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-213 ADMISSION, PLACEMENT AND RETENTION OF RESIDENTS. (1) Prior to admission ((of an applicant for residency in)) or acceptance as a resident, boarding ((home, the boarding)) homes shall ((have obtained)) obtain sufficient information ((about the applicant's current ability to function to determine if the)) to evaluate whether or not a resident/applicant can be ((properly)) safely housed and provided domiciliary care in the ((boarding home)) particular facility, including information in reference to:

(a) Resident/applicant's ability to function with respect to the physical premises, equipment, and staff of the boarding home;

(b) Space, equipment, and furniture requirements;

(c) Ambulatory status;

(d) Currently demonstrated overt behavior dangerous to self or others;

(e) Need for care in a hospital, nursing home, or other licensed facility under chapters 18.51, 70.41, and 71.12 RCW;

(f) Requirements for assistance in obtaining or administering medications; and

(g) Need or desire for nursing care exceeding periodic visits by staff of a home health care agency or a licensed nurse employed by an individual resident.

(2) ((Admission of individuals as residents shall be limited to those who can be accommodated by the physical plant facilities, space, furniture, equipment, staff and program of domiciliary care in accordance with these rules, regulations and standards, chapter 248-16 WAC)) Boarding homes shall accept, admit, and retain persons as residents only when:

(a) Ambulatory unless the boarding home is approved by the Washington state director of fire protection to:

(i) Care for semi-ambulatory residents; or

(ii) Care for nonambulatory residents not needing medical or nursing care as specified in subsection (2)(f)(ii) and (iii) of this section.

(b) Nonsmoking residents can be accommodated with smoke-free rooms and smoke-free common-use areas to prevent contact with smoke;

(c) Smoking residents can be accommodated by areas meeting the requirements in WAC 248-16-115(2);

(d) The individual resident can be accommodated by:

(i) physical plant, facilities, and spaces;

(ii) Furniture and equipment; and

(iii) Staff who are available and sufficient to provide nature of domiciliary care required and desired by the resident.

(e) The amount and nature of needed assistance with medication or medication service is available in the boarding home under RCW 18.20.160 and WAC 248-16-229; and

(f) Individuals do not:

(i) Exhibit continuing overt behavior which is a danger to others or self;

(ii) Need inpatient care in a hospital, nursing home, or other facility licensed under chapters 18.51, 70.12, or 70.41 RCW; or

(iii) Need continuous nursing care exceeding periodic or short-term services from:

(A) Staff of a home health care agency; or

(B) A licensed nurse retained by an individual resident.

(3) ((Only individuals who are ambulatory, as defined in WAC 248-16-001 shall be admitted and retained as residents unless the state fire marshal approves the boarding home for acceptance of nonambulatory individuals. PROVIDED, That there is compliance with RCW 18.20.160.

(4) Accommodations for individuals who, though capable of independent mobility with the use of a cane, crutches, a walker, a wheelchair or artificial limb, are not capable of walking unaided shall be restricted to sections or areas of a boarding home which have been specifically approved for occupancy by such individuals by the state fire marshal, unless the state fire marshal has approved the entire boarding home for occupancy by such individuals.

(5) The following shall not be admitted or retained as residents:

(a) Individuals who are manifesting overt behavior which is a danger to others or self;

(b) Individuals who are in need of inpatient care in a hospital, a nursing home, or other facility licensed under the provisions of chapters 70.41, 71.12 or 18.51 RCW;

(c) Individuals who need nursing care over and above the following:

(i) Simple nursing care, of a type ordinarily given in a private home by lay persons, to one who has a mild, temporary illness which does not exceed fourteen days in duration;

(ii) Service from a community home health care agency;

(6) An individual who requires medication service shall not be admitted or retained as a resident unless the boarding home makes provision for medication services in accordance with RCW 18.20.160 and WAC 248-16-228.

(7) At the time of admission, the boarding home administrator shall make definite arrangements with the resident regarding the health care practitioner and/or other individual to be called in case the resident becomes ill.) Upon admission or acceptance of an individual as a resident, boarding homes shall determine a resident's choice regarding:

(a) Definite arrangements with a health care practitioner; and

(b) Who to call in case of resident illness or death.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-215 BOARDING HOME RESIDENT RIGHTS((SERVICES TO BE PROVIDED)). ((+)) Boarding homes shall assure each resident maintains the following rights in addition to any rights not specifically withheld by law insofar as a general or specific nuisance or a danger to the individual((s)) or others is not created((each resident shall have, in addition to any rights not specifically withheld by law, the following):

(1) Rights to:

(a) ((To)) Be informed or to have ((am)) a resident-designated agent((designated by the resident;)) informed of ((his or her)) resident rights and the policies of the facility at the time of admission((A written copy of rights and policies shall be provided to each resident or designated agent.));

(b) Have a written copy of resident rights and policies with verification of date of receipt in the resident's file or available elsewhere in the facility;

(c) ((To)) Be treated in a manner ((that respects his or her)) respecting individual identity ((and)), human dignity, and ((fosters)) fostering constructive self-esteem(((-c) To));

(d) Be notified thirty days in advance if ((he or she requires)) transfer is necessary for medical or nursing care, resident well-being, or ((for his or her)) welfare ((or that)) of other residents, ((except as

prohibited by Titles XVIII, XIX or XX of the Social Security Act,) unless:

(A) An emergency condition requires immediate transfer(:(:); or ((there is failure to comply with))

(B) Resident does not abide by written boarding home policy ((of the boarding home or to ensure orderly transfer or discharge)) affecting health and safety of self or others; or

(C) Orderly transfer or discharge is enhanced for the resident by earlier transfer. ((The))

(2) Rights to:

(a) Have any notice of transfer ((or discharge)) and discharge ((planning shall be)) documented in ((the)) resident's record((-d) Fo);

(b) Associate, visit, and communicate privately with persons of his or her choice; ((to))

(c) Send and receive uncensored correspondence through the mail; ((to))

(d) Have reasonable access to a telephone ((both to make)) for making and ((to receive)) receiving personal calls(:(:);

(e) ((Fo)) Manage personal financial affairs unless ((such person has been)) adjudicated ((to be)) incompetent in a court proceeding directed to that particular issue ((or pursuant to law.));

(f) ((Fo)) Retain and use personal clothing and possessions unless to do so would infringe upon the rights of other residents(:(:);

(g) ((Fo)) Refuse to perform services for the facility unless these services are included in a plan of care(:(:);

(h) ((Fo to be assured privacy for visits with relatives or guests.

(i) ((Fo)) Voice grievances and recommend changes in policies and services to the facility staff and ((for)) to outside representatives of his or her choice free from restraint, interference, coercion, discrimination or reprisal(:(:);

((i) ((Fo)) (i) Be informed of telephone numbers and address of the licensing ((agency)) agent or appropriate advocacy ((group(s)). (k) Fo) group;

(j) Meet with and participate in activities of social, religious, and community groups at his or her discretion((-t) Fo to be free);

(k) Freedom from physical, chemical, and psychological restraints unless authorized by law((-m) Fo to be free);

(l) Freedom from exploitation, assault, abuse, and neglect(:(:);

(m) Access information in own record or provide written authorization for a designated agent to access record;

(n) ((Fo have)) Confidential treatment of information contained in resident health records ((kept confidential)) with access only ((to)) by authorized ((personnel)) persons and those persons authorized by the department(:(:);

(o) ((Fo be given)) Receive timely notice of changes in ((admission or retention)) policy and procedures affecting residents; and

(p) Be informed of facility rules, including smoking rules and location of smoking and nonsmoking areas.

((2) Each resident shall have at least one comfortable pillow and adequate, clean bedding. Clean sheets, a pillow case, towels and washcloths shall be provided as needed and at least each week.

(3) A resident shall be regularly observed for changes in physical, mental and emotional functioning. When observations reveal the resident has need for services unavailable in the boarding home, the administrator or designee shall arrange for the transfer of the resident.

(4) Basic domiciliary care services shall be conducted so as to attain or maintain each resident's highest degree of functioning possible and compatible with individual safety and welfare. The following services shall be provided when a resident requires such services:

(a) General health supervision, which means provision of the following services in accordance with a resident's particular needs including:

(i) To encourage a resident to self-administer medically prescribed drugs and treatment;

(ii) To encourage a resident to follow any medically prescribed modified diet, rest or activity regimen;

(iii) To encourage and assist a resident to keep appointments for health care services, e.g., physicians, dentists, home health care services or clinics;

(iv) Encourage and assist a resident to see his or her health care practitioner if the resident manifests signs and symptoms of an illness or abnormality for which medical diagnosis and treatment seem indicated.

(b) Reminding and/or guidance, supervision or assistance to a resident in:

(i) Personal hygienic care, dressing, grooming, and other activities;

(ii) Maintenance of functional aids or equipment, such as glasses, hearing aids, canes, crutches, walker or wheelchair;

(iii) Maintenance of clothing and other personal effects;

(iv) Maintenance of personal living quarters in a manner conducive to safety and comfort.

(c) Encouraging, guiding or assisting a resident to participate in social, recreational, diversional, vocational, church or other activities within the boarding home and the community in accordance with his or her interests, tolerance and abilities.

(5) Whenever a resident is believed to be ill or injured, the health care practitioner or other individual designated by the resident shall be notified immediately.))

NEW SECTION

WAC 248-16-216 BOARDING HOME RESIDENT SERVICES. (1) Boarding homes shall:

(a) Observe and note changes in physical, mental, and emotional functioning; and

(b) Assist with arrangements for appropriate transfer as needed.

(2) Boarding homes shall provide basic domiciliary care including, but not limited to:

(a) Assisting each resident to maintain his or her highest functional ability possible and compatible with individual safety and welfare;

(b) Providing general health supervision if required by resident including:

(i) Encouraging resident to self-administer medically prescribed drugs and treatment;

(ii) Encouraging resident to follow any medically prescribed modified diet, rest or activity regimen;

(iii) Encouraging and assisting a resident with arrangements to keep appointments for health care services, e.g., physicians, dentists, home health care services, or clinics;

(iv) Encouraging and assisting resident with arrangements to see his or her health care practitioner when the resident shows signs or describes symptoms of an illness or abnormality for which medical diagnosis and treatment may be indicated; and

(v) Encouraging, supervising, or assisting resident with:

(A) Personal hygienic care, dressing, grooming, and other activities;

(B) Functional aids or equipment, such as glasses, hearing aids, canes, crutches, walker, or wheelchair;

(C) Clothing and other personal effects;

(D) Personal living quarters in a manner conducive to safety and comfort.

(c) Encouraging, guiding, or assisting residents with arrangements to participate in social, recreational, diversional, vocational, church, or other activities within the boarding home and the community in accordance with his or her interests, tolerance, and abilities.

(3) Boarding homes shall post a calendar of daily social or recreational activities and events for residents.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-222 FIRST AID SERVICES. Boarding homes shall have:

(1) ((Staff having the responsibility for resident care services shall have current, basic first aid training and cardiopulmonary resuscitation training.

(2) There shall be)) Written medical emergency policies and procedures available in appropriate locations in the facility((-All staff shall be oriented to medical emergency policies and procedures. (3))); and

(2) Adequate first aid supplies and a first aid manual ((shall be)) kept in a specific location ((in the boarding home)) and readily available to all staff.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-223 NOTIFICATION REGARDING SERIOUS OR SIGNIFICANT CHANGE IN RESIDENT'S CONDITION.

((A)) Boarding homes shall:

(1) Notify the resident's next of kin, guardian, or other individual or agency responsible for, or designated by, the resident ((shall be notified)) as ((rapidly)) soon as possible ((should)) regarding:

(a) A serious or significant change in the resident's condition(:(:);

(b) Transfer of the resident to a hospital ((or)); and

(c) Death of a resident ((occur)).

(2) In case of death, notify the coroner if required under RCW 68.50.010.

(3) Document notification (~~((shall be documented))~~) in the resident's record.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-226 SAFETY MEASURES. (~~((+The))~~) Boarding homes shall (~~((be free of))~~):

(1) Eliminate hazards(~~((:))~~);
 (2) (~~((Any))~~) Investigate and document accidents or (~~((incident which jeopardized))~~) incidents jeopardizing the health or life of a resident (~~((shall be investigated to ascertain the circumstances of the accident or incident and appropriate measures instituted))~~) to:

(a) Ascertain the circumstances of the accident or incident; and
 (b) Institute appropriate measures to prevent similar future occurrences (~~((in the future insofar as is))~~) when possible(~~((:))~~);

(3) (~~((There shall be provision for staff members to gain rapid access to any bedroom, toilet, shower, bathroom or other room occupied by residents should an emergency arise. This provision shall be made known to all staff members who have a responsibility for resident care.))~~) Provide a type of hardware on doors of storage rooms and closets preventing accidental lock-in of a resident;

(4) (~~((Methods for the cleaning, sanitizing, handling and storage of supplies and equipment used in services to residents shall be designed to prevent the transmission of infection.))~~) Provide emergency means of rapid staff access to resident-occupied bedrooms, toilets, showers, bathrooms, and other rooms;

(5) (~~((Hardware on the doors of storage rooms and closets shall be of a type to prevent residents from being locked in.))~~) Keep resident care staff informed of emergency means of rapid access to resident-occupied rooms;

(6) Prevent transmission of infection by sanitizing and appropriate handling and storage of supplies and equipment used for resident services; and

(7) Ensure availability of flashlights or other (~~((means of))~~) emergency lighting (~~((shall be available))~~) in all (~~((parts of the boarding home))~~) areas.

NEW SECTION

WAC 248-16-229 MEDICATION SERVICES. (1) Boarding homes shall:

(a) Provide at least one category of medication service as described in subsections (3), (5), and (6) of this section;

(b) Determine an appropriate category of medication service for each resident involving the resident or resident-designated agent when possible;

(c) Document the designated category or categories of each resident in the individual resident's health record;

(d) Take actions appropriate to safety of a resident when the boarding home suspects the resident is having trouble with his or her medication management or is inappropriately categorized, including:

(i) Assigning a resident to a new medication service category; or
 (ii) Transferring or discharging resident from the boarding home when the appropriate medication service category is unavailable in the boarding home.

(2) Boarding homes shall follow established written policies and procedures for each medication service category provided in the boarding home including:

(a) Limitations of staff assistance;
 (b) Requirements for staff providing assistance with medications;
 (c) Storing of resident medications:
 (i) In the original medication containers with pharmacist-prepared or manufacturer's label;
 (ii) Together for each resident and physically separated from other residents' medications;
 (iii) Separate from food or toxic chemicals;
 (iv) Accessible only to designated, responsible staff or appropriate resident; and

(v) In an environment recommended on label, if centrally stored.
 (d) Arrangements or means for assuring the resident obtains medication as prescribed;

(e) Methods for disposition of medications following recommendations of a pharmacist or pharmacy consultant for:

(i) Outdated or discontinued medications;
 (ii) Medications left behind when a resident leaves or dies;
 (iii) Sending resident medication with a resident upon transfer or discharge or temporary leave.

(f) Procedures and system for documenting and recording of:

(i) Recommendations of a pharmacist about appropriate disposition action by the boarding home for outdated prescription medications in a centralized storage;

(ii) Medication disposition actions taken by boarding home staff;

(iii) Identity by signature of two persons observing any staff medication disposition, except when a resident is totally accountable and responsible for his or her own medication management;

(iv) Current prescriber's order for any medications managed and controlled by the boarding home; and

(v) When a resident takes or does not take medication, unless the resident is totally accountable and responsible for his or her own medication management.

(g) Maintenance and retention of completed medication records for five years from date of discharge.

(3) Boarding homes shall designate a resident as eligible for supervised medication service category A when:

(a) A resident is capable of self-administration of medication without assistance or guidance from another person; and

(b) A resident is capable of storing his or her own medications in a manner prohibiting access and availability to other residents; or

(c) A resident has a physical condition or disability prohibiting or interfering with his or her ability to take prescribed medication properly, but:

(i) The resident understands the appropriate use of his or her medication; and

(ii) The resident is capable of communicating and directing others to give physical assistance with his or her medication as prescribed.

(4) Boarding homes shall only assist a resident in service category A to self-administer medication according to:

(a) A health care practitioner's written order or the pharmacist or manufacturer's prepared label;

(b) Limits specified in subsection (3) of this section;

(c) Procedures for designated staff responsible for physically assisting residents with medications limiting staff assistance to:

(i) Reading the label;

(ii) Opening the container; and

(iii) Application or instillation of oral, skin, nose, eye, and ear preparations.

(5) Boarding homes shall designate a resident as needing supervised medication service category B when:

(a) A resident requires reminding, guiding, or coaching to take medication properly, but requires no physical assistance except opening of a container; and

(b) Access and availability of medications only to authorized persons cannot be assured unless controlled in locked storage by the boarding home.

(6) Boarding homes shall only assist a resident in service category B to self-administer medication according to:

(a) A health care practitioner's written order or the pharmacist's or manufacturer's prepared label;

(b) Limits specified in subsection (5) of this section; and

(c) Procedures for designated staff responsible for reminding, guiding, or coaching residents with medication, limiting staff assistance to:

(i) Reading the label or more current prescriber order;

(ii) Opening the container; and

(iii) Communicating the prescriber's order to the resident in such a manner that the resident self-administers his or her medication properly.

(7) Boarding homes shall designate a resident as needing supervised medication service category C when:

(a) A resident cannot take or handle his or her own medication appropriately; and

(b) The resident's physician provided a written order specifying the resident requires certain specified medications administered by a person licensed to administer medications.

(8) Boarding homes accepting or retaining any resident requiring supervised medication service category C shall:

(a) Have a physician or registered nurse available for supervised medication service category C who:

(i) Plans, directs, and supervises the service; and

(ii) Reviews each resident's condition and medication regimen as needed and at least quarterly, documenting reviews in the resident health record.

(b) Provide registered nurses, licensed practical nurses, or other licensed person under Washington state laws to administer medications; and

(c) Maintain and include in the resident health record a current, written prescriber's order specifying medications requiring nurse administration.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-230 RESIDENT REGISTER. ~~((There))~~ Boarding homes shall ((be)) maintain a permanent, current book or a register of all individuals ((admitted as)) who become residents ((which shall contain)) including:

- (1) Date of admission((:));
- (2) Full name((:)); and
- (3) Date of discharge.

AMENDATORY SECTION (Amending Order 264, filed 6/16/83)

WAC 248-16-235 RESIDENT HEALTH RECORD(S). (1) ~~((There))~~ Boarding homes shall ((be)) maintain a health record ((t)) in ink, typewritten or equivalent((t in the boarding home)),₁ for each resident ((to include the following)) including:

- (a) Full name, date of birth, and former address of ~~((the))~~ resident;
 - (b) Date ~~((of admission(s)))~~ admitted as resident and date ~~((of discharge(s)))~~ discharged;
 - (c) Name, address, and telephone number of next-of-kin or other responsible person;
 - (d) Name, address, and telephone number of resident's personal physician or health care practitioner;
 - (e) Signed staff entries about:
 - (i) Dates and descriptions of ~~((a))~~ resident illnesses ((or)), accidents ~~((and)),~~ or incidents;
 - (ii) Changes in resident functional abilities ~~((of the individual while a resident of the boarding home, including actions taken with entries signed by staff))~~ or physical and mental coordination; and
 - (iii) Actions of staff related to subdivision (e)(i) and (ii) of this subsection.
 - (f) ~~((a))~~ Orders signed((written prescription)) by ~~((the))~~ a resident's physician or health care practitioner for any modified diet, concentrate or supplement provided by the boarding home ~~((for the resident)); and~~
 - (g) Medication orders and records as specified in WAC 248-16-229.
- (2) Boarding homes shall:
- (a) Maintain a systematic, secure method of identifying and filing resident health records ((shall be provided so each record can be located readily. (3)) for ease in locating; and
 - (b) Retain each resident health record ((shall be retained for a minimum of)) at least five years ((after)) following resident discharge.

NEW SECTION

WAC 248-16-300 ADULT DAY CARE. (1) Boarding homes choosing to provide adult day care services and to accept or admit adults for domiciliary care in a boarding home for less than a contiguous twenty-four hours shall:

- (a) Accept and retain for day care only those adults meeting resident criteria described in WAC 248-16-213;
- (b) Provide day room and dining room facilities complying with WAC 248-16-141 and 248-16-150;
- (c) Provide toilets and lavatories complying with WAC 248-16-131;
- (d) Provide comfortable, suitable chairs and furniture;
- (e) Provide sufficient furniture for comfort of residents and day care adults including, but not limited to:
 - (i) Napping furniture for day care adults such as lounge chairs, recliners, couches; and
 - (ii) Ability to space napping furniture at least three feet apart if needed or requested.
- (f) Provide staff to supervise and assist day care adults in activities of daily living and medication management as described in WAC 248-16-216 and 248-16-229;
- (g) Provide a meal meeting at least one-third of the recommended dietary allowance during every five-hour period of stay (the exception to the recommended dietary allowance is during normal sleeping hours when fasting periods greater than fourteen hours are prohibited);
- (h) Ensure and provide rights, services, notification, and safety as described in WAC 248-16-215, 248-16-216, 248-16-223, 248-16-226;
- (i) Maintain a separate register of all day care adults using format described in WAC 248-16-230;

(j) Maintain a health record for each day care adult as described for residents in WAC 248-16-235.

- (2) Boarding homes choosing to accept adults for day care shall:
 - (a) Notify the department of the plan to accept or admit adults to day care;
 - (b) Provide information as required for the department to establish compliance with this section; and
 - (c) Obtain written department approval for maximum day care adult capacity prior to accepting or admitting adults for day care.
- (3) When notified of boarding home licensee's plan to accept day care adults, the department shall:
 - (a) Determine whether or not a boarding home complies with this section;
 - (b) Issue written approval for occupancy based on compliance with WAC 248-16-300; and
 - (c) Indicate approved capacity for day care adults on the boarding home license.

AMENDATORY SECTION (Amending Order 2348, filed 3/20/86)

WAC 248-16-900 EXEMPTIONS. (1) The secretary of the department or the designated licensing program administrator may((in its discretion, exempt a boarding home from complying with parts of these rules pursuant to the procedure set forth in WAC 248-08-595)) approve an exemption to a specific rule under certain terms or conditions for a specified boarding home premise:

- (a) Following an investigation regarding safety; and
 - (b) Provided an evaluation of the results reveals safety and health of residents will remain unjeopardized in that facility.
- (2) Boarding homes shall maintain a copy of each department-approved exemption.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 248-16-030 APPLICATION FOR LICENSE, INFORMATION REQUIRED.
- WAC 248-16-035 QUALIFICATIONS OF ADMINISTRATOR.
- WAC 248-16-040 LICENSURE, DENIAL, SUSPENSION OR REVOCATION.
- WAC 248-16-045 PERSONNEL.
- WAC 248-16-050 LOCATION.
- WAC 248-16-055 NEW CONSTRUCTION.
- WAC 248-16-056 CHANGE OF LICENSEE, I.E., OPERATOR OF THE BUSINESS.
- WAC 248-16-120 RESIDENTS' ROOMS AND ROOM FURNISHINGS.
- WAC 248-16-130 TOILET AND BATHING FACILITIES.
- WAC 248-16-140 FOOD STORAGE, PREPARATION AND SERVICE.
- WAC 248-16-227 SELF-ADMINISTRATION OF MEDICATIONS BY RESIDENTS.
- WAC 248-16-228 MEDICATION SERVICES.

WSR 88-22-001
ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 115—Filed October 20, 1988]

I, Duane Berentson, secretary of the Department of Transportation, do promulgate and adopt at the Transportation Building, 1D-9, Olympia, Washington, the annexed rules relating to motorist information signs, chapter 468-70 WAC.

This action is taken pursuant to Notice No. WSR 88-18-032 filed with the code reviser on August 31, 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 47.42.046 and 47.42.047 which directs that the Department of Transportation has authority to implement the provisions of the Scenic Vistas Act.

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

APPROVED AND ADOPTED October 17, 1988.

By Ed W. Ferguson
Deputy Secretary

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 ~~((15))~~ 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 88-22-002

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 116—Filed October 20, 1988]

I, Duane Berentson, secretary of the Department of Transportation, do promulgate and adopt at the Transportation Building, 1D-9, Olympia, Washington, the annexed rules relating to outdoor advertising control, chapter 468-66 WAC.

This action is taken pursuant to Notice No. WSR 88-18-034 filed with the code reviser on August 31, 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 47.42.060 which directs that the Department of Transportation has authority to implement the provisions of the Scenic Views Act.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED October 17, 1988.

By Ed W. Ferguson
Deputy Secretary

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, which-ever 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, up to five demonstration signs 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 88-22-003

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 117—Filed October 20, 1988]

I, Duane Berentson, secretary of the Department of Transportation, do promulgate and adopt at the Transportation Building, 1D-9, Olympia, Washington, the annexed rules relating to "Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), chapter 468-95 WAC.

This action is taken pursuant to Notice No. WSR 88-18-033 filed with the code reviser on August 31, 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 46.61.581 Indication of parking space for disabled persons, 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 October 17, 1988.

By Ed W. Ferguson
Deputy Secretary

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 ~~((¹))~~'State Disabled Parking Permit Required.~~((¹))~~'"

(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 compliance date of March 8, 1986, is also established by RCW 46.61.581.)~~

WSR 88-22-004

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed October 20, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 20, 1988.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

This notice is connected to and continues the matter in Notice No. WSR 84-14-136 filed with the code reviser's office on July 6, 1988.

Dated: August 6, 1988

By: J. McKillip
for Joseph R. Blum
Director

WSR 88-22-005

ADOPTED RULES

DEPARTMENT OF FISHERIES

[Order 88-151—Filed October 20, 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 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 20, 1988.

By J. McKillip
for Joseph R. Blum
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-32-016 COLUMBIA RIVER—SHAD AREA 1. (915)

WAC 220-32-017 COLUMBIA RIVER—SHAD AREA 2. (915)

WAC 220-32-020 LAWFUL GEAR—SALMON. (77-14)

- WAC 220-32-021 LAWFUL GEAR AND SEASONS—SMELT. (86-12)
 WAC 220-32-022 LAWFUL GEAR—STURGEON. (82-142)
 WAC 220-32-023 GILL NET CONSTRUCTION—SHAD. (76-26)
 WAC 220-32-024 AREAS AND LAWFUL GEAR—CARP. (77-14)
 WAC 220-32-025 LAWFUL GEAR SIZE. (77-14)
 WAC 220-32-030 SALMON SEASONS—AREAS. (77-14)
 WAC 220-32-031 WEEKLY OPEN FISHING PERIODS—AREAS. (77-14)
 WAC 220-32-032 LAWFUL SALMON GEAR—MESH. (77-14)
 WAC 220-32-033 COLUMBIA RIVER—CLOSED AREA SALMON—GILL NETS. (915)
 WAC 220-32-034 COLUMBIA RIVER—CLOSED AREA SALMON—TROLL LINE. (915)
 WAC 220-32-036 CLOSED AREAS SALMON—RIVER MOUTHS. (77-14)
 WAC 220-32-040 SEASON AND AREAS—STURGEON. (82-142)
 WAC 220-32-041 SEASONS AND AREAS—SHAD. (77-14)
 WAC 220-32-043 COLUMBIA RIVER—SEASON—CARP. (915)
 WAC 220-32-044 AREA AND GEAR—HERRING, ANCHOVIES, CANDLEFISH, AND PILCHARDS. (84-24)

WSR 88-22-006
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-152—Filed October 20, 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 the department adopted permanent non-Indian Columbia River commercial fishing regulations on August 9, 1988. Inadvertently the old regulations were not repealed. Emergency repeal is needed to have only one set of regulations in effect until permanent repeal takes effect, in order to not confuse the fishermen.

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

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
 APPROVED AND ADOPTED October 20, 1988.

By J. McKillip
 for Joseph R. Blum
 Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 220-32-016 COLUMBIA RIVER—SHAD AREA 1. (915)
 WAC 220-32-017 COLUMBIA RIVER—SHAD AREA 2. (915)
 WAC 220-32-020 LAWFUL GEAR—SALMON. (77-14)
 WAC 220-32-021 LAWFUL GEAR AND SEASONS—SMELT. (86-12)
 WAC 220-32-022 LAWFUL GEAR—STURGEON. (82-142)
 WAC 220-32-023 GILL NET CONSTRUCTION—SHAD. (76-26)
 WAC 220-32-024 AREAS AND LAWFUL GEAR—CARP. (77-14)
 WAC 220-32-025 LAWFUL GEAR SIZE. (77-14)
 WAC 220-32-030 SALMON SEASONS—AREAS. (77-14)
 WAC 220-32-031 WEEKLY OPEN FISHING PERIODS—AREAS. (77-14)
 WAC 220-32-032 LAWFUL SALMON GEAR—MESH. (77-14)
 WAC 220-32-033 COLUMBIA RIVER—CLOSED AREA SALMON—GILL NETS. (915)
 WAC 220-32-034 COLUMBIA RIVER—CLOSED AREA SALMON—TROLL LINE. (915)
 WAC 220-32-036 CLOSED AREAS SALMON—RIVER MOUTHS. (77-14)
 WAC 220-32-040 SEASON AND AREAS—STURGEON. (82-142)
 WAC 220-32-041 SEASONS AND AREAS—SHAD. (77-14)
 WAC 220-32-043 COLUMBIA RIVER—SEASON—CARP. (915)
 WAC 220-32-044 AREA AND GEAR—HERRING, ANCHOVIES, CANDLEFISH, AND PILCHARDS. (84-24)

WSR 88-22-007
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
 [Order DE 88-44—Filed October 20, 1988]

I, Fred Olson, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to the amending of WAC 173-160-215(3).

I, Fred Olson, 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 amendment deletes the words "lead packer" from the regulation. The federal Safe Drinking Water Act (Part B) sets design and construction standards for public water supply wells. The 1986 amendments to this act prohibit the use of lead in these wells. Environmental Protection Agency, as a policy, prohibits the use of lead packers in all public water supply wells. This amendment will not allow the use of lead packers in water supply wells.

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

This rule is promulgated pursuant to RCW 18.104.040(4) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 14, 1988.

By Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order 88-58, filed 4/6/88)

WAC 173-160-215 DESIGN AND CONSTRUCTION—WELL COMPLETION—GENERAL. *The well may be completed with screens, perforated liners or pipe, or open bottom; these shall be of sufficient strength to withstand the forces to which they are subjected during and after construction. It is the well drillers or designers responsibility to advise the owner or his representative of the most appropriate method of completion. Wells shall be completed in a manner which prevents the production of inordinate amounts of sand or turbid water.*

(1) *Standard open bottom completion. Open bottom completion is appropriate only where the withdrawn waters are essentially free of sand, silt and turbidity.*

(2) *Perforated pipe completion. Perforated pipe completion is suitable only for a coarse-grained, permeable aquifer where the withdrawn waters are free of excessive sand, silt or turbidity.*

Perforations above the static water level are not permitted. Wells may be completed with perforations as follows:

(a) *In-place perforations with Star, Mills knife, or similar type perforators.*

(b) *Perforated pipe liners, either sawcut, torch-cut, mill-slotted, or punched. Such liners may be of steel, plastic or other suitable corrosion-resistant material, but*

if other than steel, a full evaluation of the structural stability of the liner must be made prior to its placement. They may be used in a natural development or gravel-packed type construction. The use of perforated casing for working casing as the hole is being drilled is prohibited, except in those cases where the contractor can, through personal experience in the particular area of drilling, attest to the sufficiency of the preperforated casing in all respects for the specific well being constructed.

(3) *Well screens. Well screens (and well points) shall be constructed of one type of corrosion-resistant material. A neoprene, ((or lead packer)) or grout seal shall be fitted to the top of the well screen assembly. The bottom of the well screen shall be plugged or capped.*

(4) *Alignment. A completed well must be so constructed that the drill hole and/or installed casing does not deviate from an alignment that would allow a twenty foot dummy section of pipe of no more than one diameter size smaller than the casing liner or drilled hole to be inserted to the bottom of the well without binding. Minimum specifications for casing sizes for various ranges in well yield or pumping rate are shown under WAC 173-160-235.*

WSR 88-22-008

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed October 21, 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 2:00 p.m., Friday, November 4, 1988, in the Department of Ecology Headquarters, Abbot Raphael Hall, Room 273, St. Martin's Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 6, 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 November 15, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-18-106 filed with the code reviser's office on September 7, 1988.

Dated: October 21, 1988

By: Fred Olson
Deputy Director

WSR 88-22-009**NOTICE OF PUBLIC MEETINGS
COUNCIL ON VOCATIONAL EDUCATION**

[Memorandum—October 21, 1988]

West Bay Room
Silverdale on the Bay Resort Hotel
Silverdale, Washington
November 3, 1988

The meeting site is barrier free. Interpreters for people with hearing impairments and braille or taped information for people with visual impairments can be provided. Please contact the Council on Vocational Education, 120 East Union, Room 220, EK-21, Olympia, WA 98504, (206) 753-3715 by October 31, 1988.

WSR 88-22-010**PROPOSED RULES
DEPARTMENT OF REVENUE**

[Filed October 21, 1988]

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

New	WAC 458-19-005	Property tax levies—Definitions.
New	WAC 458-19-010	Levy limit and rate calculation.
New	WAC 458-19-015	106% levy limit—Calculation.
New	WAC 458-19-020	106% levy limit—Restoration of regular levy.
New	WAC 458-19-025	106% levy limit—Consolidation of districts.
New	WAC 458-19-030	106% levy limit—Annexation.
New	WAC 458-19-040	106% levy limit—Newly formed taxing district.
New	WAC 458-19-045	106% levy limit—Removal of limit.
New	WAC 458-19-055	106% levy limit—Port district.
New	WAC 458-19-060	106% levy limit—Proration of earmarked funds.
New	WAC 458-19-065	106% levy limit—Emergency medical service levy.
New	WAC 458-19-095	Limited duration increase in consolidated regular levy rate.
New	WAC 458-19-100	Procedure to limit consolidated levy rate for local taxing districts.
New	WAC 458-19-110	City annexed by fire protection and/or library districts;

that the agency will at 10:00 a.m., Tuesday, December 27, 1988, in the Property Tax Conference Room, 6004 Capitol Boulevard, Tumwater, 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 84.08.010(2), 84.52.052 and chapter 274, Laws of 1988.

The specific statute these rules are intended to implement is chapter 84.52 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 15, 1988.

Dated: October 21, 1988

By: Linda L. Lethlean
Program Manager**STATEMENT OF PURPOSE**

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Property tax levies and limitations.

Purpose: To establish procedures for computing property tax levies.

Statutory Authority: RCW 84.08.010, 84.52.052 and chapter 274, Laws of 1988, direct the Department of Revenue to make such rules and regulations as such shall be necessary to permit effective administration of the property tax levies and limitations.

Summary and Reasons for the Rule: The levy procedure has become more complex due to the 1988 legislation passed. The levy process began October 1, 1988, and the county assessors and taxing districts need guidelines to correctly follow the statute.

Drafter of the Rule: Edward C. Rackleff, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-2057; Rule Implementation and Enforcement: Steve L. Frisch, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: None.

Small Business Impact: None.

Reviser's note: The material contained in this filing will appear in the 88-23 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 88-22-011**EMERGENCY RULES
DEPARTMENT OF REVENUE**

[Order PT 88-11—Filed October 21, 1988]

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

New	WAC 458-19-005	Property tax levies—Definitions.
New	WAC 458-19-010	Levy limit and rate calculation.
New	WAC 458-19-015	106% levy limit—Calculation.
New	WAC 458-19-020	106% levy limit—Restoration of regular levy.
New	WAC 458-19-025	106% levy limit—Consolidation of districts.
New	WAC 458-19-030	106% levy limit—Annexation.
New	WAC 458-19-040	106% levy limit—Newly formed taxing district.
New	WAC 458-19-045	106% levy limit—Removal of limit.
New	WAC 458-19-055	106% levy limit—Port district.
New	WAC 458-19-060	106% levy limit—Proration of earmarked funds.
New	WAC 458-19-065	106% levy limit—Emergency medical service levy.
New	WAC 458-19-095	Limited duration increase in consolidated regular levy rate.
New	WAC 458-19-100	Procedure to limit consolidated levy rate for local taxing districts.
New	WAC 458-19-110	City annexed by fire protection and/or library districts.

I, William R. Wilkerson, find that an emergency exists and that this order is necessary for the preservation

of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the levy procedure has become more complex due to the 1988 legislation passed. The levy process began October 1, 1988, and the county assessors and taxing districts need guidelines to correctly follow the statute.

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

This rule is promulgated pursuant to RCW 84.52.052 and chapter 274, Laws of 1988 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 84.08.010(2) which directs that the Department of Revenue has authority to implement the provisions of chapter 84.52 RCW.

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

APPROVED AND ADOPTED October 21, 1988.

By Linda L. Lethlean
Program Manager

Reviser's note: The material contained in this filing will appear in the 88-23 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 88-22-012
EMERGENCY RULES
DEPARTMENT OF WILDLIFE
(Wildlife Commission)
[Order 367—Filed October 21, 1988]

Be it resolved by the State Wildlife Commission, acting by conference call in Olympia, 600 Capitol Way North, that it does adopt the annexed rules relating to 1988 Hunting seasons and game bag limits and 1988 Game management units and area legal descriptions, amending WAC 232-28-217.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is in the summer of 1988 a wildfire burned 58,000 acres of mule deer winter range in the Swakane Unit and forage resources are only 30 percent of normal. Due to inadequate forage for deer this winter and to prevent widespread starvation, an additional 154 antlerless permits are needed to remove deer from the Swakane Unit. The additional permits, along with a winter feeding and habitat restoration program, will help ensure survival of deer in the area. This emergency action must be adopted sooner than would be allowed if the agency filed a 20 day notice with the code

reviser. Immediate adoption of this amendment is necessary for the preservation of the public health, safety, and general welfare. To delay adoption of this rule would be contrary to the public interest.

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

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

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

APPROVED AND ADOPTED October 21, 1988.

By Dr. James M. Walton
Chairman, Wildlife Commission

AMENDATORY SECTION (Amending Order 313,
filed 6/20/88)

**WAC 232-28-217 1988 HUNTING SEASONS
AND GAME BAG LIMITS AND 1988 GAME
MANAGEMENT UNITS AND AREA LEGAL DE-
SCRIPTIONS.**

Reviser's note: The text and accompanying pamphlet comprising the 1988 Hunting seasons and game bag limits and 1988 Game management units and area legal descriptions amended by the Department of Wildlife have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the rules may be obtained from the main office of the Department of Wildlife, 600 North Capitol Way, Olympia, Washington 98504, and are available in pamphlet form from the department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

WSR 88-22-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-153—Filed October 21, 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 openings in Area 7B provide opportunity to harvest non-Indian allocation of coho destined for the Nooksack-Samish region of origin, and to prevent wastage. Openings in Area 8D provide opportunity to harvest non-Indian share of the Area 8D portion of Stillaguamish-Snohomish origin coho, and to prevent wastage. Openings in Area 9A provide opportunity to harvest non-Indian allocation of Hood Canal Hatchery origin coho stocks. Openings in Areas 8, 8A, 10, 11, 12 and 12B provide opportunity to harvest non-Indian allocation of Puget Sound chum. The change in exclusion

zone for Area 8A to a line projected true west from Tulare Point is necessary to balance impacts on Snohomish and Stillaguamish origin chum. Restrictions in Area 12B are necessary to protect local coho stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. There is inadequate 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 October 21, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-925 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:00 noon Saturday October 22 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:

- * Area 7B – Gillnets using 5-inch minimum mesh may fish continuously through 11:50 PM Saturday October 29, and purse seines may fish continuously through 11:50 PM Saturday October 29.
- * Area 8 – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday October 24, and gill nets using 6-inch minimum mesh may fish from 5:00 PM Monday October 24 to 9:00 AM Tuesday October 25.
- * Area 8A – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday October 24, and from 5:00 AM to 9:00 PM Tuesday October 25, and gill nets using 6-inch minimum mesh may fish from 5:00 PM Monday October 24 to 9:00 AM Tuesday October 25, and from 5:00 PM Tuesday October 25 to 9:00 AM Wednesday October 26. This area 8A opening excludes those waters of Port Susan north of a line projected true west from Tulare Point.
- * Area 8D – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday October 24, and from 5:00 AM to 9:00 PM Tuesday October 25 and from 5:00

AM to 9:00 PM Wednesday October 26, and from 5:00 AM to 9:00 PM Thursday October 27, and from 5:00 AM to 9:00 PM Friday October 28, and from 5:00 AM to 9:00 PM Saturday October 29, and from 5:00 AM to 8:00 PM Sunday October 30, and gillnets using 5-inch minimum mesh may fish from from 5:00 PM Monday October 24 to 9:00 AM Tuesday October 25 and from 5:00 PM Tuesday October 25 to 9:00 AM Wednesday October 26, and from 5:00 PM Wednesday October 26 to 9:00 AM Thursday October 27, and from 5:00 PM Thursday October 27 to 9:00 AM Friday October 28 and from 5:00 PM Friday October 28 to 9:00 AM Saturday October 29 and from 5:00 PM Saturday October 29 to 9:00 AM Sunday October 30 and from 4:00 PM Sunday October 30 to 8:00 AM Monday October 31.

- * Area 9A – Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish from 5:00 AM Monday October 24 to 4:00 PM Friday October 28.
- * Areas 10 and 11 – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday October 24, and from 5:00 AM to 9:00 PM Tuesday October 25, and gill nets using 6-inch minimum mesh may fish from 5:00 PM Monday October 24 to 9:00 AM Tuesday October 25, and from 5:00 PM Tuesday October 25 to 9:00 AM Wednesday October 26.
- * Areas 12 and 12B – Purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Monday October 24, and from 5:00 AM to 9:00 PM Tuesday October 25, and gill nets using 6-inch minimum mesh may fish from 5:00 PM Monday October 24 to 9:00 AM Tuesday October 25, and from 5:00 PM Tuesday October 25 to 9:00 AM Wednesday October 26. This area 12B opening excludes those waters south of a line projected from Hood Point to Quatsap Point.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 9, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

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 effective 12:00 noon Saturday October 22:

WAC 220-47-924 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-149)

WSR 88-22-014
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-154—Filed October 21, 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 weather conditions indicate that an early and rapid passage of chum salmon can be expected. Adjusting the openings ahead by one day will reduce the likelihood of missing the chum run. Action to adjust the fishery has to be taken immediately, and there is not adequate 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 October 21, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-36-02100Y GRAYS HARBOR GILLNET SEASON. *Notwithstanding the provisions of WAC 220-32-021, 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 2B** – Open 6:00 p.m. October 25, to 6:00 p.m. October 26, 1988;
 Open 6:00 p.m. October 28, to 6:00 p.m. October 30, 1988;
 Open 6:00 p.m. November 1, to 6:00 p.m. November 3, 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.*

WSR 88-22-015
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-155—Filed October 21, 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 rules are adopted pursuant to the decision of the October 21, 1988, Columbia River Compact. Run size estimates for Columbia River chinook and coho salmon stocks indicate that harvestable numbers of these species are greater than previously estimated. It is in the public interest to increase the harvest rate of these fish in order to reduce hatchery surpluses. Action to adjust the commercial fishery has to be taken immediately, and there is inadequate time to follow the permanent 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 October 21, 1988.

By J. McKillip
for Joseph R. Blum
Director

NEW SECTION

WAC 220-33-01000B COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. *Notwithstanding the provisions of WAC 220-33-010:*

(1) *It is unlawful for a person to take or possess salmon taken for commercial purposes from:*

(a) **Columbia River SMCRA, 1A, 1B, 1C, and 1D** except from:

- 6:00 p.m. October 24 to 6:00 p.m. October 28, 1988;
 6:00 p.m. October 31 to 6:00 p.m. November 4, 1988;
 and
 6:00 p.m. November 7 to 6:00 p.m. November 11, 1988.

(b) **Columbia River SMCRA 1E** except from:
 6:00 p.m. October 23 to 6:00 p.m. October 28, 1988;
 6:00 p.m. October 30 to 6:00 p.m. November 4, 1988;
 and
 6:00 p.m. November 6 to November 11, 1988.

(2) It is unlawful to fish for salmon with monofilament gill-net webbing or to have on the boat monofilament gill-net webbing while fishing for salmon in Columbia River SMCRA 1A, 1B, 1C, 1D and 1E.

(3) The closed areas within Columbia River SMCRA 1A, 1B, 1C, 1D and 1E are:

(a) All tributaries flowing into the Columbia River.

(b) Grays Bay sanctuary - 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.

(c) Elokomin-B sanctuary - 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.

(d) Cowlitz sanctuary - those waters of the Columbia River and Carrolls Channel lying inside the center of the shipping channel between a fishing boundary marker at the junction of the Port of Longview docks and international paper docks 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.

(e) Kalama-B sanctuary - 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 River Light "47A" on the Washington shore.

(f) Lewis-B sanctuary - 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.

(g) Washugal sanctuary - 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.

(h) Gnat Creek sanctuary - 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.

(i) Sandy River sanctuary - 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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000A COLUMBIA RIVER
SALMON SEASONS BELOW BONNEVILLE (88-142)

WSR 88-22-016

PROPOSED RULES

STATE EMPLOYEES BENEFITS BOARD

[Filed October 24, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Employees Benefits Board intends to adopt, amend, or repeal rules concerning the amending of WAC 182-12-115;

that the agency will at 1:00 p.m., Wednesday, December 14, 1988, in the Red Lion Inn Sea-Tac, Room-Saturn 2, 18740 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 41.05.065.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1988.

Dated: October 24, 1988

By: C. H. Shay

Assistant Benefits Manager

STATEMENT OF PURPOSE

Amending WAC 182-12-115 Eligible employees, retirees and dependents.

Statutory Authority: RCW 41.05.065.

Amendment to WAC 182-12-115 revises the definition of eligible dependent parents and students.

Responsible for Drafting, Implementation and Enforcement: C. H. Shay, Assistant Benefits Manager, Health Care Authority, 1400 Evergreen Park Drive S.W., Olympia, WA 98504, mailstop FX-11, phone 753-3096, 234-3096 scan.

Proposed by: State Employees Benefits Board.

Agency Comments: None.

Not necessary due to law or court action.

AMENDATORY SECTION (Amending Resolution No. 88-4, filed 9/19/88)

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 but

less than nine months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible on the first day of such employment, however, they are not eligible for the employer contribution during the break between seasons of employment.

(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.)

(9) Notwithstanding any of the foregoing, employees who are not mandatorily, by election, or otherwise covered by industrial insurance under Title 51 RCW shall not be considered "eligible employees" within the meaning of this section.

WSR 88-22-017

ADOPTED RULES

OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Order 88-9—Filed October 24, 1988]

I, Ralph C. Ruff, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 406 South Water, Olympia, WA 98504, the annexed rules relating to:

- 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.

This action is taken pursuant to Notice No. WSR 88-18-006 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 chapter 39.19 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 October 24, 1988.

By Ralph C. Ruff
Director

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 88-22-018
PROPOSED RULES
GAMBLING COMMISSION
[Filed October 24, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 230-12-050;

that the agency will at 10:00 a.m., Friday, February 10, 1989, in 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 9.46.0281 and 9.46.070.

Dated: October 24, 1988
By: Frank L. Miller
Deputy Director

STATEMENT OF PURPOSE

Title: WAC 230-12-050 ((No)) Extension of credit ((to be allowed)) loans, or gifts prohibited, limited exception.

Description of Purpose: To clarify existing rule and to allow \$10.00 play on pull tabs before collecting fee.

Statutory Authority: RCW 9.46.070 (11)(12).

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-12-050, cleanup existing language and to clarify the limited exception.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Ronald O. Bailey, Director, 234-1075 scan, 753-1075 comm and Frank L. Miller, Deputy Director, 234-1075 scan, 753-1075 comm; located at Jefferson Building, 1110 South Jefferson, Olympia, WA 98504.

Proponents and Opponents: Gambling Commission staff.

Agency Comments: The agency believes the proposed amendment is self-explanatory and needs no further comment.

This amendment is not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined there may be an economic impact upon a certain number of licensees administered by this agency by the adoption of this amendment or new rule.

AMENDATORY SECTION (Amending Order 51, filed 4/30/76)

WAC 230-12-050 (~~(NO)~~) EXTENSION OF CREDIT (~~(TO BE ALLOWED)~~), LOANS, OR GIFTS PROHIBITED, LIMITED EXCEPTION. No licensee, (~~or any of its members or employees, or any operator, conducting, or in any way participating in the conduct of any of the activities which are authorized by RCW 9.46.030 or by commission rule,~~) member or employee thereof shall (~~allow a person to play that activity on credit, or shall grant~~) extend credit, make a loan, or grant a gift (~~(of any kind at any time)~~) to any person playing (~~(the)~~) in an authorized activity(~~(:)~~), or which enables a person to play in an authorized activity. (~~(When a person is charged)~~) The consideration (~~(for the privilege of playing the activity that consideration)~~) required to participate in the activity shall be collected in full, by cash or check, (~~(in advance. Provided, That t)~~) prior to participation. Provided, this prohibition shall not apply to the following situations:

(1) The consideration paid for the opportunity to play a punchboard or pull tab series may be collected immediately after the play is completed only when such consideration is (~~(five)~~) ten dollars or less(~~(: Provided further, That where); or~~); or

(2) When a bona fide charitable or bona fide nonprofit organization conducting any of the activities authorized by RCW 9.46.030 or commission rules has a regular billing system for all of the activities of its members with such organization, such billing system may be utilized in connection with the playing of any of the activities authorized hereunder if:

(~~(t)~~) (a) The playing of such activity is limited to regular members of such organization who have become regular members prior to the commencement of such activity and whose qualifications for membership were not dependent upon, or in any way related to, the playing of such activity; and

(~~(2)~~) (b) The commission has given its prior written consent to the use of such billing system in connection with the conduct of activities authorized under these rules.

WSR 88-22-019

ADOPTED RULES

GAMBLING COMMISSION

[Order 184—Filed October 24, 1988]

Be it resolved by the Washington State Gambling Commission, acting at Kennewick, Washington, that it does adopt the annexed rules relating to the amending of WAC 230-40-030 and 230-40-055.

This action is taken pursuant to Notice No. WSR 88-17-049 filed with the code reviser on August 16, 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 9.46.0281 and 9.46.070 (11)(12)(14) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 21, 1988.

By Frank L. Miller
Deputy Director

AMENDATORY SECTION (Amending Order 143, filed 1/9/85)

WAC 230-40-030 NUMBER OF TABLES AND PLAYERS LIMITED. (1) No licensee to allow a public card room on its premises shall allow more than five separate tables at which card games are played, nor shall allow more than ten players to participate at any one table at any given time. Provided: when poker is played, additional players are authorized to participate at the card table(s) as follows:

(a) Class E-1 2 players

(b) Class E-2 thru E-5
and Class D 4 players

Provided further, that no table shall have more than twelve players.

(2) No licensee to allow a social card room on its premises shall allow more than ten players to participate at any one table at any given time. Provided, when poker is played, they may have two tables with 12 players at each table.

(3) The commission may permit a licensee to exceed the(~~(se)~~) player limits on specific occasions for good cause shown. Requests to exceed the limit shall be submitted to the commission in writing not less than 30 days preceding the date upon which the licensee wishes to exceed the limit. The request shall indicate the date(s) involved, the reasons why the request is made, and the number of games and players in the games which the licensee desires to allow on that occasion.

AMENDATORY SECTION (Amending Order 160, filed 8/18/86)

WAC 230-40-055 CARD TOURNAMENTS FOR FEE AND PRIZES-REPORTING REQUIREMENTS. (1) A card tournament wherein a fee is charged to the participants and prizes are awarded to the winning players shall be licensed by the commission. Card room licensees with a Class A, B, or E license may conduct a card tournament for a fee without obtaining a card tournament license: Provided, That Class B licensees are limited to only those card games authorized under their licensing class. Card room licensees with a Class D or R license must first obtain a card tournament license before they can conduct a card tournament in which the players are charged a fee to enter. The licensee shall notify the commission ten days in advance of any card tournament where the (~~(players are charged a fee to enter)~~) single or multiple buy-in exceeds \$50.00.

A card tournament shall not exceed ten consecutive calendar days.

(2) The fee for a player to enter a card tournament for prizes shall not exceed \$50.00, including all separate fees which might be paid by a player for various phases, ~~((or))~~ events of the tournament, food and drink offerings, and promotional material. The fee to enter a tournament and a description of all goods and services to be provided as a part of the tournament must be fully disclosed to each entrant prior to their paying such fee. Such disclosure must be posted conspicuously on the premises at the time payment is received and remain posted until the tournament is complete. This same information must be included in all advertisements for said tournament.

(3) All fees paid to enter a tournament shall be reported as gross gambling receipts: Provided, that if an operator prepares and provides food and drink items to all tournament entrants on the licensed premises as a part of their entry fee, the fair market value of the food and drink provided, not to exceed \$25 or 50% of the entry fee, which ever is greater, shall be treated as sales of food and drink for on premise consumption and not included as gross gambling receipts. Such sales, must be properly supported by records: Provided Further, that if an operator provides items promoting the tournament or licensed business, such as hats, t-shirts, etc., to all participants as a part of their entry fee, the actual cost of such items, supported by invoices and other such records, shall be deducted as prizes in determining adjusted net gambling receipts for compliance with WAC 230-12-075.

(4) In addition to the entry fee, a minimum buy-in of chips may be required. The total buy-in per player shall not exceed \$200.00 per tournament~~((:))~~ and may be either a single or multiple buy-in during the course of the tournament. A record of the buy-ins for each participant will be maintained by the licensee in a format provided by the commission. All buy-ins of chips are not gross gambling receipts and shall be returned to the participants in the form of prizes. Prizes from buy-ins are not deductible for commercial stimulant purposes.

~~((3))~~ (5) The chips used in card tournaments shall have no monetary value and may be redeemed only for prizes established by the licensee. The licensee may award prizes in excess of those entry fees collected as authorized in paragraph (2) above. The licensee's actual cost for prizes awarded to the players may be deducted from the gross gambling receipts generated by the entry fees.

~~((4))~~ (6) The licensee ~~((may))~~ shall adopt ~~((house))~~ tournament rules to facilitate the operation of card tournaments: Provided, That all ~~((house))~~ tournament rules for tournaments where the single or multiple buy-in exceeds \$50.00 must be submitted to the commission for approval. ~~((and))~~ All tournament rules must be posted where all tournament participants can see and read the rules.

~~((5))~~ (7) The licensee shall maintain a record of all such fees collected and the number of participant~~((s))~~ for each tournament conducted. This information shall be entered in a format approved by the commission. The

total gross gambling receipts for the tournament shall be entered on the card room daily control sheet for the time and date the tournament begins and the record of participants shall be attached and maintained with that daily control sheet.

~~((6))~~ (8) The licensee shall maintain a record of all prizes awarded to include the amount the licensed operator actually paid for each prize and the name and complete address of each winning participant~~((:))~~: Provided, the name and address of each participant receiving promotional items as set forth in paragraph (3) above shall not be required on the prize record. The record shall be attached to the daily control sheet used on the date the majority of the prizes are awarded.

WSR 88-22-020
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-156—Filed October 24, 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 limited available harvest of wild Skokomish River stock coho has been identified by an in-season update. Skagit Bay protected coho stocks have sufficiently cleared the area. 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 October 24, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-43000B SKOKOMISH RIVER.
Notwithstanding the provisions of WAC 220-57-430, effective one hour before official sunrise on October 25, 1988 until further notice, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Skokomish River except as provided for in this section:

(1) Bag Limit "A" in those waters downstream from the mouth of Purdy Creek.

REPEALER

The following sections of the Washington Administrative code are repealed:

WAC 220-57-43000A SKOKOMISH RIVER.
(88-112)

WAC 220-56-19000H SALTWATER SEASONS
AND BAG LIMITS. (88-97)

WSR 88-22-021**PROPOSED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Filed October 24, 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 formal decision regarding adoption, amendment, or repeal of the rules will take place on October 31, 1988.

The authority under which these rules are proposed is chapters 39.04 and 39.12 RCW and RCW 43.22.270.

The specific statute these rules are intended to implement is chapters 39.04 and 39.12 RCW.

This notice is connected to and continues the matter in Notice No. WSR 88-16-090 filed with the code reviser's office on August 3, 1988.

Dated: October 24, 1988

By: Joseph A. Dear
Director

WSR 88-22-022**PROPOSED RULES****CHIROPRACTIC EXAMINING BOARD**

[Filed October 24, 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, November 10, 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 November 10, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-18-079 filed with the code reviser's office on September 6, 1988.

Dated: October 21, 1988

By: John H. Keith
Assistant Attorney General
Board Counsel

WSR 88-22-023**ADOPTED RULES****CHIROPRACTIC EXAMINING BOARD**

[Order PM 776—Filed October 24, 1988]

Be it resolved by the Chiropractic Examining Board, acting at Seattle, Washington, that it does adopt the annexed rules relating to Continuing chiropractic education—Guidelines for symposium approval, amending WAC 114-12-160.

This action is taken pursuant to Notice No. WSR 88-18-078 filed with the code reviser on September 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 18.25.017 which directs that the Chiropractic Examining Board has authority to implement the provisions of chapter 18-25 RCW.

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

APPROVED AND ADOPTED October 13, 1988.

By Steven R. Bartusch, D.O.
Chairman

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 88-22-024

**WITHDRAWAL OF PROPOSED RULES
EVERETT COMMUNITY COLLEGE**

[Filed October 25, 1988]

Please withdraw the proposed repeal of chapter 132E-120 WAC, Student conduct code; WAC 132E-120-030 Everett Community College—Violations; and 132E-120-040 Everett Community College—Sanctions.

Robert J. Drewel
President

WSR 88-22-025

**WITHDRAWAL OF PROPOSED RULES
EVERETT COMMUNITY COLLEGE**

[Filed October 25, 1988]

Please withdraw proposed WAC 132E-120-045 Everett Community College—Statement of student rights and responsibilities.

Robert J. Drewel
President

WSR 88-22-026

**ADOPTED RULES
LIQUOR CONTROL BOARD**

[Order 268, Resolution No. 277—Filed October 25, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504-2531, that it does adopt the annexed rules relating to Applicants—Retail liquor licensees ineligible—Exceptions, WAC 314-18-030.

This action is taken pursuant to Notice No. WSR 88-19-019 filed with the code reviser on September 9, 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 Washington State Liquor Control Board as authorized in RCW 66.08.030.

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

APPROVED AND ADOPTED October 25, 1988.

By Robert D. Hannah
Board Member

AMENDATORY SECTION (Amending Orders 110 and 112, Resolution Nos. 119 and 121, filed 8/4/82)

WAC 314-18-030 APPLICANTS—RETAIL LIQUOR LICENSEES INELIGIBLE—EXCEPTIONS.

(1) Any person twenty-one years of age or older, either for himself/herself or in a representative capacity on behalf of a society, organization, or business entity, may apply for a banquet permit which authorizes the service and consumption of liquor at a specific place upon a specific date.

(2) Retail liquor licensees are NOT eligible to apply for banquet permits for events to be held at, in, or upon such licensee's premises: PROVIDED, HOWEVER, That the licensee's ineligibility will not apply:

(a) When the application is by an established organization of members or auxiliary within a licensed club;

(b) Where grand openings, or special openings following new construction or substantial alterations, or when conventions are to be held on the licensed premises;

(c) Where special occasions such as employee Christmas parties, business anniversaries, etc. are held on the licensed premises;

(d) For functions held at locations other than the licensed premises.

(3) Banquet permits may be issued to qualified applicants for private functions on a chartered bus, chartered boat, chartered plane, or a chartered passenger car on a train.

(4) A banquet permit is not required for:

(a) Beer or wine sampling conducted in accordance with RCW 66.28.040 as implemented by chapter 314-64 WAC.

(b) Beer or wine provided by a brewery, winery, or wholesaler as part of a course of instruction for liquor licensees and/or their employees pursuant to RCW 66.28.150.

(5) The board interprets and will apply the relevant portions of the Liquor Act (RCW 66.20.010, 66.04.010(23), 66.04.010(26), 66.24.480, 66.24.481, and 66.44.100), reading them in pari materia, as not requiring a banquet permit to be obtained by an individual for a function when that individual is not acting with a business purpose or on behalf of an organization or business entity, where each of the following conditions are met:

(a) The function to be held by the individual is of a personal, noncommercial type which would normally be held in the individual's private home but for space considerations. Examples being a birthday party, wedding reception, bar mitzvah, etc. In lieu of holding the function in his or her home, the individual has arranged for use of a facility which is to be closed off from the public during the function and which is not on any licensed premises.

(b) The function is hosted by the individual personally. That is, there is no charge in any manner whatsoever for attendance, whether by admission charge, donation, dues, fees, or otherwise, and there is no charge in any

manner whatsoever for anything provided at the function (i.e., mixer, setups, ice, food, hors d'oeuvres, etc.).

(c) That there is no business purpose for the function and that no pecuniary gain is intended or realized by the individual from the holding of the function.

(d) That those persons attending the function are the personal invitees of the individual holding it.

WSR 88-22-027
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)

[Memorandum—October 24, 1988]

Wednesday, November 30, 1988, 6:30 p.m., the Washington State Library Commission will meet for a staff briefing at the Yukon Landing Restaurant in the Marriott Hotel, 18118 Pacific Highway South, Seattle, Washington.

Thursday, December 1, 1988, 10:00 a.m., the Washington State Library Commission will hold its regular business meeting in the Meeting Room, Plaza A, Holiday Inn, 17338 Pacific Highway South, Seattle, Washington.

WSR 88-22-028
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION

[Filed October 26, 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 surplus property sales in agricultural areas, adopting WAC 468-30-120, to provide rules to comply with revision to RCW 47.12.063;

that the agency will at 10:00 a.m., Thursday, December 15, 1988, in the Board Room, Transportation Building, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 47.12.063.

The specific statute these rules are intended to implement is RCW 47.12.063.

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

Dated: October 24, 1988

By: Ed W. Ferguson
 Deputy Secretary

STATEMENT OF PURPOSE

Title: WAC 468-30-120.

Description of Purpose: Adoption of WAC 468-30-120 Surplus property sales in agricultural zoned areas,

to provide rules to comply with revision to RCW 47.12.063.

Statutory Authority: RCW 47.12.063.

Summary of Rule: Requires that abutting property owners in agricultural zoned areas must be given priority consideration in surplus property sales.

Reason for Rule: This rule is necessary to establish the procedure that must be followed when selling surplus property in agricultural zoned areas.

Agency Proposing Rule: Washington State Department of Transportation.

Department Personnel Responsible for Drafting and Implementation: Mr. Robert H. Barnard, Chief Right of Way Agent, Department of Transportation, Room 2D3, Transportation Building, Olympia, Washington 98504, (206) 753-6052.

Agency Comments or Recommendations: None.

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

Small Business Economic Impact Statement: No impact, none required.

NEW SECTION

WAC 468-30-120 SURPLUS PROPERTY SALES IN AGRICULTURAL ZONED AREAS. Priority consideration shall be given to abutting property owners in agricultural zoned areas.

(1) A written notice and offer to sell shall be sent by certified mail to the abutting owner as shown on the records of the county assessor.

(2) The abutting owner shall have thirty days after receiving notice of the proposed sale to respond in writing to the department's offer to sell.

(3) If the abutting owner rejects the state's offer or does not respond in writing within the thirty-day period, the department may then dispose of the property pursuant to RCW 47.12.063.

(4) If there is more than one abutting owner, then the procedures in RCW 47.12.063 (2)(f) shall apply.

(5) Sales to abutting property owners may at the department's option be for cash or by real estate contract.

WSR 88-22-029
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-158—Filed October 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 sturgeon stocks above Bonneville Dam are in need of protection. These regulations are adopted pursuant to the decision of the Columbia River Compact and recommendation of the four Columbia River treaty tribes. There is inadequate time to promulgate permanent rules.

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

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 26, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-32-05700B COLUMBIA RIVER STURGEON SEASONS ABOVE BONNEVILLE. *Notwithstanding the provisions of WAC 220-32-057, effective immediately until further notice, it is unlawful for a person to take sturgeon with setline gear or to possess sturgeon taken with setline gear for commercial purposes from Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H.*

WSR 88-22-030

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-19—Filed October 27, 1988]

I, Fred A. Olson, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology Headquarters, Lacey, Washington, the annexed rules relating to forest practice regulations pertaining to water quality, chapter 173-202 WAC.

This action is taken pursuant to Notice No. WSR 88-20-067 filed with the code reviser on October 4, 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 76.09 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 18, 1988.

By Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order 87-5, filed 11/10/87, effective 1/1/88)

WAC 173-202-020 CERTAIN WAC SECTIONS ADOPTED BY REFERENCE. The following sections of the Washington Administrative Code as now promulgated are hereby adopted by reference as part of this chapter in all respects as though the sections were set forth herein in full:

WAC 222-08-035—Continuing review of forest practices regulations.
WAC 222-12-010—Authority.

WAC 222-12-040—Alternate plans.
WAC 222-12-045—Adaptive management.
WAC 222-12-070—Enforcement policy.
WAC 222-12-090—Forest practices board manual.
WAC 222-16-010—General definitions.
WAC 222-16-020—Water categories.
WAC 222-16-030—Water typing system.
WAC 222-16-050—Classes of forest practices.
WAC 222-24-010—Policy.
WAC 222-24-020 (2), (3), (4)—Road location.
WAC 222-24-025 (5), (6), (7), (8), (9)—Road design.
WAC 222-24-030 (2), (4), (5), (6), (8), (9), (10)—Road construction.
WAC 222-24-035(1)—Landing location and construction.
WAC 222-24-040 (1), (2), (3), (4)—Water crossing structures.
WAC 222-24-050—Road maintenance.
WAC 222-24-060 (1), (2), (3), (6)—Rock quarries, gravel pits, borrow pits, and spoil disposal areas.
WAC 222-30-010—Policy—Timber harvesting.
WAC 222-30-020 (2), (3)(c), (3)(e), (4), (5), (6), (7)—Harvest unit planning and design.
WAC 222-30-030—Stream bank integrity.
WAC 222-30-040—Temperature control.
WAC 222-30-050 (1), (2), (3), (4)—Felling and bucking.
WAC 222-30-060 (1), (2), (3), (4)(c)—Cable yarding.
WAC 222-30-070 (1), (2), (4), (6), (7), (8)—Tractor and wheeled skidding systems.
WAC 222-30-080 (1), (2)—Landing cleanup.
WAC 222-30-100 (1)(c), (4), (5)—Slash disposal.
WAC 222-34-040—Site preparation and rehabilitation.
WAC 222-38-010—Policy—Forest chemicals.
WAC 222-38-020—Handling, storage, application.

WSR 88-22-031

NOTICE OF PUBLIC MEETINGS CONVENTION AND TRADE CENTER (Art Committee)

[Memorandum—October 25, 1988]

There will be a meeting of the Art Committee of the Washington State Convention and Trade Center on Thursday, November 3, 1988, at 3:00 p.m. The location will be Room 500 of the Washington State Convention and Trade Center, 800 Convention Place, in downtown Seattle.

The Arts Review Committee meeting, tentatively scheduled for Wednesday, November 9 at 1:00, has been cancelled.

WSR 88-22-032

NOTICE OF PUBLIC MEETINGS CONVENTION AND TRADE CENTER (Design Committee)

[Memorandum—October 25, 1988]

There will be a meeting of the Design Committee of the Washington State Convention and Trade Center on Wednesday, November 2, 1988, at 11:00 a.m. The location will be Room 500 of the Washington State Convention and Trade Center, 800 Convention Place, in downtown Seattle.

The board of directors of the Washington State Convention and Trade Center will hold a regular meeting at

3:00 p.m., on the same date and location identified above.

WSR 88-22-033
ADOPTED RULES
DEPARTMENT OF FISHERIES
 [Order 88-157—Filed October 27, 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 88-19-063 filed with the code reviser on September 16, 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 October 25, 1988.

By Joseph R. Blum
 Director

AMENDATORY SECTION (Amending Order 84-24, filed 3/27/84)

WAC 220-44-030 COASTAL BOTTOMFISH GEAR. It is unlawful to take, fish for, possess, transport through the waters of the state or land in any Washington state ports, bottomfish taken for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 59A, 59B, 60A and that portion of Area 58 within the United States 200-mile Fishery Conservation Zone with any gear except as provided in this section:

(1) Otter trawl and beam trawl.

(a) It is unlawful to use, operate or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches.

(b) It is unlawful to use or operate any bottom trawl having meshes less than 4.5 inches. A bottom trawl must have a minimum of two continuous riblines sewn to the net and extending from the mouth of the trawl net to the terminal end of the codend if the fishing vessel is simultaneously carrying aboard a net of less than 4.5-inch minimum mesh size.

For all bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(c) It is unlawful to use or operate a roller or bobbin trawl with meshes less than 3.0 inches. ~~(It is unlawful to use a double wall codend in any roller or bobbin~~

~~trawl.)~~ Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(d) Double wall codends may not be used in any trawl with mesh size less than 4.5 inches. If a double wall codend is used, the double walled layers must be the same mesh size and coincide, knot-to-knot, and may not be longer than 25 trawl meshes or 12 feet, whichever is greater.

(e) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches. It is unlawful to use a double wall codend in any pelagic trawl. Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6 inches. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweeplines, including the bottom leg of the bridle, must be bare.

(2) Set lines. It is unlawful for the operator of set lines to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Set lines must be attended at least once every seven days. Set lines must be marked at the surface at each terminal end with a pole, flag, light, radar reflector, and a buoy displaying clear identification of the owner or operator.

(3) Bottomfish pots. It is unlawful for the operator of bottomfish pots to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Bottomfish pots must be attended at least once every seven days. Bottomfish pots set individually must be marked at the surface with a pole and a flag, light, or radar reflector, and a buoy displaying clear identification of the owner. Bottomfish pots laid on a groundline must be marked at the surface at each terminal end of the groundline with a pole and a flag, light, and radar reflector, and a buoy displaying clear identification of the owner or operator.

(4) Commercial jig gear.

(5) Troll lines. It is unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, except that in any coastal waters it is lawful to retain for commercial purposes any species of bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery.

(6) Shrimp trawls. It is unlawful in any coastal waters, to retain for commercial purposes more than 1,500 pounds per day of any bottomfish species other than Pacific whiting, shortbelly rockfish or arrowtooth flounder taken with shrimp trawl gear incidental to a lawful shrimp fishery.

(7) It is unlawful to take, fish for or possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

(8) It is unlawful to take or possess lingcod taken for commercial purposes with any gear from December 1 through April 14 in Coastal Marine Fish-Shellfish Management and Catch Reporting Area 59B.

WSR 88-22-034
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed October 27, 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:

Amd ch. 388-77 WAC Family independence program.
Rep WAC 388-49-191 Household composition—Family independence program;

that the agency will at 10:00 a.m., Tuesday, December 6, 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 December 7, 1988.

The authority under which these rules are proposed is chapter 74.21 RCW.

The specific statute these rules are intended to implement is chapter 74.21 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 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 November 22, 1988. The meeting site is in a location which is barrier free.

Dated: October 27, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

Re: Chapters 388-77 and 388-49 WAC.

Purpose of the Rule Filing: To modify the food assistance household composition for the family independence program (FIP); to expand the types of cases that can be converted to FIP; and to change the method for determining hours worked for a self-employed FIP enrollee.

Statutory Authority: ESHB 448, chapter 434, Laws of 1987 and section 21 (d)(3) legislation as found in House Resolution 4998.

Summary of Rules: WAC 388-77-005(5) is amended to eliminate the 90 day rule. Under this change families with dependent children will have the option to convert to FIP following any break in assistance; WAC 388-77-005(5) is amended to allow AFDC cases who lose their exemption from Washington employment opportunities

program (OPPORTUNITIES) the option of converting to FIP instead of being referred to OPPORTUNITIES; WAC 388-77-610(3) is amended to change the rule for determining hours worked in self-employment. With the change, hours worked in self-employment will be based on the enrollees declaration. The declaration method will be used for six consecutive months starting with the first month the enrollee is entitled to an incentive for self-employment. After the six months of declaration, hours worked in self-employment will be determined by dividing the enrollee's gross self-employment income by the federal minimum wage; WAC 388-77-820(5) as required by federal law, is amended to modify the household composition for food assistance purposes. With the change, the household composition for FIP food assistance will no longer be limited to only those persons in the FIP assistance unit. Specifically, household composition for FIP food assistance will follow food stamp program rules. With the change households composed of FIP and non-FIP members will have food assistance prorated between FIP cash assistance and food stamps. The change will result in a reduction in benefits or total ineligibility for food assistance for some households; and WAC 388-49-191 as required by federal law, is repealed. With the repealer, the household composition for FIP food assistance will no longer be limited to only those persons in the FIP assistance unit. (See comments on WAC 388-77-820(5).)

Person Responsible for Drafting, Implementation and Enforcement of this Rule Change: Jay Emry, Program Manager, Office of Policy and Program Development, Division of Income Assistance, phone (206) 753-4371 or 234-4371 scan, mailstop OB-31C.

The rules are necessary, in part, as a result of a change in federal law, section 21 (d)(3) legislation as found in House Resolution 4998.

AMENDATORY SECTION (Amending Order 2683, filed 8/30/88)

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 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 cases which lose their exemption from participation in the Washington employment opportunities program (OPPORTUNITIES) may convert to FIP as an alternative to being referred to OPPORTUNITIES;

(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 2683, filed 8/30/88)

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) The department shall allow self-employed enrollees (~~shall be entitled to~~) with an approved self-employment plan fifteen percent or thirty-five percent of the benchmark standard based on:

(a) The enrollee's declaration of hours worked for six consecutive months starting with the first month the enrollee is entitled to an incentive for self-employment; and

(b) Thereafter, the hours worked as computed by dividing the enrollee's (~~net~~) gross income by the federal minimum wage.

(4) An enrollee's participation in job search skills development or job search activities shall not qualify (~~and~~) the enrollee for an incentive under WAC 388-77-610.

(5) The department shall not allow more than one incentive per assistance unit. The department shall allow 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 department shall calculate 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 2684, filed 8/30/88)

WAC 388-77-820 FOOD ASSISTANCE. (1) The department shall:

(a) Determine eligibility and benefit amounts for food cash assistance according to the food stamp program in chapter 388-49 WAC(;;); except:

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

((+)) (i) The FIP incentive and the value of child care provided under FIP;

((+)) (ii) Higher education benefits;

((+)) (iii) Earned income tax credit;

((+)) (iv) Retroactive FIP benefits;

((+)) (v) The first fifty dollars of any child support payments received in the month;

((+)) (vi) Earnings of a child under eighteen years of age; and

((+)) (vii) Self-employment income used for capital expenditures which are included as part of a self-sufficiency plan.

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

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

(4) The department shall consider households with all FIP members as categorically eligible for food stamp cash assistance;

(5) The (~~household composition for food assistance purposes~~) department shall (~~include only those persons in the FIP assistance unit as determined by WAC 388-77-210~~) determine eligibility and benefit amount for nonassistance households with a FIP member or members according to chapter 388-49 WAC:

(a) FIP members shall receive a prorated amount of benefits as food cash assistance; and

(b) Non-FIP members shall receive a prorated amount of benefits in food stamps.

REPEALER

The following section of the Washington Administrative Code is repealed:

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

WSR 88-22-035 EMERGENCY RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Order 2719—Filed October 27, 1988]

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

Amd ch. 388-77 WAC Family independence program.
Rep WAC 388-49-191 Household composition—Family independence program.

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 changes to household composition are being effected on an emergency basis to implement federal legislation which was signed into law in October 1988, but which is effective July 1, 1988, and to maintain budget neutrality. Other changes are being effected on an emergency basis for the general welfare of program participants.

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 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 October 27, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2683, filed 8/30/88)

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 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 cases which lose their exemption from participation in the Washington employment opportunities program (OPPORTUNITIES) may convert to FIP as an alternative to being referred to OPPORTUNITIES;~~

(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 2683, filed 8/30/88)

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) The department shall allow self-employed enrollees (~~shall be entitled to~~) with an approved self-employment plan fifteen percent or thirty-five percent of the benchmark standard based on:

(a) The enrollee's declaration of hours worked for six consecutive months starting with the first month the enrollee is entitled to an incentive for self-employment; and

(b) Thereafter, the hours worked as computed by dividing the enrollee's (~~net~~) gross income by the federal minimum wage.

(4) An enrollee's participation in job search skills development or job search activities shall not qualify (~~an~~) the enrollee for an incentive under WAC 388-77-610.

(5) The department shall not allow more than one incentive per assistance unit. The department shall allow 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 department shall calculate 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 2684, filed 8/30/88)

WAC 388-77-820 FOOD ASSISTANCE. (1) The department shall:

(a) Determine eligibility and benefit amounts for food cash assistance according to the food stamp program in chapter 388-49 WAC(;-); except:

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

~~((+))~~ (i) The FIP incentive and the value of child care provided under FIP,

~~((b))~~ (ii) Higher education benefits;

~~((c))~~ (iii) Earned income tax credit;

~~((d))~~ (iv) Retroactive FIP benefits;

~~((e))~~ (v) The first fifty dollars of any child support payments received in the month;

~~((f))~~ (vi) Earnings of a child under eighteen years of age; and

~~((g))~~ (vii) Self-employment income used for capital expenditures which are included as part of a self-sufficiency plan.

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

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

(4) The department shall consider households with all FIP members as categorically eligible for food stamp cash assistance;

(5) The ~~((household composition for food assistance purposes))~~ department shall ~~((include only those persons in the FIP assistance unit as determined by WAC 388-77-210))~~ determine eligibility and benefit amount for nonassistance households with a FIP member or members according to chapter 388-49 WAC:

(a) FIP members shall receive a prorated amount of benefits as food cash assistance; and

(b) Non-FIP members shall receive a prorated amount of benefits in food stamps.

REPEALER

The following section of the Washington Administrative Code is repealed:

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

WSR 88-22-036

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2718—Filed October 27, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to disregard of income, amending WAC 388-28-575.

This action is taken pursuant to Notice No. WSR 88-18-052 filed with the code reviser on September 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 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 October 27, 1988.

By Leslie F. James, Director
Administrative Services

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;

~~((ti))~~ (h) HUD community development block grant funds ~~((obtained and used under conditions precluding))~~ that preclude use for current living costs; ~~((and))~~

~~((tj))~~ (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;~~

~~(e) 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 88-22-037

ADOPTED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Order 291, Docket No. U-88-2337-R—Filed October 28, 1988]

In the matter of amending WAC 480-80-330 and adopting WAC 480-80-335 relating to contracts.

This action is taken pursuant to Notice No. WSR 88-18-077 filed with the code reviser on September 6, 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 88-18-077 the above matter was scheduled for consideration 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, 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 October 12, 1988, and orally at 9:00 a.m., Wednesday, October 19, 1988, in the Commission's Hearing Room above noted. At the foregoing meeting the commission considered the rule change proposal. Written comments were received from Ms. E. Michele Moquin on behalf of Cascade Natural Gas Company, Gary B. Swofford for Puget Sound Power and Light Company, Jack O. Wood for Washington Natural Gas Company, and Craig D. Dingwall, for U.S. Sprint. In addition to the foregoing, comments were filed by Ms. Elizabeth Thomas on behalf of the Spokane Solid Waste Disposal Project regarding the applicability of the rule to the wheeling of electric energy from qualifying facilities to purchasing utilities

under the provisions of the Public Utilities Regulatory Policy Act of 1978 (PURPA). It is not the intent of the commission that the rule apply to such wheeling arrangements. Oral comments were presented by Jerry Peterson on behalf of South Sound Utility Company.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-80-330 should be amended and WAC 480-80-335 should be adopted to read as set forth in Appendix A shown below hereto and by this reference made a part hereof. WAC 480-80-330 as amended exempts electric, water, and gas utilities from that section, requiring in lieu thereof compliance with WAC 480-80-335. WAC 480-80-335 prescribes and implements procedures applicable to contracts for service between energy and water utilities on the one hand, and ultimate consumers on the other. As originally proposed, electric, gas, and water utilities were to comply with both sections. However, such a requirement would be redundant, and the public interest will be protected by compliance with WAC 480-80-335. Because of the inherent redundancy, the commission is of the view that the modification to WAC 480-80-330 as filed herein is not a substantial change so as to require republication.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-80-330 and 480-80-335, as set forth in Appendix A, be adopted as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

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

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

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

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 this section shall not apply to contracts entered into by electric, gas, and water utilities, which utilities shall 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 88-22-038

ADOPTED RULES

HOSPITAL COMMISSION

[Order 88-07, Resolution No. 88-07—Filed October 28, 1988]

Be it resolved by the Washington State Hospital Commission, acting at the West Coast Sea-Tac Hotel, Seattle, Washington, that it does adopt the annexed rules relating to methodology and criteria for approval, modification, or disapproval of annual budget submittal and rates, rate schedules, other charges and changes therein, WAC 261-40-150.

This action is taken pursuant to Notice No. WSR 88-19-094 filed with the code reviser on September 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 chapter 70.39 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED October 27, 1988.

By Maurice A. Click
Executive Director

AMENDATORY SECTION (Amending Order 88-02 [88-06], Resolution No. 88-02 [88-06], filed 5/13/88 [8/17/88])

WAC 261-40-150 METHODOLOGY AND CRITERIA FOR APPROVAL, MODIFICATION, OR DISAPPROVAL OF ANNUAL BUDGET SUBMITTAL AND RATES, RATE SCHEDULES, OTHER CHARGES, AND CHANGES THEREIN. The following methodology and criteria shall be utilized by the commission in reviewing and acting on annual budget submittals. The relative importance of each criterion, and the extent to which justification for variance from the methodology and criteria is accepted, is a matter of commission discretion:

~~((The following is effective for hospital fiscal years beginning in 1987.~~

~~(1) Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein:~~

~~(a) Are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the hospital are reasonably related to the total services offered by that hospital;~~

~~(b) Are such that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital;~~

(c) Are such that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs;

(d) Are such that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

(2) Whether the commission action will permit the hospital to render necessary, effective and efficient service in the public interest.

(3) Whether the commission action will assure access to necessary, effective, economically viable and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

(a) Rural includes all areas of the state with the following exceptions:

(i) The entire counties of Snohomish (including Camano Island), King, Kitsap, Pierce, Thurston, Clark, and Spokane;

(ii) Areas within a twenty-mile radius of an urban area exceeding thirty thousand population; and

(iii) Those cities or city clusters located in rural counties but which for all practical purposes are urban. These areas are Bellingham, Aberdeen-Hoquiam, Longview-Kelso, Wenatchee, Yakima, Sunnyside, Richland-Kennewick-Pasco, and Walla Walla.

(4) Whether the appropriate area-wide and state comprehensive health planning agencies have recommended approval, modification, or disapproval of the annual budget submittal, or the rates, rate schedules, other charges, or changes therein.

(5) Whether the proposed budget and the projected revenues and expenses would result in the rate structure most reasonable under the circumstances. The following shall be considered by the commission in making that determination:

(a) The commission shall determine whether the hospital's requested utilization statistics are reasonably attainable, based upon:

(i) Historical admission trends, including a revised current year estimate derived from seasonally-adjusted quarterly report information;

(ii) Historical trends of outpatient volumes as measured by inflation-adjusted outpatient revenue and outpatient equivalents of admissions;

(iii) Historical trends of the average length of stay;

(iv) Historical case mix indices as obtained from the commission hospital abstract reporting system; and

(v) Such other information as the commission may determine is appropriate as a basis for deviating from measures based upon historical trends including, but not limited to:

(A) Revisions necessary to maintain compliance with the commission's Accounting and Reporting Manual for Hospitals pursuant to WAC 261-20-030;

(B) Negotiated rate agreements that guarantee additional volumes related to a purchaser of hospital health care services;

(C) The implementation or deletion of services or programs for which certificate of need approval has been obtained, if required; and

(D) Other considerations presented by the hospital or other interested persons and determined to be appropriate by the commission.

The commission shall utilize a principal screen to compare the hospital's requested net patient services revenue (total rate setting revenue less deductions from revenue) per adjusted case mix value unit to the hospital's baseline net patient services revenue per adjusted case mix value unit as calculated in item (i) below and modified by item (ii) below:

(i) Each hospital's baseline net patient services revenue per adjusted case mix value unit shall be calculated by applying to the individual hospital the same methodology utilized by the commission in establishing the volume, operating expense, and capital allowance components of the allocated target dollar amount of total state-wide hospital revenue adopted by the commission in accordance with RCW 70.39.150(6):

(ii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue per adjusted case mix value unit does not exceed the revised baseline, the operating expense and capital allowance sections of the hospital's annual budget submittal will not be subject to further review provided that the resulting rates meet the criteria of subsection (5)(f), (6), and (7) of this section.

(iii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue per adjusted case mix value unit exceeds the revised baseline, further review of the components of operating expense and capital allowance will be conducted:

(c) The commission shall determine whether the hospital's requested operating expenses are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the services are reasonably related to the total services offered by that hospital and are such that the hospital's costs do not exceed those that are necessary for a reasonably and prudently managed hospital, based upon:

(i) Adjusting the requested level of operating expenses to reflect the adjusted case mix value units as determined according to (a) of this subsection, utilizing the variable cost factors described in subsection (6) of this section;

(ii) Applying national hospital market basket inflation forecasts to operating expenses by natural classification. National inflation forecasts will be modified to reflect regional or state-wide economic conditions, as appropriate;

(iii) Such other information as the commission may determine is appropriate as a basis for deviating from the standard variable cost ratios specified in subsection (6) of this section or inflation forecasts. This information shall include but not be limited to:

~~(A) Revisions necessary to comply with the commission's Accounting and Reporting Manual for Hospitals pursuant to WAC 261-20-030;~~

~~(B) Reasonable operating expenses related to implementation or deletion of services or programs for which certificate of need approval has been obtained, if required;~~

~~(C) Reasonable operating expenses related to expansion or contraction of hospital capacity for which certificate of need approval has been obtained, if required;~~

~~(D) Volume adjustments of a magnitude which render the standard variable cost factors described in subsection (6) of this section inappropriate; and~~

~~(E) Other consideration presented by the hospital and determined to be appropriate by the commission.~~

(d) The commission shall determine whether the hospital's requested capital allowance is appropriate based upon the following:

(i) Capital allowance includes a return on net property, plant and equipment (property, plant and equipment less accumulated depreciation) used in hospital operations, an allowance for working capital, and other considerations as determined to be appropriate by the commission:

(A) The value for net property, plant and equipment shall be derived from the balances at the end of the hospital's current year, as approved by the commission, and the projected balances at the end of the budget year. An average shall be calculated. The average of the net property, plant and equipment shall be the base upon which the return shall be calculated.

(I) Any capital expenditures contained in the projected balances at the end of the budget year which are subject to certificate of need approval will be excluded from the base until such time as the certificate of need has been issued by the department of social and health services;

(H) Any assets contained in net property, plant and equipment that do not relate to hospital operations, as defined in the commission's Accounting and Reporting Manual for Hospitals, pursuant to WAC 261-20-030, will be excluded from the base.

(B) A return on net property, plant and equipment as determined in (I), (H), and (HH) below shall be presumed appropriate; however, the commission may vary from that rate, higher or lower, where appropriate.

(I) The rate of return on equity financed net property, plant and equipment shall be calculated by averaging the reported interest rates on twenty-five-year "A" rated tax-exempt bonds as reported in each issue of Rate Controls from the three months ending on August 31 of each year.

(H) The rate of return on debt financed net property, plant and equipment shall be a blended average of each hospital's average interest rate on long-term debt and the rate of return on equity financed net property, plant and equipment. The blending schedule is as follows:

(aa) For hospital fiscal years beginning in 1987: Seventy-five percent = each hospital's average interest rate on long-term debt, twenty-five percent = rate of return on equity financed net property, plant and equipment;

(bb) For hospital fiscal years beginning in 1988: Fifty percent = each hospital's average interest rate on long-term debt, fifty percent = rate of return on equity financed net property, plant and equipment;

(cc) For hospital fiscal years beginning in 1989: Twenty-five percent = each hospital's average interest rate on long-term debt, seventy-five percent = rate of return on equity financed net property, plant and equipment;

(dd) For hospital fiscal years beginning in 1990 and each year thereafter: Zero percent = each hospital's average interest rate on long-term debt, one hundred percent = rate of return on equity financed net property, plant and equipment.

(HH) After computation of the return on net property, plant and equipment, allowable interest expense on long-term debt shall be deducted from the computed return.

(C) Working capital increases, if requested, shall be added to the return on net property, plant and equipment for determination of the total capital allowance. Working capital increases up to thirteen and one-half percent of the increase in net patient services revenue from the approved budget in the current year to the approved budget as determined by the commission in the requested year shall be presumed appropriate; however, the commission may vary from that allowance, higher or lower, where appropriate.

(I) The commission may determine that a hospital which is found essential to assure access of the rural public to basic health care services is experiencing financial distress and may determine to vary from the allowance for working capital.

(H) The commission may determine to allow additional working capital where the hospital can demonstrate to the commission's satisfaction that its payer mix would require additional funding of accounts receivable.

(D) The commission may consider other elements in the determination of appropriate capital allowance for inclusion in total rate setting revenue. These considerations include, but are not limited to, the following elements:

(I) Hospitals that have been undercapitalized as determined by an average accounting age of property, plant and equipment which exceeds one hundred fifty percent of the state-wide average; and a total turnover rate of assets which exceeds the upper quartile of far west hospitals of the same bed size category as defined in the latest Hospital Industry Financial Report of the healthcare financial management association or a fixed asset turnover rate which exceeds the upper quartile of far west hospitals of the same bed size category as defined in the latest Hospital Industry Financial Report of the healthcare financial management association, provided that:

(aa) The total level of capital allowance for undercapitalized hospitals should not exceed one hundred twenty-five percent of the baseline level; and

(bb) The requested rate per adjusted admission, as revised to reflect the hospital's case mix index, does not exceed the peer group median; and

~~(cc) The resulting increase in the rate per adjusted case mix value unit does not exceed one hundred twenty-five percent of the baseline median rate of increase.~~

~~(H) Whether that portion of debt principal payments which exceeds the total depreciation expense in the budget year should be allowed;~~

~~(HH) If the hospital has been approved for equity funding or accumulation of funds for a project in the future and its rate per adjusted case mix value unit is at or below the median of its peer group, the proposed project is consistent with the hospital's long-range plan and financing plan which have been approved by the hospital's governing body, the proposed project is consistent with the health systems plan of the appropriate health systems agency, and any equity funding allowed in total rate setting revenue is maintained in a separate subaccount within board designated assets and cannot be used for any other purpose without prior approval of the commission; and~~

~~(IV) If the hospital has an approved certificate of need and related financing consistent with the approved certificate of need and the impact on rates of the additional funding is determined not to be excessive by the commission.~~

~~(c) Whether the budgeted deductions from revenue are appropriate:~~

~~(i) Contractual adjustments related to governmental programs, such as Titles V, XVIII, XIX of the Social Security Act, Department of Labor and Industries, self-insured workers' compensation, Veteran's Administration, and Indian Health Service are allowable as deductions from revenue for rate setting purposes when the hospital payment rates are established unilaterally by the program;~~

~~(ii) Contractual adjustments related to bank card discounts, negotiated rates and all other nongovernmental-sponsored patients are not allowable as deductions from revenue for rate setting purposes;~~

~~(iii) Contractual adjustments relating to contracts executed with the department of social and health services, under the Medicaid selective contracting program, are allowable as deductions from revenue for rate setting purposes;~~

~~(iv) Bad debts and charity will be trended as a percentage of total rate setting revenue over time and any significant changes will require justification;~~

~~(v) Administrative adjustments exceeding one-tenth of one percent of total rate setting revenue will require justification; and~~

~~(vi) Deductions from revenue may be recomputed based on determinations in all other areas of budget.~~

~~(f) Whether the reviews performed in accordance with (a), (b), (c), (d) and (e) of this subsection result in rates, rate schedules, other charges, and changes therein which are the most reasonable under the circumstances.~~

~~(i) Rate setting revenue per adjusted case mix value unit should not exceed the 70th percentile of the peer group revenue screens as adjusted for each hospital's case mix index unless the hospital demonstrates to the commission's satisfaction that the relatively high rates are acceptable.~~

~~(ii) The commission may consider any other information it determines is appropriate as the basis for deviating from these criteria including the relative level of deductions from revenue experienced by the hospitals;~~

~~(iii) If the rates are not approved as requested, the hospital must submit revised rates to the commission within twenty days of the date of service of the decision and order.~~

~~(6) Whether the rates implemented and revenues collected by the hospital conform to the applicable commission determinations:~~

~~(a) For budget years beginning on or before 1986, conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of either the aggregate rate per adjusted patient day, or the revenues for individual revenue centers, as either may be modified, where appropriate, for volume variance between budgeted and actual levels; such comparison shall be made using actual, rather than budgeted, deductions from revenue:~~

~~The approved capital allowance shall be considered a fixed cost when considering year-end conformance. Only that portion of total costs per patient day designated as variable according to the following schedule will be adjusted for volume variance:~~

~~Peer groups 1 and 2 and specialty hospitals having fewer than fifty beds; fixed costs = eighty percent, variable costs = twenty percent.~~

~~Peer groups 3 and 4 and speciality hospitals having fifty or more beds; fixed costs = seventy percent, variable costs = thirty percent.~~

~~Peer groups 5 and 6 hospitals; fixed costs = sixty percent, variable costs = forty percent.~~

~~Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs, either in the aggregate or by revenue center. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable revenue variance due to volume changes.~~

~~The hospital may submit any justifying information to explain deviations/variances from approved revenues.~~

~~(b) For budget year 1987, conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of the aggregate rate per adjusted case mix value unit. The revenues may be modified, where appropriate, for volume variance between budgeted and actual levels of adjusted case mix value units:~~

~~(i) Actual allowable, rather than budgeted, deductions from revenue will be used in the conformance calculation.~~

~~(ii) The approved capital allowance shall be considered a fixed cost when considering year-end conformance.~~

~~(iii) Only that portion of total operating costs designated as variable according to the following schedule will be adjusted for volume variance:~~

~~(A) Peer Group A and specialty hospitals having fewer than fifty beds; fixed costs = eighty percent, variable costs = twenty percent;~~

~~(b) Peer Group B and specialty hospitals having from fifty to one hundred seventy-five beds; fixed costs = sixty-five percent, variable costs = thirty-five percent;~~

~~(C) Peer Group C and specialty hospitals having more than one hundred seventy-five beds; fixed costs = fifty percent, variable costs = fifty percent.~~

~~(iv) Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs by natural classification of expense. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable operating expense variance due to volume changes.~~

~~(v) The hospital may submit any proposed justifying information to explain deviations/variances from approved revenues.~~

~~(A) Any proposed justifying information must include at least the following supporting information:~~

~~(I) The exact nature and extent of the factors contributing to excess revenue;~~

~~(II) The date at which hospital management became aware of the factors contributing to excess revenue;~~

~~(III) The date at which hospital management increased rates above the allowable level taking into account volume changes and actual deductions from revenue;~~

~~(IV) An explanation of efforts to reduce other components of the budget to offset the factors contributing to the excess revenues; and~~

~~(V) An explanation of why the hospital did not seek a budget amendment.~~

~~(B) In no event will increased operating expenses be accepted as justification if the volume adjusted allowable operating expenses equal or exceed the actual level.~~

~~(C) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been controlled by hospital management.~~

~~(D) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been anticipated by the hospital or could have been identified by the hospital in sufficient time to submit a budget amendment in accordance with WAC 261-20-045.~~

~~(E) In no event will capital allowance in excess of the approved level be accepted as justification.~~

~~(F) Hospitals will be allowed to retain any actual capital allowance in excess of the approved level that results from cost effective practices as defined as, and measured by, actual operating expenses that are below the volume adjusted approved operating expenses.~~

~~(vi) Staff shall notify each hospital found to be out of conformance based on this subsection, and a hearing shall be conducted by the commission on conformance within sixty days. If the commission determines that a hospital's revenues have not conformed to the applicable determinations for that year, a decision and order will be issued reducing the hospital's current budget and rates by the amount that actual revenues exceed allowable revenues.~~

~~(7) Whether the hospital or its medical staff either adopts or maintains admission practices or policies which result in:~~

~~(a) A significant reduction in the proportion of patients who have no third-party coverage or who are unable to pay for hospital services;~~

~~(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services;~~

~~(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital.))~~

The following is effective for hospital fiscal years beginning on or after January 1, 1988.

(1) Whether the hospital's annual budget submittal and the rates, rate schedules, other charges, and changes therein:

(a) Are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the hospital are reasonably related to the total services offered by that hospital;

(b) Are such that the hospital's costs do not exceed those that are necessary for a prudently and reasonably managed hospital;

(c) Are such that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs; and

(d) Are such that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

(2) Whether the commission action will permit the hospital to render necessary, effective and efficient service in the public interest.

(3) Whether the commission action will assure access to necessary, effective, economically viable and efficient hospital health care capability throughout the state, rather than the solvency or profitability of any individual hospital except where the insolvency of a hospital would seriously threaten the access of the rural public to basic health care services.

(a) Rural includes all areas of the state with the following exceptions:

(i) The entire counties of Snohomish (including Camano Island), King, Kitsap, Pierce, Thurston, Clark, and Spokane;

(ii) Areas within a twenty-mile radius of an urban area exceeding thirty thousand population; and

(iii) Those cities or city-clusters located in rural counties but which for all practical purposes are urban. These areas are Bellingham, Aberdeen-Hoquiam, Longview-Kelso, Wenatchee, Yakima, Sunnyside, Richland-Kennewick-Pasco, and Walla Walla.

(b) The commission may, at its discretion, determine that individual hospitals located in areas meeting the aforementioned criteria should not be considered rural for purposes of conducting comparative budget reviews between hospitals. In such cases, the affected hospitals will be compared against those hospitals classified as either Peer Group B or Peer Group D for comparative purposes.

(4) Whether the appropriate area-wide and state comprehensive health planning agencies have recommended approval, modification, or disapproval of the annual budget submittal, or the rates, rate schedules, other charges, or changes therein.

(5) Whether the proposed budget and the projected revenues and expenses would result in the rate structure most reasonable under the circumstances. The following shall be considered by the commission in making that determination:

(a) For purposes of conducting comparative budget review, the commission shall assign each hospital to a peer group, as follows:

- (i) Peer Group A – those hospitals designated as rural in accordance with WAC 261-40-150 (3)(a);
- (ii) Peer Group B – those hospitals not designated within Peer Groups A, C, or D;
- (iii) Peer Group C – those hospitals with accredited graduate medical education programs, except those that are classified within Peer Group D; and
- (iv) Peer Group D – those hospitals which the commission has determined exhibit unique characteristics that make comparative analysis inappropriate.

(b) The commission shall determine whether the hospital's requested utilization statistics are reasonably attainable, based upon:

- (i) The adjusted case mix value units for each hospital which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue; and
- (ii) Maintaining a reasonable relationship between the volumes of each hospital department with the adjusted case mix value units which were used to develop the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue.

(A) Deviations from the volume levels determined through these procedures will be taken into account in the computation of year-end conformance, as described in WAC 261-40-150(6).

(c) The commission shall utilize a principal screen to compare the hospital's requested net patient services revenue (total rate setting revenue less deductions from revenue) per adjusted case mix value unit to the hospital's baseline net patient services revenue per adjusted case mix value unit as calculated in item (i) below and applied by items (ii), (iii), and (iv) below:

(i) Each hospital's baseline net patient services revenue per adjusted case mix value unit shall be calculated as follows:

(A) Baseline adjusted case mix value units shall be equal to the ~~((level utilized by the commission in establishing the individual hospital's operating expense component of the target dollar amount of total state-wide hospital revenue))~~ current year approved level;

(B) Baseline ~~((operating expenses))~~ net patient services revenue shall be ~~((equal to the individual hospital's operating expense))~~ determined as an allocated amount of the net patient services revenue component of the target dollar amount of total state-wide hospital revenue~~((; and))~~.

~~((C) Baseline capital allowance shall be determined as an allocated amount of the capital allowance component of the target dollar amount of total state-wide hospital revenue. The allocation of the state-wide capital allowance component of the target dollar amount of total state-wide hospital revenue shall be calculated as follows:~~

~~((I) Each hospital's 1987 baseline capital allowance will be divided by the sum of all hospitals' 1987 baseline capital allowances; and~~

~~((H) The ratio resulting from (I) above shall be multiplied against the 1988 capital allowance component of the target dollar amount of total state-wide hospital revenue.))~~

(ii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue ~~((per adjusted case mix value unit))~~ does not exceed the revised baseline, the operating expense and capital allowance sections of the hospital's annual budget submittal will not be subject to further review provided that the resulting rates meet the criteria of subsections (5)(g), (6), and (7) of this section.

(iii) If, after volume adjusting the revised baseline and the budget request to reasonably attainable levels of adjusted case mix value units, the requested net patient services revenue ~~((per adjusted case mix value unit))~~ exceeds the revised baseline, further review of the components of operating expense and capital allowance will be conducted.

(iv) Peer Group A hospitals with requested net patient services revenue~~((s))~~ per adjusted case mix value unit which are at or below the 70th percentile for their peer group, and which are increasing from the current year approved level at a percentage change which is at or below the 70th percentile rate of change for the peer group, shall be exempted from the principal screen review and the review of operating expenses and capital allowance, so long as the budgeted adjusted case mix value units appear to be reasonably attainable.

(d) The commission shall determine whether the hospital's requested operating expenses are such that the commission can assure all purchasers of that hospital's health care services that the total costs of the services are reasonably related to the total services offered by that hospital and are such that the hospital's costs do not exceed those that are necessary for a reasonably and prudently managed hospital, based upon:

(i) Adjusting the requested level of operating expenses to reflect the adjusted case mix value units as determined according to (5)(b) of this section, utilizing the variable cost factors described in subsection (6) of this section;

(ii) Applying national hospital market basket inflation forecasts to operating expenses by natural classification. National inflation forecasts will be modified to reflect regional or state-wide economic conditions, as appropriate; and

(iii) Such other information as the commission may determine is appropriate as a basis for deviating from the standard variable cost ratios specified in subsection

(6) of this section or inflation forecasts. This information shall include but not be limited to:

(A) Revisions necessary to comply with the commission's Accounting and Reporting Manual for Hospitals pursuant to WAC 261-20-030;

(B) Reasonable operating expenses related to implementation or deletion of services or programs for which certificate of need approval has been obtained, if requested;

(C) Reasonable operating expenses related to expansion or contraction of hospital capacity for which certificate of need approval has been obtained, if required;

(D) Volume adjustments of a magnitude which render the standard variable cost factors described in subsection (6) of this section inappropriate; and

(E) Reasonable operating expenses related to malpractice tail liability expense accruals, if requested, under the following conditions:

(I) The expense will be recognized in the year-end conformance calculations at the lesser of the approved or funded level;

(II) This expense will be subject to the statutory requirement that expenses be necessary for prudently and reasonably managed hospitals, including any determinations by the commission that risk sharing among multiple hospitals may result in lower costs to the consumers and purchasers of hospital health care services;

(III) If requested and approved in rates, this expense must be placed into a fund, restricted by the commission and reviewed annually, with interest earnings accruing to that fund;

(IV) Malpractice claims which are not otherwise covered by malpractice insurance which are in excess of the malpractice tail liability restricted fund should be included in rates in the year in which an actual award, resulting from litigation or negotiation, is made to the claimant: PROVIDED, That only that portion of any such awards that exceeds the restricted funds held for this purpose will be included in commission approved total rate setting revenue;

(V) In the event that a hospital changes insurance carriers, does not obtain insurance in a subsequent year, is sold, or discontinues services as a hospital as defined in RCW 70.39.020(3), the premium for malpractice tail coverage insurance must be paid out of the restricted fund: PROVIDED, That such malpractice tail coverage insurance is not otherwise made available to the hospital as a condition of previous or existing malpractice insurance policies;

(VI) Annual requests for malpractice tail liability expense accrual funding must be documented by actuarial studies or reasonable estimates, subject to verification, of the total of such liabilities and documentation of the amount of such restricted funds, with the difference between the two amounts equalling the amount that the commission will consider including in rates for that budget period: PROVIDED, That if the commission determines that full funding of the malpractice liability restricted fund within any one budget period may result in unreasonable rates or excessive rates of increase in rates, the approval of rates to achieve full funding of the restricted fund may be spread over additional years;

(VII) Once a hospital has received approval from the commission to increase patient rates to include the malpractice tail liability expense accrual, the hospital must provide an annual report to the commission from a licensed actuary or reasonable estimate, subject to verification, showing the total estimate of such liabilities as of the end of the budget year, and any excesses which may have been expensed and funded in previous years will be deducted from that year's approved total rate setting revenue;

(VIII) As a condition of approving the inclusion of malpractice tail liability expense accruals in total rate setting revenue, the commission will require that each hospital for which this expense is approved file financial statements which have been audited by an independent certified public accountant.

(F) Other consideration presented by the hospital or other concerned persons and determined to be appropriate by the commission, including the impact that the acceptance of operating expense increases above the baseline level would have on the commission's ability to achieve total state-wide revenue that are within the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6), and comparative analysis of the hospital's operating expenses with hospitals within the same peer group.

(e) The commission shall determine whether the hospital's requested capital allowance is appropriate based upon the following:

(i) Capital allowance includes a return on net property, plant and equipment (property, plant and equipment less accumulated depreciation) used in hospital operations, an allowance for working capital, and other considerations as determined to be appropriate by the commission.

(A) The value for net property, plant and equipment shall be derived from the balances at the end of the hospital's current year, as approved by the commission, and the projected balances at the end of the budget year. An average shall be calculated. The average of the net property, plant and equipment shall be the base upon which the return shall be calculated.

(I) Any capital expenditures contained in the projected balances at the end of the budget year which are subject to certificate of need approval will be excluded from the base until such time as the certificate of need has been issued by the department of social and health services.

(II) Any assets contained in net property, plant and equipment that do not relate to hospital operations, as defined in the commission's Accounting and Reporting Manual for Hospitals, pursuant to WAC 261-20-030, will be excluded from the base.

(B) A return on net property, plant and equipment as determined in (I), (II), and (III) below shall be presumed appropriate; however, the commission may vary from that return, higher or lower, where appropriate.

(I) The rate of return on equity financed net property, plant and equipment shall be calculated by averaging the reported interest rates on twenty-five year "A" rated tax-exempt bonds as reported in each issue of Rate

Controls from the three months ending on August 31, ((+1987)) of the year preceding the budget year.

(II) The rate of return on debt financed net property, plant and equipment shall be a blended average of each hospital's average interest rate on long-term debt and the rate of return on equity financed net property, plant and equipment. The blending schedule is as follows:

(aa) For hospital fiscal years beginning in 1988: Fifty percent - each hospital's average interest rate on long-term debt, fifty percent - rate of return on equity financed net property, plant and equipment;

(bb) For hospital fiscal years beginning in 1989: Twenty-five percent - each hospital's average interest rate on long-term debt, seventy-five percent - rate of return on equity financed net property, plant and equipment;

(cc) For hospital fiscal years beginning in 1990 and each year thereafter: Zero percent - each hospital's average interest rate on long-term debt, one hundred percent - rate of return on equity financed net property, plant and equipment.

(III) After computation of the return on net property, plant and equipment, allowable interest expense on long-term debt shall be deducted from the computed return.

(C) Working capital increases, if requested, shall be added to the return on net property, plant and equipment for determination of the total capital allowance. Working capital increases up to thirteen and one-half percent of the increase in net patient services revenue from the approved budget in the current year to the approved budget as determined by the commission in the requested year shall be presumed appropriate; however, the commission may vary from that allowance, higher or lower, where appropriate.

(I) The commission may determine that a hospital which is found essential to assure access of the rural public to basic health care services is experiencing financial distress and may determine to vary from the allowance for working capital.

(II) The commission may determine to allow additional working capital where the hospital can demonstrate to the commission's satisfaction that its payer mix would require additional funding of accounts receivable. In the event that increased working capital is determined by the commission to be necessary, but the amount of working capital is found by the commission to cause an excessive impact on total revenues or rates, the commission may choose to allow the hospital to borrow the necessary cash and to allow interest on borrowed cash as an operating expense in the budget year.

(D) The commission may consider other elements in the determination of appropriate capital allowance for inclusion in total rate setting revenue. These considerations include, but are not limited to, the following elements:

(I) Rural hospitals that have been under-capitalized as determined by an average accounting age of property, plant and equipment which exceeds one hundred fifty percent of the state-wide average; and a total turnover rate of assets which exceeds the upper quartile of far west hospitals of the same size category as defined in the latest "Hospital Industry Financial Report" of the

healthcare financial management association or a fixed asset turnover rate which exceeds the upper quartile of far west hospitals of the same bed size category as defined in the latest "Hospital Industry Financial Report" of the healthcare financial management association, provided that:

(aa) The total level of capital allowance for under-capitalized hospitals should not exceed one hundred twenty-five percent of the baseline level; and

(bb) The requested rate per adjusted admission, as revised to reflect the hospital's case mix index, does not exceed the peer group median; and

(cc) The resulting increase in the rate per adjusted case mix value unit does not exceed one hundred twenty-five percent of the budgeted peer group median rate of increase.

(II) Whether that portion of debt principal payments which exceeds the total depreciation expense in the budget year should be allowed;

(III) Whether the capital allowance should include equity funding or accumulation of funds for a project in the future, if the hospital's ((rate)) net patient services revenue per adjusted case mix value unit is at or below the median of its peer group and which is increasing from the current year approved level at a percentage change which is at or below the median rate of change of its peer group, the proposed project is consistent with the hospital's long-range plan and financing plan which have been approved by the hospital's governing body, and any equity funding allowed in total rate setting revenue is maintained in a separate subaccount within board designated assets and cannot be used for any other purpose without prior approval of the commission;

(IV) If the hospital has an approved certificate of need and related financing consistent with the approved certificate of need and the impact on rates of the additional funding is determined not to be excessive by the commission; and

(V) Other considerations proposed by the hospital or other interested persons and determined to be appropriate by the commission, including the impact that any deviation from the baseline capital allowance will have on the commission's ability to achieve total state-wide hospital revenue that do not exceed the target dollar amount of total state-wide hospital revenue as adopted by the commission in accordance with RCW 70.39.150(6).

(f) Whether the budgeted deductions from revenue are appropriate:

(i) Contractual adjustments related to governmental programs, such as Titles V, XVIII, XIX of the Social Security Act, Department of Labor and Industries, self-insured workers' compensation, Veteran's Administration, and Indian Health Service are allowable as deductions from revenue for rate setting purposes when the hospital payment rates are established unilaterally by the program.

(ii) Contractual adjustments related to bank card discounts, negotiated rates and all other nongovernmental-sponsored patients are not allowable as deductions from revenue for rate setting purposes;

(iii) Contractual adjustments relating to contracts executed with the department of social and health services, under the Medicaid selective contracting program, are allowable as deductions from revenue for rate setting purposes;

(iv) Bad debts and charity will be trended as a percentage of total rate setting revenue over time and any significant changes will require justification;

(v) Administrative adjustments exceeding one-tenth of one percent of total rate setting revenue will require justification; and

(vi) Deductions from revenue may be recomputed based on determinations in all other areas of the budget.

(g) Whether the reviews performed in accordance with (a), (b), (c), (d), (e) and (f) of this subsection result in rates, rate schedules, other charges, and changes therein which are the most reasonable under the circumstances.

(i) ((Rate setting)) Net patient services revenue per adjusted case mix value unit should not exceed the 70th percentile of the peer group revenue screens as adjusted for each hospital's case mix index unless the hospital demonstrates to the commission's satisfaction that the relatively high rates are acceptable;

(ii) After allocating deductions from revenue and capital allowance to the various hospital revenue centers as a constant percentage of operating expenses, cross subsidization shall not exceed plus or minus five percent of expenses for rate setting, unless the commission concurs with a specific hospital request for larger levels of cross subsidization or the hospital is a basic service hospital as defined by the commission.

(iii) The commission may consider any other information it determines is appropriate as the basis for deviating from these criteria including the relative level of deductions from revenue experienced by the hospitals;

(iv) If the rates are not approved as requested, including the disapproval of requested cross-subsidization levels, the hospital must submit revised rates to the commission within twenty days of the date of service of the decision and order. Upon notification that the rates are in accordance with the decision and order, the approved rates are the maximum revenue that a hospital may receive for each unit of service, except for such rate changes as may be necessary to reflect differences between approved and actual volumes and deductions from revenue. Variable costs associated with changes in volumes will be determined in accordance with the variable cost ratios as described in (6)(d) below.

The following is effective for hospital fiscal years beginning on or after January 1, 1987.

(6) Whether the rates implemented and revenues collected by the hospital in the previous budget year conformed to the applicable commission determination for that year.

(a) Conformance will be determined by comparing, at the end of the budget year, actual revenues for the budget year to commission-approved revenues, on the basis of the aggregate rate per adjusted case mix value unit. The revenues may be modified, where appropriate, for volume variance between budgeted and actual levels of adjusted case mix value units.

(b) Actual allowable, rather than budgeted, deductions from revenue will be used in the conformance calculation.

(c) The approved capital allowance shall be considered a fixed cost when considering year-end conformance.

(d) Only that portion of total operating costs designated as variable according to the following schedule will be adjusted for volume variance:

(i) Peer Group A and specialty hospitals having fewer than fifty beds; fixed costs - eighty percent, variable costs - twenty percent;

(ii) Peer Group B and specialty hospital having from fifty to one hundred seventy-five beds; fixed costs - sixty-five percent, variable costs - thirty-five percent; and

(iii) Peer Group C and specialty hospitals having more than one hundred seventy-five beds; fixed costs - fifty percent, variable costs - fifty percent.

(e) Alternatively, the hospital may submit suggested ratios of fixed costs to variable costs by natural classification of expense. Upon approval by the commission, such approved ratios will be used only prospectively to determine allowable operating expense variance due to volume changes.

(f) The hospital may submit any proposed justifying information to explain deviations/variances from approved revenues.

(i) Any proposed justifying information must include at least the following supporting information:

(A) The exact nature and extent of the factors contributing to excess revenue;

(B) The date at which hospital management became aware of the factors contributing to excess revenue;

(C) The date at which hospital management increased rates above the allowable level taking into account volume changes and actual deductions from revenue;

(D) An explanation of efforts to reduce other components of the budget to offset the factors contributing to the excess revenues; and

(E) An explanation of why the hospital did not seek a budget amendment.

(ii) In no event will increased operating expenses be accepted as justification if the volume adjusted allowable operating expenses equal or exceed the actual level.

(iii) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been controlled by hospital management.

(iv) In no event will proposed justifying information be accepted if the commission determines that the factors contributing to excess revenues could have been anticipated by the hospital or could have been identified by the hospital in sufficient time to submit a budget amendment in accordance with WAC 261-20-045.

(v) In no event will capital allowance in excess of the approved level be accepted as justification.

(vi) Hospitals will be allowed to retain any actual capital allowance in excess of the approved level that results from cost effective practices as defined as, and measured by, actual operating expenses that are below the volume adjusted approved operating expenses.

(g) Staff shall notify each hospital found to be out of conformance within sixty days of receiving ~~((the hospital's year-end conformance reports))~~ all applicable information necessary to compute the hospital's year-end conformance calculation. If the commission determines that a hospital's revenues have not conformed to the applicable determinations for that year, a decision and order will be issued reducing the hospital's current budget and rates by the amount that actual revenues exceed allowable revenues.

(7) Whether the hospital or its medical staff either adopts or maintains admission practices or policies which result in:

(a) A significant reduction in the proportion of patients who have no third-party coverage or who are unable to pay for hospital services;

(b) A significant reduction in the proportion of individuals admitted for inpatient hospital services for which payment is or is likely to be less than the anticipated charges for or costs of such services; and

(c) The refusal to admit patients who would be expected to require unusually costly or prolonged treatment for reasons other than those related to the appropriateness of the care available at the hospital.

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

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

WSR 88-22-039
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-159—Filed October 28, 1988]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington 98504, 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 current estimates of run size, catch-to-date, and expected additional catch indicate that escapement goals for chum salmon will not be achieved unless the season is reduced. It is in the public interest to protect the spawning escapement of these fish. There is not adequate 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 October 27, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-40-02100M WILLAPA HARBOR GILLNET SEASON. Notwithstanding the provisions of WAC 220-40-021, effective 6:00 p.m. October 27, 1988 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:

FISHING PERIODS

(1) Area 2G - Open
6:00 p.m. October 27, to 6:00 p.m. October 28, 1988; and
6:00 p.m. November 1, to 11:59 p.m. November 30, 1988.

(2) Area 2H - Open
6:00 p.m. October 27, to 11:59 p.m. November 30, 1988.

(3) Areas 2J and 2K - Open
6:00 p.m. October 27, to 6:00 p.m. October 28, 1988; and
6:00 p.m. November 1, to 11:59 p.m. November 30, 1988.

(4) Area 2M - Open
6:00 p.m. October 27, to 6:00 p.m. October 28, 1988; and
6:00 p.m. November 1, to 11:59 p.m. November 30, 1988.

(5) Willapa River - in those waters downstream from the overhead powerline crossing located between Willapa River markers #55 and #56. Open 6:00 p.m. October 27, to 6:00 p.m. November 30, 1988.

GEAR

(6) It is unlawful to fish for salmon in Willapa Harbor using gillnet gear:

- (a) longer than 1,500 feet in length; or
- (b) containing mesh less than 5 inches or larger than 6-1/2 inches except that 7-1/2 inch maximum mesh may be used from November 19, to November 30, 1988.

Reviser's note: The spelling 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: 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, effective 6:00 p.m. October 27, 1988:

**WAC 220-40-02100L WILLAPA HARBOR
GILLNET SEASON. (88-113)**

**WSR 88-22-040
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-160—Filed October 28, 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 estimated catches from the opening on October 25-26 indicate that a larger area within Grays Harbor can be opened without exceeding the coho quota or chum allocation. In addition large numbers of hatchery coho are present in Area 2C. Action to adjust the fishery has to be taken immediately, and there is not adequate time to follow the permanent rule adoption procedure.

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 October 28, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-36-02100Z GRAYS HARBOR GILLNET 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 2B - Open 6:00 p.m. October 28, to 6:00 p.m. October 30, 1988

(2) Area 2C - Open 6:00 p.m. October 28, to 6:00 p.m. October 29, 1988

(3) 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, or containing mesh greater than 6 1/2 inches.

REPEALER

The following section of the Washington Administrative Code is repealed, effective 6:00 p.m. October 28, 1988:

WAC 220-36-02100Y GRAYS HARBOR GILLNET SEASON (88-154)

**WSR 88-22-041
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-161—Filed October 28, 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 estimated catches for the opening on October 28 indicate that the harvestable salmon have been caught and further fishing will overharvest these fish. Action to adjust the fishery has to be taken immediately, and there is not adequate 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 October 28, 1988.

By Joseph R. Blum
Director

REPEALER

The following section of the Washington Administrative Code is repealed, effective 6:00 p.m. October 29, 1988:

WAC 220-36-02100Z GRAYS HARBOR GILLNET SEASON

**WSR 88-22-042
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 88-163—Filed October 28, 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 openings in Areas 7 and 7A provide opportunity for reef net gear to catch the non-Indian portion of the United States share of United States and Canadian chum stocks. Release of coho is necessary to avoid additional coho interceptions in Areas 7 and 7A, per international agreement. Openings in Area 7B provide opportunity to harvest non-Indian allocation of coho and chum destined for the Nooksack-Samish region of origin, and to prevent wastage. Openings in Area 8D provide opportunity to harvest non-Indian share of the Area 8D portion of Stillaguamish-Snohomish origin coho, and to prevent wastage. Openings in Area 9A provide opportunity to harvest non-Indian allocation of Hood Canal Hatchery origin coho stocks. Openings in Areas 8, 8A, 10, 11, 12, and 12B provide opportunity to harvest non-Indian allocation of Puget Sound chum. The restriction in Area 8A is necessary to reduce impacts on Stillaguamish origin chum. Restrictions in Area 12B are necessary to protect local coho stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks. There is inadequate 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 October 28, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-47-926 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. *Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 PM Saturday October 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 7 and 7A – Reef nets may fish from 5:00 AM to 8:00 PM Monday October 31 and from 5:00 AM to 8:00 PM Tuesday November 1. All coho must be released during this area 7 and 7A reef net fishery.
- * Area 7B – Gillnets using 5-inch minimum mesh may fish continuously through 11:59

PM Saturday November 5, and purse seines may fish continuously through 11:59 PM Saturday November 5.

- * Area 8 – Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday October 31 to 8:00 AM Tuesday November 1, and purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Tuesday November 1.
- * Area 8A – Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday October 31 to 8:00 AM Tuesday November 1, and from 4:00 PM Tuesday November 1 to 8:00 AM Wednesday November 2, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Tuesday November 1, and from 5:00 AM to 8:00 PM Wednesday November 2. This area 8A opening excludes those waters of Port Susan north of a line projected 303 degrees true from Kayak Point to the landfall in line with the radio tower on Camano Island.
- * Area 8D – Gillnets using 5-inch minimum mesh may fish from 5:00 PM Saturday October 29 to 9:00 AM Sunday October 30, and from 4:00 PM Sunday October 30 to 8:00 AM Monday October 31, and from 4:00 PM Monday October 31 to 8:00 AM Tuesday November 1 and from 4:00 PM Tuesday November 1 to 8:00 AM Wednesday November 2, and from 4:00 PM Wednesday November 2 to 8:00 AM Thursday November 3, and from 4:00 PM Thursday November 3 to 8:00 AM Friday November 4, and from 4:00 PM Friday November 4 to 8:00 AM Saturday November 5, and from 4:00 PM Saturday November 5 to 8:00 AM Sunday November 6, and from 4:00 PM Sunday November 6 to 8:00 AM Monday November 7, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Sunday October 30, and from 5:00 AM to 8:00 PM Monday October 31, and from 5:00 AM to 8:00 PM Tuesday November 1, and from 5:00 AM to 8:00 PM Wednesday November 2, and from 5:00 AM to 8:00 PM Thursday November 3, and from 5:00 AM to 8:00 PM Friday November 4, and from 5:00 AM to 8:00 PM Saturday November 5, and from 5:00 AM to 8:00 PM Sunday November 6.
- * Area 9A – Gillnets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish from 5:00 AM Monday October 31 to 4:00 PM Friday November 4.
- * Areas 10 and 11 – Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday October 31 to 8:00 AM Tuesday November 1, and from 4:00 PM Tuesday November 1 to 8:00 AM Wednesday November 2, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00

PM Tuesday November 1, and from 5:00 AM to 8:00 PM Wednesday November 2.

- * Areas 12 and 12B – Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday October 31 to 8:00 AM Tuesday November 1, and from 4:00 PM Tuesday November 1 to 8:00 AM Wednesday November 2, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Tuesday November 1, and from 5:00 AM to 8:00 PM Wednesday November 2. This area 12B opening excludes those waters south of a line projected from Hood Point to Quatsap Point.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7C, 7D, 7E, 9, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 PM Saturday October 29:

WAC 220-47-925 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-153)

WSR 88-22-043
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-164—Filed October 28, 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 this regulation is necessary to protect the public health, safety, and welfare because the estimated catch of salmon on October 28th did not take adequate numbers of salmon to prevent underutilization and wastage of hatchery origin coho salmon. Immediate fishing pressure is necessary if these fish are not to go to waste. Additionally, chum salmon levels are adequate to support this fishery. There is inadequate time to pass 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 October 29, 1988.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-36-02100A GRAYS HARBOR GILL-NET SEASON. Notwithstanding the provisions of WAC 220-32-021, 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 2B – Open 6:00 p.m. October 29, to 6:00 p.m. October 30, 1988; 6 1/2 inch maximum mesh.

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

WSR 88-22-044
PROPOSED RULES
HIGHER EDUCATION PERSONNEL BOARD
 [Filed October 31, 1988]

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

Amd WAC 251-12-260 Restoration of rights.
 Amd WAC 251-14-058 Union shop requirements.

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

The authority under which these rules are proposed is RCW 28B.16.100.

The specific statute these rules are intended to implement is RCW 28B.16.100.

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

Dated: October 29, 1988

By: John A. Spitz
Director

STATEMENT OF PURPOSE

This statement is related to the notice filed with the code reviser on November 1, 1988, and is filed pursuant to RCW 34.04.025.

Description of Purpose: Chapter 251-10 WAC was reorganized into chapters 251-10 and 251-11 WAC by board action on October 5, 1988. References to chapter 251-10 WAC in other rule sections need to be corrected to reflect this change.

Specific Statute this Rule is Intended to Implement:
RCW 28B.16.100.

Statutory Authority: RCW 28B.16.100 to implement the provisions of that section.

Title: WAC 251-12-260 Restoration of rights.

Summary of Rule: In subsection (2), reference to WAC 251-10-140 is changed to WAC 251-11-070 and reference to WAC 251-10-120 is changed to WAC 251-11-050.

Title: WAC 251-14-058 Union shop requirements.

Summary of Rule: In subsection (7), reference to WAC 251-10-170 is changed to WAC 251-11-100.

Reasons Supporting Proposed Action: Housekeeping changes only.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: John A. Spitz, Director, Higher Education Personnel Board, 1202 Black Lake Boulevard, FT-11, Olympia, WA 98504, 234-3730 scan or 753-3730.

Person or Organization Proposing Rule, and Whether Public, Private or Governmental: Higher Education Personnel board staff, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The change is not the result of federal law or state or federal court action.

AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

WAC 251-12-260 RESTORATION OF RIGHTS. (1) No change.

(2) In instances of immediate dismissal as provided in (~~WAC 251-10-140~~) WAC 251-11-070 where the institution is unable to justify under appeal the immediacy of the dismissal but the dismissal action itself is upheld, the employee's entitlement to recovery shall not exceed the fifteen calendar day period which would have served as the notice period had the dismissal been processed as provided in (~~WAC 251-10-120~~) WAC 251-11-050. In instances where the board does not uphold the dismissal action but deems a suspension to have been warranted, the employee may be reinstated and a suspension ordered of up to fifteen calendar days.

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 172, filed 11/1/88 [8/29/88], effective 12/1/88 [10/1/88])

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 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 nonassociation with an employee organization based on bona fide religious tenets, or teachings of a church of religious body of which they are a member, must present a request for nonassociation to the personnel office 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 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 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.

(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~~) WAC 251-11-100.

(9) The union shop representative shall inform the appointing authority, in writing, of those employees who have not complied with this section.

(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.

(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 to pay a union shop representation fee or a nonassociation fee as a condition of employment.

(12) Payroll deductions for employee organization dues or union shop representation or nonassociation fees may be provided by the institution upon written authorization from the employee.

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

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

WSR 88-22-045
WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed October 31, 1988]

The board's notice of intention to adopt, amend, or repeal rules dated September 23, 1988, and bearing Notice No. WSR 88-20-007, is hereby withdrawn.

It is the board's intention to file a new notice of intention to adopt, amend, or repeal WAC 314-20-020.

L. H. Pedersen
Chairman

WSR 88-22-046

ADOPTED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Order 88-22—Filed October 31, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at the General Administration Building, Olympia, Washington, the annexed rules relating to prevailing wages, chapter 296-127 WAC. The proposed rules are intended to clarify certain aspects of public work law (chapters 39.04 and 39.12 RCW) and the existing WACs. WAC 296-127-010 provides additional definitions of terms including public work and residential construction; WAC 296-127-011 establishes dates for determining and publishing prevailing wage rates, clarifies awarding agency's responsibility about including prevailing rates in contract documents and fixes the prevailing rates which are in effect on the date when a contract is awarded; WAC 296-127-013 authorizes the industrial statistician to promulgate scope of work descriptions; WAC 296-127-014 limits usual benefits to health and welfare, pension, vacation, apprentice training fund and paid holidays; WAC 296-127-015 defines the circumstances under which supervisors are entitled to receive prevailing rates of pay; WAC 296-127-016 defines the circumstances under which workers employed in the production and delivery of sand, gravel, crushed rock, concrete mix, asphalt and other similar material are entitled to receive prevailing wages; WAC 296-127-019 describes the methods used by the industrial statistician to establish prevailing wages; WAC 296-127-023 defines building service maintenance and requires that public service maintenance contracts contain a clause requiring the contractor to pay the most recent annual increases in the prevailing wage rates after the first year of the contract; WAC 296-127-025 stipulates that projects where both Washington state and federal public works law apply the Washington state prevailing wage rates, if higher than the federal rates, must be paid; WAC 296-127-026 lists exemption from the prevailing wage requirements for sole owners and their spouses, partnerships, some corporation officers and employees of public agencies; WAC 296-127-040 establishes \$25.00 as the fee for approval of statement of intent to pay prevailing wages forms for contracts over \$2,500.00; and WAC 296-127-045 establishes \$25.00 as the fee for the approval of affidavits of prevailing wages paid forms for contracts over \$2,500.00.

This action is taken pursuant to Notice No. WSR 88-16-090 filed with the code reviser on August 3, 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 39.04 and 39.12 RCW and RCW 43.22.270 which directs that the Department of Labor and Industries has authority to implement the provisions of chapters 39.04 and 39.12 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED October 31, 1988.

By Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 85-28, filed 1/17/86)

WAC 296-127-010 DEFINITIONS FOR CHAPTER 296-127 WAC. (1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department or his or her duly authorized deputy or representative.

(3) "Industrial statistician" means the industrial statistician of the department's employment standards, apprenticeship, and crime victims division.

(4) "Assistant director" means the assistant director of the employment standards, apprenticeship, and crime victims (ESAC) division or his or her duly authorized deputy or representative.

(5) "Contractor" includes subcontractor.

(6) The term "public work" shall include all construction, alteration, enlargement, improvement, repair, and demolition to which any agency of the state of Washington or any agency of a county, city, town, or any other political subdivision, or a public district, is a party, whether such work is executed by contract, purchase order, or any other legal agreement, provided the contracting agency owns the asset which is constructed, altered, enlarged, improved, repaired, or demolished. The public entity which is the source of the funding shall have no bearing on the term public work.

Public work shall also include facilities of new construction which are caused by state agencies to be built by a private party through a contract to rent, lease, or purchase at least eighty percent of such facility for occupation by a state agency as required by chapter 43.19 RCW.

Public work shall also include maintenance, except ordinary maintenance, when performed by contract. For the purpose of this section, maintenance is defined as keeping existing facilities in good usable condition, without repairing damages or breaks. The term contract shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded after advertisement and competitive bid. However, a contract which is awarded from a small works roster need not be advertised.

(7) "Residential construction" means construction, alteration, repair, improvement, or maintenance of single family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including basement, when used solely as permanent residences. It does not include the utilities construction (water and sewer lines), or work on streets, or work on other structures (e.g., for recreation and business.)

AMENDATORY SECTION (Amending Order 82-28, filed 8/27/82)

WAC 296-127-011 TIME FOR DETERMINING PREVAILING WAGE. ((The department will use the date bids are due as the effective date for determining prevailing wages provided the contract is awarded within 60 days after bids are due. If the contract is not awarded within 60 days after bids are due, the department will determine the prevailing wage on the date the contract is awarded. If the contract is not awarded pursuant to bids, the department will determine the prevailing wage on the date the contract is awarded.)) (1) Prevailing wage rates for all contracts will be determined by the department and published only on the first business day of February and the first business day of August of each year. All prevailing wage rates become effective thirty days after they are published. Awarding agencies must include a schedule of the applicable published prevailing wage rates in the contract documents for each contract. Contractors must include a schedule of the applicable published prevailing wage rates in their contracts with each one of their subcontractors.

(2) For all contracts, except building service maintenance contracts, the prevailing wage rates which are in effect on the date when the bids by the prime contractors are required to be submitted to the contract awarding public agency are the prevailing wage rates which must be paid for the duration of the contract. If the contract is not awarded within six months of this date, the prevailing wage rates which are in effect on the date when the contract is awarded are the prevailing wage rates which must be paid for the duration of the contract.

(3) If an agreement for public works is not awarded pursuant to bids, the prevailing wages which are in effect on the date when the agreement is executed are the prevailing wages which must be paid for the duration of the agreement.

NEW SECTION

WAC 296-127-013 SCOPE OF WORK DEFINITIONS. In order for the industrial statistician to determine applicable prevailing wage rates, scope of work definitions are needed for each trade and occupation.

(1) The industrial statistician may promulgate scope of work descriptions, using authoritative sources available to the department, such as, but not limited to:

- (a) Washington state apprenticeship and training council approved apprenticeship standards;
- (b) Collective bargaining agreements;
- (c) Dictionary of occupational titles;
- (d) Experts from organized labor, licensed contractors, and contractors' associations.

(2) Scope of work definitions may be revised only on the first business day of February and the first business day of August each year. Scope of work definitions may be obtained from the department on request.

NEW SECTION

WAC 296-127-014 USUAL BENEFITS. "Usual benefits" are limited to the following:

(1)(a) Health and welfare payments. This is group medical insurance, which may include dental, vision, and life insurance. (State or federal statutorily mandated insurance programs providing protection against industrial accidents, occupational illnesses, and all related mandatory forms of protection, shall not qualify as health and welfare insurance.)

(b) Pension contributions made into pension plans for which the Internal Revenue Service has issued a letter of acceptance or approval.

(c) Vacation payments made either directly to the employees or into a vacation fund, provided these benefits are paid to the employees.

(d) Apprentice training fund. Payments made to training programs approved or recognized by the Washington state apprenticeship and training council.

(e) Paid holidays. Payments made to employees for specified holidays.

(2) Any fringe benefits required by other local, state, or federal laws do not qualify as "usual benefits."

NEW SECTION

WAC 296-127-015 APPLICABILITY OF PREVAILING WAGES FOR SUPERVISORS. Determinations as to whether individuals are workers, laborers, or mechanics are based on the duties actually performed by the individuals, rather than the title of the occupations.

(1) Supervisors (e.g., foremen, general foremen, superintendents, etc.) are entitled to the prevailing rate of wage if they perform manual or physical labor for more than twenty percent of their hours worked on a public works project during any given week. Supervisors who qualify, are entitled to the journeyman rate of pay for the type of work they performed, for all hours spent performing that manual labor.

(2) If supervisors subject to the journeyman prevailing wage rate are paid a salary, the compensation (salary divided by number of hours worked) must be equal to or greater than the prevailing wage rate for the type of work performed.

NEW SECTION

WAC 296-127-016 COVERAGE AND EXEMPTIONS OF WORKERS INVOLVED IN THE PRODUCTION AND DELIVERY OF MATERIALS PREDOMINANTLY USED IN ROAD CONSTRUCTION. The materials covered under this section are sand, gravel, crushed rock, concrete mix, asphalt, or other similar materials.

(1) For the purpose of this section, a contractor or subcontractor is defined as an employer who has contracted to perform work on a public works project site. Employers who produce and stockpile these materials for public agencies are not considered contractors for the purpose of this section. Workers who are employed by public works contractors or subcontractors are subject to the provisions of chapter 39.12 RCW when:

(a) They are engaged in the production of the above listed materials for a public works project in a sand or

gravel pit, rock quarry, concrete mixing plant, or other similar facility; or

(b) They are engaged in the transportation of the above listed materials for use on the public works project, whether or not they perform any work on the project site.

(2) Workers are subject to the provisions of chapter 39.12 RCW, regardless of who their employer is, when:

(a) They deliver any of the above materials to public works construction sites and perform any spreading, leveling, rolling, or otherwise participate in any incorporation of the materials into the project; or

(b) They wait at or near the public works project site to participate in the incorporation of the materials into the project; or

(c) They remove any materials from a public works construction site pursuant to contract requirements or specifications (e.g., excavated materials, materials from demolished structures, cleanup materials, etc.); or

(d) They work in a material production facility (e.g., batch plant, borrow pit, rock quarry, etc.) which is established for a public works project near a public works construction site for the specific, but not exclusive, purpose of supplying materials for the project.

(3) Workers are not subject to the prevailing wage requirements of chapter 39.12 RCW when: They are employed by a common or contract carrier trucking company principally or exclusively engaged in the hauling or delivery of such products, and the employee's duties do not include spreading, leveling, rolling, or otherwise participating in the incorporation of the delivered materials into the project.

NEW SECTION

WAC 296-127-019 SURVEY METHODOLOGY.

(1) The industrial statistician will use two methods to establish or update prevailing wage rates. They will be:

(a) Data collected by wage surveys; and/or

(b) Wage increases stipulated in collective bargaining agreements for those trades or occupations where a recent wage survey has established that those wage rates prevail.

When wage surveys are conducted, the method will be as follows:

(2) The department will determine the identity of employers to be surveyed for a specific trade or occupation by mailing classification questionnaires to all active licensed or Washington state department of transportation and United States Department of Labor prequalified contractors.

(3) Wage survey forms will then be mailed to:

(a) Those contractors who have indicated on the questionnaire that they employ one or more of the trades being surveyed; and

(b) To union locals representing the trades being surveyed.

(4) The data from the survey forms will only be used by the department if submitted on behalf of individual contractors identified by contractor registration number.

(5)(a) If the majority of hours worked by any trade or occupation in the largest city in a county is paid at one

specific wage rate, that rate is established as the prevailing wage rate.

(b) If no single wage rate is paid to the majority of workers in the same trade or occupation, the average wage rate is established as the prevailing wage rate, based on a weighted average.

(6) Any of the above parties who submit false information under this section, shall, after a determination to that effect has been issued by the director after a hearing under chapter 34.04 RCW, forfeit as a civil penalty the sum of five hundred dollars.

NEW SECTION

WAC 296-127-023 BUILDING SERVICE MAINTENANCE. The "public building service maintenance contracts" referred to in RCW 39.12.020 shall mean janitorial service contracts and cover only work performed by janitors, waxers, shampooers, and window cleaners.

For all building service maintenance contracts, the prevailing wage rates which are in effect on the date when the bids are required to be submitted to the contract awarding public agency are the minimum prevailing wage rates which must be paid for the first year of such contracts and thereafter. However, any building service maintenance contract of more than one year duration, must include wage increase language recognizing the potential for future variance in applicable prevailing wage(s) and specifying that the wages which a contractor shall pay its employees must be altered annually to recognize and follow the most recently promulgated increases in prevailing wages each year after the first year of the contract period. The cost of the increases in the wages due employees shall be borne by the contract awarding agency.

NEW SECTION

WAC 296-127-025 APPLICABILITY OF JOINT FEDERAL-STATE STANDARDS. When a public works project is subject to the provisions of the Washington state public works law, chapter 39.12 RCW, and the Federal Davis-Bacon and related acts, the contractor and every subcontractor on that project must pay at least the Washington state prevailing wage rates, if they are higher than the federal prevailing wage rates for the project.

NEW SECTION

WAC 296-127-026 EXEMPTIONS FOR SOLE OWNERS AND THEIR SPOUSES, PARTNERSHIPS, CORPORATIONS, AND EMPLOYEES OF PUBLIC AGENCIES. The prevailing wage requirements of chapter 39.12 RCW do not apply to:

(1) Sole owners and their spouses.

(2) Any partner who owns at least thirty percent of a partnership.

(3) The president, vice-president and treasurer of a corporation if each one owns at least thirty percent of the corporation.

(4) Workers regularly employed on monthly or per diem salary by the state or any political subdivision created by its laws.

AMENDATORY SECTION (Amending Order 82-28, filed 8/27/82)

WAC 296-127-040 STATEMENT OF INTENT TO PAY PREVAILING WAGES. (1) All statements of intent to pay prevailing wages for contracts in excess of two thousand five hundred dollars submitted to the industrial statistician of the department shall be accompanied by a fee of (~~(\$12.50)~~) twenty-five dollars for each statement. All statements of intent to pay prevailing wages for contracts of two thousand five hundred dollars or less submitted to the department shall be accompanied by a fee of twelve dollars fifty cents for each statement. Fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies statements of intent for its own contracts shall provide to the industrial statistician each month the number of statements of intent certified and quarterly shall send a fee of (~~(\$10.00)~~) ten dollars for each statement of intent to pay prevailing wages it has certified. This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

AMENDATORY SECTION (Amending Order 82-28, filed 8/27/82)

WAC 296-127-045 AFFIDAVIT OF WAGES PAID. (1) All affidavits of wages paid for contracts in excess of two thousand five hundred dollars submitted to the industrial statistician of the department shall be accompanied by a fee of (~~(\$12.50)~~) twenty-five dollars for each affidavit of wages paid. All affidavits of wages paid for contracts of two thousand five hundred dollars or less submitted to the industrial statistician of the department shall be accompanied by a fee of twelve dollars fifty cents for each affidavit. All fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies affidavits of wages paid for its own contracts shall provide to the industrial statistician each month the number of affidavit of wages paid it has certified and quarterly shall send a fee of (~~(\$10.00)~~) ten dollars for each affidavit of wages paid it has certified. This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

WSR 88-22-047

PROPOSED RULES

**DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)**

[Filed October 31, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Division of Savings

and Loan Associations, Department of General Administration, intends to adopt, amend, or repeal rules concerning member business loans for state-chartered credit unions;

that the agency will at 10:00 a.m., Wednesday, December 7, 1988, in the Office of the Supervisor, Room 217-C, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 31.12.535, which grants rule-making authority to the supervisor in accordance with chapter 34.04 RCW.

The specific statute these rules are intended to implement is RCW 31.12.015.

Dated: October 31, 1988

By: Betty Reed
Supervisor

STATEMENT OF PURPOSE

Title: Credit union member business loans.

Description of Purpose: To adopt rules that will provide guidelines for credit union involvement in making business loans to members.

Statutory Authority: RCW 31.12.535, which grants general rule-making authority to the supervisor under the Administrative Procedure Act.

Specific Statute Rules are Intended to Implement: RCW 31.12.015 and 31.12.406.

Summary of Rules: These proposed rules may be summarized as follows: WAC 419-64-010 states the purpose of the rules; WAC 419-64-020 provides definitions of terms to be used in the rules; WAC 419-64-030 provides a list of requirements to be included in written policies concerning member business loans; WAC 419-64-040 establishes underwriting requirements for member business loans; WAC 419-64-050 provides limitations on loans to one borrower; WAC 419-64-060 provides procedures for dealing with loan losses; WAC 419-64-070 establishes a minimum reserves-to-assets ratio; WAC 419-64-080 lists prohibitions against preferential treatment for various insiders; and WAC 419-64-090 establishes a prohibition against loans where the credit union shares in profits from the venture it is financing.

Reasons Supporting Proposed Action: The supervisor's goal is to provide a basis for safe and sound participation in this type of high risk lending, which represents a substantial departure from the more traditional consumer loans that have been the mainstay of credit union portfolios.

Commentary: The division published proposed rules covering these matters in the June 1, 1988, Washington State Register as WSR 88-11-050. Time was provided for interested parties to submit data, views, or arguments in writing on or before June 21, 1988, at which time a public hearing was held.

The comments received in writing and at the hearing expressed concerns in the following areas: Restrictions on loans to officers and directors and their immediate family members; requirements for a certain level of

minimum capital to make these loans; the level of exemption for certain smaller loans and certain government insured loans; and the inclusion of agricultural loans in the definition of "member business loans."

As a result of these comments and as a result of independent review by the division, amendments have been made to the proposed rules and these amended rules are proposed for adoption. The above areas of concern have been addressed as follows:

Restrictions on loans to officers, directors, and their immediate family members. Primary objections were discrimination against these individuals, who might otherwise qualify for such a loan, particularly if they were noncompensated, as is the case for directors and committee members. Language has been substituted in the revised rules requiring certification that these loans are being made on no more favorable terms than what is available to the general membership of the credit union, and that no extra element of risk is involved. Such language minimizes conflict of interest possibilities without restricting services to deserving members.

Minimum capital levels. Several writers urged lower levels of capital as a requirement for making these loans. The rule calls for four percent of reserves to assets. This level of capital is well below that required for normal business lenders (commercial banks), and may be waived by the supervisor if an unusual circumstance occurs. The four percent capital requirement was maintained in the revised rules as essential for safe and sound participation in business lending to assure that only well capitalized credit unions participated in this high risk activity.

The exemption for small loans and guaranteed loans was retained in the revised rules. Comments on the twenty thousand dollar exemption level were evenly divided as to whether it was too low to too high, with no preponderance of support for either opinion.

Inclusion of agricultural loans within the rules. One comment suggested that small loans in rural communities are frequently made for secondary agricultural ventures and might come under these rules in a way creating hardship for certain borrowers. It was determined that the twenty thousand dollar exemption along with the capacity of the supervisor to waive limiting provisions of this rule provided sufficient latitude in dealing with this problem.

The revised rules delete the WCUSGA reserve from the definition of "reserves." The revised rules add definitions of "borrower" and "affiliated company."

The revised rules narrowed the exemption from the twenty percent limitation on loans to one borrower. Under the revised rules, the exemption extends only to loans fully secured by shares in the credit union or a perfected security interest in deposits in another financial institution. The twenty percent limitation may still be waived by the supervisor under the revised rules.

The revised rules treat the establishment of reserves for loan losses in a slightly different fashion.

The revised rules also break up what was contained in WAC 419-64-030 of the earlier version into seven separate sections, WAC 419-64-030 through 419-64-090, and contain numerous minor changes to clarify the intent behind the earlier version.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Reed, Supervisor of Savings and Loans.

Person or Organization Proposing Rules, and Whether Public, Private, or Governmental: Division of Savings and Loan Associations, Department of General Administration, governmental.

Agency Comments or Recommendations: The division recommends adoption as promulgated.

Whether Rules are Necessary as Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: Not applicable.

Chapter 419-64 WAC
CREDIT UNION MEMBER BUSINESS LOAN

WAC

419-64-010	Purpose.
419-64-020	Definitions.
419-64-030	Policy requirements.
419-64-040	Underwriting review requirements.
419-64-050	Loans to one borrower.
419-64-060	Allowance for loan losses.
419-64-070	Minimum reserves-to-assets ratio.
419-64-080	Prohibitions, director and employee loans.
419-64-090	Prohibitions, other.

NEW SECTION

WAC 419-64-010 PURPOSE. This chapter is adopted by the supervisor for the purpose of setting guidelines for credit unions to make member business loans. The objective of this chapter is to ensure that member business loans are made in such a way as to minimize the risk inherent in this type of lending. The supervisor's goal is to provide the basis for a system of member business lending that is consistent with safe and sound credit union practices. This chapter does not change the restrictions on loans to nonpersons outlined in RCW 31.12.406(1).

NEW SECTION

WAC 419-64-020 DEFINITIONS. For the purposes of this chapter, the following definitions shall be used:

(1) "Member business loan" means any loan, line of credit, or letter of credit, the proceeds of which will be used for a commercial business, or agricultural purpose, except the following, which shall not be considered a member business loan for the purposes of this chapter:

(a) A loan which is fully secured by a first or second lien on a one to four family dwelling that is the member's primary or secondary residence.

(b) A loan fully secured by shares in the credit union or perfected security interests in deposits in other financial institutions.

(c) A loan, the repayment of which is fully guaranteed or insured by the federal government or by the state of Washington or any of its political subdivisions. A binding advance commitment to purchase a member business loan in full by any such entity shall be considered a guarantee for the purposes of this subdivision.

(d) A loan which, when added to other loans (excluding (a), (b), and (c) of this subsection) to the borrower or immediate family member, totals less than twenty thousand dollars.

(2) "Reserves" means the regular reserve, undivided earnings or surplus, and any other unencumbered reserves.

(3) "Immediate family member" means a spouse or other economically dependent family member residing in the same household as the borrower.

(4) "Affiliated company" means a partnership, corporation, or other entity, fifteen percent of which is owned by any one director, officer, agent, or employee of the credit union or twenty-five percent of which is owned by any combination of directors, or employees of the credit union.

(5) "Borrower" means any individual member of the credit union or other entity such as a partnership, corporation, or any other business combination in which the member has a financial interest.

NEW SECTION

WAC 419-64-030 POLICY REQUIREMENTS. A credit union may make member business loans only in accordance with the following requirements unless prior written approval is obtained from the supervisor:

Written commercial lending policies. Credit unions presently involved in member business loans must adopt specific commercial loan policies within sixty days of the effective date of this chapter and must review them at least once every twelve months and certify in the minutes of the board meeting that the review occurred. Amendments to these policies also must be approved by the board. Other credit unions must adopt similar policies in accordance with this chapter prior to implementing a member business loan program.

These policies and any amendments thereto must be submitted to the supervisor for review at least thirty days prior to the proposed date of implementation of the member business loan program or the amendment. These formal written policies shall at a minimum address the following:

- (1) The types of business loans that will be made.
- (2) The credit union's market area for business loans.
- (3) The maximum amount of the credit union's assets in relationship to reserves that will be invested in member business loans. In no case will this ratio exceed three hundred percent.
- (4) The maximum amount of the credit union's assets in relationship to reserves that will be loaned under this program to any one member, not to exceed the amount set in WAC 419-64-050.
- (5) The qualifications and experience of personnel involved in making and administering member business loans.
- (6) Collateral requirements for these loans which shall include loan-to-value ratios based on type of loan and type of security, title and casualty insurance requirements, and valuation cycles to regularly determine marketability of collateral.
- (7) Schedules of interest rates and terms for each category of member business loan and on what basis these will be adjusted.
- (8) Procedures for loan monitoring, servicing, and follow-up procedures, including collection activities.

NEW SECTION

WAC 419-64-040 UNDERWRITING REVIEW REQUIREMENTS. A written analysis of the borrower's ability to repay member business loans shall be made based on the following underwriting areas at a minimum:

- (1) Present financial status based on a current balance sheet and income and expense statement, supported by appropriate tax returns, credit information, and historical data.
- (2) Pro-forma financial statements showing the impact of the loan on the borrower's capacity to repay.
- (3) A feasibility analysis of the project considering local economic conditions and comparative industry trends for the type of venture involved.
- (4) Capacity of the borrower to repay from assets not related to the venture in case of failure.
- (5) Certification by the appropriately designated loan officer or credit committee that the loan under consideration meets all applicable credit union and statutory requirements.

NEW SECTION

WAC 419-64-050 LOANS TO ONE BORROWER. The aggregate amount of outstanding member business loans to any one borrower shall not exceed twenty percent of the credit union's reserves. If any portion of a member business loan is fully secured by shares in the credit union or a perfected security interest in deposits in another financial institution, such portion shall not be calculated in determining the twenty percent limitation. The supervisor may waive this limitation upon application in writing from a credit union prior to the making of the loan in question. The application for waiver must include the total amount sought, the reason for the waiver request, and other such information as the supervisor may require to evaluate the request.

NEW SECTION

WAC 419-64-060 ALLOWANCE FOR LOAN LOSSES. Under RCW 31.12.475, the supervisor may require the write-off of losses or the establishment of such reserves for weak assets as is deemed appropriate by the supervisor. Member business loans may be classified as performing, substandard, doubtful, or loss, depending on various

factors not limited to the delinquency of the loan. Insufficient collateral or unreasonable collateral appraisals, inadequate documentation, and uncertain source of repayment are among the primary weaknesses that will be considered grounds for asset classification. Member business loans adversely classified (substandard, doubtful, or loss) shall be reserved as follows:

- (1) Loss loans shall be charged off or reserved at one hundred percent of the outstanding principal balance.
 - (2) Doubtful loans shall be reserved at fifty percent of the outstanding principal balance.
 - (3) Substandard loans shall be reserved at ten percent of the outstanding principal balance.
- The supervisor may require establishment of reserves of greater or lesser amounts.

NEW SECTION

WAC 419-64-070 MINIMUM RESERVES-TO-ASSETS RATIO. Because of the higher risk associated with member business loans, a credit union must have a reserves-to-assets ratio of not lower than four percent to make such loans. The supervisor may waive the requirements of this section in writing.

NEW SECTION

WAC 419-64-080 PROHIBITIONS, DIRECTOR AND EMPLOYEE LOANS. Any loan or loans to directors, agents, employees, supervisory or credit committee members, members of their immediate families, or affiliated company must be made on no more favorable terms and conditions and must not present greater risk to the credit union than similar loans available at that time to other members.

The board of directors shall specifically review each member business loan made to the entities listed in the preceding paragraph and shall certify in writing that the terms, conditions, and elements of risk of each loan(s) meet the requirements stated.

NEW SECTION

WAC 419-64-090 PROHIBITIONS, OTHER. A credit union shall not grant a member business loan where it receives any portion of profits from the venture other than the contractual payment of principal, interest, and normal fees as set forth on the debt instrument.

WSR 88-22-048**EMERGENCY RULES****DEPARTMENT OF NATURAL RESOURCES**

[Order 556—Filed October 31, 1988]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the continuation of outdoor burning restrictions in parts of 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 continued dry weather and fire danger makes it necessary to continue restrictions on outdoor burning in order to prevent a wildfire from starting whereby life, property and the natural resources are at risk.

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

This rule is promulgated pursuant to RCW 76.04.005 and 76.04.325 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 October 31, 1988.

By Brian J. Boyle
Commissioner of Public Lands

APPROVED AND ADOPTED October 28, 1988.

By Brian J. Boyle
Commissioner of Public Lands
and Chairman of the
Board of Natural Resources

NEW SECTION

WAC 332-26-092e OUTDOOR BURNING RESTRICTIONS. *Effective immediately, Monday, October 31, 1988, through midnight, Tuesday, November 15, 1988, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-211, on lands protected by the department in Okanogan and Ferry counties are suspended: PROVIDED, That fires contained in established campfire pits approved by the department 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 these restrictions.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 332-26-094 CLOSED SEASON.
WAC 332-26-092d OUTDOOR BURNING RESTRICTIONS.

WSR 88-22-049

ADOPTED RULES

**DEPARTMENT OF NATURAL RESOURCES
(Board of Natural Resources)**

[Resolution No. 600—Filed October 31, 1988]

Be it resolved by the state of Washington Board of Natural Resources, acting at Olympia, Washington, that it does adopt the annexed rules relating to rate of interest for repayment, repealing WAC 332-100-060.

This action is taken pursuant to Notice No. WSR 88-19-120 filed with the code reviser on September 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 under the general rule-making authority of the Department of Natural Resources as authorized in RCW 79.64.030, 43.30.135 and 43.30.150.

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.

WSR 88-22-050

ADOPTED RULES

PARKS AND RECREATION COMMISSION

[Order 107—Filed October 31, 1988]

Be it resolved by the Washington State Parks and Recreation Commission, acting at Spokane, Washington, that it does adopt the annexed rules relating to recreational and conference center housing fees and meeting room fees charged, WAC 352-32-25001.

This action is taken pursuant to Notice No. WSR 88-19-104 filed with the code reviser on September 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 under the general rule-making authority of the Washington State Parks and Recreation Commission as authorized in RCW 43.51-040 and 43.51.060.

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 Friday, October 28, 1988.

By Ed Luders
Chair

AMENDATORY SECTION (Amending Order 102, filed 11/24/87)

WAC 352-32-25001 RECREATIONAL AND CONFERENCE CENTER HOUSING FEES AND MEETING ROOM FEES CHARGED. (1) The following fees shall be charged per day for recreational and conference center housing at Fort Worden State Park:

(a) Renovated housing

Noncommissioned officers' row buildings—#331 and #332 (4 units, each with 2 bedrooms)	\$61.25/unit
Officers' row buildings—#5, #6, and #7 (6 units, each with 3.5 bedrooms)	\$98.80/unit
Officers' row buildings—#4 and #11 (4 units, each with 6 bedrooms)	\$163.50/unit
Charge for additional rollaway beds	\$9.50 per bed

(b) Nonrenovated housing

Officers' row building—#9, #10 and #16 (5 units, each with 3 bedrooms)	\$76.00/unit
Officers' row buildings—#15 (1 unit with 5 bedrooms)	\$120.00/unit
Charge for additional rollaway beds	\$9.50 per bed

Bliss vista building—#235
 (1 unit with 1 bedroom)..... \$51.00/unit

A deposit equal to the cost of the first night's fee for each unit rented is required. A \$10.00 per unit cancellation fee is deducted from the deposit for any cancelled reservations, to cover processing costs. If the cancellation is made less than three weeks prior to the arrival date, the entire deposit is forfeited, unless the unit is rented.

Standard meal charges (meals optional for above-listed housing)

Breakfast.....\$ 2.75
 Lunch.....\$ ((3.60)) 3.75
 Dinner.....\$ ((5.45)) 5.50
 Total.....\$ ((11.80)) 12.00

Coffee service.....\$10.00
 minimum charge for
 any group of 20 or
 less. 50¢ per person
 for additional persons.

(c) Dormitory housing (for group reservations only—meals included)

1 - 2 days.....\$((21.30)) 21.50/person/day
 3 - 13 days\$((19.55)) 19.75/person/day
 14 or more days.....\$((18.05)) 18.25/person/day

Dormitory linen and towel charge..... \$7.90
 Additional towel charges \$.60
 Additional towel set \$1.60

The parks and recreation commission has an agreement with the Centrum organization which provides for use of Fort Worden State Park dormitory facilities and services in conjunction with special group programs administered by Centrum. For further information, contact Centrum at Fort Worden State Park.

(d) Barracks-style housing (for group reservations only—meals included)

1 - 2 days.....\$((19.60)) 19.80/person/day
 3 - 13 days\$((18.05)) 18.25/person/day
 14 or more days.....\$((16.40)) 16.60/person/day

All meals are served in the dining hall.
 Washington state sales tax is added to all charges.

(2) Meeting rooms are available at varying charges, depending on size, character of facility, and length of stay. Prices range between \$6.50 and \$33.00 for those residing in Fort Worden recreational housing, with increased charges for nonusers of recreational housing facilities. Additional cleaning fee is charged if food or beverages are consumed in the room. Theatre is available for performances—\$100.00 per day; for rehearsals—\$26.00 per night. The kitchen shelter is available for the minimum fee of \$20.00 per day plus a refundable \$50.00 cleaning deposit.

(3) Where not covered by or not inconsistent with the agency's facility use agreement with the Centrum Foundation, groups or organizations of twenty-five or more wishing to reserve the Fort Worden State Park housing or meeting room facilities may ((do so)) make application for reservation up to two years in advance of the date of use by contacting the park ((and completing and complying with procedures specified in the group booking agreement, available through the agency. Included in the provisions of the agreement are the following:

~~A deposit of \$100.00 per scheduled night for each dorm and \$100.00 per scheduled night for any combination of vacation housing rented, up to a combined maximum of \$1000.00, is required to confirm reservations. The deposit is refundable if cancellation is made more than ninety days in advance. Unrestricted partial cancellations of reserved housing facilities may be made up to sixty days in advance for dormitory facilities, or for vacation housing, partial cancellations made following these dates incur certain minimum charges specified in the group booking agreement. The deposit will be credited against the final bill). Confirmation of reservations is subject to the user group complying with the procedures specified in the group booking agreement, copies of which are available at the park.~~

(4) During the period from July 1 through Labor Day, conference center groups may reserve no more than twenty campsites per night in addition to other reserved conference center facilities.

WSR 88-22-051
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 88-162—Filed October 31, 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 immediate adoption of this rule is necessary for the preservation of the public health, safety and welfare for the following reasons: The current harvest of red urchins is proceeding at a rate exceeding preseason expectations. 860,000 pounds of urchins were landed in the first eleven days of the season, as compared to 250,000 pounds during the same period last year. Overharvest of red urchins may eliminate any fishery in the next several seasons. To prevent overharvest the season must be shortened or the fishing effort limited. Limiting the number of divers will reduce the effort by slowing the harvest rate. This will strengthen the department's ability to survey urchin beds and calculate harvest rate. There is inadequate time to provide opportunity for notice and public comment because the urchin fishery is underway. Overharvest would occur or management options to limit harvest would be eliminated if no action were taken during the time period necessary for adoption of permanent rules, and this would be contrary to the public interest.

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

This rule is promulgated pursuant to RCW 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 October 31, 1988.

By Joseph R. Blum
Director

NEW SECTION

WAC 220-52-07300E SEA URCHINS. *Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful for more than two divers from a single vessel to be in the water at any one time during commercial sea urchin harvest operations.*

WSR 88-22-052
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed November 1, 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 Compensation plan—Fiscal impact, amending WAC 356-14-062;

that the agency will at 10:00 a.m., Thursday, December 8, 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 December 6, 1988.

Dated: November 1, 1988

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amending WAC 356-14-062.

Title: Compensation plan—Fiscal impact.

Purpose: The rule disallows fiscal impact or [on] an agency, as a factor in deciding whether or not a salary increase should be granted.

Statutory Authority: RCW 41.06.150.

Summary: The proposed change reverses the Personal Board's policy of not considering fiscal impact on agencies in approving salary increases.

Reasons: The board believes that the impact on an agency's operating budget be one of the factors that they weight in taking action on requests for salary increases.

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 280, filed 7/13/87)

WAC 356-14-062 COMPENSATION PLAN—FISCAL IMPACT. ~~((The board will not consider fiscal impact in determining salaries. However;))~~ Salary changes are subject to approval by the director of the office of financial management in accordance with provisions of chapter 43.88 RCW.

WSR 88-22-053
PROPOSED RULES
PARKS AND RECREATION COMMISSION
[Filed November 1, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning use of nonmotorized cycles or similar devices in state parks, WAC 352-32-075;

that the agency will at 9:00 a.m., Friday, December 9, 1988, in the Sea-Tac Holiday Inn, Plaza A, 17338 Pacific Highway South, Seattle, 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 43.51.040 and 43.51.060.

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

Dated: November 1, 1988

By: Mike Reed
Executive Assistant

STATEMENT OF PURPOSE

Title: WAC 352-32-075 Use of nonmotorized cycles or similar devices in state parks.

Description of Purpose: Address the potential for conflict and safety concerns associated with use of cycles, etc. on trails within state park areas.

Statutory Authority: RCW 43.51.040 and 43.51.060.

Summary of Rule: Authorize use of bicycles, other cycles and similar devices in state parks, except in specified circumstances, which include where posted with prohibitory signing, according to specified criteria; within natural or similar designated areas; on special use trails; and on docks, piers, floats or ramps. Operating rules for such devices are specified.

Reasons Supporting Proposed Action: Increasing use of bicycles and similar devices on trails can lead to user conflicts, and potentially endanger park users if unregulated.

Agency Personnel Responsible for Drafting: Mike Reed, Executive Assistant, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, KY-11, Olympia, WA 98504, 753-6179; Implementation and Enforcement: Lynn Genasci, Assistant Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, KY-11, Olympia.

Proposing: Washington State Parks and Recreation Commission.

Agency Comments: [No information supplied by agency.]

Federal Law/Court Action: [No information supplied by agency.]

NEW SECTION

WAC 352-32-075 USE OF NONMOTORIZED CYCLES OR SIMILAR DEVICES IN STATE PARKS. (1) Whenever used in this section, "device" shall be defined as any wheeled, operator-propelled equipment which transports the operator on land, except wheelchairs, to include but not be limited to unicycles, bicycles, tricycles, quadcycles, scooters, and skateboards.

(2) Operation of such devices shall be permitted upon roads and trails in state parks or state park areas, except:

(a) Where posted with prohibitory signing by approval of the director or designee. Prior to such posting, a public meeting shall be advertised and conducted in the region where the park is located. A closure decision shall be based on an evaluation of the degree of conflict with other park users, public safety, or damage to park facilities related to these devices.

(b) Off public roads within designated "natural areas," "natural forest areas," or "natural area preserves."

(c) Upon designated special use trails such as interpretive or exercise trails.

(d) Upon docks, piers, floats, and connecting ramps.

(3) Persons operating such devices in state parks and state park areas shall:

(a) Obey regulatory signs.

(b) Restrict speed and manner of operation to reasonable and prudent practices relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety, and the safety of all other park visitors.

(c) Yield the right of way to pedestrians.

(d) Dismount and walk in congested areas and posted walk zones.

(e) Slow down, make presence known well in advance, and use courtesy and caution when approaching or overtaking other persons.

(f) Display adequate lighting during hours of darkness.

(g) Use caution when approaching turns or areas of limited sight distance.

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park, operate in compliance with any additional requirements of RCW 46.61.750, Effect of regulations—Penalty.

(4) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (2) of this section.

I, Kenneth O. Eikenberry, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is chapter 19.118 RCW requires manufacturers to comply within forty days of an arbitration decision in favor of the consumer. The statute further authorizes the attorney general to impose a fine for failure of the manufacturer to comply. The immediate adoption of the rules cited above is necessary to implement the statute and to properly protect the public interest.

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

This rule is promulgated pursuant to RCW 19.118-.080 which directs that the Washington State Attorney General's Office has authority to implement the provisions of chapter 19.118 RCW.

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

APPROVED AND ADOPTED November 1, 1988.

By Kenneth O. Eikenberry
Attorney General

NEW SECTION

WAC 44-10-300 IMPOSITION OF FINE FOR MANUFACTURER NONCOMPLIANCE WITH AN ARBITRATION DECISION (1) Pursuant to RCW 19.118.090, the Attorney General shall impose a fine against a manufacturer if, after forty (40) calendar days from the manufacturer's receipt of Notice of Consumer's Acceptance of an arbitration decision, the manufacturer has not complied with the decision. Notice of the imposition of fine shall be to the manufacturer by certified mail or personal service.

(2) The Attorney General shall impose a fine against the manufacturer for noncompliance according to the following schedule for each day after the forty (40) day calendar period:

DAYS 1 THROUGH 10	\$300.00 PER DAY
DAYS 11 THROUGH 20	\$500.00 PER DAY
DAYS 21 THROUGH 30	\$700.00 PER DAY
DAYS 31 AND ON	\$1000.00 PER DAY

The foregoing fines shall accrue until the manufacturer complies or until one hundred thousand (100,000) dollars has accrued, whichever occurs first.

NEW SECTION

WAC 44-10-310 REQUEST FOR REVIEW OF IMPOSITION OF FINE (1) The manufacturer shall have ten (10) days from the date of receipt of Notice of Imposition of Fine to request a review of imposition of fine by the Attorney General. The manufacturer's request for review of imposition of fine shall be in writing and shall state the reasons for the manufacturer's non-compliance with the arbitrator's decision within the forty (40) calendar day period.

WSR 88-22-054
EMERGENCY RULES
ATTORNEY GENERAL'S OFFICE
[Order 88-9—Filed November 1, 1988]

I, Kenneth O. Eikenberry, Attorney General of Washington, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- New WAC 44-10-300 Imposition of fine for manufacturer non-compliance with an arbitration decision.
- New WAC 44-10-310 Request for review of imposition of fine.
- New WAC 44-10-320 Failure by the manufacturer to pay a fine.

(2) Upon receipt of a request for review of imposition of fine, the Attorney General shall have ten (10) days to conduct a review.

(3) The review shall be limited to determining whether the manufacturer has shown by clear and convincing evidence that any delay or failure of the manufacturer to comply within forty (40) calendar days following the manufacturer's receipt of Notice of Consumer's Acceptance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement signed by the consumer. No other issues shall be considered in the review.

(4) The Attorney General shall issue a written review determination which shall be delivered to the manufacturer by certified mail or personal service.

(5) If the Attorney General determines that the manufacturer's noncompliance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement from the consumer, the imposition of fine shall be rescinded. The imposition of fine shall be affirmed by the Attorney General where the manufacturer has failed to show clear and convincing evidence as required by WAC 44-10-310(3). If the imposition of fine is affirmed, the manufacturer shall be liable for a fine according to the schedule specified in WAC 44-10-300(2) including all days during the pendency of review under this section and until compliance with the arbitrator's decision or until one hundred thousand (100,000) dollars has accrued, whichever comes first.

(6) If a fine is rescinded under WAC 44-10-310 the Attorney General shall impose a fine against a manufacturer where a manufacturer fails to comply with the agreement between the manufacturer and the consumer, or when the manufacturer fails to comply immediately after the circumstances no longer exist which made compliance beyond the control of the manufacturer. Notice of such fine shall be by certified mail or personal service to the manufacturer and shall be imposed according to the schedule in WAC 44-10-300(2), and imposition of such fine may be appealed by the manufacturer under WAC 44-10-310.

(7) The imposition of a fine by the Attorney General under this section may be appealed by the manufacturer to superior court.

NEW SECTION

WAC 44-10-320 FAILURE BY THE MANUFACTURER TO PAY A FINE If the manufacturer fails to pay a fine imposed under this section, the Attorney General shall initiate proceedings in superior court against the manufacturer to compel payment of such fine.

WSR 88-22-055

PROPOSED RULES

ATTORNEY GENERAL'S OFFICE

[Filed November 1, 1988]

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

New	WAC 44-10-300	Imposition of fine for manufacturer non-compliance with an arbitration decision.
New	WAC 44-10-310	Request for review of imposition of fine.
New	WAC 44-10-320	Failure by the manufacturer to pay a fine;

that the agency will at 10:00 a.m., Friday, December 9, 1988, in the Lemon Law Conference Room, 710 2nd Avenue, Suite 1300, Seattle, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 19.118.080 and 19.118.090.

The specific statute these rules are intended to implement is RCW 19.118.090 (7), (8) and (9).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1988.

Dated: November 1, 1988

By: Karl R. Boettner

Assistant Attorney General

Consumer and Business

Fair Practices Division

STATEMENT OF PURPOSE

Name of Agency: Washington State Attorney General's Office.

Title: WAC 44-10-300 Imposition of fine for manufacturer noncompliance with an arbitration decision; 44-10-310 Request for review of imposition of fine; and 44-10-320 Failure by the manufacturer to pay a fine.

Description of Purpose: To implement chapter 19.118 RCW and to provide procedures for imposition of fines, appeal for review of fine imposition and remedies upon nonpayment of fine pursuant to RCW 19.118.090.

Statutory Authority: RCW 19.118.090 (7), (8) and (9).

Summary of Rules: WAC 44-10-300 establishes procedures for imposition of fines against a manufacturer who has not complied with an arbitration decision within the forty calendar day period; WAC 44-10-310 establishes procedures whereby a manufacturer may file an appeal for review of a fine imposition; and WAC 44-10-320 sets forth procedures to compel payment of a fine.

Responsible Personnel: In addition to the attorney general, the following persons have knowledge of and responsibility for drafting, implementing and enforcing these rules: Sally Sterling, Administrator, 710 2nd Avenue, Suite 1300, Seattle, WA 98104, (206) 587-4289 and Karl R. Boettner, Assistant Attorney General, 710 2nd Avenue, Suite 1300, Seattle, WA 98104, (206) 464-6708.

Proponents: The Office of the Attorney General.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required.

NEW SECTION

WAC 44-10-300 IMPOSITION OF FINE FOR MANUFACTURER NONCOMPLIANCE WITH AN ARBITRATION DECISION (1) Pursuant to RCW 19.118.090, the Attorney General shall impose a fine against a manufacturer if, after forty (40) calendar days from the manufacturer's receipt of Notice of Consumer's Acceptance of an arbitration decision, the manufacturer has not complied with the decision. Notice of the imposition of fine shall be to the manufacturer by certified mail or personal service.

(2) The Attorney General shall impose a fine against the manufacturer for noncompliance according to the following schedule for each day after the forty (40) day calendar period:

DAYS 1 THROUGH 10	\$300.00 PER DAY
DAYS 11 THROUGH 20	\$500.00 PER DAY
DAYS 21 THROUGH 30	\$700.00 PER DAY
DAYS 31 AND ON	\$1000.00 PER DAY

The foregoing fines shall accrue until the manufacturer complies or until one hundred thousand (100,000) dollars has accrued, whichever occurs first.

NEW SECTION

WAC 44-10-310 REQUEST FOR REVIEW OF IMPOSITION OF FINE (1) The manufacturer shall have ten (10) days from the date of receipt of Notice of Imposition of Fine to request a review of imposition of fine by the Attorney General. The manufacturer's request for review of imposition of fine shall be in writing and shall state the reasons for the manufacturer's noncompliance with the arbitrator's decision within the forty (40) calendar day period.

(2) Upon receipt of a request for review of imposition of fine, the Attorney General shall have ten (10) days to conduct a review.

(3) The review shall be limited to determining whether the manufacturer has shown by clear and convincing evidence that any delay or failure of the manufacturer to comply within forty (40) calendar days following the manufacturer's receipt of Notice of Consumer's Acceptance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement signed by the consumer. No other issues shall be considered in the review.

(4) The Attorney General shall issue a written review determination which shall be delivered to the manufacturer by certified mail or personal service.

(5) If the Attorney General determines that the manufacturer's noncompliance was beyond the manufacturer's control or was acceptable to the consumer as evidenced by a written statement from the consumer, the imposition of fine shall be rescinded. The imposition of fine shall be affirmed by the Attorney General where the manufacturer has failed to show clear and convincing evidence as required by WAC 44-10-310(3). If the imposition of fine is affirmed, the manufacturer shall be liable for a fine according to the schedule specified in WAC 44-10-300(2) including all days during the pendency of review under this section and until compliance with the arbitrator's decision or until one hundred thousand (100,000) dollars has accrued, whichever comes first.

(6) If a fine is rescinded under WAC 44-10-310 the Attorney General shall impose a fine against a manufacturer where a manufacturer fails to comply with the agreement between the manufacturer and the consumer, or when the manufacturer fails to comply immediately after the circumstances no longer exist which made compliance beyond the control of the manufacturer. Notice of such fine shall be by certified mail or personal service to the manufacturer and shall be imposed according to the schedule in WAC 44-10-300(2), and imposition of such fine may be appealed by the manufacturer under WAC 44-10-310.

(7) The imposition of a fine by the Attorney General under this section may be appealed by the manufacturer to superior court.

NEW SECTION

WAC 44-10-320 FAILURE BY THE MANUFACTURER TO PAY A FINE If the manufacturer fails to pay a fine imposed under this section, the Attorney General shall initiate proceedings in superior court against the manufacturer to compel payment of such fine.

Be it resolved by the Board of Accountancy, acting at Seattle, that it does adopt the annexed rules relating to the repealing of chapter 4-08 WAC.

This action is taken pursuant to Notice No. WSR 88-17-078 filed with the code reviser on August 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 under the general rule-making authority of the [Board of Accountancy] as authorized in RCW 18.04.055.

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

APPROVED AND ADOPTED October 21, 1988.

By Carey L. Rader
Chief Executive Officer

[REPEALER]

The following sections of the Washington Administrative Code are repealed:

WAC:

- 4-08-010 Appearance and practice before agency—Who may appear.
- 4-08-030 Appearance and practice before agency—Solicitation of business unethical.
- 4-08-040 Appearance and practice before agency—Standards of ethical conduct.
- 4-08-050 Appearance and practice before agency—Appearance by former employee of board or former member of attorney general's staff.
- 4-08-060 Appearance and practice before agency—Former employee as expert witness.
- 4-08-070 Computation of time.
- 4-08-080 Notice and opportunity for hearing in contested cases.
- 4-08-090 Service of process—By whom served.
- 4-08-100 Service of process—Upon whom served.
- 4-08-110 Service of process—Service upon parties.
- 4-08-120 Service of process—Method of service.
- 4-08-130 Service of process—When service complete.
- 4-08-140 Service of process—Filing with agency.
- 4-08-150 Subpoenas, where provided by law—Form.
- 4-08-160 Subpoenas, where provided by law—Issuance to parties.
- 4-08-170 Subpoenas, where provided by law—Service.
- 4-08-180 Subpoenas, where provided by law—Fees.
- 4-08-190 Subpoenas, where provided by law—Proof of service.

- 4-08-200 Subpoenas, where provided by law—Quashing.
- 4-08-210 Subpoenas, where provided by law—Enforcement.
- 4-08-220 Subpoenas, where provided by law—Geographical scope.
- 4-08-230 Depositions and interrogatories in contested cases—Right to take.
- 4-08-240 Depositions and interrogatories in contested cases—Scope.
- 4-08-250 Depositions and interrogatories in contested cases—Officer before whom taken.
- 4-08-260 Depositions and interrogatories in contested cases—Authorization.
- 4-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents.
- 4-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination.
- 4-08-290 Depositions and interrogatories in contested cases—Recordation.
- 4-08-300 Depositions and interrogatories in contested cases—Signing attestation and return.
- 4-08-310 Depositions and interrogatories in contested cases—Use and effect.
- 4-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents.
- 4-08-330 Depositions upon interrogatories—Submission of interrogatories.
- 4-08-340 Depositions upon interrogatories—Interrogation.
- 4-08-350 Depositions upon interrogatories—Attestation and return.
- 4-08-360 Depositions upon interrogatories—Provisions of the deposition rule.
- 4-08-370 Official notice—Matters of law.
- 4-08-380 Material facts.
- 4-08-390 Presumptions.
- 4-08-400 Stipulations and admissions of record.
- 4-08-410 Form and content of decisions in contested cases.
- 4-08-420 Definition of issues before hearing.
- 4-08-430 Prehearing conferences—Authorized.
- 4-08-440 Prehearing conferences—Record of conference action.
- 4-08-450 Submission of documentary evidence in advance.
- 4-08-460 Excerpts from documentary evidence.
- 4-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses.
- 4-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements.
- 4-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data.
- 4-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 4-08-470 or 4-08-480.
- 4-08-510 Continuances.
- 4-08-520 Rules of evidence—Admissibility criteria.

- 4-08-530 Tentative admission—Exclusion—Discontinuing cumulative evidence—Objections.
- 4-08-540 Petitions for rule making, amendment or repeal—Who may petition.
- 4-08-550 Petitions for rule making, amendment or repeal—Requisites.
- 4-08-560 Petitions for rule making, amendment or repeal—Agency must consider.
- 4-08-570 Petitions for rule making, amendment or repeal—Notice of disposition.
- 4-08-580 Declaratory rulings.
- 4-08-590 Forms.

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

WSR 88-22-057

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 174—Filed November 1, 1988]

Be it resolved by the Higher Education Personnel Board, acting at the EWU Higher Education Extension Center, Spokane, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 251-12-600	Remedial action.
New	WAC 251-12-101	Motion(s) for continuance.
New	WAC 251-12-102	Motion for continuance—Procedure.
New	WAC 251-12-103	Dismissal by the board for lack of action.
Amd	WAC 251-10-030	Layoff.
Amd	WAC 251-10-035	Layoff—Special employment programs.
Rep	WAC 251-10-105	Notice of unsatisfactory work.
Rep	WAC 251-10-108	Preseparation or predisciplinary notice.
Rep	WAC 251-10-110	Demotion, suspension, reduction, separation, dismissal—Cause for.
Rep	WAC 251-10-111	Removal from supervisory positions.
Rep	WAC 251-10-120	Dismissal/separation—Grounds for—Notice.
Rep	WAC 251-10-130	Suspension—Grounds for—Duration—Notice.
Rep	WAC 251-10-140	Immediate dismissal.
Rep	WAC 251-10-150	Reduction, demotion—Procedure.
Rep	WAC 251-10-160	Withdrawal or amendment of charges—Time limitations.
Rep	WAC 251-10-170	Dismissal—Union shop—Notice—Recision.
Rep	WAC 251-10-180	Presumption of resignation—Unauthorized absence.
Rep	WAC 251-10-190	Probationary period—Rejection.
Rep	WAC 251-10-195	Trial service reversion.
New	WAC 251-11-010	Notice of unsatisfactory work.
New	WAC 251-11-020	Predisciplinary notice.
New	WAC 251-11-030	Demotion, suspension, reduction, dismissal—Cause for.
New	WAC 251-11-040	Removal from supervisory positions.
New	WAC 251-11-050	Dismissal—Grounds for—Notice.
New	WAC 251-11-060	Suspension—Grounds for—Duration—Notice.
New	WAC 251-11-070	Immediate dismissal—Cause for.
New	WAC 251-11-080	Reduction, demotion—Procedure.
New	WAC 251-11-090	Withdrawal or amendment of charges—Time limitations.
New	WAC 251-11-100	Dismissal—Union shop—Notice—Recision.
New	WAC 251-11-110	Presumption of resignation—Unauthorized absence.
New	WAC 251-11-120	Probationary period—Rejection.
New	WAC 251-11-130	Trial service reversion.

This action is taken pursuant to Notice Nos. WSR 88-17-106 and 88-17-107 filed with the code reviser on August 24, 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 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 October 5, 1988.

By John A. Spitz
Director

NEW SECTION

WAC 251-12-101 MOTION(S) FOR CONTINUANCE. Any party to a hearing may make a motion(s) to continue a hearing for good cause shown. Any such motion(s) shall be in writing directed to the person(s) who will be conducting the hearing. The motion(s) shall state the specific reason(s) and the period of time for which a continuance is necessary.

NEW SECTION

WAC 251-12-102 MOTION FOR CONTINUANCE—PROCEDURE. Any party desiring a continuance shall first contact the opposing party to determine whether agreement to a continuance can be reached. The requesting party will immediately notify the board or hearing examiner orally of the request, the reason(s) for the request, and the opposing party's response to the request.

(1) If the opposing party agrees to a continuance, the requesting party shall submit the motion in writing. The motion shall be filed with the director and served on the board or hearing examiner and the opposing party at least five working days prior to the scheduled hearing date. When the requesting party is represented by a union representative, a management representative, or an attorney at law, the requesting party's representative shall be responsible for coordinating a hearing date with the other parties. The board or hearing examiner shall review the motion, make a decision whether or not to grant the continuance, and notify the parties orally of the decision within three working days of receipt of the motion.

(2) If the opposing party does not agree to the continuance, the requesting party shall submit the motion in writing. The motion shall be filed with the director and served on the board or hearing examiner and served on the opposing party at least five working days prior to the scheduled hearing date. The board or hearing examiner shall review the motion, make a decision whether or not to grant the continuance, and notify the parties orally of the decision within three working days of receipt of the motion.

(3) In unusual circumstances, and only where the reason(s) for the continuance could not have been foreseen, a motion for continuance may be made when the party seeking the continuance becomes aware of the facts upon which the request for continuance is based. The following will apply:

(a) The requesting party shall notify the other party of the desire for a continuance and obtain the other party's response.

(b) The requesting party shall notify the board or hearing examiner orally of the request, the reason(s) for the request, and the opposing party's response to the request.

(c) The board or hearing examiner shall review the request, make a decision whether or not to grant the continuance, and notify the parties orally of the decision within three working days of receipt of the motion.

NEW SECTION

WAC 251-12-103 DISMISSAL BY THE BOARD FOR LACK OF ACTION. (1) In all appeals assigned for hearing before the board's designee or assigned for investigation by the director where there has been no action by the parties during the preceding three months, the director or designee shall mail notice to the appellant or his/her representative and the institution that the appeal will be dismissed by the board for want of prosecution unless within thirty days following the date of service of the notice a written request is made to the board and good cause is shown why it should be continued as a pending case.

(2) If no request is made, the matter will be brought before the board for dismissal at the next regularly scheduled board meeting.

AMENDATORY SECTION (Amending Order 92, filed 11/24/81, effective 1/1/82)

WAC 251-12-600 REMEDIAL ACTION. When it has been determined that an individual has served six consecutive months in an institution in a position subject to the civil service but whose appointment by the institution has not been in accordance with the provisions of these rules, and the employee was not a party to the willful disregard of the rules, the director may take such appropriate action as to confer permanent status, set provision for salary maintenance, establish appropriate seniority, determine accrual of benefits, and such other actions as may be determined appropriate pursuant to the best standards of personnel administration. The order of the director shall be final and binding unless written exceptions ((to the order, as provided in WAC 251-12-085 (1) through (5),)) detailing the specific items of the order to which exception is taken are filed with the board within thirty calendar days of the date of service of the order. The board will review the exceptions and may hold a hearing prior to modifying or affirming the director's order.

Chapter 251-10 WAC
~~((SEPARATION—DISCIPLINE))~~ RESIGNATION
AND LAYOFF

AMENDATORY SECTION (Amending Order 164, filed 12/30/87, effective 2/1/88)

WAC 251-10-030 LAYOFF. (1) An appointing authority may ((~~separate~~)) layoff or reduce the number of working hours or the work year of an employee without prejudice because of lack of funds or lack of work.

(2) Each institution shall develop for approval by the director a layoff procedure based upon layoff seniority as defined in WAC 251-01-245, to include as a minimum:

(a) Clearly defined layoff unit(s), in order to minimize the disruption of an institution's total operation, and

(b) Provision for veterans preference for eligible veterans and their unmarried widows/widowers as defined in WAC 251-10-045.

(3) A permanent status employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in subsections (5) and (6) of this section. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate institution-wide layoff list(s).

(4) Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of the options or upon completion of the option period.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options to comparable position(s), as determined by the personnel officer, in:

(a) Class(es) in which the employee has held permanent status which have the same or lower salary range maximum as the current class;

(b) Lower class(es) in those same class series for which the employee is qualified.

The employee may exercise either option subsection (5)(a) or (b) of this section provided that the employee being replaced is the least senior in a comparable position in the class and has less layoff seniority than the employee replacing him/her. A vacant position, if available, should be considered to be the position in the class held by the least senior person. The employee may elect to have access to less-than-comparable positions by so notifying the personnel officer in writing.

(6) Except as provided in WAC 251-10-035, a permanent employee scheduled for layoff who has no options available under subsection (5) of this section shall be offered position(s) as follows:

(a) The personnel officer will offer in writing not less than three positions from among the highest available classes (unless the total available is less than three); provided that any position(s) offered must be:

(i) At the same level or lower than the class from which the employee is being laid off; and

(ii) Vacant or held by a provisional, temporary, or probationary employee; and

(iii) In a class for which the employee being laid off meets the minimum qualifications and can pass the appropriate qualifying examination.

(b) The employee will be required to indicate within three working days his/her interest in a specific class(es)

so that the personnel officer may schedule the appropriate examination(s).

(c) Upon satisfactory completion of the examination(s) the employee will be offered option(s) to specific position(s), including salary information.

(d) Employees appointed to positions through provisions of this subsection will be required to serve a trial service period.

(7) In order to be offered a layoff option or return from layoff to a position for which specific position requirements have been documented in accordance with WAC 251-18-255(1), the employee must demonstrate a satisfactory level of knowledge, skill, or ability on the specific position requirements.

(8) In a layoff action involving a position for which a particular sex is a bona fide occupational requirement, as approved by the Washington state human rights commission, the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

(9) When it is determined that layoffs will occur within a unit, the personnel officer will:

(a) Provide a copy of the institution's reduction in force procedure to all employees subject to layoff;

(b) Advise each employee in writing of available options in lieu of layoff;

(c) Advise each employee in writing of the specific layoff list(s) upon which he/she may be placed as required per WAC 251-10-055 and 251-10-035;

(d) Provide information about the process by which the employee may make application for state-wide layoff lists, as required per WAC 251-10-060(7);

(e) Advise each employee in writing of the right to appeal his/her layoff to the board per WAC 251-12-080.

(10) Layoff actions for employees of special employment programs as identified in WAC 251-19-150 shall be administered as provided in WAC 251-10-035.

AMENDATORY SECTION (Amending Order 164, filed 12/30/87, effective 2/1/88)

WAC 251-10-035 LAYOFF—SPECIAL EMPLOYMENT PROGRAMS. (1) Institutions participating in special employment programs qualifying under the conditions identified in WAC 251-19-150 shall establish a special employment program layoff unit.

(2) An appointing authority may ((~~separate~~)) layoff or reduce the number of working hours or the work year of a special employment program employee without prejudice because of lack of funds or lack of work, or when an incumbent must be ((~~separated~~)) laid off due to the salary or longevity requirements of Public Law 95-524.

(3) A permanent status special employment program employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in subsection (5) of this section. Employment options are limited to positions within the special employment program layoff unit and/or program for which the employee qualifies. The employee shall be given no less than three working days to select an option, if available, or to elect

to be laid off and/or be placed on the appropriate special employment program layoff list(s).

(4) The appointing authority must provide the employee at least fifteen calendar days written notice beyond the date of selection of an option or the completion of the option period, whichever is sooner. The notice shall inform the employee of his/her right to appeal the layoff action to the board per WAC 251-12-080.

(5) Within the special employment program layoff unit, a permanent status employee scheduled for layoff shall be offered the following:

(a) Except as provided in (b) of this subsection, employees who are being laid off shall be offered options within the layoff unit and placement on special employment program layoff lists in class(es) with the same or lower salary range maximum that are:

(i) Class(es) in which the employee has held permanent status;

(ii) Lower class(es) in the same class series for which the employee is qualified.

The employee may exercise either option provided that the employee being replaced is the least senior in the class and has less layoff seniority than the employee replacing him/her.

(b) Employees who are being laid off due to the expiration of the maximum allowable period of subsidized employment as provided in Public Law 95-524 shall not be afforded layoff options but shall be placed on the special employment program layoff list(s) for which they are eligible.

(6) The provisions of WAC 251-10-030 (7) and (8) relative to specific position and bona fide occupational requirements shall apply to special employment program layoff actions.

(7) The names of employees scheduled for layoff or actually laid off from service within a class shall be placed on the special employment program layoff list as provided in WAC 251-18-180.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 251-10-105 NOTICE OF UNSATISFACTORY WORK.

WAC 251-10-108 PRESEPARATION OR PREDISCIPLINARY NOTICE.

WAC 251-10-110 DEMOTION, SUSPENSION, REDUCTION, SEPARATION, DISMISSAL—CAUSE FOR.

WAC 251-10-111 REMOVAL FROM SUPERVISORY POSITIONS.

WAC 251-10-120 DISMISSAL/SEPARATION—GROUNDS FOR—NOTICE.

WAC 251-10-130 SUSPENSION—GROUNDS FOR—DURATION—NOTICE.

WAC 251-10-140 IMMEDIATE DISMISSAL.

WAC 251-10-150 REDUCTION, DEMOTION—PROCEDURE.

WAC 251-10-160 WITHDRAWAL OR AMENDMENT OF CHARGES—TIME LIMITATION.

WAC 251-10-170 DISMISSAL—UNION SHOP—NOTICE—RECISION.

WAC 251-10-180 PRESUMPTION OF RESIGNATION—UNAUTHORIZED ABSENCE.

WAC 251-10-190 PROBATIONARY PERIOD—REJECTION.

WAC 251-10-195 TRIAL SERVICE REVERSION.

Chapter 251-11 WAC DISCIPLINE

WAC

251-11-010

Notice of unsatisfactory work.

251-11-020

Predisciplinary notice.

251-11-030

Demotion, suspension, reduction, dismissal—Cause for.

251-11-040

Removal from supervisory positions.

251-11-050

Dismissal—Grounds for—Notice.

251-11-060

Suspension—Grounds for—Duration—Notice.

251-11-070

Immediate dismissal—Cause for.

251-11-080

Reduction, demotion—Procedure.

251-11-090

Withdrawal or amendment of charges—Time limitation.

251-11-100

Dismissal—Union shop—Notice—Recision.

251-11-110

Presumption of resignation—Unauthorized absence.

251-11-120

Probationary period—Rejection.

251-11-130

Trial service reversion.

NEW SECTION

WAC 251-11-010 NOTICE OF UNSATISFACTORY WORK. Each employee whose work is judged unsatisfactory shall be notified in writing of the areas in which the work is considered deficient. Unless the deficiency is extreme, the employee shall be given an opportunity to demonstrate improvement.

NEW SECTION

WAC 251-11-020 PREDISCIPLINARY NOTICE. (1) Prior to dismissal, suspension, immediate dismissal, reduction in salary, or demotion of a permanent employee pursuant to WAC 251-11-050, 251-11-060, 251-11-070, 251-11-080, or 251-11-100, the employing institution/related board shall make reasonable efforts to give the employee:

(a) Oral or written notice of the charges against the employee;

(b) An oral or written explanation of the evidence which forms the basis for the charges;

(c) An oral or written statement of the action being contemplated by the employing official; and

(d) A reasonable opportunity for the employee to present reasons, either orally or in writing, why the proposed action should not be taken.

(2) The requirement in subsection (1)(b) of this section shall not limit the employing institution/related board from presenting a more detailed and complete case at an appeal hearing if the proposed action is taken and the employee appeals.

NEW SECTION

WAC 251-11-030 DEMOTION, SUSPENSION, REDUCTION, DISMISSAL—CAUSE FOR. (1) Appointing authorities may demote, suspend, reduce in salary, or dismiss an employee under their jurisdiction for just cause. Examples of activities which may result in such action are, but are not limited to: Neglect of duty, inefficiency, incompetence, insubordination, malfeasance, gross misconduct, willful violation of the published institution or related board or higher education personnel board rules or regulations, mistreatment or abuse of fellow workers or members of the public, conflict of interest, excessive absenteeism, failure to comply with union shop requirements per WAC 251-14-058, etc.

(2) Appointing authorities shall dismiss any employee under their jurisdiction whose performance is so inadequate as to be just cause for dismissal as described in subsection (1) of this section.

NEW SECTION

WAC 251-11-040 REMOVAL FROM SUPERVISORY POSITIONS. Appointing authorities shall remove from supervisory positions those supervisors who, in violation of WAC 251-11-030(2), have tolerated the continued employment of employees under their supervision whose performance has warranted termination from state employment.

NEW SECTION

WAC 251-11-050 DISMISSAL—GROUNDS FOR—NOTICE. Appointing authorities may dismiss a permanent employee for just cause as specified in WAC 251-11-030. The employee shall be provided written notice of the specified cause(s), specific charges, and the right to appeal the dismissal action to the board. The notice shall be furnished at least fifteen calendar days prior to the effective date of the action (unless the dismissal action is to be effective as provided in WAC 251-11-070) and shall be furnished directly to the employee during his/her scheduled working hours, or if this is not possible because of the absence of the employee during his/her regularly scheduled working hours, mailed by certified letter to the employee's last known address. If the notification is furnished directly to the employee, the day it is furnished shall be counted as a day of notice. If the notification is mailed, the notice shall be considered received the same day as it is postmarked and the notice period shall be computed as provided in WAC 251-04-100.

NEW SECTION

WAC 251-11-060 SUSPENSION—GROUNDS FOR—DURATION—NOTICE. Appointing authorities may suspend an employee without pay for cause as specified in these rules for a period not exceeding fifteen calendar days as a single penalty or for a total of thirty calendar days in any calendar year as an accumulation

of several penalties. The specified cause(s) as provided in WAC 251-11-030, specific charges, duration of the suspension, and notice of the right of appeal shall be furnished to the employee in writing no later than one day after the suspension takes effect. Notice to the employee shall be furnished in the manner provided in WAC 251-04-105.

NEW SECTION

WAC 251-11-070 IMMEDIATE DISMISSAL—CAUSE FOR. After completion of the procedure required in WAC 251-11-020, if an appointing authority determines that a permanent employee is to be dismissed for cause as provided in WAC 251-11-030 and the circumstances are such that retention of the employee in an active duty status may result in damage to state property or may be injurious to the employee, fellow workers, or the client public, the employee may be dismissed immediately. The employee must be notified in writing as provided in WAC 251-11-050; however, the fifteen calendar days notice requirement does not apply. The notification must state the cause for the dismissal and in addition the necessity for the immediacy of the action.

NEW SECTION

WAC 251-11-080 REDUCTION, DEMOTION—PROCEDURE. Appointing authorities may reduce the salary of a permanent employee within the range or may demote an employee to a class at a lesser pay range for which he/she meets the minimum qualifications. Specific charges in writing for either of these actions shall be furnished to the employee at least fifteen calendar days prior to the effective date of the action.

NEW SECTION

WAC 251-11-090 WITHDRAWAL OR AMENDMENT OF CHARGES—TIME LIMITATION. Appointing authorities may withdraw or amend demotion, suspension, reduction in salary, or dismissal actions, but not after an appeal of the action has been heard by the board.

NEW SECTION

WAC 251-11-100 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 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.

NEW SECTION

WAC 251-11-110 PRESUMPTION OF RESIGNATION—UNAUTHORIZED ABSENCE. An employee may be presumed to have resigned his/her position when there has been an absence without authorized leave from the job for a period of three consecutive working days. Thereafter, a notice acknowledging the presumption of resignation shall be sent by certified mail to the last known address of the employee. Within seven calendar days after the date of service, the employee may petition the appointing authority in writing for reinstatement upon proof that the absence was involuntary or unavoidable. If a permanent employee petitions within the seven calendar days and is not reinstated, notification shall be given advising of the right to appeal to the higher education personnel board per the provision of WAC 251-12-075.

NEW SECTION

WAC 251-11-120 PROBATIONARY PERIOD—REJECTION. An appointing authority may reject an employee who has not completed a probationary period. Written notice of the action must be given to the employee at least one workday (eight hours) prior to the effective date of the action. Written notice should be given directly to the employee. If the employee is unavailable, notification shall be by certified mail. Service of papers shall be as provided in WAC 251-04-105. A probationary employee may not appeal rejection to the board.

NEW SECTION

WAC 251-11-130 TRIAL SERVICE REVERSION. An employee, prior to completing a trial service period, may be reverted by an employing official for failure to perform satisfactorily in the class. When such reversion becomes necessary, the written notice and employee rights upon reversion will be as provided in WAC 251-19-060(3). Trial service reversion is not appealable to the board when the conditions of WAC 251-19-060(4) have been satisfied.

**WSR 88-22-058
PROPOSED RULES
INSURANCE COMMISSIONER**

[Filed November 1, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Insurance Commissioner intends to adopt, amend, or repeal rules concerning insurance license examination procedures. The amendment will effectively repeal the subsection which allows persons to sit for any given insurance license examination an unlimited number of times;

that the agency will at 1:30 p.m., Wednesday, December 7, 1988, in the Second Floor Conference Room, Insurance 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 48.02.060.

The specific statute these rules are intended to implement is RCW 48.17.070, 48.17.110 and 48.17.130.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1988. Mailing address: Insurance Building, Mailstop AQ-21, Olympia, Washington 98504-0321.

Dated: November 1, 1988

By: Roger Polzin

Deputy Commissioner
Administration

STATEMENT OF PURPOSE

Title: Amending WAC 284-17-120 Examination procedures for agents, solicitors and adjusters, by striking subsection (5), to disallow repetitive taking of license examinations by applicants for insurance solicitor's, agent's, and adjuster's licenses in the state of Washington.

The statutory authority for the proposed amendment is RCW 48.02.060, expressly conferring upon the commissioner the power to make reasonable rules and regulations for effectuating any provision of the insurance code. The proposed amendment implements RCW 48.17.110, requiring most candidates for solicitor's, agent's, broker's and adjuster's licenses to pass an examination; RCW 48.17.070, requiring that an insurance licensee be competent and trustworthy; and RCW 48.17.130(3), authorizing a waiting period of reasonable duration before giving a new examination to an applicant who has failed to pass a previous similar examination.

The rule applies directly to any candidate for a solicitor's, agent's, or adjuster's license, who is required to pass the corresponding life insurance, disability insurance, property insurance, or casualty insurance license examination(s) as a prerequisite for obtaining the applicable license.

Roger Polzin, Deputy Commissioner, (206) 753-2403, was directly responsible for the amendment to WAC 284-17-120(5). The proposed amendment will be implemented and enforced by the education and licensing sections of the administrative division of the Office of the Insurance Commissioner, under the direct supervision of Roger Polzin, to whom all written inquiries and comments may be directed until December 7, 1988, at: Insurance Building, Mailstop AQ-21, Olympia, Washington 98504.

The amendment is proposed by Dick Marquardt, the insurance commissioner, a state public official.

The proposed amendment is not necessary as the result of federal law or of state or federal court action.

Small Business Economic Impact Statement: Not required for these rules. The insurance industry will not be economically impacted by these rules, and a small business impact statement has not been prepared or filed. The rules do not place proportionately higher burdens on small businesses.

AMENDATORY SECTION (Amending Order R 84-3, filed 9/12/84)

WAC 284-17-120 EXAMINATION PROCEDURES FOR AGENTS, SOLICITORS AND ADJUSTERS. (1) The commissioner has contracted with an independent testing service for the administration of agents', solicitors', and adjusters' examinations. On and after June 1, 1982, any person desiring to take an examination for the type of license shown in subsection (2) of this section will be required to submit a registration form and the appropriate examination fee to the independent testing service. Such fee is not refundable. Registration forms and information about examinations may be obtained from the office of insurance commissioner or from the independent testing service.

(2) At least twice each month at predetermined locations, the independent testing service will conduct the examinations required for the following types of licenses:

TYPE OF LICENSE	EXAMINATION(S) REQUIRED
Life insurance agent or solicitor	Life
Disability insurance agent or solicitor	Disability
Life and disability agent or solicitor	Life, disability
Property/casualty agent or solicitor	Property, casualty
General lines agent or solicitor	Property, casualty, disability
All lines agent or solicitor	Life, disability, property, casualty
Vehicle only agent or solicitor	Vehicle
Surety only agent or solicitor	Surety
Credit life and disability agent or solicitor	Credit life and disability
Independent adjuster	Independent adjuster
Public adjuster	Public adjuster

(3) If an applicant fails to take a scheduled examination, a new registration form and appropriate fees must be submitted for any later examination, unless a serious emergency prevented attendance.

(4) Tests for vehicle, surety, or credit insurance and for adjusters will be graded by the insurance commissioner's licensing department which will notify applicants of the results. Other tests will be graded by the independent testing service which will provide each applicant with a score report, following examination. If the examination is passed, the score report must be forwarded to the insurance commissioner with a completed insurance license application, finger print card, the appropriate license fee and filing fee.

~~((5) An applicant who fails to pass the insurance agent, solicitor or adjuster examination may request reexamination at such time as the applicant believes that he or she has completed sufficient additional study. Each reexamination request must be accompanied by a new registration form and the appropriate examination fee.))~~

WSR 88-22-059
ADOPTED RULES
DEPARTMENT OF ECOLOGY
 [Order 88-9—Filed November 1, 1988]

I, Fred A. Olson, deputy director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to the National Pollutant Discharge Elimination System permit program, chapter 173-220 WAC.

This action is taken pursuant to Notice No. WSR 88-18-075 filed with the code reviser on September 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 90.54.020 and chapter 90.48 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 1, 1988.

By Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 74-1, filed 2/15/74)

WAC 173-220-010 PURPOSE. The purpose of this chapter is to establish a state permit program, applicable to the discharge of pollutants and other wastes and materials to the ~~((navigable))~~ surface waters of the state, operating under state law as a part of the National Pollutant Discharge Elimination System (NPDES) created by section 402 of the Federal Water Pollution Control Act (FWPCA). Permits issued under this chapter are designed to satisfy the requirements for discharge permits under both section 402(b) of the FWPCA and chapter 90.48 RCW.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-020 PERMIT REQUIRED. No pollutants ~~((or other wastes or substances))~~ shall be discharged ~~((directly))~~ to any ~~((navigable))~~ surface water of the state from a point source, except as authorized by an individual or general permit issued pursuant to this chapter.

AMENDATORY SECTION (Amending Order DE 84-19, filed 5/11/84)

WAC 173-220-030 DEFINITIONS. For purposes of this chapter, the following definitions shall be applicable:

- ~~((1)) "Department" means department of ecology.~~
- ~~((2)) "Director" means the director of the department of ecology or his authorized representative.~~
- ~~((3)) "Administrator" means the administrator of the United States Environmental Protection Agency.~~
- ~~((4)) "Regional administrator" means the regional administrator of Region X of the Environmental Protection Agency (EPA).~~

~~((5)) "Point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.~~

~~((6)) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or~~

~~fill material discharged in accordance with a permit issued under section 404 of the FWPCA.~~

~~(7) "Navigable waters of the state" means all navigable waters as defined in section 502 of the FWPCA within the boundaries of the state such as lakes, rivers, ponds, streams, inland waters, ocean, bays, estuaries, sounds and inlets.~~

~~(8) "Person" includes any political subdivision, local, state, or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.~~

~~(9) "Discharge of pollutant" and the term "discharge of pollutants" each means (a) any addition of any pollutant or combination of pollutants to navigable waters of the state from any point source, (b) any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source, other than a vessel or other floating craft which is being used as a means of transportation.~~

~~(10) "Major discharger" means any discharger appearing on the list of major dischargers appearing in the annual state-EPA agreement.~~

~~(11) "Combined waste treatment facility" means any publicly owned waste treatment facility in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent of the design load for biochemical oxygen demand or suspended solids. Each single industrial category must contribute a minimum of ten percent of the applicable load.)~~

~~(1) "Administrator" means the administrator of the United States Environmental Protection Agency.~~

~~(2) "Combined waste treatment facility" means any publicly owned waste treatment facility in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent of the design load for biochemical oxygen demand or suspended solids. Each single industrial category must contribute a minimum of ten percent of the applicable load.~~

~~(3) "Department" means department of ecology.~~

~~(4) "Director" means the director of the department of ecology or his/her authorized representative.~~

~~(5) "Discharge of pollutant" and the term "discharge of pollutants" each means (a) any addition of any pollutant or combination of pollutants to surface waters of the state from any point source, (b) any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source, other than a vessel or other floating craft which is being used as a means of transportation.~~

~~(6) "Discharger" means owner or operator of any facility or activity subject to regulation under the NPDES program.~~

~~(7) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface waters as may be present.~~

~~(8) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater~~

together with such industrial waste as may be present. This term applies only to facilities discharging to surface water.

(9) "Effluent limitation" means any restriction established by the state or administrator on quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources into surface waters of the state.

(10) "FWPCA" means the Federal Water Pollution Control Act as amended, 33 U.S.C. 1251 et seq.

(11) "General permit" means an NPDES permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

(12) "Individual permit" means a permit for a single point source or a single facility.

(13) "Major discharger" means any discharger classified as such by the administrator in conjunction with the director and published in the annual state-EPA agreement.

(14) "Minor discharger" means any discharger not designated as major or covered under a general permit.

(15) "NPDES" means the National Pollutant Discharge Elimination System.

(16) "Permit" means an authorization, license, or equivalent control document issued by the director to implement this chapter.

(17) "Person" includes any political subdivision, local, state, or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

(18) "Point source" means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

(19) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

(20) "Regional administrator" means the regional administrator of Region X of the Environmental Protection Agency (EPA) or his/her authorized representative.

(21) "Surface waters of the state" means all waters defined as "waters of the United States" in 40 CFR 122.2 that are within the boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, wetlands, ocean, bays, estuaries, sounds, and inlets.

(22) "Water quality standards" means the state of Washington's water quality standards for surface waters of the state, which are codified in chapter 173-201 WAC.

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-220-040 APPLICATION FOR PERMIT. (1) Any person presently discharging pollutants to ~~((navigable))~~ surface waters of the state must file an application with the department on a form prescribed by the department. For the purpose of satisfying the requirements of this subsection, any completed application filed with the Environmental Protection Agency prior to the approval by the administrator under section 402(b) of the FWPCA of this state permit program shall constitute a filing with the department.

(2) Any person proposing to commence a discharge of pollutants to ~~((navigable))~~ surface waters of ~~((this))~~ the state must file an application with the department on a form prescribed by the department, (a) no less than ~~((180))~~ one hundred eighty days in advance of the date on which it is desired to commence the discharge of pollutants, or (b) in sufficient time prior to commencement of the discharge of pollutants to insure compliance with the requirements of section 306 of the FWPCA and any other applicable water quality standards or effluent standards and limitations.

(3) The applicant must pay any applicable fees required pursuant to ((Wastewater discharge permit fees, chapter 173-222 WAC)) RCW 90.48.610.

(4) The requirement for permit application will be satisfied if the discharger files:

(a) ~~((A complete refuse act application; or (b)))~~ A complete application form which is appropriate for the type, category, or size of discharge per 40 CFR 122.21; or

~~((c))~~ (b) A complete ~~((notification of))~~ request for coverage by a general permit; and

~~((d))~~ (c) Any additional information required by the department pertaining to pollutant discharge.

(5) The application form shall bear a certification of correctness to be signed:

(a) In the case of corporations, by a responsible corporate officer.

(b) In the case of a partnership, by a general partner.

(c) In the case of sole proprietorship, by the proprietor.

(d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

(6) Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.

(7) No discharge of ~~((wastes))~~ pollutants into the ~~((navigable))~~ surface waters of the state is authorized until such time as ~~((an application has been approved and))~~ a permit has been issued consistent with the terms and conditions of this chapter.

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-220-045 GENERAL PERMITS. (1) The director may issue general permits to cover categories of dischargers as described under subsection (2) of

this section. The area shall correspond to existing geographic or political boundaries, such as:

(a) Designated planning areas under section 208 or 303 of the FWPCA;

(b) Sewer districts or other special purpose districts;

(c) City, county or state political boundaries;

(d) State or county highway systems;

(e) Standard metropolitan statistical areas as defined by the Federal Office of Management and Budget;

(f) Urbanized areas as designated by the Bureau of the Census; or

(g) Any other appropriate division or combination of boundaries.

(2) General permits may be written to cover the following within a described area:

(a) ~~((Separate))~~ Storm ~~((sewers))~~ water point sources; or

(b) Categories of point sources which meet all of the following requirements:

(i) Involve the same or substantially similar types of operations;

(ii) Discharge the same types of wastes;

(iii) Require the same effluent limitations ~~((;))~~ or operating conditions, ~~((or))~~ and require similar monitoring; and

(iv) In the opinion of the director are more appropriately controlled under a general permit than under individual permits.

(3) General permits may be issued, modified, revoked and reissued, or terminated in accordance with the other provisions of this chapter. Grounds for modification or revocation and reissuance include those listed in subsection (4) of this section.

(4) The director may require any discharger authorized by a general permit to apply for and obtain an individual permit. Cases where an individual permit may be required include, but are not limited to the following:

(a) The discharger is not in compliance with conditions of the general permit;

(b) A change occurs in the technology or practices for control or abatement of pollutants applicable to the point source;

(c) Effluent limitation guidelines are promulgated for point sources covered by the general permit;

(d) A water quality management plan containing requirements applicable to such point sources is approved;

(e) Effluent limitations more stringent than those contained in a general permit are necessary to meet water quality standards; ~~((or))~~

(f) Information is obtained which indicates that cumulative effects on the environment from dischargers covered under the general permit are unacceptable; or

(g) Other causes listed in ~~((40 CFR Part 122.62; 122.64, or 122.28 (b)(2)(A), as promulgated May 19, 1980))~~ WAC 173-220-150 (1)(d).

(5) In cases where the director requires any ~~((owner or operator))~~ discharger to apply for an individual permit, the ~~((owner or operator))~~ discharger must be notified in writing that an individual permit application is required. This notice shall include a statement of why an individual permit is being required, an application form and a time limit for submitting the application.

(6) Any interested person may petition the director to require a discharger authorized by a general permit to apply for and obtain an individual permit.

(7) Any discharger authorized by a general permit may request to be excluded from coverage by the general permit by applying for an individual permit. The ~~((owner or operator))~~ discharger shall submit to the director an application as described in WAC 173-220-040, with reasons supporting the request. The director shall either issue an individual permit or deny the request with a statement explaining the reason for denial.

~~((7))~~ (8) When an individual permit is issued to a discharger otherwise subject to a general permit, the applicability of the general permit to that permittee is automatically terminated on the effective date of the individual permit.

~~((8))~~ (9) Following issuance by the department of a general permit all dischargers who desire to be covered by the general permit shall notify the department on a form prescribed by the department. Unless the department responds in writing to the notification, coverage of a discharger by a general permit will automatically commence on the thirty-first day following ~~((the later of:~~

~~(a))~~ the end of the thirty-day comment period required by WAC 173-220-050(2) ~~((; or~~

~~(b) Receipt by the department of a completed notification of coverage).~~

~~((9))~~ (10) Any previously issued individual permit shall remain in effect until terminated in writing by the department, except that continuation of an expired individual permit (pursuant to WAC 173-220-180(5)), shall terminate upon coverage by the general permit.

~~((10))~~ (11) Where the department has determined that a discharger should not be covered by a general permit, it shall respond in writing within ~~((the time specified within subsection (8) of this section))~~ thirty days, to a ~~((notification of))~~ request for coverage stating the reason(s) why coverage cannot become effective and any actions needed to be taken by the discharger in order for coverage by the general permit to become effective.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-050 PUBLIC NOTICE. (1) Public notice of every draft permit determination ~~((or notification of))~~ regarding an individual permit or general permit, and request for coverage by a general permit, shall be circulated in a manner designed to inform interested and potentially ~~((interested))~~ affected persons of the proposed discharge and of the proposed determination to issue or deny a permit for the proposed discharge ~~((; Circulation of public notice shall include at least the following))~~, as follows:

(a) For individual permits, notice shall be circulated within the geographical area(s) of the proposed discharge; ~~((for individual permits,))~~ such circulation may include any or all of the following, as directed by the department:

(i) Posting by the applicant for a period of thirty days in the post office, public library, and public places of the

municipality nearest the premises of the applicant in which the effluent source is located; ~~((or))~~

(ii) Posting by the applicant for a period of thirty days near the entrance of the applicant's premises and nearby places; ~~((or))~~

(iii) Publishing by the applicant, at his own cost with-in such time as the director shall prescribe, through a notice form provided by the department, in major local newspapers ~~((or periodicals or, if appropriate, in a daily newspaper))~~ of general circulation serving the area in which the discharge occurs: PROVIDED, That if an applicant fails to publish notice within thirty days of the time prescribed by the director, the department may publish the notice and bill the applicant for the cost of publication;

(iv) Publishing by the applicant of paid advertisements;

(v) Publishing by the department of news releases or newsletter articles.

(b) For general permits, such circulation shall include the following:

(i) Publishing by the department of a notice of intent to issue a general permit in a major local newspaper ~~((or newspapers))~~ of general circulation in each affected area; and

(ii) Posting or publishing by the applicant of a ~~((notice of))~~ request for coverage by a general permit in accordance with any or all methods listed in (a)(i), (ii), ~~((or))~~ (iii) ~~((in paragraph (a))),~~ (iv), or (v) of this subsection, as directed by the department.

(c) Notice shall be mailed to any person ~~((or group))~~ upon request; and

(d) The department shall add the name of any person ~~((or group))~~ upon request to a mailing list to receive copies of notices within the state or within a certain geographical area.

(2) The department shall provide a period of not less than thirty days following the date of the public notice during which time interested persons may submit their written views on ~~((the))~~ a draft permit determination(s) or a ~~((notification of))~~ request for coverage by a general permit. All written comments submitted during the thirty-day comment period shall be retained by the department and considered in the formulation of its final determination(s) with respect to the application. The period for comment may be extended at the discretion of the department.

(3) The department shall prepare the contents of the public notice, which shall ~~((include))~~,² at ~~((least))~~ a minimum, summarize the following:

(a) Name, address, phone number of agency issuing the public notice;

(b) Except when unknown(;) in the case of general permit issuance, name and address of each applicant, and if different, of the facility or activity to be regulated;

(c) ~~((Brief description of))~~ Each applicant's activities or operations which result in a discharge (e.g., municipal waste treatment ~~((plant))~~, steel manufacturing, drainage from mining activities);

(d) Except in the case of general permit issuance, name of waterway to which each discharge is made and ~~((a short description of))~~ the location of each discharge

on the waterway, indicating whether such discharge is a new or an existing discharge;

(e) ~~((A statement of))~~ The tentative determination to issue or deny a permit for the discharge;

(f) ~~((A brief description of))~~ Where coverage by a general permit is replacing a current individual permit, notice of termination of the individual permit;

(g) The procedures for the formulation of final determinations, including the thirty-day comment period required by subsection (2) of this section and any other means by which interested persons may ((influence or) comment upon those determinations; and

~~((g))~~ (h) Address and phone number of state premises at which interested persons may obtain further information.

(4) The department shall provide copies of permit applications, draft permit determinations, ((notifications of)) requests for coverage, and general permits ((will be provided to any person)) upon request ((by the department)).

(5) The department shall notify the applicant and persons who have submitted written comments or requested notice of the final permit decision. This notification shall include response to comments received and reference to the procedures for contesting the decision.

AMENDATORY SECTION (Amending Order 86-03, filed 3/4/86)

WAC 173-220-060 FACT SHEETS. (1) ~~((For every major discharger and general permit))~~ The department shall prepare ((and, following public notice, shall send, upon request to any person;)) a fact sheet ((with respect to the)) for every draft permit determination ((described in the public notice. The contents of)) regarding major dischargers, minor dischargers, and general permits. Such fact sheets shall ((include at least the)), at a minimum, summarize the following ((information)):

(a) ~~((A brief description of))~~ The type of facility or activity which is the subject of the application;

(b) ~~((A sketch or detailed description of))~~ The location of the discharge ((described in the application)) in the form of a sketch or detailed description;

(c) ~~((A quantitative description))~~ The type and quantity of the discharge ((described in the application which includes)), including at least the following:

(i) The rate or frequency of the proposed discharge((; if the discharge is continuous, the average daily flow in gallons per day or million gallons per day));

(ii) For thermal discharges ((subject to the jurisdiction of the department)), the average summer and winter temperatures ((in degrees Fahrenheit)); and

(iii) The average ((daily)) discharge in pounds per day, or other appropriate units, of any pollutants which are present in significant quantities or which are subject to limitations or prohibition under RCW 90.48.010, 90.52.040, 90.54.020 and sections 301, 302, 306, or 307 of the FWPCA and regulations published thereunder;

(d) ~~((Tentative determination of))~~ The conditions in ((a)) the proposed permit;

(e) ~~((A brief summary of))~~ The ((basis)) legal and technical grounds for the draft permit determination, including an explanation of how conditions meet both the technology-based and water quality-based requirements of the FWPCA and chapters 90.48, 90.52, and 90.54 RCW;

(f) ~~((A brief citation, including a brief identification of the uses for which the receiving waters have been classified, of the water quality standards and))~~ The effluent standards and limitations applied to the proposed discharge; ((and))

(g) ~~((A fuller description of))~~ The applicable water quality standards, including identification of the uses for which receiving waters have been classified;

(h) How the draft permit addresses use or disposal of residual solids generated by wastewater treatment; and

(i) The procedures for the formulation of final determinations (in more detailed form than that given in the public notice) including:

(i) ~~((30))~~ thirty-day comment period required by WAC 173-220-050(2);

(ii) Procedures for requesting a public hearing and the nature thereof; and

(iii) Any other procedures by which the public may participate in the formulation of the final determinations.

(2) The department shall send a fact sheet to the applicant and, upon request, to any other person.

(3) The department shall add the name of any person ((or group)) upon request to a mailing list to receive copies of fact sheets.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-070 NOTICE TO OTHER GOVERNMENT AGENCIES. The department shall notify other appropriate government agencies of each draft permit determination or ((notification of)) request for coverage and shall provide such agencies an opportunity to submit their written views and recommendations. Such notification shall include the following:

(1) Unless the regional administrator has agreed to waive review, transmission of an application, fact sheet ((if applicable (WAC 173-220-060))), and draft permit to the regional administrator for comment or objection within thirty days (ninety days for general permits), or a longer period if requested up to a maximum of ninety days.

(2) At the time of issuance of public notice pursuant to WAC 173-220-050, transmission of the public notice to any other states whose waters may be affected by the issuance of a permit. Each affected state shall be afforded an opportunity to submit written recommendations to the department and to the regional administrator which the department may incorporate into the permit if issued. Should the department fail to incorporate any written recommendations thus received, it shall provide to the affected state or states (and to the regional administrator) a written explanation of its reasons for failing to accept any of the written recommendations.

(3) ~~((At the time of issuance of public notice pursuant to WAC 173-220-050))~~ Unless waived by the respective

agency, the public notice shall be sent to the appropriate district engineer of the Army Corps of Engineers, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the state departments of fisheries, natural resources, wildlife, and social and health services, the archaeology and historic preservation office, the agency responsible for the preparation of an approved plan pursuant to section 208(b) of the FWPCA, applicable Indian tribes and any other applicable government agencies.

(4) A copy of any written agreement between the department and ~~((a district engineer dispensing with requirements of the immediately preceding))~~ an agency identified in subsection (3) of this section which waives the receipt of public notices shall be forwarded to the regional administrator and shall be made available to the public for inspection and copying.

(5) Copies of public notices shall be mailed to any other federal, state, or local agency, Indian tribe or any affected country, upon request. Such agencies shall have an opportunity to respond, comment, or request a public hearing pursuant to WAC 173-220-090. ~~((Such agencies shall include at least the agency responsible for the preparation of an approved plan pursuant to section 208(b) of the FWPCA.))~~

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-080 PUBLIC ACCESS TO INFORMATION. (1) ~~((Any NPDES forms or any public comment upon those forms shall be available to the public for inspection and copying. The department, at its discretion, may also make available to the public, any other records, reports, plans, or information obtained by the state, pursuant to its participation in the permit process. Nothing herein shall modify the requirements of chapter 42.17 RCW, where applicable))~~ In accordance with chapter 42.17 RCW, the department shall make records relating to NPDES permits available to the public for inspection and copying.

(2) The department shall protect any information (other than information on the effluent) contained in ~~((such form, or other records, reports, or plans))~~ its NPDES permit records as confidential upon a showing by any person that such information, if made public, would divulge methods ~~((of))~~ or processes entitled to protection as trade secrets of such person. ~~((If, however, the information being considered for confidential treatment is contained in a form, the department shall forward such information to the regional administrator for his concurrence in any determination of confidentiality. Upon arriving at his determination as to confidentiality, the regional administrator shall communicate to the department the decision. If such determination is not to concur with withholding of such information, the department and the regional administrator shall then make available to the public, upon request, that information determined not to constitute trade secrets.))~~

(3) Any information accorded confidential status, whether or not contained in ~~((a))~~ an application form,

shall be disclosed, upon request, to the regional administrator ~~((; or his authorized representative, who shall maintain the disclosed information as confidential))~~.

(4) The department shall provide facilities for the inspection of information relating to ~~((forms shall be provided by the department))~~ NPDES permits and shall insure that employees honor requests for such inspection promptly without undue requirements or restrictions. The department shall either (a) insure that a machine or device for the copying of papers and documents is available for a reasonable fee, or (b) otherwise provide for or coordinate with copying facilities or services such that requests for copies of nonconfidential documents may be honored promptly.

AMENDATORY SECTION (Amending Order DE 83-14, filed 5/4/83)

WAC 173-220-090 PUBLIC HEARINGS. The applicant, any affected state, any affected interstate agency, any affected country, the regional administrator, or any interested agency ~~((;))~~ or person ~~((; or group of persons))~~ may request a public hearing with respect to a draft permit determination or ~~((notification of))~~ request for coverage by a general permit. Any such request for a public hearing shall be filed within the ~~((next 30-day))~~ thirty-day period prescribed in WAC 173-220-050(2) and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted. The department shall hold a hearing if ~~((, on the basis of requests or any other information,))~~ it determines there is a significant public interest. Instances of doubt will be resolved in favor of holding the hearing. Any hearing brought pursuant to this subsection shall be held at a time and place deemed appropriate by the department.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-100 PUBLIC NOTICE OF PUBLIC HEARINGS. (1) The department shall circulate public notice of any hearing held pursuant to WAC 173-220-090 ~~((above shall be circulated))~~ at least as widely as was the notice pursuant to WAC 173-220-050. Procedures for the circulation of public notice for hearings held under WAC 173-220-090 shall include at least the following:

(a) Notice shall be published in at least one major local newspaper of general circulation within the geographical area of the discharge;

(b) Notice shall be sent to all persons and government agencies ~~((which))~~ who received a copy of the notice pursuant to WAC 173-220-050 or the fact sheet;

(c) Notice shall be mailed to any person ~~((or group))~~ upon request; and

(d) Notice shall be effected pursuant to ~~((subparagraphs))~~ (a) and (c) of this ~~((paragraph))~~ subsection at least thirty days in advance of the hearing.

(2) The contents of public notice of any hearing held in pursuant to WAC 173-220-090 shall include at least the following:

(a) Name, address, and phone number of agency holding the public hearing;

(b) A ~~((brief))~~ reference to the public notice issued pursuant to WAC 173-220-050, including identification number and date of issuance;

(c) ~~((Information regarding))~~ The time and location for the hearing;

(d) The purpose of the hearing;

(e) Address and phone number of premises at which interested persons may obtain information;

(f) ~~((A brief description of))~~ The nature of the hearing;

(g) ~~((A concise statement of))~~ The issues raised by the persons requesting the hearing, ~~((when applicable and except in the case of general permit issuance:))~~ and any other appropriate issues which may be of interest to the public;

(i) Except when unknown in the case of general permit determinations, the name and address of each applicant whose proposed discharge will be considered at the hearing;

(ii) Except when unknown in the case of general permit determinations, the name of waterway to which each discharge is made and ((a short description of)) the location of each discharge on the waterway.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-120 PROHIBITED DISCHARGES. No permit issued by the department shall authorize any person to:

(1) Discharge any radiological, chemical or biological warfare agent or high-level radioactive waste into ~~((navigable))~~ surface waters of the state;

(2) Discharge any pollutants which the secretary of the army acting through the chief, corps of engineers, finds would substantially impair anchorage and navigation;

(3) Discharge any pollutant to which the regional administrator, not having waived his/her right to object pursuant to section 402(e) of the FWPCA, has objected in writing pursuant to section 402(d) of the FWPCA;

(4) Discharge from a point source any pollutant which is in conflict with the plan or amendment thereto approved pursuant to section 208(b) of the FWPCA;

(5) Discharge any pollutant subject to a toxic pollutant discharge prohibition under section 307 of FWPCA.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-130 EFFLUENT LIMITATIONS, WATER QUALITY STANDARDS AND OTHER REQUIREMENTS FOR PERMITS. (1) Any permit issued by the department shall apply and insure compliance with all of the following, whenever applicable:

(a) All known, available, and reasonable methods of treatment required under RCW 90.52.040, 90.54.020 (3)(b), and 90.48.520; including effluent limitations established under sections 301, 302, 306, and 307 of the FWPCA. The effluent limitations shall not be less stringent than those based upon the treatment facility design efficiency contained in approved engineering plans and

reports or approved revisions thereto. The effluent ~~((limits))~~ limitations shall reflect any seasonal variation in industrial loading. Modifications to technology-based effluent limitations for specific discharge categories are as follows:

(i) For combined waste treatment facilities, the effluent limitations for biochemical oxygen demand or suspended solids may be adjusted upwards to a maximum allowed by applying effluent limitations pursuant to sections 301(b)(1)(B) ~~((or 301(h)))~~ of the FWPCA to the domestic portion of the influent and effluent limitations pursuant to sections 301(b)(1)(A)(i), 301(b)(2)(A), and 301(b)(2)(E) of the FWPCA or standards of performance pursuant to section 306 of the FWPCA to the industrial portion of the influent: PROVIDED, That the following additional condition is met:

Fecal coliform levels shall not exceed a monthly ~~((average))~~ geometric mean of 200 organisms per 100 ml with a maximum weekly ((average)) geometric mean of 400 organisms per 100 ml((, unless a waiver is granted pursuant to section 301(h) of the FWPCA));

(ii) For municipal water treatment plants located on the Chehalis, Columbia, Cowlitz, Lewis, or Skagit river, the effluent limitations shall be adjusted, in accordance with RCW 90.54.020 (3)(b), to reflect credit for substances removed from the plant intake water if:

(A) The municipality demonstrates that the intake water is drawn from the same body of water into which the discharge is made; and

(B) The municipality demonstrates that no violation of receiving water quality standards or appreciable environmental degradation will result.

(b) Any more stringent limitation, including those necessary to:

(i) ~~((Necessary to))~~ Meet water quality standards, treatment standards or schedules of compliance established pursuant to any state law or regulation under authority preserved to the state by section 510 of the FWPCA; or

(ii) ~~((Necessary to))~~ Meet any federal law or regulation other than the FWPCA or regulations thereunder; or

(iii) ~~((Required to))~~ Implement any applicable water quality standards; such limitations to include any legally applicable requirements necessary to implement total maximum daily loads established pursuant to section 303(d) and incorporated in the continuing planning process approved under section 303(e) of the FWPCA and any regulations and guidelines issued pursuant thereto;

(iv) ~~((Necessary to))~~ Prevent or control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or ((raw)) materials handling or storage; and

(v) ~~((Necessary to provide all known, available and reasonable methods of treatment))~~ Meet the permit by rule provisions of the state dangerous waste regulation, WAC 173-303-802 (4) or (5).

(c) Any more stringent legal applicable requirements necessary to comply with a plan approved pursuant to section 208(b) of the FWPCA; and

(d) Prior to promulgation by the administrator of applicable effluent standards and limitations pursuant to

sections 301, 302, 306, and 307 of the FWPCA, such conditions as the department determines are necessary to carry out the provisions of the FWPCA.

(2) In any case where an issued permit applies the effluent standards and limitations described in ~~((subparagraph))~~ subsection (1)(a) ~~((of paragraph (1)))~~ of this section, the department shall make a finding that any discharge authorized by the permit will not violate applicable water quality standards.

(3) In the application of effluent standards and limitations, water quality standards and other legally applicable requirements pursuant to ~~((paragraphs))~~ subsections (1) and (2) ~~((hereof))~~ of this section, each issued permit shall specify:

(a) For industrial wastewater facilities, average monthly and maximum daily quantitative ~~((in terms of weight))~~ mass and/or concentration limitations, or other such appropriate limitations for the level of pollutants and the authorized discharge;

(b) For domestic wastewater facilities, average weekly and monthly quantitative concentration and mass limitations, or other such appropriate limitations for the level of pollutants and the authorized discharge; and

(c) If a dilution zone is authorized within which water quality standards are modified, the dimensions of such dilution zone.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-140 SCHEDULES OF COMPLIANCE. (1) ~~((In addition to the application of the effluent standards and limitations, water quality standards, and other legally applicable requirements, all pursuant to WAC 173-220-130 (1), (2);))~~ The department shall establish schedules and permit conditions as follows to achieve compliance with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements:

(a) With respect to any discharge which is found not to be in compliance with applicable effluent standards and limitations, applicable water quality standards, or other legally applicable requirements listed in WAC 173-220-130, the permittee shall be required to take specific steps to achieve compliance with the following:

~~((1))~~ Any legally applicable schedule of compliance contained in:

~~((1))~~ (i) Section 301 of FWPCA;

~~((2))~~ (ii) Applicable effluent standards and limitations;

~~((3))~~ If more stringent; (iii) Water quality standards; ~~((or))~~ and

~~((4))~~ If more stringent, legally (iv) Applicable requirements listed in WAC 173-220-130, 173-220-150, and 173-220-210;

(b) Schedules of compliance, shall set forth the shortest, reasonable period of time, to achieve the specified requirements, such period to be consistent with the guidelines and requirements of the FWPCA.

(2) In any case where the period of time for compliance specified in ~~((paragraph))~~ subsection (1)(a) of this section exceeds one year, a schedule of compliance shall be specified in the permit which will set forth interim

requirements and the dates for their achievement; however, in no event shall more than one year elapse between interim dates. If the time necessary for completion of the interim requirement (such as construction of a treatment facility) is more than one year and is not readily divided into stages of completion, interim dates shall be specified for the submission of reports of progress toward completion of the interim requirement.

(3) Either before or up to fourteen days following each interim date and the final date of compliance, the permittee shall provide the department with written notice of the permittee's compliance or noncompliance with the interim or final requirement.

(4) On the last day of the months of February, May, August, and November, the department shall transmit to the regional administrator a list of all instances ~~((as of sixty days prior to the date of such report;))~~ in the previous ninety days of failure or refusal of a major permittee to comply with an interim or final requirement ~~((or to notify the department of compliance with each interim or final requirement (as required pursuant to paragraph (2) of this section)))~~. Such list shall be available to the public for inspection and copying and shall contain at least the following information ~~((with respect to))~~ on each instance of noncompliance:

(a) Name and address of each noncomplying permittee;

(b) A short description of each instance of noncompliance (e.g., failure to submit preliminary plans, ~~((two-week))~~ delay in commencement of construction of treatment facility~~((;))~~, failure to notify department of compliance with an interim requirement ~~((to complete construction by June 30))~~, etc.)

(c) A short description of any actions or proposed actions by the permittee or the department to comply or enforce compliance with the interim or final requirement; and

(d) Any details which ~~((tend to))~~ explain or mitigate an instance of noncompliance ~~((within))~~ with an interim or final requirement.

(5) If a permittee fails or refuses to comply with an interim or final requirement in a permit, such noncompliance shall constitute a violation of the permit for which the department may modify ~~((suspend))~~ or revoke the permit or take direct enforcement action.

AMENDATORY SECTION (Amending Order 88-8, filed 5/26/88, effective 7/1/88)

WAC 173-220-150 OTHER TERMS AND CONDITIONS. (1) In addition to the requirements of WAC 173-220-130 and 173-220-140, each issued permit shall require that:

(a) All discharges authorized by the permit shall be consistent with the terms and conditions of the permit;

(b) Any facility expansions, production increases or process modifications which would result in new or increased discharges of pollutants causing effluent limitations in the permit to be exceeded must be reported to the department by submission of a new application or supplement thereto; or, if such discharge does not violate effluent limitations specified in the permit, by submission

to the department of notice of such new or increased discharges of pollutants;

(c) Any discharge of any pollutant more frequent than or at a level in excess of that identified and authorized by the permit shall constitute a violation of the terms and conditions of the permit;

~~((b))~~ (d) The permit may be modified (~~(, suspend-~~
~~ed)) or revoked in whole or in part during its terms for cause including, but not limited to, the following:~~

(i) Violation of any term or condition of the permit;

(ii) Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts;

(iii) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

(iv) ~~((To incorporate))~~ A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;

(v) Incorporation of an approved local pretreatment program into a ~~((POTW's))~~ municipality's permit; ~~((and~~
~~(v))~~ (vi) Establishment of a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) under section 307(a) of the FWPCA for a toxic pollutant which is more stringent than any limitation upon such pollutant in the permit;

(vii) Failure or refusal of the permittee to allow entry as required in RCW 90.48.090; and

(viii) Nonpayment of permit fees assessed pursuant to RCW 90.48.610.

~~((e))~~ (e) The permittee shall allow the department or its authorized representative upon the presentation of credentials and at reasonable times:

(i) To enter upon permittee's premises in which an effluent source is located or in which any records are required to be kept under terms and conditions of the permit, subject to any access restrictions due to the nature of the project;

(ii) To have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit;

(iii) To inspect any monitoring equipment or method required in the permit; ~~((or))~~ and

(iv) To sample any discharge of pollutants.

~~((d) That,))~~ (f) If the permit is for a discharge from a publicly owned treatment works, the permittee shall provide notice to the department of the following:

(i) Any new introduction of pollutants into such treatment works from a source which would be a new source as defined in section 306 of the FWPCA if such source were discharging pollutants;

(ii) Except as to such categories and classes of point sources or discharges specified by the department, any new introduction of pollutants into such treatment works from a source which would be subject to section 301 of the FWPCA if such source were discharging pollutants;

(iii) Any substantial change in volume or character of pollutants being introduced into such treatment works by a source ~~((introducing pollutants into such works))~~ existing at the time of issuance of the permit.

Such notice shall include information on:

~~((H))~~ (A) The quality and quantity of effluent to be introduced into such treatment works; and

~~((H))~~ (B) Any anticipated impact of such change in the quantity or quality of effluent to be discharged from such publicly owned treatment works.

~~((e))~~ (g) The permittee shall at all times properly operate and maintain any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not ~~((permit))~~ allow flows or waste loadings to exceed approved design criteria, or approved revisions thereto.

~~((f) If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the FWPCA for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the department shall revise or modify the permit in accordance with the toxic effluent standard of prohibition and so notify the permittee.))~~

(2) Every permit shall be conditioned to insure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308 of the FWPCA.

(3) When deemed necessary by the department, any publicly owned treatment works shall be required to develop a full or partial local pretreatment program as specified in 40 CFR Part 403. Permit conditions for a municipality which has received full local pretreatment program approval shall include:

(a) Granting of authority to issue permits under chapter 173-208 WAC;

(b) A requirement to develop, adopt, and enforce a program that is at least as stringent as the department's program under chapter 173-216 WAC; and

(c) A requirement to report to the department at a specified frequency on the status of its implementation.

(4) Permits for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded; or

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities such as mobile home parks, apartments, and condominiums are not considered single commercial establishments for the purpose of the preceding sentence.

~~((e))~~ (5) For facilities that are owned by nonpublic entities and under contract to a public entity, the permit shall be issued ((a joint permit)) to ((both the owner and)) the public entity.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-160 TRANSMISSION OF ISSUED PERMIT TO REGIONAL ADMINISTRATOR ((OF ISSUED PERMIT)). Immediately following

issuance, the department shall transmit ~~((to the regional administrator,))~~ a copy of every issued permit ~~((immediately following issuance,))~~ along with any and all terms, conditions, requirements, or documents which are a part of such permit or which affect the authorization by the permit of the discharge of pollutants to the regional administrator.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-180 DURATION AND REPLACEMENT OF EXISTING PERMIT. (1) Permits shall be issued for fixed terms not exceeding five years.

(2) Any permittee shall make application for replacement to an existing permit ~~((s))~~ or continuation of ~~((discharges after))~~ a discharge beyond the expiration date of his/her permit by filing with the department an application for replacement of ~~((his))~~ the permit at least one hundred eighty days prior to its expiration. ~~((The filing requirement for replacement shall be satisfied by written request for replacement by the permittee to the department, unless the department, at its discretion, requires a permittee to request a replacement by submitting to the department all applicable forms.))~~

(3) The scope and manner of any review of an application for replacement of a permit by the department shall be sufficiently detailed as to insure the following:

(a) That the permittee is in substantial compliance with ~~((or has substantially complied with))~~ all of the terms, conditions, requirements and schedules of compliance of the expired permit;

(b) That the department has up-to-date information on the permittee's production levels ~~((;))~~; permittee's waste treatment practices ~~((;))~~; nature, content and frequencies of permittee's discharge ~~((;))~~; either pursuant to the submission of new forms and applications or pursuant to monitoring records and reports resubmitted to the department by the permittee; and

(c) That the discharge is consistent with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements listed in WAC 173-220-130 ~~((, including any additions to, or revisions or modifications of such effluent standards and limitations, water quality standards, or other legally applicable requirements during the term of the permit)).~~

(4) The notice and public participation procedures specified in WAC 173-220-050 through 173-220-100 are applicable to each draft replacement permit.

(5) When a permittee has made timely and sufficient application for the renewal of a permit, an expiring permit remains in effect and enforceable until the application has been ~~((finally determined))~~ denied or a replacement permit has been issued by the department.

(6) Notwithstanding any other provision in this ~~((part))~~ chapter, any point source, the construction of which is commenced after the date of enactment of the Federal Water Pollution Control Act Amendments of 1972 and which is so constructed as to meet all applicable standards of performance, shall not be subject insofar as the FWPCA is concerned to any more stringent standard of performance during a ten year period beginning on the date of completion of such construction or

during the period of depreciation or amortization of such facility for the purposes of section 167 or 169 (or both) of the Internal Revenue Code of 1954, whichever period ends first.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-190 MODIFICATION ~~((, SUSPENSION,))~~ AND REVOCATION OF PERMITS. (1) Any permit issued under this chapter can be modified ~~((, suspended))~~ or revoked in whole or in part by the department for cause including, but not limited to, the causes listed in WAC 173-220-150 (1) ~~((b), or for failure or refusal of the permittee to allow entry according to RCW 90.48.090))~~ (d) or when remanded to the department for modification by the pollution control hearings board.

(2) The department may, upon request of the permittee, ~~((revise or))~~ modify a schedule of compliance or an operating condition ~~((s))~~ in an issued permit if it determines good and valid cause exists for such revision (such as an act of God, strike, flood, materials shortage, or other event over which the permittee has little or no control ~~((exists for such revision))~~) and for which there is no other reasonably available remedy.

(3) The department shall modify ~~((, suspend))~~ or revoke permits only after public notice and opportunity for public hearing as provided in this chapter in those instances where changes are proposed which lessen the stringency of effluent limitations. In all other instances, the form of public notice and public participation, if any, shall be determined by the department on a case-by-case basis according to the significance of the proposed action.

~~((4))~~ Nothing herein shall apply to permits remanded to the department for modification by the pollution control hearings board.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-200 TRANSFER OF PERMIT. (1) A permit is automatically transferred to a new ~~((owner or operator))~~ discharger if:

(a) A written agreement between the old and new ~~((owner or operator))~~ discharger containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the director ~~((, containing a specific date for transfer of permit responsibility, coverage, and liability));~~ and

(b) The director does not notify the old and new ~~((owner or operator))~~ discharger of his/her intent to modify, or revoke and reissue the permit. If this notice is not given, the transfer is effective on the date specified in the agreement mentioned in ~~((paragraph))~~ (a) ~~((above))~~ of this subsection.

(2) Unless a permit is automatically transferred according to subsection (1) of this section, a permit may be transferred only if modified or revoked and reissued to identify the new permittee and incorporate such other requirements as may be necessary.

AMENDATORY SECTION (Amending Order DE 84-19, filed 5/11/84)

WAC 173-220-210 MONITORING, RECORDING AND REPORTING. (1) Monitoring.

(a) Any discharge authorized by a permit may be subject to such monitoring requirements as may be reasonably required by the department, including the installation, use, and maintenance of monitoring equipment or methods (including, where appropriate, biological monitoring methods). These monitoring requirements would normally include:

- (i) Flow (in gallons per day);
- (ii) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) which are subject to reduction or elimination under the terms and conditions of the permit;
- (iii) Pollutants which the department finds could have a significant impact on the quality of ~~((navigable))~~ surface waters; and
- (iv) Pollutants specified by the administrator, in regulations issued pursuant to the FWPCA, as subject to monitoring.

(b) Each effluent flow or pollutant required to be monitored pursuant to ~~((subsection))~~ (a) of this ~~((section))~~ subsection shall be monitored at intervals sufficiently frequent to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant.

Variable effluent flows and pollutant levels may be monitored at more frequent intervals than relatively constant effluent flows and pollutant levels which may be monitored at less frequent intervals.

(c) Monitoring of intake water, influent to treatment facilities, internal waste streams, and/or receiving waters may be required when determined necessary by the department to verify compliance with net discharge limitations or removal requirements, to verify that proper waste treatment or control practices are being maintained, or to determine the effects of the discharge on the surface waters of the state.

(2) Recording of monitoring activities and results. Any permit which requires monitoring of the authorized discharge shall require that:

(a) The permittee shall maintain records of all information resulting from any monitoring activities required of him in his permit;

(b) Any records of monitoring activities and results shall include for all samples:

- (i) The date, exact place, and time of sampling;
- (ii) The dates analyses were performed;
- (iii) Who performed the analyses;
- (iv) The analytical techniques/methods used; and
- (v) The results of such analyses; and

(c) The permittee shall be required to retain for a minimum of three years any records of monitoring activities and results including all original strip chart recording for continuous monitoring instrumentation and calibration and maintenance records. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by

the permittee or when requested by the department or regional administrator.

(3) Reporting of monitoring results.

(a) The permittee shall periodically report (at a frequency of not less than once per year) on the proper reporting form, the monitoring results obtained pursuant to monitoring requirements in a permit. In addition to the required reporting form, the department at its discretion may require submission of such other results as it determines to be necessary.

(b) Monitoring reports shall be signed by:

(i) In the case of corporations, by a responsible corporate officer or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates.

(ii) In the case of a partnership, by a general partner.

(iii) In the case of a sole proprietorship, by the proprietor.

(iv) In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

AMENDATORY SECTION (Amending Order DE 82-39, filed 12/1/82)

WAC 173-220-225 APPEALS. (1) Individual permits are subject to appeals as specified in chapter ~~((371-08-WAC))~~ 43.21B RCW.

(2) For general permits: (a) The terms and conditions of a general permit as they apply to the appropriate class of dischargers is subject to appeal within thirty days of issuance of a general permit in accordance with chapter 43.21B RCW; (b) the terms and conditions of a general permit as they apply to an individual discharger are subject to appeal in accordance with chapter 43.21B RCW within thirty days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or nonapplicability to that discharger. Appeal of general permit coverage of an individual discharger does not affect any other individual dischargers. If the terms and conditions of a general permit are found to be inapplicable to any discharger, the matter shall be remanded to the department for consideration of issuance of an individual permit.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 173-220-220 CONTROL OF DISPOSAL OF POLLUTANTS INTO WELLS.

WSR 88-22-060

PROPOSED RULES

THE EVERGREEN STATE COLLEGE

[Filed November 1, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State

College intends to adopt, amend, or repeal rules concerning:

Amd	WAC 174-160-010	Closing date and enrollment limitations.
Amd	WAC 174-160-020	Procedures.
New	WAC 174-160-022	Entrance requirements.
New	WAC 174-160-024	International students.
New	WAC 174-160-028	Deferred application.
Amd	WAC 174-160-030	Notification;

that the institution will at 10:00 a.m., Wednesday, December 14, 1988, in The Evergreen State College, Room 3112, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.40.120(12).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 14, 1988.

Dated: November 1, 1988

By: Shawn T. Newman
College Legal Counsel

STATEMENT OF PURPOSE

Title: Admissions procedures.

Description of Purpose: Amending existing rules governing closing dates, enrollment limitations and procedures. Establish new rules governing entrance requirements, international students and deferred application.

Statutory Authority: RCW 28B.40.120(12).

Specific Statute Rule is Intended to Implement: Not applicable.

Summary of Rule: To establish new closing dates and enrollment limitations as well as entrance requirements.

Reasons Supporting Proposed Action: Procedural necessity arising out of increased applications.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Arnaldo Rodriguez, Dean of Enrollment Services.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: See above.

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: Not necessary.

AMENDATORY SECTION (Amending Order 72-11, filed 10/27/72)

WAC 174-160-010 CLOSING DATE AND ENROLLMENT LIMITATIONS. The closing date for applications is ~~((May 1 for students seeking admission the following September))~~ for Fall Quarter is September 1, December 1 for Winter Quarter, and March 1 for Spring Quarter. ~~((Fall enrollment will be limited to the number that can be effectively served within the available resources and facilities. Applicants for subsequent terms during the academic year will be considered as space becomes available.))~~ Summer has open enrollment. The College may stop accepting applications if enrollment limits are reached before stated deadlines.

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

AMENDATORY SECTION (Amending Order 72-11, filed 10/27/72)

WAC 174-160-020 PROCEDURES ~~((1) A \$15 application fee is required (nonrefundable and nonrecurring) in the form of a check or money order. Payment must accompany the uniform application for admission to colleges and universities in the state of Washington.~~

~~(2) A student applying directly from high school should request that an official transcript of his record, indicating his rank in his graduating class, be sent to the admissions office by the appropriate school official. Provisional acceptance can be granted on the basis of three years of high school work. Applicants accepted on this basis must submit a transcript showing the complete high school record and date of graduation before their acceptance is final.~~

~~(3) A transfer student is requested to present two official transcripts from each college or university attended. Applicants must be in good academic standing at the last institution attended. No action will be taken on a transfer application until all transcripts of previously completed work have been received. Students planning to enroll at Evergreen for the fall quarter who are currently enrolled in another institution must have an official copy of their records sent to the admissions office by June 20.~~

~~(4) The Supplemental Admissions Form is an essential part of the admissions procedure. It must be completed by all prospective students in support of the application. The Supplemental Admissions Form will be sent upon receipt of the Uniform Application for Admissions to Colleges and Universities in the State of Washington.~~

~~(5) An admissions decision will not be made on incomplete applications. An application is considered complete when the following items have been submitted to the Admissions Office:~~

- ~~(a) Uniform Application for Admission to Colleges and Universities in the State of Washington, together with the \$15 application fee,~~
- ~~(b) Supplemental Admissions Form;~~
- ~~(c) Official transcript(s), and~~
- ~~(d) For those students entering from high school, appropriate test scores.~~

~~(6) Upon receipt of a notice of eligibility, the applicant must send an advance deposit in the amount of \$50 within 30 days. A Permit to Register showing the date of registration will then be sent.~~

~~(7) The Health Evaluation Form, sent with the Permit to Register, must be completed by a physician and returned to the Admissions Office at least 30 days prior to the date of registration.))~~

All applicants who wish to be considered for acceptance as fully matriculated students must submit the following items to the Admissions Office:

- (1) The Washington Uniform Application. A non-refundable application fee of \$25 must accompany the application. The student's check or money order should be payable to The Evergreen State College.
- (2) Official transcripts of all the student's previous college work and, (for those applying directly from high school or with less than 45 quarter hours of college work) a record of their completed high school courses, including their rank in graduating class. A transcript is considered official if

- (a) it bears the seal of the institution,
- (b) is signed by an appropriate high school/college/university official, and
- (c) is sent directly from the high school/college/university to the Admissions Office.

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

NEW SECTION

WAC 174-160-022 ENTRANCE REQUIREMENTS Evergreen seeks to attract a diverse student body. Applicants are considered on an individual basis. If qualified applications should exceed available space, further admission decisions may take into account a variety of factors to achieve diversity and balanced enrollment in core and advanced programs.

If, in receiving an application, Evergreen determines that a person's enrollment could present a physical danger to the campus community, the College reserves the right to deny admission.

(1) ENTRANCE REQUIREMENTS FOR HIGH SCHOOL GRADUATES

(a) Normally, graduates in the upper half of their high school graduating class who have demonstrated achievement in a variety of academic courses will be considered for admission. If ranking is not available, applicants will be considered individually.

(b) Students planning to enter directly from high school are required to have completed this college preparatory program:

(i) Three years of English selected from courses designed to develop college-level reading and writing proficiencies;

(ii) Two years of mathematics selected from algebra, geometry, trigonometry, advanced algebra and higher-level courses;

(iii) Two years of science including one year of laboratory science; and

(iv) Two-and-one-half years of social studies.

(c) In addition, students should select electives that offer significant preparation for a challenging collegiate curriculum. Honors and advanced placement courses are strongly encouraged. Interdisciplinary study and courses that stress skills in writing, research and communication are especially helpful in preparing for Evergreen's innovative programs.

(d) Admission can be granted on the basis of six semesters of high school work though seven semesters are preferred. Before final acceptance by Evergreen, applicants considered on this basis must submit a transcript showing the completed high school record and date of graduation. Failure to submit a final transcript which shows satisfactory completion of admission requirements will result in disenrollment.

(2) ENTRANCE REQUIREMENTS FOR TRANSFER STUDENTS:

(a) Transfer students will be considered for admission if they have made satisfactory progress in academic transfer courses at a previous college(s) and exited in good academic standing. Normally, a 2.0 minimum GPA (or equivalent) is required. We encourage college transfers to have completed the English composition course sequence (including research paper) at their present college, if currently enrolled.

(b) Applicants from other institutions who have completed 45 quarter hours of college-level academic transfer courses need not submit high school transcripts. Those who have completed less than 45 quarter hour credits at the time of application must submit a high school transcript (or GED results) as well as college transcript(s).

(c) Transfer students must submit official transcripts from each and every college or university attended. Currently enrolled students should assure that the most recent transcript of their work at the current college is sent to Evergreen, then have a final official copy sent immediately upon completion of all course-work. Failure to submit a final satisfactory transcript, as well as all transcripts of previous college work, will result in disenrollment.

(d) Applications will be considered from persons 18 or older who have not graduated from an accredited high school but who have completed the General Educational Development tests. Normally, GED test scores should be at the 60th percentile or above in all categories.

(e) Students whose high school and/or college record falls below the criteria described above may apply for conditional admission by submitting additional information such as a personal letter or essay, letters of recommendation, test scores (SAT, ACT or WPCT), samples of their work or other information requested by the Admissions Office.

(f) Former students, planning to return to Evergreen after withdrawing, graduating, or taking a leave of absence of more than four quarters must complete the regular application process and submit transcripts from all institutions attended since leaving Evergreen. An admission decision is subject to the admission criteria and deadlines that apply to the requested quarter of entrance.

NEW SECTION

WAC 174-160-024 INTERNATIONAL STUDENTS. (1) Freshmen international students who have met minimum college entrance requirements in their native country, and who can provide evidence of English proficiency, as well as financial stability, will be considered for admission. If the applicant is transferring from a college in his/her country or in the United States, he/she must also meet regular transfer admission requirements.

(2) All international students should apply six months in advance by submitting:

(a) The Washington State Uniform Application and the \$25 non-refundable application fee.

(b) Official copies of all high school and/or college records, or university preparatory exams.

(c) Results of the Test of English as a Foreign Language (TOEFL). The minimum score acceptable is 525. Transfer students from local colleges may take an off-campus language assessment instead of the TOEFL.

(d) Evidence of having at least \$12,000 (U.S.) to pay normal expenses for one year's enrollment at Evergreen.

(3) International students transferring from a college or university must show satisfactory completion of courses at a minimum achievement level of C+ or 7% or equivalent.

NEW SECTION

WAC 174-160-028 DEFERRED APPLICATION. Students who wish to postpone their application to another quarter may request to do so in writing. Students may be allowed to defer for a maximum of a year upon review by the Admissions Committee. Deferral is subject to admission criteria and deadlines in effect for the future quarter.

AMENDATORY SECTION (Amending Order 72-11, filed 10/27/72)

WAC 174-160-030 NOTIFICATION. Notification of the admission decisions will be made as soon as possible after a review of each applicant's completed application. A student must reapply if he fails to register for a particular term. Closing dates for applications are May September 1 for fall term, December 1 for winter term, and March 1 for spring term. Upon notice of eligibility, he/she may be asked to send a deposit of \$50. Payment will reserve enrollment on a first-come, first-serve basis. Special students and auditors do not pay deposits.

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

WSR 88-22-061

ADOPTED RULES

INSURANCE COMMISSIONER

[Order R 88-9—Filed November 1, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules to establish requirements for the orderly conversion and substitution of existing Medicare supplement insurance policies, contracts or certificates due to changes in the federal Medicare program; to provide for reasonable standardization of coverage, terms and benefits eliminating policy provisions which duplicate Medicare-provided benefits; to provide for refunds of premiums associated with benefits duplicating Medicare program benefits; to provide for substitution of all existing Medicare supplement insurance policies with complying policies no later than January 1, 1990; to eliminate attained age rating of Medicare supplement insurance policies or contracts; and to establish minimum loss ratio standards and procedures for all Medicare supplement insurance policies or contracts.

This action is taken pursuant to Notice No. WSR 88-19-056 filed with the code reviser on September 16, 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 48.02.060 (3)(a) and 48.30.010(2) which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.20.450, 48.20.460, 48.20.470, 48.66.041, 48.66.050, 48.66.070, 48.66.100(3), 48.66.110 and 48.66.130.

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

APPROVED AND ADOPTED October 31, 1988.

Dick Marquardt
Insurance Commissioner
By Melodie Bankers
Deputy Commissioner

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-010 PURPOSE. The purpose of this regulation, chapter 284-55 WAC, is to effectuate the provisions of RCW 48.20.450, 48.20.460 and 48.20.470, and to supplement the requirements of chapter 48.66 RCW, the Medicare Supplemental Health Insurance Act, by establishing minimum standards for benefits and specific standards for Medicare supplement insurance, by prescribing the "outline of coverage" to be used in the sale of Medicare supplemental insurance, by establishing other disclosure requirements, by prohibiting the use of certain provisions in Medicare supplement insurance policies, by defining and prohibiting certain practices as unfair acts and practices, and establishing loss ratio requirements; to assure the orderly implementation and conversion of Medicare supplement insurance benefits and premiums due to changes in the federal Medicare program; to provide for the reasonable standardization of the coverage, terms, and benefits of Medicare supplement insurance policies; to eliminate policy provisions which may duplicate Medicare benefits; and to provide for refunds of premiums associated with benefits duplicating Medicare program benefits.

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-020 APPLICABILITY AND SCOPE. (1) Except as otherwise specifically provided, this regulation shall apply to every group and individual policy of disability insurance and to every subscriber contract of an insurer, fraternal benefit society, health care service contractor, or health maintenance organization, which relates its benefits to Medicare, or which is advertised, marketed, or designed primarily as a supplement to reimbursements under Medicare for the hospital, medical or surgical expenses of persons eligible for Medicare by reason of age. Such policy or contract is referred to in this regulation as "Medicare supplemental insurance" or "Medicare supplement insurance policy."

(2) Except as required by federal law, this regulation shall not apply to:

(a) A policy or contract of one or more employers or labor organizations, or of the trustees of a fund established by one or more employers or labor organizations, or combination thereof, for employees or former employees, or combination thereof, or for members or former members, or combination thereof, of the labor organizations;

(b) A policy or contract of any professional, trade, or occupational association for its members or former members, or combination thereof, if such association:

(i) Is composed of individuals all of whom are or have been actively engaged in the same profession, trade or occupation;

(ii) Has been maintained in good faith for purposes other than obtaining insurance; and

(iii) Has been in existence for at least two years prior to the date of initial offering of such policy or plan to its members;

(c) Individual policies or contracts issued pursuant to a conversion privilege under a policy or contract of group or individual insurance when such group or individual policy or contract includes provisions which are inconsistent with the requirements of this regulation;

(d) Policies issued to employees or members as additions to franchise plans in existence on the effective date of this regulation, or

(e) Health maintenance organization contracts specified in ~~((section 16, of chapter 153, Laws of 1981))~~ RCW 48.66.160, to the extent they may be in conflict with this regulation.

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-030 DEFINITIONS. For purposes of this regulation:

(1) "Applicant" means:

(a) In the case of an individual Medicare supplement insurance policy or subscriber contract, the person who seeks to contract for insurance benefits, and

(b) In the case of a group Medicare supplement insurance policy or subscriber contract, the proposed certificate holder.

(2) "Certificate" means any certificate issued under a group Medicare supplement insurance policy, which policy has been delivered or issued for delivery in this state.

(3) "Insurer" includes insurance companies, fraternal benefit societies, health care service contractors and health maintenance organizations.

(4) "Direct response insurer" means an insurer who, as to a particular transaction, is transacting insurance directly with a potential insured without solicitation by, or the intervention of, a licensed insurance agent.

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-035 POLICY DEFINITIONS AND TERMS. No insurance policy or subscriber contract may be advertised, solicited, or issued for delivery in this state as a Medicare supplement policy unless such policy or contract contains definitions or terms which conform to the requirements of this section.

(1) "Accident," "accidental injury," or "accidental means" shall be defined to employ "result" language and shall not include words which establish an accidental means test or use words such as "external, violent, visible wounds" or similar words of description or characterization.

(a) The definition shall not be more restrictive than the following: "Injury or injuries for which benefits are provided means accidental bodily injury sustained by the insured person which is the direct result of an accident, independent of disease or bodily infirmity or any other cause, and occurs while insurance coverage is in force."

(b) Such definition may provide that injuries shall not include injuries for which benefits are provided under any workers' compensation, employer's liability or similar law, motor vehicle no-fault plan, unless prohibited by law, or injuries occurring while the insured person is engaged in any activity pertaining to any trade, business, employment, or occupation for wage or profit.

(2) "Convalescent nursing home," "extended care facility," or "skilled nursing facility" shall be defined in relation to its status, facilities and available services.

(a) A definition of such home or facility shall not be more restrictive than one requiring that it:

- (i) Be operated pursuant to law;
- (ii) Be approved for payment of Medicare benefits or be qualified to receive such approval, if so requested;
- (iii) Be primarily engaged in providing, in addition to room and board accommodations, skilled nursing care under the supervision of a duly licensed physician;
- (iv) Provide continuous twenty-four hours a day nursing service by or under the supervision of a registered graduate professional nurse (R.N.); and
- (v) Maintains a daily medical record of each patient.

(b) The definition of such home or facility may provide that such term shall not be inclusive of:

- (i) Any home, facility or part thereof used primarily for rest;
- (ii) A home or facility for the aged or for the ~~((care of drug addicts or alcoholics))~~ treatment of chemical dependency; or
- (iii) A home or facility primarily used for the care and treatment of mental diseases or disorders, or custodial or educational care.

(3) "Hospital" may be defined in relation to its status, facilities and available services or to reflect its accreditation by the Joint Commission on Accreditation of ((hospitals)) Health Care Organizations.

(a) The definition of the term "hospital" shall not be more restrictive than one requiring that the hospital:

- (i) Be an institution operated pursuant to law; and
- (ii) Be primarily and continuously engaged in providing or operating, either on its premises or in facilities available to the hospital on a prearranged basis and under the supervision of a staff of duly licensed physicians, medical, diagnostic and major surgical facilities for the medical care and treatment of sick or injured persons on an inpatient basis for which charge is made; and

(iii) Provide twenty-four hour nursing service by or under the supervision of registered graduate professional nurses (R.N.'s).

(b) The definition of the term "hospital" may state that such term shall not be inclusive of:

- (i) Convalescent homes, convalescent, rest, or nursing facilities; or
- (ii) Facilities primarily affording custodial, educational, or rehabilitative care; or

(iii) Facilities for the aged, drug addicts, or alcoholics; or

(iv) Any military or veterans hospital or soldiers home or any hospital contracted for or operated by any national government or agency thereof for the treatment of members or ex-members of the armed forces, except for services rendered on an emergency basis where a legal liability exists for charges made to the individual for such services.

(4) "Mental or nervous disorders" shall not be defined more restrictively than a definition including neurosis, psychoneurosis, psychopathy, psychosis, or mental or emotional disease or disorder of any kind.

(5) "Nurses" may be defined so that the description of nurse is restricted to a type of nurse, such as registered graduate professional nurse (R.N.), a licensed practical nurse (L.P.N.), or a licensed vocational nurse (L.V.N.). If the words "nurse," "trained nurse," or "registered nurse" are used without specific instruction, then the use of such terms requires the insurer to recognize the services of any individual who qualified under such terminology in accordance with the applicable statutes or administrative rules of the licensing or registry board of the state.

(6) "Physician" may be defined by including words such as "duly qualified physician" or "duly licensed physician." The use of such terms requires an insurer to recognize and to accept, to the extent of its obligation under the contract, all providers of medical care and treatment when such services are within the scope of the provider's licensed authority and are provided pursuant to applicable laws.

(7) "Sickness" shall not be defined to be more restrictive than the following: "Sickness means sickness or disease of an insured person which first manifests itself after the effective date of insurance and while the insurance is in force." The definition may be further modified to exclude sicknesses or diseases for which benefits are provided under any workers' compensation, occupational disease, employer's liability, or similar law.

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-040 PROHIBITED POLICY PROVISIONS. (1) No insurance policy or subscriber contract may be advertised, solicited or issued for delivery in this state as a Medicare supplement policy unless such policy or contract meets the requirements of chapter 48.66 RCW, the Medicare Supplemental Health Insurance Act.

(2) No Medicare supplement policy or certificate in force in this state shall contain benefits which duplicate benefits provided by Medicare.

(3) No insurance policy or subscriber contract may be advertised, solicited, or issued for delivery in this state as a Medicare supplement policy if such policy or subscriber contract limits or excludes coverage by type of illness, accident, treatment, or medical condition, except as follows:

(a) Foot care in connection with corns, calluses, flat feet, fallen arches, weak feet, chronic foot strain, or symptomatic complaints of the feet;

(b) Mental or emotional disorders(~~(-alcoholism))~~ and (~~(drug addiction))~~ chemical dependency;

(c) Illness, treatment, or medical condition arising out of:

(i) War or act of war (whether declared or undeclared); participation in a felony, riot or insurrections; service in the armed forces or units auxiliary thereto;

(ii) Suicide (sane or insane), attempted suicide, or intentionally self-inflicted injury;

(iii) Aviation(~~(:)),~~ other than as a fare-paying passenger on a scheduled or charter flight operated by a scheduled airline.

(d) Cosmetic surgery, except that "cosmetic surgery" shall not include reconstructive surgery when such service is incidental to or follows surgery resulting from trauma, infection, or other diseases of the involved part;

(e) Care in connection with the detection and correction by manual or mechanical means of structural imbalance, distortion, or subluxation in the human body for purposes of removing nerve interference and the effects thereof, where such interference is the result of or related to distortion, misalignment, or subluxation of, or in the vertebral column;

(f) Treatment provided in a governmental hospital; benefits provided under Medicare or other governmental program (except medicaid), any state or federal workers' compensation, employer's liability or occupational disease law, or any motor vehicle no-fault law; services rendered by employees of hospitals, laboratories, or other institutions; services performed by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance;

(g) Dental care or treatment;

(h) Eye glasses, hearing aids, and examination for the prescription or fitting thereof;

(i) Rest cures, custodial care, transportation, and routine physical examinations;

(j) Territorial limitations:

PROVIDED, That Medicare supplement insurance policies may not contain, when issued, limitations or exclusions of the type enumerated in (a), (e), (i) or (j) of this subsection that are more restrictive than those of Medicare. Medicare supplement policies may exclude coverage for any expense to the extent of any benefit available to the insured under Medicare.

~~((3))~~ (4) A "noncancellable," "guaranteed renewable," or "noncancellable and guaranteed renewable" Medicare supplement insurance policy shall not provide for termination of coverage of a spouse solely because of the occurrence of an event specified for termination of coverage of the insured, other than the nonpayment of premium.

~~((4))~~ (5) Termination of a Medicare supplement policy shall be without prejudice to any continuous loss which commenced while the policy was in force, but the extension of benefits beyond the period during which the policy was in force may be predicated upon the continuous total disability of the insured, limited to the duration of the policy benefit period, if any, or payment of the maximum benefits. Any provision to the contrary is prohibited.

~~((5))~~ (6) No Medicare supplement insurance policy shall restrict, exclude or limit benefits for a sickness through use of a probationary, or similar, provision.

(7) No insurer shall require any person covered under a Medicare supplement insurance policy to purchase additional coverage in connection with the amendment thereof.

(8) The terms "Medicare supplement," "Medigap," or words of similar import shall not be used to describe an insurance policy or contract unless such policy or contract is issued in compliance with chapter 48.66 RCW and this chapter.

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-045 MINIMUM BENEFIT STANDARDS. Except as permitted by WAC 284-55-040(~~((2))~~) (3), no insurance policy or subscriber contract may be advertised, solicited, or issued for delivery in this state as a Medicare supplement policy which does not meet the following minimum benefit standards. Except in subsection (1) of this section which requires fixed benefits, these are minimum standards and do not preclude the inclusion of other provisions or benefits which are not inconsistent with these standards.

(1) ~~((Coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare from the sixty-first day through the ninetieth day in any Medicare benefit period;~~

~~(2) Coverage of Part A Medicare eligible expenses incurred as daily hospital charges during use of Medicare's lifetime hospital reserve days;~~

~~(3) Upon exhaustion of all Medicare hospital inpatient coverage including the lifetime reserve days, coverage of ninety percent of all Medicare Part A eligible expenses for hospitalization not covered by Medicare subject to a lifetime maximum benefit of an additional three hundred sixty-five days; and)) Coverage for either all or none of the Medicare Part A inpatient hospital deductible amount.~~

(2) Coverage for the daily copayment amount of Medicare Part A eligible expenses for the first eight days per calendar year incurred for skilled nursing facility care.

(3) Coverage for the reasonable cost of the first three pints of blood (or equivalent quantities of packed red blood cells, as defined under federal regulations) under Medicare Part A not replaced in accordance with federal regulations.

(4)(a) Until January 1, 1990, coverage of twenty percent of the amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket deductible of two hundred dollars of such expenses and to a maximum benefit of at least five thousand dollars per calendar year.

(b) Effective January 1, 1990, coverage for the copayment amount of Medicare eligible expenses (excluding outpatient prescription drugs) under Medicare Part B up to the maximum out-of-pocket amount for Medicare Part B after the Medicare deductible amount.

(5) Effective January 1, 1990, coverage under Medicare Part B for the reasonable cost of the first three pints of blood (or equivalent quantities of packed red blood cells, as defined under federal regulations) under Medicare Part B not replaced in accordance with federal regulations.

(6) Effective January 1, 1990, coverage for the co-payment amount of Medicare eligible expenses for covered home intravenous (IV) therapy drugs (as determined by the Secretary of Health and Human Services) subject to the Medicare outpatient prescription drug deductible amount, if applicable.

(7) Effective January 1, 1990, coverage for the co-payment amount of Medicare eligible expenses for outpatient drugs used in immunosuppressive therapy subject to the Medicare outpatient prescription drug deductible, if applicable.

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-050 **OUTLINE OF COVERAGE REQUIRED.** (1) An agent or insurer initiating a sale of an individual or group Medicare supplement insurance policy in this state shall complete and sign a disclosure form, and deliver the completed form to the applicant not later than the time of application for the policy.

(2) The disclosure form to be used shall be the "outline of coverage," which is set forth in WAC 284-55-060.

(3) Except for direct response insurers, an insurer shall obtain an acknowledgement of receipt of such outline from the applicant.

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-060 **FORM FOR "OUTLINE OF COVERAGE."**

(COMPANY NAME)
**OUTLINE OF MEDICARE
 SUPPLEMENT COVERAGE**

(1) Read your policy carefully – This outline of coverage provides a very brief description of the important features of your policy. This is not the insurance contract and only the actual policy provisions will control. The policy itself sets forth in detail the rights and obligations of both you and your insurance company. It is, therefore, important that you **READ YOUR POLICY CAREFULLY!**

(2) Medicare supplement coverage – Policies of this category are designed to supplement Medicare by covering some hospital, medical, and surgical services which are partially covered by Medicare. Coverage is provided for hospital inpatient charges and some physician charges, subject to any deductibles and copayment provisions which may be in addition to those provided by Medicare, and subject to other limitations which may be set forth in the policy. The policy does not provide benefits for custodial care such as help in walking, getting in and out of bed, eating, dressing, bathing and taking medicine (delete if such coverage is provided).

(3)(a) (for agents:)

Neither (Insert company's name) nor its agents are connected with Medicare.

(b) (for direct responses:)

(Insert company's name) is not connected with Medicare.

(4) (A brief summary of the major benefit gaps in Medicare Parts A and B with a ((parallel)) description of supplemental benefits, including dollar amounts, provided by the Medicare supplement coverage in the following order:)

SERVICE	BENEFIT	MEDICARE PAYS	((THIS))	
			POLICY PAYS	YOU PAY
.....				
HOSPITALIZATION				
semiprivate room and board, general nursing and miscellaneous hospital services and supplies.	First 60 days	All but \$		
	61st to 90th day	All but \$		
Includes meals, special care units, drugs, lab tests, diagnostic x-rays, medical supplies, operating and recovery room; anesthesia and rehabilitation services.	91st to 150th day	All but \$ a day		
	Beyond 150 days	Nothing		
.....				

SERVICE	BENEFIT	MEDICARE PAYS	((THIS POLICY PAYS	YOU PAY
POSTHOSPITAL SKILLED NURSING CARE	First 20 days	100% of costs		
In a facility approved by Medicare, you must have been in a hospital for at least three days and enter the facility within 30 days after hospital discharge.	Additional 80 days	All but \$ a day		
	Beyond 100 days	Nothing		
MEDICAL EXPENSE	Physician's services, inpatient and outpatient Medicare services and supplies at a hospital, physical and speech therapy and ambulance.	80% of reasonable charge (after \$ deductible)		

SERVICE	THIS POLICY PAYS	YOU PAY
I. Part A		
A. INPATIENT HOSPITAL SERVICES:		
<u>Semi-private Room & Board</u>		
<u>Miscellaneous Hospital Services & Supplies, such as Drugs, X-Rays, Lab Tests & Operating Room</u>		
B. SKILLED NURSING CARE		
C. BLOOD		
II. Part B		
A. MEDICAL EXPENSE:		
<u>Services of a Physician/ Outpatient Services</u>		
<u>Medical Supplies other than Prescribed Drugs</u>		
B. BLOOD		
C. MAMMOGRAPHY SCREENING		
D. OUT-OF-POCKET MAXIMUM		
E. PRESCRIPTION DRUGS		
III. Parts A & B		
<u>Home Health Services</u>		

SERVICE	THIS POLICY PAYS	YOU PAY
IV. Miscellaneous		
A. Home Intravenous (IV) Therapy Drugs		
B. Immunosuppressive Drugs		
C. Respite Care Benefits		
IN ADDITION TO THIS OUTLINE OF COVERAGE, (INSURANCE COMPANY NAME) WILL SEND AN ANNUAL NOTICE TO YOU THIRTY DAYS PRIOR TO THE EFFECTIVE DATE OF MEDICARE CHANGES WHICH WILL DESCRIBE THESE CHANGES AND THE CHANGES IN YOUR MEDICARE SUPPLEMENT COVERAGE.		

(5) (The following charts shall accompany the outline of coverage:)

Part A
 MEDICARE BENEFITS IN

<u>Service</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
PART A				
Inpatient Hospital Services:	All but \$540 for first 60 days/benefit period	All but [\$564] deductible for an unlimited number of days/calendar year	All but Part A deductible for an unlimited number of days/calendar year	All but Part A deductible for an unlimited number of days/calendar year
Semi-Private Room & Board	All but \$135 a day for 61st-90th days/benefit period			
Miscellaneous Hospital Services & Supplies, such as Drugs, X-rays, Lab Tests & Operating Room	All but \$270 a day for 91st-150th days (if the individual chooses to use 60 nonrenewable lifetime reserve days)			
	Nothing beyond 150 days			

Skilled Nursing Facility Care	100% of costs for 1st 20 days (after a 3 day prior hospital confinement) All but \$67.50 a day for 1st-100th days Nothing beyond 100 days	80% of Medicare reasonable costs for first 8 days per calendar year w/out prior hospitalization requirement 100% of costs thereafter up to 150 days/calendar year	80% for 1st 8 days/calendar year 100% for 9th-150th day/calendar year	80% for 1st 8 days/calendar year 100% for 9th-150th day/calendar year

Blood	Pays all costs except nonreplacement fees (blood deductible) for first 3 pints in <u>each benefit period</u>	Pays all costs except payment of deductible (equal to costs for first 3 pints) <u>each calendar year</u> . Part A blood deductible reduced to the extent paid under Part B	All but blood deductible (equal to costs for first 3 pints)	All but blood deductible (equal to costs for first 3 pints)

Part B
MEDICARE BENEFITS IN

<u>Service</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>

Parts A & B:				
Home Health Services	Intermittent skilled nursing care and other services in the home (daily skilled nursing care for up to 21 days or longer in some cases)--100% of covered services and 80% of durable medical equipment under both Parts A & B	Same as '88	Intermittent skilled nursing care for up to 7 days a week for up to 38 days allowing for continuation of services under unusual circumstances; other services, --100% of covered services and 80% of durable medical equipment under both Parts A & B	Same as '90

PART B				
Medical Expense: Services of a Physician/Outpatient Services	80% of reasonable charges after an annual \$75 deductible	80% after annual \$75 deductible	80% of reasonable charges after \$75 annual deductible until out-of-pocket maximum is reached. 100% of reasonable charges are covered for remainder of calendar year	Same as '90
Medical Supplies Other than Prescribed Drugs				

Blood	80% of costs except nonreplacement fees (blood deductible) for 1st 3 pints in each benefit period after \$75 deductible	Pays 80% of all costs except payment of deductible (equal to costs for first 3 pints) <u>each calendar year</u>	Same as '89	Same as '89

Mammography Screening			80% of approved charge for elderly and disabled Medicare beneficiaries - exams available every other year for women 65 & over	Same as '90

Out-of-Pocket Maximum			\$1,370 consisting of Part B \$75 deductible, Part B blood deductible and 20% co-insurance	\$1,370-will be adjusted annually by Secretary of Health and Human Services

Outpatient Prescription Drugs			There is a \$550 total deductible applicable to home IV drug and immunosuppressive drug therapies as noted below	Covered after \$600 deductible subject to 50% co-insurance

Part B
 MEDICARE BENEFITS IN
 (cont'd)

<u>Service</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
PART B				
Home IV- Drug Therapy			80% of IV therapy drugs subject to \$550 deductible (deductible waived if home therapy is a continuation of therapy initiated in a hospital)	80% of IV therapy drugs subject to standard drug deductible (deductible waived if home therapy is a continuation of therapy drugs initiated in a hospital)
Immunosuppressive Drug Therapy	80% of costs during 1st year following a covered organ transplant (no special drug deductible; only the regular Part B deductible)	Same as '88	Same as '88 for 1st year following covered transplant; 50% of costs during 2nd and following years (subject to \$550 deductible)	Same as '90 (subject to \$600 deductible)
Respite Care Benefit			In-home care for chronically dependent individual covered for up to 80 hours after either the out-of-pocket limit or the outpatient drug deductible has been met	Same as '90

- (6) (Statement that the policy DOES OR DOES NOT cover the following:)
- (a) Private duty nursing,
 - (b) Skilled nursing home care costs (beyond what is covered by Medicare),
 - (c) Custodial nursing home care costs,
 - (d) Intermediate nursing home care costs,
 - (e) Home health care above number of visits covered by Medicare,
 - (f) Physician charges (above Medicare's reasonable charge),
 - (g) Drugs and insulin (other than prescription drugs furnished during a hospital or skilled nursing facility stay),
 - (h) Care received outside of U.S.A. (and its territories),
 - (i) Dental care or dentures, checkups, routine immunizations, cosmetic surgery, routine foot care, examinations for, or the cost of, eyeglasses or hearing aids.

- ~~((6))~~ (7) (An explanation of such terms as "usual and customary," "reasonable and customary," or words of similar import, if used in the policy(;;).)
- (8) A description of any policy provisions which exclude, eliminate, resist, reduce, limit, delay, or in any other manner operate to qualify payments of the benefits described in subsection (4) (~~(above)~~) of this section, including conspicuous statements:(;)
- (a) ~~((f))~~ That the chart summarizing Medicare benefits only briefly describes such benefits.(;)
 - (b) ~~((f))~~ That the Health Care Financing Administration or its Medicare publications should be consulted for further details and limitations.(;)
- ~~(7)-(f)~~ (9) A description of policy provisions respecting renewability or continuation of coverage, including any reservation of rights to change premium.(;)
- ~~(8)-(f)~~ (10) The amount of premium for this policy.(;)

.....
(Insurer's Name)
By Date
.....
(Agent's or Officer's Signature)

(Drafting note. ((The term "certificate" should be substituted for the word "policy" throughout the outline of coverage where appropriate)) Where inappropriate terms are used, such as "insurance," "policy," or "insurance company," a fraternal benefit society, health care service contractor or health maintenance organization shall substitute appropriate terminology.)

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-065 (~~REQUIRED DISCLOSURE PROVISIONS AND~~) **BUYER'S GUIDE.** (1) (~~Except for riders or endorsements by which the insurer effectuates a request made in writing by the insured or exercises a specifically reserved right under a Medicare supplement policy, all riders or endorsements added to a Medicare supplement policy after date of issue or at reinstatement or renewal which reduce or eliminate benefits or coverage in the policy shall require a signed acceptance by the insured. After the date of policy issue, any rider or endorsement which increases benefits or coverage with a concomitant increase in premium during the policy term must be agreed to in writing signed by the insured, except if the increased benefits or coverage is required by law.~~)

(2) ~~Where riders or endorsements are used at the time a policy is issued and separate additional premium is charged therefor, such premium charge shall be set forth in the policy.~~

(3) Insurers issuing accident and sickness policies, certificates, or subscriber contracts that provide hospital or medical expense coverage on an expense incurred or indemnity basis, other than incidentally, to persons eligible for Medicare by reason of age must provide to all applicants a Medicare supplement "buyer's guide."

((4)) (2) The "buyer's guide" required to be provided is the pamphlet Guide to Health Insurance for People with Medicare, developed jointly by the National Association of Insurance Commissioners and Health Care Financing Administration of the United States Department of Health and Human Services, or any reproduction or official revision of that pamphlet. Specimen copies may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. (~~The guide is identified as Department of Health and Human Services/Health Care Financing Administration Form Number HCFA-02110.~~)

(5) (3) Delivery of the "buyer's guide" must be made whether or not such policies, certificates, or subscriber contracts are advertised, solicited, or issued as Medicare supplement insurance policies. Except in the case of direct response insurers, delivery of the "buyer's guide" must be made to the applicant at the time of application and acknowledgement of receipt of the "buyer's guide" must be obtained by the insurer. Direct response

insurers must deliver the "buyer's guide" to the applicant upon request but not later than at the time the policy is delivered.

AMENDATORY SECTION (Amending Order R 82-3, filed 5/26/82)

WAC 284-55-067 **NOTICE REGARDING POLICIES OR SUBSCRIBER CONTRACTS WHICH ARE NOT MEDICARE SUPPLEMENT POLICIES.** Any accident and sickness insurance policy or subscriber contract, other than a Medicare supplement policy((:)), disability income policy((:)), basic, ((catastrophic)) comprehensive, or major medical expense policy((:)), single premium nonrenewable policy or other policy identified in WAC 284-55-020 (2)(c) and (d), issued for delivery in this state to persons eligible for Medicare by reason of age, shall notify insureds under the policy or subscriber contract that the policy or subscriber contract is not a Medicare supplement insurance policy. Such notice shall either be printed or attached to the first page of the outline of coverage delivered to insureds under the policy or subscriber contract, or if no outline of coverage is delivered, to the first page of the policy, certificate or subscriber contract delivered to insureds. Such notice shall be in no less than twelve point type and shall contain the following language: "THIS (POLICY, CERTIFICATE OR SUBSCRIBER CONTRACT) IS NOT A MEDICARE SUPPLEMENT (POLICY OR CERTIFICATE). If you are eligible for Medicare, review the Medicare Supplement Buyers Guide available from the company."

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-070 **REQUIREMENTS FOR APPLICATION FORMS, REPLACEMENT.** (1) Application forms shall include a question designed to elicit information as to whether a Medicare supplement insurance policy or certificate is intended to replace any other health care service contract, health maintenance organization contract, disability insurance policy or certificate presently in force. A supplementary application or other form to be signed by the applicant containing such a question may be used.

(2) Upon determining that a sale will involve replacement, the insurer, other than a direct response insurer, or its agent, shall furnish the applicant, prior to issuance or delivery of the Medicare supplement insurance policy or certificate, a notice regarding replacement of accident and sickness coverage. One copy of such notice shall be provided to the applicant and an additional copy signed by the applicant shall be retained by the insurer. A direct response insurer shall deliver to the applicant at the time of the issuance of the policy the notice regarding replacement of accident and sickness coverage.

(3) The notice required by subsection (2) of this section for an insurer, other than a direct response insurer, shall be provided in substantially the form set forth in WAC 284-55-080.

(4) The notice required by subsection (2) of this section for a direct response insurer shall be in substantially the form set forth in WAC 284-55-090.

(5) The application form shall also contain questions as to whether, as of the date of the application, the applicant:

- (a) Has any other health care service contract, health maintenance organization contract, disability insurance policy or certificate in force, and
- (b) Is eligible for state medical assistance coupons (Medicaid).

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-080 FORM FOR "REPLACEMENT NOTICE."

NOTICE TO APPLICANT REGARDING REPLACEMENT OF ACCIDENT AND SICKNESS INSURANCE

According to (your application) (information you have furnished), you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with a policy to be issued by (Company Name) Insurance Company. (~~Your new policy~~) Federal and state law provides thirty days within which you may decide without cost whether you desire to keep the policy. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

- (1) Health conditions which you may presently have (preexisting conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.

Drafting note. This subsection may be modified if pre-existing conditions are covered under the new policy.

- (2) You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.
- (3) If, after due consideration, you still wish to terminate your present policy and replace it with new coverage, be certain to truthfully and completely answer all questions on the application concerning your medical/health history. Failure to include all material medical information on an application may provide a basis for the company to deny any future claims and to refund your premium as though your policy had never been in force. After the application has been completed and before you sign it, reread it carefully to be certain that all information has been properly recorded.

The above "Notice to Applicant" was delivered to me on:

.....
 (Date)

 (Applicant's Signature)

AMENDATORY SECTION (Amending Order R 81-6, filed 12/9/81)

WAC 284-55-090 FORM FOR "REPLACEMENT NOTICE" BY DIRECT RESPONSE INSURER.

NOTICE TO APPLICANT REGARDING REPLACEMENT OF ACCIDENT AND SICKNESS INSURANCE

According to (your application) (information you have furnished) you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with the policy delivered herewith issued by (Company Name) Insurance Company. (~~Your new policy~~) Federal and state law provides thirty (30) days within which you may decide without cost whether you desire to keep the policy. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

- (1) Health conditions which you may presently have (preexisting conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.
- (2) You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.
- (3) (To be included only if the application is attached to the policy.) If, after due consideration, you still wish to terminate your present policy and replace it with new coverage, read the copy of the application attached to your new policy and be sure that all questions are answered fully and correctly. Omissions or misstatements in the application could cause an otherwise valid claim to be denied. Carefully check the application and write to (Company Name and Address) within thirty (30) days if any information is not correct and complete, or if any past medical history has been left out of the application.

.....
(Company Name)

NEW SECTION

WAC 284-55-095 PROHIBITED COMPENSATION FOR REPLACEMENT WITH THE SAME INSURER. No insurer shall provide compensation to its agents or other producers which is greater than the renewal compensation which would have been paid on an existing Medicare supplement insurance policy if an existing Medicare supplement insurance policy is replaced by another such policy where the new benefits are substantially similar to the benefits under the old Medicare supplement insurance policy and such old policy was issued by the same insurer or insurer group.

NEW SECTION

WAC 284-55-115 STANDARDS FOR LOSS RATIOS. (1) Medicare supplement insurance policies shall return to policyholders in the form of aggregated benefits under such policy, for the entire period for which rates are computed to provide coverage, loss ratios not less than those set forth in this section. Such aggregated benefits shall be on the basis of incurred claims experience and earned premiums for such period in accordance with accepted actuarial principles. The loss ratio standards of this section are more stringent and more appropriate than those imposed by RCW 48.66.100, and are necessary for the protection of the public interest. Where coverage is provided by a health maintenance organization on a service rather than reimbursement basis, such aggregated benefits shall be on the basis of incurred health care expenses and earned premiums for such period.

(2) All filings of rates and rating schedules shall demonstrate that actual and expected losses in relation to premiums comply with the requirements of this chapter.

(3) Every insurer providing Medicare supplement policies in this state shall annually file its rates, rating schedules, and supporting documentation including ratios of incurred losses to earned premiums by number of years of policy duration demonstrating that it is in compliance with the applicable loss ratio standards and that the period for which the policy is rated is reasonable in accordance with accepted actuarial principles and experience. Supporting documentation shall include the amounts of unearned premium reserve, additional policy reserves, and claim reserves and liabilities, both nationally and for this state.

(4) Incurred losses shall include claims paid and the change in claim reserves and liabilities. Incurred losses shall not include policy reserves, home office or field overhead, acquisition and selling costs, taxes or other expenses, contributions to surplus, profit, or claims processing costs.

(5) The following criteria will be used to determine whether policy forms are in compliance with the loss ratio standards of this section:

(a) For the most recent year, the ratio of the incurred losses to earned premiums is greater than or equal to the applicable percentages contained in this section; and

(b) The expected losses in relation to premiums over the entire period for which the policy is rated complies with the requirements of this section, relying on the

judgment of the pricing actuary and acceptable to the commissioner; and

(c) An expected third-year loss ratio, greater than or equal to the applicable percentage, shall be demonstrated for policies or certificates in force less than three years.

(d) Similar policy forms shall be grouped together according to the rules set forth in WAC 284-60-040.

(e) The commissioner may consider additional criteria including, but not limited to:

(i) Equitable treatment of policyholders; and

(ii) The amount of policy reserves as defined for the insurer's statutory annual statement.

(6) Medicare supplement insurance policies issued by disability insurers and fraternal benefit societies shall be expected to return to a policyholder in the form of aggregated loss ratios under the policy, at least sixty-five percent of the earned premiums in the case of individual policies, and seventy-five percent in the case of group policies.

(7) The minimum anticipated loss ratio requirement for health care service contractors shall be seventy percent for individual forms and eighty percent for group contract forms.

(8)(a) The minimum anticipated loss ratios for a health maintenance organization are deemed to be met if its health care expense costs are seventy percent or more of the earned premium charged individual subscribers, or eighty percent or more of the earned premium charged subscribers covered under a group contract.

(b) For purposes of this chapter, "health care expense costs" means expenses of a health maintenance organization associated with the delivery of health care services which are analogous to incurred losses of insurers. Such expenses shall not include home office and overhead costs, advertising costs, commissions and other acquisition costs, taxes, capital costs, administrative costs and "claims" processing costs.

(9) For purposes of this chapter, "premium" means all sums charged, received, or deposited as consideration for a Medicare supplement insurance policy or the continuance thereof. An assessment or a membership, contract, survey, inspection, service, or other similar fee or charge made by the insurer in consideration for such contract is deemed part of the premium.

(10) For purposes of this chapter, "earned premium" shall mean the "premium" applicable to an accounting period whether received before, during, or after such period.

NEW SECTION

WAC 284-55-120 ATTAINED AGE RATING PROHIBITED. Effective January 1, 1989, with respect to Medicare supplement insurance policies initially sold to residents of this state on or after that date, it is an unfair practice and an unfair method of competition for any insurer, and a prohibited practice for any health care service contractor or health maintenance organization, to use the increasing age of an insured, subscriber, or participant as the basis for increasing premiums or prepayment charges.

NEW SECTION

WAC 284-55-125 RIDERS AND ENDORSEMENTS. (1) In order to assure the orderly implementation and conversion of Medicare supplement insurance benefits due to changes in the federal Medicare program and to eliminate provisions which may duplicate Medicare:

(a) No later than January 1, 1990, all insurers must substitute new policies for all Medicare supplement insurance policies or contracts sold to residents of this state prior to January 1, 1990, where policies were amended by riders or endorsements to comply with changes to Medicare.

(b) Effective January 1, 1990, subject to RCW 48.66.050(2), and except for riders or endorsements issued in accordance with subsection (2) of this section, no rider, endorsement, waiver, or any other means of contractual modification may be used by an insurer to exclude, limit, or reduce the coverage or benefits of a Medicare supplement insurance policy issued to a resident of this state.

(2)(a) Effective January 1, 1990, only riders or endorsements which increase benefits or coverage may be used in this state.

(b) A Medicare supplement insurance policy amendment which increases the premium must be requested or accepted by the insured in writing.

(c) Where separate additional premium is charged for a Medicare supplement insurance policy rider, endorsement or other amendment thereto, such premium charge shall be set forth in the policy.

NEW SECTION

WAC 284-55-130 SUBSTITUTION OF POLICIES. Each Washington resident insured under a Medicare supplement insurance policy, whether individual or group, issued prior to January 1, 1990, and modified by a rider, endorsement or waiver, shall receive a substitution policy or certificate which meets all of the following requirements and which has been approved by the commissioner in accordance with the provisions of this chapter. Substitution certificates shall be provided to members of groups after the necessary changes have been made to the master contract.

(1) Each insured must be guaranteed a "roll-over" from an existing Medicare supplement insurance policy to a substitution policy, and except for benefits that duplicate Medicare, such substitution policy shall contain benefits that are at least as favorable to the insured as the benefits provided by the insured's prior policy.

(2) Premiums for the substitution policy must be determined on the same basis as the insured's policy immediately prior to the substitution.

(3) Where the insured has already satisfied any waiting or exclusionary period under a prior Medicare supplement insurance policy, the substitution policy may not require a new waiting period, a new preexisting condition limitation, or any other provision which would have the effect of limiting benefits.

(4) No insurer shall require an insured to purchase additional coverage or benefits in connection with the roll-over to a substitution policy.

NEW SECTION

WAC 284-55-150 FILING REQUIREMENTS AND PREMIUM ADJUSTMENTS. (1) For Medicare supplement insurance policy forms initially sold to residents of this state on or after January 1, 1989:

(a) Within ninety days of the effective date of this rule, every insurer required to file its Medicare supplement insurance policy forms with the commissioner shall file with the commissioner new Medicare supplement insurance policy forms which eliminate any duplication of Medicare supplement benefits with benefits provided by Medicare and which provide a clear description of the policy or contract benefit; and

(b) The filing required under this subsection shall provide for loss ratios which are at least as favorable to the insured as the minimum loss ratio standards established by WAC 284-55-115.

(2) Annually, beginning with changes to be effective January 1, 1990, as soon as practicable, but not less than sixty days prior to the annual effective date of the changes required by the Medicare Catastrophic Coverage Act of 1988, every insurer providing Medicare supplement insurance policies in this state shall file with the commissioner, in accordance with the applicable filing procedures of this state:

(a) Policy forms necessary to accomplish the Medicare supplement insurance modifications necessary to eliminate benefit duplications with Medicare, such forms providing a clear description of the Medicare supplement benefits provided by the policy or contract; and

(b) Appropriate premium adjustments necessary to produce complying loss ratios originally anticipated for the applicable policies or contracts and such supporting documents necessary in the opinion of the commissioner to justify the adjustments.

(3) Every insurer providing Medicare supplement insurance or benefits to a resident of this state shall make such premium adjustments as are necessary to produce an expected loss ratio under such policy or contract as will conform with the minimum loss ratio standards of WAC 284-55-115.

(4) No premium adjustment which would modify the loss ratio experience under the policy, other than the adjustments described in this section, may be made with respect to a policy at any time other than upon its renewal or anniversary date.

(5) Premium adjustments shall be in the form of refunds or premium credits and shall be made no later than upon renewal if a credit is given, or within sixty days of the renewal or anniversary date if a refund is provided to the premium payer.

(6) For purposes of rate making and requests for rate increases, all individual Medicare supplement policy forms of an insurer are considered "similar policy forms" including forms no longer being marketed.

NEW SECTION

WAC 284-55-155 FILING REQUIREMENTS FOR OUT-OF-STATE GROUP POLICIES. Every insurer providing group Medicare supplement insurance benefits to a resident of this state shall, within thirty days of its use in this state, file with the commissioner a copy of the master policy and any certificate used in this state.

NEW SECTION

WAC 284-55-160 ANNUAL ADJUSTMENT NOTICE TO CONFORM EXISTING MEDICARE SUPPLEMENT POLICIES TO MEDICARE CHANGES. No later than thirty days prior to the annual effective date of changes required by the Medicare Catastrophic Coverage Act of 1988, every insurer providing Medicare supplement insurance policies to a resident of this state shall notify its insureds of modifications it has made to Medicare supplement insurance policies in an annual adjustment notice. For the years 1989 and 1990, and in 1990 only if outpatient prescription drugs are covered by the policy or contract, such notice shall be substantially in the format prescribed by the commissioner at WAC 284-55-165 through 284-55-175. The annual adjustment notice is intended to be informational only and for the sole purpose of informing policy and certificate holders about changes in Medicare benefits, indexed deductible and copayment provisions, premium adjustments, and the like.

(1) Such notice shall include a description of revisions to the Medicare program and a description of each modification made to the coverage provided under the Medicare supplement insurance policy.

(2) Such notice shall inform each covered person as to when any premium adjustment due to changes in Medicare benefits will be made.

(3) Such annual adjustment notice of benefit modifications and any premium adjustment shall be furnished in outline form and in clear and simple terms so as to facilitate comprehension.

(4) Such notice shall not contain or be accompanied by any solicitation.

NEW SECTION

WAC 284-55-165 FORM OF ANNUAL ADJUSTMENT NOTICE—POLICY CHANGES EFFECTIVE JANUARY 1, 1989.

(COMPANY NAME)

NOTICE OF CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT INSURANCE -- 1989

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1989. Additional change will occur on medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by _____(company name)_____ will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT COVERAGE

Medicare Now Pays Per Benefit Period	Effective January 1, 1989 Medicare Will Pay Per Calendar Year	Your 1988 Coverage Per Benefit Period	Effective Jan. 1, 1989 Your Coverage Will Pay Per Calendar Year
--	--	--	--

MEDICARE PART A: SERVICES AND SUPPLIES

First 60 days - . . . Unlimited number of
 all but . . . hospital days after
 \$540 . . . \$564 deductible

61st to 90th
 day - all but
 \$135/day

91st to 150th
 day - all but
 \$270/day (if
 individual chooses
 to use 60 nonrenewable
 lifetime days)

Beyond 150th day
 -- nothing

(Chart continued - For Use in 1989)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT
COVERAGE

Medicare Now Pays Per Benefit Period	Effective January 1, 1989 Medicare Will Pay Per Calendar Year	Your 1988 Coverage Per Benefit Period	Effective Jan. 1, 1989 Your Coverage Will Pay Per Calendar Year
--	--	--	--

SKILLED NURSING FACILITY CARE

Requires a 3-day prior stay and enter the facility generally within 30 days after hospital discharge	There is no prior confinement requirement for this benefit
First 20 days - 100% of costs	First 8 days - All but \$(_22.00_) a day
21st through 100th day - all but \$67.50 a day	9th through 150th 100% of costs
Beyond 100 days - Nothing	Beyond 150 days - Nothing

MEDICARE PART B: SERVICES AND SUPPLIES

80% of allowable charges (after \$75.00 deductible)	In 1989 Medicare Part B pays the same as in 1989
---	--

NOTE: Medicare Benefits changes
on January 1, 1990 as follows:

80% of allowable charges (after
\$75.00 deductible) until an annual
Medicare Catastrophic Limit is
met. 100% of allowable charges
for the remainder of the calendar
year. The limit in 1990 is \$1370 *
and will be adjusted on an annual
basis.

* Expenses that count toward the Part B Medicare Catastrophic Limit include:
the Part B deductible and copayment charges and the Part B blood deductible
charges.

(Chart continued - For Use in 1989)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT
COVERAGE

Medicare Now Pays Per Benefit Period	Effective January 1, 1989 Medicare Will Pay Per Calendar Year	Your 1988 Coverage Per Benefit Period	Effective Jan. 1, 1989 Your Coverage Will Pay Per Calendar Year
--	--	--	--

PRESCRIPTION DRUGS

Inpatient prescription drugs only	In 1989 Medicare covers inpatient prescription drugs only
---	---

NOTE: Effective January 1, 1990,
per calendar year -- 80% of allowable
charges for home intravenous (IV)
therapy drugs and 50% of allowable
charges for immunosuppressive drugs
after calendar year deductible is
met (\$550 in 1990).

Effective January 1, 1991,
per calendar year -- Inpatient
prescription drugs: 50% of allowable
charges for all other outpatient
prescription drugs after a \$600
calendar year deductible is met.
(The deductible will change.)
Coverage will increase to 60% of
allowable charges in 1992 and to
80% of allowable charges from 1993
on.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium information will be sent.)

This chart summarizing the changes in your Medicare benefits and in your Medicare supplement insurance provided by ___(company)___, only briefly describes such benefits. For information on your Medicare benefits contact your Social Security office or the Health Care Financing Administration. For information on your Medicare supplement (policy) contact: _____(company name -- or name of agent) (address) (phone number).

NEW SECTION

WAC 284-55-170 FORM OF ANNUAL ADJUSTMENT NOTICE—POLICY CHANGES EFFECTIVE JANUARY 1, 1990.

(COMPANY NAME)

NOTICE OF CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT INSURANCE -- 1990

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1990. Additional change will occur on medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by _____(company name)_____ will change, also. The following outline briefly describes the modifications to Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT COVERAGE

Medicare Now Pays Per Calendar Year	Effective January 1, 1990 Medicare Will Pay Per Calendar Year	Your Coverage Now Pays Per Calendar Year	Effective Jan. 1, 1990 Your Coverage Will Pay Per Calendar Year
-------------------------------------	---	--	---

MEDICARE PART A: SERVICES AND SUPPLIES

Unlimited number of hospital days after [\$564] deductible

POSTHOSPITAL SKILLED NURSING CARE

There is no prior confinement requirement for this benefit

First 8 days - All but \$(____) a day

9th through 150th day -- 100% of costs

Beyond 150 days - Nothing

(Chart continued - For Use in 1990)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT
COVERAGE

<u>Medicare Now Pays Per Calendar Year</u>	<u>Effective January 1, 1990 Medicare Will Pay Per Calendar Year</u>	<u>Your Coverage Now Pays Per Calendar Year</u>	<u>Effective Jan. 1, 1990 Your Coverage Will Pay Per Calendar Year</u>
--	--	---	--

MEDICARE PART B: SERVICES AND SUPPLIES

80% of allowable charges (after \$75.00 deductible) until an annual Medicare Catastrophic Limit is met. 100% of allowable charges for the remainder of the calendar year. The limit in 1990 is \$(1370)* and will be adjusted on an annual basis.

PRESCRIPTION DRUGS

Inpatient prescription drugs. 80% of allowable charges for home intravenous (IV) therapy drugs and 50% of allowable charges for immunosuppressive drugs after calendar year deductible is met (\$550 in 1990).

* Expenses that count toward the Part B Medicare Catastrophic Limit include: the Part B deductible and copayment charges and the Part B blood deductible charges.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium information will be sent.)

This chart summarizing the changes in your Medicare benefits and in your Medicare supplement insurance provided by ___(company)___, only briefly describes such benefits. For information on your Medicare benefits contact your social security office or the health care financing administration. For information on your Medicare supplement (policy) contact: _____(company name -- or name of agent) (address) (phone number).

NEW SECTION

WAC 284-55-175 FORM OF ANNUAL ADJUSTMENT NOTICE—POLICY CHANGES EFFECTIVE JANUARY 1, 1991.

(COMPANY NAME)

NOTICE OF CHANGES IN MEDICARE AND YOUR MEDICARE SUPPLEMENT INSURANCE -- 1991

Your health care benefits provided by the federal Medicare program will change beginning January 1, 1991. Additional change will occur on medical benefits in following years. The major changes are summarized below. These changes will affect hospital, medical and other services and supplies provided under Medicare. Because of these changes your Medicare supplement coverage provided by _____(company name)_____ will change, also. The following outline briefly describes the modifications in Medicare and in your Medicare supplement coverage. Please read carefully!

(A brief description of the revisions to Medicare Parts A & B with a parallel description of supplemental benefits with subsequent changes, including dollar amounts, provided by the Medicare supplement coverage in substantially the following format.)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT COVERAGE

Medicare Now Pays Per Calendar Year	Effective January 1, 1991 Medicare Will Pay Per Calendar Year	Your Coverage Now Pays Per Calendar Year	Effective Jan. 1, 1991 Your Coverage Will Pay Per Calendar Year
-------------------------------------	---	--	---

MEDICARE PART A: SERVICES AND SUPPLIES

Unlimited number of hospital days after [\$ _____] deductible

POSTHOSPITAL SKILLED NURSING CARE

There is no prior confinement requirement for this benefit

First 8 days - All but \$(____) a day

9th through 150th day -- 100% of costs

Beyond 150 days - Nothing

(Chart continued - For Use in 1991)

MEDICARE BENEFITS

YOUR MEDICARE SUPPLEMENT
COVERAGE

Medicare Now Pays Per Calendar Year	Effective Jan. 1, 1991 Medicare Will Pay Per Calendar Year	Your Coverage Now Pays Per Calendar Year	Effective Jan. 1, 1991 Your Coverage Will Pay Per Calendar Year
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MEDICARE PART B: SERVICES AND SUPPLIES

80% of allowable charges
(after \$75.00 deductible)
until an annual Medicare
Catastrophic Limit is met.
100% of allowable charges
for the remainder of the
calendar year. The limit
in 1991 is \$_____ * and will
be adjusted on an annual
basis.

* Expenses that count toward the Part B Medicare Catastrophic Limit include: the Part B deductible and copayment charges and the Part B blood deductible charges.

PRESCRIPTION DRUGS

Inpatient prescrip-
tion drugs. 50% of
allowable charges
for all other out-
patient prescription
drugs, until \$600
year deductible
is met (\$550 in
1990).

Inpatient prescription
drugs 60% of allowable
charges for all other
outpatient prescription
drugs, until \$652
calendar year deductible
is met. Coverage will
increase to 80% of
allowable charges from
1993 on, and deductible
will be adjusted on an
annual basis.

(ANY ADDITIONAL BENEFITS)

(Describe any coverage provisions changing due to Medicare modifications.)

(Include information about premium adjustments that may be necessary due to changes in Medicare benefits or when premium information will be sent.)

This chart summarizing the changes in your Medicare benefits and in your Medicare supplement insurance provided by ___(company)___, only briefly describes such benefits. For information on your Medicare benefits contact your Social Security office or the Health Care Financing Administration. For information on your Medicare supplement (policy) contact: _____(company name -- or name of agent) (address) (phone number).

NEW SECTION

WAC 284-55-180 REQUIREMENTS FOR ADVERTISING. (1) At least thirty days prior to use in this state, every insurer who provides Medicare supplement insurance coverage to a resident of this state shall provide the commissioner with a copy of any advertisement, as defined at WAC 284-50-030, intended for use in this state, whether through written, radio, or television medium. In the case of radio or television advertising, an audio cassette or VHS video cassette shall be supplied on request of the commissioner.

(2) Advertisements shall comply with the Washington disability advertising regulation, RCW 48.30.040 through 48.30.090, and all other applicable state laws.

NEW SECTION

WAC 284-55-185 COMPLIANCE WITH OMNIBUS BUDGET RECONCILIATION ACT OF 1987. Every insurer to whom it applies shall certify to the commissioner on the Medicare supplement experience exhibit of its annual statement that it has complied with Section 4081 of the Omnibus Budget Reconciliation Act of 1987, P.L. 100-203, (1987).

NEW SECTION

WAC 284-55-190 CHAPTER NOT EXCLUSIVE. Nothing contained in this chapter shall be construed to limit the authority of the commissioner to regulate a Medicare supplement insurance policy under other sections of Title 48 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 284-55-100 RETURN OF CERTIFICATE FOR REFUND, UNFAIR PRACTICE.

WAC 284-55-110 LOSS RATIO REQUIREMENTS.

WSR 88-22-062
PROPOSED RULES
BOARD OF ACCOUNTANCY
 [Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Accountancy intends to adopt, amend, or repeal rules concerning the amending of WAC 4-25-040; adopting WAC 4-25-191; and repealing WAC 4-25-180;

that the agency will at 9:30 a.m., Friday, December 16, 1988, in the Tacoma City Council Chambers, 740 St. Helens, Tacoma, 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 18.04.055.

The specific statute these rules are intended to implement is RCW 18.04.065 (WAC 4-25-040) and RCW 18.04.215 (WAC 4-25-191).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 2, 1988.

Dated: November 2, 1988

By: Carey L. Rader
 Chief Executive Officer

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Accountancy.

Purpose: WAC 4-25-040, to encourage timely certificate and license renewal.

Statutory Authority: RCW 18.04.055 and 18.04.065.

Summary of the Rules: WAC 4-25-040, increase fees for late or incomplete certificate or license renewal applications.

Reasons Proposed: Existing fees are inconsistent in amount and do not specifically apply to all renewal applications. Existing fees are not effective in deterring tardy and incomplete renewal applications.

Purpose: WAC 4-25-191, to revise certificate and license renewal application requirements.

Statutory Authority: RCW 18.04.055 and 18.04.215.

Summary of the Rules: WAC 4-25-191, revises the application process for CPA certificate and public practice license renewal. This rule sets an exception procedure for renewing licenses and certificates when renewal applications are not complete or timely filed.

Reason Proposed: Existing WAC 4-25-180 lacks guidance for late or incomplete application processing.

Responsible Personnel: In addition to the members of the board, the following Board of Accountancy personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Carey L. Rader, Chief Executive Officer, 210 East Union, Suite H, Olympia, WA 98504, phone (206) 753-2585 or 234-2585 scan.

Proponents: The Washington State Board of Accountancy.

Agency Comments: None.

Small Business Economic Impact Statement: Not required and has not been filed since these rules do not impact small business as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order ACB-135, filed 9/21/87)

WAC 4-25-040 BOARD MEETINGS, OFFICERS, FEES. An annual meeting of the board shall be held each year, on a date following the annual meeting of the National Association of State Boards of Accountancy, and at least six other meetings shall be held each year, in the months of February, April, June, August, October, and December. Such regular board meetings will normally be on the last Friday of the month, with the exceptions of November and December meetings which shall normally be on the third Friday of the month. The chairman or a quorum of the board shall have the authority to call meetings of the board. The board shall follow and apply the rules of procedure, chapter 34.04 RCW, as regards to notice and conduct of meetings.

At the annual meeting the board shall elect from among its members the chairman, vice chairman, and secretary. The officers shall assume the duties of their respective offices at the conclusion of the annual meeting at which they were elected. They shall serve a term of one year, but shall be eligible for reelection for an additional term.

The chairman or, in the event of his absence or inability to act, the vice chairman shall preside at all meetings of the board. Other duties of the officers shall be such as the board may from time to time determine.

- (l) Fees. Fees charged by the board shall be as follows:
 - (a) CPA examination applications:
 - (i) One or two parts \$ 75
 - (ii) Three parts \$ 100
 - (iii) Five parts \$ 125
 - (b) Transfer of grade credits from other jurisdictions, pursuant to RCW 18.04.105(3) \$ 40
 - (c) Administration of examination for out-of-state applicants, per part \$ 10
 - (d) Application for certificate by reciprocity from other jurisdictions \$ 40
 - (e) Biennial license to practice public accounting, includes certificate renewal fee \$ 80
 - (f) Biennial certificate renewal \$ 10
 - (g) Biennial firm license:
 - (i) Sole proprietorships \$ 50
 - (ii) Partnerships \$ 100
 - (iii) P.S. corporations \$ 100
 - (h) Amendments to firm registration, each filing \$ 10
 - (i) ~~((Delinquency fee for certificate renewal applications \$ 25~~
 - ~~(j) Delinquency fee for firm license renewal applications \$ 20~~
 - ~~(k) Temporary practice license, per individual who is to practice within this state \$ 10~~
 - ~~((+))~~
 - ~~(j) Copies of records, per page \$ 0.10~~
 - ~~((+))~~
 - (k) Applications for reinstatement \$ 25
 - ~~((+))~~
 - (l) Replacement CPA certificates \$ 25

(m) Failure to file or complete an application to renew an individual certificate, individual license, or firm license by the due date of the application will result in a delinquency fee of twenty-five dollars per month (or any part thereof) from the due date of the application, not to exceed two hundred dollars total delinquency fee.

Note: The board may waive delinquency fees for good cause.

(2) Any applicant for a certificate or license who is aggrieved by an action taken by the board with respect to his application may request the board to reconsider such action. Any such request shall be filed within sixty days of the mailing of the board's letter, advising the following information:

- (a) The name and address of the applicant;
- (b) The date of the board's letter advising the applicant of the action of the board complained of; and
- (c) A statement of any facts or consideration to which the applicant believes the board failed to give due weight.

Each licensee shall notify the board in writing within thirty days of any change of address or, in the case of individual licensees, change of employment.

A licensee shall respond in writing to any communication from the board requesting a response, within twenty days of the mailing of such communications by registered or certified mail, to the last address furnished to the board by the licensee.

NEW SECTION

WAC 4-25-191 LICENSES TO PRACTICE—CERTIFICATES—INDIVIDUAL. (1) Application for initial license to practice public accounting and for renewal of license pursuant to RCW 18.04.215 shall be made on a form provided by the board. Application for renewal of licenses and/or certificates shall be filed no later than

March 31 of the year of expiration. Renewal of the license to practice public accounting is deemed to be renewal of the associated certificate.

(2) Application for renewal of license or certificate shall be accompanied by evidence satisfactory to the board that the applicant has complied with continuing professional education requirements pursuant to RCW 18.04.105(10).

(3) An application shall not be deemed to be completed until the applicable fees have been received and continuing education requirements have been met.

(4) Certificates and licenses expire on June 30 of every other year and have a duration of two years.

(5) Failure to file or complete an application for certificate or license renewal within the time required by board rule will result in delinquency fees as listed in WAC 4-25-040.

(6) In those instances where the applicant for certificate or license renewal fails to file a complete application by June 30 of the year of expiration, the board may enter into an agreement with the applicant to renew the license or certificate under the following condition: The applicant agrees to stipulate that his certificate and license will be suspended effective September 30 of the year of renewal unless the applicant files a complete application with the board prior to that date.

WSR 88-22-063

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning WAC 392-103-035;

that the agency will at 9:00 a.m., Friday, November 4, 1988, in the Wanamaker Conference Room, Old Capitol Building, Olympia, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 42.18.250.

This notice is connected to and continues the matter in Notice No. WSR 88-19-095 filed with the code reviser's office on September 20, 1988.

Dated: November 1, 1988

By: Frank B. Brouillet
Superintendent of Public Instruction

WSR 88-22-064

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 88-24—Filed November 2, 1988]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—General apportionment, chapter 392-121 WAC.

This action is taken pursuant to Notice No. WSR 88-19-077 filed with the code reviser on September 19, 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.41-.170 and 28A.41.055 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 1, 1988.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 88-8, filed 1/11/88)

WAC 392-121-260 DEFINITION—TOTAL ELIGIBLE CREDITS. As used in this chapter, "total eligible credits" means the ~~((total))~~ number of credits determined ~~((pursuant to this section.))~~ as follows:

~~((1))~~ ~~((Eligible academic credits by degree level are determined as follows:~~

~~((a)))~~ For an employee whose highest degree is a bachelor's degree, ~~((eligible academic credits equals the total of a))~~ sum academic and in-service credits as defined in WAC 392-121-255 and 392-121-257.

~~((b)))~~ ~~((2))~~ For an employee whose highest degree is a master's degree which was awarded or conferred on or before August 31, 1987, ~~((eligible academic credits equals))~~ sum academic and in-service credits as defined in WAC 392-121-255 and 392-121-257 earned after the awarding or conferring of the master's degree.

~~((c)))~~ ~~((3))~~ For an employee whose highest degree is a master's degree earned after August 31, 1987, ~~((eligible academic credits equals the))~~ sum ((of)) the following:

~~((i)))~~ ~~((a))~~ Academic credits as defined in WAC 392-121-255 earned after the awarding or conferring of the master's degree; ~~((plus~~

~~((ii))~~ ~~((Academic))~~ ~~((b))~~ In-service credits as defined in WAC 392-121-257 earned after the awarding or conferring of the master's degree; and

~~((c))~~ ~~((c))~~ In-service credits as defined in WAC ((392-121-255 in excess of forty-five credits)) 392-121-257 earned after August 31, 1987, and before August 31, 1988, or the awarding or conferring of the master's degree whichever is earlier.

~~((2))~~ ~~((2))~~ In-service credits as defined in WAC 392-121-257.

~~((3))~~ ~~((3))~~ The result obtained by adding the credits calculated under subsections (1) and (2) of this section is the total eligible credits for the purposes of this chapter.))

WSR 88-22-065
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Packages—Classification, amending WAC 314-20-030;

that the agency will at 9:30 a.m., Wednesday, December 7, 1988, in the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 1025 East

Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 66.08.030.

The specific statute these rules are intended to implement is RCW 66.08.050.

Dated: November 1, 1988

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-20-030 Packages—Classification.

Description of Purpose: To require that the contents of individual containers be stated on the outside packaging of any package containing individual containers of beer where the size of the individual containers is not otherwise apparent.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.08.050.

Summary of Rule: Would require that the size of the individual containers be stated on the outside packaging container when individual container labels are not visible to the consumer at the point of purchase. This change will eliminate potential consumer confusion over size of individual containers.

Reasons Supporting Proposed Action: Current board rules require the net contents on the beer labels or in the glass container. However, in some cases beer is sold in packages holding the individual beer containers where no container size is given or required. This leads to confusion on the part of the purchaser as to what amount of product they are receiving. The proposed amendment will eliminate the customer confusion and allow all customers knowledge of the size of the beer products they are purchasing.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule amendment: Janice Lee Britt, Supervisor, Manufacturers, Importers and Wholesalers Division, Capital Plaza Building, Olympia, Washington 98504, phone (206) 753-6273.

Person or Organization Proposing the Rule: The Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be a small cost impact for some breweries that do not carry this information on their half case or case size packaging. However, the public right to know what is in the product they are purchasing is considered to outweigh the minimal cost to the breweries to stamp the required information on their packaging.

AMENDATORY SECTION (Amending Order 201, Resolution No. 210, filed 11/4/86)

WAC 314-20-030 PACKAGES—CLASSIFICATION. (1) No manufacturer, wholesaler or importer shall sell beer for use in the state of Washington in any packages or containers differing in sizes and case quantities from the manufacturer's original packages.

(2) Net contents—Packaged beer. Net contents shall be stated in a clearly legible manner on the label in fluid ounces or as follows:

- (a) If less than 1 pint, in fluid ounces, or fractions of a pint;
- (b) If 1 pint, 1 quart, or 1 gallon, the net contents shall be so stated;
- (c) If more than 1 pint, but less than 1 quart, the net contents shall be stated in fractions of a quart, or in pints and fluid ounces;
- (d) If more than 1 quart, but less than 1 gallon, the net contents shall be stated in fractions of a gallon, or in quarts, pints, and fluid ounces;
- (e) If more than 1 gallon, the net contents shall be stated in gallons and fractions thereof;
- (f) The net contents need not be stated on any label if the net contents are displayed by having the same blown, branded, or burned in the container in letters or figures in such manner as to be plainly legible under ordinary circumstances and such statement is not obscured in any manner in whole or in part.

(3) Container size limitations—Barrels. Whole barrels (31 gallons), 1/2 barrels (15.5 gallons), 1/4 barrels (7.75 gallons), 1/6 barrels (5.16 gallons). Packaged beer—Maximum capacity for individual containers, 170 fluid ounces: PROVIDED, HOWEVER, That the board may, in its discretion, authorize the importation and sale for use in the state of Washington of beer in other container and/or barrel size packages which have been approved for marketing within the United States by the Bureau of Alcohol, Tobacco, and Firearms, United States Treasury Department.

(4) The net contents of individual containers shall be stated on the outside of any multicontainer package where the individual container label or bottle size is not visible to the consumer at the point of purchase.

(5) Gift packages. A beer importer or beer wholesaler may prepare and sell "gift packages" consisting of containers of beer differing in case quantities from the manufacturer's original case capacities provided the tax has been paid on the previously purchased beer in accordance with RCW 66.24.290 and provided written approval by the board has been obtained.

WSR 88-22-066
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed November 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:

Amd	WAC 356-05-450	Union shop.
Rep	WAC 356-05-455	Union shop fee.
New	WAC 356-05-456	Union shop nonassociation fee.
New	WAC 356-05-461	Union shop representation fee.
Amd	WAC 356-42-010	Membership in employee organization.
Amd	WAC 356-42-020	Determination of bargaining unit.
Amd	WAC 356-42-030	Determination of exclusive representative.
Amd	WAC 356-42-040	Decertification of exclusive representative.
Amd	WAC 356-42-043	Union shop requirements.
Amd	WAC 356-42-045	Union shop certification elections.
Amd	WAC 356-42-047	Union shop decertification.
Amd	WAC 356-42-050	Contents of written agreements.
Amd	WAC 356-42-055	Arbitration—Grievance—Procedure.
Rep	WAC 356-42-105	Requests for arbitration;

that the agency will at 10:00 a.m., Thursday, December 8, 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 December 6, 1988.

Dated: November 1, 1988
 By: Leonard Nord
 Secretary

STATEMENT OF PURPOSE

Amending WAC 356-05-450 and new WAC 356-05-456 and 356-05-461.

Titles: Union shop; union shop nonassociation fee; and union shop representation fee.

Purpose: The rules above identify requirements involved when membership in an employee organization is a condition of employment.

Summary and Reasons: These rule proposals intend to clarify state and federal court decisions and will in effect replace the above rules with general terminology changes and requirement definitions.

Amending WAC 356-42-010.

Title: Membership in employee organization.

Purpose: Defines requirements of state employees to be participants in employee organizations.

Summary and Reasons: The proposed rule amendment will clarify requirements for the union to have a procedure for determining the representation fee and changes the terminology.

Amending WAC 356-42-020.

Title: Determination of bargaining unit.

Purpose: Establishes a process for creation/modification of bargaining units.

Summary and Reasons: Provides a process for the director to update bargaining unit descriptions.

Amending WAC 356-42-030.

Title: Determination of exclusive representative.

Purpose: Establishes a process by which an exclusive representative of a bargaining unit is determined.

Summary and Reasons: Requires the appointing authority to provide names and addresses of bargaining unit employees to the certified exclusive representative of the unit.

Amending WAC 356-42-040.

Title: Decertification of exclusive representative.

Purpose: The rule provides a process for decertifying an employee organization as the exclusive representative of a previous bargaining unit.

Summary and Reasons: Clarifies that another decertification election will not be conducted until 12 months after the director has certified the results of a previous decertification election.

Amending WAC 356-42-043.

Title: Union shop requirements.

Purpose: Identifies requirements involved when membership in an employee organization is a condition of employment.

Summary and Reasons: This rule proposal clarifies that membership is satisfied through payment of a representation fee; and for the union to have a procedure

for determining the representation fee. Also changes terminology to clarify state and federal court decisions.

Amending WAC 356-42-045.

Title: Union shop elections.

Purpose: This rule provides guidelines on union shop elections.

Summary and Reasons: These proposed rule changes are housekeeping terminology changes to clarify state and federal court decisions.

Amending WAC 356-42-047.

Title: Union shop decertification elections.

Purpose: This rule provides guidelines in which union shop decertification elections will be determined.

Summary and Reasons: This proposed rule amendment is a general housekeeping terminology change to clarify state and federal court decisions.

Amending WAC 356-42-050.

Title: Contents of written agreements.

Purpose: Identifies provisions which are to be included in collective bargaining agreements.

Summary and Reasons: This proposed change will clarify procedure for determining the representation fee and general housekeeping terminology changes to clarify state and federal court decisions.

Amending WAC 356-42-055.

Title: Arbitration.

Purpose: Establishes procedure for grievance arbitration.

Summary and Reasons: Moves provision from WAC 356-42-105 which precludes arbitration request for same charges/issues pending before the Personnel Appeals Board.

Statutory Authority: RCW 41.06.150 (11) and (12).

Responsibility for Drafting: Marilyn Glenn, Department of Personnel, 521 South Capitol Way, FE-11, Olympia, WA 98504, phone (206) 753-5699; 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: Clarified.

AMENDATORY SECTION (Amending Order 209, filed 8/10/84)

WAC 356-05-450 UNION SHOP. A form of union security that requires that all employees within a bargaining unit (~~become members of the certified bargaining representative~~) pay monthly or other periodic dues to an employee organization or pay a representation fee or a nonassociation fee within ((30)) thirty calendar days of the union shop election or ((30)) thirty calendar days from an employee's date of hire, whichever is later.

NEW SECTION

WAC 356-05-456 UNION SHOP NONASSOCIATION FEE. A fee which an employee who is granted nonassociation as provided in WAC 356-42-043(3) must pay to a union shop exclusive bargaining representative as an alternative to becoming a member of such employee organization and paying regular dues. This fee is equivalent to the regular monthly dues of the employee organization less any included monthly premiums for union-sponsored insurance programs.

NEW SECTION

WAC 356-05-461 UNION SHOP REPRESENTATION FEE. A fee in lieu of regular dues which an employee may pay to a union shop 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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 356-05-455 UNION SHOP FEE.

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

WAC 356-42-010 MEMBERSHIP IN EMPLOYEE ORGANIZATION. (1) State employees shall have the right to affiliate with, be represented by and participate in, the management of employee organizations. State employees shall have the right to be represented by such organizations in collective negotiations with appointing authorities. No persons or parties shall directly or indirectly interfere with, restrain, coerce or discriminate against any state employee or group of state employees in the free exercise of these rights. However, the right not to affiliate with employee organizations shall be modified by the certification of a union shop representative according to WAC 356-42-043.

(2) Any employee organization or person desiring to represent state employees before the state personnel board or in collective negotiations with an appointing authority must first file a notice of intent to represent state employees with the director of personnel. Such notice of intent to represent state employees must set forth the name of the person or employee organization, and if the latter, 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 a copy of a constitution, by-laws, or any other documents defining powers and authorizing representation of the parties filing the notice of intent.

(3) An employee organization which is, or desires to be, an exclusive bargaining 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 307, filed 8/26/88)

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) 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.

(8) The director or designee may update bargaining unit descriptions to reflect any change in class title(s) resulting from action by the board. In such cases, the director shall notify the affected exclusive bargaining representative and the agency or department of the change thirty days prior to the intended action. Within thirty days of receipt of that updated description, either party may request the board to review whether the director's action represents a change which would affect the composition of the bargaining unit.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-42-030 DETERMINATION OF BARGAINING UNIT—OF EXCLUSIVE REPRESENTATIVE. (1) The director shall certify an employee organization as exclusive representative of the employees of a bargaining unit when such organization shows proof that it represents a majority of such employees at the close of the last preceding payroll period and such proof is not contested by the appointing authority, the director, or any other interested party. Prior to certification, the director shall give ten calendar days' notice that an employee representative has petitioned to be named the exclusive representative of a bargaining unit. Such notice shall inform all other interested parties that an election may be requested as herein provided and that the proof of representation may be contested. In the event that proof of representation is not satisfactory to the director, he may require an election to be held.

(2) The director shall conduct a secret vote for selection of an exclusive representative of the employees of a bargaining unit upon request from an employee organization showing satisfactory proof of at least 30 percent representation within the unit at the close of the last preceding payroll period. Upon granting a request for an election, the director shall give notice thereof and allow ten calendar days for other employee organizations desiring their names placed on the ballot to show satisfactory proof of at least ten percent representation within the unit at the close of the last preceding payroll period.

(3) The director, after consultation with interested employee organizations and the appointing authority, shall promulgate rules for the conduct of the election and shall distribute sample ballots. The ballot shall contain the name of the requesting employee organization and the name of any other employee organization showing satisfactory proof of at least ten percent representation within the unit and shall provide a choice for any employee within the unit to designate that he does not desire any representation. Where more than one organization is on the ballot and none of the choices receives a majority of all votes cast in such election, a run-off election shall be held. The run-off ballot shall contain the two choices which received the largest and the second largest number of votes.

(4) An employee organization receiving a majority of all votes cast in such an election, or run-off election, shall be certified by the director of personnel as the exclusive representative of the employees of the bargaining unit. If no employee organization receives a majority of votes cast, the director will issue notification to that effect.

(5) When an employee organization has been certified as the exclusive representative of the employees of a bargaining unit, the employee organization shall be entitled to act for and to negotiate collective bargaining agreements covering all employees in the bargaining unit. The certified employee organization shall be responsible for representing the interests of all such employees. Individual grievances or group

grievances of employees may, however, be presented by them to management and may be adjusted by management so long as the adjustment is not inconsistent with the collective bargaining agreement and the exclusive representative has had an opportunity to review such adjustments. Noncertified employee representatives may also present their views to the appointing authority.

(6) Upon request by the certified exclusive representative, the appointing authority shall provide that organization with the names and addresses of all employees in the bargaining unit.

AMENDATORY SECTION (Amending Order 49, filed 8/17/72)

WAC 356-42-040 DECERTIFICATION OF EXCLUSIVE REPRESENTATIVE. (1) Upon petition to the director by no less than ~~((30))~~ thirty percent of the employees of a bargaining unit, decertification or a new certification shall be determined by an election as prescribed in WAC 356-42-030; provided however, that no petition shall be honored where:

(a) ~~Less than ((12))~~ twelve months have elapsed since the ~~((last))~~ director last certified either the exclusive representative or the results of an exclusive representation certification ~~((or))~~ election; or

(b) A valid collective bargaining agreement exists for the unit, except for that period of no more than ~~((90))~~ ninety calendar days nor less than ~~((60))~~ sixty calendar days prior to the expiration of the contract. This ~~((30-day))~~ thirty-day open period shall apply to the initial, extended and automatically renewed contract periods.

(2) The election shall be conducted at the close of the contract term, or at an appropriate time, if no contract exists for the unit.

AMENDATORY SECTION (Amending Order 307, filed 8/26/88)

WAC 356-42-043 UNION SHOP REQUIREMENTS. (1) Once ~~((an employee organization has been certified to a bargaining unit as union shop))~~ 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 exclusive 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))~~ pay to the employee organization the regular dues of the organization, or pay a representation fee or a nonassociation fee within ~~((30))~~ thirty calendar days following their start of employment or ~~((30))~~ thirty calendar days after an employee organization wins certification as union shop representative, whichever is later. The ~~((30))~~ thirty 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) Upon certification as a union shop representative, the employee organization shall notify all employees within the bargaining unit of the existence of the union shop requirement and the conditions of employment which arise under that requirement.

(3) 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.

(4) 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))~~ a church or religious body ~~((holding such tenets or teachings.))~~ of which they are members may satisfy the union shop requirement by paying to the union shop representative a ~~((union shop))~~ nonassociation 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))~~ (5) Employees who wish to exercise the right of nonassociation from an employee organization, as provided in ~~((WAC 356-42-043(2)))~~ subsection (3) of this section, 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))~~ (6) Once an employee has qualified to pay the ~~((union shop))~~ nonassociation 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) Employees who qualify for nonassociation shall not be members of the employee organization, but are entitled to the same representation rights as members of the employee organization.~~

~~(8) 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 356-05-461.~~

~~(9) Failure of an employee to become a member of the employee organization which is the union shop representative or make payment of the union shop representation fee or the nonassociation fee within ~~((30))~~ thirty calendar days following the employee's start of employment or within ~~((30))~~ thirty 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.~~

~~((10)) (10) Employees on leave of absence without pay for an entire calendar month shall not be required to pay dues or union shop representation or nonassociation 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 representation or nonassociation fee.~~

~~((11)) (11) 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.~~

~~((12)) (12) 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))~~ fifteen calendar days' notice of his or her dismissal for failure to join the union or pay ~~((union shop))~~ representation or nonassociation fees. The dismissal action shall be rescinded if an employee complies with the union shop requirements within those ~~((15))~~ fifteen calendar days, ~~((the dismissal action shall be rescinded))~~ or presents evidence that the union shop representative has not complied with WAC 356-42-010(3) or the representation fee or nonassociation fee requirements of this section.~~

~~((13)) (13) 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 307, filed 8/26/88)

WAC 356-42-045 UNION SHOP ELECTIONS. (1) 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 receipt of a valid petition from the certified exclusive bargaining representative, 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.))~~ If the employee organization does not already have the opinion of counsel required by WAC 356-42-010(3) on file with the director, the petition shall not be considered complete until such an opinion is provided.

(3) The election will be conducted under the general procedures outlined in WAC 356-42-042.

(4) 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.

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

~~((6)) (6) 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.~~

~~((7)) (7) 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.~~

~~((8)) (8) 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.~~

~~((9)) (9) No union shop election petition will be honored within twelve months following the director's certification of the results of a prior union shop certification election or a prior union shop decertification election.~~

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

WAC 356-42-047 UNION SHOP DECERTIFICATION. ~~(1) ((No union shop decertification election petition shall be honored within twelve months following a prior union shop election or union shop decertification election.~~

~~((2)) (2) Upon petition of ~~((30))~~ thirty percent or more of the employees included in a bargaining unit, a union shop decertification election will be conducted by the director or his designee to determine whether the employee organization which is the union shop representative will remain certified as union shop representative for a bargaining unit.~~

~~(2) The election will be conducted under the general procedures outlined in WAC 356-42-042.~~

~~(3) If a majority of the employees included in the bargaining unit vote to decertify the employee organization as union shop representative, the director will issue a notice of decertification. Once an employee organization has been decertified from a bargaining unit as union shop representative, all of its union shop rights cease in that unit.~~

~~(4) An employee organization is automatically decertified as union shop representative if it is decertified as exclusive bargaining representative in accordance with WAC 356-42-040 Decertification of exclusive bargaining representative.~~

~~(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 union shop representative for the purpose of union shop decertification 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 union shop representative 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.~~

~~(6) No union shop decertification election petition shall be honored within twelve months following the director's certification of the results of a prior union shop election or union shop decertification election.~~

AMENDATORY SECTION (Amending Order 210, filed 10/17/84)

WAC 356-42-050 CONTENTS OF WRITTEN AGREEMENTS. (1) Written agreements may contain provisions covering all personnel matters over which the appointing authority of the appropriate bargaining unit of such agency may lawfully exercise discretion.

(2) Written agreements shall include a grievance procedure for processing individual and group grievances within the bargaining unit and shall provide for mediation by the director of personnel or his designee. Requests for mediation must be submitted in writing to the director of personnel no later than thirty calendar days from the date of the agency's written response at the final internal step of the procedure. Grievance procedures shall also provide for arbitration by the board in accordance with WAC 356-42-055.

(3) Written agreements may contain provisions for payroll deduction of employee organization dues upon authorization by the employee member. Any employee may cancel his payroll deduction of employee organization dues by filing a written notice with the appointing authority and the employee organization thirty calendar days prior to the effective date of such cancellation. Where union shop ((~~union security~~)) provisions exist, payroll deduction rights shall also extend to those employees who((:)) because of religious tenets((:)) pay a ((~~union shop~~)) nonassociation fee, or employees who pay a representation fee.

(4) The initial term of written agreements shall not exceed three years. Automatic renewal or extension provisions may extend the period of the contract for a period not to exceed one year at a time.

(5) Written agreements shall be filed with the director. Provisions of such agreements shall not prevail if in conflict with the merit system rule, the state civil service law or other applicable law.

AMENDATORY SECTION (Amending Order 307, filed 8/26/88)

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 the agency's last written response 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 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 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 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. 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.

(9) A request for grievance arbitration 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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 356-42-105 REQUESTS FOR ARBITRATION.

WSR 88-22-067

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning taxation of forest land and timber, amending sections to chapter 458-40 WAC;

that the agency will at 10:00 a.m., Wednesday, December 7, 1988, in the 3rd Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 30, 1988.

The authority under which these rules are proposed is RCW 84.33.091.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1988.

Dated: November 1, 1988

By: John B. Conklin
Assistant Director
Forest Tax Division

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Tables for determination of stumpage values, amending WAC 458-40-660 and 458-40-670.

Purpose: To establish the values for reporting and payment of the timber excise tax levied by chapter 84.33 RCW.

Statutory Authority: Chapter 84.33 RCW, which directs the Department of Revenue to prepare tables of

stumpage values before June 30 and December 31 of each year to be used for the six month periods thereafter.

Summary and Reasons for the Rule: The tables establish the value of stumpage for each species or sub-classification of timber within designated areas having similar growing, harvesting and marketing conditions. These values are to be used for computing the timber excise tax due quarterly by timber harvesters upon timber harvested for sale or for commercial or industrial use during the period January 1, 1989, through June 30, 1989.

Drafters of the Rule: Gordon S. Gienty, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 586-2903 and Robert L. Smith, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-1385; Rule Implementation and Enforcement: John B. Conklin, 6004 South Capitol Boulevard, Tumwater, WA 98501, (206) 753-2871.

Proposer of the Rule: Department of Revenue, General Administration Building, Olympia, WA 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action requested by the courts.

AMENDATORY SECTION (Amending Order FT-88-2, filed 6/30/88)

WAC 458-40-660 **TIMBER EXCISE TAX—STUMPAGE VALUE TABLES.** The following stumpage value tables are hereby adopted for use in reporting the taxable value of stumpage harvested during the period ((July)) January 1 through ((December 31, 1988)) June 30, 1989:

((TABLE 1—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality		Hauling Distance Zone Number					
		Code	Number	1	2	3	4	5	
Douglas-fir	DF	1	\$313	\$306	\$299	\$292	\$285		
		2	289	282	275	268	261		
		3	219	212	205	198	191		
		4	217	210	203	196	189		
		5	158	151	144	137	130		
		6	142	135	128	121	114		
Western Redcedar ²	RC	1	480	473	466	459	452		
		2	430	423	416	409	402		
		3	244	237	230	223	216		
		4	172	165	158	151	144		
Sitka Spruce	SS	1	532	525	518	511	504		
		2	317	310	303	296	289		
		3	251	244	237	230	223		
		4	226	219	212	205	198		
		5	159	152	145	138	131		
		6	91	84	77	70	63		
Western Hemlock ³	WH	1	320	313	306	299	292		
		2	199	192	185	178	171		
		3	170	163	156	149	142		
		4	136	129	122	115	108		
		5	116	109	102	95	88		
		6	102	95	88	81	74		
Other Conifer	OC	1	320	313	306	299	292		
		2	199	192	185	178	171		
		3	170	163	156	149	142		
		4	136	129	122	115	108		

TABLE 1—cont:
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality		Hauling Distance Zone Number					
		Code	Number	1	2	3	4	5	
Red Alder	RA	1	52	45	38	31	24		
		5	116	109	102	95	88		
Black Cottonwood	BC	1	47	40	33	26	19		
		6	102	95	88	81	74		
Other Hardwood	OH	1	36	29	22	15	8		
Hardwood Utility	HU	5	12	12	12	12	12	12	
Conifer Utility	CU	5	9	9	9	9	9	9	

¹Log scale conversions—Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Alaska-cedar.
³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as ¹White Fir.²

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
July 1 through December 31, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number					
		Code	Number	1	2	3	4	5	
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$388	\$381	\$374	\$367	\$360		
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	140	133	126	119	112		
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76		
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25		
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50		

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number					
		Code	Number	1	2	3	4	5	
Douglas-fir	DF	1	\$371	\$364	\$357	\$350	\$343		
		2	268	261	254	247	240		
		3	266	259	252	245	238		
		4	172	165	158	151	144		
		5	131	124	117	110	103		
		6	119	112	105	98	91		

TABLE 3—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar ²	RC	1	427	420	413	406	399
		2	388	381	374	367	360
		3	256	249	242	235	228
		4	173	166	159	152	145
Sitka Spruce	SS	1	505	498	491	484	477
		2	195	188	181	174	167
		3	180	173	166	159	152
		4	167	160	153	146	139
		5	154	147	140	133	126
		6	104	97	90	83	76
Western Hemlock ³	WH	1	292	285	278	271	264
		2	199	192	185	178	171
		3	183	176	169	162	155
		4	179	172	165	158	151
		5	114	107	100	93	86
		6	102	95	88	81	74
Other Conifer	OC	1	292	285	278	271	264
		2	199	192	185	178	171
		3	183	176	169	162	155
		4	179	172	165	158	151
		5	114	107	100	93	86
		6	102	95	88	81	74
Red Alder	RA	1	72	65	58	51	44
Black Cottonwood	BC	1	47	40	33	26	19
Other Hardwood	OH	1	36	29	22	15	8
Hardwood Utility	HU	5	12	12	12	12	12
Conifer Utility	CU	5	9	9	9	9	9

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Alaska cedar.
³Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
July 1 through December 31, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards	RCS	1	\$388	\$381	\$374	\$367	\$360
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	140	133	126	119	112
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$352	\$345	\$338	\$331	\$324
		2	289	282	275	268	261
		3	261	254	247	240	233
		4	173	166	159	152	145
		5	158	151	144	137	130
		6	143	136	129	122	115
Western Redcedar ³	RC	1	391	384	377	370	363
		2	372	365	358	351	344
		3	251	244	237	230	223
		4	187	180	173	166	159
Western Hemlock ⁴	WH	1	377	370	363	356	349
		2	278	271	264	257	250
		3	211	204	197	190	183
		4	148	141	134	127	120
		5	110	103	96	89	82
		6	95	88	81	74	67
Other Conifer	OC	1	377	370	363	356	349
		2	278	271	264	257	250
		3	211	204	197	190	183
		4	148	141	134	127	120
		5	110	103	96	89	82
		6	95	88	81	74	67
Red Alder	RA	1	52	45	38	31	24
Black Cottonwood	BC	1	47	40	33	26	19
Other Hardwood	OH	1	36	29	22	15	8
Hardwood Utility	HU	5	12	12	12	12	12
Conifer Utility	CU	5	9	9	9	9	9

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
July 1 through December 31, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$388	\$381	\$374	\$367	\$360
Western Redcedar Flatsawn & Shingle Blocks	RCF	1	140	133	126	119	112
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76

TABLE 6—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Douglas-fir Christmas Trees ³	DFX	1		0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1		0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$418	\$411	\$404	\$397	\$390
		2	278	271	264	257	250
		3	259	252	245	238	231
		4	211	204	197	190	183
		5	166	159	152	145	138
		6	150	143	136	129	122
Western Redcedar ³	RC	1	344	337	330	323	316
		2	233	226	219	212	205
		3	231	224	217	210	203
		4	187	180	173	166	159
Western Hemlock ⁴	WH	1	368	361	354	347	340
		2	216	209	202	195	188
		3	159	152	145	138	131
		4	155	148	141	134	127
		5	130	123	116	109	102
		6	95	88	81	74	67
Other Conifer	OC	1	368	361	354	347	340
		2	216	209	202	195	188
		3	159	152	145	138	131
		4	155	148	141	134	127
		5	130	123	116	109	102
		6	95	88	81	74	67
Red Alder	RA	1	66	59	52	45	38
Black Cottonwood	BC	1	47	40	33	26	19
Other Hardwood	OH	1	36	29	22	15	8
Hardwood Utility	HU	5	12	12	12	12	12
Conifer Utility	CU	5	9	9	9	9	9

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
July 1 through December 31, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality		Hauling Distance Zone Number				
		Code	Number	1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1		\$388	\$381	\$374	\$367	\$360
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1		140	133	126	119	112
Western Redcedar & Other Posts ²	RCP	1		0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1		0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1		0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1988

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$410	\$403	\$396	\$389	\$382
		2	306	299	292	285	278
		3	240	233	226	219	212
		4	200	193	186	179	172
		5	136	129	122	115	108
		6	123	116	109	102	95
Western Redcedar ³	RC	1	390	383	376	369	362
		2	177	170	163	156	149
		3	175	168	161	154	147
		4	167	160	153	146	139
Western Hemlock ⁴	WH	1	397	390	383	376	369
		2	239	232	225	218	211
		3	193	186	179	172	165
		4	145	138	131	124	117
		5	133	126	119	112	105
		6	75	68	61	54	47
Other Conifer	OC	1	397	390	383	376	369
		2	239	232	225	218	211
		3	193	186	179	172	165
		4	145	138	131	124	117
		5	133	126	119	112	105
		6	75	68	61	54	47
Red Alder	RA	1	76	69	62	55	48
Black Cottonwood	BC	1	47	40	33	26	19
Other Hardwood	OH	1	36	29	22	15	8
Hardwood Utility	HU	5	12	12	12	12	12

TABLE 9—cont:
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5
Conifer Utility	CU	5	9	9	9	9

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
July 1 through December 31, 1988

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5

Western Redcedar Shake Blocks & Boards	RCS	1	\$388	\$381	\$374	\$367	\$360
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Western Redcedar Flatsawn & Shingle Blocks	RCF	1	140	133	126	119	112
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Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5

Douglas-fir ²	DF	1	\$126	\$120	\$114	\$108	\$102
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Engelmann Spruce	ES	1	92	86	80	74	68
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Lodgepole Pine	LP	1	85	79	73	67	61
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Ponderosa Pine	PP	1	229	223	217	211	205
		2	151	145	139	133	127

Western Redcedar ³	RC	1	139	133	127	121	115
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True Firs ⁴	WH	1	112	106	100	94	88
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Western White Pine	WP	1	217	211	205	199	193
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Hardwoods	OH	1	23	17	11	5	1
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TABLE 11—cont:
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5
Utility	CU	5	15	15	15	15

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
Stumpage Value Area 6
July 1 through December 31, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5

Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
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Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
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Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
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Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
July 1 through December 31, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Hauling Distance Zone Number				
		1	2	3	4	5

Douglas-fir ²	DF	1	\$92	\$86	\$80	\$74	\$68
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Engelmann Spruce	ES	1	80	74	68	62	56
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Lodgepole Pine	LP	1	71	65	59	53	47
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Ponderosa Pine	PP	1	136	130	124	118	112
		2	106	100	94	88	82

Western Redcedar ³	RC	1	130	124	118	112	106
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True Firs ⁴	WH	1	83	77	71	65	59
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Western White Pine	WP	1	170	164	158	152	146
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Hardwoods	OH	1	23	17	11	5	1
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Utility	CU	5	5	5	5	5	5
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¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
 Stumpage Value Area 7
 July 1 through December 31, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
 Stumpage Value Area 10
 July 1 through December 31, 1988

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$221	\$215	\$209	\$203	\$197
		2	151	145	139	133	127
		3	138	132	126	120	114
Engelmann Spruce	ES	1	107	101	95	89	83
		2	99	93	87	81	75
		3	97	91	85	79	73
Lodgepole Pine	LP	1	117	111	105	99	93
		2	107	101	95	89	83
		3	97	91	85	79	73
Ponderosa Pine	PP	1	270	264	258	252	246
		2	260	254	248	242	236
		3	250	244	238	232	226
Western Redcedar ³	RC	1	200	194	188	182	176
		2	135	129	123	117	111
		3	121	115	109	103	97
True Firs ⁴	WH	1	207	201	195	189	183
		2	174	168	162	156	150
		3	106	100	94	88	82
Western White Pine	WP	1	270	264	258	252	246
		2	174	168	162	156	150
		3	93	87	81	75	69
Hardwoods	OH	1	23	17	11	5	1

TABLE 15—cont.
 Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Quality	Hauling Distance Zone Number				
			1	2	3	4	5
Utility	CU	5	2	2	2	2	2

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
²Includes Western Larch.
³Includes Alaska cedar.
⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
 Stumpage Value Area 10
 July 1 through December 31, 1988

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Quality	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48	\$42	\$36	\$30
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
²Stumpage value per 8 lineal feet or portion thereof.
³Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.
⁴Stumpage value per lineal foot.

TABLE 1—Stumpage Value Table
 Stumpage Value Area 1
 January 1 through June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Quality	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$341	\$334	\$327	\$320	\$313
		2	294	287	280	273	266
		3	269	262	255	248	241
		4	246	239	232	225	218
		5	193	186	179	172	165
		6	145	138	131	124	117
Western Redcedar ²	RC	1	446	439	432	425	418
		2	431	424	417	410	403
		3	283	276	269	262	255
		4	204	197	190	183	176
Sitka Spruce	SS	1	496	489	482	475	468
		2	448	441	434	427	420
		3	245	238	231	224	217
		4	213	206	199	192	185
		5	168	161	154	147	140
		6	119	112	105	98	91

TABLE 1—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock ³	WH	1	335	328	321	314	307
		2	240	233	226	219	212
		3	213	206	199	192	185
		4	194	187	180	173	166
		5	153	146	139	132	125
		6	67	60	53	46	39
Other Conifer	OC	1	335	328	321	314	307
		2	240	233	226	219	212
		3	213	206	199	192	185
		4	194	187	180	173	166
		5	153	146	139	132	125
		6	67	60	53	46	39
Red Alder	RA	1	74	67	60	53	46
Black Cottonwood	BC	1	31	24	17	10	3
Other Hardwood	OH	1	31	24	17	10	3
Hardwood Utility	HU	5	16	16	16	16	16
Conifer Utility	CU	5	6	6	6	6	6

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska-cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 2—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, 1989

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$342	\$335	\$328	\$321	\$314
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	153	146	139	132	125
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir	DF	1	\$397	\$390	\$383	\$376	\$369
		2	380	373	366	359	352
		3	317	310	303	296	289
		4	255	248	241	234	227
		5	193	186	179	172	165
		6	145	138	131	124	117
Western Redcedar ²	RC	1	395	388	381	374	367
		2	393	386	379	372	365
		3	309	302	295	288	281
		4	167	160	153	146	139
Sitka Spruce	SS	1	482	475	468	461	454
		2	169	162	155	148	141
		3	163	156	149	142	135
		4	129	122	115	108	101
		5	116	109	102	95	88
		6	104	97	90	83	76
Western Hemlock ³	WH	1	297	290	283	276	269
		2	240	233	226	219	212
		3	220	213	206	199	192
		4	175	168	161	154	147
		5	131	124	117	110	103
		6	57	50	43	36	29
Other Conifer	OC	1	297	290	283	276	269
		2	240	233	226	219	212
		3	220	213	206	199	192
		4	175	168	161	154	147
		5	131	124	117	110	103
		6	57	50	43	36	29
Red Alder	RA	1	68	61	54	47	40
Black Cottonwood	BC	1	31	24	17	10	3
Other Hardwood	OH	1	31	24	17	10	3
Hardwood Utility	HU	5	16	16	16	16	16
Conifer Utility	CU	5	6	6	6	6	6

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Alaska-cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 4—Stumpage Value Table
Stumpage Value Area 2
January 1 through June 30, 1989

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$342	\$335	\$328	\$321	\$314
Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	153	146	139	132	125

TABLE 4—cont.
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar & Other Posts ¹	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ²	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 5—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$420	\$413	\$406	\$399	\$392
		2	343	336	329	322	315
		3	324	317	310	303	296
		4	293	286	279	272	265
		5	167	160	153	146	139
		6	161	154	147	140	133
Western Redcedar ³	RC	1	396	389	382	375	368
		2	336	329	322	315	308
		3	230	223	216	209	202
		4	210	203	196	189	182
Western Hemlock ⁴	WH	1	380	373	366	359	352
		2	276	269	262	255	248
		3	190	183	176	169	162
		4	154	147	140	133	126
		5	103	96	89	82	75
		6	88	81	74	67	60
Other Conifer	OC	1	380	373	366	359	352
		2	276	269	262	255	248
		3	190	183	176	169	162
		4	154	147	140	133	126
		5	103	96	89	82	75
		6	88	81	74	67	60
Red Alder	RA	1	58	51	44	37	30
Black Cottonwood	BC	1	31	24	17	10	3
Other Hardwood	OH	1	31	24	17	10	3
Hardwood Utility	HU	5	16	16	16	16	16
Conifer Utility	CU	5	6	6	6	6	6

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.
² Includes Western Larch.
³ Includes Alaska-cedar.
⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 6—Stumpage Value Table
Stumpage Value Area 3
January 1 through June 30, 1989

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Redcedar-Shake Blocks & Boards ¹	RCS	1	\$342	\$335	\$328	\$321	\$314
Western Redcedar Flatsawn & Shingle Blocks ²	RCF	1	153	146	139	132	125
Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.
² Stumpage value per 8 lineal feet or portion thereof.
³ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-fir ²	DF	1	\$396	\$389	\$382	\$375	\$368
		2	292	285	278	271	264
		3	287	280	273	266	259
		4	209	202	195	188	181
		5	167	160	153	146	139
		6	161	154	147	140	133
Western Redcedar ³	RC	1	470	463	456	449	442
		2	292	285	278	271	264
		3	262	255	248	241	234
		4	203	196	189	182	175
Western Hemlock ⁴	WH	1	396	389	382	375	368
		2	278	271	264	257	250
		3	217	210	203	196	189
		4	183	176	169	162	155
		5	167	160	153	146	139
		6	123	116	109	102	95
Other Conifer	OC	1	396	389	382	375	368
		2	278	271	264	257	250
		3	217	210	203	196	189
		4	183	176	169	162	155
		5	167	160	153	146	139
		6	123	116	109	102	95
Red Alder	RA	1	67	60	53	46	39
Black Cottonwood	BC	1	31	24	17	10	3
Other Hardwood	OH	1	31	24	17	10	3
Hardwood Utility	HU	5	16	16	16	16	16

TABLE 7—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Conifer Utility	CU	5	6	6

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 8—Stumpage Value Table
Stumpage Value Area 4
January 1 through June 30, 1989

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$342	\$335

Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	153	146	139	132	125
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Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 9—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Douglas-fir ²	DF	1	\$469	\$462
		2	317	310	303	296	289
		3	278	271	264	257	250
		4	177	170	163	156	149
		5	166	159	152	145	138
		6	161	154	147	140	133
Western Redcedar ³	RC	1	402	395	388	381	374
		2	273	266	259	252	245
		3	245	238	231	224	217
		4	187	180	173	166	159

TABLE 9—cont.
Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Hemlock ⁴	WH	1	434	427
		2	238	231	224	217	210
		3	222	215	208	201	194
		4	181	174	167	160	153
		5	107	100	93	86	79
		6	73	66	59	52	45
Other Conifer	OC	1	434	427	420	413	406
		2	238	231	224	217	210
		3	222	215	208	201	194
		4	181	174	167	160	153
		5	107	100	93	86	79
		6	73	66	59	52	45
Red Alder	RA	1	70	63	56	49	42
Black Cottonwood	BC	1	31	24	17	10	3
Other Hardwood	OH	1	31	24	17	10	3
Hardwood Utility	HU	5	16	16	16	16	16
Conifer Utility	CU	5	6	6	6	6	6

¹Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

²Includes Western Larch.

³Includes Alaska-cedar.

⁴Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 10—Stumpage Value Table
Stumpage Value Area 5
January 1 through June 30, 1989

WESTERN WASHINGTON SPECIAL FOREST PRODUCTS
Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Shake Blocks & Boards ¹	RCS	1	\$342	\$335

Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	153	146	139	132	125
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Western Redcedar & Other Posts ²	RCP	1	0.76	0.76	0.76	0.76	0.76
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Douglas-fir Christmas Trees ³	DFX	1	0.25	0.25	0.25	0.25	0.25
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True Fir & Other Christmas Trees ³	TFX	1	0.50	0.50	0.50	0.50	0.50
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¹Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

²Stumpage value per 8 lineal feet or portion thereof.

³Stumpage value per lineal foot.

TABLE 11—Stumpage Value Table
Stumpage Value Area 6
 January 1 through June 30, 1989

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Douglas-fir ²	DF	1	\$158	\$152
Engelmann Spruce	ES	1	104	98	92	86	80
Lodgepole Pine	LP	1	76	70	64	58	52
Ponderosa Pine	PP	1	240	234	228	222	216
		2	164	158	152	146	140
Western Redcedar ³	RC	1	139	133	127	121	115
True Firs ⁴	WH	1	118	112	106	100	94
Western White Pine	WP	1	197	191	185	179	173
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	18	18	18	18	18

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 12—Stumpage Value Table
Stumpage Value Area 6
 January 1 through June 30, 1989

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 13—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1989

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Douglas-fir ²	DF	1	\$107	\$101
Engelmann Spruce	ES	1	86	80	74	68	62
Lodgepole Pine	LP	1	81	75	69	63	57
Ponderosa Pine	PP	1	166	160	154	148	142
		2	127	121	115	109	103
Western Redcedar ³	RC	1	153	147	141	135	129
True Firs ⁴	WH	1	92	86	80	74	68
Western White Pine	WP	1	181	175	169	163	157
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	10	10	10	10	10

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 14—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, 1989

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

TABLE 15—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1989

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Douglas-fir ²	DF	1	\$230	\$224
		2	186	180	174	168	162
		3	138	132	126	120	114
Engelmann Spruce	ES	1	118	112	106	100	94
		2	110	104	98	92	86
		3	108	102	96	90	84
Lodgepole Pine	LP	1	125	119	113	107	101
		2	115	109	103	97	91
		3	105	99	93	87	81
Ponderosa Pine	PP	1	256	250	244	238	232
		2	246	240	234	228	222
		3	150	144	138	132	126
Western Redcedar ³	RC	1	149	143	137	131	125
		2	136	130	124	118	112
		3	126	120	114	108	102
True Firs ⁴	WH	1	277	271	265	259	253
		2	221	215	209	203	197
		3	157	151	145	139	133
Western White Pine	WP	1	359	353	347	341	335
		2	240	234	228	222	216
		3	121	115	109	103	97
Hardwoods	OH	1	23	17	11	5	1
Utility	CU	5	7	7	7	7	7

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC 458-40-684 and 458-40-686.

² Includes Western Larch.

³ Includes Alaska-cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as "White Fir."

TABLE 16—Stumpage Value Table
Stumpage Value Area 10
January 1 through June 30, 1989

EASTERN WASHINGTON SPECIAL FOREST PRODUCTS

Stumpage Values per Product Unit

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
			Western Redcedar Flatsawn & Shingle Blocks ¹	RCF	1	\$54	\$48
Lodgepole Pine & Other Posts ²	LPP	1	0.25	0.25	0.25	0.25	0.25
Pine Christmas Trees ³	PX	1	0.25	0.25	0.25	0.25	0.25
Douglas-fir & Other Christmas Trees ⁴	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Stumpage value per MBF net Scribner Scale. See conversion methods WAC 458-40-684 and 458-40-686.

² Stumpage value per 8 lineal feet or portion thereof.

³ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁴ Stumpage value per lineal foot.

AMENDATORY SECTION (Amending Order FT-88-2, filed 6/30/88)

WAC 458-40-670 TIMBER EXCISE TAX—STUMPAGE VALUE ADJUSTMENTS. Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against the stumpage values as set forth in WAC 458-40-660 for the designated stumpage value areas with the following limitations:

(1) No harvest adjustment shall be allowed against conifer utility, hardwood utility, or any of the special forest products.

(2) Stumpage value rates for conifer and hardwoods shall be adjusted to a value no lower than one dollar per MBF.

(3) Timber harvesters planning to remove timber from areas having damaged timber may apply to the department for adjustment in stumpage values. Such applications should contain a map with the legal descriptions of the area, a description of the damage sustained by the timber, and a list of estimated costs to be incurred. Such applications shall be sent to the department before the harvest commences. Upon receipt of such application, the department will determine the amount of adjustment allowed, and notify the harvester. Such amount may be taken as a credit against tax liabilities or, if harvest is terminated, a refund may be authorized. In the event the extent of such timber damage or additional costs are not known at the time the application is filed, the harvester may supplement the application not later than ninety days following completion of the harvest unit.

The following harvest adjustment tables are hereby adopted for use during the period of ((July)) January 1 through ((December 31, 1988)) June 30, 1989:

TABLE 1—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, and 5
((July)) January 1 through
((December 31, 1988)) June 30, 1989

WESTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 40 thousand board feet per acre.	\$0.00
Class 2	Harvest of 20 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of 10 thousand board feet to but not including 20 thousand board feet per acre.	-\$7.00
Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	-\$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	((-\$11.00)) -\$15.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	((-\$23.00)) -\$31.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	((-\$81.00)) -\$78.00
III. Remote island adjustment:		
	For timber harvested from a remote island	-\$50.00
IV. Thinning (see WAC 458-40-610 (20))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00

TABLE 1—cont.

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 2	Average log volume of less than 50 board feet.	- \$35.00

TABLE 2—Harvest Adjustment Table
Stumpage Value Areas 6, 7, and 10
(~~July~~) January 1 through
(~~December 31, 1988~~) June 30, 1989

EASTERN WASHINGTON MERCHANTABLE SAWTIMBER

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
II. Logging conditions		
Class 1	Favorable logging conditions and easy road construction. No significant rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	\$0.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	- \$13.00
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	- \$26.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	(-\$81.00) - \$78.00
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

TABLE 3—DOMESTIC MARKET ADJUSTMENT

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska yellow cedar. (Stat. Ref. - 36 CFR 223.10)

State Timber Sales: Western red cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

The adjustment amounts shall be as follows:

Class 1:	All eligible species in Western Washington (SVA's 1 through 5)	(-\$46.00) - \$34.00 per MBF
Class 2:	All eligible species in Eastern Washington (SVA's 6, 7, and 10)	(-\$13.00) - \$19.00 per MBF

Note: The adjustment will not be allowed on conifer utility, hardwood utility or special forest products.

WSR 88-22-068
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices, WAC 314-44-005;

that the agency will at 9:30 a.m., Tuesday, December 6, 1988, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504-2531, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 66.08.030.

The specific statute these rules are intended to implement is RCW 66.16.010.

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

Dated: November 1, 1988

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-44-005 Agent's license required—Eligible employers defined—Certain classes limited—Bona fide entity defined—Prohibited practices.

Description of Purpose: To make it permissible for representatives of liquor products to visit state liquor stores or agencies for the purpose of delivering point of purchase display material. The rule also establishes a prohibition on exerting influence on employees for sales promotion and authorizes penalties in cases where this may occur.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.16.010 and 66.08.020.

Summary of Rule: WAC 314-44-005(6) presently prohibits representatives of liquor suppliers from visiting state liquor stores or agencies except for the purpose of making a retail purchase.

Reasons Supporting Proposed Action: The existing rule was intended to prevent interference with store operation by liquor representatives for the purpose of promoting sales of their particular brands. Since the board now permits point of purchase advertising and display material, it is felt to be in the best interest of both the board and the suppliers that they be permitted to deliver and set up this point of purchase material as long as there is not influence exerted on store employees for sales promotion. In establishing penalties for any such violations, the board believes that influencing employees will not be a problem. The board has surveyed other control states and has found that in those states which permit liquor representatives to visit state stores, there

has been a minimum of problems and the system has worked well.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Robert H. Harvey, Purchasing Agent, Purchasing Division, Capital Plaza Building, Olympia, Washington 98504, phone (206) 753-6255 and Dick Foltz, Supervisor, Stores and Agencies Division, 4401 East Marginal Way South, Seattle, WA 98134, (206) 464-6860.

Person or Organization Proposing Rule: The Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be no negative cost impact on the regulated industry as a result of this rule change.

AMENDATORY SECTION (Amending Order 93, Resolution No. 102, filed 1/27/82)

WAC 314-44-005 AGENT'S LICENSE REQUIRED—ELIGIBLE EMPLOYERS DEFINED—CERTAIN CLASSES LIMITED—BONA FIDE ENTITY DEFINED—PROHIBITED PRACTICES. (1) No person shall canvass for, solicit, receive or take orders for the purchase or sale of any liquor, or act as the agent for the purchase or sale of liquor, nor contact any licensees of the board in good-will activities, unless such person is holder of an agent's license as provided in RCW 66.24.310, and this regulation.

(2) An agent's license may be issued to the accredited representative of a person, firm, or corporation holding a certificate of approval issued pursuant to RCW 66.24.270 or 66.24.206, a beer wholesaler's license, a brewer's license, a beer importer's license, a domestic winery license, a wine importer's license, or a wine wholesaler's license within the state of Washington, or the accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor, or foreign produced beer or wine. A person, firm, or corporation so qualified, is herein defined to be an eligible employer. Such employer shall apply to the board for such an agent's license for his accredited representatives on application forms prescribed and furnished by the board.

(3) Every firm which applies for an agent's license under the provisions of this section shall furnish the board with satisfactory proof that such firm is in fact a bona fide business entity.

(4) Only the licensed agent of a distiller, manufacturer, importer, or distributor of spirituous liquor may contact retail licensees in goodwill activities when such contacts pertain to spirituous liquor products.

(5) No distiller, manufacturer, importer, wholesaler or distributor of liquor, or agent thereof, shall solicit either in person, by mail or otherwise, any liquor vendor or employee of the board, except the purchasing agent thereof, for the purpose or with the intent of furthering the sale of a particular brand or brands of merchandise as against another brand or brands of merchandise.

(6) No distiller, manufacturer, importer, wholesaler or distributor of liquor, or agent thereof, shall visit any state liquor store or agency ~~((except for the purpose of making a purchase in the usual manner, as any other customer, and such person shall not enter any warehouse, store or agency of the board))~~ for the purpose of exerting influence on employees for sales promotion or to secure information regarding inventory or any other matter relating to sales. They may deliver, or have delivered, and assemble where required, consumer offers and display material that have been approved by the board or its designee. Violation of this section will result in a penalty against all company items, which in appropriate cases could mean a partial or total delisting of those items.

(7) No distiller, manufacturer, importer, wholesaler, or distributor of liquor, or agent thereof, shall give or offer to any employee of the board any entertainment, gratuity or other consideration for the purpose of inducing or promoting the sale of merchandise.

(8) No distiller, manufacturer, importer, wholesaler, or distributor, or agent thereof, shall allow, pay or rebate, directly or indirectly, any cash or merchandise to any retail licensee to induce or promote the sale of liquor, including the payment of tips to such licensees or their

employees and the purchasing of drinks "for the house." Such persons, firms and licensees must operate in conformity with WAC 314-12-140, RCW 66.28.010, 66.28.040, and other applicable laws and rules.

(9) Upon the infraction of any law or regulation by any distiller, manufacturer, importer, wholesaler, distributor, or agent, the board may, in addition to imposing other penalties as prescribed by law, remove such firm's products from the sales list of the board, and/or prohibit the sale of any brand or brands of beer or wine involved as provided in RCW 66.28.030.

(10) Upon the termination of the employment of a licensed agent, his employer shall immediately notify the board and with such notice return to the board the agent's license issued to such person.

WSR 88-22-069

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning rules governing the licensing of pest control companies, chapter 16-228 WAC;

that the agency will at 7:00 p.m., Thursday, December 8, 1988, in the Office Building 2 Conference Room, Twelfth and Franklin, 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 December 22, 1988.

The authority under which these rules are proposed is chapters 17.21 and 15.58 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 8, 1988.

Dated: November 2, 1988

By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-228 WAC.

Description of Purpose: Restrictions on the use of pesticides to protect public health, beneficial insects and prevent damage to nontargeted crops.

Statutory Authority: Chapters 17.21 and 15.58 RCW.

Summary of Rules: These rules include amendments that tighten up some aspects of state pesticide licensing of companies which perform pest control work in buildings and structures by requiring special additional testing of all people who are licensed as the head of the business, and new licensees would be required to have two years experience as an employee of a licensed business or its equivalent.

Reasons for Supporting Proposed Action: This is an industry proposal.

Agency Personnel Responsible for Drafting, Implementing and Enforcing These Rules: Glenn E. Smerdon, Ag Chemical Branch Supervisor, Chemical and Plant Division, 406 General Administration Building, AX-41, Olympia, WA 98504, phone (206) 753-5064.

Persons Proposing Rules: Commercial pesticide applicator industry.

Agency Comments: None.

Rules Necessary to Comply with Federal Law: No.
Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Order 1981, filed 7/1/88)

WAC 16-228-215 APPLICATION FEE AND FAA CERTIFICATE. (1) An applicant shall complete the application form for a pesticide license and pay the required license application fee prior to being given pesticide examinations, unless prior arrangements have been made.

(2) Applicants for an aerial applicators license shall supply a current copy of their FAA operating certificate to the director prior to issuance of their license.

(3) New applicants for a commercial pesticide applicator license in the pest control operator general categories or pest control operator structural categories shall supply evidence of a minimum two year's experience in this category of work, prior to issuance of a license.

AMENDATORY SECTION (Amending Order 1981, filed 7/1/88)

WAC 16-228-220 EXAMINATION REQUIREMENTS. (1) ~~((An examination fee of five dollars shall be paid prior to administration of any pesticide license examination at other than a regularly scheduled examination session. Candidates for public pesticide operator/public pest control consultant or private pesticide applicator are exempt from payment of the five-dollar fee.~~

(2)) A candidate for a commercial pesticide applicator license in the pest control operator general category or pest control operator structural category shall be assessed a one hundred dollar examination fee. The fee shall be paid each time the examination is taken.

(2) An examination fee of five dollars shall be paid prior to administration of any pesticide license examination at other than a regularly scheduled examination session. Candidates for public pesticide operator/public pest control consultant, private pesticide applicator, and commercial pesticide applicator in the pest control operator general categories or pest control operator structural categories are exempt from payment of the five-dollar fee.

(3) Any individual who fails any pesticide licensing examination twice shall be required to wait at least fourteen days before retaking that examination a third time. Subsequent testing shall be at the director's discretion.

NEW SECTION

WAC 16-228-222 PEST CONTROL OPERATOR APPLICATOR EXAMINATION. (1) No person shall be granted a commercial pesticide applicator license in the pest control operator general categories or pest control operator structural categories for 1990 or subsequent years, unless that person passes appropriate written applicator examinations administered after January 1, 1988. Out-of-state firms licensed through reciprocal agreements with other states may be exempted from this requirement.

(2) Nothing in this section shall waive any requirements for pesticide licensees to become recertified through training or reexamination.

WSR 88-22-070
PROPOSED RULES
INSURANCE COMMISSIONER
[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Insurance Commissioner intends to adopt, amend, or repeal rules establishing a prelicense education requirement that must be satisfied by insurance agent's or solicitor's license applicants prior to their admission to the life, disability, property, or casualty insurance agent's license examination; and establishing procedures and standards for approval of prelicense education providers, including prescribing the curriculum for each of the subjects of

insurance statutes and regulations, life insurance, disability insurance, casualty insurance and property insurance;

that the agency will at 9:00 a.m., Wednesday, December 7, 1988, in the First Floor Auditorium, 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 December 16, 1988.

The authority under which these rules are proposed is RCW 48.02.060 and 48.17.150 (1)(d).

The specific statute these rules are intended to implement is RCW 48.17.070 and 48.17.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 7, 1988. Mailing address: Insurance Building, Mailstop AQ-21, Olympia, Washington 98504-0321.

Dated: November 2, 1988

By: Roger Polzin
Deputy Commissioner

STATEMENT OF PURPOSE

Title: Adding WAC 284-17-505 and 284-17-510 through 284-17-520 as permanent rules to establish a prelicense education requirement for persons applying for resident insurance agent's or solicitor's licenses in the state of Washington; adding WAC 284-17-530 through 284-17-565 as permanent rules to establish standards for prelicense education, and procedures for prelicense education provider approval; adding WAC 284-17-570 as a rule to establish procedures during the interim between adoption of the above rules and their implementation at the earliest reasonable date; and adding WAC 284-17-175 as a permanent rule establishing a disclosure requirement for persons accepting insurance education referral fees or rebates.

The statutory authority for the proposed rules is RCW 48.02.060, expressly conferring upon the commissioner the power to make reasonable rules and regulations for effectuating any provision of the insurance code; and RCW 48.17.150 (1)(d) concerning minimum educational requirements for the issuance of an agent's license. The proposed rules implement RCW 48.17.110, requiring most candidates for agent's or solicitor's, licenses to pass an examination; and RCW 48.17.070, prohibiting the insurance commissioner from issuing a license to any person who is incompetent or untrustworthy.

Proposed WAC 284-17-505 defines terms specific to the prelicense education requirement; WAC 284-17-510 or alternate 284-17-510 prescribes the number of hours of prelicense education which a license applicant must complete to be eligible to take the agent's license examination in the lines of life, disability, property, or casualty insurance. The alternate section is proposed in response to industry concern that the prescribed line curriculum cannot be covered within the originally proposed hour requirement; WAC 284-17-515 specifies the procedure and terms under which a person already educated in insurance may petition the commissioner for a waiver of

the prelicense education requirement. The section also provides an opportunity to petition to self-study the prescribed curricula, upon a showing that approved prelicense education is not reasonably available to the petitioner; WAC 284-17-520 notifies all persons subject to the education requirement of the procedures for verifying their compliance with the prelicense education requirement at the examination site (with the independent testing organization), and after successful conclusion of each respective examination, upon application for a license (with the Office of Insurance Commissioner); WAC 284-17-530 establishes the basic criteria for a person or organization to qualify to provide approved prelicense education. The providers' personnel must be verifiable qualified, as defined by WAC 284-17-535 and 284-17-537, by virtue of past teaching and insurance sales experience, and cannot have participated in any activity which had the intent or effect of compromising the integrity of an occupational license examination. The proposed rules also advise providers of application procedures and approval maintenance responsibilities, including responsibilities attendant to issuing certificates of completion in the manner prescribed by WAC 284-17-539; WAC 284-17-540 and 284-17-545 differentiate between the two types of providers, based on the commissioner's extensive statutory authority over insurer providers. Insurer providers have direct financial interest in the competence and success of new agents, and are subject to the regulatory authority of the Office of Insurance Commissioner through the insurer's certificate of authority; independent providers are neither directly interested in the student-agent's competence, nor currently subject to the authority of any regulatory agency, nor otherwise answerable for the quality of the courses they offer; WAC 284-17-550 establishes course standards and WAC 284-17-551 through 284-17-555 specify the core curricula on which instruction must be based; WAC 284-17-560 and 284-17-565 notify potential providers of the standards against which their programs will be assessed, and of the commissioner's intention to monitor providers' continued compliance with those standards; and WAC 284-17-175 establishes a disclosure requirement which applies to any person accepting a referral fee/rebate; the section number is outside the numerical sequences for both prelicense education and continuing education in order to avoid the implication of nonapplicability to either one. The rule is intended to apply universally to insurance education providers.

These rules apply directly to an applicant for an agent's or solicitor's license, who is required to pass the corresponding license examination(s) as a demonstration of competency. The proposed rules also apply directly to prelicense education providers, establishing minimum standards for the content and instruction method of insurance education courses and establishing minimum qualifications for the providers' personnel. The authority to establish such standards is inherent in the commissioner's statutory duty to safeguard the public interest in

the integrity of insurance, and implicit in the commissioner's statutory authority to establish minimum educational requirements for the issuance of an agent's or solicitor's license.

Roger Polzin, Deputy Commissioner, (206) 753-2403, was directly responsible for the drafting of the proposed new sections with the help of JoAnn Clarke, Insurance Education Manager, (206) 586-9152 and Dolores Mitchell, Contract Specialist, (206) 586-1001. The proposed amendments will be implemented and enforced by the administrative division of the Office of Insurance Commissioner, under the direct supervision of Roger Polzin, to whom all written inquiries and comments may be directed until December 6, 1988, at: Insurance Building, Mailstop, AQ-21, Olympia, Washington 98504.

The rules are proposed by Dick Marquardt, the insurance commissioner, a state public official.

The proposed rules are not necessary as the result of federal law or of state or federal court action.

Small Business Economic Impact Statement: These proposed rules will have a minimal impact on insurance companies and independent insurance education providers, none of whom are required to develop and provide prelicense education for individuals wishing to apply for resident insurance agent's or solicitor's licenses.

The insurance education requirement is authorized by statute for the purpose of protecting the insurance-buying public from harm attributable to incompetent insurance sales personnel. To provide for comparability of education, those entities choosing to provide prelicense education, will be required to meet minimum standards regarding course content, instruction methods, and personnel qualifications.

Costs potentially associated with this regulation include: Describing the provider's proposed prelicense insurance education program and submitting a request for approval to the Office of Insurance Commissioner: The cost is estimated to be between \$100 and \$300 per provider application, costs are not expected to vary significantly as a function of the number of employees of the business entity; assigning a qualified instructor to conduct all classroom sessions: The costs will vary in relation to the compensation paid to the instructor, and the number of students in each class, these variables would be equally controllable by large and small businesses. Total costs incurred would be a function of the number of classes conducted, as that number corresponds to the amount of tuition or revenues received; and obtaining program directors and instructors who are licensed insurance agents or brokers: There are approximately 20,600 Washington resident agents and brokers who already satisfy this requirement; the current cost of taking the examination and applying to become a licensed agent in Washington is estimated to be \$78. Since this is an individual qualification license, the costs are typically paid by the licensee rather than by the associated business, regardless of the number of persons employed by the business.

There is no basis for treating small businesses differently from large businesses. The fixed costs of describing the proposed provider's prelicense education program are

relatively modest, and are necessary to assure a credible program of insurance education. The impact of other costs will vary from one provider to another in proportion to the level of compensation and number of instructors hired by each prelicense education provider.

NEW SECTION

WAC 284-17-175 EDUCATION REFERRALS. It shall be unlawful for any person to accept any rebate, refund, fee, commission, or discount in connection with referrals of students to an insurance education prelicense or continuing education provider, without making full disclosure to each student so referred.

NEW SECTION

WAC 284-17-505 DEFINITIONS. As used in WAC 284-17-505 through 284-17-565, the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Approved prelicense education provider" or "provider" means any insurer, professional association, community college, or independent contractor to which the commissioner has granted authority to conduct and certify completion of an approved course.

(2) "Approved course" means a series of seminars, classes, or lectures meeting the requirements of WAC 284-17-550; covering the prescribed curricula of WAC 284-17-551 and any of WAC 284-17-552 through 284-17-555. A course is approved only for offering by an approved provider, while supervised by an approved program director, and taught by an approved instructor, according to the applicable section of either WAC 284-17-540 or 284-17-545.

(3) "Student" means an individual taking the prelicense education course that is required as a prerequisite to admission to the life, disability, property, or casualty resident insurance agent's license examination.

(4) "Curriculum" or "curricula" means the topics of study prescribed for prelicense education by the commissioner at WAC 284-17-551 through 284-17-555, concerning the life, disability, property, and casualty lines of insurance, and including the Washington insurance statutes and regulations curriculum.

(5) "Independent testing service" means the entity with which the commissioner has contracted to develop, administer, and score license examinations.

(6) "Insurer" means an insurance company, health care service contractor, or health maintenance organization authorized to conduct business in Washington under RCW 48.05.030, 48.44.015, or 48.46.027, respectively.

NEW SECTION

WAC 284-17-510 PRELICENSE EDUCATION REQUIREMENT. (1) Unless exempted under WAC 284-17-515, an applicant for a resident's license as a life, disability, property, or casualty insurance agent or solicitor must complete the following education requirements as a prerequisite to admission to the examination:

Complete a total of twenty hours of instruction for each line of insurance. Four of these twenty hours must relate to Washington's general statutes and regulations governing the sale of insurance. Sixteen of these twenty hours must relate to the specific line of:

(a) Life insurance, if the applicant is seeking to be licensed as a life insurance agent or solicitor; or

(b) Disability insurance, if the applicant is seeking to be licensed as a disability insurance agent or solicitor; or

(c) Casualty insurance, if the applicant is seeking to be licensed as a casualty insurance agent or solicitor; or

(d) Property insurance, if the applicant is seeking to be licensed as a property insurance agent or solicitor.

(2) An applicant planning to undergo examination for more than one major line need not repeat the four hours' instruction on general statutes and regulations.

(3) The prescribed curriculum for a particular line, including statutes and regulations, must be completed within the twelve-month period immediately preceding the examination.

NEW SECTION

WAC 284-17-510 PRELICENSE EDUCATION REQUIREMENT. (1) Unless exempted under WAC 284-17-515, an applicant

for a resident's license as a life, disability, property, or casualty insurance agent or solicitor must complete the following education requirements as a prerequisite to admission to the examination:

Complete a total of thirty hours of instruction for each line of insurance. Six of these thirty hours must relate to Washington's general statutes and regulations governing the sale of insurance. Twenty-four of these thirty hours must relate to the specific line of:

(a) Life insurance, if the applicant is seeking to be licensed as a life insurance agent or solicitor; or

(b) Disability insurance, if the applicant is seeking to be licensed as a disability insurance agent or solicitor; or

(c) Casualty insurance, if the applicant is seeking to be licensed as a casualty insurance agent or solicitor; or

(d) Property insurance, if the applicant is seeking to be licensed as a property insurance agent or solicitor.

(2) An applicant planning to undergo examination for more than one major line need not repeat the six hours' instruction on general statutes and regulations.

(3) The prescribed curriculum for a particular line, including statutes and regulations, must be completed within the twelve-month period immediately preceding the examination.

NEW SECTION

WAC 284-17-515 WAIVER OF THE PRELICENSE EDUCATION REQUIREMENT. (1) A written waiver, based on documentation of equivalent education, may be granted in lieu of the certificate of completion for the purpose of complying with the prelicense education requirement, provided that:

(a) The insurance education was completed within the twelve months immediately preceding the petition for waiver; and

(b) The petitioner demonstrates that the materials and/or classes required to complete such insurance education meet or exceed the requirements of WAC 284-17-551, and the applicable section(s) of WAC 284-17-552 through 284-17-555.

(2) A waiver is valid for twelve months from the date signed by the commissioner. A waiver of the prelicense education requirement is not a waiver of any other requirement prescribed by the commissioner for insurance license examination eligibility.

(3) Any person who believes that a prelicense education course is unavailable to her or him may file a written petition with the commissioner for permission to undertake self-study.

(a) The petition shall specify in detail the reasons why a prelicense education course for the identified line of insurance is unavailable, and shall identify with particularity the materials to be used to study the prescribed curricula and demonstrate that the materials cover the curricula prescribed for Washington insurance statutes and regulations and for that line.

(b) The commissioner retains the discretion to determine whether the petitioner has presented sufficient cause to justify a grant of permission to self-study the prelicense curriculum.

(c) If the commissioner grants permission to self-study, upon completion of study, the petitioner shall present to the commissioner a certified statement in which the self-study materials that have been utilized are identified, and in which the amount of time spent in study is clearly recorded by dates and clock times as covering at least the prelicense education hour requirement.

(4) Any person with documented insurance education that meets or exceeds the required prelicense education may file a written petition with the commissioner for a waiver of the requirement.

(a) The petition shall specify in detail the reasons why alternate education meets or exceeds the prescribed prelicense education.

(b) An equivalent education in insurance may be demonstrated by a course syllabus and the student's transcript from an accredited college, university, or a course of study recognized as a mark of distinction by the insurance industry and deemed by the commissioner to be fully qualified and competent.

(c) Any waiver of the prescribed insurance line curriculum requirement, based upon an equivalency demonstration, shall be granted only after the petitioner has completed the required hours of instruction on Washington insurance statutes and regulations.

(d) The commissioner retains the discretion to determine whether a petitioner has presented sufficient evidence that her or his "equivalent" education merits a waiver of the prelicense education requirement.

(5) Prior to the petitioner's participation in the insurance agent's license examination, the petition must be submitted and the commissioner's written waiver must be issued.

NEW SECTION

WAC 284-17-520 WHEN PRELICENSURE EDUCATION REQUIREMENT MUST BE MET. The requirements of WAC 284-17-505 through 284-17-520 apply to all persons taking an agent's license examination, conducted on or after July 1, 1989.

(1) Any applicant seeking a resident's license as a life, disability, property, or casualty insurance agent or solicitor in the state of Washington who appears at an examination site must present a certificate of completion of the requisite number of hours of approved prelicense education, or a written waiver of the requirement, to be allowed access to the examination.

(2) Any applicant who receives a passing score on the licensing examination must include a validated certificate of completion of the approved prelicense education, or a written waiver of the requirement, along with other license application documents, to be issued the license.

NEW SECTION

WAC 284-17-530 REQUIREMENTS APPLICABLE TO ALL PRELICENSURE EDUCATION PROVIDERS. This section applies to all persons offering life, disability, property, or casualty insurance prelicense education, for purposes of satisfying the education requirements prescribed by the commissioner at WAC 284-17-505 through 284-17-520 for insurance license applicants.

(1) Persons seeking authority to conduct an approved course for life, disability, property, or casualty insurance shall obtain the written approval from the commissioner prior to the commencement of any such course. No course may be advertised as approved until the provider has obtained in writing all approvals required from the commissioner.

(a) The request for approval must include all information, disclosures, statements, and certifications required by the commissioner, on the prescribed forms.

(b) Course materials must be submitted to the commissioner with references to the provisions of the prescribed curricula. The provider shall submit a request for approval only for those courses that satisfy the requirements of WAC 284-17-550 through 284-17-555.

(c) The provider must certify that the facilities, furnishings, and equipment meet or exceed the requirements of WAC 490-800-160 and 490-800-170. The facilities must provide for access by the handicapped or the provider must certify that its personnel will be available before, during, and after scheduled classes to assist any handicapped person as may be necessary.

(d) The provider must disclose the tuition to be charged for each proposed course.

(i) Disclosure to the office of insurance commissioner of the total tuition to be charged for all course offerings shall be made in the request for provider approval.

(ii) The provider must disclose to each student at the time of enrollment the amount of the course tuition to be paid, to persons other than the provider's full-time employees, as compensation for referring students to the provider.

(2) The commissioner will look to the provider to maintain the integrity of the training system. The provider shall be responsible for its employees' conduct, and shall be subject to disciplinary action for its employees' failure to comply with chapter 284-17 WAC. As a condition of approval, therefore:

(a) The provider must retain all student enrollment and performance data, personnel records, and course materials and student evaluations of each course, available for the commissioner's review, for three years.

(b) The provider must identify its proposed program director, and must certify, upon conclusion of a competent background investigation, that its program director's qualifications meet or exceed the requirements at WAC 284-17-535, including that the program director has been determined to be trustworthy.

(i) The commissioner's approval of a program director is valid for a period of twelve months from the most recent provider approval date.

(ii) The provider must apply to the commissioner for amended approval at least ten calendar days before instituting a change of program director.

(iii) The provider must continually monitor its program director's supervision of instruction, and must immediately remove the program director if he or she violates any statute or regulation pertaining to insurance sales or licensing then in effect.

(c) The provider must identify its proposed instructor(s), and must certify, upon conclusion of a competent background investigation, that each instructor's qualifications meet or exceed the requirements at

WAC 284-17-537, including that each instructor has been determined to be trustworthy.

(i) The commissioner's approval of each instructor is valid for a period of twelve months from the most recent provider approval date.

(ii) The provider must apply to the commissioner for amended approval at least ten calendar days before instituting a change of instructors, except in the case of an instructor vacancy created by an emergency as defined by WAC 284-17-535 (3)(a)(i).

(3) After due investigation and consideration, the commissioner may grant approval of the provider upon a showing that the provider has satisfied all the requirements of WAC 284-17-530 through 284-17-539, 284-17-540 or 284-17-545, and 284-17-550.

(4) Provider approval is valid for a period of twelve months from the initial approval date. To retain such approval, approved prelicense education providers must:

(a) Post in a conspicuous location at the prelicense education site, the procedures for applying for an insurance agent's or solicitor's license, including all preexamination qualifications and a notice of prohibited examination behavior in the standard form prescribed by the commissioner.

(b) Apply to the commissioner for amended provider approval at least ten calendar days prior to instituting any change of its owner or executive officer or of its program director. Amended approval, if granted, is valid only until the original provider approval expiration date.

(c) Report to the commissioner, by the fifteenth day of each month, the name of each student receiving a certificate of completion for each approved course offered during the previous calendar month.

(d) Permit the commissioner or the commissioner's designees to conduct unannounced audits of any of the provider's approved courses, for purposes of monitoring the provider's continued compliance with WAC 284-17-530 through 284-17-565.

(e) Immediately produce, upon request of the commissioner or the commissioner's designee, a true and complete copy of the provider's instructional plan for each approved course.

(f) Post in a conspicuous location at the prelicense education site, the tuition for each approved course, and if applicable:

(i) The full text of any referral/rebate policy;

(ii) The specific dollar amount of course tuition which is payable, to each person other than the provider's full-time employees, as compensation for referring students to the provider;

(iii) The name(s) of the person(s) to whom referral fees are paid.

(g) Any approved provider that has a referral fee/tuition rebate plan must provide a written copy of the agreement to each referred student at the time of her or his enrollment. The copy must contain:

(i) The full text of any referral/rebate policy;

(ii) The specific dollar amount of course tuition which is payable, to each person other than the provider's full-time employee, as compensation for referring students to the provider;

(iii) The name(s) of the person(s) to whom referral fees are paid.

(5) The provider must notify the commissioner, in writing, of the provider's intent to terminate its prelicense education program at least ten calendar days prior to the termination.

(a) If the commissioner sends a written inquiry by certified mail, the provider must respond within ten calendar days.

(b) Failure to notify the commissioner of a course termination, or to respond to a written inquiry, within the specified time limits will result in immediate loss of provider approval, and shall be so noted upon the record.

(6) The provider must give at least ten calendar days' notice to the commissioner of the provider's intent to change the tuition amount or the rebating policy, or to initiate a rebating policy with a person other than the provider's full-time employee.

(7) It shall be unlawful for any prelicense education provider to use license examination performance data for advertising or promotional purposes.

(8) It shall be unlawful for any prelicense education provider to use any name that implies or suggests that the provider is affiliated with either the office of insurance commissioner or with the independent testing service that conducts the examination, or to use any name that implies or suggests that the provider is the only person authorized to provide prelicense education in the state of Washington.

NEW SECTION

WAC 284-17-535 PROGRAM DIRECTOR QUALIFICATIONS AND RESPONSIBILITIES. (1) A program director's necessary qualifications are:

(a) At least five years of teaching experience and knowledge of insurance products, principles, and laws.

(i) Each independent provider's program director must possess and hold in good standing a Washington resident agent's or broker's license.

(ii) Each insurer provider's program director must possess such a license or comparable scholastic or professional credentials that the commissioner deems equivalent to such a license.

(iii) The requirements of (a)(i) of this subsection shall not apply to program directors employed by approved providers governed by chapters 28B.19 and 28B.50 RCW, community colleges within Washington state.

(b) An employment history involving administrative educational experience.

(c) Trustworthiness. A program director is untrustworthy if he or she has violated any statute or regulation pertaining to insurance, or to any other regulated occupation; or has had an occupational license revoked in any state; or has been convicted of a crime evidencing lack of fitness to assume fiduciary duties.

(2) Information on the program director which must be submitted to the commissioner includes the full disclosure of any regulatory or legal action involving the program director's professional or occupational activities.

(3) A program director's responsibilities include:

(a) Conducting a competent background investigation to ascertain that each instructor is trustworthy and qualified under WAC 284-17-537 and under WAC 284-17-540 or 284-17-545 for the line of insurance he or she has been designated to instruct; except that:

(i) In the event of an emergency created by the unavoidable absence of an approved instructor, the program director may appoint an interim instructor who was not previously certified and approved, to complete the current course offering, however:

(ii) The program director must immediately notify the commissioner of the nature of the emergency, the name of the temporary instructor, and the date upon which the current course offering will conclude.

(iii) At the conclusion of the current course offering the program director and provider shall suspend operation of the affected course until an approved instructor is available to conduct the classes.

(b) Supervising each approved course and reviewing all completed student evaluations of the course; and

(c) Insuring that instructors properly issue certificates of completion according to WAC 284-17-539 to the students at the completion of each course.

NEW SECTION

WAC 284-17-537 INSTRUCTOR QUALIFICATIONS AND RESPONSIBILITIES. The provider must submit the name(s) of each proposed instructor to the commissioner.

(1) To qualify as an instructor for an approved provider, each proposed instructor must:

(a) Demonstrate any combination of at least three years of instructional experience and experience as a licensed insurance agent or broker.

(b) Be trustworthy. An instructor is untrustworthy if he or she has violated any statute or regulation pertaining to insurance, or to any other regulated occupation; or has had an occupational license revoked in any state; or has been convicted of a crime evidencing lack of fitness to assume fiduciary duties.

(c) Demonstrate competence in the line of insurance he or she proposes to teach:

(i) Each independent provider's instructor must possess and hold in good standing a Washington resident agent's or broker's license for the applicable line(s) of insurance.

(ii) Each insurer provider's instructor must possess such a license or scholastic or professional credentials that the commissioner deems equivalent to such a license.

(2) The instructor of each approved course shall perform the following instructional and administrative duties:

(a) At the beginning session of each approved course, assure that each student has been properly registered.

(b) Remain in the classroom for the duration of each scheduled class session.

(c) Teach the study materials, which incorporate the prescribed curriculum, according to the lesson plans filed with the commissioner.

(d) At the conclusion of the course, distribute the standard course evaluation form prescribed by the commissioner, to each student who has completed the course; and collect the completed forms.

(e) To each student who has completed the course, issue a certificate of completion by signing each certificate, and thereby certify that the student actually completed the course.

(f) Review course evaluations with the program director.

NEW SECTION

WAC 284-17-539 CERTIFICATES OF COMPLETION. (1) A "certificate of completion," in the standard form prescribed by the commissioner, shall be completed in its entirety, signed by the instructor, and issued by the approved prelicense education provider to each student in the student's legal name, who has completed an approved course.

(2) Both the student and the instructor(s) shall certify that the course was conducted and completed according to the hours and curricula required, by affixing their original signatures in the spaces provided on the certificate of completion.

(3) The provider shall indicate, on the face of the certificate of completion, the correct codes assigned by the commissioner to each approved prelicense education provider and to each approved course.

(4) The approved prelicense education provider must issue each valid certificate of completion within twenty-four hours from the time the course was completed.

(5) No instructor may issue a certificate of completion to herself or himself.

(6) Completion of less than the full course curriculum, or of individual classes, does not qualify for a certificate of completion.

(7) A valid certificate of completion (or a valid waiver) for the line of insurance on which the student will be examined must be presented to the independent testing service as a prerequisite to participating in any of the agent's license examination(s) for life, disability, property, or casualty insurance.

(8) The certificate is valid for twelve months from the course completion date shown on its face.

NEW SECTION

WAC 284-17-540 REQUIREMENTS APPLICABLE TO INDEPENDENT PRELICENSE EDUCATION PROVIDERS. This section applies to all persons, other than insurers, offering life, disability, property, or casualty insurance courses to license applicants for purposes of satisfying the educational requirement prescribed by WAC 284-17-505 through 284-17-520.

(1) In addition to the general conditions for approval set out at WAC 284-17-530 through 284-17-539, and in addition to complying with the requirements of WAC 284-17-550, each noninsurer prelicense education provider shall:

(a) Describe any existing insurance education program:

(i) Class titles and curricula covered;

(ii) Number of students per course during previous year;

(iii) Name(s) and qualifications of instructor(s);

(iv) Name and qualifications of person responsible for the previous program.

(b) Reveal the program budget for the previous year, current year.

(c) Describe the changes necessary to bring any existing program into compliance with WAC 284-17-530 through 284-17-539, 284-17-550 and 284-17-551, and each applicable section of WAC 284-17-552 through 284-17-555.

(d) Reveal the provider's department of revenue registration number.

(2) To qualify a provider for the commissioner's approval, the provider's proposed program director must hold in good standing a valid Washington resident agent's or broker's license and present evidence of teaching experience, the combination to total a minimum of five consecutive years' qualifications. After January 1, 1994, the license(s) must have been held in good standing for at least five years.

(3) To qualify a provider for the commissioner's approval, each of the provider's proposed instructors must hold in good standing a valid Washington resident agent's or broker's license, for the line(s) of insurance he or she will be instructing, and present evidence of teaching experience, the combination to total a minimum of three consecutive years' qualifications. After January 1, 1992, the license(s) must have been held in good standing for at least three years.

(4) An independent provider shall establish and maintain records and an appropriate accounting system for all tuition payments received by the provider.

(a) All tuition funds received must be deposited promptly into a bank account or depository separate from any other account or depository.

(b) The accounting system used must effectively isolate the separate account from any other operating or personal accounts, and must provide an audit trail so that details underlying the summary data may be identified.

(c) The provider shall make such records available for inspection by the commissioner during regular business hours upon demand during the three years immediately after the date of the transaction.

(5) Noninsurer course providers shall have an exact physical location or locations, and all classes shall be scheduled on a regular and predictable basis.

NEW SECTION

WAC 284-17-545 REQUIREMENTS APPLICABLE TO INSURER PRELICENCE EDUCATION PROVIDERS. This section applies to all admitted insurers regulated by the commissioner, and offering life, disability, property, or casualty insurance education courses to license applicants for purposes of satisfying the educational requirements prescribed by WAC 284-17-505 through 284-17-520.

(1) In addition to the general conditions for approval set out at WAC 284-17-530 through 284-17-539, and in addition to complying with the requirements of WAC 284-17-550, each insurer applying for prelicense education provider approval must exhibit an existing, bona fide insurance education function which is supervised from the corporate level. The insurer shall:

(a) Describe the existing program:

(i) Class titles and curricula covered;

(ii) Number of students per course during previous year;

(iii) Name(s) and qualifications of instructor(s);

(iv) Name and qualifications of person responsible for the program;

and

(v) Program budget for the previous year.

(b) Reveal the program budget for the current year.

(c) Describe the insurer's plan for agent development.

(d) Submit the prelicense education plan to be applied throughout Washington state.

(2) For each program director not licensed as a Washington resident agent or broker, the provider shall in the request for approval identify the program director's equivalent qualifications, including educational degrees or professional designations earned, and certified evidence of past insurance education and licenses held in this or other states, and identify the program director's past teaching experience.

(3) For each instructor not licensed as a Washington resident agent or broker in the line of insurance which is the subject of instruction, the insurer's program director shall in the request for approval identify the instructor's equivalent qualifications, including educational degrees or professional designations earned, and certified evidence of past insurance education and licenses held in this or other states.

(4) The commissioner retains discretion to determine whether the proposed instructor(s) and the proposed program director's asserted qualifications meet the minimum scholastic and professional criteria required herein.

NEW SECTION

WAC 284-17-550 COURSE STANDARDS. (1) No course will be approved unless the Washington insurance statutes and regulations curriculum is incorporated into each specific line(s) curriculum offered by the provider.

(2) To qualify for approval, each course shall be conducted by an approved instructor, utilizing study materials that include all the prescribed curriculum, and shall be presented under the supervision of an approved prelicense education provider.

(a) Each instructor's qualifications shall be identified, according to the requirements of WAC 284-17-530 (2)(d) and 284-17-537, and 284-17-540 or 284-17-545, for approval by the commissioner.

(b) The course instructor shall be present in the classroom at all times during the hours an approved course is presented.

(3) Each course shall be broken into individual lesson components covering the prescribed curriculum.

(a) Instruction may include coverage of related subject matter; however, such peripheral instruction must be presented in the individual lesson components as supplementary to the prescribed curriculum hours.

(b) The provider may choose the prelicense education study materials, and shall certify that the study materials include all of the prescribed curriculum.

(4) "Hours" are approved by the commissioner for an approved course. Each "hour" shall represent at least fifty minutes of actual instruction on a topic within the prescribed prelicense education curriculum.

(5) No course may be represented as approved until the approved prelicense education provider has received the commissioner's written approval of the instructor and of the course.

(a) Approved prelicense education providers must apply to the commissioner for amended course approval if any of the following changes or revisions are instituted before the original course approval expiration date:

(i) Change of study materials;

(ii) Change of program schedule or location; or

(iii) Change of course tuition or rebate policy.

(b) Amended approval, if granted, is valid only until the original course approval expiration date.

NEW SECTION

WAC 284-17-551 STATUTES AND REGULATIONS CURRICULUM. Every prelicense education course shall incorporate study of the:

(1) Nature of insurance:

(a) Definition of insurance; insurance transaction;

(b) Public interest;

(c) Risk management;

(d) Law of large numbers;

(e) Indemnification.

(2) Insurance commissioner:

(a) Authority and duties;

(b) Rate and form filings;

(c) Examinations:

(i) Insurers' financial status;

(ii) License applicant's qualifications.

(d) Hearings and appeals;

(e) Public access to records.

(3) Insurers:

(a) Definitions:

(i) Domestic, foreign, alien;

(ii) Life, disability - stock, mutual, fraternal;

(iii) Property, casualty, vehicle, surety - stock, mutual, reciprocal,

Lloyds;

(iv) Authorized, unauthorized insurers; certificate of authority.

(b) Financial status:

(i) Mergers, insider trading;

(ii) Rehabilitation, liquidation; Washington Insurance Guaranty

Associations.

(c) Insuring powers - defining the separate lines;

(d) Assets and liabilities:

(i) Investments;

(ii) Reserves.

(e) Fees and taxes.

(4) The insurance contract:

(a) General provisions;

(b) Exclusions and limitations;

(c) Insured;

(d) Cancellation and nonrenewal;

(e) Premium;

(f) Binder.

(5) Agents, brokers, solicitors, adjusters:

(a) Company appointment or affiliation:

(i) Purpose, contractual authority, and liability;

(ii) Termination.

(b) Types of licenses:

(i) Authority and liability under the regulation:

(A) Solicitor;

(B) Agent;

(C) Broker;

(D) Surplus lines broker;

(E) Adjuster: Independent, public.

(ii) Major lines:

(A) Life insurance;

(B) Disability insurance;

(C) Property insurance;

(D) Casualty insurance.

- (iii) Limited lines:
 - (A) Vehicle insurance;
 - (B) Surety;
 - (C) Credit life and disability;
 - (D) Travel insurance.
- (c) Licensing requirements:
 - (i) Purpose;
 - (ii) Licensing procedures:
 - (A) Resident;
 - (B) Nonresident.
 - (iii) Continuing education; renewal procedures;
 - (iv) Penalties for misconduct;
 - (v) Exemption from the licensing requirement;
 - (vi) Temporary license.
- (d) Agent responsibilities:
 - (i) Recordkeeping;
 - (ii) Reply promptly to inquiry by the commissioner; notify the commissioner of a change of address;
 - (iii) Application completion;
 - (iv) Delivery of the policy;
 - (v) Fiduciary accountability; separate account.
- (e) Unfair practices and frauds:
 - (i) Advertising, comparisons, and defamation;
 - (ii) Charges, inducements, rebating;
 - (iii) Misrepresentation, twisting;
 - (iv) Discrimination.

NEW SECTION

WAC 284-17-552 LIFE INSURANCE CURRICULUM. (1)

Life insurance needs:

- (a) Monetary value of human life;
- (b) Social security:
 - (i) Contributions;
 - (ii) Qualification and restrictions;
 - (iii) Benefit periods;
 - (iv) Blackout period.
- (c) Federal government employee/military benefits/railroad retirement benefits;
- (d) Needs analysis:
 - (i) Premature death/retirement;
 - (ii) Theory of decreasing need;
 - (iii) Earnings approach, depletion approach;
 - (iv) Capital retention/estate conservation;
 - (v) Mortality/life expectancy tables.
- (2) Types and characteristics of life insurance policies:
 - (a) Term insurance policies:
 - (i) Level, decreasing or increasing benefit;
 - (ii) Renewable;
 - (iii) Convertible;
 - (iv) Reentry.
 - (b) Whole life policy concepts:
 - (i) Economic values of whole life;
 - (ii) Basic types of whole life:
 - (A) Ordinary;
 - (B) Limited pay.
 - (c) Endowment;
 - (d) Universal life:
 - (i) Fixed premium:
 - (A) New money method;
 - (B) Portfolio method.
 - (ii) Variable; securities.
 - (e) Single premium whole life:
 - (i) Fixed;
 - (ii) Variable.
 - (f) Annuities:
 - (i) Nature and purpose;
 - (ii) Tax-qualified plans; nonqualified plans;
 - (iii) Premium payment methods:
 - (A) Single;
 - (B) Fixed installment/periodic;
 - (C) Flexible.
 - (iv) When benefits begin;
 - (v) Payout options:
 - (A) Period certain;
 - (B) Interest only;
 - (C) Fixed/variable;

(D) Number of lives covered.

(3) Other life insurance products:

- (a) Keogh;
- (b) Individual Retirement Account (IRA);
- (c) Simplified Employee Pension Plan (SEP);
- (d) Key person;
- (e) Buy-sell;
- (f) Split dollar;
- (g) Executive bonus.
- (4) Group life insurance:
 - (a) Types of contracts:
 - (i) Term;
 - (ii) Contracts with permanent benefits;
 - (iii) Credit or mortgage life.
 - (b) Group underwriting principles;
 - (c) Master policy and certificates;
 - (d) Conversion rights and limitations.
- (5) Combination policies/variations in basic forms:
 - (a) Double or triple protection;
 - (b) Term riders;
 - (c) Family policies/riders;
 - (d) Family income, family maintenance;
 - (e) Retirement income;
 - (f) Face amount plus cash value/return of premium;
 - (g) Mortgage protection.
 - (h) Credit life insurance;
 - (i) Joint life;
 - (j) Last survivor;
 - (k) Juvenile;
 - (l) Adjustable life;
 - (m) Variable life.
- (6) Life insurance statutes and regulations:
 - (a) Disclosure;
 - (b) Fair Credit Reporting Act;
 - (c) Replacement;
 - (d) Washington Life and Disability Insurance Guaranty Association;
 - (e) Fraternal Benefit Society;
 - (f) Standard nonforfeiture law.
- (7) Regulated life insurance contract provisions:
 - (a) Free look;
 - (b) Representations;
 - (c) Incontestability;
 - (d) Misstatement of age or sex;
 - (e) Grace period/reinstatement;
 - (f) Settlement on proof of death;
 - (g) Uniform Simultaneous Death Act.
- (8) General provisions and clauses:
 - (a) Consideration/premium payment:
 - (i) Single;
 - (ii) Level;
 - (iii) Adjustable;
 - (iv) Modified;
 - (v) Graded.
 - (b) Insuring agreement;
 - (c) Owner/applicant/insured;
 - (d) Assignment;
 - (e) Limitation of liability:
 - (i) Act of war;
 - (ii) Suicide within two years of issue;
 - (iii) Specific aviation conditions.
 - (f) Morbidity and mortality tables;
 - (g) Age, health, marital status, occupation;
 - (h) Policy riders:
 - (i) Policy loan provision;
 - (ii) Automatic premium loan;
 - (iii) Waiver of premium;
 - (iv) Guaranteed insurability;
 - (v) Dividends/excess interest declarations;
 - (vi) Nonforfeiture values, annuity tables;
 - (vii) Accidental death/dismemberment.
 - (i) Beneficiary designations:
 - (i) Beneficiary categories:
 - (A) Estate/named party/class;
 - (B) Primary/contingent;
 - (C) Revocable/irrevocable;
 - (D) Trust.

- (ii) Common disaster, short-term survivorship; Uniform Simultaneous Death Act;
- (iii) Minor as beneficiary;
- (iv) Changing the beneficiary.
- (9) Application process:
 - (a) Short form/long form application;
 - (b) Application as part of contract;
 - (c) When coverage begins:
 - (i) Receipt;
 - (ii) Binder.
- (10) Policy delivery:
 - (a) Modified/issued as requested;
 - (b) Explanation of coverage;
 - (c) Payment of premium:
 - (i) Paid upon application;
 - (ii) Paid upon delivery;
 - (iii) Mode of payment;
 - (iv) Effect of nonpayment.
 - (d) Good health upon delivery;
 - (e) Ten-day free look.
- (11) Claims process:
 - (a) Notice of claim;
 - (b) Proof of loss;
 - (c) Statute of limitations on claims/defenses;
 - (d) Settlement options:
 - (i) Right to elect or change:
 - (A) Owner's right;
 - (B) Beneficiary's right.
 - (ii) Lump sum;
 - (iii) Interest only;
 - (iv) Period certain, fixed amount.
- (12) Federal taxation:
 - (a) Life insurance premiums;
 - (b) Proceeds;
 - (c) Dividends;
 - (d) Policy loans/withdrawals.

NEW SECTION**WAC 284-17-553 DISABILITY INSURANCE CURRICU-****LUM. (1) Nature and purpose:**

- (a) Medical expenses;
- (b) Loss of income;
- (c) Defining disability:
 - (i) Temporary/permanent;
 - (ii) Partial/total – normal occupation/any occupation.
- (d) Accidental death/dismemberment;
- (e) Needs analysis: Human life value, economic value.
- (2) Underwriting considerations:
 - (a) Costs of illness or injury; morbidity tables:
 - (i) Age, sex, height, and weight;
 - (ii) Marital, financial status;
 - (iii) Occupation, avocation;
 - (iv) Current state of health.
 - (b) Rating standards:
 - (i) Reasonable, equitable, adequate;
 - (ii) Class exposures to a degree of risk.
- (3) Disability insurance policy provisions:
 - (a) Mandatory individual policy provisions:
 - (i) Grace period;
 - (ii) Reinstatement;
 - (iii) Misstatement of age or sex;
 - (iv) Change of beneficiary.
 - (b) Optional individual policy provisions and clauses:
 - (i) Unpaid premium;
 - (ii) Cancellation/renewability;
 - (iii) Nonoccupation/full coverage;
 - (iv) Change of occupation;
 - (v) Other insurance with this insurer;
 - (vi) Insurance with other insurer(s):
 - (A) On expense incurred basis;
 - (B) On another basis.
 - (c) Other provisions applicable to group or individual:
 - (i) Consideration/premium payment:
 - (A) Modes of payment;
 - (B) Effect of nonpayment.
 - (ii) Waiver of premium;
 - (iii) Policy continuation:
 - (A) Cancellable;
 - (B) Optionally renewable;
 - (C) Conditionally renewable;
 - (D) Guaranteed renewable;
 - (E) Noncancellable.
 - (iv) Preexisting conditions;
 - (v) Ten-day free look;
 - (vi) Claims control:
 - (A) Second surgical opinion;
 - (B) Precertification;
 - (C) Ambulatory treatment.
 - (vii) Assignment of benefits.
 - (4) Disability income policies:
 - (a) Types of coverage:
 - (i) Disability benefits in life insurance contract;
 - (ii) Group, individual;
 - (iii) Credit protection/mortgage protection;
 - (iv) Hospital income insurance;
 - (v) Business overhead expense.
 - (b) Standard policy provisions for income replacement:
 - (i) Waiting period;
 - (ii) Relation of earnings to insurance;
 - (iii) Nonduplication of benefits:
 - (A) Other insurers;
 - (B) Benefit maximum.
 - (c) Special policy provisions:
 - (i) Disability buy-out:
 - (A) Lump sum;
 - (B) Periodic payment;
 - (ii) Specified injury or illness.
 - (d) Benefit periods:
 - (i) Long term/short term;
 - (ii) Illness/injury.
 - (e) Benefit features, options:
 - (i) Cost of living adjustment;
 - (ii) Medical expense of accident;
 - (iii) Guaranteed insurability;
 - (iv) Accidental death or dismemberment;
 - (v) Social Security rider.
 - (5) Sources of medical (accident and health) benefits:
 - (a) Health care service contractors (HCSC);
 - (b) May include preferred providers (PPOs);
 - (c) Health maintenance organizations (HMOs);
 - (d) Health insurance (indemnification) companies;
 - (e) Health Insurance Coverage Access Act:
 - (i) Nature and purpose;
 - (ii) Eligibility;
 - (iii) Coverage available.
 - (6) Medical expense policies/medical service benefits:
 - (a) Insuring agreements and perils covered:
 - (i) Hospital expense;
 - (ii) Surgical expense;
 - (iii) Regular medical expense;
 - (iv) Major medical.
 - (b) Standard contract provisions:
 - (i) Mandated benefits and mandated options;
 - (ii) Expenses covered;
 - (iii) Exclusions/limitations;
 - (iv) Waiting period, preexisting/named conditions.
 - (c) Common limitations/exclusions/optional coverages:
 - (i) Self-inflicted injury;
 - (ii) Injured while engaged in illegal activity or under the influence of a controlled substance;
 - (iii) Injury caused by military conflict;
 - (iv) Elective cosmetic surgery;
 - (v) Optical, dental, audio care;
 - (vi) Maternity and childbirth;
 - (vii) Prescription drugs.
 - (d) Limitations on insurer's expenses:
 - (i) Benefit deductibles;
 - (ii) Coinsurance, copayment, stop loss;
 - (iii) Waiting period;
 - (iv) Benefit maximum;
 - (v) Standards for coordination of benefits/nonduplication of benefits;
 - (vi) Government entitlement programs.
 - (7) Other individual disability coverages:

- (a) Long-term care:
 - (i) Nature and purpose;
 - (ii) Policies and contracts;
 - (iii) Skilled/intermediate care;
 - (iv) Disclosure;
 - (v) Prohibited practices;
 - (vi) Free look.
 - (b) Medicare supplement:
 - (i) Nature and purpose;
 - (ii) Minimum standards;
 - (iii) Preexisting conditions;
 - (iv) Disclosure;
 - (v) Renewability;
 - (vi) Replacement.
 - (c) Specified disease insurance.
 - (8) Group policy considerations:
 - (a) Group enrollment restrictions:
 - (i) Age of applicant;
 - (ii) Coverage for dependents;
 - (iii) Time period for enrollment;
 - (iv) Preexisting condition.
 - (b) Types of benefits;
 - (c) Group underwriting considerations;
 - (d) Master policy and certificates;
 - (e) Approaches:
 - (i) Franchise coverage;
 - (ii) Blanket coverage.
 - (f) Mandatory benefits and options;
 - (g) Conversion option;
 - (h) Consolidated Omnibus Budget Reconciliation Act (COBRA).
 - (9) Policy delivery:
 - (a) Modified versus issued as requested;
 - (b) Explanation of coverage;
 - (c) Payment of premium:
 - (i) Paid upon application;
 - (ii) Paid upon delivery;
 - (iii) Mode of payment;
 - (iv) Effect of nonpayment.
 - (d) Good health upon delivery;
 - (e) Ten-day free look.
 - (10) Insurance statutes and regulations:
 - (a) Applicable to disability insurers only:
 - (i) Disability insurance advertising restrictions;
 - (ii) Group/blanket disability insurance:
 - (A) Extended health;
 - (B) Disability insurance loss ratios.
 - (iii) Washington Life and Disability Insurance Guaranty Association;
 - (iv) Trade practices:
 - (A) Trade practice rules;
 - (B) Unfair claims practices.
 - (b) Applicable to all medical services coverage carriers:
 - (i) Standards for group chemical dependency coverage;
 - (ii) Rules pertaining to AIDS;
 - (iii) Health Care False Claim Act.
 - (11) Claims:
 - (a) Notice, forms, time limit;
 - (b) Proof of claim: Physical examination/autopsy;
 - (c) Legal action:
 - (i) Statute of limitations;
 - (ii) Coordination of benefits.
 - (d) Settlement:
 - (i) Payment of claims;
 - (ii) Time and method of payment.
 - (12) Federal taxation:
 - (a) Premiums;
 - (b) Benefits.
- NEW SECTION**
- WAC 284-17-554 CASUALTY INSURANCE CURRICULUM. (1) Defining casualty insurance. Insurable interest; insured's legal liability for:
- (a) Bodily injury, disability or death of any human being:
 - (i) Medical, hospital, surgical costs;
 - (ii) Funeral benefits.
 - (b) Liability for loss of/damage to the property of others;
 - (c) Coverage for personal injury:
 - (i) Libel, slander, defamation of character;
 - (ii) Wrongful eviction.
 - (d) Any other kind of loss, damage, or liability which is:
 - (i) Properly the subject of insurance;
 - (ii) Not within another insurance definition; and
 - (iii) Not contrary to law or public policy.
 - (2) Legal basis for liability:
 - (a) Intentional tort;
 - (b) Statutory liability;
 - (c) Product/absolute/strict liability;
 - (d) Negligence:
 - (i) Principles:
 - (A) Duty of care;
 - (B) Breach of duty was proximate cause of injury;
 - (C) Injury in fact.
 - (ii) Defenses:
 - (A) Contributory negligence;
 - (B) Comparative negligence;
 - (C) Last clear chance;
 - (D) Assumption of risk.
 - (iii) Degrees of care owed to:
 - (A) Trespasser;
 - (B) Licensee;
 - (C) Invitee;
 - (D) Children.
 - (iv) Reasonable person standard applied to:
 - (A) Attractive nuisance;
 - (B) Dangerous instrumentalities;
 - (C) Extra hazardous operations.
 - (e) Sources of liability:
 - (i) Direct;
 - (ii) Contingent;
 - (iii) Contractual;
 - (iv) Vicarious.
 - (3) Evaluating casualty insurance needs:
 - (a) Maximum probable loss:
 - (i) Personal injury;
 - (ii) Bodily injury;
 - (iii) Injury to insured's reputation;
 - (iv) Mental distress; insured's lost wages;
 - (v) Defense costs;
 - (vi) Property damage.
 - (b) Factors affecting rates:
 - (i) Risks, perils, hazards;
 - (ii) Personal, business habits;
 - (iii) Blanket/specific coverage;
 - (iv) Monoline/package policy;
 - (v) Other primary or excess insurance;
 - (vi) Experience rating;
 - (vii) Deposit premium/audit.
 - (c) Liability limits:
 - (i) Per person;
 - (ii) Per occurrence;
 - (iii) Aggregate;
 - (iv) Split/single limit.
 - (d) Occurrence policy; claims made policy;
 - (e) Application content and binders.
 - (4) Major classes of policy provisions:
 - (a) Declarations:
 - (i) First named insured, additional insureds;
 - (ii) Policy period, policy territory, perils;
 - (iii) Liability limits.
 - (b) Insuring agreement;
 - (c) Conditions:
 - (i) Liberalization;
 - (ii) Subrogation;
 - (iii) Assignment.
 - (d) Exclusions;
 - (e) Definitions.
 - (5) Homeowners (section II) coverage - ISO HO-84 and Washington amendatory endorsement HO-300 (01/89):
 - (a) Nature and eligibility;
 - (b) Liability insuring agreement/exclusions;
 - (c) Medical payment insuring agreement/exclusions;
 - (d) Additional coverages and conditions;
 - (e) Common endorsements:
 - (i) Business pursuits;

- (ii) Permitted incidental occupancy;
- (iii) Watercraft;
- (iv) Additional resident premises rented to others.
- (f) Other personal packages:
 - (i) Mobile home owner;
 - (ii) Farmowner.
- (g) Miscellaneous personal casualty coverages:
 - (i) Umbrella;
 - (ii) Excess auto liability;
 - (iii) Recreational vehicles;
 - (iv) Watercraft/yacht.
- (6) Automobile coverage:
 - (a) Financial responsibility:
 - (i) Proof defined;
 - (ii) Persons required to show proof;
 - (iii) Methods of satisfying financial responsibility;
 - (iv) Penalty for noncompliance.
 - (b) Coverages:
 - (i) Bodily injury;
 - (ii) Personal injury protection;
 - (iii) Medical payments;
 - (iv) Property damage;
 - (v) Collision;
 - (vi) Other than collision;
 - (vii) Towing expense, rental reimbursement;
 - (viii) Supplementary payments;
 - (ix) Uninsured motorist;
 - (x) Under-insured motorist.
 - (c) Personal auto:
 - (i) Common policies and endorsements:
 - (A) Personal auto policy;
 - (B) Broad form named operator;
 - (C) Extended nonowned liability;
 - (D) Debt and financing coverage.
 - (ii) Cancellation or nonrenewal:
 - (A) By insured/by insurer;
 - (B) Statutory requirements, notice; return of premium;
 - (C) Trade practice regulations.
 - (d) Business auto:
 - (i) Owned;
 - (ii) Nonowned;
 - (iii) Hired;
 - (iv) Garage liability;
 - (v) Garagekeeper's liability.
 - (7) Commercial casualty:
 - (a) Basic hazards:
 - (i) General liability;
 - (ii) Contractual liability;
 - (iii) Independent contractors;
 - (iv) Pollution/environmental impairment;
 - (v) Premises and operations;
 - (vi) Products and completed operations;
 - (vii) Personal and advertising injury.
 - (b) Types of commercial package policies:
 - (i) Commercial package policy;
 - (ii) Businessowner's policy (section II):
 - (A) Nature and purpose;
 - (B) Standard/special form;
 - (C) Coverages, exclusions;
 - (D) Optional coverages.
 - (c) Miscellaneous commercial casualty coverages:
 - (i) Legal liability;
 - (ii) Professional liability;
 - (iii) Director's/officer's liability;
 - (iv) Stop-gap;
 - (v) Umbrella;
 - (vi) Excess insurance;
 - (vii) Boiler and machinery;
 - (viii) Motor vehicle mechanical breakdown;
 - (ix) Ocean marine.
 - (8) Crime coverage:
 - (a) Major perils:
 - (i) Forgery/alteration;
 - (ii) Theft/disappearance, destruction/vandalism;
 - (iii) Safe robbery;
 - (iv) Robbery, burglary.
 - (b) Primary crime coverage forms:

- (i) Premises burglary;
- (ii) Robbery and safe burglary;
- (iii) Theft, disappearance and destruction.
- (c) Fidelity:
 - (i) Employee dishonesty coverage form:
 - (A) Individual;
 - (B) Scheduled;
 - (C) Blanket.
 - (ii) Financial institution bond.
 - (d) Surety bond:
 - (i) Surety distinguished from insurance;
 - (ii) Parties to the contract;
 - (iii) Promise of the surety;
 - (iv) Major classes of surety bond.
 - (9) Government programs:
 - (a) Worker's compensation;
 - (b) The Jones Act;
 - (c) The Longshore and Harbor Workers' Act;
 - (d) National Crime Program;
 - (e) Washington Automobile Insurance Plan.

NEW SECTION

WAC 284-17-555 PROPERTY INSURANCE CURRICULUM. (1) Defining property insurance:

- (a) Loss of or damage to real or personal property;
- (b) Loss of interest in real or personal property.
- (2) Evaluation of risk:
 - (a) Maximum probable loss:
 - (i) Direct loss;
 - (ii) Indirect loss.
 - (b) Factors affecting rates:
 - (i) Risks, perils, hazards;
 - (ii) Personal, business habits;
 - (iii) Blanket/specific coverage;
 - (iv) Coinsurance.
- (3) Personal insurance coverages:
 - (a) Dwelling property forms – Basic, broad, or special:
 - (i) Nature and eligibility;
 - (ii) Property covered/excluded;
 - (iii) Perils covered/excluded;
 - (iv) Deductibles;
 - (v) Limitation on loss settlement;
 - (vi) Other conditions and provisions.
 - (b) Homeowners (section I) coverage – ISO HO-84 and Washington amendatory endorsement HO-300 (01/89):
 - (i) Nature and eligibility;
 - (ii) Property covered:
 - (A) Personal dwelling;
 - (B) Other appurtenant private structures;
 - (C) Unscheduled personal property;
 - (D) Additional living expense.
 - (iii) Perils covered/excluded;
 - (iv) Property limited/excluded;
 - (v) Other provisions or conditions;
 - (vi) Cancellation or nonrenewal:
 - (A) Statutory requirements, notice; return of premium;
 - (B) Trade practice regulations.
 - (vii) Common endorsements:
 - (A) Replacement cost on contents;
 - (B) Guaranteed replacement cost on dwelling;
 - (C) Scheduled personal property;
 - (D) Earthquake;
 - (E) Inflation guard.
- (c) Other personal packages:
 - (i) Mobile home;
 - (ii) Farmowners.
- (4) Commercial property coverages:
 - (a) Property covered:
 - (i) Building;
 - (ii) Insured's business personal property;
 - (iii) Personal property of others.
 - (b) Cause of loss forms:
 - (i) Basic;
 - (ii) Broad;
 - (iii) Special.
 - (c) Property limited or excluded;
 - (d) Optional coverages;

- (e) Conditions, provisions, and extensions of coverage;
- (f) Types of commercial package policies;
- (i) Commercial package policy;
- (ii) Businessowner's policy (section I):
 - (A) Nature and purpose;
 - (B) Standard/special form;
 - (C) Coverages, exclusions;
 - (D) Property limited or excluded.
- (g) Miscellaneous commercial property insurance:
 - (i) Business income:
 - (A) General nature;
 - (B) Losses covered.
 - (ii) Extra expense;
 - (iii) Glass;
 - (iv) Earthquake;
 - (v) Inland marine;
 - (vi) Ocean marine/yacht.
- (5) Government programs:
 - (a) National Flood Insurance Program;
 - (b) Fair Access to Insurance Requirements (FAIR) plan;
 - (c) Washington Insurance Guaranty Association;
 - (d) Federal Crop Insurance Program.

NEW SECTION

WAC 284-17-560 PROVIDERS NOT APPROVED. (1) Filing an application requesting approval as a provider of insurance prelicense education constitutes the applicant's consent to an investigation of the backgrounds of all personnel associated with the provider.

(2) The commissioner may deny approval to any prelicense education provider based upon:

(a) Such provider's refusal or failure to comply with any of the requirements of chapter 284-17 WAC, including but not limited to the provider's employment and use of an unqualified program director or instructor; or

(b) Any owner, operator, program director, instructor, or other employee of such provider has, directly or indirectly, compromised or attempted to compromise the integrity or security of Washington state licensing examination questions, or has induced another to do so; or

(c) Any owner, operator, program director, instructor, or other employee of such provider has been cited for noncompliance with any of the requirements of this chapter or chapter 284-12 WAC, or of any other statute or regulation pertaining to the sale of insurance or to insurance education; or has been cited for violations of statutes, regulations, or copyrights related to an examination for any occupational license.

NEW SECTION

WAC 284-17-565 APPROVED PROVIDERS—LOSS OF APPROVAL. (1) The commissioner may suspend or revoke approval of any prelicense education provider based upon a finding that:

(a) Any owner, operator, program director, instructor, or other employee of such provider has failed to comply with any of the requirements of chapter 284-17 WAC, including but not limited to the failure to employ a qualified program director or instructor(s); or

(b) Any owner, operator, program director, instructor, or other employee of such provider has, directly or indirectly, compromised or attempted to compromise the integrity or security of Washington state licensing examination questions, or has induced another to do so; or

(c) Such provider has failed to maintain an effective instructional program, or has misrepresented the quality of the instruction provided, to the detriment of its students.

(2) The commissioner may suspend or revoke approval of any prelicense education provider based upon such provider's failure to:

(a) Reply promptly to an inquiry of the commissioner.

(b) Submit revised course outlines requested by the commissioner. If changes are implemented in the prescribed prelicense curricula, affected providers must submit revised course outlines at least fifteen calendar days before the implementation date.

(c) Make timely disclosure to the office of insurance commissioner and to enrolling students at the time of their enrollment of any offer or payment of any rebate, refund, fee, commission, or discount to persons, other than the provider's full-time employees, in connection with referrals of students to the provider.

NEW SECTION

WAC 284-17-570 IMPLEMENTATION DATES. WAC 284-17-530 through 284-17-565 concerning prelicense education providers shall be effective thirty calendar days from the date filed with the code reviser.

(1) Each person seeking initial provider approval, and intending to offer approved courses before July 1989, must submit a request for provider approval to the commissioner before March 1, 1989.

(2) A request for provider approval that is received after March 1, 1989, may not be granted before July 1, 1989.

WSR 88-22-071

PROPOSED RULES

BOARD OF PILOTAGE COMMISSIONERS

[Filed November 2, 1988]

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

Amd WAC 296-116-185 Tariffs and pilotage rates for the Grays Harbor pilotage district.

Amd WAC 296-116-300 Pilotage rates for the Puget Sound pilotage district;

that the agency will at 9:00 a.m., Thursday, December 8, 1988, in the Colman Dock, Pier 52, Seattle, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 88.16.035.

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

Dated: November 2, 1988

By: Majorie Smitch

Assistant Attorney General

STATEMENT OF PURPOSE

Rule: WAC 296-116-185 and 296-116-300.

Statutory Authority: RCW 88.16.035.

Reason for Amendment: These rules may be amended to reflect a change in tariffs in 1989.

Implementation: Washington State Board of Pilotage Commissioners, Colman Dock, Pier 52, Seattle, Washington 98104, (206) 464-7818.

Proposed: The Board of Pilotage Commissioners.

Agency Comments: None.

Federal Law/Court Decision: None.

Small Business Economic Impact Statement: None required.

AMENDATORY SECTION (Amending Order 88-2, Resolution No. 88-2, filed 2/17/88, effective 3/21/88)

WAC 296-116-185 TARIFFS, AND PILOTAGE RATES FOR THE GRAYS HARBOR PILOTAGE DISTRICT. The following rates shall become effective on March 21, 1988.

CLASSIFICATION OF PILOTAGE SERVICE RATE

Piloting of vessels in the inland waters and tributaries of Grays Harbor:

Each vessel shall be charged according to its draft and tonnage. The draft charges shall be ~~(\$38.56)~~ \$40.49 per meter (or ~~(\$11.75)~~ \$12.34 per foot) and the tonnage charge shall be ~~(\$0.1230)~~ \$0.1292 per net registered ton. The minimum net registered tonnage charge is ~~(\$430.00)~~ \$452.00. The charge for an extra vessel (in case of tow) is ~~(\$246.00)~~ \$258.00.

Boarding fee:

Per each boarding/deboarding from a boat ~~(\$185.00)~~ \$194.00
 Boat fee surcharge per each boarding/deboarding from a boat ~~(\$25.00)~~ \$26.00

Harbor shifts:

For each shift from dock to dock, dock to anchorage, anchorage to dock, or anchorage to anchorage..... ~~(\$308.00)~~ \$323.00
 Delays per hour ~~(\$74.00)~~ \$78.00
 Cancellation charge (pilot only) ~~(\$123.00)~~ \$129.00
 Cancellation charge (pilot boat only) ~~(\$369.00)~~ \$387.00

Travel allowance:

Boarding or deboarding a vessel off Grays Harbor entrance ~~(\$57.00)~~ \$60.00
 Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid ~~(\$430.00)~~ \$452.00 for each day or fraction thereof, and the travel expense incurred ~~(\$430.00)~~ \$452.00

Bridge transit:

Charge for each bridge transited ~~(\$135.00)~~ \$142.00

Miscellaneous:

The balance of amounts due for pilotage rates not paid within 45 days of invoice will be assessed at 1 1/2% per month late charge. At least a four hour notice shall be given for an arrival, sailing, or change of ETA or ETD.

AMENDATORY SECTION (Amending Order 88-1, Resolution No. 88-1, filed 2/16/88, effective 3/18/88)

WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. These rates shall become effective on March 18, 1988.

CLASSIFICATION

RATE

Ship length overall (LOA)
 Charges:

per LOA rate
 schedule in
 this section

Boarding fee:

~~(\$25.00)~~ \$26.00

Per each boarding/deboarding at the Port Angeles pilot station.

Harbor shift - Live ship (Seattle Port)
 Harbor shift - Live ship (other than Seattle Port)
 Harbor shift - Dead ship

LOA Zone I
 LOA Zone I
 Double LOA
 Zone I

Dead ship towing charge:

LOA of tug + LOA of tow + beam of tow
 Any tow exceeding seven hours, two pilots are mandatory.

Double LOA
 Zone

CLASSIFICATION

RATE

Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and bridge charges:

Ships up to 90' beam:
 A charge of ~~(\$132.00)~~ \$139.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of ~~(\$63.00)~~ \$66.00 per bridge.

Ships 90' beam and/or over:

A charge of ~~(\$178.00)~~ \$187.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of ~~(\$125.00)~~ \$131.00 per bridge.
 (The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)

Two pilots required:

In a case where two pilots are employed for a single vessel waterway or bridge transit, a second pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.

Compass adjustment ~~(\$177.00)~~ \$186.00

Radio direction finder calibration ~~(\$177.00)~~ \$186.00

Launching vessels ~~(\$267.00)~~ \$280.00

Trial trips, 6 hours or less
 (Minimum ~~(\$504.00)~~ \$529.00) ~~(\$84.00)~~ \$88.00
 per (hr.) hour

Trial trips, over 6 hours (two pilots) ~~(\$168.00)~~ \$176.00
 per (hr.) hour

Shilshole Bay - Salmon Bay ~~(\$104.00)~~ \$109.00

Salmon Bay - Lake Union ~~(\$82.00)~~ \$86.00

Lake Union - Lake Washington (plus LOA zone from Webster Point) ~~(\$104.00)~~ \$109.00

Cancellation charge LOA Zone I

Cancellation charge - Port Angeles (when pilot is ordered and vessel proceeds without stopping for pilot.) LOA Zone I

Docking delay after anchoring: ~~(\$84.00)~~ \$88.00
 per (hr.) hour

Applicable harbor shift rate to apply, plus ~~(\$84.00)~~ \$88.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ~~(\$84.00)~~ \$88.00 for every hour or fraction thereof.

Sailing delay: ~~(\$84.00)~~ \$88.00
 per hour

No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is ~~(\$84.00)~~ \$88.00 for every hour or fraction thereof.

..... ~~(\$84.00)~~ \$88.00
 per hour

Slowdown:

When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of ~~(\$84.00)~~ \$88.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.

CLASSIFICATION

RATE

Super ships:

20,000 to 50,000 gross tons:
Additional charge to LOA zone
mileage of ~~((\\$0.0443))~~ \$0.0445 a gross ton for all gross ton-
nage in excess of 20,000 gross tons up to 50,000 gross tons.

50,000 gross tons and up:
In excess of 50,000 gross tons, the charge shall be ~~((\\$0.0530))~~
\$0.0533 per gross ton.

For vessels where a certificate of international gross tonnage is re-
quired, the appropriate international gross tonnage shall
apply.

Delayed arrival-Port Angeles: ~~((\\$-84.00))~~ \$88.00
per hour

When a pilot is ordered for an arriving inbound vessel at Port An-
geles and the vessel does not arrive within two hours of its
ETA, or its ETA is amended less than six hours prior to the
original ETA, a charge of ~~((\\$84.00))~~ \$88.00 for each hour de-
lay, or fraction thereof, shall be assessed in addition to all oth-
er appropriate charges.

~~((Transportation to vessels on Puget Sound:~~

March Point or Anacortes	\$ 112.00
Bangor	65.00
Bellingham	124.00
Bremerton	34.00
Cherry Point	146.00
Dupont	65.00
Edmonds	23.00
Everett	42.00
Ferndale	134.00
Manchester	51.00
Mukilteo	41.00
Olympia	84.00
Point Wells	23.00
Port Gamble	60.00
Port Townsend (Indian Island)	85.00
Semiahmoo (Blaine)	153.00
Tacoma	43.00
Tacoma Smelter	49.00
Winslow	34.00))

Transportation to vessels on Puget Sound:

March Point or Anacortes	\$118.00
Bangor	68.00
Bellingham	130.00
Bremerton	36.00
Cherry Point	153.00
Dupont	68.00
Edmonds	24.00
Everett	44.00
Ferndale	141.00
Manchester	54.00
Mukilteo	43.00
Olympia	88.00
Point Wells	24.00
Port Gamble	63.00
Port Townsend (Indian Island)	89.00
Semiahmoo (Blaine)	161.00
Tacoma	45.00
Tacoma Smelter	51.00
Winslow	36.00

- (a) Interport shifts: Transportation paid to and from both points.
- (b) Intraharbor shifts: Transportation to be paid both ways. If
intraharbor shift is cancelled on or before scheduled reporting
time, transportation paid one way only.
- (c) Cancellation: Transportation both ways unless notice of cancella-
tion is received prior to scheduled reporting time in which case
transportation need only be paid one way.
- (d) Any new facilities or other seldom used terminals, not covered
above, shall be based on mileage x ~~((\\$1.60))~~ \$1.68 per mile.

Delinquent payment charge: 1 1/2% per month after 45 days from
first billing.

Nonuse of pilots: Ships taking and discharging pilots without using
their services through all Puget Sound and adjacent inland
waters shall pay full pilotage fees on the LOA zone mileage
basis from Port Angeles to destination, from place of depar-
ture to Port Angeles, or for entire distance between two ports
on Puget Sound and adjacent inland waters.

CLASSIFICATION

RATE

LOA rate schedule

The following rate schedule is based upon distances furnished
by National Oceanic and Atmospheric Administration, com-
puted to the nearest half-mile and includes retirement fund
contributions.

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
((Up to 449	125	195	339	508	685	891
450-459	127	200	342	516	695	894
460-469	131	203	345	523	706	898
470-479	136	207	350	535	709	901
480-489	139	212	352	544	714	904
490-499	142	214	356	554	721	909
500-509	148	218	362	562	727	915
510-519	150	223	366	569	733	918
520-529	152	231	372	572	740	927
530-539	158	234	377	578	752	936
540-549	161	238	383	585	765	944
550-559	164	244	386	593	771	953
560-569	170	254	394	598	779	963
570-579	173	258	398	600	786	969
580-589	180	262	405	605	792	980
590-599	188	267	408	609	802	990
600-609	195	275	414	611	811	996
610-619	206	278	421	615	820	1005
620-629	215	282	427	619	829	1015
630-639	226	288	431	621	836	1026
640-649	236	294	436	624	846	1033
650-659	250	300	443	629	855	1043
660-669	258	303	448	632	864	1051
670-679	265	310	452	643	873	1058
680-689	270	316	458	650	881	1068
690-699	278	321	463	661	891	1089
700-719	291	331	473	668	907	1103
720-739	308	342	484	677	927	1121
740-759	321	356	495	685	944	1141
760-779	334	371	506	695	963	1157
780-799	350	384	516	706	980	1177
800-819	364	398	525	711	996	1194
820-839	377	411	537	721	1015	1209
840-859	393	428	548	729	1033	1229
860-879	406	443	559	749	1051	1246
880-899	421	457	569	766	1068	1265
900-919	434	470	579	784	1089	1283
920-939	449	484	593	802	1103	1300
940-959	463	498	601	820	1121	1317
960-979	476	513	613	836	1141	1336
980-999	493	525	622	855	1157	1353
1000 & over	506	543	634	873	1177	1371))
Up to 449	131	205	356	533	719	936
450-459	133	210	359	542	730	939
460-469	138	213	362	549	741	943
470-479	143	217	368	562	744	946
480-489	146	223	370	571	750	949
490-499	149	225	374	582	757	954
500-509	155	229	380	590	763	961
510-519	158	234	384	597	770	964
520-529	160	243	391	601	777	973
530-539	166	246	396	607	790	983
540-549	169	250	402	614	803	991
550-559	172	256	405	623	810	1001
560-569	179	267	414	628	818	1011
570-579	182	271	418	630	825	1017
580-589	189	275	425	635	832	1029
590-599	197	280	428	639	842	1040
600-609	205	289	435	642	852	1046
610-619	216	292	442	646	861	1055
620-629	226	296	448	650	870	1066
630-639	237	302	453	652	878	1077
640-649	248	309	458	655	888	1085
650-659	263	315	465	660	898	1095
660-669	271	318	470	664	907	1104
670-679	278	326	475	675	917	1111
680-689	284	332	481	683	925	1121
690-699	292	337	486	694	936	1143
700-719	306	348	497	701	952	1158

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
720 - 739	323	359	508	711	973	1177
740 - 759	337	374	520	719	991	1198
760 - 779	351	390	531	730	1011	1215
780 - 799	368	403	542	741	1029	1236
800 - 819	382	418	551	747	1046	1254
820 - 839	396	432	564	757	1066	1269
840 - 859	413	449	575	765	1085	1290
860 - 879	426	465	587	786	1104	1308
880 - 899	442	480	597	804	1121	1328
900 - 919	456	494	608	823	1143	1347
920 - 939	471	508	623	842	1158	1365
940 - 959	486	523	631	861	1177	1383
960 - 979	500	539	644	878	1198	1403
980 - 999	518	551	653	898	1215	1421
1000 & over	531	570	666	917	1236	1440

WSR 88-22-072
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Optometry)
 [Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Optometry intends to adopt, amend, or repeal rules concerning minimum equipment requirements, amending WAC 308-53-200;

that the agency will at 9:15 a.m., Friday, December 9, 1988, in the Department of Licensing Testing Center, 1300 Quince Street, Olympia, 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.54.070.

The specific statute these rules are intended to implement is RCW 18.54.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Wednesday, December 7, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-21-084 filed with the code reviser's office on October 19, 1988.

Dated: November 2, 1988
 By: Victoria W. Sheldon
 Assistant Attorney General

WSR 88-22-073
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Occupational Therapy)
 [Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Occupational Therapy intends to adopt, amend, or repeal rules concerning new WAC 308-171-

320 and 308-171-330; and amending WAC 308-171-040, 308-171-010 and 308-171-020;

that the agency will at 9:00 a.m., Tuesday, December 6, 1988, in the Best Western Executel, Spinnaker Room, 5700 Pacific Highway East, Tacoma, 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 18.59.130.

The specific statute these rules are intended to implement is RCW 18.59.010 and section 604, chapter 206, Laws of 1988.

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

Dated: November 1, 1988
 By: Martha A. French
 Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Occupational Therapy.

Purpose and Reason Proposed: To establish procedures for appropriate education and training for licensees on the prevention, transmission, and treatment of AIDS. To include newly approved school programs.

Summary: WAC 308-171-320, 308-171-330 and 308-171-040, AIDS education procedure; WAC 308-171-010 and 308-171-020, newly approved school programs.

Statutory Authority: RCW 18.59.050, 18.59.130 and section 604, chapter 206, Laws of 1988.

Responsible Departmental Personnel: In addition to members of the board, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Terry West, Assistant Executive Secretary, Division of Professional Licensing, P.O. Box 9012, Olympia, WA 98504, (206) 586-8437 comm, 321-8437 scan.

Proponents: The Washington State Board of Occupational Therapy.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term was defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 721, filed 4/15/88)

WAC 308-171-010 RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPISTS. The board recognizes and approves courses of instruction conducted by schools that have obtained accreditation of the program in occupational therapy from the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association as recognized in the 1987-1988 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc. The following school program is also approved: Worcester State College.

AMENDATORY SECTION (Amending Order PM 721, filed 4/15/88)

WAC 308-171-020 RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPY ASSISTANTS. The board recognizes and approves courses of instruction conducted by

schools that have obtained approval of the occupational therapy assistant associate degree programs and occupational therapy assistant certificate programs from the American Occupational Therapy Association as recognized in the 1987-1988 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc. The following school programs are also approved: Austin Community College, Cincinnati Technical College, and Williamsport Area Community College.

AMENDATORY SECTION (Amending Order PM 636, filed 1/26/87)

WAC 308-171-040 LICENSE RENEWAL REGISTRATION DATE AND FEE. (1) Individuals making application for initial license, provided they meet the requirements for licensure in the state of Washington, will be issued a license to expire on their next birth anniversary date.

(2) Licenses shall be renewed upon a biennial basis on or before the licensee's birth anniversary date. Licenses not renewed on or before the licensee's biennial birth anniversary date shall expire immediately after the licensee's birth anniversary date and any practice engaged in with an expired license shall be deemed unlicensed practice.

(3) Limited permits shall expire in accordance with RCW 18.59.040(7).

(4) On a one-time basis, effective February 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-171-320.

Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC 308-171-320 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989. Those persons who must renew during 1990 shall submit evidence of compliance with WAC 308-171-320 on or before December 31, 1989.

NEW SECTION

WAC 308-171-320 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "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 chapter 70.24 RCW.

(3) Acceptable education and training. The department of licensing will accept education and training that is consistent with the model curriculum available from the office on AIDS of which three hours must be didactic instruction. Such education and training shall be a minimum of six 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.

(4) Implementation. Effective February 1, 1989, the requirement for licensing application, 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 (3) of this section.

(5) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

NEW SECTION

WAC 308-171-330 APPLICATION FOR LICENSURE. (1) Effective February 1, 1989, all persons applying for licensure including a limited permit, shall submit compliance with the education requirements of WAC 308-171-320.

(2) Those persons submitting application in 1989 who are unable to comply with WAC 308-171-320 may upon written application be granted an extension to December 31, 1989.

WSR 88-22-074
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Department of Licensing, intends to adopt, amend, or repeal rules concerning the amending of WAC 308-220-010 and 308-220-030;

that the agency will at 9:30 a.m., Tuesday, December 6, 1988, in the 4th Floor Executive Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504-8001, 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 hearing.

The authority under which these rules are proposed is RCW 18.19.05 [18.19.050].

The specific statute these rules are intended to implement is RCW 18.19.130.

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

Dated: November 1, 1988

By: Diana Dietrich
Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Title: WAC 308-220-010 Definitions; and 308-220-030 Degree equivalents.

Description of Purpose: To amend rules relating to certification of marriage and family therapists.

Statutory Authority: RCW 18.19.050.

Summary of Rules: WAC 308-220-010, to clarify the definitions of terms pertaining to the certification of marriage and family therapists; and WAC 308-220-030, to clarify the educational equivalents to a master's or doctoral degree in marriage and family therapy.

Responsible Personnel: The following professional programs management staff has knowledge of and responsibility for drafting, implementing and enforcing these rules: Delores E. Spice, Program Manager, Department of Licensing, P.O. Box 9012, Olympia, Washington 98504-8001, phone (206) 753-3576 comm, or 234-3576 scan.

Proponents: The Washington State Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court action.

Small Business Economic Impact Statement: Not required and not provided in that these rules do not impact small businesses as that term is defined in RCW 19.85.020.

AMENDATORY SECTION (Amending Order PM 729, filed 5/18/88)

WAC 308-220-010 **DEFINITIONS.** Definitions within the meaning of this chapter as pertains to the certification of marriage and family therapists.

(1) "Shows evidence" is defined as the official transcript sent directly to the department of licensing by the approved college or university to include course catalogs and syllabi if requested by the department.

(2) "Approved school" and "approved graduate school" both mean((s)) any regionally accredited college or university.

(3) "Marriage and family assessment" includes the evaluation and diagnosis of individual, marital, family functioning, and psychopathology.

(4) "Treatment" is a process that is derived from a systemic or interactional theoretical orientation where psychotherapy is employed to improve the individual, marital, and family functioning.

((5) "Equivalent to a master or doctorate degree in marriage and family therapy" is defined as a masters or doctorate degree in any of the behavioral sciences that shows evidence of equivalent coursework:))

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 PM 729, filed 5/18/88)

WAC 308-220-030 **DEGREE EQUIVALENTS** (~~TO MARRIAGE AND FAMILY THERAPY DEGREE~~). ((A masters or doctorate degree in any of the behavioral sciences, which degree shows evidence of coursework meeting the program equivalency requirements set out in WAC 308-220-440, shall be deemed equivalent to a masters or doctorate degree in marriage and family therapy:)) The following are considered to establish equivalence to a master's or doctoral degree in marriage and family therapy from an approved school or an approved graduate school:

(1) A doctoral or master's degree in any of the behavioral sciences that shows evidence of fulfillment of the coursework requirements set out in WAC 308-220-040;

(2) A doctoral or master's degree in any of the behavioral sciences that shows evidence of partial fulfillment of the equivalent coursework requirements set out in WAC 308-220-040, plus supplemental coursework from either an AAMFT accredited postgraduate institution or from a regionally accredited college or university to satisfy the remaining equivalent coursework requirements set out in WAC 308-220-040; or

(3) A doctoral or master's degree in any of the behavioral sciences and proof of meeting requirements for receiving AAMFT clinical membership.

Reviser's note: The above section, filed by the agency as an amendment to WAC 308-220-030 (Amending Order PM 729, filed 5/18/88), does not have the same language as was filed in Order PM 729. Pursuant to RCW 34.08.040, the section is published in the same form as filed by the agency.

WSR 88-22-075**EMERGENCY RULES****DEPARTMENT OF LICENSING****(Board of Osteopathic Medicine and Surgery)**

[Order PM 781—Filed November 2, 1988]

Be it resolved by the Board of Osteopathic Medicine and Surgery, acting at Seattle, Washington, that it does adopt the annexed rules relating to the AIDS education requirement for licensure and licensure renewal for osteopathic physicians, osteopathic physicians' assistants and osteopathic physicians' acupuncture assistants.

We, the Board of Osteopathic Medicine and Surgery, 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 immediate need to deal knowledgeably with the AIDS epidemic, which as recognized by the legislature in enacting section 604, chapter 206, Laws of 1988, is forecasted to grow rapidly to 5,000 cases in the state by 1991.

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

This rule is promulgated pursuant to section 604, chapter 206, 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 October 31, 1988.

By Joseph T. Palermo, D.O.

Chairperson

AMENDATORY SECTION (Amending Order PL 262, filed 1/13/77)**WAC 308-138-070 RENEWAL OF LICENSES.**

(1) ~~((Effective with the renewal period beginning May 1, 1977, the annual license renewal date for osteopathic physician and surgeon will be changed to coincide with the licensee's birthdate. Conversion to this staggered renewal system will be accomplished as follows:~~

~~(a) Current licensees, as of April 30, 1977. Osteopathic physicians and surgeons desiring to renew their license will be required to pay a fee of thirty dollars plus one-twelfth of that amount for each month, or fraction thereof, in order to extend their license renewal to expire on their birth anniversary date next following April 30, 1978.~~

~~(b) On and after May 1, 1977, all new or) Individuals receiving an initial osteopathic physician and surgeon license((s)) will be issued ((with)) a license to expire on the applicant's next birth ((anniversary)) date.~~

~~(2) ((After this conversion to a staggered renewal system:)) Licensees ((may annually)) shall renew their license ((from birth anniversary date to the next)) annually on or before their birth ((anniversary)) date. Failure to renew shall invalidate the license to practice osteopathic medicine and surgery. Any practice engaged in with an expired license shall be deemed to be unlicensed practice.~~

~~(3) On a one-time basis, effective January 1, 1989, all persons applying for license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138-350.~~

~~Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of WAC 308-138-350 with their renewal application. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989.~~

NEW SECTION

WAC 308-138-350 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "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 chapter 70.24 RCW.

(3) Acceptable education and training. The department 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.

(4) Implementation. Effective January 1, 1989, the requirement for licensure application, 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 (3) of this section.

(5) Documentation. The license holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

NEW SECTION

WAC 308-138-360 APPLICATION FOR REGISTRATION. 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 WAC 308-138-350.

NEW SECTION

WAC 308-138B-180 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "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 chapter 70.24 RCW.

(3) Acceptable education and training. The department 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.

(4) Implementation. Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration 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 (3) of this section.

(5) Documentation. The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

NEW SECTION

WAC 308-138B-190 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138B-180.

NEW SECTION

WAC 308-138B-200 REGISTRATION RENEWAL REQUIREMENT. On a one-time basis, effective January 1, 1989, all persons making application for registration renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138B-180. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989.

NEW SECTION

WAC 308-138A-040 AIDS EDUCATION AND TRAINING. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "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 chapter 70.24 RCW.

(3) Acceptable education and training. The department 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.

(4) *Implementation.* Effective January 1, 1989, the requirement for registration application, renewal, or reinstatement of any registration 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 (3) of this section.

(5) *Documentation.* The registration holder shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before the renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the learning; and

(c) Be prepared to validate, through submission of these records, that learning has taken place.

NEW SECTION

WAC 308-138A-050 APPLICATION FOR REGISTRATION. Effective January 1, 1989, persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138A-040.

NEW SECTION

WAC 308-138A-060 REGISTRATION RENEWAL REQUIREMENT. On a one-time basis, effective January 1, 1989, all persons making application for registration renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-138A-040. Persons who are unable to verify compliance by their 1989 renewal date may, upon written application, be granted an extension to December 31, 1989.

WSR 88-22-076

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order PM 785—Filed November 2, 1988]

I, Mary G. Faulk, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to AIDS prevention and information education requirements—Health care assistants, WAC 308-175-200.

This action is taken pursuant to Notice No. WSR 88-17-102 filed with the code reviser on August 23, 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 director of the Washington State Department of Licensing as authorized in RCW 18.135.030.

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

APPROVED AND ADOPTED September 28, 1988.

By Mary G. Faulk
Director

NEW SECTION

WAC 308-175-200 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS—HEALTH CARE ASSISTANTS. (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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 certification, renewal, or reinstatement of any certificate 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 applicant 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 88-22-077**ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order PM 786—Filed November 2, 1988]

I, Mary G. Faulk, director of the Washington State Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to AIDS prevention and information education requirements; WAC 308-25-300, 308-26-200, 308-51-320, 308-55-200, 308-115-500, 308-130-410, 308-173-100, 308-177-100, 308-180-400, 308-183-200, 308-190-200, 308-195-200, 308-210-200, 308-220-200 and 308-230-200.

This action is taken pursuant to Notice No. WSR 88-17-103 filed with the code reviser on August 23, 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 70.24.270 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 28, 1988.

By Mary G. Faulk
Director

NEW SECTION**WAC 308-25-300 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 applicant 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.

NEW SECTION**WAC 308-26-200 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four

clock hours and shall include, but is not limited to, the following: etiology and epidemiology; infection control guidelines; 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 applicant 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.

NEW SECTION

WAC 308-51-320 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four clock hours and shall include, but is not limited to, the following: etiology and epidemiology; infection control guidelines; 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 applicant 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.

NEW SECTION

WAC 308-55-200 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applications who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four clock hours and shall include, but is not limited to, the following: etiology and epidemiology; infection control guidelines; 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 applicant 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.

NEW SECTION

WAC 308-115-500 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 applicant 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.

NEW SECTION

WAC 308-130-410 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 applicant 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.

NEW SECTION

WAC 308-173-100 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 registration. Effective January 1, 1989 persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Initial applicants may have a four month extension upon written application to the department.

(3) 1989 renewal of registration. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for registration renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Persons whose 1989 registration 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 registration, renewal, or reinstatement of any registration 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 applicant 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.

NEW SECTION

WAC 308-177-100 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in

addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four clock hours for dietitians and seven clock hours for nutritionists and shall include, but is not limited to, the following: etiology and epidemiology; infection control guidelines; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for certification, renewal, or reinstatement of any certificate 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 applicant 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.

NEW SECTION

WAC 308-180-400 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) 1989 renewal of licenses. Effective for the 1989 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 applicant 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.

NEW SECTION

WAC 308-183-200 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 certification, renewal, or reinstatement of any certificate 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 applicant 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.

NEW SECTION

WAC 308-190-200 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 registration. Effective January 1, 1989 persons applying for registration shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of registration. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for registration renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 registration 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four 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 registration, renewal, or reinstatement of any registration 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 applicant 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.

NEW SECTION

WAC 308-195-200 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by 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 certification, renewal, or reinstatement of any certificate 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 applicant 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.

NEW SECTION

WAC 308-210-200 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four 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 certification, renewal, or reinstatement of any certificate 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 applicant 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.

NEW SECTION

WAC 308-220-200 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four 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 certification, renewal, or reinstatement of any certificate 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 applicant 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.

NEW SECTION

WAC 308-230-200 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 certification. Effective January 1, 1989 persons applying for certification shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) 1989 renewal of certificate. Effective for the 1989 renewal period beginning January 1, 1989 all persons making application for certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Those persons who must renew during 1989 shall submit evidence of compliance with the education requirements of subsection (4) with their renewal application. Those persons who must renew during 1990 shall submit evidence of compliance with subsection (4) on or before December 31, 1989. Persons whose 1989 certificate 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. Renewal applicants who have documented hardship that prevents obtaining the required education may petition for an extension.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the topical outline supported by the Office on AIDS. Such education and training shall be a minimum of four 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 certification, renewal, or reinstatement of any certificate 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 applicant 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 88-22-078
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed November 2, 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 generation and management of dangerous waste.

Public workshops and public hearings on the proposed amendments are scheduled as follows: December 6, 1988, Towne Plaza Hotel, Cougar Room, North 7th Street and Yakima Avenue, Yakima, WA; December 7, 1988, E.W.U. Higher Education Center, Room 416 West 705 1st Avenue, Spokane, WA; and December 8, 1988, Tukwila City Hall, Council Chambers, 6200 Southcenter Boulevard, Tukwila, WA. At each location, the workshops will run from 10 a.m. to noon and the hearings will begin at 2 p.m.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 3, 1989.

The authority under which these rules are proposed is chapter 70.105 RCW.

The specific statute these rules are intended to implement is chapter 70.105 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 16, 1988.

Dated: November 1, 1988

By: Fred Olson

Deputy Director

STATEMENT OF PURPOSE

Title: Chapter 173-303 WAC, Dangerous waste regulations.

Description of Purpose: To regulate the generation and management of dangerous waste.

Statutory Authority: Chapter 70.105 RCW, Hazardous Waste Management Act.

Summary of Rule: The proposed actions amend chapter 173-303 WAC in several areas.

Discussion: The state dangerous waste regulations, chapter 173-303 WAC, establish requirements for persons generating and managing dangerous waste. These regulations reflect both federal requirements and state concerns. As the federal provisions change, the state must amend its regulations to remain at least as stringent as EPA. Local concerns and experiences have also identified needed changes and clarifications. These proposed amendments are a combination of EPA-required and ecology-proposed changes.

These proposed amendments to the dangerous waste regulations, chapter 173-303 WAC include: New rules requiring secondary containment and other standards for dangerous waste tank systems; one addition to existing language in the section on "excluded categories of waste"; one minor addition to the generator standards; and numerous small clarifications, changes, and corrections.

A. Dangerous Waste Tank Systems. (A federally initiated change.)

WAC 173-303-640 Tank Systems (and other related sections).

What is the goal of this rule change? To protect tank systems against failure and minimize releases of dangerous waste to the environment.

Who do these rules affect? This rule establishes new or revised standards for tank systems managed by: Permitted dangerous waste management facilities; interim status facilities; and businesses that generate over 1000 Kg of dangerous waste per month.

How will these rules impact these businesses? There will be a moderate cost impact to businesses with dangerous waste tank systems. However, these are primarily federal regulations which would be in effect (and enforced by EPA) even if we did not adopt them.

Why are we changing these rules? Two reasons. First, is that EPA is requiring all states authorized to run the RCRA program (like Washington) to make this change. If ecology's rules do not remain "equivalent" to EPA's, then we would lose our authorized status. The second reason is that EPA and others have conducted studies showing that a significant number of existing dangerous waste tank systems are probably leaking. Leaks are likely to contaminate ground and surface water and pose human health risks. The principal causes of tank system leaks identified in these studies were: External corrosion, installation problems, structural failure, spills and overfills due to operator errors, and ancillary equipment failure.

What are these changes? – Summary of the Tank Rule: Secondary containment with interstitial monitoring must be provided for all new dangerous waste tank systems (new tank systems are defined as those put into service after July 14, 1986).

For existing tank systems, secondary containment with interstitial monitoring will be phased in as follows: Tanks storing or treating EPA hazardous waste Nos. F020, F021, F022, F023, F026, and F027, must be provided with secondary containment within two years after January 12, 1989; other existing tanks that are determined to be nonleaking on the basis of tank integrity assessments or other means must be provided with secondary containment by the time the tank is 15 years old or within two years of January 12, 1989, whichever is later; and in the event a leak is discovered in a tank component that is underground or that is not accessible for visual inspection, the entire component must be provided with secondary containment prior to the tank system returning to service.

Other major provisions in this rule require: Periodic tank system integrity assessments for all dangerous waste tanks, except tanks owned and operated by generators of less than 1000 Kg per month; that new and existing primary tank systems be designed properly and that they be compatible with the wastes they contain; inspection, corrosion evaluation (for metal tanks only), and monitoring for all tanks systems; operating controls and practices designed to prevent spills and overflows; quick responses to releases of dangerous wastes; proper financial assurance and closure; and for tank systems that have released dangerous constituents to ground water, the site must be provided with postclosure care similar to that required for landfills.

WAC 173-303-202 Requirements for generators of between 220 and 2200 lbs (100-1000 Kg) per month that accumulate dangerous waste in tanks. New tank system standards for this category of generators. However, these standards are much less stringent than the final status standards in WAC 173-303-640. For example, secondary containment is not required.

B. Additional Exclusion.

WAC 173-303-071(3) "Treatability study exclusion" (federally initiated). Adding a subsection that conditionally exempts waste samples used in small-scale treatability studies from certain dangerous waste rules. Ecology is considering using our emergency rule-making authority to immediately allow this type of activity.

C. Minor Addition to the Generator Requirements.

WAC 173-303-200 (1)(e) Rules pertaining to accumulating dangerous waste on site. Adding some additional inspection requirements to generators who accumulate dangerous waste on site. For example, these generators would be required to keep an inspection log on site. This simple procedure could prevent many problems from occurring.

D. Minor clarifications and corrections to chapter 173-303 WAC.

WAC 173-303-040, add new definitions; WAC 173-303-045, change date of incorporation of the federal regulations by reference (old July 11, 1986, new October

1, 1988). This will update the interim status standards – except for HSWA; WAC 173-303-070 (2)(a), add a comma after WAC 173-303-083; WAC 173-303-070 (7)(b), 400 lbs should be 220 lbs; WAC 173-303-071 (3)(k), a clarification, not all PCB wastes are exempt. The period after ". . . wastes." should be a colon; WAC 173-303-071 (3)(l), same as above for "samples"; WAC 173-303-080 (3) and (4), clarification. There are no infectious waste or mixtures lists. So delete these references from the list section; WAC 173-303-110 (3)(c), incorporate by reference SW-846 (latest edition and updates); WAC 173-303-161(1), change hazardous to dangerous; WAC 173-303-400, housekeeping changes to interim status standards; WAC 173-303-505, deleting a redundancy; WAC 173-303-515, footnote "a" should be deleted (we deleted the narrative exempting small quantity generators from this section previously, but footnote "a" was left in by mistake); WAC 183-303-550(3), moderate risk waste should be special waste; WAC 173-303-610(1), related to the WAC 173-303-640 tank system changes; WAC 173-303-610(8), "piles and surface impoundments" should be "surface impoundments and piles"; WAC 173-303-620(1), related to the WAC 173-303-640 tank system changes; WAC 173-303-620(8), along with the change of the date of incorporation in WAC 173-303-045, these changes incorporate the rule allowing the use of alternative financial assurance mechanisms for dangerous waste facilities (see September 1, 1988 Federal Register); WAC 173-303-645 (4), (9) and (10), incorporates 40 CFR Part 264 Appendix IX, groundwater monitoring list; WAC 173-303-805, related to the WAC 173-303-640 tank system changes; WAC 173-303-806 (4)(a)(iv) and (v), related to the WAC 173-303-640 tank system changes; WAC 173-303-806 (4)(a)(xx)(G) and (H), allowing facility owners and operators to submit a permit schedule for development of a corrective action plan instead of requiring the whole plan. Should help speed up the permit process (see June 22, 1987, Federal Register); WAC 173-303-806 (4)(b), related to the WAC 173-303-640 tank systems changes; WAC 173-303-830, typo corrected; WAC 173-303-9903 and 173-303-9905, changes to the dangerous waste lists per EPA's corrections (see August 8, 1986 Federal Register); and WAC 173-303-9904, add the heading "Footnotes."

Reasons Supporting Proposed Action: Maintain final authorization of the state's dangerous waste program; respond to new issues and concerns in implementing those regulations; and provide clarifications of existing requirements.

Agency Personnel Responsible for Drafting: Marsha Beery, Department of Ecology, Mailstop PV-11, Olympia, (206) 459-6516; Implementation and Enforcement: Terry Husseman, Department of Ecology, Mailstop PV-11, Olympia, (206) 459-6316.

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: Some changes are necessary as a result of federal RCRA requirements.

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% of all industries or more than 10% of the businesses 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.

A portion of the proposed amendments have been included in order to incorporate recently promulgated federal requirements into our state administrative code. Such requirements include those concerning hazardous waste tank standards (see the July 14, 1986, Federal Register). Since these regulations would be effective (and implemented by the federal EPA) in the absence of state action, they will not be considered in this review.

There are two significant, state-initiated additions to these tank rules. The first is that the federal rules exempt an assessment of a tank's integrity, for those tank systems that have secondary containment meeting all the requirements of the federal rule. The state rule, however, does not have this exemption. Second, the state rules require that integrity assessments be repeated periodically over the life of the tank (those with secondary containment meeting the rule's requirements) to ensure that it remains in good condition.

Thus, those businesses that currently have dangerous waste tanks with secondary containment, meeting the requirements of the new rule, will have to assess the integrity of these tanks (to determine whether or not they are fit for use). Also, periodic integrity assessments of such tanks are to be conducted according to a schedule established by the owner or operator, based upon relevant factors.

The cost of compliance with the state's additional rules is difficult to accurately measure. However, a brief survey of businesses that have paid for integrity assessments on their dangerous waste tanks, indicates that the costs of such assessment are between \$500 and \$1500 per tank. This cost varies with the size of the tank and other site-specific factors.

Using these numbers, the average cost of the state-only rules to affected businesses would be approximately, \$1000 per tank for the original assessment and another \$1000 per tank every five years or so after that (depending on the schedule that is developed).

The department does not anticipate that the original integrity assessment cost will be applied to very many businesses right away. This is because out of the approximately 400 businesses in the state using dangerous waste tanks, only a fraction currently have secondary containment that meets the rule's requirements. The secondary containment requirements are to be phased-in over time, according to the age of the tank. The additional requirements will not apply until a tank meets the secondary containment requirements.

The proposed rule has some features that mitigate its affect on small businesses. These features are: An exemption for businesses that generate less than 1000 kilograms of dangerous waste per month; variance procedures by which business can demonstrate that they do not need to meet these requirements at all or that they can accomplish the rule's objectives using different methods; and an exemption for those businesses that accumulate dangerous wastes in tanks that are part of a closed-loop reclamation system.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-040 DEFINITIONS. When used in this regulation, the following terms have the meanings given below.

(1) "Active portion" means that portion of a facility which is not a closed portion (subsection (11) of this section), and where dangerous waste recycling, reuse, reclamation, transfer, treatment, storage or disposal operations are being or have been conducted after:

(a) The effective date of the waste's designation by 40 CFR Part 261; and

(b) March 10, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261. (See also "closed portion" and "inactive portion.")

(2) "Acutely hazardous waste" means dangerous waste sources (listed in WAC 173-303-9904) F020, F021, F022, F023, F026, or F027, and discarded chemical products (listed in WAC 173-303-9903) that are identified with a dangerous waste number beginning with a "P" or that show an "X" or "A" in the reason for designation column.

(3) "Aquatic LC₅₀" (same as TLM₉₆) means a concentration in mg/L (ppm) which kills in 96 hours half of a group of ten or more of a medium sensitivity warm water species of fish such as *Lepomis macrochirus* (bluegill) or *Pimephales promelas* (flathead minnow), or cold water species such as salmonidae, when using the testing method described in WAC 173-303-110.

(4) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of ground water to wells or springs.

(5) "Asbestos containing waste material" means any waste that contains more than one percent asbestos by weight and that can be crumbled, pulverized, or reduced to powder when dry, by hand pressure.

(6) "Batch" means any waste which is generated less frequently than once a month.

(7) "Berm" means the shoulder of a dike.

(8) "Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

(a)(i) The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and

(ii) The unit's combustion chamber and primary energy recovery section(s) must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery section(s) (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery section(s) are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery section. The following units are not precluded from being boilers solely because they are not of integral design: Process heaters (units that transfer energy directly to a process stream), and fluidized bed combustion units; and

(iii) While in operation, the unit must maintain a thermal energy recovery efficiency of at least sixty percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

(iv) The unit must export and utilize at least seventy-five percent of the recovered energy, calculated on an annual basis. In this calculation, no credit shall be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps); or

(b) The unit is one which the department has determined, on a case-by-case basis, to be a boiler, after considering the standards in WAC 173-303-017(6).

(9) "By-product" means a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. Examples are process residues such as slags or distillation column bottoms. The term does not include a co-product that is produced for the general public's use and is ordinarily used in the form it is produced by the process.

(10) "Carcinogenic" means a material known to contain an IARC positive or suspected, human or animal carcinogen.

(11) "Closed portion" means that portion of a facility which an owner or operator has closed, in accordance with the approved facility closure plan and all applicable closure requirements.

(12) "Closure" means the requirements placed upon all TSD facilities to ensure that all such facilities are closed in an acceptable manner (see also "post-closure").

(13) "Compliance procedure" shall mean any proceedings instituted pursuant to the Hazardous Waste Disposal Act as amended in 1980 and 1983, and chapter 70.105A RCW, or regulations issued under authority of state law, which seeks to require compliance, or which is in the nature of an enforcement action or an action to cure a violation. A compliance procedure includes a notice of intention to terminate a permit pursuant to WAC 173-303-830(5), or an application in the state superior court for appropriate relief under the Hazardous Waste Management Act. A compliance procedure is considered to be pending from the time a notice of violation or of intent to terminate a permit is issued or judicial proceedings are begun, until the department notifies the owner or operator in writing that the violation has been corrected or that the procedure has been withdrawn or discontinued.

(14) "Constituent" or "dangerous waste constituent" means a chemically distinct component of a dangerous waste stream or mixture.

(15) "Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

(16) "Contingency plan" means a document setting out an organized, planned, and coordinated course of action to be followed in case of a fire, explosion, or release of dangerous waste or dangerous waste constituents which could threaten the public health or environment.

(17) "Contract" means the written agreement signed by the department and the state operator.

(18) "Dangerous wastes" means those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous or extremely hazardous waste. As used in this chapter, the words "dangerous waste" will refer to the full universe of wastes regulated by this chapter (including dangerous and extremely hazardous waste), while the abbreviation "DW" will refer to that part of the regulated universe which is dangerous only, and not extremely hazardous. (See also "extremely hazardous waste" and "hazardous waste" definitions.)

(19) "Department" means the department of ecology.

(20) "Dermal LD₅₀" means the single dosage in milligrams per kilogram (mg/kg) body weight which, when dermally (skin) applied for 24 hours, within 14 days kills half of a group of ten rabbits each weighing between 2.0 and 3.0 kilograms.

(21) "Designated facility" means the facility designated by the generator on the manifest to receive a dangerous waste shipment and which is authorized pursuant to this chapter or RCRA to recycle or manage dangerous waste.

(22) "Dike" means an embankment or ridge of natural or man-made materials used to prevent the movement of liquids, sludges, solids, or other substances.

(23) "Director" means the director of the department of ecology.

(24) "Discharge" or "dangerous waste discharge" means the accidental or intentional release of hazardous substances, dangerous waste or dangerous waste constituents such that the substance, waste or a waste constituent may enter or be emitted into the environment. Release includes, but is not limited to, the actions of: Spilling, leaking, pumping, pouring, emitting, dumping, emptying, depositing, placing, or injecting.

(25) "Disposal" means the discharging, discarding, or abandoning of dangerous wastes or the treatment, decontamination, or recycling of such wastes once they have been discarded or abandoned. This includes the discharge of any dangerous wastes into or on any land, air, or water.

(26) "Draft permit" means a document prepared under WAC 173-303-840 indicating the department's tentative decision to issue or deny, modify, revoke and reissue, or terminate a permit. A notice of

intent to terminate or deny a permit are types of draft permits. A denial of a request for modification, revocation and reissuance, or termination as discussed in WAC 173-303-830 is not a draft permit.

(27) "Elementary neutralization unit" means a device which:

(a) Is used for neutralizing wastes which are dangerous wastes only because they exhibit the corrosivity characteristics defined in WAC 173-303-090 or are listed in WAC 173-303-081, or in 173-303-082 only for this reason; and

(b) Meets the definition of tank, tank system, container, transport vehicle, or vessel.

(28) "EPA/state identification number" or "EPA/state ID#" means the number assigned by EPA or by the department of ecology to each generator, transporter, and TSD facility.

(29) "Extremely hazardous waste" means those dangerous wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous. The abbreviation "EHW" will be used in this chapter to refer to those dangerous wastes which are extremely hazardous. (See also "dangerous waste" and "hazardous waste" definitions.)

(30) "Facility" means all contiguous land, and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specified in this chapter, the terms "facility," "treatment, storage, disposal facility," "TSD facility," "dangerous waste facility" or "waste management facility" shall be used interchangeably.

(31) "Food chain crops" means tobacco, crops grown for human consumption, and crops grown to feed animals whose products are consumed by humans.

(32) "Freeboard" means the vertical distance between the top of a tank or surface impoundment dike, and the surface of the waste contained therein.

(33) "Fugitive emissions" means the emission of contaminants from sources other than the control system exit point. Material handling, storage piles, doors, windows and vents are typical sources of fugitive emissions.

(34) "Generator" means any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.

(35) "Genetic properties" means those properties which cause or significantly contribute to mutagenic, teratogenic, or carcinogenic effects in man or wildlife.

(36) "Ground water" means water which fills voids below the land surface and in the earth's crust.

(37) "Halogenated hydrocarbons" (HH) means any organic compounds which, as part of their composition, include one or more atoms of fluorine, chlorine, bromine, iodine, or astatine. The requirements of this chapter apply to only those halogenated hydrocarbons which can be obtained using the testing method described in WAC 173-303-110, testing methods, and which are persistent dangerous wastes.

(38) "Hazardous substances" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090, 173-303-101, 173-303-102, or 173-303-103.

(39) "Hazardous wastes" means those solid wastes designated by 40 CFR Part 261, and regulated as hazardous waste by the United States EPA. This term will never be abbreviated in this chapter to avoid confusion with the abbreviations "DW" and "EHW." (See also "dangerous waste" and "extremely hazardous waste" definitions.)

(40) "Inactive portion" means that portion of a facility which has not recycled, treated, stored, or disposed dangerous waste after:

(a) The effective date of the waste's designation, for wastes designated under 40 CFR Part 261; and

(b) March 10, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261.

(41) "Incinerator" means any enclosed device using controlled flame combustion that neither meets the criteria for classification as a boiler nor is listed as an industrial furnace.

(42) "Incompatible waste" means a dangerous waste which is unsuitable for placement in a particular device or facility because it may corrode or decay the containment materials, or is unsuitable for mixing with another waste or material because the mixture might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, fumes, mists, or gases, or flammable fumes or gases.

(43) "Industrial-furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that

use controlled flame devices to accomplish recovery of materials or energy; cement kilns, lime kilns, aggregate kilns, phosphate kilns, blast furnaces, smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and foundry furnaces), titanium dioxide chloride process oxidation reactors, coke ovens, methane reforming furnaces, combustion devices used in the recovery of sulfur values from spent sulfuric acid, and pulping liquor recovery furnaces. The department may decide to add devices to this list on the basis of one or more of the following factors:

(a) The device is designed and used primarily to accomplish recovery of material products;

(b) The device burns or reduces secondary materials as ingredients in an industrial process to make a material product;

(c) The device burns or reduces secondary materials as effective substitutes for raw materials in processes using raw materials as principal feedstocks;

(d) The device burns or reduces raw materials to make a material product;

(e) The device is in common industrial use to produce a material product; and

(f) Other factors, as appropriate.

(44) "Infectious waste" means organisms or materials listed in WAC 173-303-083, infectious dangerous wastes.

(45) "Inhalation LC₅₀" means a concentration in milligrams of substance per liter of air which, when administered to the respiratory tract for 4 hours, kills within 14 days half of a group of ten rats each weighing between 200 and 300 grams.

(46) "Inner liner" means a continuous layer of material placed inside a tank or container which protects the construction materials of the tank or container from the waste or reagents used to treat the waste.

(47) "Interim status permit" means a temporary permit given to TSD facilities which qualify under WAC 173-303-805.

(48) "Landfill" means a disposal facility, or part of a facility, where dangerous waste is placed in or on land and which is not a land treatment facility, a surface impoundment, or an injection well.

(49) "Land treatment" means the practice of applying dangerous waste onto or incorporating dangerous waste into the soil surface so that it will degrade or decompose. If the waste will remain after the facility is closed, this practice is disposal.

(50) "Leachate" means any liquid, including any components suspended in the liquid, that has percolated through or drained from dangerous waste.

(51) "Legal defense costs" means any expenses that an insurer incurs in defending against claims of third parties brought under the terms and conditions of an insurance policy.

(52) "Liner" means a continuous layer of man-made or natural materials which restrict the escape of dangerous waste, dangerous waste constituents, or leachate through the sides, bottom, or berms of a surface impoundment, waste pile, or landfill.

(53) "Major facility" means a facility or activity classified by the department as major.

(54) "Manifest" means the shipping document, prepared in accordance with the requirements of WAC 173-303-180, which is used to identify the quantity, composition, origin, routing, and destination of a dangerous waste while it is being transported to a point of transfer, disposal, treatment, or storage.

(55) (Reserved.)

(56) "NIOSH registry" means the registry of toxic effects of chemical substances which is published by the National Institute for Occupational Safety and Health.

(57) "Nonsudden accident" or "nonsudden accidental occurrence" means an unforeseen and unexpected occurrence which takes place over time and involves continuous or repeated exposure.

(58) "Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in bodily injury or property damage which the owner or operator neither expected nor intended to occur.

(59) "On-site" means the same, geographically contiguous, or bordering property. Travel between two properties divided by a public right of way, and owned, operated, or controlled by the same person, shall be considered on-site travel if: (a) The travel crosses the right of way at a perpendicular intersection; or, (b) the right of way is controlled by the property owner and is inaccessible to the public.

(60) "Operator" means the person responsible for the overall operation of a facility. (See also "state operator.")

(61) "Oral LD₅₀" means the single dosage in milligrams per kilogram (mg/kg) body weight, when orally administered, which, within 14 days, kills half a group of ten or more white rats each weighing between 200 and 300 grams.

(62) "Permit" means an authorization which allows a person to perform dangerous waste transfer, storage, treatment, or disposal operations, and which typically will include specific conditions for such facility operations. Permits must be issued by one of the following:

(a) The department, pursuant to this chapter;

(b) United States EPA, pursuant to 40 CFR Part 270; or

(c) Another state authorized by EPA, pursuant to 40 CFR Part 271.

(63) "Permit-by-rule" means a provision of this chapter stating that a facility or activity is deemed to have a dangerous waste permit if it meets the requirements of the provision.

(64) "Persistence" means the quality of a material which retains more than half of its initial activity after one year (365 days) in either a dark anaerobic or dark aerobic environment at ambient conditions.

(65) "Person" means any person, firm, association, county, public or municipal or private corporation, agency, or other entity whatsoever.

(66) "Pesticide" means but is not limited to: Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, mollusk, fungus, weed, and any other form of plant or animal life, or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the department of agriculture may declare to be a pest; any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant; any substance or mixture of substances intended to be used as spray adjuvant; and, any other substance intended for such use as may be named by the department of agriculture by regulation. Herbicides, fungicides, insecticides, and rodenticides are pesticides for the purposes of this chapter.

(67) "Pile" means any noncontainerized accumulation of solid, non-flowing dangerous waste that is used for treatment or storage.

(68) "Point source" means any confined and discrete conveyance from which pollutants are or may be discharged. This term includes, but is not limited to, pipes, ditches, channels, tunnels, wells, cracks, containers, rolling stock, concentrated animal feeding operations, or watercraft, but does not include return flows from irrigated agriculture.

(69) "Polycyclic aromatic hydrocarbons" (PAH) means those hydrocarbon molecules composed of two or more benzene rings. For the purposes of this chapter, the PAH of concern for designation are only those PAH with more than three rings and less than seven rings.

(70) "Post-closure" means the requirements placed upon disposal facilities (e.g., landfills, impoundments closed as disposal facilities, etc.) after closure to ensure their environmental safety for a number of years after closure. (See also "closure.")

(71) "Publicly owned treatment works" or "POTW" means any device or system, owned by the state or a municipality, which is used in the treatment, recycling, or reclamation of municipal sewage or liquid industrial wastes. This term includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW.

(72) "Reclaim" means to process a material in order to recover useable products, or to regenerate the material. Reclamation is the process of reclaiming.

(73) "Recover" means extract a useable material from a solid or dangerous waste through a physical, chemical, biological, or thermal process. Recovery is the process of recovering.

(74) "Recycle" means to use, reuse, or reclaim a material.

(75) "Regulated unit" means any new or existing surface impoundment, landfill, land treatment area or waste pile that receives any dangerous waste after:

(a) January 26, 1983 for wastes regulated by 40 CFR Part 261;

(b) October 31, 1984 for wastes designated only by this chapter and not regulated by 40 CFR Part 261; or

(c) The date six months after a waste is newly identified by amendments to 40 CFR Part 261 or this chapter which cause the waste to be regulated.

(76) "Representative sample" means a sample which can be expected to exhibit the average properties of the sample source.

(77) "Reuse or use" means to employ a material either:

(a) As an ingredient (including use as an intermediate) in an industrial process to make a product (for example, distillation bottoms from one process used as feedstock in another process). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary materials); or

(b) In a particular function or application as an effective substitute for a commercial product (for example, spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment).

(78) "Run-off" means any rainwater, leachate, or other liquid which drains over land from any part of a facility.

(79) "Run-on" means any rainwater, leachate, or other liquid which drains over land onto any part of a facility.

(80) "Schedule of compliance" means a schedule of remedial measures in a permit including an enforceable sequence of interim requirements leading to compliance with this chapter.

(81) "Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility. This term does not include the treated effluent from a wastewater treatment plant.

(82) "Scrap metal" means bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled.

(83) "Spent material" means any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing.

(84) "State operator" means the person responsible for the overall operation of the state's extremely hazardous waste facility on the Hanford Reservation.

(85) "Storage" means the holding of dangerous waste for a temporary period. "Accumulation" of dangerous waste, by the generator on the site of generation, is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

(86) "Sudden accident" means an unforeseen and unexpected occurrence which is not continuous or repeated in nature.

(87) "Surface impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquid dangerous wastes or dangerous wastes containing free liquids. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

(88) "Tank" means a stationary device designed to contain an accumulation of dangerous waste, and which is constructed primarily of nonearthen materials to provide structural support.

(89) "Thermal treatment" means the use of a device which uses primarily elevated temperatures to treat a dangerous waste.

(90) "TLm₉₆" means the same as "Aquatic LC₅₀."

(91) "Totally enclosed treatment facility" means a facility for treating dangerous waste which is directly connected to a production process and which prevents the release of dangerous waste or dangerous waste constituents into the environment during treatment.

(92) "Toxic" means having the properties to cause or to significantly contribute to death, injury, or illness of man or wildlife.

(93) "Transfer facility" or "collection facility" means a facility at which dangerous waste shipments are collected, consolidated, and stored for more than ten days before transfer to a storage, treatment, or disposal facility.

(94) "Transportation" means the movement of dangerous waste by air, rail, highway, or water.

(95) "Transporter" means a person engaged in the off-site transportation of dangerous waste.

(96) "Travel time" means the period of time necessary for a dangerous waste constituent released to the soil (either by accident or intent) to enter any on-site or off-site aquifer or water supply system.

(97) "Treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

(98) "Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which dangerous wastes are degraded, transformed or immobilized.

(99) "Triple rinsing" means the cleaning of containers in accordance with the requirements of WAC 173-303-160 (2)(b), containers.

(100) "Underground injection" means the subsurface emplacement of fluids through a bored, drilled, or driven well, or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

(101) "Unsaturated zone" means the zone between the land surface and the water table.

(102) "Uppermost aquifer" means the geological formation nearest the natural ground surface that is capable of yielding ground water to wells or springs. It includes lower aquifers that are hydraulically interconnected with this aquifer within the facility property boundary.

(103) "Water or rail (bulk shipment)" means the bulk transportation of dangerous waste which is loaded or carried on board a vessel or railcar without containers or labels.

(104) "Waste water treatment unit" means a device which:

(a) Is part of a waste water treatment facility which is subject to regulation under either:

(i) Section 402 or section 307(b) of the Federal Clean Water Act; or

(ii) Chapter 90.48 RCW, State Water Pollution Control Act, provided that any dangerous waste treated at the facility is designated only by this chapter 173-303 WAC and is not regulated as hazardous waste under 40 CFR Part 261; and

(b) Handles dangerous waste as defined in WAC 173-303-070 through 173-303-103 in either of the following manner:

(i) Receives and treats or stores an influent dangerous waste water; or

(ii) Generates and accumulates or treats or stores a dangerous waste water treatment sludge; and

(c) Meets the definition of tank or tank system in WAC 173-303-040.

(105) "Existing TSD facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261. A facility has commenced construction if the owner or operator has obtained permits and approvals necessary under federal, state and local statutes, regulations and ordinances and either:

(a) A continuous on-site, physical construction program has begun; or

(b) The owner or operator has entered into contractual obligation, which cannot be cancelled or modified without substantial loss, for physical construction of the facility to be completed within a reasonable time.

(106) "New TSD facility" means a facility which began operation or for which construction commenced after November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261.

(107) "Special waste" means any dangerous waste that is solid only (nonliquid, nonaqueous, nongaseous), that is not a regulated hazardous waste under 40 CFR Part 261, and that is designated as only DW in WAC 173-303-090, 173-303-101, 173-303-102, or 173-303-103. Any solid waste that is EHW or that is regulated by the United States EPA as hazardous waste cannot be a special waste.

(108) "Active life" of a facility means the period from the initial receipt of dangerous waste at the facility until the department receives certification of final closure.

(109) "Final closure" means the closure of all dangerous waste management units at the facility in accordance with all applicable closure requirements so that dangerous waste management activities under WAC 173-303-400 and 173-303-600 through 173-303-670 are no longer conducted at the facility unless subject to the provisions in WAC 173-303-200.

(110) "Partial closure" means the closure of a dangerous waste management unit in accordance with the applicable closure requirements of WAC 173-303-400 and 173-303-600 through 173-303-670 at a facility that contains other active dangerous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile, or other dangerous waste management unit, while other units of the same facility continue to operate.

(111) "Dangerous waste management unit" is a contiguous area of land on or in which dangerous waste is placed, or the largest area in which there is a significant likelihood of mixing dangerous waste constituents in the same area. Examples of dangerous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone does not constitute a unit; the unit includes containers and the land or pad upon which they are placed.

(112) "Aboveground tank" means a device meeting the definition of "tank" in subsection (88) of this section and that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

(113) "Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute, meter, or control the flow of dangerous waste from its point of generation to a storage or treatment tank(s), between dangerous waste storage and treatment tanks to a point of disposal on-site, or to a point of shipment for disposal off-site.

(114) "Component" means either the tank or ancillary equipment of a tank system.

(115) "Corrosion expert" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

(116) "Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of dangerous waste and that is in operation, or for which installation has commenced on or prior to July 14, 1986. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either:

(a) A continuous on-site physical construction or installation program has begun; or

(b) The owner or operator has entered into contractual obligations, which cannot be canceled or modified without substantial loss, for physical construction of the site or installation of the tank system to be completed within a reasonable time.

(117) "Inground tank" means a device meeting the definition of "tank" in subsection (88) of this section whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

(118) "Installation inspector" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

(119) "Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of dangerous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of dangerous waste into the secondary containment structure.

(120) "New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of dangerous waste and for which installation has commenced after July 14, 1986; except, however, for purposes of WAC 173-303-640(4)(g)(ii) and 173-303-400(3), a new tank system is one for which construction commences after July 14, 1986. (See also "existing tank system.")

(121) "Onground tank" means a device meeting the definition of "tank" in subsection (88) of this section and that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surface so that the external tank bottom cannot be visually inspected.

(122) "Sump" means any pit or reservoir that meets the definition of tank and those troughs/trenches connected to it that serves to collect dangerous waste for transport to dangerous waste storage, treatment, or disposal facilities.

(123) "Tank system" means a dangerous waste storage or treatment tank and its associated ancillary equipment and containment system.

(124) "Underground tank" means a device meeting the definition of "tank" in subsection (88) of this section whose entire surface area is totally below the surface of and covered by the ground.

(125) "Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating dangerous waste without posing a threat of release of dangerous waste to the environment.

(126) "Zone of engineering control" means an area under the control of the owner/operator that, upon detection of a dangerous waste release, can be readily cleaned up prior to the release of dangerous waste or dangerous constituents to ground water or surface water.

(127) "Treatability study" means a study in which a dangerous waste is subjected to a treatment process to determine: Whether the waste is amenable to the treatment process; what pretreatment (if any) is required; the optimal process conditions needed to achieve the desired treatment; the efficiency of a treatment process for a specific waste or wastes; or the characteristics and volumes of residuals from a particular treatment process. Also included in this definition for the purpose of the exemptions contained in WAC 173-303-071(3)(r) and (s), are liner compatibility, corrosion, and other material compatibility studies and toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of dangerous waste.

Any terms used in this chapter which have not been defined in this section shall have either the same meaning as set forth in Title 40 CFR Parts 260, 264, 270, and 124 or else shall have their standard, technical meaning.

As used in this chapter, words in the masculine gender also include the feminine and neuter genders, words in the singular include the plural, and words in the plural include the singular.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-045 REFERENCES TO EPA'S HAZARDOUS WASTE AND PERMIT REGULATIONS. Any references in this chapter to any parts, subparts, or sections from EPA's hazardous waste regulations, including 40 CFR Parts 260 through ((270)) 280 and Part 124, shall be in reference to those rules as they existed on ((July 11; 1986)) October 1, 1988, with the exception of rules adopted by EPA pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA), Public Law 98-616, amending RCRA. Copies of the appropriate referenced federal requirements are available upon request from the department.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-070 DESIGNATION OF DANGEROUS WASTE. (1) Purpose and applicability.

(a) This section describes the procedures for determining whether or not a solid waste is DW or EHW.

(b) The procedures in this section are applicable to any person who generates a solid waste (including recyclable materials) that is not exempted or excluded by this chapter or by the department. Any person who must determine whether or not his solid waste is designated must follow the procedures set forth in subsection (3) of this section. Any person who determines by these procedures that his waste is designated DW or EHW shall be subject to all applicable requirements of this chapter.

(2)(a) Once a material has been determined to be a dangerous waste, then any solid waste generated from the recycling, treatment, storage, or disposal of that dangerous waste is a dangerous waste unless and until:

(i)(A) It does not exhibit any of the characteristics of WAC 173-303-090; and

(B) If it was a listed waste under WAC 173-303-080 through 173-303-083 which has been exempted pursuant to WAC 173-303-910(3); or

(ii) If originally designated only through WAC 173-303-084 or 173-303-101 through 173-303-103, does not exhibit any of the criteria of WAC 173-303-101 through 173-303-103.

Such solid waste shall include but not be limited to any sludge, spill residue, ash emission control dust, leachate, or precipitation run-off. Precipitation run-off will not be considered a dangerous waste if it can be shown that the run-off has not been contaminated with the dangerous waste, or that the run-off is adequately addressed under existing state laws (e.g. chapter 90.48 RCW), or that the run-off does not exhibit any of the criteria or characteristics described in WAC 173-303-100.

(b) Materials that are reclaimed from solid wastes and that are used beneficially (as provided in WAC 173-303-016 and 173-303-017) are not solid wastes and hence are not dangerous wastes under this section unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.

(3) Designation procedures.

(a) To determine whether or not his waste is designated a person shall check his waste against the following sections, and in the following order:

- (i) First, Discarded chemical products, WAC 173-303-081;
- (ii) Second, Dangerous waste sources, WAC 173-303-082;
- (iii) Third, Infectious dangerous wastes, WAC 173-303-083;
- (iv) Fourth, Dangerous waste mixtures, WAC 173-303-084; and
- (v) Last, Dangerous waste characteristics, WAC 173-303-090.

(b) In addition to the designation procedures specified in (a) of this subsection, a person may choose or may be required under subsection (4) of this section to check his waste against the following sections, and in the following order:

- (i) First, Toxic dangerous wastes, WAC 173-303-101;
- (ii) Second, Persistent dangerous wastes, WAC 173-303-102;
- (iii) Last, Carcinogenic dangerous wastes, WAC 173-303-103.

(c) A person shall check each section, in the order set forth, until he determines that his waste is designated. Once his waste is designated through the lists or characteristics, he need not determine any other designations for his waste, except as required by subsection (4) or (5) of this section. For the purposes of designating through the criteria, if a person determines that his waste is designated DW, then he must assure that it is not also EHW by checking it against the remaining sections. If the designation procedures identify a waste as both EHW and DW (e.g., a waste may be DW for corrosivity and EHW for EP toxicity), the waste must be designated EHW. If a person has checked his waste against each section that he is required by this section to check and his waste is not designated, then his waste is not subject to the requirements of chapter 173-303 WAC.

Any person who wishes to seek an exemption for a waste which has been designated DW or EHW shall comply with the requirements of WAC 173-303-072.

(4) Criteria designation required. Notwithstanding any other provisions of this chapter, the department may require any person to determine whether or not his waste is designated under the dangerous waste criteria, WAC 173-303-100 through 173-303-103, if the department has reason to believe that his waste would be designated DW or EHW by the dangerous waste criteria, or if the department has reason to believe that his waste is designated improperly (e.g., the waste has been designated DW but should actually be designated EHW by the criteria). If a person, pursuant to the requirements of this subsection, determines that his waste is a dangerous waste or that its designation must be changed, then he shall be subject to the applicable requirements of this chapter 173-303 WAC. The department shall base a requirement to designate a waste by the dangerous waste criteria on evidence that includes, but is not limited to:

(a) Test information indicating that the person's waste may be DW or EHW;

(b) Evidence that the person's waste is very similar to another person's already designated DW or EHW;

(c) Evidence that the person's waste has historically been a DW or EHW; or

(d) Evidence or information about a person's manufacturing materials or processes which indicate that his wastes may be DW or EHW.

(5) Special knowledge. If a generator has designated his waste under the dangerous waste lists, WAC 173-303-080 through 173-303-084, and has knowledge that his waste also exhibits any of the dangerous waste characteristics, WAC 173-303-090, or that his waste also meets any of the dangerous waste criteria, WAC 173-303-101 through 173-303-103, or both, then he shall also designate his waste in accordance with those dangerous waste characteristics, or criteria, or both.

(6) Dangerous waste numbers. When a person is reporting or keeping records on a dangerous waste, he shall use all the dangerous waste numbers which he knows are assignable to his waste from the dangerous waste lists, characteristics, or criteria. For example, if his waste is ignitable and contains extremely hazardous concentrations of halogenated hydrocarbons, he shall use the dangerous waste numbers of D001 and WP01. This shall not be construed as requiring a person to designate his waste beyond those designation requirements set forth in subsections (2), (3), (4), and (5) of this section.

(7) Quantity exclusion limits; aggregated waste quantities.

(a) Quantity exclusion limits. In each of the designation sections describing the lists, characteristics, and criteria, quantity exclusion limits (QEL) are identified. The QEL are used to distinguish when a dangerous waste is only subject to the small quantity generator provisions, and when a dangerous waste is fully subject to the requirements of this chapter. Any solid waste which is not excluded or exempted and which is listed by or exhibits the characteristics or criteria of this chapter is a dangerous waste. Small quantity generators who produce dangerous waste below the QEL are subject to certain requirements described in subsection (8) of this section.

(b) Aggregated waste quantities. A person may be generating, accumulating, or storing more than one kind of dangerous waste identified by this chapter. In such cases, the person must consider the aggregate quantity of his wastes when determining whether or not his waste amounts exceed the specific quantity exclusion limits (QEL). Waste quantities must be aggregated for all wastes with common QEL's. For the purposes of this subsection, when aggregating waste quantities, a person shall include in his calculation dangerous wastes produced by on-site treatment or recycling of dangerous wastes and dangerous wastes being accumulated or stored. For example, if a person generates, accumulates, or stores 300 pounds of an ignitable waste and 300 pounds of a persistent waste, then both wastes are regulated because their aggregate waste quantity (600 pounds) exceeds their common QEL of ~~((400))~~ 220 pounds. On the other hand, if a person generates, accumulates, or stores one pound of an EHW discarded chemical product and 300 pounds of a corrosive waste, their quantities would not be aggregated because they do not share a common QEL (2.2 pounds and ~~((400))~~ 220 pounds, respective QEL's). Additional guidance on aggregating waste quantities is available from the department.

(c) The following are categories of waste that are excluded from the quantity determination and need not be aggregated as required by (b) of this subsection when calculating total waste quantities.

(i) Dangerous waste that is recycled and that is excluded from regulation under WAC 173-303-120 (2)(a), (3)(d) or (e) is not included in the quantity determinations of this section and is not subject to any requirements of this section.

(ii) Spent materials that are generated, reclaimed, and subsequently reused on-site, so long as such spent materials have been counted once.

(8) Small quantity generators.

(a) A person is a small quantity generator and is subject to the requirements of this subsection if his waste is designated under subsection (3) of this section, and the quantity of waste that he generates, accumulates, or stores (or the aggregated quantity if he generates more than one kind of waste) does not exceed the quantity exclusion limit for such waste (or wastes). If a person generates, accumulates, or stores any dangerous wastes that exceed the QEL, then all dangerous waste generated, accumulated, or stored by that person is subject to the requirements of this chapter. For example, if a person generates four pounds of an EHW discarded chemical product (QEL is 2.2 pounds) and 200 pounds of an ignitable waste (QEL is 220 pounds), then both wastes are fully regulated, and the person is not a small quantity generator for either waste. A small quantity generator may accumulate such listed or characteristic waste on-site, however when the quantity (or aggregate quantity) on-site at any time exceeds the quantity exclusion limit for such waste (or wastes) he will not be a small quantity generator and will be subject to all applicable requirements of this chapter. A small quantity generator who generates, accumulates, or stores waste in excess of the quantity exclusion limit and becomes subject to the full requirements of this chapter cannot again be a small quantity generator until after all dangerous waste on-site at the time he became fully regulated have been removed, treated, or disposed.

(b) A small quantity generator will not be subject to the requirements of this chapter if he:

(i) Complies with subsections (1), (2), (3), and (4) of this section; and

(ii) Either treats or disposes of his dangerous waste in an on-site facility, or ensures delivery to an off-site facility, either of which is:

(A) Permitted (including permit-by-rule, interim status, or final status) under WAC 173-303-800 through 173-303-840;

(B) Authorized to manage dangerous waste by another state with a hazardous waste program approved under 40 CFR Part 271, or by EPA under 40 CFR Part 270;

(C) Permitted to manage municipal or industrial solid waste in accordance with state or local regulations, or in accordance with another state's solid waste laws if the waste is sent out of state; or

(D) A facility that beneficially uses or reuses, or legitimately recycles or reclaims his dangerous waste, or that treats his waste prior to such recycling activities; and

(iii) Submits an annual report in accordance with WAC 173-303-220 if he has obtained an EPA/state identification number pursuant to WAC 173-303-060.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-071 EXCLUDED CATEGORIES OF WASTE.

(1) Purpose. Certain categories of waste have been excluded from the requirements of chapter 173-303 WAC, except for WAC 173-303-050, because they generally are not dangerous waste, are regulated under other state and federal programs, or are recycled in ways which do not threaten public health or the environment. WAC 173-303-071 describes these excluded categories of waste.

(2) Excluding wastes. Any persons who generate a common class of wastes and who seek to categorically exclude such class of wastes from the requirements of this chapter shall comply with the applicable requirements of WAC 173-303-072. No waste class will be excluded if any of the wastes in the class are regulated as hazardous waste under 40 CFR Part 261.

(3) Exclusions. The following categories of waste are excluded from the requirements of chapter 173-303 WAC, except for WAC 173-303-050:

(a) Domestic sewage, and any mixture of domestic sewage and other wastes that passes through a sewer system to a publicly-owned treatment works (POTW) for treatment. "Domestic sewage" means untreated sanitary wastes that pass through a sewer system. This exclusion does not apply to the generation, treatment, recycling, or other management of dangerous wastes prior to discharge into the sanitary sewage system;

(b) Industrial wastewater discharges that are point-source discharges subject to regulation under Section 402 of the Clean Water Act. This exclusion does not apply to the collection, storage, or treatment of industrial waste-waters prior to discharge, nor to sludges that are generated during industrial wastewater treatment;

(c) Household wastes, including household waste that has been collected, transported, stored, or disposed. Wastes which are residues from or are generated by the management of household wastes (e.g., leachate, ash from burning of refuse-derived fuel) are not excluded by this provision. "Household wastes" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas);

(d) Agricultural crops and animal manures which are returned to the soil as fertilizers;

(e) Asphaltic materials designated only for the presence of PAHs by WAC 173-303-084(6) or 173-303-102. For the purposes of this exclusion, asphaltic materials means materials intended and used for structural and construction purposes (e.g., roads, dikes, paving) which are produced from mixtures of oil and sand, gravel, ash or similar substances;

(f) Roofing tars and shingles, except that these wastes are not excluded if mixed with wastes listed in WAC 173-303-081 or 173-303-082, or if they exhibit any of the characteristics specified in WAC 173-303-090;

(g) Waste wood or wood products treated with preservatives if the waste is generated by persons who utilize the treated wood or wood products for these materials' intended end use;

(h) Irrigation return flows;

(i) Materials subjected to in-situ mining techniques which are not removed from the ground during extraction;

(j) Mining overburden returned to the mining site;

(k) Polychlorinated biphenyl (PCB) wastes(-);

(l) PCB wastes whose disposal is regulated by EPA under 40 CFR 761.60;

(ii) Wastes that would be designated as dangerous waste under this chapter solely because they are listed as W001 under WAC 173-303-9904 when, using EPA's PCB testing method 600/4-81-045, the waste can be shown to contain less than one part per million (ppm) PCB or when, using ASTM method D 4059-86, the waste can be shown to contain less than two parts per million (ppm) PCB;

(iii) Wastes that would be designated as dangerous waste under this chapter solely because they are listed as W001 under WAC 173-303-9904 when such wastes are:

(A) Stored in a manner equivalent to the requirements of 40 CFR 761.65; and

(B) Within one year of removal from service, disposed of either in an incinerator that complies with 40 CFR 761.70, in a chemical waste landfill that complies with 40 CFR 761.75, in a high efficiency boiler that complies with 40 CFR 761.60 (a)(2)(iii) or (a)(3)(iii), or in a facility otherwise approved in accordance with 40 CFR 761.60(e);

(l) Samples(-);

(i) Except as provided in (l)(ii) of this subsection, a sample of solid waste or a sample of water, soil, or air, which is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to any requirements of this chapter, when:

(A) The sample is being transported to a lab for testing or being transported to the sample collector after testing; or

(B) The sample is being stored by the sample collector before transport, by the laboratory before testing, or by the laboratory after testing prior to return to the sample collector; or

(C) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action).

(ii) In order to qualify for the exemption in (l)(i)(A) of this subsection, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must:

(A) Comply with United States Department of Transportation (DOT), United States Postal Service (USPS), or any other applicable shipping requirements; or

(B) Comply with the following requirements if the sample collector determines that DOT or USPS, or other shipping requirements do not apply:

(I) Assure that the following information accompanies the sample:

((~~aaa~~)) (AA) The sample collector's name, mailing address, and telephone number;

((~~bbb~~)) (BB) The laboratory's name, mailing address, and telephone number;

((~~ccc~~)) (CC) The quantity of the sample;

((~~ddd~~)) (DD) The date of shipment;

((~~eee~~)) (EE) A description of the sample; and

(II) Package the sample so that it does not leak, spill, or vaporize from its packaging.

(iii) This exemption does not apply if the laboratory determines that the waste is dangerous but the laboratory is no longer meeting any of the conditions stated in (l)(i) of this subsection;

(m) Asbestos wastes or asbestos containing wastes which would be designated only as respiratory carcinogens by WAC 173-303-084 or 173-303-103, and any other inorganic wastes which are designated only under WAC 173-303-084 or 173-303-103 because they are respiratory carcinogens, if these wastes are managed in compliance with or in a manner equivalent to the asbestos management procedures of 40 CFR Part 61;

(n) Dangerous waste which is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated nonwaste-treatment-manufacturing unit until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the dangerous waste remains in the unit more than ninety days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials;

(o) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC codes 331 and 332), except that these wastes are not excluded if they exhibit one or more of the dangerous waste criteria (WAC 173-303-100 through 173-303-103) or characteristics (WAC 173-303-090);

(p) Wastes from burning any of the materials exempted from regulation by WAC 173-303-120 (2)(a)(v), (vi), (vii), (viii), or (ix);

(q) As of January 1, 1987, secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process provided:

(i) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;

(ii) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces, or incinerators);

(iii) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed;

(iv) The reclaimed material is not used to produce a fuel, or used to produce products that are used in a manner constituting disposal; and

(v) The generator ensures that any residues (e.g., sludges, filters, etc.) produced from the collection, reclamation, and reuse of the secondary materials are delivered to a dangerous waste treatment, storage, or disposal facility or legitimate recycler. The generator must be able to provide documentation of such delivery. If the generator can demonstrate that the residues do not exhibit any of the dangerous waste characteristics (WAC 173-303-090) and criteria (WAC 173-303-100 through 173-303-103), then he is exempt from the requirements of this condition in this item (v).

(r) Treatability study samples.

(i) Except as provided in (r)(ii) of this subsection, persons who generate or collect samples for the purpose of conducting treatability studies as defined in WAC 173-303-040(112) are not subject to the requirements of WAC 173-303-180, 173-303-190, and 173-303-200 (1)(a), nor are such samples included in the quantity determinations of WAC 173-303-070 (7) and (8) and 173-303-201 when:

(A) The sample is being collected and prepared for transportation by the generator or sample collector; or

(B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

(C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study; or

(D) The sample or waste residue is being transported back to the original generator from the laboratory or testing facility.

(ii) The exemption in (r)(i) of this subsection is applicable to samples of dangerous waste being collected and shipped for the purpose of conducting treatability studies provided that:

(A) The generator or sample collector uses (in "treatability studies") no more than 1000 kg of any dangerous waste, 1 kg of acutely hazardous waste, or 250 kg of soils, water, or debris contaminated with acutely hazardous waste for each process being evaluated for each generated waste stream; and

(B) The mass of each sample shipment does not exceed 1000 kg of dangerous waste, 1 kg of acutely hazardous waste, or 250 kg of soils, water, or debris contaminated with acutely hazardous waste; and

(C) The sample must be packaged so that it will not leak, spill, or vaporize from its packaging during shipment and the requirements of (r)(ii)(C)(I) or (II) of this subsection are met.

(I) The transportation of each sample shipment complies with United States Department of Transportation (DOT), United States Postal Service (USPS), or any other applicable shipping requirements; or

(II) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample:

(AA) The name, mailing address, and telephone number of the originator of the sample;

(BB) The name, address, and telephone number of the laboratory or testing facility that will perform the treatability study;

(CC) The quantity of the sample;

(DD) The date of shipment; and

(EE) A description of the sample, including its dangerous waste number.

(D) The sample is shipped, within ninety days, to a laboratory or testing facility which is exempt under (s) of this subsection or has an appropriate final facility permit or interim status; and

(E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:

(I) Copies of the shipping documents;

(II) A copy of the contract with the facility conducting the treatability study;

(III) Documentation showing:

(AA) The amount of waste shipped under this exemption;

(BB) The name, address, and EPA/state identification number of the laboratory or testing facility that received the waste;

(CC) The date the shipment was made; and

(DD) Whether or not unused samples and residues were returned to the generator.

(F) The generator reports the information required under (r)(ii)(E)(III) of this subsection in its annual report.

(iii) The department may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in (r)(ii)(A) of this subsection, for up to an additional 500 kg of nonacute hazardous waste, 1 kg of acute hazardous waste, and 250 kg of soils, water, or debris contaminated with acute hazardous waste, to conduct further treatability study evaluation when: There has been an equipment or mechanical

failure during the conduct of a treatability study; there is a need to verify the results of previously conducted treatability study; there is a need to study and analyze alternative techniques within a previously evaluated treatment process; or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment. The additional quantities allowed are subject to all the provisions in (r)(i) and (ii)(B) of this subsection. The generator or sample collector must apply to the department in the state where the sample is collected and provide in writing the following information:

(A) The reason the generator or sample collector requires additional quantity of sample for the treatability study evaluation and the additional quantity needed;

(B) Documentation accounting for all samples of dangerous waste from the waste stream which have been sent for or undergone treatability studies including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;

(C) A description of the technical modifications or change in specifications which will be evaluated and the expected results;

(D) If such further study is being required due to equipment or mechanical failure, the applicant must include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and

(E) Such other information that the department considers necessary.

(s) Samples undergoing treatability studies at laboratories and testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to chapter 70.105 RCW) are not subject to the requirements of this chapter, except WAC 173-303-050, 173-303-145, 173-303-200 (1)(c) and (d), and 173-303-960 provided that the conditions of (s)(i) through (xi) of this subsection are met. A mobile treatment unit (MTU) may qualify as a testing facility subject to (s)(i) through (xi) of this subsection. Where a group of MTUs are located at the same site, the limitations specified in (s)(i) through (xi) of this subsection apply to the entire group of MTUs collectively as if the group were on MTU.

(i) No less than forty-five days before conducting treatability studies the laboratory or testing facility notifies the department in writing that it intends to conduct treatability studies under this subsection.

(ii) The laboratory or testing facility conducting the treatability study has an EPA/state identification number.

(iii) No more than a total of 250 kg of "as received" dangerous waste is subjected to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.

(iv) The quantity of "as received" dangerous waste stored at the laboratory or testing facility for the purpose of evaluation in treatability studies does not exceed 1000 kg, the total of which can include 500 kg of soils, water, or debris contaminated with acutely hazardous waste or 1 kg of acutely hazardous waste. This quantity limitation does not include:

(A) Treatability study residues; and

(B) Treatment materials (including nondangerous solid waste) added to "as received" dangerous waste.

(v) No more than ninety days have elapsed since the treatability study for the sample was completed, or no more than one year has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs.

(vi) The treatability study does not involve the placement of dangerous waste on the land or open burning of dangerous waste.

(vii) The laboratory or testing facility maintains records for three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:

(A) The name, address, and EPA/state identification number of the generator or sample collector of each waste sample;

(B) The date the shipment was received;

(C) The quantity of waste accepted;

(D) The quantity of "as received" waste in storage each day;

(E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;

(F) The date the treatability study was concluded;

(G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated TSD facility, the name of the TSD facility and its EPA/state identification number.

(viii) The laboratory or testing facility keeps, on-site, a copy of the treatability study contract and all shipping paper associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.

(ix) The laboratory or testing facility prepares and submits a report to the department by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:

(A) The name, address, and EPA/state identification number of the laboratory or testing facility conducting the treatability studies;

(B) The types (by process) of treatability studies conducted;

(C) The names and addresses of persons for whom studies have been conducted (including their EPA/state identification numbers);

(D) The total quantity of waste in storage each day;

(E) The quantity and types of waste subjected to treatability studies;

(F) When each treatability study was conducted;

(G) The final disposition of residues and unused sample from each treatability study.

(x) The laboratory or testing facility determines whether any unused sample or residues generated by the treatability study are dangerous waste under WAC 173-303-070 and if so, are subject to the requirements of this chapter, unless the residues and unused samples are returned to the sample originator under the exemption in (r) of this subsection.

(xi) The laboratory or testing facility notifies the department by letter when it is no longer planning to conduct any treatability studies at the site.

AMENDATORY SECTION (Amending Order DE 81-33, filed 2/10/82)

WAC 173-303-080 DANGEROUS WASTE LISTS. The dangerous waste lists include:

- (1) WAC 173-303-081, Discarded chemical products;
- (2) WAC 173-303-082, Dangerous waste sources(;
- ~~(3) WAC 173-303-083, Infectious dangerous wastes, and~~
- ~~(4) WAC 173-303-084, Dangerous waste mixtures).~~

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-110 SAMPLING AND TESTING METHODS.

(1) Purpose. This section describes the testing methods which may be used in the process of designating a dangerous waste.

(2) Representative samples.

(a) The methods and equipment used for obtaining representative samples of a waste will vary with the type and form of the waste. The department will consider samples collected using the sampling methods below, for wastes with properties similar to the indicated materials, to be representative samples of the wastes:

- (i) Crushed or powdered material - ASTM Standard D346-75;
- (ii) Extremely viscous liquid - ASTM Standard D140-70;
- (iii) Fly ash-like material - ASTM Standard D2234-76;
- (iv) Soil-like material - ASTM Standard D1452-65;
- (v) Soil or rock-like material - ASTM Standard D420-69;
- (vi) Containerized liquid wastes - "COLIWASA" described in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, SW-846, revised July 1982, as amended by Update 1 (April 1984) and Update 2 (April 1985); and,

(vii) Liquid waste in pits, ponds, lagoons, and similar reservoirs - "Pond Sampler" described in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, SW-846, revised July 1982, as amended by Update 1 (April 1984) and Update 2 (April 1985).

(b) Copies of these representative sampling methods are available from the department except for the ASTM standards which can be obtained by writing to:

ASTM
1916 Race Street
Philadelphia, PA 19103.

(3) Test procedures. Copies of the test procedures listed in this subsection can be obtained from the department by writing to the appropriate address below:

For copies of WDOE test methods:

Attn: Test Procedures
Hazardous Waste Section, PV-11
Department of Ecology
Olympia, Washington 98504

For copies of SW 846:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20401

For copies of ASTM methods:

ASTM
1916 Race Street
Philadelphia, PA 19103

The document titles and included test procedures are as follows:

(a) Chemical Testing Methods for Complying with the Dangerous Waste Regulation, March 1982, revised July 1983, describing methods for testing:

- (i) Ignitability;
 - (ii) Corrosivity, including the addendum, Test Method for Determining pH of Solutions in Contact with Solids, March 1984;
 - (iii) Reactivity;
 - (iv) EP Toxicity;
 - (v) Halogenated hydrocarbons; and
 - (vi) Polycyclic aromatic hydrocarbons;
- (b) Biological Testing Methods, revised July 1981, describing procedures for:

- (i) Static acute fish toxicity test; and
- (ii) Acute oral rat toxicity test;
- (c) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846 (~~((second edition, 1982 as amended by Update 1 (April 1984) and Update 2 (April 1985))))~~ (the most recent edition and all updates) is adopted by reference. This includes:
 - (i) Method 9095 (Paint Filter Liquids Test), demonstrating the absence or presence of free liquids in either a containerized or bulk waste;
 - (ii) Reserved;
 - (d) 40 CFR Part 261 Appendix X is adopted by reference for the purpose of analysis for chlorinated dibenzo-p-dioxins and dibenzofurans;

(e)(i) The determination of Polychlorinated Biphenyls in Transformer Fluids and Waste Oils, EPA-600/4-81-045; and

(ii) Analysis of Polychlorinated Biphenyls in Mineral Insulating Oils by Gas Chromatography, ASTM Standard D 4059-86.

(4) Substantial changes to the testing methods described above shall be made only after the department has provided adequate opportunity for public review and comment on the proposed changes. The department may, at its discretion, schedule a public hearing on the proposed changes.

(5) Equivalent testing methods. Any person may request the department to approve an equivalent testing method by submitting a petition, prepared in accordance with WAC 173-303-910(2), to the department.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-161 OVERPACKED CONTAINERS (LABPACKS). Small containers of dangerous waste may be placed in overpacked drums (or labpacks) provided that the following conditions are met:

(1) ~~((Hazardous))~~ Dangerous waste must be packaged in nonleaking inside containers. The inside containers must be of a design and constructed of a material that will not react dangerously with, be decomposed by, or be ignited by the contained waste. Inside containers must be tightly and securely sealed and, to the extent possible, should be full and have as little air as possible in them to minimize voids. The inside containers must be of the size and type specified in the Department of Transportation (DOT) hazardous materials regulations (49 CFR Parts 173, 178, and 179), if those regulations specify a particular inside container for the waste;

(2) The inside containers must be overpacked in an open head DOT-specification metal shipping container (49 CFR Parts 178 and 179) of no more than 416-liter (110 gallon) capacity and surrounded by, at a minimum, a sufficient quantity of absorbent material to completely absorb all of the liquid contents of the inside containers. The metal outer container must be full after packing with inside containers and absorbent material;

(3) The absorbent material used must not be capable of reacting dangerously with, being decomposed by, or being ignited by the contents of the inside containers in accordance with WAC 173-303-395 (1)(b);

(4) Incompatible wastes, as defined in WAC 173-303-040, must not be placed in the same outside container; and

(5) Reactive wastes, other than cyanide- or sulfide-bearing waste as defined in WAC 173-303-090 (7)(a)(v), must be treated or rendered nonreactive prior to packaging in accordance with subsections (1) through (4) of this section. Cyanide- and sulfide-bearing reactive waste may be packed in accordance with subsections (1) through (4) of this section without first being treated or rendered nonreactive.

(6) An itemized listing of the chemicals, their concentrations and quantities per labpack must be kept by the generator and must be readily available in case of an emergency during shipment, and for the purposes of preparing annual reports under WAC 173-303-220.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-200 ACCUMULATING DANGEROUS WASTE ON-SITE. (1) A generator, not to include transporters as referenced in WAC 173-303-240(3), may accumulate dangerous waste on-site without a permit for ninety days or less after the date of generation, provided that:

(a) All such waste is shipped off-site to a designated facility or placed in an on-site facility which is permitted by the department under WAC 173-303-800 through 173-303-845 in ninety days or less. The department may, on a case-by-case basis, grant a maximum thirty day extension to this ninety day period if dangerous wastes must remain on-site due to unforeseen, temporary and uncontrollable circumstances. A generator who accumulates dangerous waste for more than ninety days is an operator of a storage facility and is subject to the facility requirements of this chapter and the permit requirements of this chapter as a storage facility unless he has been granted an extension to the ninety day period allowed pursuant to this subsection;

(b) The waste is placed in containers and the generator complies with WAC 173-303-630 (2), (3), (4), (5), (6), (8), and (9), or the waste is placed in tanks and the generator complies with WAC 173-303-640 ((3), (4), (5), (6), and (7)) except WAC 173-303-640 (8)(c), except that in lieu of the "sufficient freeboard" requirement of WAC 173-303-640 ((3)(b)(ii)) (5)(b)(iii) for uncovered tanks, the generator must maintain a minimum freeboard of two feet. For container accumulation (including satellite areas as described in subsection (2)(c) of this section), the department may require that the accumulation area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being accumulated, or due to a history of spills or releases from accumulated containers. In addition, any new container accumulation areas (but not including new satellite areas, unless required by the department) constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7);

(c) The date upon which each period of accumulation begins is marked and clearly visible for inspection on each container;

(d) While being accumulated on site, each container and tank is labeled or marked clearly with the words "dangerous waste" or "hazardous waste." Each container or tank must also be marked with a label or sign which identifies the major risk(s) associated with the waste in the container or tank for employees, emergency response personnel and the public (Note—If there is already a system in use that performs this function in accordance with local, state, or federal regulations, then such system will be adequate); and

(e) The generator complies with the requirements for facility operators contained in WAC 173-303-330 through 173-303-360 (personal training, preparedness and prevention, contingency plan and emergency procedures, and emergencies), and WAC 173-303-320 (1), (2)(a), (b), (d), and (3) (general inspection): PROVIDED, That if

none of the dangerous wastes he generates are regulated as EHW under WAC 173-303-081 and no quantity of dangerous wastes he generates in one month or one batch ever exceeds 2200 pounds (1000 kilograms), then the generator need comply with the requirements of WAC 173-303-330 through 173-303-360 only if:

(i) He accumulates dangerous waste on-site for ten or more calendar days; or

(ii) He is directed by the department to so comply, due to potential threats to public health or the environment. In such case, the department may require that he comply with all of or only parts of WAC 173-303-330 through 173-303-360, as necessary to mitigate the potential threats to public health or the environment.

(2) For the purposes of this section, the ninety-day accumulation period begins on the date that:

(a) The generator first generates a dangerous waste; or

(b) The quantity (or aggregated quantity) of dangerous waste being accumulated by a small quantity generator first exceeds the quantity exclusion limit for such waste (or wastes); or

(c) The quantity of dangerous waste being accumulated in containers in a satellite area exceeds fifty-five gallons of dangerous waste or one quart of acutely hazardous waste (see WAC 173-303-040(2)). For the purposes of this section, a satellite area shall be a location at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste.

NEW SECTION

WAC 173-303-202 SPECIAL REQUIREMENTS FOR GENERATORS OF BETWEEN TWO HUNDRED TWENTY AND TWO THOUSAND TWO HUNDRED POUNDS PER MONTH THAT ACCUMULATE DANGEROUS WASTE IN TANKS. (1) This section applies to generators of more than two hundred twenty pounds but less than two thousand two hundred pounds of dangerous waste in a calendar month, that accumulate dangerous waste in tanks for less than one hundred eighty days (or two hundred seventy days if the generator must ship the waste greater than two hundred miles), and do not accumulate over two thousand two hundred pounds on-site at any time.

(2) Generators of between two hundred twenty and two thousand two hundred pounds per month of dangerous waste must comply with the following general operating requirements:

(a) Treatment or storage of dangerous waste in tanks must comply with WAC 173-303-395(1).

(b) Dangerous wastes or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail before the end of its intended life.

(c) Uncovered tanks must be operated to ensure at least sixty centimeters (two feet) of freeboard, unless the tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank) with a capacity that equals or exceeds the volume of the top sixty centimeters (two feet) of the tank.

(d) Where dangerous waste is continuously fed into a tank, the tank must be equipped with a means to stop this inflow (e.g., waste feed cutoff system or by-pass system to a standby tank).

Note: These systems are intended to be used in the event of a leak or overflow from the tank due to a system failure (e.g., a malfunction in the treatment process, a crack in the tank, etc.).

(3) Generators of between two hundred twenty and two thousand two hundred pounds per month accumulating dangerous waste in tanks must inspect, where present:

(a) Discharge control equipment (e.g., waste feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order;

(b) Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day to ensure that the tank is being operated according to its design;

(c) The level of waste in the tank at least once each operating day to ensure compliance with WAC 173-303-640 (3)(c);

(d) The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams; and

(e) The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes,) at least weekly to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation).

Note: As required by WAC 173-303-320(3), the owner or operator must remedy any deterioration or malfunction he finds.

(4) Generators of between two hundred twenty and two thousand two hundred pounds per month accumulating dangerous waste in tanks must, upon closure of the facility, remove all dangerous waste from tanks, discharge control equipment, and discharge confinement structures.

Note: At closure, as throughout the operating period, unless the owner or operator can demonstrate, in accordance with WAC 173-303-070 (2)(a) or (b), that any solid waste removed from his tank is not a dangerous waste, the owner or operator becomes a generator of dangerous waste and must manage it in accordance with all applicable requirements of this chapter.

(5) Generators of between two hundred twenty and two thousand two hundred pounds per month must comply with the following special requirements for ignitable or reactive waste:

(a) Ignitable or reactive waste must not be placed in a tank, unless:

(i) The waste is treated, rendered, or mixed before or immediately after placement in a tank so that:

(A) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090 (5) or (7) of this chapter; and

(B) WAC 173-303-395(1) is complied with.

(ii) The waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react; or

(iii) The tank is used solely for emergencies.

(b) The owner or operator of a facility which treats or stores ignitable or reactive waste in covered tanks must comply with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code," (1977 or 1981).

(6) Generators of between two hundred twenty and two thousand two hundred pounds per month must comply with the following special requirements for incompatible wastes:

(a) Incompatible wastes, or incompatible wastes and materials, (see 40 CFR Part 265 Appendix V for examples) must not be placed in the same tank, unless WAC 173-303-395(1) is complied with.

(b) Dangerous waste must not be placed in an unwashed tank which previously held an incompatible waste or material, unless WAC 173-303-395(1) is complied with.

AMENDATORY SECTION (Amending Order DE 83-36, filed 1/5/88, effective 2/5/88)

WAC 173-303-400 INTERIM STATUS FACILITY STANDARDS. (1) Purpose. The purpose of WAC 173-303-400 is to establish standards which define the acceptable management of dangerous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

(2) Applicability.

(a) The interim status standards apply to owners and operators of facilities which treat, store, transfer, and/or dispose of dangerous waste. For purposes of this section, interim status shall apply to all facilities which comply fully with the requirements for interim status under Section 3005(e) of the Federal Resource Conservation and Recovery Act or WAC 173-303-805. The interim status standards shall also apply to those owners and operators of facilities in existence on November 19, 1980, for RCRA wastes and those facilities in existence on August 9, 1982, for state only wastes who have failed to provide the required notification pursuant to WAC 173-303-060 or failed to file Part A of the permit application pursuant to WAC 173-303-805 (4) and (5). Interim status shall end after final administrative disposition of the Part B permit application is completed, or may be terminated for the causes described in WAC 173-303-805(7).

(b) Interim status facilities must meet the interim status standards by November 19, 1980, except that:

(i) Interim status facilities which handle only state designated wastes (i.e., not designated by 40 CFR Part 261) must meet the interim status standards by August 9, 1982; and

(ii) Interim status facilities must comply with the additional state interim status requirements specified in subsection (3)(c)(ii), (iii) and (v), of this section, by August 9, 1982.

(c) The requirements of the interim status standards do not apply to:

(i) Persons disposing of dangerous waste subject to a permit issued under the Marine Protection, Research and Sanctuaries Act;

(ii) Persons disposing of dangerous waste by underground injection which is permitted under the Safe Drinking Water Act;

(iii) The owner or operator of a POTW who treats, stores, or disposes of dangerous wastes;

(iv) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment units as defined in WAC 173-303-040, provided that he complies with the permit by rule requirements of WAC 173-303-802(5);

(v) Generators accumulating waste for less than ninety days except to the extent WAC 173-303-200 provides otherwise; and

(vi) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(d) The owner or operator of an interim status facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the interim status facility standards of this section, but only for those special wastes which he manages and only after the owner or operator has requested and the department has issued a notice of interim status modification.

(3) Standards.

(a) Interim status standards shall be standards set forth by the Environmental Protection Agency in 40 CFR Part 265 Subparts F through R which are incorporated by reference into this regulation (including, by reference, any EPA requirements specified in those subparts which are not otherwise explicitly described in this chapter), and:

(i) The land disposal restrictions of WAC 173-303-140 and the facility requirements of WAC 173-303-280 through 173-303-440;

(ii) WAC 173-303-630(3), for containers. In addition, for container storage, the department may require that the storage area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being stored, or due to a history of spills or releases from stored containers. Any new container storage areas constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7).

(iii) WAC 173-303-640 (2)(c), for tanks; and

(iv) WAC 173-303-805.

(b) For purposes of applying the interim status standards of 40 CFR Part 265 Subparts F through R to the state of Washington facilities, the federal terms shall have (and in the case of the wording used in the financial instruments referenced in Subpart H of Part 265, shall be replaced with) the following state of Washington meanings:

(i) "Regional administrator" shall mean the "department";

(ii) "Hazardous" shall mean "dangerous"; and

(iii) "Compliance procedure" shall have the meaning set forth in WAC 173-303-040, Definitions.

(c) In addition to the changes described in (b) of this subsection, the following modifications shall be made to interim status standards of 40 CFR Part 265 Subparts F through R:

(i) The words "the effective date of these regulations" shall mean:

(A) November 19, 1980, for facilities which manage any wastes designated by 40 CFR Part 261; and

(B) March 12, 1982, for facilities which manage wastes designated only by WAC 173-303-080 through 173-303-103 and not designated by 40 CFR Part 261;

(ii) "Subpart N - landfills" shall have an additional section added which reads: "An owner/operator shall not landfill an organic carcinogen or an EHW, as defined by WAC 173-303-080 to 173-303-103, except at the EHW facility at Hanford";

(iii) "Subpart R - underground injection" shall have an additional section which reads: "Owners and operators of wells are prohibited from disposing of EHW or an organic carcinogen designated under WAC 173-303-080 through 173-303-103";

(iv) "Subpart M - land treatment," section 265.273(b) shall be modified to replace the words "Part 261, Subpart D of this chapter" with "WAC 173-303-080";

(v) "Subpart F - ground water monitoring," section 265.91(c) shall include the requirement that: "Groundwater monitoring wells shall be designed, constructed, and operated so as to prevent groundwater contamination. Chapter 173-160 WAC may be used as guidance in the installation of wells"; (~~and~~)

(vi) "Subpart H - financial requirements" shall have an additional section which reads: "Any owner or operator who can provide financial assurances and instruments which satisfy the requirements of WAC 173-303-620 will be deemed to be in compliance with 40 CFR Part 265 Subpart H((-)); and

(vii) "Subpart J - tank systems" section 265.193(a) shall be modified so that the dates by which secondary containment (which meets the requirements of that section) must be provided are the same as the dates in WAC 173-303-640 (4)(a).

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-505 SPECIAL REQUIREMENTS FOR RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL. (1) Applicability.

(a) This section applies to recyclable materials that are applied to or placed on the land:

- (i) Without mixing with any other substance(s); or
- (ii) After mixing or combining with any other substance(s) (~~unless the recyclable material undergoes a chemical reaction so as to become inseparable from the other substance(s) by physical means; or~~
- (iii) ~~After combination with any other substance(s) if the resulting combined material is not produced for the general public's use).~~ These materials will be referred to as "materials used in a manner that constitutes disposal."

(b) Products produced for the general public's use that are used in a manner that constitutes disposal and that contain recyclable materials are not presently subject to regulation if the recyclable materials have undergone a chemical reaction in the course of producing the product so as to become inseparable by physical means. Commercial fertilizers that are produced for the general public's use that contain recyclable materials also are not presently subject to regulation.

(2) Recyclable materials used in a manner that constitutes disposal are dangerous wastes and are subject to the following requirements:

- (a) For generators, WAC 173-303-170 through 173-303-230;
- (b) For transporters, WAC 173-303-240 through 173-303-270; and
- (c) For facilities that store or use dangerous wastes in a manner constituting disposal, the applicable requirements of WAC 173-303-280 through 173-303-840 (except that users of such products are not subject to these standards if the products meet the requirements of subsection (1)(b) of this section).

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-515 SPECIAL REQUIREMENTS FOR USED OIL BURNED FOR ENERGY RECOVERY. (1) Applicability.

(a) This section applies to used oil that is 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, if such used oil:

- (i) Exhibits any characteristic of a dangerous waste identified in WAC 173-303-090; 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.

(b)(i) This section does not apply to used oil burned for energy recovery that is mixed with a listed waste (except as provided in (a)(iii) of this subsection) or that is designated as EHW through WAC 173-303-084 or 173-303-101 through 173-303-103. Such used oil is subject to the requirements of WAC 173-303-510.

(ii) Used oil containing more than 1000 ppm of total halogens is presumed to be a dangerous waste because it has been mixed with halogenated dangerous waste listed in WAC 173-303-9903 or 173-303-9904. Such dangerous wastes are subject to the requirements of WAC 173-303-510. Persons may rebut this presumption by demonstrating that the used oil does not contain dangerous waste (for example, by showing that the used oil does not contain significant concentrations of halogenated dangerous constituents listed in WAC 173-303-9905).

(iii) This section does not apply to used oil that is designated for any reason other than being listed as W001 if such used oil is burned for energy recovery by the generator of the used oil in his own marine or diesel engines.

(c) If a used oil subject to this section does not exceed any of the specifications of Table 1, it is subject only to the analysis and record-keeping requirements under subsection (4)(b)(i) and (vi) of this section; otherwise, it is subject to all applicable provisions of this section.

(d) For the purposes of this chapter:

(i) "Used oil" means any oil that has been refined from crude oil, used, and, as a result of such use, is contaminated by physical or chemical impurities;

- (ii) Used oil fuel includes any fuel produced from used oil by processing, blending, or other treatments;
- (iii) Used oil fuel that exceeds any specification level (described in Table 1) is termed "off-specification used oil fuel."

TABLE 1
USED OIL EXCEEDING ANY SPECIFICATION LEVEL IS SUBJECT TO THIS SECTION WHEN BURNED FOR ENERGY RECOVERY^(a)

Constituent/property	Allowable level
Arsenic	5 ppm maximum
Cadmium.....	2 ppm maximum
Chromium.....	10 ppm maximum
Lead.....	100 ppm maximum
Flash point	100° F minimum
Total halogens.....	4,000 ppm maximum ^{(b)*}
Polychlorinated Biphenyls.....	2 ppm maximum

~~(a) The specification does not apply to used oil fuel mixed with a dangerous waste other than small quantity generator dangerous waste.~~
~~(b)* Used oil containing more than 1,000 ppm total halogens is presumed to be a dangerous waste under the rebuttable presumption provided under ((WAC 173-303-515 (1)) (b)(ii) of this subsection. Such used oil is subject to WAC 173-303-510 rather than this section when burned for energy recovery unless the presumption of mixing can be successfully rebutted.~~

(2) Prohibitions.
 (a) A person may market off-specification used oil for energy recovery only:

- (i) To burners or other marketers who have notified the department of their used oil management activities stating the location and general description of such activities, and who have an EPA/state identification number; and
- (ii) To burners who burn the used oil in an industrial furnace or boiler identified in (b) of this subsection.

(b) Off-specification used oil may be burned for energy recovery in only the following devices:

- (i) Industrial furnaces identified in WAC 173-303-040; or
- (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;

(B) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale; or

(C) Used oil-fired space heaters provided that:

(I) The heater burns only used oil that the owner or operator generates or used oil received from do-it-yourself oil changers who generate used oil as household waste;

(II) The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and

(III) The combustion gases from the heater are vented to the ambient air.

(3) Standards applicable to generators of used oil burned for energy recovery.

(a) Except as provided in (b) and (c) of this subsection generators of used oil are not subject to this section.

(b) Generators who market used oil directly to a burner are subject to subsection (4) of this section.

(c) Generators who burn used oil are subject to subsection (5) of this section.

(4) Standards applicable to marketers of used oil burned for energy recovery.

(a) Persons who market used oil fuel are termed "marketers." However, the following persons are not marketers subject to this section:

- (i) Used oil generators, and collectors who transport used oil received only from generators, unless the generator or collector markets the used oil directly to a person who burns it for energy recovery. However, persons who burn some used oil fuel for purposes of processing or other treatment to produce used oil fuel for marketing are considered to be burning incidentally to processing. Thus, generators and collectors who market to such incidental burners are not marketers subject to this section;

(ii) Persons who market only used oil fuel that meets the specification under Table 1 of subsection (1) of this section and who are not the first person to claim the oil meets the specification (i.e., marketers who do not receive used oil from generators or initial transporters and marketers who neither receive nor market off-specification used oil fuel).

(b) Marketers are subject to the following requirements:

(i) Analysis of used oil fuel. Used oil fuel is subject to regulation under this section unless the marketer obtains analyses or other information documenting that the used oil fuel meets the specification provided under Table 1 of subsection (1) of this section.

(ii) Prohibitions. The prohibitions under subsection (2)(a) of this section;

(iii) Notification. Notification to the department stating the location and general description of used oil management activities. Even if a marketer has previously notified the department of his dangerous waste management activities under WAC 173-303-060 and obtained an EPA/state identification number, he must renotify to identify his used oil management activities.

(iv) Invoice system. When a marketer initiates a shipment of off-specification used oil, he must prepare and send the receiving facility an invoice containing the following information:

(A) An invoice number;

(B) His own EPA/state identification number and the EPA/state identification number of the receiving facility;

(C) The names and addresses of the shipping and receiving facilities;

(D) The quantity of off-specification used oil to be delivered;

(E) The date(s) of shipment or delivery; and

(F) The following statement: "This used oil subject to Washington state department of ecology regulation under WAC 173-303-515;

Note: Used oil that meets the definition of combustible liquid (flash point below 200°F but at or greater than 100°F) or flammable liquid (flash point below 100°F) is subject to Department of Transportation Hazardous Materials Regulations at 49 CFR Parts 100-177.

(v) Required notices.

(A) Before a marketer initiates the first shipment of off-specification used oil to a burner or other marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(I) The burner or marketer has notified the department stating the location and general description of his used oil management activities; and

(II) If the recipient is a burner, the burner will burn the off-specification used oil only in an industrial furnace or boiler identified in subsection (2)(b) of this section; and

(B) Before a marketer accepts the first shipment of off-specification used oil from another marketer subject to the requirements of this subsection, he must provide the marketer with a one-time written and signed notice certifying that he has notified the department of his used oil management activities; and

(vi) Recordkeeping.

(A) Used oil fuel that meets the specification. A marketer who first claims under (b)(i) of this subsection that used oil fuel meets the specification must keep copies of analysis (or other information used to make the determination) of used oil for three years. Such marketers must also record in an operating log and keep for three years the following information on each shipment of used oil fuel that meets the specification. Such used oil fuel is not subject to further regulation, unless it is subsequently mixed with dangerous waste or unless it is mixed with used oil so that it no longer meets the specification.

(I) The name and address of the facility receiving the shipment;

(II) The quantity of used oil fuel delivered;

(III) The date of shipment or delivery; and

(IV) A cross-reference to the record of used oil analysis (or other information used to make the determination that the oil meets the specification) required under (b)(vi)(A) of this subsection.

(B) Off-specification used oil fuel. A marketer who receives or initiates an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received or prepared. In addition, a marketer must keep a copy of each certification notice that he receives or sends for three years from the date he last engages in an off-specification used oil fuel marketing transaction with the person who sends or receives the certification notice.

(5) Standards applicable to burners of used oil burned for energy recovery.

Owners and operators of facilities that burn used oil fuel are "burners" and are subject to the following requirements:

(a) Prohibition. The prohibition under subsection (2)(b) of this section;

(b) Notification. Burners of off-specification used oil fuel must notify the department stating the location and general description of used oil management activities, except that owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of subsection (2)(b)(ii) of this section are exempt from these notification requirements. Even if a burner has previously notified the department of his dangerous waste management activities under WAC 173-303-060 and obtained an identification number, he must renotify to identify his used oil management activities.

(c) Required notices. Before a burner accepts the first shipment of off-specification used oil fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(i) He has notified the department stating the location and general description of his used oil management activities; and

(ii) He will burn the used oil only in an industrial furnace or boiler identified in subsection (2)(b) of this section; and

(d) Used oil fuel analysis.

(i) Used oil fuel burned by the generator is subject to regulation under this section unless the burner obtains analysis (or other information) documenting that the used oil meets the specification provided under Table 1 of subsection (1) of this section.

(ii) Burners who treat off-specification used oil fuel by processing, blending, or other treatment to meet the specification provided under Table 1 of subsection (1) of this section must obtain analyses (or other information) documenting that the used oil meets the specification.

(e) Recordkeeping. A burner who receives an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received. Burners must also keep for three years copies of analyses of used oil fuel as may be required by (d) of this subsection. In addition, he must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives off-specification used oil from that marketer.

(f) Local requirements. Any person who burns used oil for energy recovery, except for burning in used oil-fired space heaters that meet the provisions of subsection (2)(b)(ii) of this section, must comply with the air emission requirements of the local air pollution control authority (or department of ecology if no local authority with jurisdiction exists).

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-550 SPECIAL REQUIREMENTS FOR FACILITIES MANAGING SPECIAL WASTE. (1) Purpose. Special wastes (as defined in WAC 173-303-040(107)) pose less risk to public health and the environment than do other dangerous wastes, therefore, they do not require as high a level of regulation. The purpose of WAC 173-303-550 through 173-303-560 is to set forth those mandatory standards which are minimally acceptable for managing special waste, and the criteria and selective standards which will be applied based on the specific risks posed by such wastes.

(2) Applicability. The requirements of WAC 173-303-550 through 173-303-560 apply to owners and operators of facilities which manage special waste, and are only applicable to such special wastes as are being managed. Whenever a special waste is shipped from a facility, the owner or operator must comply with WAC 173-303-170 through 173-303-230, requirements for generators.

(3) Standards. The owner/operator of a facility managing ((moderate-risk)) special wastes must comply with all applicable standards of this chapter unless he requests (as described in subsection (4) of this section) and the department approves (as described in subsection (5) of this section) the application of less stringent standards to his facility. The owner/operator may request relief from any standards except those minimum standards specified in WAC 173-303-560. Failure to comply with an approval issued by the department pursuant to subsection (5) of this section, will be a violation of this chapter. Failure to comply with all applicable requirements of this chapter while the department is considering a request or after a request has been denied will be a violation of this chapter.

(4) Request. The owner/operator may request that less stringent standards be applied to his special waste management activities in any manner or form that he chooses. His request must be submitted in writing to the department, and must include:

(a) The facility name, EPA/state identification #, address, telephone number, and a contact person at the facility;

(b) The special waste(s) managed at the facility and the type(s) of management applied to them;

(c) The specific standards from which the owner/operator seeks relief;

(d) A description, for each standard, demonstrating:

(i) Why the owner/operator believes the standard to be unnecessary;

(ii) How public health and the environment will continue to be protected if the standard is not applied to the facility; and

(iii) Any evidence supporting the contention that public health and the environment will be adequately protected if the standard is not applied (e.g., test data, diagrams, experiences at similar facilities, records, reports, etc.); and

(e) The following certification, signed and dated by a person who would be authorized to sign a report under WAC 173-303-810 (12)(b):

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this request and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The department may ask for any additional information it deems necessary, and will not consider approval of the owner's/operator's request until all necessary information has been submitted. Failure to provide any of the information required by this subsection may result in the department's denying the owner's/operator's request.

(5) Approval or denial. The department will review any requests submitted pursuant to subsection (4) of this section, and based on the adequacy of the information provided in the request will approve or deny all or any part of the request. The department will notify the owner/operator of its decision in writing. Approval of a request will not be final until the permit has been modified or issued as described in (a) or (b) of this subsection. If the department decides to approve all or part of the request and the owner/operator agrees with the department's decision, then the department will proceed to grant such approval as follows:

(a) Interim status facilities. For a facility which qualifies for interim status (as described in WAC 173-303-805), the department shall issue a notice of interim status modification in accordance with WAC 173-303-805((~~8~~)) (9) stating what standards the owner/operator must meet;

(b) Final facilities.

(i) For facilities which are required to have a final facility permit, the department shall follow the procedures for issuing (or, for facilities which already have a final facility permit, the procedures for modifying) a final facility permit, as described in WAC 173-303-806. The new or modified final facility permit shall include the standards the owner/operator must meet.

(ii) The department may request that an applicant for a final facility permit submit his planned special waste demonstrations (prepared in accordance with subsection (4) of this section) a maximum of three months prior to submittal of his Part B application.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-610 CLOSURE AND POSTCLOSURE. (1) Applicability.

(a) Subsections (2) ((~~to~~)) through (6) of this section, (which concern closure), apply to the owners and operators of all dangerous waste facilities.

(b) Subsections (7) ((~~to~~)) through (10) of this section, (which concern postclosure care), apply to the owners and operators of all regulated units (as defined in WAC 173-303-040(75)) at which dangerous waste will remain after closure, to tank systems that are required under WAC 173-303-640(8) to meet the requirements of landfills, to surface impoundments and waste piles as specified in WAC 173-303-650(6) and 173-303-660(9), and, unless otherwise authorized by the department, to the owners and operators of all facilities which, at closure, cannot meet the removal or decontamination limits specified in subsection (2)(b) of this section.

(c) For the purposes of the closure and postclosure requirements, any portion of a facility which closes is subject to the applicable closure and postclosure standards even if the rest of the facility does not close and continues to operate.

(2) Closure performance standard. The owner or operator must close the facility in a manner that:

(a)(i) Minimizes the need for further maintenance;

(ii) Controls, minimizes or eliminates to the extent necessary to protect human health and the environment, postclosure escape of dangerous waste, dangerous constituents, leachate, contaminated run-off, or dangerous waste decomposition products to the ground, surface water, ground water, or the atmosphere; and

(iii) Returns the land to the appearance and use of surrounding land areas to the degree possible given the nature of the previous dangerous waste activity.

(b) Where the closure requirements of this section, or of WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), or 173-303-670(8) call for the removal or decontamination of dangerous wastes, waste residues, or equipment, bases, liners, soils or other materials containing or contaminated with dangerous wastes or waste residue, then such removal or decontamination must assure that the levels of dangerous waste or dangerous waste constituents or residues do not exceed:

(i) Background environmental levels, for any dangerous waste, managed at the facility, which either is listed under WAC 173-303-081 or 173-303-082 or is designated by the characteristics of WAC 173-303-090; and

(ii) At least the designation limits of WAC 173-303-084, or 173-303-101 through 173-303-103 for any dangerous waste, managed at the facility, which is not listed under WAC 173-303-081 or 173-303-082 and is not designated by the characteristics of WAC 173-303-090. In addition to these limits, the department may specify in the closure plan for a facility any lower limits for removal or decontamination which the department deems appropriate.

(3) Closure plan; amendment of plan.

(a) The owner or operator of a dangerous waste management facility must have a written closure plan. In addition, certain surface impoundments and waste piles from which the owner or operator intends to remove or decontaminate the dangerous waste at partial or final closure are required by WAC 173-303-650(6) and 173-303-660(9) to have contingent closure plans. The plan must be submitted with the permit application, in accordance with WAC 173-303-806(4), and approved by the department as part of the permit issuance procedures under WAC 173-303-840. The approved closure plan will become a condition of any permit. The department's decision must assure that the approved closure plan is consistent with subsections (2), (3), (4), (5), and (6) of this section, and the applicable requirements of WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6), and 173-303-670(8). A copy of the approved plan and all revisions to the plan must be furnished to the department upon request, including request by mail until final closure is completed and certified in accordance with subsection (6) of this section. The plan must identify steps necessary to perform partial and/or final closure of the facility at any point during its active life. The closure plan must include at least:

(i) A description of how each dangerous waste management unit at the facility will be closed in accordance with subsection (2) of this section;

(ii) A description of how final closure of the facility will be conducted in accordance with subsection (2) of this section. The description must identify the maximum extent of the operation which will be unclosed during the active life of the facility;

(iii) An estimate of the maximum inventory of dangerous wastes ever on-site over the active life of the facility. (Any change in this estimate is a minor modification under WAC 173-303-830(4));

(iv) A detailed description of the methods to be used during partial closures and final closure, including, but not limited to, methods for removing, transporting, treating, storing, or disposing of all dangerous wastes, and identification of the type(s) of the off-site dangerous waste management units to be used, if applicable;

(v) A detailed description of the steps needed to remove or decontaminate all dangerous waste residues and contaminated containment system components, equipment, structures, and soils during partial and final closure, including, but not limited to, procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination required to satisfy the closure performance standard;

(vi) A detailed description of other activities necessary during the closure period to ensure that all partial closures and final closure satisfy the closure performance standards, including, but not limited to, ground water monitoring, leachate collection, and run-on and run-off control; and

(vii) A schedule for closure of each dangerous waste management unit and for final closure of the facility. The schedule must include, at a minimum, the total time required to close each dangerous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of partial and final closure. (For example, in the case of a landfill unit, estimates of the time required to treat or dispose of all dangerous waste inventory and of the time required to place a final cover must be included.) Additionally, for facilities that use trust funds to establish financial assurance under WAC 173-303-620 (4) or (6) and that are expected to close prior to the expiration of the permit, an estimate of the expected year of final closure.

(b) The owner or operator must submit a written request for a permit modification to authorize a change in operating plans, facility design, or the approved closure plan in accordance with the procedures in WAC 173-303-800 through 173-303-840. The written request must include a copy of the amended closure plan for approval by the department.

(i) The owner or operator may submit a written request to the department for a permit modification to amend the closure plan at any time prior to the notification of partial or final closure of the facility.

(ii) The owner or operator must submit a written request for a permit modification to authorize a change in the approved closure plan whenever:

(A) Changes in operating plans or facility design affect the closure plan; or

(B) There is a change in the expected year of closure, if applicable; or

(C) In conducting partial or final closure activities, unexpected events require a modification of the approved closure plan.

(iii) The owner or operator must submit a written request for a permit modification including a copy of the amended closure plan for approval at least sixty days prior to the proposed change in facility design or operation, or no later than sixty days after an unexpected event has occurred which has affected the closure plan. If an unexpected event occurs during the partial or final closure period, the owner or operator must request a permit modification no later than thirty days after the unexpected event. An owner or operator of a surface impoundment or waste pile that intends to remove all dangerous waste at closure and is not otherwise required to prepare a contingent closure plan under WAC 173-303-650(6) or 173-303-660(9), must submit an amended closure plan to the department no later than sixty days from the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the requirements of WAC 173-303-665, or no later than thirty days from that date if the determination is made during partial or final closure. The department will approve, disapprove, or modify this amended plan in accordance with the procedures in WAC 173-303-800 through 173-303-840. The approved closure plan will become a condition of any permit issued.

(iv) The department may request modifications to the plan under the conditions described in (b)(ii) of this subsection. The owner or operator must submit the modified plan within sixty days of the department's request, or within thirty days if the change in facility conditions occurs during partial or final closure. Any modifications requested by the department will be approved in accordance with the procedures in WAC 173-303-800 through 173-303-840.

(c) Notification of partial closure and final closure.

(i) The owner or operator must notify the department in writing at least sixty days prior to the date on which he expects to begin closure of a surface impoundment, waste pile, land treatment, or landfill unit, or final closure of a facility with such a unit. The owner or operator must notify the department in writing at least forty-five days prior to the date on which he expects to begin final closure of a facility with only treatment or storage tanks, container storage, or incinerator units to be closed.

(ii) The date when he "expects to begin closure" must be either no later than thirty days after the date on which any dangerous waste management unit receives the known final volume of dangerous wastes or, if there is a reasonable possibility that the dangerous waste management unit will receive additional dangerous wastes, no later than one year after the date on which the unit received the most recent volume of dangerous waste. If the owner or operator of a dangerous waste management unit can demonstrate to the department that the dangerous waste management unit or facility has the capacity to receive additional dangerous wastes and he has taken, and will continue to take,

all steps to prevent threats to human health and the environment, including compliance with all applicable permit requirements, the department may approve an extension to this one-year limit.

(iii) If the facility's permit is terminated, or if the facility is otherwise ordered, by judicial decree or final order to cease receiving dangerous wastes or to close, then the requirements of (c) of this subsection do not apply. However, the owner or operator must close the facility in accordance with the deadlines established in subsection (4) of this section.

(iv) Removal of wastes and decontamination or dismantling of equipment. Nothing in this subsection shall preclude the owner or operator from removing dangerous wastes and decontaminating or dismantling equipment in accordance with the approved partial or final closure plan at any time before or after notification of partial or final closure.

(4) Closure; time allowed for closure.

(a) Within ninety days after receiving the final volume of dangerous wastes at a dangerous waste management unit or facility, the owner or operator must treat, remove from the unit or facility, or dispose of on site, all dangerous wastes in accordance with the approved closure plan. The department may approve a longer period if the owner or operator complies with all applicable requirements for requesting a modification to the permit and demonstrates that he has taken and will continue to take all steps to prevent threats to human health and the environment, including compliance with all applicable permit requirements, and either:

(i) The activities required to comply with this paragraph will, of necessity, take longer than ninety days to complete; or

(ii)(A) The dangerous waste management unit or facility has the capacity to receive additional dangerous wastes;

(B) There is a reasonable likelihood that he or another person will recommence operation of the dangerous waste management unit or the facility within one year; and

(C) Closure of the dangerous waste management unit or facility would be incompatible with continued operation of the site.

(b) The owner or operator must complete partial and final closure activities in accordance with the approved closure plan and within one hundred eighty days after receiving the final volume of dangerous wastes at the dangerous waste management unit or facility. The department may approve an extension to the closure period if the owner or operator complies with all applicable requirements for requesting a modification to the permit and demonstrates that he has taken and will continue to take all steps to prevent threats to human health and the environment from the unclosed but not operating dangerous waste management unit or facility, including compliance with all applicable permit requirements, and either:

(i) The partial or final closure activities will, of necessity, take longer than one hundred eighty days to complete; or

(ii)(A) The dangerous waste management unit or facility has the capacity to receive additional dangerous wastes;

(B) There is reasonable likelihood that he or another person will recommence operation of the dangerous waste management unit or the facility within one year; and

(C) Closure of the dangerous waste management unit or facility would be incompatible with continued operation of the site.

(c) The demonstrations referred to in (a) and (b) of this subsection must be made as follows: The demonstrations in (a) of this subsection must be made at least thirty days prior to the expiration of the specified ninety-day period; and the demonstration in (b) of this subsection must be made at least thirty days prior to the expiration of the specified one hundred eighty-day period.

(5) Disposal or decontamination of equipment, structures and soils. During the partial and final closure periods, all contaminated equipment, structures and soils must be properly disposed of or decontaminated unless otherwise specified in WAC 173-303-640(8), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6). By removing any dangerous wastes or dangerous constituents during partial and final closure, the owner or operator may become a generator of dangerous waste and must handle that waste in accordance with all applicable requirements of WAC 173-303-170 through 173-303-230.

(6) Certification of closure. Within sixty days of completion of closure of each dangerous waste surface impoundment, waste pile, land treatment, and landfill unit, and within sixty days of the completion of final closure, the owner or operator must submit to the department by registered mail, a certification that the dangerous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan. The certification must be

signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the department upon request until it releases the owner or operator from the financial assurance requirements for closure under WAC 173-303-620(4).

(7) Postclosure care and use of property.

(a) Postclosure care for each dangerous waste management unit subject to postclosure requirements must begin after completion of closure of the unit and continue for thirty years after that date and must consist of at least the following:

(i) Ground water monitoring and reporting as applicable; and

(ii) Maintenance and monitoring of waste containment systems as applicable.

(b) Any time preceding partial closure of a dangerous waste management unit subject to postclosure care requirements or final closure, or any time during the postclosure period for a particular unit, the department may, in accordance with the permit modification procedures in WAC 173-303-800 through 173-303-840:

(i) Shorten the postclosure care period applicable to the dangerous waste management unit, or facility, if all disposal units have been closed, if it finds that the reduced period is sufficient to protect human health and the environment (e.g., leachate or ground water monitoring results, characteristics of the dangerous waste, application of advanced technology, or alternative disposal, treatment, or reuse techniques indicate that the dangerous waste management unit or facility is secure); or

(ii) Extend the postclosure care period applicable to the dangerous waste management unit or facility if it finds that the extended period is necessary to protect human health and the environment (e.g., leachate or ground water monitoring results indicate a potential for migration of dangerous waste at levels which may be harmful to human health and the environment).

(c) The department may require, at partial or final closure, continuation of any of the security requirements of WAC 173-303-310 during part or all of the postclosure period when:

(i) Dangerous wastes may remain exposed after completion of partial or final closure; or

(ii) Access by the public or domestic livestock may pose a hazard to human health.

(d) Postclosure use of property on or in which dangerous wastes remain after partial or final closure must never be allowed to disturb the integrity of the final cover, liner(s), or any other components of any containment system, or the function of the facility's monitoring systems, unless the department finds that the disturbance:

(i) Is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or

(ii) Is necessary to reduce a threat to human health or the environment.

(e) All postclosure care activities must be in accordance with the provisions of the approved postclosure plan as specified in subsection (8) of this section.

(8) Postclosure plan; amendment of plan.

(a) The owner or operator of a dangerous waste disposal unit must have a written postclosure plan. In addition, ~~((certain piles and))~~ certain surface impoundments and certain piles from which the owner or operator intends to remove or decontaminate the dangerous wastes at partial or final closure are required by WAC 173-303-650 and 173-303-660, respectively, to have written contingent postclosure plans. Owners or operators of surface impoundments and waste piles not otherwise required to prepare contingent postclosure plans under WAC 173-303-650 or 173-303-660 must submit a postclosure plan to the department within ninety days from the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the postclosure requirements. The plan must be submitted with the permit application, in accordance with WAC 173-303-806, and approved by the department as part of the permit issuance procedures under WAC 173-303-840. The approved postclosure plan will become a condition of any permit issued.

(b) For each dangerous waste management unit subject to the requirements of this subsection, the postclosure plan must identify the activities which will be carried on after closure and the frequency of these activities, and include at least:

(i) A description of the planned ground water monitoring activities and frequencies at which they will be performed;

(ii) A description of the planned maintenance activities, and frequencies at which they will be performed, to ensure:

(A) The integrity of the cap and final cover or other containment structures where applicable; and

(B) The function of the facility monitoring equipment;

(iii) And the name, address, and phone number of the person or office to contact about the dangerous waste disposal unit or facility during the postclosure care period.

(c) Until final closure of the facility, a copy of the approved postclosure plan must be furnished to the department upon request, including request by mail. After final closure has been certified, the person or office specified in (b)(iii) of this subsection must keep the approved postclosure plan during the remainder of the postclosure period.

(d) Amendment of plan. The owner or operator must request a permit modification to authorize a change in the approved postclosure plan in accordance with the applicable requirements of WAC 173-303-800 through 173-303-840. The written request must include a copy of the amended postclosure plan for approval by the department.

(i) The owner or operator may submit a written request to the department for a permit modification to amend the postclosure plan at any time during the active life of the facility or during the postclosure care period.

(ii) The owner or operator must submit a written request for a permit modification to authorize a change in the approved postclosure plan whenever:

(A) Changes in operating plans or facility design affect the approved postclosure plan; or

(B) There is a change in the expected year of final closure, if applicable; or

(C) Events which occur during the active life of the facility, including partial and final closures, affect the approved postclosure plan.

(iii) The owner or operator must submit a written request for a permit modification at least sixty days prior to the proposed change in facility design or operation, or no later than sixty days after an unexpected event has occurred which has affected the postclosure plan. An owner or operator of a surface impoundment or waste pile that intends to remove all dangerous waste at closure and is not otherwise required to submit a contingent postclosure plan under WAC 173-303-650 or 173-303-660 must submit a postclosure plan to the department no later than ninety days after the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the requirements of WAC 173-303-665. The department will approve, disapprove, or modify this plan in accordance with the procedures in WAC 173-303-800 through 173-303-840. The approved postclosure plan will become a permit condition.

(iv) The department may request modifications to the plan under the conditions described in (d)(ii) of this subsection. The owner or operator must submit the modified plan no later than sixty days after the department's request, or no later than ninety days if the unit is a surface impoundment or waste pile not previously required to prepare a contingent postclosure plan. Any modifications requested by the department will be approved, disapproved, or modified in accordance with the procedures in WAC 173-303-800 through 173-303-840.

(9) Notice to local land authority. No later than the submission of the certification of closure of each dangerous waste disposal unit, the owner or operator of a disposal facility must submit to the local zoning authority or the authority with jurisdiction over local land use and to the department a survey plat indicating the location and dimensions of landfill cells or other dangerous waste disposal units with respect to permanently surveyed benchmarks. This plat must be prepared and certified by a professional land surveyor. The plat filed with the local zoning authority or the authority with jurisdiction over local land use must contain a note, prominently displayed, which states the owner's or operator's obligation to restrict disturbance of the dangerous waste disposal unit in accordance with the applicable requirements of this section. In addition, no later than sixty days after certification of closure of each dangerous waste disposal unit, the owner or operator must submit to the local zoning authority or the authority with jurisdiction over local land use and to the department, a record of the type, location, and quantity of dangerous wastes disposed of within each cell or other disposal unit of the facility. For wastes disposed of before November 19, 1980 (March 12, 1982, for facilities subject to this chapter but not subject to 40 CFR Part 264), the owner or operator must identify the type, location, and quantity of the dangerous wastes

to the best of his knowledge and in accordance with any records he has kept.

(10) Notice in deed to property.

(a) No later than sixty days after certification of closure of each dangerous waste disposal unit, the owner or operator must submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the department a record of the type, location, and quantity of dangerous wastes disposed of within each cell or other disposal unit of the facility. For hazardous wastes (as defined in WAC 173-303-040(39)) disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the dangerous wastes to the best of his knowledge and in accordance with any records he has kept.

(b) Within sixty days of certification of closure of the first dangerous waste disposal unit and within sixty days of certification of closure of the last dangerous waste disposal unit, the owner or operator must:

(i) Record, in accordance with state law, a notation on the deed to the facility property, or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property that:

(A) The land has been used to manage dangerous wastes;

(B) Its use is restricted under this section; and

(C) The survey plat and record of the type, location, and quantity of dangerous wastes disposed of within each cell or other dangerous waste disposal unit of the facility required in subsection (9) of this section have been filed with the local zoning authority, or the authority with jurisdiction over local land use, and with the department; and

(ii) Submit a certification, signed by the owner or operator, that he has recorded the notation specified in (b)(i) of this subsection, including a copy of the document in which the notation has been placed, to the department.

(c) If the owner or operator or any subsequent owner of the land upon which a dangerous waste facility was located wishes to remove dangerous wastes and dangerous waste residues, the liner, if any, or contaminated soils, he must request a modification to the postclosure permit in accordance with the applicable requirements in WAC 173-303-800 through 173-303-840. The owner or operator must demonstrate that the removal of dangerous wastes will satisfy the criteria of subsection (7)(d) of this section. By removing dangerous waste, the owner or operator may become a generator of dangerous waste and must manage it in accordance with all applicable requirements of this chapter. If he is granted a permit modification or otherwise granted approval to conduct such removal activities, the owner or operator may request that the department approve either:

(i) The removal of the notation on the deed to the facility property or other instrument normally examined during title search; or

(ii) The addition of a notation to the deed or instrument indicating the removal of the dangerous waste.

(11) Certification of completion of postclosure care. No later than sixty days after completion of the established postclosure care period for each dangerous waste disposal unit, the owner or operator must submit to the department, by registered mail, a certification that the postclosure care period for the dangerous waste disposal unit was performed in accordance with the specifications in the approved postclosure plan. The certification must be signed by the owner or operator and an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the department upon request until he releases the owner or operator from the financial assurance requirements for postclosure care under WAC 173-303-620(6).

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-620 FINANCIAL REQUIREMENTS. (1) Applicability.

(a) The requirements of subsections (3), (4), (7), (8), (9), and (10) of this section, apply to owners and operators of all dangerous waste facilities, except as provided otherwise in this section.

(b) The requirements of subsections (5) and (6) of this section apply only to owners and operators of dangerous waste disposal facilities, to tank systems that are required under WAC 173-303-640(8) to meet the requirements of landfills, and piles and surface impoundments to the extent that WAC 173-303-650 and 173-303-660, respectively, require that such facilities comply with this section.

(c) States and the federal government are exempt from the requirements of this section, except that operators of facilities who are under

contract with the state or federal government must meet the requirements of this section.

(2) Definitions. As used in this section, the following listed or referenced terms shall have the meanings given below:

(a) "Closure plan" means the plan for closure prepared in accordance with the requirements of WAC 173-303-610(3);

(b) "Current closure cost estimate" means the most recent of the estimates prepared in accordance with subsection (3) of this section;

(c) "Current postclosure cost estimate" means the most recent of the estimates prepared in accordance with subsection (5) of this section;

(d) "Parent corporation" means a corporation which directly owns at least fifty percent of the voting stock of the corporation which is the facility owner or operator; the latter corporation is deemed a "subsidiary" of the parent corporation;

(e) "Postclosure plan" means the plan for postclosure care prepared in accordance with the requirements of WAC 173-303-610 (7), (8), (9), and (10);

(f) "Regional administrator" means the department;

(g) "Hazardous waste" means dangerous waste; and

(h) The additional terms listed and defined in 40 CFR 264.141 (f) and (g) are adopted by reference.

(3) Cost estimate for facility closure.

(a) The owner or operator must have a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with the requirements in WAC 173-303-610 (2) through (6), and applicable closure requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6), and 173-303-670(8). The closure cost estimate:

(i) Must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan (see WAC 173-303-610 (3)(a));

(ii) Must be based on the costs to the owner or operator of hiring a third party to close the facility. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of parent corporation in subsection (2)(d) of this section.) The owner or operator may use costs for on-site disposal if he can demonstrate that on-site disposal capacity will exist at all times over the life of the facility;

(iii) May not incorporate any salvage value that may be realized with the sale of dangerous wastes, facility structures or equipment, land, or other assets associated with the facility at the time of partial or final closure; and

(iv) May not incorporate a zero cost for dangerous wastes that might have economic value.

(b) During the active life of the facility, the owner or operator must revise the closure cost estimate no later than thirty days after the department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The revised closure cost estimate must be adjusted for inflation as specified in (c)(i) and (ii) of this subsection.

(c) During the active life of the facility, the owner or operator must adjust the closure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with this section. For owners and operators using the financial test or corporate guarantee, the closure cost estimate must be updated for inflation within thirty days after the close of the firm's fiscal year and before submission of updated information to the department as specified in subsection (4) of this section. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its survey of current business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility the latest closure cost estimate prepared in accordance with (a) and (b) of this subsection, and, when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted closure cost estimate.

(4) Financial assurance for facility closure.

(a) An owner or operator of a TSD facility must establish financial assurance for closure of the facility. The owner or operator must choose from the following options or combination of options:

- (i) Closure trust fund;
- (ii) Surety bond guaranteeing payment into a closure trust fund;
- (iii) Surety bond guaranteeing performance of closure;
- (iv) Closure letter of credit;
- (v) Closure insurance; or
- (vi) Financial test and corporate guarantee for closure.

(b) In satisfying the requirements of financial assurance for facility closure in this subsection, the owner or operator shall meet all the requirements set forth in 40 CFR 264.143.

(5) Cost estimate for postclosure monitoring and maintenance.

(a) The owner or operator of a facility subject to postclosure monitoring or maintenance requirements must have a detailed written estimate, in current dollars, of the annual cost of postclosure monitoring and maintenance of the facility in accordance with the applicable postclosure regulations in WAC 173-303-610 (7) through (10), 173-303-650(6), 173-303-655(8), 173-303-660(9), and 173-303-665(6). The postclosure cost estimate must be based on the costs to the owner or operator of hiring a third party to conduct postclosure care activities. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of parent corporation in subsection (2)(d) of this section.) The postclosure cost estimate is calculated by multiplying the annual postclosure cost estimate by the number of years of postclosure care required by WAC 173-303-610.

(b) During the active life of the facility, the owner or operator must revise the postclosure cost estimate within thirty days after the department has approved the request to modify the postclosure plan, if the change in the postclosure plan increases the cost of postclosure care. The revised postclosure cost estimate must be adjusted for inflation as specified in (c)(i) and (ii) of this subsection.

(c) During the active life of the facility, the owner or operator must adjust the postclosure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with subsection (6) of this section. For owners or operators using the financial test or corporate guarantee, the postclosure cost estimate must be updated for inflation within thirty days after the close of the firm's fiscal year and before the submission of updated information to the department as specified in subsection (6) of this section. The adjustment may be made by recalculating the postclosure cost estimate in current dollars or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the postclosure cost estimate by the inflation factor. The result is the adjusted postclosure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted postclosure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility the latest postclosure cost estimate prepared in accordance with (a) and (b) of this subsection, and, when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted postclosure cost estimate.

(6) Financial assurance for postclosure monitoring and maintenance.

(a) An owner or operator of a facility subject to postclosure monitoring or maintenance requirements must establish financial assurance for postclosure care in accordance with the approved postclosure care plan. He must choose from the following options or combination of options:

- (i) Postclosure trust fund;
- (ii) Surety bond guaranteeing payment into a postclosure trust fund;
- (iii) Surety bond guaranteeing performance of postclosure care;
- (iv) Postclosure letter of credit;
- (v) Postclosure insurance; or
- (vi) Financial test and corporate guarantee for postclosure care.

(b) In satisfying the requirements of financial assurance for facility postclosure care in this subsection, the owner or operator shall meet all the requirements set forth in 40 CFR 264.145.

(7) Use of a mechanism for financial assurance of both closure and postclosure care. An owner or operator may satisfy the requirements for financial assurance for both closure and postclosure care for one or

more facilities by using a trust fund, surety bond, letter of credit, insurance, financial test, or corporate guarantee that meets the specifications for the mechanism in both 40 CFR 264.143 and 264.145. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for financial assurance of closure and of postclosure care.

(8) Liability requirements.

(a) An owner or operator of a TSD facility or a group of such facilities must demonstrate financial responsibility for bodily injury and property damages to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must meet the requirements of 40 CFR 264.147(a) ~~((or, when applicable, (f)))~~.

(b) An owner or operator of a facility with a regulated unit or units (as defined in WAC 173-303-040(75)) used to manage dangerous waste or a group of such facilities must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must meet the requirements of 40 CFR 264.147(b) ~~((or, when applicable, (f)))~~.

(c) Request for variance. If an owner or operator can demonstrate to the satisfaction of the department that the levels of financial responsibility required by (a) or (b) of this subsection are not consistent with the degree and duration of risk associated with treatment, storage, or disposal at the facility or group of facilities, the owner or operator may obtain a variance from the department. The request for a variance must be submitted to the department as part of the application under WAC 173-303-806(4) for a facility that does not have a permit, or pursuant to the procedures for permit modification under WAC 173-303-830 for a facility that has a permit. If granted, the variance will take the form of an adjusted level of required liability coverage, such level to be based on the department's assessment of the degree and duration of risk associated with the ownership or operation of the facility or group of facilities. The department may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the department to determine a level of financial responsibility other than that required by (a) or (b) of this subsection. Any request for a variance for a permitted facility will be treated as a request for a permit modification under WAC 173-303-830.

(d) Adjustments by the department. If the department determines that the levels of financial responsibility required by (a) or (b) of this subsection are not consistent with the degree and duration of risk associated with treatment, storage, or disposal at the facility or group of facilities, the department may adjust the level of financial responsibility required under (a) or (b) of this subsection as may be necessary to protect human health and the environment. This adjusted level will be based on the department's assessment of the degree and duration of risk associated with the ownership or operation of the facility or group of facilities. In addition, if the department determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences resulting from the operations of a facility that has no regulated units (as defined in WAC 173-303-040(75)), it may require that the owner or operator of the facility comply with (b) of this subsection. An owner or operator must furnish to the department within a reasonable time, any information which the department requests to determine whether cause exists for such adjustments of level or type of coverage. Any adjustments of level or type of coverage for a facility that has a permit will be treated as a permit modification under WAC 173-303-830.

(e) Period of coverage. An owner or operator must continuously provide liability coverage for a facility as required by this subsection until certifications of closure of the facility, as specified in WAC 173-303-610(6), are received by the department.

(9) Incapacity of owners or operators, guarantor or financial institutions.

(a) An owner or operator must notify the department by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), United States Code, naming the owner or operator as debtor, within ten days after commencement of the proceeding. A guarantor of a corporate guarantee as specified in 40 CFR 264.143(f) and 264.145(f) must make such a notification if he is named as debtor, as required under the terms of the corporate guarantee (40 CFR 264.151(h)).

(b) An owner or operator who fulfills the requirements of 40 CFR 264.143, 264.145, or 264.147 (a) or (b) by obtaining a trust fund,

surety bond, letter of credit, or insurance policy will be deemed to be without the required financial assurance or liability coverage in the event of bankruptcy of the trustee or issuing institution, or a suspension or revocation of the authority of the trustee institution to act as trustee or of the institution issuing the surety bond, letter of credit, or insurance policy to issue such instruments. The owner or operator must establish other financial assurance or liability coverage within sixty days after such an event.

(10) Wording of the instruments. The financial instruments required by this section shall contain the wording specified by 40 CFR 264.151, except that:

(a) The words "regional administrator" and "environmental protection agency" must be replaced with the word "department";

(b) The words "hazardous waste" must be replaced with the words "dangerous waste"; and

(c) Any other words specified by the department shall be changed as necessary to assure financial responsibility of the facility in accordance with the requirements of this section.

Copies of the financial instruments with the appropriate word changes will be available from the department by June 30, 1984.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-640 TANK(S) SYSTEMS. (1) Applicability.

(a) The regulations in WAC 173-303-640 apply to owners and operators of facilities that use tank(s) systems to treat or store dangerous waste, except as (b) and (c) of this subsection provides otherwise.

(b) ((Facilities shall not treat or store dangerous waste in covered underground tanks that cannot be entered for inspection, unless such tanks are used for treating or storing only moderate risk wastes (as defined in WAC 173-303-040(55)) and can be externally inspected or have secondary containment structures that allow for monitoring, containment and removal of leaks or can be tested for leakage using methods and testing frequencies approved by the department.

(2) Design of tanks.

(a) The owner or operator shall design tanks including the foundation, structural support, seams and pressure controls to assure that they will not collapse or rupture, by providing sufficient shell strength, pressure controls for closed tanks, earthquake resistance etc. The owner/operator shall submit a statement with his permit application specified in WAC 173-303-806(4), stating the basis for selecting minimum shell thickness, such as:

(i) Underwriters Laboratories Inc. standards;

(ii) American Petroleum Institute standards;

(iii) American Concrete Institute standards; or

(iv) American Society of Mechanical Engineers standards.

The statement shall be certified by a licensed professional engineer. The department will review and approve tank design.

(b) New tanks holding dangerous waste shall be constructed above ground and shall be protected against spills, leaks, and precipitation by a containment system which must include an impervious base underlying the tanks in the storage area, unless state or local fire codes require otherwise. The containment system shall have adequate capacity to contain one hundred ten percent of the volume of the largest tank in the storage area and, for uncovered areas, have sufficient capacity to contain additionally the precipitation of a maximum twenty-five year storm of twenty-four hours duration.

(c) All tanks holding dangerous waste shall be marked with labels or signs to identify the waste contained in the tank. The label or sign shall be legible at a distance of at least fifty feet, and shall bear a legend which identifies the waste in a manner which adequately warns employees, emergency response personnel, and the public of the major risk(s) associated with the waste being stored or treated in the tanks (Note—If there is already a system in use that performs this function in accordance with local, state or federal regulations, then such system will be adequate).

(d) All tanks holding EHW which is acutely or chronically toxic by inhalation must be designed to prevent escape of vapors, fumes, or other emissions into the air.

(3) General operating requirements.

(a) Wastes and other materials (e.g., treatment reagents) which are incompatible with the material of construction of the tank must not be placed in the tank unless the tank is protected from accelerated corrosion, erosion, or abrasion through the use of:

(i) An inner liner or coating which is compatible with the waste or material and which is free of leaks, cracks, holes, or other deterioration; or

(ii) Alternative means of protection (e.g., cathodic protection or corrosion inhibitors).

(b) The owner or operator must use appropriate controls and practices to prevent overfilling. These must include:

(i) Controls to prevent overfilling (e.g., waste feed cut-off system or by-pass system to a standby tank); and

(ii) For uncovered tanks, maintenance of sufficient freeboard to prevent overtopping by wave or wind action or precipitation.

(4) Inspections.

(a) The owner or operator must inspect:

(i) Overfilling control equipment (e.g., waste feed cut-off systems and by-pass systems) at least once each operating day to ensure that it is in good working order;

(ii) Data gathered from monitoring equipment (e.g., pressure, level, volume, and temperature gauges) where present, at least once each operating day to ensure that the tank is being operated according to its design;

(iii) For uncovered tanks, the level of waste in the tank, at least once each operating day or before each filling to ensure compliance with subsection (3)(b) of this section;

(iv) The construction materials of the above-ground portions of the tank, at least weekly to detect corrosion or erosion and leaking of fixtures and seams; and

(v) The area immediately surrounding the tank, at least weekly, to detect obvious signs of leakage (e.g., wet spots or dead vegetation).

(b) As part of the inspection schedule required in WAC 173-303-320(2), and the specific requirements of this subsection, the owner or operator must develop a schedule and procedure for assessing the condition of the tank. The schedule and procedure must be adequate to detect cracks, leaks, corrosion, or erosion which may lead to cracks or leaks, or wall thinning to less than the thickness specified in subsection (2) of this section. Procedures for emptying a tank to allow entry and inspection of the interior must be established when necessary to detect corrosion or erosion of the tank sides and bottom. The frequency of these assessments must be based on the material of construction of the tank, type of corrosion or erosion protection used, rate of corrosion or erosion observed during previous inspections, and the nature of the waste being treated or stored.

(c) As part of the contingency plan required under WAC 173-303-350, the owner or operator must specify the procedures he intends to use to respond to tank spills or leakage, including procedures and timing for expeditious removal of leaked or spilled waste and repair of the tank.

(5) Closure. At closure, all dangerous waste and dangerous waste residues must be removed from tanks, discharge control equipment, containment systems and underlying bases (where present), and discharge confinement structures. Any tanks, bases, liners and soils containing or contaminated with dangerous waste or dangerous waste residues must be removed or decontaminated.

(6) Tank systems that are used to store or treat dangerous waste which contain no free liquids and are situated inside a building with an impermeable floor are exempted from the requirements in subsection (4) of this section. To demonstrate the absence or presence of free liquids in the stored/treated waste, the test method described in WAC 173-303-110 (3)(c)(i) must be used.

(c) Tank systems, including sumps, as defined in WAC 173-303-040, that serve as part of a secondary containment system to collect or contain releases of dangerous wastes are exempted from the requirements in subsection (4) of this section.

(2) Assessment of existing tank system's integrity.

(a) For each existing tank system, the owner or operator must determine that the tank system is not leaking or is unfit for use. Except as provided in (b) of this subsection, the owner or operator must obtain and keep on file at the facility a written assessment reviewed and certified by an independent, qualified registered professional engineer, in accordance with WAC 173-303-810 (13)(a), that attests to the tank system's integrity by January 12, 1988, for new tank systems and underground tanks that cannot be entered for inspection, or by January 12, 1990, for all other tank systems.

(b) Tank systems that store or treat materials that become dangerous wastes subsequent to January 12, 1989, must conduct this assessment within twelve months after the date that the waste becomes a dangerous waste.

(c) This assessment must determine that the tank system is adequately designed and has sufficient structural strength and compatibility with the waste(s) to be stored or treated, to ensure that it will not

collapse, rupture, or fail. At a minimum, this assessment must consider the following:

(i) Design standard(s), if available, according to which the tank system was constructed;

(ii) Dangerous characteristics of the waste(s) that have been and will be handled;

(iii) Existing corrosion protection measures;

(iv) Documented age of the tank system, if available (otherwise, an estimate of the age); and

(v) Results of a leak test, internal inspection, or other tank system integrity examination such that:

(A) For nonenterable underground tanks, the assessment must include a leak test that is capable of taking into account the effects of temperature variations, tank end deflection, vapor pockets, and high water table effects; and

(B) For other than nonenterable underground tanks and for ancillary equipment, this assessment must include either a leak test, as described above, or other integrity examination, that is certified by an independent, qualified, registered professional engineer, in accordance with WAC 173-303-810 (13)(a), that addresses cracks, leaks, corrosion, and erosion.

Note: The practices described in the American Petroleum Institute (API) Publication, *Guide for Inspection of Refinery Equipment, Chapter XIII, "Atmospheric and Low-Pressure Storage Tanks,"* 4th edition, 1981, may be used, where applicable, as guidelines in conducting other than a leak test.

(d) If, as a result of the assessment conducted in accordance with (a) of this subsection, a tank system is found to be leaking or unfit for use, the owner or operator must comply with the requirements of subsection (7) of this section.

(e) The owner or operator must develop a schedule for conducting integrity assessments over the life of the tank to ensure that the tank retains its structural integrity and will not collapse, rupture, or fail. The schedule must be based on the results of past integrity assessments, age of the tank system, materials of construction, characteristics of the waste, and any other relevant factors.

(3) Design and installation of new tank systems or components.

(a) Owners or operators of new tank systems or components must obtain and submit to the department, at time of submittal of Part B information, a written assessment, reviewed and certified by an independent, qualified registered professional engineer, in accordance with WAC 173-303-810 (13)(a), attesting that the tank system has sufficient structural integrity and is acceptable for the storing and treating of dangerous waste. The assessment must show that the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed and that the tank system has sufficient structural strength, compatibility with the waste(s) to be stored or treated, and corrosion protection to ensure that it will not collapse, rupture, or fail. This assessment, which will be used by the department to review and approve or disapprove the acceptability of the tank system design, must include, at a minimum, the following information:

(i) Design standard(s) according to which tank system(s) are constructed;

(ii) Dangerous characteristics of the waste(s) to be handled;

(iii) For new tank systems or components in which the external shell of a metal tank or any external metal component of the tank system will be in contact with the soil or with water, a determination by a corrosion expert of:

(A) Factors affecting the potential for corrosion, including but not limited to:

(I) Soil moisture content;

(II) Soil pH;

(III) Soil sulfides level;

(IV) Soil resistivity;

(V) Structure to soil potential;

(VI) Influence of nearby underground metal structures (e.g., piping);

(VII) Existence of stray electric current;

(VIII) Existing corrosion-protection measures (e.g., coating, cathodic protection); and

(B) The type and degree of external corrosion protection that are needed to ensure the integrity of the tank system during the use of the tank system or component, consisting of one or more of the following:

(I) Corrosion-resistant materials of construction such as special alloys, fiberglass reinforced plastic, etc.;

(II) Corrosion-resistant coating (such as epoxy, fiberglass, etc.) with cathodic protection (e.g., impressed current or sacrificial anodes); and

(III) Electrical isolation devices such as insulating joints, flanges, etc.

Note: The practices described in the National Association of Corrosion Engineers (NACE) standard, "Recommended Practice (RP-02-85)—Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," and the American Petroleum Institute (API) Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," may be used, where applicable, as guidelines in providing corrosion protection for tank systems.

(iv) For underground tank system components that are likely to be adversely affected by vehicular traffic, a determination of design or operational measures that will protect the tank system against potential damage; and

(v) Design considerations to ensure that:

(A) Tank foundations will maintain the load of a full tank;

(B) Tank systems will be anchored to prevent flotation or dislodgment where the tank system is placed in a saturated zone, or is located within a seismic fault zone subject to the standards of WAC 173-303-420(3); and

(C) Tank systems will withstand the effects of frost heave.

(b) The owner or operator of a new tank system must ensure that proper handling procedures are adhered to in order to prevent damage to the system during installation. Prior to covering, enclosing, or placing a new tank system or component in use, an independent, qualified installation inspector or an independent, qualified, registered professional engineer, either of whom is trained and experienced in the proper installation of tank systems or components, must inspect the system for the presence of any of the following items:

(i) Weld breaks;

(ii) Punctures;

(iii) Scrapes of protective coatings;

(iv) Cracks;

(v) Corrosion;

(vi) Other structural damage or inadequate construction/installation. All discrepancies must be remedied before the tank system is covered, enclosed, or placed in use.

(c) New tank systems or components that are placed underground and that are backfilled must be provided with a backfill material that is a noncorrosive, porous, homogeneous substance and that is installed so that the backfill is placed completely around the tank and compacted to ensure that the tank and piping are fully and uniformly supported.

(d) All new tanks and ancillary equipment must be tested for tightness prior to being covered, enclosed, or placed in use. If a tank system is found not to be tight, all repairs necessary to remedy the leak(s) in the system must be performed prior to the tank system being covered, enclosed, or placed into use.

(e) Ancillary equipment must be supported and protected against physical damage and excessive stress due to settlement, vibration, expansion, or contraction.

Note: The piping system installation procedures described in American Petroleum Institute (API) Publication 1615 (November 1979), "Installation of Underground Petroleum Storage Systems," or ANSI Standard B31.3, "Petroleum Refinery Piping," and ANSI Standard B31.4 "Liquid Petroleum Transportation Piping System," may be used, where applicable, as guidelines for proper installation of piping systems.

(f) The owner or operator must provide the type and degree of corrosion protection recommended by an independent corrosion expert, based on the information provided under (a)(iii) of this subsection, or other corrosion protection if the department believes other corrosion protection is necessary to ensure the integrity of the tank system during use of the tank system. The installation of a corrosion protection system that is field fabricated must be supervised by an independent corrosion expert to ensure proper installation.

(g) The owner or operator must obtain and keep on file at the facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the requirements of (b) through (f) of this subsection, that attest that the tank system was properly designed and installed and that repairs, pursuant to (b) and (d) of this subsection, were performed. These written statements must also include the certification statement as required in WAC 173-303-810 (13)(a).

(4) Containment and detection of releases.

(a) In order to prevent the release of dangerous waste or dangerous constituents to the environment, secondary containment that meets the requirements of this subsection must be provided (except as provided in (f) and (g) of this subsection):

(i) For all new tank systems or components, prior to their being put into service;

(ii) For all existing tank systems used to store or treat Dangerous Waste Nos. F020, F021, F022, F023, F026, and F027, within two years after January 12, 1987;

(iii) For those existing tank systems of known and documented age, within two years after January 12, 1989, or when the tank system has reached fifteen years of age, whichever comes later;

(iv) For those existing tank systems for which the age cannot be documented, within eight years of January 12, 1989; but if the age of the facility is greater than seven years, secondary containment must be provided by the time the facility reaches fifteen years of age, or within two years of January 12, 1989, whichever comes later; and

(v) For tank systems that store or treat materials that become dangerous wastes subsequent to January 12, 1989, within the time intervals required in (a)(i) through (iv) of this subsection, except that the date that a material becomes a dangerous waste must be used in place of January 12, 1989.

(b) Secondary containment systems must be:

(i) Designed, installed, and operated to prevent any migration of wastes or accumulated liquid out of the system to the soil, ground water, or surface water at any time during the use of the tank system; and

(ii) Capable of detecting and collecting releases and accumulated liquids until the collected material is removed.

(c) To meet the requirements of (b) of this subsection, secondary containment systems must be at a minimum:

(i) Constructed of or lined with materials that are compatible with the waste(s) to be placed in the tank system and must have sufficient strength and thickness to prevent failure owing to pressure gradients (including static head and external hydrological forces), physical contact with the waste to which it is exposed, climatic conditions, and the stress of daily operations (including stresses from nearby vehicular traffic);

(ii) Placed on a foundation or base capable of providing support to the secondary containment system, resistance to pressure gradients above and below the system, and capable of preventing failure due to settlement, compression, or uplift;

(iii) Provided with a leak-detection system that is designed and operated so that it will detect the failure of either the primary or secondary containment structure or the presence of any release of dangerous waste or accumulated liquid in the secondary containment system within twenty-four hours, or at the earliest practicable time if the owner or operator can demonstrate to the department that existing detection technologies or site conditions will not allow detection of a release within twenty-four hours; and

(iv) Sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within twenty-four hours, or in as timely a manner as is possible to prevent harm to human health and the environment, if the owner or operator can demonstrate to the department that removal of the released waste or accumulated precipitation cannot be accomplished within twenty-four hours.

(d) Secondary containment for tanks must include one or more of the following devices:

(i) A liner (external to the tank);

(ii) A vault;

(iii) A double-walled tank; or

(iv) An equivalent device as approved by the department.

(e) In addition to the requirements of (b), (c), and (d) of this subsection, secondary containment systems must satisfy the following requirements:

(i) External liner systems must be:

(A) Designed or operated to contain one hundred percent of the capacity of the largest tank within its boundary;

(B) Designed or operated to prevent run-on or infiltration of precipitation into the secondary containment system unless the collection system has sufficient excess capacity to contain run-on or infiltration. Such additional capacity must be sufficient to contain precipitation from a twenty-five-year, twenty-four-hour rainfall event.

(C) Free of cracks or gaps; and

(D) Designed and installed to surround the tank completely and to cover all surrounding earth likely to come into contact with the waste if the waste is released from the tank(s) (i.e., capable of preventing lateral as well as vertical migration of the waste).

(ii) Vault systems must be:

(A) Designed or operated to contain one hundred percent of the capacity of the largest tank within its boundary;

(B) Designed or operated to prevent run-on or infiltration of precipitation into the secondary containment system unless the collection system has sufficient excess capacity to contain run-on or infiltration. Such additional capacity must be sufficient to contain precipitation from a twenty-five-year, twenty-four-hour rainfall event;

(C) Constructed with chemical-resistant water stops in place at all joints (if any);

(D) Provided with an impermeable interior coating or lining that is compatible with the stored waste and that will prevent migration of waste into the concrete;

(E) Provided with a means to protect against the formation of and ignition of vapors within the vault, if the waste being stored or treated:

(I) Meets the definition of ignitable waste under WAC 173-303-090(5); or

(II) Meets the definition of reactive waste under WAC 173-303-090(7), and may form an ignitable or explosive vapor.

(F) Provided with an exterior moisture barrier or be otherwise designed or operated to prevent migration of moisture into the vault if the vault is subject to hydraulic pressure.

(iii) Double-walled tanks must be:

(A) Designed as an integral structure (i.e., an inner tank completely enveloped within an outer shell) so that any release from the inner tank is contained by the outer shell;

(B) Protected, if constructed of metal, from both corrosion of the primary tank interior and of the external surface of the outer shell; and

(C) Provided with a built-in continuous leak detection system capable of detecting a release within twenty-four hours, or at the earliest practicable time, if the owner or operator can demonstrate to the department, and the department concludes, that the existing detection technology or site conditions would not allow detection of a release within twenty-four hours.

Note: The provisions outlined in the Steel Tank Institute's (STI) "Standard for Dual Wall Underground Steel Storage Tanks" may be used as guidelines for aspects of the design of underground steel double-walled tanks.

(f) Ancillary equipment must be provided with secondary containment (e.g., trench, jacketing, double-walled piping) that meets the requirements of (b) and (c) of this subsection except for:

(i) Aboveground piping (exclusive of flanges, joints, valves, and other connections) that are visually inspected for leaks on a daily basis;

(ii) Welded flanges, welded joints, and welded connections, that are visually inspected for leaks on a daily basis;

(iii) Sealless or magnetic coupling pumps and sealless valves, that are visually inspected for leaks on a daily basis; and

(iv) Pressurized aboveground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown devices, loss of pressure actuated shut-off devices) that are visually inspected for leaks on a daily basis.

(g) The owner or operator may obtain a variance from the requirements of this subsection if the department finds, as a result of a demonstration by the owner or operator that alternative design and operating practices, together with location characteristics, will prevent the migration of any dangerous waste or dangerous constituents into the ground water, or surface water at least as effectively as secondary containment during the active life of the tank system or that in the event of a release that does migrate to ground water or surface water, no substantial present or potential hazard will be posed to human health or the environment. New underground tank systems may not, per a demonstration in accordance with (g)(ii) of this subsection, be exempted from the secondary containment requirements of this section.

(i) In deciding whether to grant a variance based on a demonstration of equivalent protection of ground water and surface water, the department will consider:

(A) The nature and quantity of the wastes;

(B) The proposed alternate design and operation;

(C) The hydrogeologic setting of the facility, including the thickness of soils present between the tank system and ground water; and

(D) All other factors that would influence the quality and mobility of the dangerous constituents and the potential for them to migrate to ground water or surface water.

(ii) In deciding whether to grant a variance based on a demonstration of no substantial present or potential hazard, the department will consider:

(A) The potential adverse effects on ground water, surface water, and land quality taking into account:

(I) The physical and chemical characteristics of the waste in the tank system, including its potential for migration;

(II) The hydrogeological characteristics of the facility and surrounding land;

(III) The potential for health risks caused by human exposure to waste constituents;

(IV) The potential for damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(V) The persistence and permanence of the potential adverse effects.

(B) The potential adverse effects of a release on ground-water quality, taking into account:

(I) The quantity and quality of ground water and the direction of ground-water flow;

(II) The proximity and withdrawal rates of ground-water users;

(III) The current and future uses of ground water in the area; and

(IV) The existing quality of ground water, including other sources of contamination and their cumulative impact on the ground-water quality.

(C) The potential adverse effects of a release on surface water quality, taking into account:

(I) The quantity and quality of ground water and the direction of ground-water flow;

(II) The patterns of rainfall in the region;

(III) The proximity of the tank system to surface waters;

(IV) The current and future uses of surface waters in the area and any water quality standards established for those surface waters; and

(V) The existing quality of surface water, including other sources of contamination and the cumulative impact on surface-water quality.

(D) The potential adverse effects of a release on the land surrounding the tank system, taking into account:

(I) The patterns of rainfall in the region; and

(II) The current and future uses of the surrounding land.

(iii) The owner or operator of a tank system, for which a variance from secondary containment had been granted in accordance with the requirements of (g)(i) of this subsection, at which a release of dangerous waste has occurred from the primary tank system but has not migrated beyond the zone of engineering control (as established in the variance), must:

(A) Comply with the requirements of subsection (7) of this section, except (d) of this subsection; and

(B) Decontaminate or remove contaminated soil to the extent necessary to:

(I) Enable the tank system for which the variance was granted to resume operation with the capability for the detection of releases at least equivalent to the capability it had prior to the release; and

(II) Prevent the migration of dangerous waste or dangerous constituents to ground water or surface water.

(C) If contaminated soil cannot be removed or decontaminated in accordance with (g)(iii)(B) of this subsection, comply with the requirements of subsection (8) of this section.

(iv) The owner or operator of a tank system, for which a variance from secondary containment had been granted in accordance with the requirements of (g)(i) of this subsection, at which a release of dangerous waste has occurred from the primary tank system and has migrated beyond the zone of engineering control (as established in the variance), must:

(A) Comply with the requirements of subsection (7)(a), (b), (c), and (d) of this section; and

(B) Prevent the migration of dangerous waste or dangerous constituents to ground water or surface water, if possible, and decontaminate or remove contaminated soil. If contaminated soil cannot be decontaminated or removed or if ground water has been contaminated, the owner or operator must comply with the requirements of subsection (8)(b) of this section; and

(C) If repairing, replacing, or reinstalling the tank system, provide secondary containment in accordance with the requirements of (a) through (f) of this subsection or reapply for a variance from secondary containment and meet the requirements for new tank systems in subsection (3) of this section if the tank system is replaced. The owner or operator must comply with these requirements even if contaminated soil can be decontaminated or removed and ground water or surface water has not been contaminated.

(h) The following procedures must be followed in order to request a variance from secondary containment:

(i) The department must be notified in writing by the owner or operator that he intends to conduct and submit a demonstration for a variance from secondary containment as allowed in (g) of this subsection according to the following schedule:

(A) For existing tank systems, at least twenty-four months prior to the date that secondary containment must be provided in accordance with (a) of this subsection.

(B) For new tank systems, at least thirty days prior to entering into a contract for installation.

(ii) As part of the notification, the owner or operator must also submit to the department a description of the steps necessary to conduct the demonstration and a timetable for completing each of the steps. The demonstration must address each of the factors listed in (g)(i) or (ii) of this subsection;

(iii) The demonstration for a variance must be completed within one hundred eighty days after notifying the department of an intent to conduct the demonstration; and

(iv) If a variance is granted under this subsection, the department will require the permittee to construct and operate the tank system in the manner that was demonstrated to meet the requirements for the variance.

(i) All tank systems, until such time as secondary containment that meets the requirements of this section is provided, must comply with the following:

(A) For nonenterable underground tanks, a leak test that meets the requirements of subsection (2)(c)(v) of this section or other tank integrity method, as approved or required by the department, must be conducted at least annually.

(B) For other than nonenterable underground tanks, the owner or operator must either conduct a leak test as in (i)(A) of this subsection or develop a schedule and procedure for an assessment of the overall condition of the tank system by an independent, qualified registered professional engineer. The schedule and procedure must be adequate to detect obvious cracks, leaks, and corrosion or erosion that may lead to cracks and leaks. The owner or operator must remove the stored waste from the tank, if necessary, to allow the condition of all internal tank surfaces to be assessed. The frequency of these assessments must be based on the material of construction of the tank and its ancillary equipment, the age of the system, the type of corrosion or erosion protection used, the rate of corrosion or erosion observed during the previous inspection, and the characteristics of the waste being stored or treated.

(C) For ancillary equipment, a leak test or other integrity assessment as approved by the department must be conducted at least annually.

Note: The practices described in the American Petroleum Institute (API) Publication Guide for Inspection of Refinery Equipment, Chapter XIII, "Atmospheric and Low-Pressure Storage Tanks," 4th edition, 1981, may be used, where applicable, as guidelines for assessing the overall condition of the tank system.

(D) The owner or operator must maintain on file at the facility a record of the results of the assessments conducted in accordance with (h)(iv)(A) through (C) of this subsection.

(E) If a tank system or component is found to be leaking or unfit for use as a result of the leak test or assessment in (h)(iv)(A) through (C) of this subsection, the owner or operator must comply with the requirements of subsection (7) of this section.

(5) General operating requirements.

(a) Dangerous wastes or treatment reagents must not be placed in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.

(b) The owner or operator must use appropriate controls and practices to prevent spills and overflows from tank or containment systems. These include at a minimum:

(i) Spill prevention controls (e.g., check valves, dry disconnect couplings);

(ii) Overfill prevention controls (e.g., level sensing devices, high level alarms, automatic feed cutoff, or bypass to a standby tank); and

(iii) Maintenance of sufficient freeboard in uncovered tanks to prevent overtopping by wave or wind action or by precipitation.

(c) The owner or operator must comply with the requirements of subsection (7) of this section if a leak or spill occurs in the tank system.

(d) All tank systems holding dangerous waste shall be marked with labels or signs to identify the waste contained in the tank. The label or

sign shall be legible at a distance of at least fifty feet, and shall bear a legend which identifies the waste in a manner which adequately warns employees, emergency response personnel, and the public of the major risk(s) associated with the waste being stored or treated in the tank system(s). (Note—If there already is a system in use that performs this function in accordance with local, state or federal regulations, then such system will be adequate.)

(e) All tank systems holding EHW which is acutely or chronically toxic by inhalation must be designed to prevent escape of vapors, fumes, or other emissions into the air.

(6) Inspections.

(a) The owner or operator must develop and follow a schedule and procedure for inspecting overflow controls.

(b) The owner or operator must inspect at least once each operating day:

(i) Aboveground portions of the tank system, if any, to detect corrosion or releases of waste;

(ii) Data gathered from monitoring any leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and

(iii) The construction materials and the area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system (e.g., dikes) to detect erosion or signs of releases of dangerous waste (e.g., wet spots, dead vegetation).

Note: WAC 173-303-320 requires the owner or operator to remedy any deterioration or malfunction he finds. Subsection (7) of this section requires the owner or operator to notify the department within twenty-four hours of confirming a leak. Also, 40 CFR Part 302 may require the owner or operator to notify the National Response Center of a release.

(c) The owner or operator must inspect cathodic protection systems, if present, according to, at a minimum, the following schedule to ensure that they are functioning properly:

(i) The proper operation of the cathodic protection system must be confirmed within six months after initial installation and annually thereafter; and

(ii) All sources of impressed current must be inspected and/or tested, as appropriate, at least bimonthly (i.e., every other month).

Note: The practices described in the National Association of Corrosion Engineers (NACE) standard, "Recommended Practice (RP-02-85)—Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," and the American Petroleum Institute (API) Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," may be used, where applicable, as guidelines in maintaining and inspecting cathodic protection systems.

(d) The owner or operator must document in the operating record of the facility an inspection of those items in (a) through (c) of this subsection.

(7) Response to leaks or spills and disposition of leaking or unfit-for-use tank systems.

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately, and the owner or operator must satisfy the following requirements:

(a) Cessation of use; prevent flow or addition of wastes. The owner or operator must immediately stop the flow of dangerous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

(b) Removal of waste from tank system or secondary containment system.

(i) If the release was from the tank system, the owner/operator must, within twenty-four hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of dangerous waste to the environment and to allow inspection and repair of the tank system to be performed.

(ii) If the material released was to a secondary containment system, all released materials must be removed within twenty-four hours or in as timely a manner as is possible to prevent harm to human health and the environment.

(c) Containment of visible releases to the environment. The owner/operator must immediately conduct a visual inspection of the release and, based upon that inspection:

(i) Prevent further migration of the leak or spill to soils or surface water; and

(ii) Remove, and properly dispose of, any visible contamination of the soil or surface water.

(d) Notifications, reports.

(i) Any release to the environment, except as provided in (d)(ii) of this subsection, must be reported to the department within twenty-four hours of its detection. The release must also be reported to the National Response Center pursuant to 40 CFR Part 302.

(ii) A leak or spill of dangerous waste is exempted from the requirements of (d) of this subsection if it is:

(A) Less than or equal to a quantity of one pound, or the "Reportable Quantity" (RQ) established in 40 CFR Part 302, whichever is less; and

(B) Immediately contained and cleaned-up.

(iii) Within thirty days of detection of a release to the environment, a report containing the following information must be submitted to the department:

(A) Likely route of migration of the release;

(B) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);

(C) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within thirty days, these data must be submitted to the department as soon as they become available;

(D) Proximity to downgradient drinking water, surface water, and populated areas; and

(E) Description of response actions taken or planned.

(e) Provision of secondary containment, repair, or closure.

(i) Unless the owner/operator satisfies the requirements of (e)(i) through (iv) of this subsection, the tank system must be closed in accordance with subsection (8) of this section.

(ii) If the cause of the release was a spill that has not damaged the integrity of the system, the owner/operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.

(iii) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.

(iv) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner/operator must provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of subsection (4) of this section before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an aboveground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of (f) of this subsection are satisfied. If a component is replaced to comply with the requirements of this subsection, that component must satisfy the requirements for new tank systems or components in subsections (3) and (4) of this section. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component must be provided with secondary containment in accordance with subsection (4) of this section prior to being returned to use.

(f) Certification of major repairs. If the owner/operator has repaired a tank system in accordance with (e) of this subsection, and the repair has been extensive (e.g., installation of an internal liner; repair of a ruptured primary containment or secondary containment vessel), the tank system must not be returned to service unless the owner/operator has obtained a certification by an independent, qualified, registered, professional engineer in accordance with WAC 173-303-810 (13)(a) that the repaired system is capable of handling dangerous wastes without release for the intended life of the system. This certification must be submitted to the department within seven days after returning the tank system to use.

Note: See WAC 173-303-320 for the requirements necessary to remedy a failure. Also, 40 CFR Part 302 may require the owner or operator to notify the National Response Center of certain releases.

(8) Closure and post-closure care.

(a) At closure of a tank system, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components (liners, etc.), contaminated soils, and structures and equipment contaminated with waste, and manage them as dangerous waste, unless WAC 173-303-070 (2)(a) applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for tank systems must meet all of the requirements specified in WAC 173-303-610 and 173-303-620.

(b) If the owner or operator demonstrates that not all contaminated soils can be practicably removed or decontaminated as required in (a)

of this subsection, then the owner or operator must close the tank system and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (see WAC 173-303-665(6)). In addition, for the purposes of closure, post-closure, and financial responsibility, such a tank system is then considered to be a landfill, and the owner or operator must meet all of the requirements for landfills specified in WAC 173-303-610 and 173-303-620.

(c) If an owner or operator has a tank system that does not have secondary containment that meets the requirements of subsection (4)(b) through (f) of this section and is not exempt from the secondary containment requirements in accordance with subsection (4)(g) of this section, then:

(i) The closure plan for the tank system must include both a plan for complying with (a) of this subsection and a contingent plan for complying with (b) of this subsection.

(ii) A contingent post-closure plan for complying with (b) of this subsection must be prepared and submitted as part of the permit application.

(iii) The cost estimates calculated for closure and post-closure care must reflect the costs of complying with the contingent closure plan and the contingent post-closure plan, if those costs are greater than the costs of complying with the closure plan prepared for the expected closure under (a) of this subsection.

(iv) Financial assurance must be based on the cost estimates in (c)(iii) of this subsection.

(v) For the purposes of the contingent closure and post-closure plans, such a tank system is considered to be a landfill, and the contingent plans must meet all of the closure, post-closure, and financial responsibility requirements for landfills under this chapter (WAC 173-303-610 and 173-303-620).

(9) Special requirements for ignitable or reactive wastes.

(a) Ignitable or reactive waste must not be placed in ((~~an~~) tank systems unless:

(i) The waste is treated, rendered, or mixed before or immediately after placement in the tank system so that the resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090, and 173-303-395 (1)(b) is complied with; or

(ii) The waste is stored or treated in such a way that it is protected from any material or conditions which may cause the waste to ignite or react; or

(iii) The tank system is used solely for emergencies.

(b) The owner or operator of a facility which treats or stores ignitable or reactive waste in covered tanks must locate the tanks in a manner equivalent to the National Fire Protection Association's buffer zone requirements for tanks, contained in Tables 2-1 through 2-6 of the NFPA-30 Flammable and Combustible Liquids Code - 1981, or as required by state and local fire codes when such codes are more stringent. The owner or operator shall also comply with the requirements of WAC 173-303-395 (1)(d).

((~~(7)~~)) (10) Special requirements for incompatible wastes.

(a) Incompatible wastes, or incompatible wastes and materials, must not be placed in the same tank system, unless WAC 173-303-395 (1)(b) is complied with.

(b) Dangerous waste must not be placed in ((~~an unwashed~~)) a tank ((~~which~~)) system that has not been decontaminated and that previously held an incompatible waste or material, unless WAC 173-303-395 (1)(b) is complied with.

((~~(8)~~)) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027.

In addition to the other requirements of this section, the following requirements apply to tanks storing or treating dangerous wastes F020, F021, F022, F023, F026, or F027:

(a) Tanks must have systems designed and operated to detect and adequately contain spills or leaks. The design and operation of any containment system must reflect consideration of all relevant factors, including:

(i) Capacity of the tank;

(ii) Volumes and characteristics of wastes stored or treated in the tank;

(iii) Method of collection of spills or leaks;

(iv) The design and construction materials of the tank and containment system; and

(v) The need to prevent precipitation and run-on from entering into the system.

(b) As part of the contingency plan required by WAC 173-303-350, the owner or operator must specify such procedures for responding to a

spill or leak from the tank into the containment system as may be necessary to protect human health and the environment. These procedures shall include measures for immediate removal of the waste from the system and replacement or repair of the leaking tank.))

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-645 GROUND WATER PROTECTION. (1) Applicability.

(a) Except as provided in (b) of this subsection, the regulations in this section apply to owners and operators of facilities that treat, store, or dispose of dangerous waste in surface impoundments, waste piles, land treatment units, or landfills. The owner or operator must satisfy the requirements of this section for all wastes (or constituents thereof) contained in any such waste management unit at the facility that is a "regulated unit" (as defined in WAC 173-303-040(75)). Any waste or waste constituent migrating beyond the waste management area under subsection (6)(b) of this section, is assumed to originate from a regulated unit unless the owner or operator can prove to the satisfaction of the department that such waste or waste constituent originated from another source.

(b) The owner or operator is not subject to regulation under this section if:

(i) He designs and operates a surface impoundment in compliance with WAC 173-303-650(3) (except as provided for surface impoundments treating or storing EHW), a pile in compliance with WAC 173-303-660 (1)(c), (3), or (4), or a landfill in compliance with WAC 173-303-665(3);

(ii) The department finds, pursuant to WAC 173-303-655 (8)(d), that the treatment zone of a land treatment unit does not contain levels of dangerous constituents that are above background levels of those constituents by an amount that is statistically significant, and if an unsaturated zone monitoring program meeting the requirements of WAC 173-303-655(6) has not shown a statistically significant increase in dangerous constituents below the treatment zone during the operating life of the unit. An exemption under this subsection can only relieve an owner or operator of responsibility to meet the requirements of this section during the postclosure care period; or

(iii) The department finds that there is no potential for migration of liquid from a regulated unit to the uppermost aquifer during the active life of the regulated unit (including the closure period) and the postclosure care period. This demonstration must be certified by a qualified geologist or geotechnical engineer. In order to provide an adequate margin of safety in the prediction of potential migration of liquid, the owner or operator must base any predictions made under this subsection on assumptions that maximize the rate of liquid migration.

(c) The regulations under this section apply during the active life of the regulated unit (including the closure period). After closure of the regulated unit, the regulations in this section:

(i) Do not apply if all waste, waste residues, contaminated containment system components, and contaminated subsoils are removed or decontaminated at closure in accordance with the removal or decontamination limits specified in WAC 173-303-610 (2)(b);

(ii) Apply during the postclosure care period if the owner or operator is conducting a detection monitoring program under subsection (9) of this section; and

(iii) Apply during the compliance period under subsection (7) of this section, if the owner or operator is conducting a compliance monitoring program under subsection (10) of this section, or a corrective action program under subsection (11) of this section.

(2) Required programs.

(a) Owners and operators subject to this section must conduct a monitoring and response program as follows:

(i) Whenever dangerous constituents under subsection (4) of this section, from a regulated unit are detected at the compliance point under subsection (6) of this section, the owner or operator must institute a compliance monitoring program under subsection (10) of this section;

(ii) Whenever the ground water protection standard under subsection (3) of this section, is exceeded, the owner or operator must institute a corrective action program under subsection (11) of this section;

(iii) Whenever dangerous constituents under subsection (4) of this section, from a regulated unit exceed concentration limits under subsection (5) of this section, in ground water between the compliance point under subsection (6) of this section and the downgradient facility property boundary, the owner or operator must institute a corrective action program under subsection (11) of this section; and

(iv) In all other cases, the owner or operator must institute a detection monitoring program under subsection (9) of this section.

(b) The department will specify in the facility permit the specific elements of the monitoring and response program. The department may include one or more of the programs identified in (a) of this subsection, in the facility permit as may be necessary to protect human health and the environment and will specify the circumstances under which each of the programs will be required. In deciding whether to require the owner or operator to be prepared to institute a particular program, the department will consider the potential adverse effects on human health and the environment that might occur before final administrative action on a permit modification application to incorporate such a program could be taken.

(3) Ground water protection standard. The owner or operator must comply with conditions specified in the facility permit that are designed to ensure that dangerous constituents under subsection (4) of this section, entering the ground water from a regulated unit do not exceed the concentration limits under subsection (5) of this section, in the uppermost aquifer underlying the waste management area beyond the point of compliance under subsection (6) of this section, during the compliance period under subsection (7) of this section. To the extent practical, the department will establish this ground water protection standard in the facility permit at the time the permit is issued. If the department determines that an established standard is not protective enough, or if the department decides that it is not practical to establish standards at the time of permit issuance, the department will establish the groundwater protection standard in the facility permit when dangerous constituents have entered the groundwater from a regulated unit.

(4) Dangerous constituents.

(a) The department will specify in the facility permit the dangerous constituents to which the ground water protection standard of subsection (3) of this section, applies. Dangerous constituents are constituents identified in (~~WAC 173-303-9905~~) 40 CFR Part 264 Appendix IX (this list is available from the department upon request), and any other constituents not listed there which have caused a waste to be regulated under this chapter, that may be or have been detected in ground water in the uppermost aquifer underlying a regulated unit and that are reasonably expected to be in or derived from waste contained in a regulated unit, unless the department has excluded them under (b) of this subsection.

The department may also specify in the permit indicator parameters (e.g., specific conductance, pH, total organic carbon (TOC), total organic halogen (TOX), or heavy metals), waste constituents or reaction products as identified in the detection monitoring program under subsection (9)(a) of this section, that provide a reliable indication of the presence of dangerous constituents in the ground water.

(b) The department will exclude a (~~WAC 173-303-9905~~) 40 CFR Part 264 Appendix IX, or other identified constituent from the list of dangerous constituents specified in the facility permit if it finds that the constituent is not capable of posing a substantial present or potential hazard to human health or the environment. In deciding whether to grant an exemption, the department will consider the following:

(i) Potential adverse effects on ground water quality, considering:

(A) The physical and chemical characteristics of the waste in the regulated unit, including its potential for migration;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity of ground water and the direction of ground water flow;

(D) The proximity and withdrawal rates of ground water users;

(E) The current and future uses of ground water in the area;

(F) The existing quality of ground water, including other sources of contamination and their cumulative impact on the ground water quality;

(G) The potential for health risks caused by human exposure to waste constituents;

(H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(I) The persistence and permanence of the potential adverse effects;

(ii) Potential adverse effects on hydraulically-connected surface water quality, considering:

(A) The volume and physical and chemical characteristics of the waste in the regulated unit;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity and quality of ground water, and the direction of ground water flow;

(D) The patterns of rainfall in the region;

(E) The proximity of the regulated unit to surface waters;

(F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;

(G) The existing quality of surface water, including other sources of contamination and the cumulative impact on surface water quality;

(H) The potential for health risks caused by human exposure to waste constituents;

(I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(J) The persistence and permanence of the potential adverse effects; and

(iii) Any identification of underground sources of drinking water and exempted aquifers made pursuant to chapter 90.48 RCW, chapter 270, Laws of 1983, and other applicable state laws and regulations.

(5) Concentration limits.

(a) The department will specify in the facility permit concentration limits in the ground water for dangerous constituents established under subsection (4) of this section. The concentration of a dangerous constituent:

(i) Must not exceed the background level of that constituent in the ground water at the time that limit is specified in the permit; or

(ii) For any of the constituents listed in Table 1 of this subsection, must not exceed the respective value given in that table if the background level of the constituent is below the value given in Table 1; or

(iii) Must not exceed an alternate limit established by the department under (b) of this subsection.

Table 1. Maximum Concentration of Constituents for Ground Water Protection

Constituent	Maximum Concentration ¹
Arsenic	0.05
Barium	1.0
Cadmium	0.01
Chromium	0.05
Lead	0.05
Mercury	0.002
Selenium	0.01
Silver	0.05
Endrin	0.0002
Lindane	0.004
Methoxychlor	0.1
Toxaphene	0.005
2,4-D	0.1
2,4,5-TP Silvex	0.01

¹Milligrams per liter.

(b) The department will establish an alternate concentration limit for a dangerous constituent if it finds that the constituent will not pose a substantial present or potential hazard to human health or the environment as long as the alternate concentration limit is not exceeded. In establishing alternate concentration limits, the department will consider the same factors listed in subsection (4)(b) (i) through (iii) of this section.

(6) Point of compliance.

(a) The department will specify in the facility permit the point of compliance at which the ground water protection standard of subsection (3) of this section, applies and at which monitoring must be conducted. The point of compliance is a vertical surface located at the hydraulically downgradient limit of the waste management area that extends down into the uppermost aquifer underlying the regulated units. Alternatively, the point of compliance may be any closer points identified by the department at the time the permit is issued, considering the risks of the facility, the wastes and constituents managed there, the potential for waste constituents to have already migrated past the alternate compliance point, and the potential threats to ground and surface waters.

(b) The waste management area is the limit projected in the horizontal plane of the area on which waste will be placed during the active life of a regulated unit. The waste management area includes horizontal space taken up by any liner, dike, or other barrier designed to contain waste in a regulated unit. If the facility contains more than one regulated unit, the waste management area is described by an imaginary line circumscribing the several regulated units.

(7) Compliance period.

(a) The department will specify in the facility permit the compliance period during which the ground water protection standard of subsection (3) of this section applies. The compliance period is the number of years equal to the active life of the waste management area (including any waste management activity prior to permitting, and the closure period).

(b) The compliance period begins when the owner or operator initiates a compliance monitoring program meeting the requirements of subsection (10) of this section.

(c) If the owner or operator is engaged in a corrective action program at the end of the compliance period specified in (a) of this subsection, the compliance period is extended until the owner or operator can demonstrate that the ground water protection standard of subsection (3) of this section, has not been exceeded for a period of three consecutive years.

(8) General ground water monitoring requirements.

The owner or operator must comply with the requirements of this subsection for any ground water monitoring program developed to satisfy subsections (9), (10), or (11) of this section.

(a) The ground water monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield ground water samples from the uppermost aquifer that:

(i) Represent the quality of background water that has not been affected by leakage from a regulated unit; and

(ii) Represent the quality of ground water passing the point of compliance.

(b) If a facility contains more than one regulated unit, separate ground water monitoring systems are not required for each regulated unit, provided that provisions for sampling the ground water in the uppermost aquifer will enable detection and measurement at the compliance point of dangerous constituents from the regulated units that have entered the ground water in the uppermost aquifer.

(c) All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must allow collection of representative ground water samples. Wells must be constructed in such a manner as to prevent contamination of the samples, the sampled strata, and between aquifers and water bearing strata.

(d) The ground water monitoring program must include at a minimum, procedures and techniques for:

(i) Decontamination of drilling and sampling equipment;

(ii) Sample collection;

(iii) Sample preservation and shipment;

(iv) Analytical procedures and quality assurance; and

(v) Chain of custody control.

(e) The ground water monitoring program must include consistent sampling and analytical methods that ensure reliable ground water sampling, accurately measure dangerous constituents and indicator parameters in ground water samples, and provide a reliable indication of groundwater quality below the waste management area.

(f) The ground water monitoring program must include a determination of the ground water surface elevation each time ground water is sampled.

(g) Where appropriate, the ground water monitoring program must establish background ground water quality for each of the dangerous constituents or monitoring parameters or constituents specified in the permit.

(i) In the detection monitoring program under subsection (9) of this section, background ground water quality for a monitoring parameter or constituent must be based on data from quarterly sampling of wells upgradient from the waste management area for one year.

(ii) In the compliance monitoring program under subsection (10) of this section, background ground water quality for a dangerous constituent must be based on data from upgradient wells that:

(A) Is available before the permit is issued;

(B) Accounts for measurement errors in sampling and analysis; and

(C) Accounts, to the extent feasible, for seasonal fluctuations in background ground water quality if such fluctuations are expected to affect the concentration of the dangerous constituent.

(iii) Background ground water quality may be based on sampling of wells that are not upgradient from the waste management area where:

(A) Hydrogeologic conditions do not allow the owner or operator to determine what wells are upgradient; or

(B) Sampling at other wells will provide an indication of background ground water quality that is as representative or more representative than that provided by the upgradient wells.

(iv) In developing the data base used to determine a background value for each parameter or constituent, the owner or operator must take a minimum of one sample from each well and a minimum of four samples from the entire system used to determine background ground water quality, each time the system is sampled.

(h) The owner or operator must use the following statistical procedure in determining whether background values or concentration limits have been exceeded:

(i) If, in a detection monitoring program, the level of a constituent at the compliance point is to be compared to the constituent's background value and that background value has a sample coefficient of variation less than 1.00:

(A) The owner or operator must take at least four portions from a sample at each well at the compliance point and determine whether the difference between the mean of the constituent at each well (using all portions taken) and the background value for the constituent is significant at the 0.05 level using the Cochran's Approximation to the Behrens-Fisher Student's *t*-test as described in Appendix IV of 40 CFR Part 264. If the test indicates that the difference is significant, the owner or operator must repeat the same procedure (with at least the same number of portions as used in the first test) with a fresh sample from the monitoring well. If this second round of analyses indicates that the difference is significant, the owner or operator must conclude that a statistically significant change has occurred; or

(B) The owner or operator may use an equivalent statistical procedure for determining whether a statistically significant change has occurred. The department will specify such a procedure in the facility permit if it finds that the alternative procedure reasonably balances the probability of falsely identifying a noncontaminating regulated unit and the probability of failing to identify a contaminating regulated unit in a manner that is comparable to that of the statistical procedure described in (h)(i)(A) of this subsection; and

(ii) In all other situations in a detection monitoring program and in a compliance monitoring program, the owner or operator must use a statistical procedure providing reasonable confidence that the migration of dangerous constituents from a regulated unit into and through the aquifer will be indicated. The department will specify a statistical procedure in the facility permit that it finds:

(A) Is appropriate for the distribution of the data used to establish background values or concentration limits; and

(B) Provides a reasonable balance between the probability of falsely identifying a noncontaminating regulated unit and the probability of failing to identify a contaminating regulated unit.

(9) Detection monitoring program. An owner or operator required to establish a detection monitoring program under this subsection must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must monitor for indicator parameters (e.g., pH, specific conductance, total organic carbon (TOC), total organic halogen (TOX), or heavy metals), waste constituents, or reaction products that provide a reliable indication of the presence of dangerous constituents in ground water. The department will specify the parameters or constituents to be monitored in the facility permit, after considering the following factors:

(i) The types, quantities, and concentrations of constituents in wastes managed at the regulated unit;

(ii) The mobility, stability, and persistence of waste constituents or their reaction products in the unsaturated zone beneath the waste management area;

(iii) The detectability of indicator parameters, waste constituents, and reaction products in ground water; and

(iv) The concentrations or values and coefficients of variation of proposed monitoring parameters or constituents in the ground water background.

(b) The owner or operator must install a ground water monitoring system at the compliance point, as specified under subsection (6) of this section. The ground water monitoring system must comply with subsection (8)(a)(ii), (b), and (c) of this section.

(c) The owner or operator must establish a background value for each monitoring parameter or constituent specified in the permit pursuant to (a) of this subsection. The permit will specify the background values for each parameter or specify the procedures to be used to calculate the background values. The owner or operator must comply with subsection (8)(g) of this section, in developing the data base used to determine background values. The owner or operator must express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section. In taking samples used in the determination of background values, the owner or operator must use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section.

(d) The owner or operator must determine ground water quality at each monitoring well at the compliance point at least semiannually during the active life of a regulated unit (including the closure period) and the postclosure care period. The owner or operator must express the ground water quality at each monitoring well in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section.

(e) The owner or operator must determine the ground water flow rate and direction in the uppermost aquifer at least annually.

(f) The owner or operator must use procedures and methods for sampling and analysis that meet the requirements of subsection (8)(d) and (e) of this section.

(g) The owner or operator must determine whether there is a statistically significant increase over background values for any parameter or constituent specified in the permit pursuant to (a) of this subsection, each time he determines ground water quality at the compliance point under (d) of this subsection.

(i) In determining whether a statistically significant increase has occurred, the owner or operator must compare the ground water quality at each monitoring well at the compliance point for each parameter or constituent to the background value for that parameter or constituent, according to the statistical procedure specified in the permit under subsection (8)(h) of this section.

(ii) The owner or operator must determine whether there has been a statistically significant increase at each monitoring well at the compliance point within a reasonable time period after completion of sampling. The department will specify that time period in the facility permit, after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.

(h) If the owner or operator determines, pursuant to (g) of this subsection, that there is a statistically significant increase for parameters or constituents specified pursuant to (a) of this subsection, at any monitoring well at the compliance point, he must:

(i) Notify the department of this finding in writing within seven days. The notification must indicate what parameters or constituents have shown statistically significant increases;

(ii) Immediately sample the ground water in all monitoring wells and determine the concentration of all constituents identified in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, and all other dangerous constituents not listed in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, that are present in ground water;

(iii) Establish a background value for each constituent identified in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, and all other dangerous constituents not listed in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, that has been found at the compliance point under (h)(ii) of this subsection, as follows:

(A) The owner or operator must comply with subsection (8)(g) of this section, in developing the data base used to determine background values;

(B) The owner or operator must express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section; and

(C) In taking samples used in the determination of background values, the owner or operator must use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section;

(iv) Within a maximum of forty-five days, submit to the department an application for a permit modification to establish a compliance monitoring program meeting the requirements of subsection (10) of this section. The application must include the following information:

(A) An identification of the concentration of any constituents identified in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, and

any other dangerous constituents not listed in ~~((WAC 173-303-9905))~~ 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, found in the ground water at each monitoring well at the compliance point;

(B) Any proposed changes to the ground water monitoring system at the facility necessary to meet the requirements of subsection (10) of this section;

(C) Any proposed changes to the monitoring frequency, sampling and analysis procedures or methods, or statistical procedures used at the facility necessary to meet the requirements of subsection (10) of this section;

(D) For each dangerous constituent found at the compliance point, a proposed concentration limit under subsection (5)(a)(i) or (ii) of this section, or a notice of intent to seek a variance under subsection (5)(b) of this section; and

(v) Within ninety days, submit to the department:

(A) All data necessary to justify any variance sought under subsection (5)(b) of this section; and

(B) An engineering feasibility plan necessary to meet the requirements of subsection (11) of this section, unless:

(I) All dangerous constituents identified under (h)(ii) of this subsection, are listed in Table 1 of subsection (5) of this section, and their concentrations do not exceed the respective values given in that table; or

(II) The owner or operator has sought a variance under subsection (5)(b) of this section, for every dangerous constituent identified under (h)(ii) of this subsection.

(i) If the owner or operator determines, pursuant to (g) of this subsection, that there is a statistically significant increase of parameters or constituents specified pursuant to (a) of this subsection, at any monitoring well at the compliance point, he may demonstrate that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. While the owner or operator may make a demonstration under this subsection in addition to, or in lieu of, submitting a permit modification application under (h)(iv) of this subsection, he is not relieved of the requirement to submit a permit modification application within the time specified in (h)(iv) of this subsection, unless the demonstration made under this subsection successfully shows that a source other than his regulated unit(s) caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. In making a demonstration under this subsection, the owner or operator must:

(i) Notify the department in writing within seven days of determining a statistically significant increase at the compliance point that he intends to make a demonstration under this subsection;

(ii) Within forty-five days, submit a report to the department which demonstrates that a source other than a regulated unit caused the increase, or that the increase resulted from error in sampling, analysis, or evaluation;

(iii) Within forty-five days, submit to the department an application for a permit modification to make any appropriate changes to the detection monitoring program at the facility; and

(iv) Continue to monitor in accordance with the detection monitoring program established under this section.

(j) If the owner or operator determines that the detection monitoring program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.

(k) The owner or operator must assure that monitoring and corrective action measures necessary to achieve compliance with the ground water protection standard under subsection (3) of this section, are taken during the term of the permit.

(10) Compliance monitoring program. An owner or operator required to establish a compliance monitoring program under this section must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must monitor the ground water to determine whether regulated units are in compliance with the ground water protection standard under subsection (3) of this section. The department will specify the ground water protection standard in the facility permit, including:

(i) A list of the dangerous constituents and parameters identified under subsection (4) of this section;

(ii) Concentration limits under subsection (5) of this section for each of those dangerous constituents and parameters;

(iii) The compliance point under subsection (6) of this section; and

(iv) The compliance period under subsection (7) of this section.

(b) The owner or operator must install a ground water monitoring system at the compliance point as specified under subsection (6) of this section. The ground water monitoring system must comply with subsection (8)(a)(ii), (b), and (c) of this section.

(c) Where a concentration limit established under (a)(ii) of this subsection, is based on background ground water quality, the department will specify the concentration limit in the permit as follows:

(i) If there is a high temporal correlation between upgradient and compliance point concentrations of the dangerous constituents and parameters, the owner or operator may establish the concentration limit through sampling at upgradient wells each time ground water is sampled at the compliance point. The department will specify the procedures used for determining the concentration limit in this manner in the permit. In all other cases, the concentration limit will be the mean of the pooled data on the concentration of the dangerous constituent or parameter;

(ii) If a dangerous constituent from Table 1 under subsection (5) of this section is identified and the difference between the respective concentration limit in Table 1 and the background value of that constituent under subsection (8)(g) of this section is not statistically significant, the owner or operator must use the background value of the constituent as the concentration limit. In determining whether this difference is statistically significant, the owner or operator must use an approved statistical procedure providing reasonable confidence that a real difference will be indicated. The statistical procedure must:

(A) Be appropriate for the distribution of the data used to establish background values; and

(B) Provide a reasonable balance between the probability of falsely identifying a significant difference and the probability of failing to identify a significant difference; and

(iii) The owner or operator must:

(A) Comply with subsection (8)(g) of this section, in developing the data base used to determine background values;

(B) Express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section; and

(C) Use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section.

(d) The owner or operator must determine the concentration of dangerous constituents and parameters in ground water at each monitoring well at the compliance point at least quarterly during the compliance period. The owner or operator must express the concentration at each monitoring well in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section.

(e) The owner or operator must determine the rate and direction of ground water flow in the uppermost aquifer at least annually.

(f) The owner or operator must analyze samples from all monitoring wells at the compliance point for constituents identified in ((WAC 173-303-9905)) 40 CFR Part 264 Appendix IX, and any other dangerous constituents not listed in ((WAC 173-303-9905)) 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section at least annually to determine whether additional dangerous constituents are present in the uppermost aquifer. If the owner or operator finds constituents identified in ((WAC 173-303-9905)) 40 CFR Part 264 Appendix IX, and any other dangerous constituents not listed in ((WAC 173-303-9905)) 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section in the ground water that are not identified in the permit as dangerous constituents, he must report the concentrations of these additional constituents to the department within seven days after completion of the analysis.

(g) The owner or operator must use procedures and methods for sampling and analysis that meet the requirements of subsection (8)(d) and (e) of this section.

(h) The owner or operator must determine whether there is a statistically significant increase over the concentration limits for any dangerous constituents specified in the permit each time he determines the concentration of dangerous constituents in ground water at the compliance point.

(i) In determining whether a statistically significant increase has occurred, the owner or operator must compare the ground water quality at each monitoring well at the compliance point for each dangerous constituent to the concentration limit for that constituent according to the statistical procedures specified in the permit under subsection (8)(h) of this section.

(ii) The owner or operator must determine whether there has been a statistically significant increase at each monitoring well at the compliance point, within a reasonable time period after completion of sampling. The department will specify that time period in the facility permit, after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.

(i) If the owner or operator determines, pursuant to (h) of this subsection, that the ground water protection standard is being exceeded at any monitoring well at the point of compliance, he must:

(i) Notify the department of this finding in writing within seven days. The notification must indicate what concentration limits have been exceeded;

(ii) Submit to the department an application for a permit modification to establish a corrective action program meeting the requirements of subsection (11) of this section, within ninety days, or within sixty days if an engineering feasibility study has been previously submitted to the department under subsection (9)(h)(v) of this section. For regulated units managing EHW, time frames of sixty days and forty-five days, respectively will apply. However, if the department finds that the full extent of the ninety/sixty-day or the sixty/forty-five-day time periods will increase the likelihood to cause a threat to public health, or the environment, it can at its discretion reduce their duration. In specifying shorter limits, the department will consider the following factors:

(A) The physical and chemical characteristics of the dangerous constituents and parameters in the ground water;

(B) The hydrogeological characteristics of the facility and of the surrounding land;

(C) The rate of movement and direction of flow of the affected ground water;

(D) The proximity to and withdrawal rates of ground water users downgradient; and

(E) The current and future uses of ground water in the concerned area; and

(iii) The application must at a minimum include the following information:

(A) A detailed description of corrective actions that will achieve compliance with the ground water protection standard specified in the permit; and

(B) A plan for a ground water monitoring program that will demonstrate the effectiveness of the corrective action.

(j) If the owner or operator determines, pursuant to (h) of this subsection, that the ground water protection standard is being exceeded at any monitoring well at the point of compliance, he may demonstrate that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. While the owner or operator may make a demonstration under this subsection in addition to, or in lieu of, submitting a permit modification application under (i)(ii) of this subsection, he is not relieved of the requirement to submit a permit modification application within the time specified in (i)(ii) of this subsection, unless the demonstration made under this paragraph successfully shows that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. In making a demonstration under this subsection, the owner or operator must:

(i) Notify the department in writing within seven days that he intends to make a demonstration under this subsection;

(ii) Within forty-five days, submit a report to the department which demonstrates that a source other than a regulated unit caused the standard to be exceeded or that the apparent noncompliance with the standards resulted from error in sampling, analysis, or evaluation;

(iii) Within forty-five days, submit to the department an application for a permit modification to make appropriate changes to the compliance monitoring program at the facility; and

(iv) Continue to monitor in accord with the compliance monitoring program established under this section.

(k) If the owner or operator determines that the compliance monitoring program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.

(l) The owner or operator must assure that monitoring and corrective action measures necessary to achieve compliance with the ground water protection standard under subsection (3) of this section, are taken during the term of the permit.

(11) Corrective action program. An owner or operator required to establish a corrective action program under this section must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must take corrective action to ensure that regulated units are in compliance with the ground water protection standard under subsection (3) of this section. The department will specify the ground water protection standard in the facility permit, including:

(i) A list of the dangerous constituents and parameters identified under subsection (4) of this section;

(ii) Concentration limits under subsection (5) of this section, for each of those dangerous constituents and parameters;

(iii) The compliance point under subsection (6) of this section; and

(iv) The compliance period under subsection (7) of this section.

(b) The owner or operator must implement a corrective action program that prevents dangerous constituents and parameters from exceeding their respective concentration limits at the compliance point by removing the dangerous waste constituents and parameters or treating them in place. The permit will specify the specific measures that will be taken.

(c) The owner or operator must begin corrective action within a reasonable time period after the ground water protection standard is exceeded. The department will specify that time period in the facility permit. If a facility permit includes a corrective action program in addition to a compliance monitoring program, the permit will specify when the corrective action will begin and such a requirement will operate in lieu of subsection (10)(i)(ii) of this section.

(d) In conjunction with a corrective action program, the owner or operator must establish and implement a ground water monitoring program to demonstrate the effectiveness of the corrective action program. Such a monitoring program may be based on the requirements for a compliance monitoring program under subsection (10) of this section, and must be as effective as that program in determining compliance with the ground water protection standard under subsection (3) of this section, and in determining the success of a corrective action program under (e) of this subsection, where appropriate.

(e) In addition to the other requirements of this section, the owner or operator must conduct a corrective action program to remove or treat in place any dangerous constituents or parameters under subsection (4) of this section, that exceed concentration limits under subsection (5) of this section, in ground water between the compliance point under subsection (6) of this section, and the downgradient facility property boundary. The permit will specify the measures to be taken.

(i) Corrective action measures under this subsection must be initiated at the effective date of the modified permit and completed without time delays considering the extent of contamination.

(ii) Corrective action measures under this subsection may be terminated once the concentration of dangerous constituents and parameters under subsection (4) of this section, is reduced to levels below their respective concentration limits under subsection (5) of this section.

(f) The owner or operator must continue corrective action measures during the compliance period to the extent necessary to ensure that the ground water protection standard is not exceeded. If the owner or operator is conducting corrective action at the end of the compliance period, he must continue that corrective action for as long as necessary to achieve compliance with the ground water protection standard. The owner or operator may terminate corrective action measures taken beyond the period equal to the active life of the waste management area (including the closure period) if he can demonstrate, based on data from the ground water monitoring program under (d) of this subsection, that the ground water protection standard of subsection (3) of this section, has not been exceeded for a period of three consecutive years.

(g) The owner or operator must report in writing to the department on the effectiveness of the corrective action program. The owner or operator must submit these reports semiannually.

(h) If the owner or operator determines that the corrective action program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

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 173-303-281 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 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 173-303-281 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 173-303-281 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) Changes under this subsection do not include changes made solely for the purpose of complying with requirements of WAC 173-303-640(4) for tanks and ancillary equipment.

(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 satisfy the performance standards of WAC 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 88-29, filed 9/6/88)

WAC 173-303-806 FINAL FACILITY PERMITS. (1) Application. 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 173-303-281 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) and (6), 173-303-650(4), 173-303-655(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, or a description of the procedures used to comply with these requirements.

(vii) A copy of the contingency plan required by WAC 173-303-350: Include, where applicable, as part of the contingency plan, specific requirements in WAC 173-303-640(8), 173-303-650(5) and 173-303-660(6).

(viii) A description of procedures, structures, or equipment used at the facility to:

(A) Prevent hazards and contain spills in unloading/loading operations (for example, ramps, berms, pavement, special forklifts);

(B) Prevent run-off from dangerous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);

(C) Prevent contamination of water supplies;

(D) Mitigate effects of equipment failure and power outages; and

(E) Prevent undue exposure of personnel to dangerous waste (for example, protective clothing).

(ix) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required to demonstrate compliance with WAC 173-303-395 including documentation demonstrating compliance with WAC 173-303-395 (1)(c).

(x) Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).

(xi) Facility location information;

(A) In order to determine the applicability of the earthquake fault criteria (WAC 173-303-420(3)) the owner or operator of a new facility must identify the county in which the facility is proposed to be located.

(Comment: If the county is not listed in WAC 173-303-420 (3)(c), no further information is required to demonstrate compliance with WAC 173-303-420(3).)

(B) 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.

(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.)

(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)(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.

(E) Owners and operators of all facilities shall provide all information necessary to demonstrate compliance with the shoreline siting standards of WAC 173-303-420(5).

(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 173-303-420(6).

(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). Alternatively, the owner or operator can obtain written authorization in advance from the department to submit a proposed permit schedule for development and submittal of such information. 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; and

(V) The permit may contain a schedule for submittal of the information required in (a)(xx)(H)(III) and (IV) of this subsection, provided the owner or operator obtains written authorization from the department prior to submittal of the complete permit application.

(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 written assessment that is reviewed and certified by an independent, qualified, registered professional engineer as to the structural integrity and suitability for handling dangerous waste of each tank system, as required under WAC 173-303-640 (2) and (3);~~

~~(i) Dimensions and capacity of each tank;~~

~~(ii) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);~~

~~(iv) A diagram of piping, instrumentation, and process flow for each tank system;~~

~~(v) A description of materials and equipment used to provide external corrosion protection, as required under WAC 173-303-640 (3)(a)(iii)(B);~~

~~(vi) For new tank systems, a detailed description of how the tank system(s) will be installed in compliance with WAC 173-303-640 (3)(b), (c), (d), and (e);~~

~~(vii) Detailed plans and a description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of WAC 173-303-640 (4)(a), (b), (c), (d), (e), and (f);~~

~~(viii) For tank systems for which a variance from the requirements of WAC 173-303-640(4) is sought (as provided by WAC 173-303-640 (4)(g));~~

~~(A) 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 waste or dangerous constituents into the ground water or surface water during the life of the facility; or~~

~~(B) A detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment.~~

~~(ix) Description of controls and practices to prevent spills and overflows, as required under WAC 173-303-640 (5)(b);~~

~~(x) For tank systems in which ignitable, reactive, or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of WAC 173-303-640 (9) and (10);~~

~~(xi) A description of the marking and/or labeling of tanks; and~~

~~((ix)) (xii) 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)(xii) 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 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 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 satisfy the performance standards of WAC 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.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-830 PERMIT CHANGES. (1) Purpose and applicability. This section describes the types of permit changes that may be made to all permits issued by the department. This section does not apply to permits by rule or interim status permits.

(2) Transfer of permits. A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued under subsection (3) of this section, or a minor modification has been made to identify the new permittee and incorporate such other requirements as stipulated under subsection (4) of this section.

(3) Modification or revocation and reissuance of permits. When the department receives any information (for example, inspects the facility, receives information submitted by the permittee as required in the permit, receives a request for modification or revocation and reissuance, or conducts a review of the permit file), the department may determine whether or not one or more of the causes listed in (a) and (b) of this subsection for modification or revocation and reissuance or both exist. If cause exists, the department may modify or revoke and reissue the permit accordingly and may request an updated application if necessary. When a permit is modified, only the conditions subject to modification are reopened. If a permit is revoked and reissued, the entire permit is reopened and subject to revision and the permit is reissued for a new term. If cause does not exist under subsection (3) or (4) of this section, the department shall not modify or revoke and reissue the permit. If a permit modification satisfies the criteria in subsection (4) of this section for "minor modifications," the permit may be modified without a draft permit or public review. Otherwise, a draft permit must be prepared and public review provided in accordance with WAC 173-303-840.

(a) Causes for modification. The following are causes for modification but not revocation and reissuance of permits, unless agreed to or requested by the permittee:

(i) Alterations. There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;

(ii) Information. Permits may be modified during their terms if the department receives information that was not available at the time of permit issuance and which would have justified the application of different permit conditions at the time of issuance;

(iii) New regulations. The standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. Permits may be modified during their terms for this cause only when:

(A) The permit condition requested to be modified was based on an effective regulation; and

(B) The department has revised, withdrawn, or modified that portion of the regulation on which the permit condition was based; and either

(I) The department decides to modify the permit because there would be a potential threat to public health or the environment if the permit does not incorporate the requirements of the amended regulation; or

(II) A permittee requests modification within ninety days after the date the regulation amendments are adopted;

(iv) Compliance schedules. The department determines good cause exists for modification of a compliance schedule, such as an act of God, strike, flood, or materials shortage, or other events over which the permittee has little or no control and for which there is no reasonably available remedy;

(v) Closure plans or postclosure. When modification of a closure or postclosure plan is required under WAC 173-303-610 (3) or (8);

(vi) Revocation of changes approved prior to notice of closure. After the department receives the notification of expected closure under WAC 173-303-610(3), the department may determine that previously approved changes are no longer warranted. These include:

(A) Extension of the ninety or one hundred eighty day periods under WAC 173-303-610(4);

(B) Modification of the thirty year postclosure period under WAC 173-303-610(7);

(C) Continuation of security requirements under WAC 173-303-610(7); or

(D) Permission to disturb the integrity of the containment system under WAC 173-303-610(7);

(vii) When the permittee has filed a request under WAC 173-303-620 for a variance to the level of financial responsibility or when the department demonstrates under WAC 173-303-620 that an upward adjustment of the level of financial responsibility is required;

(viii) When the corrective action program specified in the permit under WAC 173-303-645 has not brought the regulated unit into compliance with the ground water protection standard within a reasonable period of time;

(ix) To include a detection monitoring program meeting the requirements of WAC 173-303-645, when the owner or operator has been conducting a compliance monitoring program under WAC 173-303-645 or a corrective action program under WAC 173-303-645 and compliance period ends before the end of the postclosure care period for the unit;

(x) When a permit requires a compliance monitoring program under WAC 173-303-645, but monitoring data collected prior to permit issuance indicate that the facility is exceeding the ground water protection standard;

(xi) To include conditions applicable to units at a facility that were not previously included in the facility's permit; or

(xii) When a land treatment unit is not achieving complete treatment of dangerous constituents under its current permit conditions.

(b) Causes for modification or revocation and reissuance. The following are causes to modify, or alternatively, revoke and reissue a permit:

(i) Cause exists for termination under WAC 173-303-806(((+))) for final facility permits, and the department determines that modification or revocation and reissuance is appropriate; or

(ii) The department has received notification of a proposed transfer of the permit.

(c) Facility siting. Suitability of the facility location will not be considered at the time of permit modification or revocation and reissuance unless new information or standards indicate that a threat to human health or the environment exists which was unknown at the time of permit issuance.

(4) Minor modifications of permits. Unless the permittee indicates otherwise, the department may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section without following the procedures of WAC 173-303-840. Any permit modification not processed as a minor modification under this section must be made for cause and with a draft permit and public notice as required in WAC 173-303-840. Minor modifications may only be made to:

(a) Correct typographical errors;

(b) Require more frequent monitoring or reporting by the permittee;

(c) Change an interim compliance date in a schedule of compliance, provided the new date is not more than one hundred twenty days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement;

(d) Allow for a change in ownership or operational control of a facility where the department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility between the current and new permittees has been submitted to the department. Changes in the ownership or operational control of a facility may be made if the new owner or operator submits a revised 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 requirements of WAC 173-303-620 (Financial requirements), until the new owner or operator has demonstrated to the department that he is complying with the requirements of that section. The new owner or operator must demonstrate compliance with financial requirements within six months of the date of the change in the ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with WAC 173-303-620, the department shall notify the old owner or operator in writing that he no longer needs to comply with the financial requirements as of the date of demonstration;

(e) Change the lists of facility emergency coordinators or equipment in the permit's contingency plan;

(f) Change the following:

(i) Estimates of maximum inventory under WAC 173-303-610 (3)(a) (iii);

(ii) Estimates of expected year of closure or schedules for final closure under WAC 173-303-610 (3)(a)(vii); or

(iii) Approve periods longer than ninety days or one hundred eighty days under WAC 173-303-610 (4)(a) or (b);

(g) Change the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided that the change is minor;

(h) Change the operating requirements set in the permit for conducting a trial burn, provided that the change is minor;

(i) Grant one extension of the time period for determining operational readiness following completion of construction, for up to seven hundred twenty hours operating time for treatment of dangerous waste in an incinerator;

(j) Change the treatment program requirements for land treatment units under WAC 173-303-655(2) to improve treatment of dangerous constituents, provided that the change is minor;

(k) Change any conditions specified in the permit for land treatment units to reflect the results of field tests or laboratory analyses used in making a treatment demonstration in accordance with WAC 173-303-808, provided that the change is minor; and

(l) Allow a second treatment demonstration for land treatment to be conducted when the results of the first demonstration have not shown the conditions under which the waste or wastes can be treated completely as required by WAC 173-303-655, provided that the conditions for the second demonstration are substantially the same as the conditions for the first demonstration.

(5) Permit termination. The department shall follow the applicable procedures in WAC 173-303-840, procedures for decision making, in terminating any permit. The following are causes for terminating a permit during its term or for denying a permit renewal application:

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers public health or the environment and can only be regulated to acceptable levels by permit modification or termination.

(6) Schedules of compliance.

(a) General. The permit may, when appropriate, specify a schedule of compliance leading to compliance with chapter 173-303 WAC.

(b) Time for compliance. Any schedules of compliance under this section shall require compliance as soon as possible.

(c) Interim dates. If a permit establishes a schedule of compliance which exceeds one year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement as follows:

(i) The time between interim dates shall not exceed one year; or

(ii) If the time necessary for completion of any interim requirement (such as the construction of a control facility) is more than one year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

(d) Reporting. The permit shall be written to require that no later than fourteen days following each interim date and the final date of compliance, the permittee shall notify the department in writing of its compliance or noncompliance with the interim or final requirements.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-9903 DISCARDED CHEMICAL PRODUCTS LIST.

DISCARDED CHEMICAL PRODUCTS LIST

Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*
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ACUTELY DANGEROUS CHEMICAL PRODUCTS

P023	Acetaldehyde, chloro-	EHW	B H
U001	Acetaldehyde	EHW	C
U034	Acetaldehyde, trichloro-	EHW	H
P002	Acetamide, N-(aminothioxomethyl)-	EHW	B
P057	Acetamide, 2-fluoro-	EHW	B H
P058	Acetic acid, fluoro-, sodium salt	EHW	A H
U144	Acetic acid, lead salt	EHW	D EP

Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*	Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*
P066	Acetimidic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester	EHW	B	P028	Benzyl chloride	EHW	B H +
U003	Acetonitrile	EHW	C I	P015	Beryllium dust	EHW	C +
P001	3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts	EHW	A	U085	2,2'-Bioxirane	EHW	B I
P002	1-Acetyl-2-thiourea	EHW	B	U021	'1,1'-Biphenyl)-4,4'-diamine	EHW	B +
U006	Acetyl chloride	EHW	C H O R	U073	(1,1'-Biphenyl-4,4'-diamine, 3,3'-dichloro-	EHW	H +
P003	Acrolein	EHW	X I	U095	(1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethyl-	EHW	C +
U007	Acrylamide	EHW	C	U024	Bis(2-chloroethoxy) methane	EHW	C H
U008	Acrylic acid	EHW	C O I	U027	Bis(2-chloroisopropyl) ether	EHW	C H O
U009	Acrylonitrile	EHW	C + I	P016	Bis(chloromethyl) ether	EHW	B H +
P070	Aldicarb	EHW	B	U246	Bromine cyanide	EHW	C H
P004	Aldrin	EHW	X H	P017	Bromoacetone	EHW	C H
P005	Allyl alcohol	EHW	B I	U225	Bromoforn	EHW	H
P006	Aluminum phosphide (R,T)	EHW	B R	U030	4-Bromophenyl phenyl ether	EHW	H
P007	5-(Aminomethyl)-3-isoxazolol	EHW	B	P018	Brucine	EHW	A
P008	4-alpha-Aminopyridine	EHW	B	U128	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	EHW	C H
P009	Ammonium picrate	EHW	R	U035	Butanoic acid, 4-[bis(2-chloroethyl) amino] benzene-	EHW	H +
P119	Ammonium vanadate	EHW	B	U160	2-Butanone peroxide	EHW	B R
U012	Aniline	EHW	C I	U053	2-Butenal	EHW	B I
P010	Arsenic acid	EHW	B	U074	2-Butene, 1,4-dichloro-	EHW	C H I
P012	Arsenic (III) oxide	EHW	B +	U032	Calcium chromate	EHW	C + EP
P011	Arsenic (V) oxide	EHW	B	P021	Calcium cyanide	EHW	B
P011	Arsenic pentoxide	EHW	B	P123	Camphene, octachloro-	EHW	X H
P012	Arsenic trioxide	EHW	B +	U178	Carbamic acid, methylnitroso-, ethyl ester	EHW	C +
P038	Arsine, diethyl-	EHW	B	U176	Carbamide, N-ethyl-N-nitroso-	EHW	C +
U015	Azaserine	EHW	C +	U177	Carbamide, N-methyl-N-nitroso-	EHW	C +
P054	Aziridine	EHW	B +	U219	Carbamide, thio-	EHW	C +
U010	Azirino(2',3':3,4)pyrrolo(1,2a)indole-4,7-dione, 6-amino-8[(aminocarbonyl)oxy] methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-	EHW	B +	P103	Carbamimidoseleonic acid	EHW	B
P013	Barium cyanide	EHW	A	U097	Carbamoyl chloride, dimethyl-	EHW	D H +
U157	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	EHW	H P	P022	Carbon bisulfide	EHW	D I ?
U017	Benzal chloride	EHW	D H	P022	Carbon disulfide	EHW	D I ?
U018	Benz[a]anthracene	EHW	P +	U156	Carbonochloridic acid, methyl ester	EHW	B H I
U018	1,2-Benzanthracene	EHW	P +	U033	Carbon oxyfluoride	EHW	B H R
U094	1,2-Benzanthracene, 7,12-dimethyl-	EHW	C P	U211	Carbon tetrachloride	EHW	C H +
U012	Benzenamine	EHW	C I	P095	Carbonyl chloride	EHW	B H
P024	Benzenamine, 4-chloro-	EHW	C H	U033	Carbonyl fluoride	EHW	B H R
U049	Benzenamine, 4-chloro-2-methyl-	EHW	H	U035	Chlorambucil	EHW	H +
U093	Benzenamine, N, N-dimethyl-4-(phenylazo)-	EHW	C +	U036	Chlordane, technical	EHW	X H
U158	Benzenamine, 4,4-methylenebis(2-chloro-	EHW	H +	P033	Chlorine cyanide	EHW	A H
P077	Benzenamine, 4-nitro-	EHW	D ?	U026	Chlornaphazine	EHW	H +
P028	Benzene, (chloromethyl)-	EHW	B H +	P023	Chloroacetaldehyde	EHW	B H
U019	Benzene	EHW	C + I	P024	p-Chloroaniline	EHW	C H
U038	Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy, ethyl ester	EHW	H	U037	Chlorobenzene	EHW	B H I
U030	Benzene, 1-bromo-4-phenoxy-	EHW	H	U039	4-Chloro-m-cresol	EHW	H
U037	Benzene, chloro-	EHW	B H I	U041	1-Chloro-2,3-epoxypropane	EHW	C H + I
U190	1,2-Benzenedicarboxylic acid anhydride	EHW	C	U042	2-Chloroethyl vinyl ether	EHW	C H
U070	Benzene, 1,2-dichloro-	EHW	B H	U044	Chloroform	EHW	C H +
U071	Benzene, 1,3-dichloro-	EHW	B H	U046	Chloromethyl methyl ether	EHW	D H + I
U072	Benzene, 1,4-dichloro-	EHW	B H	U047	beta-Chloronaphthalene	EHW	D H
U017	Benzene, (dichloromethyl)-	EHW	D H	U048	o-Chlorophenol	EHW	D H
U223	Benzene, 1,3-diisocyanatomethyl-	EHW	B R	P026	1-(o-Chlorophenyl)thiourea	EHW	A H
U239	Benzene, dimethyl-	EHW	C I	P027	3-Chloropropionitrile	EHW	B H
U201	1,3-Benzenediol	EHW	C	U049	4-Chloro-o-toluidine, hydrochloride	EHW	H
U127	Benzene, hexachloro-	EHW	H	U032	Chromic acid, calcium salt	EHW	C + EP
U056	Benzene, hexahydro-	EHW	C I	U050	Chrysene	EHW	P +
U188	Benzene, hydroxy-	EHW	C	P029	Copper cyanides	EHW	B
U220	Benzene, methyl-	EHW	C I	U052	Cresols	EHW	B
U105	Benzene, 1-methyl-((+)-)2,4-dinitro	EHW	C	U052	Cresylic acid	EHW	B
U106	Benzene, 1-methyl-2,6-dinitro-	EHW	C	U053	Crotonaldehyde	EHW	B I
U055	Benzene, (1,methylethyl)-	EHW	C I	U055	Cummene	EHW	C I
U169	Benzene, nitro-	EHW	C I	P030	Cyanides (soluble cyanide salts), not elsewhere specified	EHW	A
U183	Benzene, pentachloro	EHW	H	P031	Cyanogen	EHW	B I
U185	Benzene, pentachloronitro-	EHW	D H +	U246	Cyanogen bromide	EHW	C H
U020	Benzenesulfonic acid chloride	EHW	D H O R	P033	Cyanogen chloride	EHW	A H
U020	Benzenesulfonfyl chloride	EHW	D H O R	U197	1,4-Cyclohexadienedione	EHW	C
U207	Benzene, 1,2,4,5-tetrachloro-	EHW	D H	U056	Cyclohexane	EHW	C I
U023	Benzene, (trichloromethyl)-	EHW	H O R	U057	Cyclohexanone	EHW	C I
P042	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-	EHW	B	U130	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-	EHW	X H
P014	Benzenethiol	EHW	A	U058	Cyclophosphamide	EHW	C H + I
U021	Benzidine	EHW	B +	U240	2,4-D, salts and esters	EHW	B H
U022	Benzo[a]pyrene	EHW	P +	U060	DDD	EHW	C H +
U022	3,4-Benzopyrene	EHW	P +	U061	DDT	EHW	X H +
U197	p-Benzoquinone	EHW	C	U142	Decachlorooctahydro-1,3,4-metheno-2H-cyclobuta[c,d]-pentalen-2-one	EHW	X H
U023	Benzotrithloride	EHW	H O R	U062	Diallate	EHW	C H +
U050	1,2-Benzphenanthrene	EHW	P +	U133	Diamine	EHW	B + R
				U063	Dibenz[a,h]anthracene	EHW	A P +
				U063	1,2:5,6-Dibenzanthracene	EHW	P + A
				U064	1,2:7,8-Dibenzopyrene	EHW	P +

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U064	Dibenz[a,i]pyrene	EHW	P +	U043	Ethene, chloro-	EHW	D H +
U066	1,2-Dibromo-3-chloropropane	EHW	C H +	U042	Ethane, 2-chloroethoxy-	EHW	C H
U062	S-(2,3-Dichloroallyl) diisopropylthiocarbamate	EHW	C H +	U078	Ethene, 1,1-dichloro-	EHW	C H +
U070	o-Dichlorobenzene	EHW	B H	U079	Ethene, trans-1,2-dichloro-	EHW	D H
U071	m-Dichlorobenzene	EHW	B H	U210	Ethene, 1,1,2,2-tetrachloro-	EHW	C H
U072	p-Dichlorobenzene	EHW	B H	U006	Ethanoyl chloride	EHW	C H O R
U073	3,3'-Dichlorobenzidine	EHW	H +	P101	Ethyl cyanide	EHW	B
U074	1,4-Dichloro-2-butene	EHW	C H I	U038	Ethyl 4,4'-dichlorobenzilate	EHW	D H
U075	Dichlorodifluoromethane	EHW	H	U114	Ethylenebis(dithiocarbamic acid), salts and esters	EHW	B
U060	Dichloro diphenyl dichloroethane	EHW	C H +	U067	Ethylene dibromide	EHW	C H
U061	Dichloro diphenyl trichloroethane	EHW	X H +	U077	Ethylene dichloride	EHW	D H
U078	1,1-Dichloroethylene	EHW	C H +	U115	Ethylene oxide	EHW	C I
U079	1,2-Dichloroethylene	EHW	D H	P054	Ethylamine	EHW	B +
U025	Dichloroethyl ether	EHW	C H	U076	Ethylidene dichloride	EHW	D H
U081	2,4-Dichlorophenol	EHW	D H	P097	Famphur	EHW	A
U082	2,6-Dichlorophenol	EHW	D H	P056	Fluorine	EHW	B
U240	2,4-Dichlorophenoxyacetic acid, salts and esters	EHW	B H	P057	Fluoroacetamide	EHW	B H
P036	Dichlorophenylarsine	EHW	B H	P058	Fluoroacetic acid, sodium salt	EHW	A H
U083	1,2-Dichloropropane	EHW	C H I	U122	Formaldehyde	EHW	C
U084	1,3-(Dichloropropane) Dichloropropene	EHW	C H	P065	Fulminic acid, mercury (II) salt	EHW	R ?
P037	Dieldrin	EHW	X H +	U125	2-Furancarboxaldehyde	EHW	C I
U085	1,2,3,4-Diepoxybutane	EHW	B I	U147	2,5-Furandione	EHW	C
P038	Diethylarsine	EHW	B	U125	Furfural	EHW	C I
P039	O,O-Diethyl S-[2-(ethylthio)ethyl] phosphorodithioate	EHW	A	U126	Glycidylaldehyde	EHW	C +
U087	O,O-Diethyl-S-methyl-dithiophosphate	EHW	B	U163	Guanidine, N-nitroso-N-methyl-N'nitro-	EHW	C +
P041	Diethyl-p-nitrophenyl phosphate	EHW	A	P059	Heptachlor	EHW	X H +
P040	O,O-Diethyl O-pyrazenyl phosphorothioate	EHW	A	U127	Hexachlorobenzene	EHW	H
P043	Diisopropyl fluorophosphate	EHW	B H	U128	Hexachlorobutadiene	EHW	C H
P044	Dimethoate	EHW	A	U129	Hexachlorocyclohexane (gamma isomer)	EHW	H +
U092	Dimethylamine	EHW	C I	U130	Hexachlorocyclopentadiene	EHW	X H
U093	Dimethylaminoazobenzene	EHW	C +	P051	1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, endo-1,4,5,8-dimethanaphthalene	EHW	X H +
U094	7,12-Dimethylbenz[a]anthracene	EHW	C P	P037	1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, exo-1,4,5,8-dimethanaphthalene	EHW	X H +
U095	3,3'-Dimethylbenzidine	EHW	C +	U131	Hexachloroethane	EHW	H
U096	alpha, alpha-Dimethylbenzylhydroperoxide	EHW	C R	P060	1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo, endo-dimethanaphthalene	EHW	B H
U097	Dimethylcarbamoyl chloride	EHW	D H +	P004	1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4,5,8-endo, exodimethanaphthalene	EHW	B H
U099	1,2-Dimethylhydrazine	EHW	C + I	P060	Hexachlorohexahydro-endo, endo-dimethanaphthalene	EHW	B H
P045	3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino)carbonyl] oxime	EHW	B	U132	Hexachlorophene	EHW	C H
P071	O,O-Dimethyl O-p-nitrophenyl phosphorothioate	EHW	A	U243	Hexachloropropene	EHW	H
P082	Dimethylnitrosamine	EHW	B +	P062	Hexaethyl tetraphosphate	EHW	B
P046	alpha, alpha-Dimethylphenethylamine	EHW	C	U133	Hydrazine	EHW	B + R
U103	Dimethyl sulfate	EHW	C O +	P116	Hydrazinecarbothioamide	EHW	B
P047	4,6-Dinitro-o-cresol and salts	EHW	B	U099	Hydrazine, 1,2-dimethyl-	EHW	C + I
P034	4,6-Dinitro-o-cyclohexylphenol	EHW	C	U109	Hydrazine, 1,2-diphenyl-	EHW	C
P048	2,4-Dinitrophenol	EHW	B	P068	Hydrazine, methyl-	EHW	A I
U105	2,4-Dinitrotoluene	EHW	C	P063	Hydrocyanic acid	EHW	A
U106	2,6-Dinitrotoluene	EHW	C	P063	Hydrogen cyanide	EHW	A
U109	1,2-Diphenylhydrazine	EHW	C	P096	Hydrogen phosphide	EHW	B I
P035	Diphosphoramidate, octamethyl	EHW	?	U135	Hydrogen sulfide	EHW	B I
U110	Dipropylamine	EHW	C I	U096	Hydroperoxide, 1-methyl-1-phenylethyl-	EHW	C R
U111	Di-n-propylnitrosamine	EHW	C +	U245	Indomethacin	EHW	B H
P039	Disulfoton	EHW	A	P064	Isocyanic acid, methyl ester	EHW	I ?
P049	2,4-Dithiobiuret	EHW	A	P007	3(2H)-Isoxazolone, 5-(aminomethyl)-	EHW	B
P109	Dithiopyrophosphoric acid, tetraethyl ester	EHW	A	U142	Kepon	EHW	X H
P050	Endosulfan	EHW	X H	U143	Lasiocarpine	EHW	C +
P088	Endothall	EHW	B	U144	Lead acetate	EHW	D EP
P051	Endrin	EHW	X H	U129	Lindane	EHW	H +
P042	Epinephrine	EHW	B	U147	Maleic anhydride	EHW	C
U001	Ethanal	EHW	C	U149	Malononitrile	EHW	C
U174	Ethanamine, N-ethyl-N-nitroso-	EHW	C +	U151	Mercury	EHW	EP
P046	Ethanamine, 1,1-dimethyl-2-phenyl-	EHW	C	P092	Mercury, (acetato-O)phenyl-	EHW	B
U067	Ethane, 1,2-dibromo-	EHW	C H +	P065	Mercury fulminate	EHW	R ?
U076	Ethane, 1,1-dichloro-	EHW	D H	U152	Methacrylonitrile	EHW	B I
U077	Ethane, 1,2-dichloro-	EHW	D H	U092	Methanamine, N-methyl-	EHW	C I
U114	1,2-Ethanediyldibiscarbamodithioic acid	EHW	B	P016	Methane, oxybis(chloro)-	EHW	B H +
U131	Ethane, 1,1,1,2,2,2-hexachloro-	EHW	H	P112	Methane, tetranitro-	EHW	A R
U024	Ethane, 1,1'-[methylenebis(oxy)] bis[2-chloro-	EHW	C H	U029	Methane, bromo-	EHW	H
U247	Ethane, 1,1,1-trichloro-2,2-bis(p-methoxy phenyl)	EHW	D H	U045	Methane, chloro-	EHW	H I
U003	Ethanenitrile	EHW	C	U046	Methane, chloromethoxy-	EHW	D H + I
U025	Ethane, 1,1'-oxybis[2-chloro-	EHW	C H	U068	Methane, dibromo-	EHW	C H +
U184	Ethane, pentachloro-	EHW	A H	U080	Methane, dichloro-	EHW	C H
U208	Ethane, 1,1,1,2-tetrachloro-	EHW	H	U075	Methane, dichlorodifluoro-	EHW	H
U209	Ethane, 1,1,2,2-Tetrachloro-	EHW	H	U138	Methane, iodo-	EHW	H +
U227	Ethane, 1,1,2-trichloro-	EHW	C H	U211	Methane, tetrachloro-	EHW	C H +
P084	Ethanamine, N-methyl-N-nitroso	EHW	B +	P118	Methanethiol, trichloro-	EHW	H

Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*	Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*
U153	Methanethiol	EHW	B I	P034	Phenol, 2-cyclohexyl-4,6-dinitro-	EHW	C
U225	Methane, tribromo	EHW	H	P048	Phenol, 2,4-dinitro-	EHW	B
U121	Methane, trichlorofluoro-	EHW	H	P047	Phenol, ((2,4-dinitro-6-methyl-)-2-methyl-4,6 dinitro-, and salts	EHW	B
U044	Methane, trichloro-	EHW	C H +	P020	Phenol, 2,4-dinitro-6-(1-methylpropyl)-	EHW	B
P059	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptaachloro-3a,4,7,7a-tetrahydro-	EHW	X H +	P009	Phenol, 2,4,6-trinitro-, ammonium salt	EHW	R
U036	4,7-Methanoindan, 1,2,4,5,6,7,8,8-octa-chloro-3a,4,7,7a-tetrahydro-	EHW	X H	U048	Phenol, 2-chloro-	EHW	D H
P066	Methomyl	EHW	B	U039	Phenol, 4-chloro-3-methyl-	EHW	H
P067	2-Methylaziridine	EHW	B + I	U081	Phenol, 2,4-dichloro-	EHW	D H
P068	Methyl hydrazine	EHW	A I	U082	Phenol, 2,6-dichloro-	EHW	D H
P064	Methyl isocyanate	EHW	I ?	U170	Phenol, 4-nitro-	EHW	C
P069	2-Methylactonitrile	EHW	A	See F027	Phenol, pentachloro-	EHW	A H
P071	Methyl parathion	EHW	A	See F027	Phenol, 2,3,4,6-tetrachloro-	EHW	C H
U029	Methyl bromide	EHW	H	See F027	Phenol, 2,4,5-trichloro-	EHW	A H
U045	Methyl chloride	EHW	H I	See F027	Phenol, 2,4,6-trichloro-	EHW	A H
U156	Methyl chlorocarbonate	EHW	B H I	P036	Phenyl dichloroarsine	EHW	B H
U226	Methylchloroform	EHW	C H	P092	Phenylmercuric acetate	EHW	B
U157	3-Methylcholanthrene	EHW	H P	P093	N-Phenylthiourea	EHW	A
U158	4,4'-Methylenebis(2-chloroaniline)	EHW	H +	P094	Phorate	EHW	X
U132	2,2'-Methylenebis(3,4,6-trichlorophenol)	EHW	C H	P095	Phosgene	EHW	B H
U068	Methylene bromide	EHW	C H +	P096	Phosphine	EHW	B I
U080	Methylene chloride	EHW	C H	P041	Phosphoric acid, diethyl p-nitrophenyl ester	EHW	A
U122	Methylene oxide	EHW	C	P044	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester	EHW	A
U160	Methyl ethyl ketone peroxide	EHW	B R	P043	Phosphorofluoric acid, bis(1-methyl-ethyl)((=))ester	EHW	B H
U138	Methyl iodide	EHW	H +	P094	Phosphorothiac acid, O,O-diethyl S-(ethylthio)methyl ester	EHW	X
U163	N-Methyl-N'-nitro-N-nitrosoguanidine	EHW	C + R	P097	Phosphorothioic acid, O,O-dimethyl O-[p-((dimethylamino)-sulfonyl)phenyl]ester	EHW	A
U010	Mitomycin C	EHW	B +	P089	Phosphorothioic acid, O,O-diethyl O-(p-ni((=))trophenyl)ester	EHW	X
U165	Naphthalene	EHW	B	P040	Phosphorothioic acid, O,O-diethyl O-pyra-zinyl ester	EHW	A
U047	Naphthalene, 2-chloro-	EHW	D H	U189	((Phosphorous)) Phosphorus sulfide	EHW	B I R
U166	1,4-Naphthalenedione	EHW	C	U190	Phthalic anhydride	EHW	C
U236	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-(1,1'-biphenyl)-4,4'-diyl)]-bis(azo)bis(5-amino-4-hydroxy)-, tetrasodium salt	EHW	H +	U191	2-Picoline	EHW	C
U166	1,4-((Naphthoquinone)) Naphthoquinone	EHW	C	P110	Plumbane, tetraethyl-	EHW	A
U167	1-Naphthylamine	EHW	B +	P098	Potassium cyanide	EHW	A
U168	2-Naphthylamine	EHW	B +	P099	Potassium silver cyanide	EHW	A
U167	alpha-Naphthylamine	EHW	B +	P070	Propanal, 2-methyl-2(methylthio)-O-[(methylamino)carbonyl]oxime	EHW	B
U168	beta-Naphthylamine	EHW	B +	U194	1-Propanamine	EHW	C I
U026	2-Naphthylamine, N,N((?))-bis(2-chloro-(methyl) ethyl)-	EHW	H +	U110	1-Propanamine, N-propyl-	EHW	C I
P072	alpha-Naphthylthiourea	EHW	B	U066	Propane, 1,2-dibromo-3-chloro-	EHW	C H +
P073	Nickel carbonyl	EHW	B	U149	Propanedinitrile	EHW	C
P074	Nickel cyanide	EHW	D R ?	P101	Propanenitrile	EHW	B
P074	Nickel (II) cyanide	EHW	D R ?	P027	Propanenitrile, 3-chloro-	EHW	B H
P073	Nickel tetracarbonyl	EHW	B	P079	Propanenitrile, 2-hydroxy-2-methyl-	EHW	A
P075	Nicotine and salts	EHW	B	U171	Propane, 2-nitro-	EHW	C I
P076	Nitric oxide	EHW	D ?	U027	Propane, 2,2'-oxybis[2-chloro-	EHW	C H O
P077	p-Nitroaniline	EHW	C I	P081	1,2,3-Propanetriol, trinitrate-	EHW	R ?
U169	Nitrobenzene	EHW	A	U235	1-Propanol, 2,3-dibromo-, phosphate (3:1)	EHW	D H
P078	Nitrogen dioxide	EHW	A	U126	1-Propanol, 2,3-epoxy-	EHW	C +
P076	Nitrogen (II) oxide	EHW	B	P017	2-Propanone, 1-bromo-	EHW	C H
P078	Nitrogen (IV) oxide	EHW	A	P102	Propargyl alcohol	EHW	X
P081	Nitroglycerine	EHW	R ?	P003	2-Propenal	EHW	X
U170	p-Nitrophenol	EHW	C	U007	2-Propenamide	EHW	C
U171	2-Nitropropane	EHW	C I	U084	Propene, 1,3-dichloro-	EHW	C H
U174	N-Nitrosodiethylamine	EHW	C +	U243	1-Propene, 1,1,2,3,3,3-hexachloro-	EHW	H
P082	N-Nitrosodimethylamine	EHW	B +	U009	2-Propenenitrile	EHW	C + I
U176	N-Nitroso-N-ethylurea	EHW	C +	U152	2-Propenenitrile, 2-methyl-	EHW	B I
U177	N-Nitroso-N-methylurea	EHW	C +	U008	2-Propenoic acid	EHW	C O I
U178	N-Nitroso-N-methylurethane	EHW	C +	P005	2-Propen-1-ol	EHW	B I
P084	N-Nitrosomethylvinylamine	EHW	B +	See F027	Propionic acid, 2-(2,4,5-trichlorophenoxy)-	EHW	B H
U179	N-Nitrosopiperidine	EHW	C +	U194	n-Propylamine	EHW	C I
U111	N-Nitroso-n-propylamine	EHW	C +	U083	Propylene dichloride	EHW	C H I
P050	5-Norbornene-2,3,-dimethanol, 1,4,5,6,7,7-hexachloro, cyclic sulfite	EHW	X H	P067	1,2-Propylenimine	EHW	B + I
P085	Octamethylpyrophosphoramide	EHW	A	P102	2-Propyn-1-ol	EHW	X
P087	Osmium oxide	EHW	B	P008	4-Pyridinamine	EHW	B
P087	Osmium tetroxide	EHW	B	P075	Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts	EHW	B
P088	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	EHW	B	U196	Pyridine	EHW	C I
U058	2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloro((=)) ethyl)amino]tetrahydro-, 2-oxide ((=))	EHW	C H I +	U179	Pyridine, hexahydro-N-nitroso-	EHW	C +
U115	Oxirane	EHW	C I	U191	Pyridine, 2-methyl-	EHW	C
U041	Oxirane, 2-(chloromethyl)-	EHW	C H + I	P111	Pyrophosphoric acid, tetraethyl ester	EHW	A
P089	Parathion	EHW	X	U201	Resorcinol	EHW	C
U183	Pentachlorobenzene	EHW	H	P103	Selenourea	EHW	B
U184	Pentachloroethane	EHW	A H	U015	L-Serine, diazoacetate (ester)	EHW	C +
U185	Pentachloronitrobenzene	EHW	D H +	P104	Silver cyanide	EHW	C
See F027	Pentachlorophenol	EHW	A H				
U188	Phenol	EHW	C				

Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*	Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*
See F027	Silvex	EHW	B H				
P105	Sodium azide	EHW	A		dimethyl-		
P106	Sodium cyanide	EHW	A	U222	Benzenamine, 2-methyl-, hydrochloride	DW	D +
P107	Strontium sulfide	EHW	R	U181	Benzenamine, 2-methyl-5-nitro	DW	D
P108	Strychnidin-10-one, and salts	EHW	B	U028	1,2-Benzenedicarboxylic acid, [bis(2-ethyl-hexyl)] ester	DW	?
P018	Strychnidin-10-one, 2,3-dimethoxy-	EHW	A	U069	1,2-Benzenedicarboxylic acid, dibutyl ester	DW	D
P108	Strychnine and salts	EHW	B				
U135	Sulfur hydride	EHW	B I	U088	1,2-Benzenedicarboxylic acid, diethyl ester	DW	?
U103	Sulfuric acid, dimethyl ester	EHW	C O +	U102	1,2-Benzenedicarboxylic acid, dimethyl ester	DW	?
P115	Sulfuric acid, thallium (I) salt	EHW	B	U107	1,2-Benzenedicarboxylic acid, di-n-octyl ester	DW	?
U189	Sulfur phosphide	EHW	B I R				
See F027 2,4,5-T		EHW	B H +	U203	Benzene, 1,2-methylenedioxy-4-allyl-	DW	D +
See F027 1,2,4,5-Tetrachlorobenzene		EHW	D H	U141	Benzene, 1,2-methylenedioxy-4-propenyl-	DW	D +
U208	1,1,1,2-Tetrachloroethane	EHW	H	U090	Benzene, 1,2-methylenedioxy-4-propyl-	DW	D +
U209	1,1,2,2-Tetrachloroethane	EHW	H	U234	Benzene, 1,3,5-trinitro-	DW	D R
U210	Tetrachloroethylene	EHW	C H +	U202	1,2-((Benzisothiazolin))		
U212	2,3,4,6-Tetrachlorophenol	EHW	C H		Benzisothiazolin-3-one, 1,1-dioxide, and salts	DW	+
P109	Tetraethylthiopyrophosphate	EHW	A	U120	Benzo[j,k]fluorene	DW	D
P110	Tetraethyl lead	EHW	A	U091	(1,1'-Biphenyl)-4-4'-diamine, 3,3'-dimethoxy-	DW	D +
P111	Tetraethylpyrophosphate	EHW	A				
P112	Tetranitromethane	EHW	A R	U244	Bis(dimethylthiocarbomoyl) disulfide	DW	D
P062	Tetraphosphoric acid, hexaethyl ester	EHW	B	U028	Bis(2-ethoxythyl) phthalate	DW	?
P113	Thallic oxide	EHW	B	U172	1-Butanamine, N-butyl-N-nitroso-	DW	D +
P113	Thallium (III) oxide	EHW	B	U031	1-Butanol	DW	D I
P114	Thallium (I) selenide	EHW	C	U159	2-Butanone	DW	D I
P115	Thallium (I) sulfate	EHW	B	U031	n-Butyl alcohol	DW	D I
P045	Thiofanox	EHW	B	U136	Cacodylic acid	DW	D
P049	Thioimidodicarbonic diamide	EHW	A	U238	Carbamic acid, ethyl ester	DW	+
U153	Thiomethanol	EHW	B I	U215	Carbonic acid, dithallium(I) salt	DW	?
P014	Thiophenol	EHW	A	U051	Creosote	DW	D
P116	Thiosemicarbazide	EHW	B H +	U059	Daunomycin	DW	+
U219	Thiourea	EHW	C +	U221	Diaminotoluene	DW	?
P026	Thiourea, (2-chlorophenyl)-	EHW	A H	U069	Dibutyl phthalate	DW	D
P072	Thiourea, 1-naphthalenyl-	EHW	B	U192	3,5-Dichloro-N-(1,1-dimethyl-2-propynyl) benzamide	DW	?
P093	Thiourea, phenyl-	EHW	A				
U220	Toluene	EHW	C I	U108	1,4-Diethylene dioxide	DW	D +
U223	Toluene diisocyanate	EHW	B R	U086	N,N-Diethylhydrazine	DW	+
P123	Toxaphene	EHW	X H	U088	Diethyl phthalate	DW	?
U226	1,1,1-Trichloroethane	EHW	C H	U089	Diethylstilbestrol	DW	+
U227	1,1,2-Trichloroethane	EHW	C H	U148	1,2-Dihydro-3-,6-pyridinedione	DW	D
U228	Trichloroethene	EHW	C H +	U090	Dihydroafrole	DW	D +
U228	Trichloroethylene	EHW	C H +	U091	3,3'-Dimethoxybenzidine	DW	D +
P118	Trichloromethanethiol	EHW	H	U098	1,1-Dimethylhydrazine	DW	+ I
U121	Trichloromonofluoromethane	EHW	H	U101	2,4-Dimethylphenol	DW	D
See F027 2,4,5-Trichlorophenol		EHW	A H	U102	Dimethyl phthalate	DW	?
See F027 2,4,6-Trichlorophenol		EHW	A H	U107	Di-n-octyl phthalate	DW	?
((See F027)) U232 2,4,5-Trichlorophenoxy-				U108	1,4-Dioxane	DW	D +
acetic acid, salts and esters		EHW	B H +	U117	Ethane, 1,1'-oxybis-	DW	D I
U233 2,4,5-Trichlorophenoxy-				U218	Ethanethioamide	DW	+
propionic acid, salts and esters		EHW	B H +	U173	Ethanol, 2-(nitrosoimino)bis-	DW	+
U235	Tris(2,3-dibromopropyl) phosphate	EHW	D H	U004	Ethanone, 1-phenyl-	DW	D
U236	Trypan blue	EHW	H +	U112	Ethyl acetate	DW	D I
U237	Uracil, 5[bis(2-(chloromethyl)chloroethyl)amino]-	EHW	B H +	U113	Ethyl acrylate	DW	D I
U237	Uracil mustard	EHW	B H +	U238	Ethyl carbamate (urethan)	DW	+
P119	Vanadic acid, ammonium salt	EHW	B	U116	Ethylene thiourea	DW	D +
P120	Vanadium pentoxide	EHW	B	U117	Ethyl ether	DW	D I
P120	Vanadium (V) oxide	EHW	B	U118	Ethyl methacrylate	DW	I
U043	Vinyl chloride	EHW	D H +	U119	Ethyl methanesulfonate	DW	+
P001	Warfarin	EHW	A	U139	Ferric dextran	DW	+
U239	Xylene	EHW	C I	U120	Fluoranthene	DW	D
P121	Zinc cyanide	EHW	C	U123	Formic Acid	DW	D O
P122	Zinc phosphide	EHW	B R	U124	Furan	DW	I
				U213	Furan, tetrahydro-	DW	I
				U124	Furfuran	DW	I
				U206	D-Glucopyranose, 2-deoxy-2(3-methyl-3-nitrosoureido)-	DW	+
MODERATELY DANGEROUS CHEMICAL PRODUCTS							
U187	Acetamide, N-(4-ethoxyphenyl)-	DW	D +	U086	Hydraxine, 1,2-diethyl-	DW	+
U005	Acetamide, N-9H-fluoren-2-yl-	DW	?	U098	Hydrazine, 1,1-dimethyl-	DW	+ I
U112	Acetic acid, ethyl ester	DW	D I	U134	Hydrofluoric acid	DW	D O
U214	Acetic acid, thallium(I) salt	DW	?	U134	Hydrogen fluoride	DW	D O
U002	Acetone	DW	D I	U136	Hydroxydimethylarsine oxide	DW	D
U004	Acetophenone	DW	D	U116	2-Imidazolidinethione	DW	D +
U005	2-Acetylaminofluorene	DW	?	U137	Indeno[1,2,3-cd]pyrene	DW	+
U150	Alanine, 3-[p-bis(2-chloroethyl)amino]phenyl-, L-	DW	+	U139	Iron dextran	DW	+
U328	2-Amino-1-methylbenzene	DW	D +	U140	Isobutyl alcohol	DW	D I
U353	4-Amino-1-methylbenzene	DW	D	U141	Isosafrole	DW	D +
U011	Amitrole	DW	D +	U145	Lead phosphate	DW	+
U014	Auramine	DW	+	U146	Lead subacetate	DW	+
U016	Benz[c]acridine	DW	+	U148	Maleic hydrazide	DW	D
U016	3,4-Benzacridine	DW	+	U150	Melphalan	DW	+
U014	Benzenamine, 4,4-carbonimidoylbis(N,N-	DW	+	U119	Methanesulfonic acid, ethyl ester	DW	+

Dangerous Waste No.	Substance	WDOE Hazard Designation	Reason for Designation*
U123	Methanoic acid	DW	D O
U154	Methanol	DW	D I
U155	Methapyrilene	DW	D
U154	Methyl alcohol	DW	D I
U186	1-Methylbutadiene	DW	D I
U159	Methyl ethyl ketone	DW	D I
U161	Methyl isobutyl ketone	DW	D I
U162	Methyl methacrylate	DW	D I
U161	4-Methyl-2-pentanone	DW	+
U164	Methylthiouacil	DW	+
U059	5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxo-hexopyranosyl)oxyl]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-	DW	+
U172	N-Nitrosodi-n-butylamine	DW	D +
U173	N-Nitrosodiethanolamine	DW	+
U180	N-Nitrosopyrrolidine	DW	D +
U181	5-Nitro-o-toluidine	DW	D
U193	1,2-Oxathiolane, 2,2-dioxide	DW	+
U182	Paraldehyde	DW	D I
U186	1,3-Pentadiene	DW	D I
U187	Phenacetin	DW	D+
U101	Phenol, 2,4-dimethyl-	DW	D
U137	1,10-(1,2-Phenylene)pyrene	DW	+
U145	Phosphoric acid, lead salt	DW	+
U087	Phosphorodithioic acid, O,O-diethyl-, S-methyl ester	DW	?
U192	Pronamide	DW	?
U193	1,3-Propane sultone	DW	+
U140	1-Propanol, 2-methyl-	DW	D I
U002	2-Propanone	DW	D I
U113	2-Propenoic acid, ethyl ester	DW	D I
U118	2-Propenoic acid, 2-methyl-, ethyl ester	DW	I
U162	2-Propenoic acid, 2-methyl-, methyl ester	DW	D I
U155	Pyridine, 2-[(2dimethylamino)((=2-thienylamino)-) ethyl]- 2-phenylamino	DW	D
U164	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-	DW	+
U180	Pyrrrole, tetrahydro-N-nitroso-	DW	D +
U200	Reserpine	DW	?
U202	Saccharin and salts	DW	+
U203	Safrole	DW	D +
U204	Seleniousacid	DW	O
U204	Selenium dioxide	DW	O
U205	Selenium disulfide	DW	R
U089	4,4'-Stilbenediol, alpha,alpha'-diethyl-	DW	+
U206	Streptozotocin	DW	+
U205	Sulfur selenide	DW	R
U213	Tetrahydrofuran	DW	I
U214	Thallium(1) acetate	DW	?
U215	Thallium(1) carbonate	DW	?
U216	Thallium(1) chloride	DW	?
U217	Thallium(1) nitrate	DW	?
U218	Thioacetamide	DW	+
U244	Thiran	DW	D
U221	Toluenediamine	DW	?
U328	o-Toluidine	DW	D +
U353	p-Toluidine	DW	D
U222	o-Toluidine hydrochloride	DW	D +
U011	1H-1,2,4-Triazol-3-amine	DW	D +
U234	sym-Trinitrobenzene	DW	D R
U182	1,3,5-Trioxane, 2,4,((5)6-trimethyl-	DW	D I
U200	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-,methyl ester	DW	?

- * EHW = Extremely Hazardous Waste
- DW = Dangerous Waste
- X = Toxic, Category X
- A = Toxic, Category A
- B = Toxic, Category B
- C = Toxic, Category C
- D = Toxic, Category D
- H = Persistent, Halogenated Hydrocarbon
- O = Corrosive
- P = Persistent, Polycyclic Aromatic Hydrocarbon
- + = IARC Animal or Human, Positive or Suspected Carcinogen
- I = Ignitable
- R = Reactive

EP = Extraction Procedure Toxicity

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-9904 DANGEROUS WASTE SOURCES LIST.

DANGEROUS WASTE SOURCES LIST

Dangerous Waste No.	Sources
Nonspecific Sources	
Generic:	
F001	The following spent halogenated solvents used in degreasing: Tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride, and chlorinated fluorocarbons; and sludges from the recovery of these solvents in degreasing operations. (See footnote 1, below.)
F002	The following spent halogenated solvents: Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, and trichlorofluoromethane; and the still bottoms from the recovery of these solvents. (See footnote 1, below.)
F003	The following spent nonhalogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, and methanol; and the still bottoms from the recovery of these solvents.
F004	The following spent nonhalogenated solvents: Cresols and cresylic acid, nitrobenzene; and the still bottoms from the recovery of these solvents.
F005	The following spent nonhalogenated solvents: Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine; and the still bottoms from the recovery of these solvents.
F006	Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.
F019	Wastewater treatment sludges from the chemical conversion coating of aluminum.
F007	Spent cyanide plating bath solutions from electroplating operations.
F008	Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.
F009	Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.
F010	Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.
F011	Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.
F012	Quenching wastewater treatment sludges from metal heat-treating operations where cyanides are used in the process.
F020	Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.) (See footnote 2, below.)

Dangerous
Waste No. Sources

- F021 Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives. (See footnote 2, below.)
- F022 Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions. (See footnote 2, below.)
- F023 Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- and tetrachlorophenols. (See footnote 2, below.) (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.)
- F026 Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions. (See footnote 2, below.)
- F027 Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (See footnote 2, below.) (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)
- F028 Residues resulting from the incineration or thermal treatment of soil contaminated with nonspecific sources wastes F020, F021, F022, F023, F026 and F027.
- F024 Wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes from the production of chlorinated aliphatic hydrocarbons, having carbon content from one to five, utilizing free radical catalyzed processes. (See footnote 1, below.) (This listing does not include light ends, spent filters and filter aids, spent dessicants, wastewater, wastewater treatment sludges, spent catalysts, and wastes listed under specific sources, below.)

Specific Sources

Wood Preservation:

- K001 Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol. (See footnote 1, below.)

Inorganic Pigments:

- K002 Wastewater treatment sludge from the production of chrome yellow and orange pigments.
- K003 Wastewater treatment sludge from the production of molybdate orange pigments.
- K004 Wastewater treatment sludge from the production of zinc yellow pigments.
- K005 Wastewater treatment sludge from the production of chrome green pigments.
- K006 Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).
- K007 Wastewater treatment sludge from the production of iron blue pigments.
- K008 Oven residue from the production of chrome oxide green pigments.

Dangerous
Waste No. Sources

Organic Chemicals:

- K009 Distillation bottoms from the production of acetaldehyde from ethylene.
- K010 Distillation side cuts from the production of acetaldehyde from ethylene.
- K011 Bottom stream from the wastewater stripper in the production of acrylonitrile.
- K013 Bottom stream from the acetonitrile column in the production of acrylonitrile.
- K014 Bottoms from the acetonitrile purification column in the production of acrylonitrile.
- K015 Still bottoms from the distillation of benzyl chloride. (See footnote 1, below.)
- K016 Heavy ends or distillation residues from the production of carbon tetrachloride. (See footnote 1, below.)
- K017 Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin. (See footnote 1, below.)
- K018 Heavy ends from the fractionation column in ethyl chloride production. (See footnote 1, below.)
- K019 Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production. (See footnote 1, below.)
- K020 Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production. (See footnote 1, below.)
- K021 Aqueous spent antimony catalyst waste from fluoromethanes production. (See footnote 1, below.)
- K022 Distillation bottom tars from the production of phenol/acetone from cumene.
- K023 Distillation light ends from the production of phthalic anhydride from naphthalene.
- K024 Distillation bottoms from the production of phthalic anhydride from naphthalene.
- K093 Distillation light ends from the production of phthalic anhydride from ortho-xylene.
- K094 Distillation bottoms from the production of phthalic anhydride from ortho-xylene.
- K025 Distillation bottoms from the production of nitrobenzene by the nitration of benzene.
- K026 Stripping still tails from the production of methyl ethyl pyridines.
- K027 Centrifuge and distillation residues from toluene diisocyanate production.
- K028 Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane. (See footnote 1, below.)
- K029 Waste from the product steam stripper in the production of 1,1,1-trichloroethane. (See footnote 1, below.)
- K095 Distillation bottoms from the production of 1,1,1-trichloroethane. (See footnote 1, below.)
- K096 Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane. (See footnote 1, below.)
- K030 Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene. (See footnote 1, below.)
- K083 Distillation bottoms from aniline production.
- K103 Process residues from aniline extraction from the production of aniline.
- K104 Combined wastewater streams generated from nitrobenzene/aniline production.

Dangerous Waste No.	Sources	Dangerous Waste No.	Sources
K085	Distillation of fractionation column bottoms from the production of chlorobenzenes. (See footnote 1, below.)	K032	Wastewater treatment sludge from the production of chlordane. (See footnote 3, below.)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes. (See footnote 1, below.)	K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane. (See footnote 3, below.)
K111	Product washwaters from the production of dinitrotoluene via nitration of toluene.	K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane. (See footnote 3, below.)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane. (See footnote 3, below.)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	K035	Wastewater treatment sludges generated in the production of creosote.
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	K037	Wastewater treatment sludges from the production of disulfoton.
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine. (See footnote 1, below.)	K038	Wastewater from the washing and stripping of phorate production. (See footnote 3, below.)
Explosives:		K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate. (See footnote 3, below.)
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	K040	Wastewater treatment sludge from the production of phorate. (See footnote 3, below.)
K045	Spent carbon from the treatment of wastewater containing explosives.	K041	Wastewater treatment sludge from the production of toxaphene. (See footnote 3, below.)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	K098	Untreated process wastewater from the production of toxaphene. (See footnote 3, below.)
K047	Pink/red water from TNT operations.	K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T. (See footnote 1, below.)
Inorganic Chemicals:		K043	2,6-Dichlorophenol waste from the production of 2,4-D. (See footnote 1, below.)
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	K099	Untreated wastewater from the production of 2,4-D. (See footnote 1, below.)
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production. (See footnote 1, below.)	K123	Process wastewater (including supernates, filtrates, and wastewaters) from the production of ethylenebisdithiocarbamic acid and its salts.
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.
Petroleum Refining:		K125	Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.
K049	Slop oil emulsion solids from the petroleum refining industry.	Secondary Lead:	
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	K069	Emission control dust/sludge from secondary lead smelting.
K051	API separator sludge from the petroleum refining industry.	K100	Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.
K052	Tank bottoms (lead) from the petroleum refining industry.	Veterinary Pharmaceuticals:	
Iron and Steel:		K084	Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
K061	Emission control dust/sludge from the primary production of steel in electric furnaces.	K101	Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).	K102	Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
Pesticides:			
K031	Byproduct salts generated in the production of MSMA and cacodylic acid.		

Dangerous
Waste No.

Sources

Ink Formulation:

- K086 Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.

Coking:

- K060 Ammonia still-lime sludge from coking operations.
K087 Decanter tank tar sludge from coking operations.

Footnotes

- 1 These wastes contain or may contain halogenated hydrocarbons. Although WAC 173-303-082 states that these wastes are DW, WAC 173-303-070(5), special knowledge, requires generators who know that their waste contains greater than one percent of these listed halogenated hydrocarbons to designate their waste EHW.
- 2 For wastes listed with the dangerous waste numbers F020, F021, F022, F023, F026, or F027 the quantity exclusion limit is 2.2 lbs. (1 kg) per month or per batch.
- 3 These wastes contain or may contain X Category toxic constituents. Although WAC 173-303-082 states that these wastes are DW, WAC 173-303-070(5), special knowledge, requires generators who know that their waste contains greater than 0.1 percent of these listed toxic constituents to designate their waste EHW.

State Sources

- W001 The following wastes generated from the salvaging, rebuilding, or discarding of transformers or capacitors which contain polychlorinated biphenyls (PCB): Cooling and insulating fluids; cores, including core papers, from unrinsed transformers and capacitors; transformers and capacitors which will no longer be used for their intended use, except for those transformers or capacitors which have been rinsed; and, rinsate from the rinsing of transformers and capacitors. For the purposes of this listing, the rinsing of PCB containing items shall be conducted as follows: First, the item is drained of all free flowing liquid; second, the item is filled with solvent and allowed to stand for at least eighteen hours; last, the item is drained thoroughly and the solvent is collected. Solvents may include kerosene, xylene, toluene and other solvents in which PCB are readily soluble. (Note—Certain PCB wastes are excluded from this listing under WAC 173-303-071 (3)(k). The generator should check that section to determine if his PCB waste is excluded from the requirements of chapter 173-303 WAC.)

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-9905 DANGEROUS WASTE CONSTITUENTS LIST.

Acetic Acid, 2,4,5-trichlorophenoxy-, salts and esters (2,4,5-T, salts and esters)

Acetonitrile [Ethanenitrile]
Acetophenone (Ethanone, 1-phenyl)
-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts (Warfarin)
2-Acetylaminofluorene (Acetemide, N-9H-fluoren-2-yl)-
Acetyl chloride (Ethanoyl chloride)
1-Acetyl-2-thiourea (Acetamide, N-(aminothioxomethyl)-)
Acrolein (2-Propenal)
Acrylamide (2-Propenamamide)
Acrylonitrile (2-Propenenitrile)
Aflatoxins

Aldrin (1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a,((#b))-hexahydro-endo,exo-1,4:5,8-Dimethanonaphthalene)
Allyl alcohol (2-Propen-1-ol)
Aluminum phosphide
4-Aminobiphenyl ([1,1'-Biphenyl]-4-amine)
6-Amino-1,1a,2,8,8a,8b-hexahydro-8-(hydroxymethyl)-8a-methoxy-5-methyl-carbamate azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-dione, (ester) (Mitomycin C) (Azirino[2'3':3,4]pyrrolo(1,2-a)indole-4,7-dione, 6-amino-8[
4-Aminopyridine(4-Pyridinamine)
Barium and compounds, N.O.S.*
Barium cyanide
Benz[c]acridine (3,4-Benzacridine)
Benz[a]anthracene (1,2-Benzanthracene)
Benzene (Cyclohexatriene)
Benzenearsonic acid (Arsonic acid, phenyl-)
Benzene, 2-amino-1-methyl (o-Toluidine)
Benzene, 4-amino-1-methyl (p-Toluidine)
Benzene, dichloromethyl- (Benzal chloride)
Benzenethiol (Thiophenol)
Benzidine ([1,1'-Biphenyl]-4,4'-diamine)
Benzo[b]fluoranthene (2,3-Benzofluoranthene)
Benzo[j]fluoranthene (7,8-Benzofluoranthene)
Benzo[a]pyrene (3,4-Benzopyrene)
p Benzoquinone (1,4-Cyclohexadienedione)
Benzotrifluoride (Benzene, trichloromethyl-)
Benzyl chloride (Benzene, (chloromethyl)-)
Beryllium and compounds, N.O.S.*
Bis(2-chloroethoxy)methane (Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-])
Bis(2-chloroethyl) ether (Ethane, 1,1'-oxybis[2-chloro-])
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornaphazine)
Bis(2-chloroisopropyl) ether (Propane, 2,2'-oxybis[2-chloro-])
Bis(chloromethyl) ether (Methane, oxybis[chloro-])
Bis(2-ethylhexyl) phthalate (1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester)
Bromoacetone (2-Propanone, 1-bromo-)
Bromomethane (Methyl bromide)
4-Bromophenyl phenyl ether (Benzene, 1-bromo-4-phenoxy-)
Brucine (Strychnidin-10-one, 2,3-dimethoxy-)
2-Butanone peroxide (Methyl ethyl ketone, peroxide)
Butyl benzyl phthalate (1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester)
2-sec-Butyl-4,6-dinitrophenol (DNBP) (Phenol, 2,4-dinitro-6-(1-methylpropyl)-)
Cadmium and compounds, N.O.S.*
Calcium chromate (Chromic acid, calcium salt)
Calcium cyanide
Carbamic Acid, ethyl ester
Carbon disulfide (Carbon bisulfide)
Carbon oxyfluoride (Carbonyl fluoride)
Chloral (Acetaldehyde, trichloro-)
Chlorambucil (Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene-)
Chlordane (alpha and gamma isomers) (4,7-Methanoindan, 1,2,4,5,6,7,8,8-octachloro-3,4,7,7a-tetrahydro-) (alpha and gamma isomers)
Chlorinated benzenes, N.O.S.*
Chlorinated ethane, N.O.S.*
Chlorinated fluorocarbons, N.O.S.*
Chlorinated naphthalene, N.O.S.*
Chlorinated phenol, N.O.S.*
Chloroacetaldehyde (Acetaldehyde, chloro-)

- Chloroalkyl ethers, N.O.S.*
 p-Chloroaniline (Benzenamine, 4-chloro-)
 Chlorobenzene (Benzene, chloro-)
 Chlorobenzilate (Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-,ethyl ester)
 2-Chloro-1,3-butadiene
 p-Chloro-m-cresol (Phenol, 4-Chloro-3-methyl)
 1-Chloro-2,3-epoxypropane (Oxirane, 2-(chloromethyl)-)
 2-Chloroethyl vinyl ether (Ethene, (2-chloroethoxy)-)
 Chloroform (Methane, trichloro-)
 Chloromethane (Methyl chloride)
 Chloromethyl methyl ether (Methane, chloromethoxy-)
 2-Chloronaphthalene (Naphthalene, beta-chloro-)
 2-Chlorophenol (Phenol, o-chloro-)
 1-(o-Chlorophenyl)thiourea (Thiourea, (2-chlorophenyl)-)
 3-Chloropropene
 3-Chloropropionitrile (Propanenitrile, 3-chloro-)
 Chromium and compounds, N.O.S.*
 Chrysene (1,2-Benzphenanthrene)
 Citrus red No. 2 (2-Naphthol, 1-[(2,5-dimethoxyphenyl)azo]-)
 Coal tars
 Copper cyanide
 Creosote (Creosote, wood)
 Cresols (Cresylic acid) (Phenol, methyl-)
 Crotonaldehyde (2-Butenal)
 Cyanides (soluble salts and complexes), N.O.S.*
 Cyanogen (Ethanedinitrile)
 Cyanogen bromide (Bromine cyanide)
 Cyanogen chloride (Chlorine cyanide)
 Cycasin (beta-D-Glucopyranoside, (methyl-ONN-azoxy)methyl-)
 2-Cyclohexyl-4,6-dinitrophenol (Phenol, 2-cyclohexyl-4,6-dinitro-)
 Cyclophosphamide (2H-1,3,2,-Oxazaphosphorine, [bis(2-chloroethyl)amino]-tetrahydro-, 2-oxide)
 Daunomycin (5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexopyranosyl]oxy)-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-)
 DDD (Dichlorodiphenyldichloroethane) (Ethane, 1,1-dichloro-2,2-bis(p-chlorophenyl)-)
 DDE (Ethylene, 1,1-dichloro-2,2-bis(4-chlorophenyl)-)
 DDT (Dichlorodiphenyltrichloroethane) (Ethane, 1,1,1-trichloro-2,2-bis(p-chlorophenyl)-)
 Diallate (S-(2,3-dichloroallyl) diisopropylthiocarbamate)
 Dibenz[a,h]acridine (1,2,5,6-Dibenzacridine)
 Dibenz[a,j]acridine (1,2,7,8-Dibenzacridine)
 Dibenz[a,h]anthracene (1,2,5,6-Dibenzanthracene)
 7H-Dibenzo[c,g]carbazole (3,4,5,6-Dibenzcarbazole)
 Dibenzo[a,e]pyrene (1,2,4,5-Dibenzpyrene)
 Dibenzo[a,h]pyrene (1,2,5,6-Dibenzpyrene)
 Dibenzo[a,i]pyrene (1,2,7,8-Dibenzpyrene)
 1,2-Dibromo-3-chloropropane (Propane, 1,2-dibromo-3-chloro-)
 1,2-Dibromoethane (Ethylene dibromide)
 Dibromomethane (Methylene bromide)
 Di-n-butyl phthalate (1,2-Benzenedicarboxylic acid, dibutyl ester)
 o-Dichlorobenzene (Benzene, 1,2-dichloro-)
 m-Dichlorobenzene (Benzene, 1,3-dichloro-)
 p-Dichlorobenzene (Benzene, 1,4-dichloro-)
 Dichlorobenzene, N.O.S.* (Benzene, dichloro-, N.O.S.*)
 3,3'-Dichlorobenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-)
 1,4-Dichloro-2-butene (2-Butene, 1,4-Butene, 1,4-dichloro-)
 Dichlorodifluoromethane (Methane, dichlorodifluoro-)
 1,1-Dichloroethane (Ethylidene dichloride)
 1,2-Dichloroethane (Ethylene dichloride)
 trans-1,2-Dichloroethene (1,2-Dichloroethylene)
 Dichloroethylene, N.O.S.* (Ethene, dichloro-, N.O.S.*)
 1,1-Dichloroethylene (Ethene, 1,1-dichloro-)
 Dichloromethane (Methylene chloride)
 2,4-Dichlorophenol (Phenol, 2,4-dichloro-)
 2,6-Dichlorophenol (Phenol, 2,6-dichloro-)
 2,4-Dichlorophenoxyacetic acid (2,4-D), salts and esters (Acetic acid, 2,4-dichlorophenoxy-, salts and esters)
 Dichlorophenylarsine (Phenyl dichloroarsine)
 Dichloropropane, N.O.S.* (Propane, dichloro-, N.O.S.*)
 1,2-Dichloropropane (Propylene dichloride)
 Dichloropropanol, N.O.S.* (Propanol, dichloro-, N.O.S.*)
 Dichloropropene, N.O.S.* (Propene, dichloro-, N.O.S.*)
 1,3-Dichloropropene, (1-Propene, 1,3-dichloro-)
 Dieldrin (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octa-hydro-endo, exo-1,4:5,8-Dimethanonaphthalene)
 1,2:3,4-Diepoxybutane (2,2'-Bioxirane)
 Diethylarsine (Arsine, diethyl-)
 N,N'-Diethylhydrazine (Hydrazine, 1,2-diethyl)
 O,O-Diethyl S-methyl ester of phosphorodithioic acid (Phosphorodithioic acid, O,O-diethyl S-methyl ester)
 O,O-Diethylphosphoric acid, O-p-nitrophenyl ester (Phosphoric acid, diethyl p-nitrophenyl ester)
 Diethyl phthalate (1,2-Benzenedicarboxylic acid, diethyl ester)
 O,O-Diethyl O-2-pyrazinyl phosphorothioate (Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester)
 Diethylstilbesterol (4,4'-Stilbenediol, alpha,alpha-diethyl, bis(dihydrogen phosphate, (E)-)
 Dihydrosafrole (Benzene, 1,2-methylenedioxy-4-propyl-)
 3,4-Dihydroxy-alpha-(methylamino)methyl benzyl alcohol (1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-)
 Diisopropylfluorophosphate (DFP) (Phosphorofluoric acid, bis(1-methylethyl) ester)
 Dimethoate (Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester)
 3,3'-Dimethoxybenzidine ([1,1'-Biphenyl]-4,4'diamine, 3-3'dimethoxy-)
 p-Dimethylaminoazobenzene (Benzenamine, N,N-dimethyl-4-(phenylazo)-)
 7,12-Dimethylbenz[a]anthracene (1,2-Benzanthracene, 7,12-dimethyl-)
 3,3'Dimethylbenzidine ([1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-)
 Dimethylcarbamoyl chloride (Carbamoyl chloride, dimethyl-)
 1,1-Dimethylhydrazine (Hydrazine, 1,1-dimethyl-)
 1,2-Dimethylhydrazine (Hydrazine, 1,2-dimethyl-)

- 3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino) carbonyl]oxime
(Thiofanox)
- alpha, alpha-Dimethylphenethylamine
(Ethanamine, 1,1-dimethyl-2-phenyl)
- 2,4-Dimethylphenol (Phenol, 2,4-dimethyl-)
- Dimethyl phthalate (1,2-Benzenedicarboxylic acid, dimethyl ester)
- Dimethyl sulfate (Sulfuric acid, dimethyl ester)
- Dinitrobenzene, N.O.S.* (Benzene, dinitro-, N.O.S.*)
- 4,6-Dinitro-o-cresol and salts (Phenol, 2,4-dinitro-6-methyl-, and salts)
- 2,4-Dinitrophenol (Phenol, 2,4-dinitro-)
- 2,4-Dinitrotoluene (Benzene, 1-methyl-2,4-dinitro-)
- 2,6-Dinitrotoluene (Benzene, 1-methyl-2,6-dinitro-)
- Di-n-octyl phthalate (1,2-Benzenedicarboxylic acid, dioctyl ester)
- 1,4-Dioxane (1,4-Diethylene oxide)
- Diphenylamine (Benzenamine, N-Phenyl-)
- 1,2-Diphenylhydrazine (Hydrazine, 1,2-diphenyl-)
- Di-n-propylmitrosamine (N-Nitroso-di-n-propylamine)
- Disulfoton (O,O-diethyl S-[2-(ethylthio)ethyl] phosphorodithioate)
- 2,4-Dithiobiuret (Thioimidodicarbonic diamide)
- Endosulfan (5-Norbornene, 2,3-dimethanol, 1,4,5,6,7,7-hexachloro-, cyclic sulfite)
- Endrin and metabolites (1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo,endo-1,4:5,8-dimethanonaphthalene, and metabolites)
- Ethyl carbamate (Urethan) (Carbamic acid, ethyl ester)
- Ethyl cyanide (propanenitrile)
- Ethylenebisdithiocarbamic acid, salts and esters (1,2-Ethanedylbiscarbamodithioic acid, salts and esters)
- Ethyleneimine (Aziridine)
- Ethylene oxide (Oxirane)
- Ethylenethiourea (2-Imidazolidinethione)
- Ethylmethacrylate (2-Propenoic acid, 2-methyl-, ethyl ester)
- Ethyl methanesulfonate (Methanesulfonic acid, ethyl ester)
- Fluoranthene (Benzo[j,k]fluorene)
- Fluorine
- 2-Fluoroacetamide (Acetamide, 2-fluoro-)
- Fluoroacetic acid, sodium salt (Acetic acid, fluoro-, sodium salt)
- Formaldehyde (Methylene, oxide)
- Formic acid (Methanoic acid)
- Glycidylaldehyde (1-Propanol-2(=),3-epoxy)
- Halomethane, N.O.S.*
- Heptachlor (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-)
- Heptachlor epoxide (alpha, beta, and gamma isomers) (4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-2,3-epoxy-3a,4,7,7-tetrahydro-, alpha, beta and gamma isomers)
- Hexachlorobenzene (Benzene, hexachloro-)
- Hexachlorobutadiene (1,3-Butadiene, ((+),+,-,2,3,4,-))hexachloro-)
- Hexachlorocyclohexane (all isomers) (Lindane and isomers)
- Hexachlorocyclopentadiene (1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-)
- Hexachlorodibenzo-p-dioxins
- Hexachlorodibenzofurans
- Hexachloroethane (Ethane, ((+),+,-,2,2,-)) hexachloro-)
- 1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo,endo-dimethanonphthalene (Hexachlorohexahydro-endo,endo-dimethanonaphthalene)
- Hexachlorophene (2,2'-Methylenebis(3,4,6-trichlorophenol))
- Hexachloropropene (((+))Propene, ((+),+,-,2,3,3,-)) hexachloro-)
- Hexaethyl tetraphosphate (Tetraphosphoric acid, hexaethyl ester)
- Hydrazine (Diamine)
- Hydrocyanic acid (Hydrogen cyanide)
- Hydrofluoric acid (Hydrogen fluoride)
- Hydrogen sulfide (Sulfur hydride)
- Hydroxydimethylarsine oxide (Cacodylic acid)
- Indeno(1,2,3-cd)pyrene (1,10-(1,2-phenylene)pyrene)
- Iodomethane (Methyl iodide)
- Iron Dextran (Ferric dextran)
- Isocyanic acid, methyl ester (Methyl isocyanate)
- Isobutyl alcohol (1-Propanol, 2-methyl-)
- Isosafrole (Benzene, 1,2-methylenedioxy-4-allyl-)
- Kepone (Decachlorooctahydro-1,3,4-Methano-2H-cyclobuta[cd]((pentaten)pentalene-2-one)
- Lasiocarpine (2-Butenoic acid, 2-methyl-, 7-[(2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy)methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester)
- Lead and compounds, N.O.S.*
- Lead acetate (Acetic acid, lead salt)
- Lead phosphate (Phosphoric acid, lead salt)
- Lead subacetate (Lead, bis(acetato-O)tetrahydroxytri-)
- Maleic anhydride (2,5-Furandione)
- Maleic hydrazide (1,2-Dihydro-3,6-pyridazinedione)
- Malononitrile (Propanedinitrile)
- Melphalan (Alanine, 3-[p-bis(2-chloroethyl)amino]phenyl-, L-)
- Mercury Fulminate (Fulminic acid, mercury salt)
- Mercury and compounds, N.O.S.*
- Methacrylonitrile (2-Propenenitrile, 2-methyl-)
- Methanethiol (Thiomethanol)
- Methapyrilene (Pyridine, 2-[(2-dimethylamino)ethyl]-2-thenylamino-)
- Metholonyl (Acetimidic acid, N-[(methylcarbonyl)oxy]thio-, methyl ester)
- Methoxychlor (Ethane, 1,1,1-trichloro-2,2'-bis(p-methoxyphenyl)-)
- 2-Methylaziridine (1,2-Propylenimine)
- 3-Methylcholanthrene (Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-)
- Methyl chlorocarbonate (Carbonochloridic acid, methyl ester)
- 4,4'-Methylenebis(2-chloroaniline) (Benzenamine, 4,4'-methylenebis-(2-chloro-)
- Methyl ethyl ketone (MEK) (2-Butanone)
- Methyl hydrazine (Hydrazine, methyl-)
- 2-Methylacetonitrile (Propanenitrile, 2-hydroxy-2-methyl-)
- Methyl methacrylate (2-Propenoic acid, 2-methyl-, methyl ester)
- Methyl methanesulfonate (Methanesulfonic acid, methyl ester)
- 2-Methyl-2-(methylthio)propionaldehyde-o-(methylcarbonyl) oxime (((Propamet,2-methyl-2-(methylthio)-, O-((methylamino)carbonyl]oxime)))
- N-Methyl-N'-nitro-N-nitrosoguanidine (Guanidine, N-nitros-N-methyl-N'nitro-)

- Methyl parathion (O,O-dimethyl O-(4-nitrophenyl) phosphorothioate)
 Methylthiouracil (4-1H-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-)
 Mustard gas (Sulfide, bis(2-chloroethyl)-)
 Naphthalene
 1,4-Naphthoquinone (1,4-Naphthalenedione)
 1-Naphthylamine (alpha-Naphthylamine)
 2-Naphthylamine (beta-Naphthylamine)
 1-Naphthyl-2-thiourea (Thiourea, 1-naphthalenyl-)
 Nickel and compounds, N.O.S.*
 Nickel carbonyl (Nickel tetracarbonyl)
 Nickel cyanide (nickel (II) cyanide)
 Nicotine and salts, Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts)
 Nitric oxide (Nitrogen (II) oxide)
 p-Nitroaniline (Benzenamine, 4-nitro-)
 Nitrobenzine (Benzene, nitro-) Nitrobenzene
 Nitrogen dioxide (Nitrogen (IV) oxide)
 Nitrogen mustard and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)
 Nitrogen mustard N-Oxide and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, N-oxide, and hydrochloride salt)
 Nitroglycerine (1,2,3-Propanetriol, trinitrate)
 4-Nitrophenol (Phenol, 4-nitro-)
 4-Nitroquinoline-1-oxide (Quinoline, 4-nitro-1-oxide-)
 Nitrosamine, N.O.S.*
 N-Nitrosodi-n-butylamine (1-Butanamine, N-butyl-N-nitroso-)
 N-Nitrosodiethanolamine (Ethanol, 2,2'-(nitrosoimino)bis-)
 N-Nitrosodiethylamine (Ethanamine, N-Ethyl-N-nitroso-)
 N-Nitrosodimethylamine (Dimethylnitrosamine)
 N-Nitroso-N-ethylurea (Carbamide, N-ethyl-N-nitroso-)
 N-Nitrosomethylethylamine (Ethanamine, N-methyl-N-nitroso-)
 N-Nitroso-N-methylurea (Carbamide, N-methyl-N-nitroso-)
 N-Nitroso-N-methylurethane (Carbamic acid, methylnitroso-, ethyl ester)
 N-Nitrosomethylvinylamine (Ethenamine, N-methyl-N-nitroso-)
 N-Nitrosomorpholine (Morpholine, N-nitroso-)
 N-Nitrosornicotine (Nornicotine, N-nitroso-)
 N-Nitrosopiperidine (Pyridine, hexahydro-, N-nitroso-)
N-Nitrosopyrrolidine (pyrrole, tetrahydro-, N-nitroso-)
 N-Nitrososarcosine (Sarcosine, N-nitroso-)
 5-Nitro-o-toluidine (Benzenamine, 2-methyl-5-nitro-)
 Octamethylpyrophosphoramidate (Diphosphoramidate, octamethyl-)
 Osmium tetroxide (Osmium (VIII) oxide)
 7-Ocabcyclo[2.2.1]heptane-2,3-dicarboxylic acid (Endothal)
 Paraldehyde (1,3,5-Trioxane, 2,4,6-trinethyl-)
 Parathion (Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl) ester)
 Pentachlorobenzene (Benzene, pentachloro-)
 Pentachlorodibenzo-p-dioxins
 Pentachlorodibenzofurans
 Pentachloroethane (Ethane, pentachloro-)
 Pentachloronitrobenzene (PCNB) (Benzene, pentachloronitro-)
 Pentachlorophenol (Phenol, pentachloro-)
Perchloromethyl mercaptan (Methanesulfuryl chloride, trichloro-)
 Phenacetin (Acetamide, N-(4-ethoxyphenyl)-)
 Phenol (Benzene, hydroxy-)
 Phenylenediamine (Benzenediamine)
 Phenylmercury acetate (Mercury, acetatophenyl-)
 N-Phenylthiourea (Thiourea, phenyl-)
 Phosgene (Carbonyl chloride)
 Phosphine (Hydrogen phosphide)
 Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester (Phorate)
 Phosphorothioic acid, O,O-dimethyl O-[p-((dimethylamino)sulfonyl)phenyl] ester (Famphur)
 Phthalic acid esters, N.O.S.* (Benzene, 1,2-dicarboxylic acid, esters, N.O.S.*
 Phthalic anhydride (1,2-Benzenedicarboxylic acid anhydride)
 2-Picoline (Pyridine, 2-methyl-)
 Polychlorinated biphenyl, N.O.S.*
 Potassium cyanide
 Potassium silver cyanide (Argentate(1-), dicyano-, potassium)
 Pronamide (3,5-Dichloro-N-(1,1-dimethyl-2-propynyl)benzamide)
 1,3-Propanesultone (1,2-Oxathiolane, 2,2-dioxide)
Propionic acid, 2-(2,4,5-trichlorophenoxy), salts and esters (2,4,5-TP,Silvex, salts and esters)
 n-Propylamine (1-Propane)
 Propylthiouracil (((Undecamethylenediamine, N,N'-bis(2-chlorobenzyl)-, dihydrochloride)) (2,3 dihydro-6-propyl-2 thioxo-4(1H)-pyrimidinone)
 2-Propyn-1-ol (Propargyl alcohol)
 Pyridine
 Reserpine (Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester)
 Resorcinol (1,3-Benzenediol)
 Saccharin and salts (1,2-Benzoisothiazolin-3-one, 1,1-dioxide, and salts)
 Safrol (Benzene, 1,2-methylenedioxy-4-allyl-)
 Selenious acid (Selenium dioxide)
 Selenium and compounds, N.O.S.*
 Selenium sulfide (Sulfur selenide)
 Selenourea (Carbamimidoseleonic acid)
 Silver and compounds, N.O.S.*
 Silver cyanide
 Sodium cyanide
 Streptozotocin (D-Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-)
 Strontium sulfide
 Strychnine and salts (Strychnidin-10-one, and salts)
 1,2,4,5-Tetrachlorobenzene (Benzene, 1,2,4,5-tetrachloro-)
 Tetrachlorodibenzo-p-dioxins
 Tetrachlorodibenzofurans
 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)
 Dibenzo-p-dioxin, 2,3,7,8-tetrachloro-)
 Tetrachloroethane, N.O.S.* (Ethane, tetrachloro-, N.O.S.*
 1,1,1,2-Tetrachloroethane (Ethane, 1,1,1,2-tetrachloro-)
 1,1,2,2-Tetrachlorethane (Ethane, 1,1,2,2-tetrachloro-)
 Tetrachlorethylene (((Ethane)) Ethene, 1,1,2,2-tetrachloro-)¹
 Tetrachloromethane (Carbon tetrachloride)
 2,3,4,6-Tetrachlorophenol (Phenol,2,3,4,6-tetrachloro-)
 Tetraethylthiopyrophosphate (Dithiopyrophosphoric acid, tetraethyl-ester)
 Tetraethyl lead (Plumbane, tetraethyl-)
 Tetraethylpyrophosphate (Pyrophosphoric acid, tetraethyl ester)
 Tetranitromethane (Methane, tetranitro-)

Thallium and compounds, N.O.S.*
 Thallous oxide (Thallium (III) oxide)
 Thallium (I) acetate (Acetic acid, thallium (I) salt)
 Thallium (I) carbonate (Carbonic acid, dithallium (I) salt)
 Thallium (I) chloride
 Thallium (I) nitrate (Nitric acid, thallium (I) salt)
 Thallium selenite
 Thallium (I) sulfate (Sulfuric acid, thallium (I) salt)
 Thioacetamide (Ethanethioamide)
 Thiourea (Carbamide thio-)
 Thiuram (Bis(dimethylthioucarbonyl) disulfide)
 Toluene (Benzene, methyl-)
 Toluenediamine, N.O.S. (~~((Diaminotoluene))~~)
 (Toluene, 2,5-diamine-)
 2,4-Toluenediamine
 2,6-Toluenediamine
 3,4-Toluenediamine
 o-Toluidine hydrochloride (Benzenamine, 2-methyl-, hydrochloride)
 Toluene diisocyanate (Benzene, ~~((1,3-))~~)
 (2,4- and 2,6-diisocyanatomethyl-)
 Toxaphene (Camphene, octachloro-)
 Tribromomethane (Bromoform)
 1,2,4-Trichlorobenzene (Benzene, 1,2,4-trichloro-)
 1,1,1-Trichloroethane (Methyl chloroform)
 1,1,2-Trichloroethane (Ethane, 1,1,2-trichloro-)
 Trichloroethene (Trichloroethylene)
 (~~((Trichloromethanethiol (Methanethiol, trichloro-))~~)
 Trichloromonofluoromethane (Methane, trichlorofluoro-)
 2,4,5-Trichlorophenol (Phenol, 2,4,5-trichloro-)
 2,4,6-Trichlorophenol (Phenol, 2,4,6-trichloro-)
 2,4,5-Trichlorophenoxyacetic acid
 (2,4,5-T, salts and esters) (Acetic acid, 2,4,5-trichlorophenoxy-, salts and esters)
 2,4,5-Trichlorophenoxypropionic acid (~~((2,4,5-TP) (Silvex))~~) (Propionic acid, 2-(2,4,5-trichlorophenoxy))(~~((=))~~), salts and esters
 (2,4,5-TP, Silvex, salts and esters)
 Trichloropropane, N.O.S.* (Propane, trichloro-, N.O.S.*
 1,2,3-Trichloropropane (Propane, 1,2,3-trichloro-)
 O,O,O-Triethyl phosphorothioate
 (Phosphorothioic acid, O,O,O-triethyl ester)
 sym-Trinitrobenzene (Benzene, 1,3,5-trinitro-)
 Tris(1-aziridinyl) phosphine sulfide
 (Phosphine sulfide, tris(1-aziridinyl-)
 Tris(2,3-dibromopropyl) phosphate (1-Propanol, 2,3-dibromo-, phosphate)
 Trypan blue (2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl(1,1'-biphenyl)-4,4'-diyl)bis(azo)]bis(5-amino-4-hydroxy-, tetrasodium salt)
Undecamethylenediamine, N,N'-bis-(2-chlorobenzyl)-,dihydrochloride N,N'-Undecamethylenebis(2-chlorobenzylamine, dihydrochloride)
 Uracil mustard (Uracil 5-[bis(2-chlorethyl)amino]-)
 Vanadic acid, ammonium salt (ammonium vanadate)
 Vanadium pentoxide (Vanadium (V) oxide)
 Vinyl chloride (Ethane, chloro-)
 Zinc cyanide
 Zinc phosphide

*The abbreviation N.O.S. signifies those members of the general class "not otherwise specified" by name in this listing.

WSR 88-22-079

PROPOSED RULES

THE EVERGREEN STATE COLLEGE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning computer services:

New	WAC 174-132-010	General.
New	WAC 174-132-020	Acquisition of information processing resources.
New	WAC 174-132-030	Information processing plan.
New	WAC 174-132-040	Security plan.
New	WAC 174-132-050	Academic computing.
New	WAC 174-132-060	General policies.
New	WAC 174-132-070	Privacy.
New	WAC 174-132-080	Abuse of college computing resources.
New	WAC 174-132-090	Copying of software.
New	WAC 174-132-100	Account usage and lifetimes.
New	WAC 174-132-110	Administrative computing.
New	WAC 174-132-120	Request for services;

that the institution will at 10:00, Wednesday, December 14, 1988, in The Evergreen State College, Room 3112, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.40.120(2).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 14, 1988.

Dated: November 2, 1988

By: Shawn T. Newman
 College Legal Counsel

STATEMENT OF PURPOSE

Title: Computer services.

Description of Purpose: Set forth policy and procedures concerning acquisition, security, privacy and abuse of computer services.

Statutory Authority: RCW 28B.40.120(12).

Specific Statute Rule is Intended to Implement: N/A.

Summary of Rule: See above.

Reasons Supporting Proposed Action: To set forth policy and procedures including rules prohibiting abuse of computer resources.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jim Johnson, Director of Computer Services.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: See above.

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: Not necessary.

NEW CHAPTER
CHAPTER 174-132 WAC
POLICY STATEMENT ON COMPUTER SERVICES

NEW SECTION

WAC 174-132-010 GENERAL Computer Services is responsible for providing computing services to both academic and administrative users. Computer Services operates with the advice of an Academic Computing Users Group and an Administrative Computing Users Group. Membership in the user groups consists of user constituents and includes faculty, staff and students. Interested users should contact Computer Services for meeting schedules.

NEW SECTION

WAC 174-132-020 ACQUISITION OF INFORMATION PROCESSING RESOURCES The Department of Information Services (DIS) of the State of Washington has acquisition authority for computing equipment, software and supportive services. The DIS has delegated the authority for purchases of computing resources up to \$50,000 to the Director of Computer Services at the college.

(1) The Director of Computer Services must sign all purchase requisitions for computing resources. Computer Services must submit a monthly report describing acquisition activity to the DIS. Normally, all computing resources must be competitively acquired via a bidding process (RCW 43.19.190 et seq.; Ch. 43.105 RCW; as amended).

(2) For acquisitions in excess of \$50,000 approval must be obtained from the Department of Information Services through the Director of Computer Services. Normally, a formal acquisition plan will be required with a cost/benefit analysis.

NEW SECTION

WAC 174-132-030 INFORMATION PROCESSING PLAN The Department of Information Services requires that the college update and submit an Information Processing Plan annually. This plan is prepared by Computer Services in consultation with users and in coordination with college budget plans.

NEW SECTION

WAC 174-132-040 SECURITY PLAN Computer Services is also required to prepare a security plan for computing resources annually. This planning process includes a review of physical security of computing resources to prevent damage from fire and theft. It also involves a review of backup and recovery schedules in case of catastrophic events such as earthquake or floods.

NEW SECTION

WAC 174-132-050 ACADEMIC COMPUTING (1) **General Philosophy** The Evergreen State College has a strong commitment to a liberal arts education in which students develop fundamental intellectual abilities and problem-solving techniques rather than merely acquire knowledge of a particular body of facts. Out of this educational philosophy and the growing importance of the computer as an analytic tool and as a social phenomenon, Computer Services has a strong commitment to supporting Evergreen students with a variety of computer resources. Evergreen's modes of study are highly individualized, interdisciplinary, and project oriented.

(a) That they are individualized implies that the college attempts to serve students having widely differing abilities, motivations, and interests and must call on all available resources within the college to provide breadth.

(b) That they are interdisciplinary implies that much instruction is a team effort involving the coordination of staff, faculty, and material resources directed at a student interest group rather than a traditional discipline.

(i) That they are project-oriented implies that many students are involved in work on real-world problems. In order to equitably provide such resources to the Evergreen community, a set of general and specific operational policies are required.

NEW SECTION

WAC 174-132-060 GENERAL POLICIES (1) All students, faculty, and staff at The Evergreen State College are provided with

free or low cost access to the academic computing resources with academic usage limited by available resources.

(2) No commercial work of any kind will be accepted. It is contrary to the intent of this policy and to state law for college computing resources to be used for the direct personal financial gain (real or intended) of any individual.

(3) TESC Computer Services recognizes that the TESC modes of study are in many ways unique. Consequently, Computer Services is committed to a policy of flexibility in meeting the needs of TESC students, faculty, and staff.

(4) Academic computing resources are provided to currently enrolled students to facilitate program research and project completion. Computer-oriented credit-generating programs, when computer resources are limited, have priority access to computing resources. Otherwise, an open access policy prevails circumscribed by necessary class/lab and exercise practice reserve times.

NEW SECTION

WAC 174-132-070 PRIVACY A student's data, existing in an academic computer account, will be released to a third party only when required by law (rather than not being released only when prohibited by law). Student accounts on Academic Computing systems will be administered and reviewed by Academic Computing staff as required for system management and administration.

NEW SECTION

WAC 174-132-080 ABUSE OF COLLEGE COMPUTING RESOURCES Users of Computer Services are expected to use its resources in a responsible manner and with regard for other user rights. Computer Services relies on peer pressure, individual responsibility, Evergreen rules and policies, and the general body of law to prevent abuse of the College's computing resources.

NEW SECTION

WAC 174-132-090 COPYING OF SOFTWARE (1) **NO DUPLICATION** of copyrighted material is permissible. (Under guidelines of title 17 of the U.S. code.) Violators may lose computing access privileges and be subject to further discipline.

(2) No copyrighted software may be placed on any hard disk system without authorization from the copyright owner and the Manager of Academic Computing.

NEW SECTION

WAC 174-132-100 ACCOUNT USAGE AND LIFETIMES As a user of academic computing resources and a participatory member of the user community, the account holder agrees to abide by current rules and procedures for utilization of computing resources available through Academic Computing; the account holder agrees to abide by all of the rules and policies established by TESC and Computer Services.

(1) Further, the account holder will hold account access/usage to himself/herself and not loan or authorize any other person usage of the account. Failure to comply will result in immediate termination of the account and contents and loss of computing access privileges. The College may also require reimbursement of costs which, if not paid, may necessitate further disciplinary action, as provided for by College rules including, but not limited to, withholding transcripts, registration denial, suspension or expulsion.

(2) Student accounts, with program suffixes, will exist on an academic system as long as a student is enrolled in the particular program or course. Generic student accounts will exist for one quarter after the student is no longer registered as an Evergreen student or is matriculated. Backed-up account data will be maintained for one year after a student is no longer registered as an Evergreen student; system changes and updates may prevent the data from being reloadable.

NEW SECTION

WAC 174-132-110 ADMINISTRATIVE COMPUTING General Administrative Computing provides computing support to administrative users in the areas of systems and programming, microcomputer acquisitions, training and support, office automation, data communications and computer operations.

(1) Policies Administrative users are not billed for computer support. Funding is secured via the college budget request process. Allocations of resources are made in consultation with the Administrative Computing Users Group, President and Vice Presidents.

(2) Software developed for Administrative Computing at Evergreen will be made available to other state institutions. Likewise, Evergreen will seek to purchase software and to use common systems such as the Washington Community College Consortium payroll/personnel system when they are cost effective for the college.

(3) Administrative Computing will support a small number of commonly used microcomputers and microcomputer software such as Wordperfect and Lotus 1-2-3 and will encourage standardization of hardware and software used on campus.

(4) In the interest of providing high quality and reliable services, Administrative Computing will work with DIS and Electronic Maintenance and Engineering to acquire maintenance contracts on major computing hardware and software in situations where it is not cost-effective or feasible to maintain the hardware and software on campus. Reliance on Electronics Maintenance and Engineering will be made for maintenance of communications equipment, microcomputers, printers and other commonly used equipment.

NEW SECTION

WAC 174-132-120 REQUESTS FOR SERVICES Requests for systems development services are initiated by users and must include the following information:

(1) Description and scope of the project and objectives to be accomplished;

(2) Benefits to be realized including quantified cost savings as well as intangible benefits;

(a) Contact for additional information;

(b) Desired implementation date;

(c) Authorizing/approving signatory;

(d) Approval/request date.

(3) Administrative Computing will assess the operational, technical and economic impact of the request and develop a preliminary estimate of costs including labor, computing, telecommunications and ongoing operational costs. This information will then be reviewed with the requesting user and prioritized.

(4) Requests for access/connection to computing resources are initiated by users and include:

(a) Date, unit, person to contact, location/room telephone number;

(b) Number and type of devices to be connected;

(c) Purpose and justification.

(5) Administrative Computing assesses the technical requirements such as system load and configuration and coordinates the request with Electronic Maintenance and Engineering and the individuals responsible for access to data bases. The request is then reviewed with the requesting user for development of an implementation schedule if the connection is feasible and resources are available.

WSR 88-22-080

PROPOSED RULES

THE EVERGREEN STATE COLLEGE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning criminal trespass warnings, new WAC 174-136-030;

that the institution will at 10:00 a.m., Wednesday, December 14, 1988, in The Evergreen State College, Room 3112, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.40.120(12).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 14, 1988.

Dated: November 2, 1988

By: Shawn T. Newman
College Legal Counsel

STATEMENT OF PURPOSE

Title: Criminal trespass warnings.

Description of Purpose: To set forth procedures and identify administrators who have authority to revoke an individual's license to be on campus.

Statutory Authority: RCW 28B.40.120(12).

Specific Statute Rule is Intended to Implement: Not applicable.

Summary of Rule: To establish new closing dates and enrollment limitations as well as entrance requirements.

Reasons Supporting Proposed Action: To provide notice of procedures and individuals with authority to revoke permission to be on campus.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Gail Martin, Vice President for Student Affairs.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: See above.

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: Not necessary.

NEW SECTION

WAC 174-136-030 CRIMINAL TRESPASS WARNINGS (1) The Washington State Legislature pursuant to RCW 28B.10.528, as amended, has authorized the Board of Trustees of The Evergreen State College to delegate to the president or his or her designee any of the powers and duties vested in the board. Furthermore, pursuant to RCW 28B.40.120(1) the Washington State Legislature has vested in the Board of Trustees full control of the state college and its property of various kinds, except as otherwise provided by law.

(2) The board delegates its authority to revoke an individual's privilege to be on campus and issue Criminal Trespass Warnings to the designated persons employed in the following positions: President, Vice President and Provost, Vice President for College Advancement, Vice President for Finance Administration, Vice President for Student Affairs, Academic Dean designated annually by the Provost, Director of Facilities, Director of Housing, Chief of Security, Grievance Officer, Commissioned Campus Security and Police Officers.

(3) These designated officials are authorized to revoke an individual's privilege to be on campus and issue Criminal Trespass Warnings in order to maintain order on campus.

(4) Criminal Trespass Warnings issued to students will be reviewed pursuant to college rules, including the Student Conduct Code as amended, and converted, as appropriate, to summary emergency suspension.

(5) Criminal Trespass Warnings issued to non-students will be converted into a Criminal Trespass Citation by Campus Security (Chap. 9A.52 RCW) if the warning is ignored.

WSR 88-22-081
PROPOSED RULES
THE EVERGREEN STATE COLLEGE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning:

New	WAC 174-136-02002	The Evergreen State College policy on commercial activity introduction.
New	WAC 174-136-02003	Policy.
New	WAC 174-136-02004	Criteria.
New	WAC 174-136-02005	Oversight and review;

that the institution will at 10:00 a.m., Wednesday, December 14, 1988, in The Evergreen State College, Room 3112, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.40.120(12).

The specific statute these rules are intended to implement is RCW 28B.63.030.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 14, 1988.

Dated: November 2, 1988

By: Shawn T. Newman
 College Legal Counsel

STATEMENT OF PURPOSE

Title: Commercial activities policy.

Description of Purpose: Implement RCW 28B.63.030 by establishing a comprehensive policy that defines the legitimate purposes under which the institution shall provide goods, services, or facilities that are practically available from private businesses.

Statutory Authority: RCW 28B.40.120(12) and 28B.63.030.

Specific Statute Rule is Intended to Implement: RCW 28B.63.030.

Summary of Rule: Implement RCW 28B.63.030 by establishing a comprehensive policy that defines the legitimate purposes under which the institution shall provide goods, services, or facilities that are practically available from private businesses.

Reasons Supporting Proposed Action: Implementation of RCW 28B.63.030.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Winkley, Vice President for Finance and Administration.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Ken Winkley, Vice President for Finance and Administration.

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: Not necessary.

NEW SECTION

WAC 174-136-02002 THE EVERGREEN STATE COLLEGE POLICY ON COMMERCIAL ACTIVITY INTRODUCTION The Evergreen State College aspires to be the best college of arts and sciences in the country, offering students of Washington State an education which is both high quality and simultaneously the most effective preparation for the world of the future.

The Washington State of the future for which we prepare our students will be one of complexity, of rapid change and technological innovation, and of multicultural populations. Our fundamental mission is to assist students in learning how to learn, and how to continue developing their skills in this new world.

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

NEW SECTION

WAC 174-136-02003 POLICY The College's ability to fulfill its mission requires the collection of fees for providing goods and services that enhance, promote, or support instructional, research, public service, and all other educational and support functions in order to meet the needs of the students, faculty, staff and "invited guests." The term "invited guests" is defined as follows: any person who enters onto the campus for an educational, research or public service activity and not primarily to purchase or receive goods and services not related to the educational, research or public service activities of the college. Users of campus services may be required to show identification. All purchasers of computer equipment will be required to produce identification.

NEW SECTION

WAC 174-136-02004 CRITERIA Educational business activities shall be established and carried on only when pursuant to, and in accordance with, an authorization and statement of purpose approved by the Vice President for Finance and Administration. Each educational business activity shall meet the following three conditions:

(1) The activity is deemed to be an integral part in the fulfillment of the institution's educational, research, public service, and/or campus support functions, and other educational and support activities, without regard to profit.

(2) The activity is needed to provide an integral good or service at a reasonable price, on reasonable terms, and at a convenient location and time.

(3) The activity is carried out for the primary benefit of the campus community but with sensitivity to the total community.

(4) The activity is incidental to the ordinary and authorized function of a campus entity, i.e., occasional sales by the bookstore to campus visitors.

NEW SECTION

WAC 174-136-02005 OVERSIGHT AND REVIEW The Vice President for Finance and Administration shall be responsible for the review of all current and future commercial activities covered by this policy. Any internal or external questions concerning the interpretation of The Evergreen State College Commercial Activities Policy shall be the responsibility of the Vice President for Development and Administrative Services. All current commercial activities programs shall develop guidelines specific to their areas and be evaluated to ensure compliance with the stated policy not later than six months after the adoption of this policy by The Evergreen State College Board of Trustees.

WSR 88-22-082
PROPOSED RULES
THE EVERGREEN STATE COLLEGE
 [Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning:

Amd	WAC 174-136-060	Access and use of library resources.
Amd	WAC 174-136-080	Loan periods and fines.
Amd	WAC 174-136-090	Lost and damaged library resources.
Amd	WAC 174-136-100	Reserve.
Amd	WAC 174-136-110	Charging out library resources.
Amd	WAC 174-136-120	Inter-library loan.
Rep	WAC 174-136-070	Priority;

that the institution will at 10:00 a.m., Wednesday, December 14, 1988, in The Evergreen State College, Room 3112, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.40.120(2).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before December 14, 1988.

Dated: November 2, 1988

By: Shawn T. Newman
College Legal Counsel

STATEMENT OF PURPOSE

Title: Access and use of library resources.

Description of Purpose: Amending existing rules governing access, use, loan periods, fines, and reserve policies for The Evergreen State College library.

Statutory Authority: RCW 28B.40.120(12).

Specific Statute Rule is Intended to Implement: Not applicable.

Summary of Rule: See above.

Reasons Supporting Proposed Action: Procedural necessity arising out of administrative changes and increased costs.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sara Pedersen, Dean of Library Services.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: See above.

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: Not necessary.

AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

WAC 174-136-060 ACCESS AND USE OF LIBRARY RESOURCES ((+)) Any person has access to the public areas of the library. Library resources (except these noted below) may be borrowed by members of the Evergreen community with a valid Evergreen State College identification card, and by members of the local community who have suitable identification (e.g., driver's license).

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 72-2, filed 6/16/72)

WAC 174-136-080 LOAN PERIODS AND FINES (1) GENERAL USE LIBRARY RESOURCES (PRINT AND NON-PRINT).

(a) ((Users set their own due date not to exceed one quarter)) Due dates will not exceed one academic quarter. Requests for extended loan

periods should be cleared through the head of circulation. Renewals should be requested before due date.

(b) Users are guaranteed the use of the material for ~~((one week)) ten days~~, after which it may be recalled to meet the needs of another user. ~~((Failure to respond to library recall occasioned by another user's request within 48 hours will require that the library assess a service charge of up to \$5.00 to cover the cost of recovery. Materials not returned within seven days of recall due date will be presumed lost and their replacement value charged to the borrower.))~~ A \$5.00 service charge will be levied if the recall due date is not honored. If an item is not returned within 90 days, a replacement charge and processing fee will be levied.

(2) Limited use library resources.

(a) Limited use library resources (e.g., video tapes) will only be loaned for specific periods. ~~((Because of high demand, materials not returned by the specified due date will be recalled. Failure to respond to library recall within 24 hours will require that the library assess a service charge of up to \$5.00 to cover the cost of recovery. Borrowers who fail to return the materials within 48 hours of recall will also be billed the replacement cost of the material.))~~

(b) ~~((Portable media loan equipment.~~

(i) ~~Loan equipment may be reserved if its use is related directly to coordinated or contracted studies or other evaluated learning experiences. By advance reservation, some items required can be loaned for an extended period of time. Loan equipment for other uses will be on an "as available" basis. In all instances, the user will be asked to specify a return date so other requests and reservations can be honored.~~

(ii) ~~Charges will be made to users outside The Evergreen College community and to funded workshops, seminars, conferences or self-sustaining programs. Charges will be consistent with current commercial rates.~~

(iii) ~~As use patterns develop, it may become necessary to limit the loan period for a piece of equipment. Such limited loan periods will be established by the equipment dispatcher and the associate dean of library services as required.~~

(e)) ~~Slides are checked out for showings only. ((Slides requested for continuing use should be duplicated.~~

(+)) (c) 16mm films and video cassettes will be checked out for showings only and ((may be held a maximum of three days)) are circulated through the services of the Washington State Film Library.

(d) Media Services Resources.

(i) The first priority for use of Media Services resources is for coordinated and contracted studies. Resource requests will be handled by and administered in accordance with policy formulated by the Coordinator of Media Services.

(ii) Charges consistent with current commercial rates will be made to users outside The Evergreen State College community and to non-academic workshops, seminars, conferences or self-sustaining programs.

(e) Portable Media Loan Equipment. Media Loan circulates audio/visual equipment to students, staff, and faculty of the college to support academic work and college business. The first priority for use of Media Loan resources is for coordinated and contracted studies. Borrowers are liable for loss or damage of equipment and any associated processing fees.

(i) Media Loan reserves the right to deny privileges if a borrower is in violation of state operating procedures (see Media Loan Policy Statement). Campus Security may be asked to contact the borrower in cases where equipment is more than two weeks overdue.

(ii) To assure borrowers that equipment will be available for reservations, overdue fines will be assessed for late equipment. Fines are uniform regardless of the kind of equipment. A \$3 charge per transaction will be levied when equipment is one day overdue. A \$5 additional charge will be levied once a week for the next two weeks. If equipment is more than two weeks overdue, the borrower may lose privileges and \$20 weekly fines (up to the cost of the items) will be assessed until the equipment is returned.

(iii) If the borrower keeps equipment out over the end of the academic quarter, the replacement cost and a two dollar (\$2) service fee will be charged to his or her d.67 account. This replacement fee will be rescinded when the equipment is returned, but accumulated overdue fees and service fees will not be rescinded.

(iv) When equipment is returned and all fees and charges have been paid, a borrower may make an appointment with the Head of Media Loan to review policies and procedures in order to determine if borrowing privileges may be restored.

(v) Late fees, replacement charges and service fees are deposited in a Library account for replacement of Media Loan equipment.

(vi) Charges will be made to funded workshops, seminars, conferences or self-sustaining programs. Charges will be consistent with current commercial rates.

(vii) Borrowers may be required to carry insurance for large packages of equipment (the college has no insurance). Insurance is a requirement if equipment is to leave the country.

~~((e))~~ (f) Other library resources(~~;~~ such as the following, will) can circulate by special arrangement with the head of circulation or appropriate ~~budget unit head~~ account manager and are subject to recall and replacement charges.

((i) Archives;

(ii) current and microfilmed periodicals;

(iii) electronic test equipment;

(iv) maps;

(v) media production equipment;

(vi) nonprint master materials;

(vii) rare materials;

(viii) reference materials;

(ix) set and model shop tools; and;

(x) special collections.)

(3) Borrowers who repeatedly ignore the rights of other borrowers(~~;~~ and who) or abuse the responsibilities inherent in sharing library resources with the rest of the Evergreen community, shall be denied the privilege of borrowing those resources for the remainder of the quarter.

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

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

AMENDATORY SECTION (Amending Order 72-2, filed 6/16/72)

WAC 174-136-090 LOST AND DAMAGED LIBRARY RESOURCES (1) The borrower is responsible for loss.

(2) The borrower is responsible for damage.

(3) The borrower is responsible for the proper operation of media loan equipment.

(4) ~~((If the borrower does not wish to assume the full financial responsibility for library resources, the college will offer optional damage insurance. For details, consult the main circulation desk or the media distribution center.~~

(5) ~~Lost resources should be reported.)~~ It is the borrower's responsibility to pay for lost resources before the end of the quarter. The cost of lost resources shall be their replacement value and a processing fee (\$12.00 for library books).

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 72-2, filed 6/16/72)

WAC 174-136-100 RESERVE ~~((+))~~ Materials on reserve will be found at the circulation desk. ~~((Reserve loan periods are established by the type of material and by the number of users who will need it.))~~

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 72-2, filed 6/16/72)

WAC 174-136-110 CHARGING OUT LIBRARY RESOURCES ~~((+))~~ Resources are charged out at the main circulation desk, at the Media ~~((distribution center))~~ Loan desk, and at other appropriate locations in the library.

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 72-2, filed 6/16/72)

WAC 174-136-120 INTERLIBRARY LOAN ~~((+))~~ The library will attempt to obtain resources from wherever available. Inter-library loan services are maintained by the reference services.

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

REPEALER

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

(1) WAC 174-136-070 PRIORITY

WSR 88-22-083

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 10:00 a.m., Tuesday, December 6, 1988, in the Large Conference Room, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 13, 1988.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

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

Dated: October 26, 1988

By: Judith Merchant

for Joseph R. Blum

Director

STATEMENT OF PURPOSE

Title: WAC 220-20-070 Commercial license application requirements.

Description of Purpose: Require individual and business identification.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: Requires commercial fishermen to provide personal photographic identification and copy of vessel registration or documentation to insure that applicants are who they say they are and that they have valid interest in the vessel they are fishing; and requires wholesale dealers to provide tax registration number to insure they are validly a "business" as required in the wholesale dealer licensing statute.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, WA, 586-2429; Implementation: Dave Page, 115 General Administration Building, Olympia, WA, 753-6517; and

Enforcement: James W. McKillip, 115 General Administration Building, Olympia, WA, 753-6585.

These rules are proposed by the Washington State Department of Fisheries.

Comments: None.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. No effect on 10% of businesses in any one three-digit industrial classification nor 20% of all businesses is expected.

NEW SECTION

WAC 220-20-070 COMMERCIAL LICENSE APPLICATION REQUIREMENTS. (1) Each applicant for a commercial fishing license, other than a salmon single delivery permit, is required to provide the following documents at the time of application for a commercial fishing license, and any applicant who fails to provide the required documentation may not be issued a commercial fishing license:

(a) A copy of the applicant's driver's license or other identification acceptable to the Department that includes a picture of the applicant.

(b) A copy of the current valid vessel registration or documentation for the vessel to be licensed.

(2) Each applicant for a wholesale dealer's license is required to provide the applicant's Washington State Department of Revenue tax registration number or Unified Business Identifier upon the application form, and any applicant who fails to provide this number may not be issued a wholesale dealer's license.

WSR 88-22-084
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed November 2, 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:

Amd WAC 275-27-020 Definitions.

Amd WAC 275-27-030 Determination of eligibility;

that the agency will at 10:00 a.m., Tuesday, December 6, 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 December 7, 1988.

The authority under which these rules are proposed is RCW 71.20.070.

The specific statute these rules are intended to implement is chapter 71.20 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 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 November 22, 1988. The meeting site is in a location which is barrier free.

Dated: November 2, 1988

By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 275-27-020 and 275-27-030.

Purpose of the Rule Change: To place into WAC all criteria for eligibility for services from the Division of Developmental Disabilities.

Reason These Rules are Necessary: RCW 71A.10.020(2) requires that the department promulgate rules which define some of the conditions for eligibility by January 1, 1989.

Statutory Authority: Chapter 71.20 RCW.

Summary of Rule Change: Clarifies current eligibility criteria which are in departmental policy. Newly defines certain conditions not previously defined. Clarifies procedures and testing and assessment tools.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Jan Blackburn, Program Manager, Division of Developmental Disabilities, phone 586-4995, mailstop OB 42C.

No person outside of the department proposed these rules.

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

Agency Comment: There is also a pending class action law suit which is related to the absence of WAC defining certain criteria for eligibility.

AMENDATORY SECTION (Amending Order 2124, filed 7/18/84)

WAC 275-27-020 DEFINITIONS. (1) (~~"Mental retardation" means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior manifested before age eighteen and exhibiting an intelligence quotient at or below sixty-seven using Stanford-Binet, or at or below sixty-nine using Wechsler. PROVIDED, That other appropriate analogous scale or scales used receives the prior approval of the secretary.~~

(2) ~~"Department" means the department of social and health services of the state of Washington.~~

(3) ~~"Secretary" means the secretary of the department of social and health services.~~

(4) ~~"Division" means the division of developmental disabilities of the department of social and health services.~~

(5) ~~"Director" means the director of the division of developmental disabilities.~~

(6) ~~"Respite care" means temporary services provided to a developmentally disabled individual and/or the individual's family on either an emergency or planned basis without which the individual may need a more dependent program.~~

(7) ~~"Individual" means the person for whom division services are requested.~~

(8) ~~"Informed consent" means an agreement obtained from an individual or his or her authorized representative, for such individual's participation in an activity. The following information is necessary to informed consent:~~

(a) ~~An explanation of the procedures to be followed including an identification of those which are experimental;~~

(b) ~~A description of the attendant discomforts and risks;~~

(c) ~~A description of the benefits to be expected;~~

(d) A disclosure of appropriate alternative procedures;
 (e) An offer to answer any inquiries concerning the procedures; and
 (f) Instruction that consent may be withdrawn and participation discontinued at any time.

(9) "Residential programs" means those programs providing domiciliary care and other services, including, but not limited to, state residential facilities, group homes, skilled nursing facilities, intermediate care facilities, congregate care facilities, boarding homes, children's foster homes, adult family homes, and group training homes.

(10) "Nonresidential programs" means programs including, but not limited to, county-funded habilitation services.

(11) "Emergency" means a sudden, unexpected occurrence demanding immediate action.

(12) "Best interest" includes, but is not limited to, individual client program elements designed to:

(a) Achieve or maintain economic self-support;
 (b) Achieve or maintain self-sufficiency;
 (c) Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;
 (d) Preserve, rehabilitate, or reunite families; and
 (e) Prevent or reduce inappropriate institutional care by providing the least restrictive setting, such as community-based services, home-based services, or other forms of less-intensive service, to meet the individual's medical and personal needs))

"Another neurological or other condition closely related to mental retardation or requiring treatment similar to that required for individuals with mental retardation" means a condition evidenced by:

(a)(i) Damage to the central nervous system as diagnosed by a licensed physician; and

(ii) A substantial handicap when, after forty-eight months of age, an individual needs direct physical assistance in two or more of the following activities:

(A) Eating,
 (B) Dressing,
 (C) Bathing,
 (D) Toileting,
 (E) Mobility; and

(iii) The need for physical assistance is not expected to be eliminated as a result of skill acquisition or other treatment strategies; and

(iv) A full scale intelligence quotient score at least one and one-half standard deviations below the mean, using the Wechsler Intelligence Scale, the Stanford-Binet, or the Leiter International Performance Scale. If the individual's intelligence score exceeds one and one-half standard deviations below the mean, then current or previous participation in special education, under WAC 392-171-396 through 392-171-451, shall be demonstrated. Such participation shall not be solely due to psychiatric impairment or a serious emotional/behavioral disturbance; and

(v) Meeting the requirements under subsection (7)(b) and (c) of this section; or

(b) A condition:

(i) Determined by a qualified professional as defined by the secretary to be similar to mental retardation; and

(ii)(A) Results in a substantial handicap as evidenced by a full scale intelligence quotient score at least one and one-half standard deviations below the mean, using the Wechsler Intelligence Scale, the Stanford-Binet, or the Leiter International Performance Scale. If the individual's score exceeds one and one-half standard deviations below the mean, then current or previous participation in special education, under WAC 292-171-376 through 292-171-451, shall be demonstrated. Such participation shall not be solely due to psychiatric impairment, serious emotional/behavioral disturbance, or orthopedic impairment; and

(B) Results in a score of at least two standard deviations or more below the mean on the Inventory for Client and Agency Planning (ICAP), such assessment tool being administered at least every twenty-four months.

(iii) Is not attributable to mental illness, personality and behavioral disorders, or other psychiatric conditions; and

(iv) Meets the requirements under subsection (7)(b) and (c) of this section; or

(c) A child under six years of age who is at risk of developmental disability, as measured by developmental assessment tools as approved by the secretary and administered by qualified professionals as defined by the secretary, showing a substantial handicap as evidenced by one of the following:

(i) A delay of at least twenty-five percent of the chronological age in one or more developmental areas between birth and twenty-four months of age; or

(ii) A delay of at least twenty-five percent of the chronological age in two or more developmental areas between twenty-five and forty-eight months of age; or

(iii) A delay of at least twenty-five percent of the chronological age of three or more developmental areas between forty-nine and seventy-two months of age; and

(iv) Such eligibility shall be subject to review at any time, but at least at thirty-six months of age and at least at sixty months of age.

(2) "Autism" means a condition evidenced by:

(a) A diagnosis of autism by a board eligible psychiatrist or licensed clinical psychologist; and

(b) A substantial handicap shown by the presence of significant deficits of social and communication skills with two or more of the following, as determined by a qualified professional:

(i) Marked restriction of activities of daily living;

(ii) Significant deficiencies of concentration, persistence, or pace resulting in frequent failure to complete tasks in a timely manner in work, school settings, or elsewhere; and

(iii) Repeated episodes of deterioration or decompensation in school, work, or work-like settings causing the individual to withdraw from that situation or to experience exacerbation of signs and symptoms including deterioration of adaptive behaviors.

(c) Meeting the requirements under subsection (7)(b) and (c) of this section.

(3) "Best interest" includes, but is not limited to, individual client program elements designed to:

(a) Achieve or maintain economic self-support;
 (b) Achieve or maintain self-sufficiency;
 (c) Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;

(d) Preserve, rehabilitate, or reunite families; and

(e) Prevent or reduce inappropriate institutional care by providing the least restrictive setting, such as community-based services, home-based services, or other forms of less-intensive service, to meet the individual's medical and personal needs.

(4) "Cerebral palsy" means a condition evidenced by:

(a) A diagnosis of cerebral palsy by a licensed physician; and
 (b) Damage to the central nervous system manifested by a specific neurological component; and

(c) A substantial handicap when, after forty-eight months of age, an individual needs direct physical assistance in two or more of the following activities:

(i) Eating,
 (ii) Dressing,
 (iii) Bathing,
 (iv) Toileting, or
 (v) Mobility; and

(d) Meeting the requirements under subsection (7)(b) and (c) of this section.

(5) "Department" means the department of social and health services of the state of Washington.

(6) "Developmental areas" mean as follows:

(a) Fine and gross motor skills;

(b) Self-help skills;

(c) Expressive and receptive communication skills, including American Sign Language skills;

(d) Social skills; and

(e) Mental, academic, or problem-solving skills.

(7) "Developmental disability" means a condition which meets all of the following:

(a) A condition defined as mental retardation, cerebral palsy, epilepsy, autism, and another neurological or other condition as defined under WAC 275-27-020;

(b) Originates before the individual reaches eighteen years of age;

(c) Continues indefinitely; and

(d) Results in a substantial handicap.

(8) "Director" means the director of the division of developmental disabilities.

(9) "Division" means the division of developmental disabilities of the department of social and health services.

(10) "Emergency" means a sudden, unexpected occurrence demanding immediate action.

(11) "Epilepsy" means a condition evidenced by:

(a) A diagnosis of epilepsy by a board eligible neurologist, including documentation the condition is chronic and a record of an abnormal electroencephalogram (EEG); and

(b) The presence of partially controlled or uncontrolled seizures; and

(c) A substantial handicap when the individual:

(i) Requires the presence of another individual to monitor the individual's medication; and

(ii) Is unable to monitor the individual's own medication resulting in the risk of medication toxicity or serious dosage side effects which threaten the individual's life; or

(iii) Is certified by a physician to be at risk of severe brain damage/trauma without direct physical assistance from another individual.

(d) Meeting the requirements under subsection (7)(b) and (c) of this section.

(12) "Individual" means the person for whom division services are requested.

(13) "Informed consent" means an agreement obtained from an individual or the individual's authorized representative, for such individual's participation in an activity. The following information is necessary to informed consent:

(a) An explanation of the procedures to be followed including an identification of those which are experimental;

(b) A description of the attendant discomforts and risks;

(c) A description of the benefits to be expected;

(d) A disclosure of appropriate alternative procedures;

(e) An offer to answer any inquiries concerning the procedures; and

(f) Instruction that consent may be withdrawn and participation discontinued at any time.

(14) "Mental retardation" means a condition which results in significantly subaverage general intellectual functioning as evidenced by:

(a) A diagnosis of mental retardation documented by a licensed psychologist or certified school psychologist; and

(b) A substantial handicap when the individual has a full scale intelligence quotient score of more than two standard deviations below the mean using the Stanford-Binet, Wechsler, or Leiter International Performance Scale; and

(c) An intelligence quotient score which is not:

(i) Expected to improve with treatment, instruction, or skill acquisition above the established level; or

(ii) Attributable to mental illness or other psychiatric condition.

(d) Meeting the requirements of developmental disability under subsection (7)(b) and (c) of this section.

(15) "More dependent program" means a program providing less opportunity for numbers and variety of community contacts for the individual or requiring more hours of staff supervision/training/support for the individual.

(16) "Nonresidential programs" means programs including, but not limited to, county-funded habilitation services.

(17) "Residential programs" means those programs providing domiciliary care and other services, including, but not limited to, state residential facilities, group homes, skilled nursing facilities, intermediate care facilities, congregate care facilities, boarding homes, children's foster homes, adult family homes, and group training homes.

(18) "Respite care" means temporary services provided to a developmentally disabled individual and/or the individual's family on either an emergency or planned basis without which the individual may need a more dependent program.

(19) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

AMENDATORY SECTION (Amending Order 2124, filed 7/18/84)

WAC 275-27-030 DETERMINATION OF ELIGIBILITY. (1) The department shall determine an individual ~~((shall be))~~ eligible for services upon application ~~((pursuant to))~~ if the individual meets developmental disability criteria as defined under WAC 275-27-040 ~~((provided the division has determined the individual is developmentally disabled. Eligibility criteria to determine developmental disability shall be:~~

(a) Mental retardation, cerebral palsy, epilepsy, autism; or

(b) Auditory impairment, visual impairment, or a condition of an individual found by the secretary to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals; and

(c) Having the following additional characteristics:

(i) Originates before such person reaches age eighteen; and

(ii) Has continued or can be expected to continue indefinitely; and

(iii) Constitutes a substantial handicap to the individual's ability to function normally in society).

(2) ~~((The director or designee may authorize exception to criteria specified in subsection (1) of this section, upon determination there are no other services available and enforcement of such criteria will be extremely detrimental to the health and welfare of the individual))~~ The department may require appropriate documents substantiating the presence of a developmental disability.

(3) ~~((Prior to determining whether an individual is eligible for division services, the division may require a supporting affidavit of a physician and/or clinical or certified psychologist certifying the individual is developmentally disabled))~~ When the department uses or requires the Wechsler Intelligence Test for the purposes of this chapter, the department may consider any standardized Wechsler Intelligence Test as a valid measure of intelligence assuming a full scale score can be obtained.

(4) ~~((If the applicant wishes the division to consider documents not on file with the department, then the applicant must sign departmental consent forms authorizing the division to acquire such documents:~~

(5) ~~Within five working days of the receipt of the completed application and supporting documents, the division shall determine whether the individual is eligible for division services))~~ When an applicant has a significant hearing impairment, the department may use or require the Leiter International Performance Scale to determine the individual's full scale intelligence quotient for the purposes of WAC 275-27-020.

(5) When an applicant has a significant vision impairment, the department may use or require the Wechsler verbal intelligence quotient score as the intelligence quotient score for the purposes of WAC 275-27-020.

(6) The department shall determine an applicant's eligibility for services within ten working days of receipt of the completed application and supporting documents.

(7) Any documentation the department requires shall be subject to departmental review. The department may also review client eligibility at any time.

(8) The secretary or designee may, at his or her discretion, authorize exception to criteria specified under subsection (1) of this section if the following documented conditions are present:

(a) A substantial handicap as defined under WAC 275-27-020(2)(b), (4)(c), or (14)(c);

(b) The condition is not attributable to mental illness, personality and behavioral disorders, or other psychiatric conditions;

(c) The individual requires services similar to those required by a mentally retarded individual;

(d) The condition is expected to continue indefinitely and is not expected to be eliminated by skill acquisition or treatment strategies;

(e) No other services are available and the enforcement of the eligibility criteria will be extremely detrimental to the health and welfare of the applicant; and

(f) Documentation stating the applicant is not eligible for:

(i) Necessary and appropriate services through existing federal programs or other departmental agencies; or

(ii) Services provided free-of-charge by private or other governmental agencies.

WSR 88-22-085

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed November 2, 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 Progressive evaluation process Step IV—Multiple impairments, amending WAC 388-37-140;

that the agency will at 10:00 a.m., Tuesday, December 6, 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 December 7, 1988.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 6, 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 November 22, 1988. The meeting site is in a location which is barrier free.

Dated: November 1, 1988
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

The Department of Social and Health Services (DSHS) proposes to amend WAC 388-37-140.

Purpose of this Rule Change: To revise portions of the rules used to determine incapacity in the general assistance unemployable (GA-U) program pursuant to a Washington state superior court order in the *Hadaller v. Shinpoch* lawsuit.

Statutory Authority: RCW 74.08.090.

This rule fully implements the directive of the court to establish standards for considering multiple mild impairments. The initial WACs published addressed how to consider multiple mild impairments in different body systems, i.e., high blood pressure (cardiovascular) and arthritis (musculoskeletal). However, direction on what to do with multiple impairments in the same body system was overlooked, i.e., arthritis (musculoskeletal) and scoliosis (musculoskeletal).

This revision will allow CSOs to raise the severity rating of multiple mild impairments in a single body system to a moderate level when the effects of all the impairments taken together significantly interfere with one or more basic work-related activities.

Since the court-ordered changes were to become effective June 1, 1988, this revision will be adopted on an emergency basis pursuant to the Administrative Procedure Act.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Barbara Hargrave, Program Manager, Division of Income Assistance, phone 753-3340, mailstop OB-31C.

These rules are necessary as a result of a Washington state superior court decision, *Hadaller v. Shinpoch*.

AMENDATORY SECTION (Amending Order 2652, filed 7/8/88)

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS. (1) When an individual has two or more diagnosed impairments, each of which is rated at least "02" or greater, but none rated "05," the department shall determine the overall severity rating ((shall be determined as follows:

(a)) and classify each diagnosis ((shall be classified)) according to body system based upon the International Classification of Diseases (ICD), 9th revision(;;).

((b)) (2) The department shall not consider severity ratings assigned for alcoholism or drug addiction in this process.

(3) If all the diagnosed impairments are classified within the same body system, the department shall determine the overall severity rating ((will be determined by the following:)) by considering:

(a) The rating to be equal to the highest rated impairment within that system; or

((c)) (b) ((Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process)) In the case of multiple mild impairments, the rating may be raised to a "03" if the cumulative effects of these impairments significantly interfere with one or more basic work-related activities.

((d)) (4) If more than one body system is involved (including mental disorders), the department shall determine the overall severity rating ((will be determined by the following:)) using the highest rating from each body system by considering:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment ((is considered)) to have an overall severity rating of "04";

(b) An individual with at least two marked impairments ((is considered)) to have an overall severity rating of "05";

(c) An individual with no individual impairments rated moderate or marked, but who has two or more impairments individually rated mild, ((shall be considered)) to have an overall severity rating of "03" if the cumulative effect of these impairments significantly interferes with one or more basic work-related activities.

((e)) (5) Based on the overall severity rating, the department makes a determination of incapacity ((is made)) as follows:

(a) Determines an individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GA-U;

(b) Evaluates individuals with a severity rating of "03" or "04" ((must be evaluated)) to determine how their multiple physical and/or mental impairments affect their functional capacity;

(c) Considers individuals with a severity rating of "02" ((shall be considered)) capable of gainful employment and ineligible for GA-U as provided under WAC 388-37-110 (4)(a).

WSR 88-22-086
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2720—Filed November 2, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Progressive evaluation process Step IV—Multiple impairments, amending WAC 388-37-140.

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 establish standards for considering multiple mild impairments pursuant to a Washington state superior court order in the *Hadaller v. Shinpoch* lawsuit.

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 November 1, 1988.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2652, filed 7/8/88)

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS. (1) When an individual has two or more diagnosed impairments, each of which is rated at least "02" or greater, but none rated "05," the department shall determine the overall severity rating ~~((shall be determined as follows:~~

~~((a)))~~ and classify each diagnosis ~~((shall be classified))~~ according to body system based upon the International Classification of Diseases (ICD), 9th revision~~(;))~~.

~~((b)))~~ (2) The department shall not consider severity ratings assigned for alcoholism or drug addiction in this process.

(3) If all the diagnosed impairments are classified within the same body system, the department shall determine the overall severity rating ~~((with))~~ by considering:

(a) The rating to be equal to the highest rated impairment within that system; or

~~((c)))~~ (b) ~~((Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process))~~ In the case of multiple mild impairments, the rating may be raised to a "03" if the cumulative effects of these impairments significantly interfere with one or more basic work-related activities.

~~((2)))~~ (4) If more than one body system is involved (including mental disorders), the department shall determine the overall severity ~~((will be determined by the following;))~~ using the highest rating from each body system by considering:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment ~~((is considered))~~ to have an overall severity rating of "04";

(b) An individual with at least two marked impairments ~~((is considered))~~ to have an overall severity rating of "05";

(c) An individual with no individual impairments rated moderate or marked, but who has two or more impairments individually rated mild, ~~((shall be considered))~~ to have an overall severity rating of "03" if the

cumulative effect of these impairments significantly interferes with one or more basic work-related activities.

~~((3)))~~ (5) Based on the overall severity rating, the department makes a determination of incapacity ~~((is made))~~ as follows:

(a) Determines an individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GA-U;

(b) Evaluates individuals with a severity rating of "03" or "04" ~~((must be evaluated))~~ to determine how their multiple physical and/or mental impairments affect their functional capacity;

(c) Considers individuals with a severity rating of "02" ~~((shall be considered))~~ capable of gainful employment and ineligible for GA-U as provided under WAC 388-37-110 (4)(a).

WSR 88-22-087

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed November 2, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning mobile homes and mobile home park fees, new WAC 458-20-253;

that the agency will at 9:30 a.m., Tuesday, December 6, 1988, in the Revenue Conference Room, 415 General Administration Building, 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 December 13, 1988.

The authority under which these rules are proposed is RCW 82.32.300.

The specific statute these rules are intended to implement is RCW 82.08.065 and 59.22.060.

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

Dated: November 2, 1988

By: Greg Pierce
Deputy Director

STATEMENT OF PURPOSE

Title: WAC 458-20-253 Mobile homes and mobile home park fees.

Description of Purpose: To implement RCW 82.08.065 which provides for the collection of sales tax by county auditors and the Department of Licensing on sales of mobile homes by dealers or selling agents; and to implement RCW 59.22.060 which provides for the payment of fees to the Department of Revenue by landlords and tenants of mobile home parks.

Statutory Authority: RCW 82.32.300.

Specific Statutes Rule is Intended to Implement: RCW 82.08.065 and 59.22.060.

Reasons Supporting Proposed Action: Both RCW 82-.08.065 and 59.22.060 call for the Department of Revenue to adopt rules to implement their provisions.

Agency Personnel Responsible for Drafting: Gregory I. Potegal, 415 General Administration Building, Olympia, WA 98504, phone 753-1971; Implementation: Edward L. Faker, 415 General Administration Building, Olympia, WA 98504, phone 753-5544; and Enforcement: Department of Revenue, 415 General Administration Building, Olympia, WA 98504, phone 753-5540.

NEW SECTION

WAC 458-20-253 MOBILE HOMES AND MOBILE HOME PARK FEES (1) DEFINITIONS.

(a) "Landlord" means the owner of a mobile home park and includes the agents of the owner.

(b) "Lot" means a portion of a mobile home park designated as the location for one mobile home and its accessory buildings, and intended for the exclusive use by the occupants of that mobile home as a primary residence.

(c) "Mobile home" means a structure, transportable in one or more sections, which is thirty-two body feet or more in length and is eight body feet or more in width and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. The term includes the plumbing, heating, air-conditioning, and electrical systems contained within the structure. It does not include modular homes.

(d) "Mobile home park" means any real property which is rented or held out for rent for the placement of two or more mobile homes for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal, recreational purposes only and is not intended for continuous occupancy.

(e) "Tenant" means a person who rents a lot for a term of one month or longer, and who owns the mobile home on the lot.

(f) "Used mobile home as defined in RCW 82.45.032" means a mobile home which has been previously sold at retail and has been subjected to sales tax, or which has been previously used and has been subjected to use tax, and which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities.

(2) SALES BY DEALERS OR SELLING AGENTS. Dealers or selling agents applying for new certificates of ownership for mobile homes they have sold must remit the sales tax on such sales to the county auditor or the department of licensing at the time of application.

(a) County auditors and the department of licensing must collect sales tax on these transactions unless the mobile home dealer or selling agent presents a written statement signed by the department of revenue or its duly authorized agent showing that no sales tax or use tax is due.

(b) The application for a new certificate of ownership must state the selling price paid for the mobile home. The selling price does not include the value of trade-in property of like kind. See WAC 458-20-247.

(c) Dealers and selling agents remitting sales tax to county auditors or the department of licensing should report the income from such sales on their combined excise tax returns and take a sales tax deduction in the amount of sales tax so remitted.

(d) Where sales tax on the purchase of a mobile home has been remitted to a county auditor or the department of licensing and the purchaser believes that sales tax was not legally due, such purchaser may apply for a refund directly from the department of revenue. The application for refund must be received by the department of revenue within four years from payment of the tax. If the application for refund is denied the purchaser may seek a refund in accordance with the procedures described in WAC 458-20-100.

(3) USED MOBILE HOMES.

(a) Sales tax. Sales tax does not apply to the sale of used mobile homes as defined in RCW 82.45.032.

(b) Use Tax. Use tax does not apply to the use of used mobile homes as defined in RCW 82.45.032.

(4) RENTAL OR LEASE OF MOBILE HOMES. Sales tax does not apply to the rental or lease of mobile homes if the rental agreement or lease

exceeds thirty days in duration and if the rental or lease is not in conjunction with the provision of short term lodging for transients.

(5) MOBILE HOME PARK FEES.

(a) Duties of landlords.

(i) Landlords, as defined in subdivision (1)(a) of this section, must register with the department of revenue for purposes of the mobile home park fees imposed RCW 59.22.060.

(ii) Landlords must themselves pay a fee of one dollar per year for each lot within the mobile home park, whether rented or not.

(iii) In addition, landlords must, on January 1 of each year, collect from each tenant, as defined in subdivision (1)(e) of this section, a fee of one dollar for each lot rented to that tenant on that date.

(iv) Landlords must remit both fees to the department of revenue by January 31 of each year. The fee collected by landlords from tenants shall be deemed to be held in trust by the landlord until paid to the department of revenue. Any landlord who converts the fee collected to its own use shall be guilty of a gross misdemeanor.

(b) Duties of tenants. Tenants must, on January 1 of each year, pay a fee of one dollar to their landlord for each lot rented.

(c) Failure to collect fee. If a landlord fails to collect the fee from a tenant, whether or not such failure is due to circumstances beyond the landlord's control, the landlord is liable to the department for the tenant's fee.

(6) REGISTRATION FOR MOBILE HOME PARKS. Landlords who are registered with the department of revenue for excise tax purposes need not submit a separate registration. Landlords who are not otherwise registered with the department of revenue must register by means of the Master Business Application. There is no cost for registering solely for purposes of reporting the mobile home park fees. A registration remains valid for as long as the landlord owns the mobile home park. The department of revenue will provide registered landlords with returns for reporting the mobile home park fees.

WSR 88-22-088

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-31—Filed November 2, 1988]

I, Fred Olson, deputy director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Grant County, amending WAC 173-19-210.

This action is taken pursuant to Notice No. WSR 88-16-104 filed with the code reviser on August 3, 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 90.58.120 and 90.58.200 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 1, 1988.

By Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 81-14, filed 6/17/81)

WAC 173-19-210 GRANT COUNTY. Grant County master program approved September 16, 1975. Revision approved June 11, 1981. Revision approved November 1, 1988.

WSR 88-22-089

ADOPTED RULES

DEPARTMENT OF ECOLOGY

[Order 88-32—Filed November 2, 1988]

I, Fred Olson, deputy director of the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Bremerton, city of, amending WAC 173-19-2601.

This action is taken pursuant to Notice No. WSR 88-16-103 filed with the code reviser on August 3, 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 90.58.120 and 90.58.200 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 1, 1988.

By Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 82-2, filed 3/4/82)

WAC 173-19-2601 BREMERTON, CITY OF. City of Bremerton master program approved January 9, 1978. Revision approved March 3, 1978. Revision approved June 28, 1978. Revision approved August 22, 1978. Revision approved October 24, 1978. Revision approved January 19, 1982. Revision approved March 4, 1982. Revision approved November 1, 1988.

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16-470-600	NEW-E	88-12-082	16-750-011	NEW-P	88-03-057	44-10-210	NEW	88-04-081
16-470-600	NEW-P	88-12-083	16-750-011	NEW-E	88-03-059	44-10-215	NEW-P	88-03-063
16-470-600	NEW	88-16-016	16-750-011	NEW	88-07-016	44-10-215	NEW-E	88-03-064
16-470-605	NEW-E	88-09-002	16-750-011	AMD-E	88-13-007	44-10-215	NEW	88-09-064
16-470-605	NEW-E	88-12-082	16-750-011	AMD-P	88-13-049	44-10-215	NEW-E	88-09-065
16-470-605	NEW-P	88-12-083	16-750-011	AMD	88-18-001	44-10-220	NEW-P	88-03-063
16-470-605	NEW	88-16-016	16-750-011	AMD-E	88-18-002	44-10-220	NEW-E	88-03-064
16-470-610	NEW-E	88-09-002	16-750-011	AMD-P	88-20-065	44-10-220	NEW-P	88-09-062
16-470-610	NEW-E	88-12-082	16-750-015	NEW-P	88-03-057	44-10-220	NEW-E	88-09-065
16-470-610	NEW-P	88-12-083	16-750-015	NEW-E	88-03-059	44-10-220	NEW	88-13-039
16-470-610	NEW	88-16-016	16-750-015	NEW	88-07-016	44-10-230	NEW-P	88-03-063
16-470-615	NEW-E	88-09-002	16-750-015	AMD-P	88-20-065	44-10-230	NEW-E	88-03-064
16-470-615	NEW-E	88-12-082	16-750-900	NEW-P	88-03-057	44-10-230	NEW-P	88-09-062
16-470-615	NEW-P	88-12-083	16-750-900	NEW-E	88-03-059	44-10-230	NEW-E	88-09-065
16-470-615	NEW	88-16-016	16-750-900	NEW	88-07-016	44-10-230	NEW	88-13-039
16-470-620	NEW-E	88-09-002	16-752-001	AMD	88-04-044	44-10-240	NEW-P	88-03-063
16-470-620	NEW-E	88-12-082	16-752-115	NEW	88-04-044	44-10-240	NEW-E	88-03-064
16-470-620	NEW-P	88-12-083	16-752-120	NEW	88-04-044	44-10-240	NEW	88-09-064
16-470-620	NEW	88-16-016	16-752-125	NEW	88-04-044	44-10-240	NEW-E	88-09-065
16-470-625	NEW-E	88-12-082	16-752-130	NEW	88-04-044	44-10-300	NEW-E	88-22-054
16-470-625	NEW-P	88-12-083	16-752-135	NEW	88-04-044	44-10-300	NEW-P	88-22-055
16-470-625	NEW	88-16-016	16-752-140	NEW	88-04-044	44-10-310	NEW-E	88-22-054
16-470-630	NEW-E	88-09-002	16-752-145	NEW	88-04-044	44-10-310	NEW-P	88-22-055
16-470-630	NEW-E	88-12-082	16-752-150	NEW	88-04-044	44-10-320	NEW-E	88-22-054
16-470-630	NEW-P	88-12-083	16-752-155	NEW	88-04-044	44-10-320	NEW-P	88-22-055
16-470-630	NEW	88-16-016	16-752-160	NEW	88-04-044	50-12-230	AMD-E	88-11-002
16-470-635	NEW-E	88-12-082	16-752-165	NEW	88-04-044	50-12-230	AMD-P	88-13-064
16-470-635	NEW-P	88-12-083	16-752-170	NEW	88-04-044	50-12-230	AMD	88-16-066
16-470-635	NEW	88-16-016	16-752-200	NEW	88-04-044	50-20-040	AMD-E	88-13-051
16-488-025	AMD-P	88-13-081	16-752-201	NEW	88-04-044	50-20-040	AMD-P	88-14-002
16-488-025	AMD	88-17-014	16-752-202	NEW	88-04-044	50-20-040	AMD-C	88-14-093
16-495-085	AMD-P	88-07-114	16-752-203	NEW	88-04-044	50-20-040	AMD-P	88-18-076
16-495-085	AMD	88-11-042	16-752-204	NEW	88-04-044	50-20-040	AMD	88-21-031
16-528-040	AMD	88-09-019	25-46-010	NEW-P	88-18-092	50-20-050	AMD-E	88-13-051
16-528-210	AMD-P	88-08-061	25-46-020	NEW-P	88-18-092	50-20-050	AMD-P	88-14-002
16-528-210	AMD	88-12-019	25-46-040	NEW-P	88-18-092	50-20-050	AMD-C	88-14-093
16-530-040	AMD	88-09-018	25-46-060	NEW-P	88-18-092	50-20-050	AMD-P	88-18-076
16-532-020	AMD-P	88-18-073	25-46-080	NEW-P	88-18-092	50-20-050	AMD	88-21-031
16-532-035	NEW-P	88-18-073	25-46-100	NEW-P	88-18-092	51-10	AMD-P	88-14-078
16-532-120	AMD-P	88-10-034	25-46-120	NEW-P	88-18-092	51-12-102	AMD-P	88-14-114
16-532-120	AMD	88-13-050	25-46-140	NEW-P	88-18-092	51-12-223	AMD-P	88-14-114
16-570-040	NEW-P	88-04-072	25-46-160	NEW-P	88-18-092	51-12-305	AMD-P	88-14-114
16-570-040	NEW	88-07-071	25-46-180	NEW-P	88-18-092	51-12-402	AMD-P	88-14-114
16-602-005	NEW-P	88-03-058	25-48	AMD-P	88-18-091	51-12-411	AMD-P	88-14-114
16-602-005	NEW	88-07-018	25-48-010	AMD-P	88-18-091	51-12-426	AMD-P	88-14-114
16-602-010	AMD-P	88-03-058	25-48-020	AMD-P	88-18-091	51-12-503	AMD-P	88-14-114
16-602-010	AMD	88-07-018	25-48-030	AMD-P	88-18-091	51-12-602	AMD-P	88-14-114
16-602-020	AMD-P	88-03-058	25-48-050	AMD-P	88-18-091	51-12-605	AMD-P	88-14-114
16-602-020	AMD	88-07-018	25-48-060	AMD-P	88-18-091	51-16	AMD-P	88-14-077
16-602-030	AMD-P	88-03-058	25-48-085	NEW-P	88-18-091	51-16-010	AMD-P	88-14-077
16-602-030	AMD	88-07-018	25-48-090	AMD-P	88-18-091	51-16-020	AMD-P	88-14-077
16-620-240	AMD-P	88-07-096	25-48-100	AMD-P	88-18-091	51-16-030	AMD-P	88-14-077
16-620-240	AMD	88-12-036	25-48-105	AMD-P	88-18-091	51-16-030	AMD-P	88-20-070
16-620-260	AMD-P	88-07-096	25-48-108	NEW-P	88-18-091	51-16-040	AMD-P	88-14-077
16-620-260	AMD	88-12-036	25-48-120	AMD-P	88-18-091	51-16-050	AMD-P	88-14-077
16-620-265	REP-P	88-07-096	25-48-125	NEW-P	88-18-091	51-16-060	AMD-P	88-14-077
16-620-265	REP	88-12-036	34-02-010	AMD-P	88-16-030	51-16-070	AMD-P	88-14-077
16-694-001	AMD-P	88-20-068	34-02-010	AMD	88-21-003	51-16-080	AMD-P	88-14-077
16-694-010	NEW-P	88-20-068	34-04-120	AMD-P	88-16-030	51-16-090	AMD-P	88-14-077

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51-16-100	NEW-P 88-14-077	114-12-170	AMD-P 88-14-095	132D-16-030	REP-P 88-19-090
55-01	NEW-C 88-18-050	114-12-170	AMD 88-17-084	132D-16-040	REP-P 88-19-090
55-01	NEW-C 88-19-057	114-12-200	NEW-P 88-18-079	132D-16-050	REP-P 88-19-090
55-01-001	NEW-P 88-15-073	114-12-200	NEW-C 88-22-022	132D-16-060	REP-P 88-19-090
55-01-001	NEW-P 88-21-116	118-40	NEW-C 88-18-040	132D-16-070	REP-P 88-19-090
55-01-010	NEW-P 88-15-073	118-40-010	NEW-P 88-15-074	132D-16-080	REP-P 88-19-090
55-01-010	NEW-P 88-21-116	118-40-010	NEW 88-19-025	132D-16-090	REP-P 88-19-090
55-01-020	NEW-P 88-15-073	118-40-020	NEW-P 88-15-074	132D-16-100	REP-P 88-19-090
55-01-020	NEW-P 88-21-116	118-40-020	NEW 88-19-025	132D-16-110	REP-P 88-19-090
55-01-030	NEW-P 88-15-073	118-40-030	NEW-P 88-15-074	132D-16-120	REP-P 88-19-090
55-01-030	NEW-P 88-21-116	118-40-030	NEW 88-19-025	132D-16-130	REP-P 88-19-090
55-01-040	NEW-P 88-15-073	118-40-040	NEW-P 88-15-074	132D-16-140	REP-P 88-19-090
55-01-040	NEW-P 88-21-116	118-40-040	NEW 88-19-025	132D-16-150	REP-P 88-19-090
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55-01-060	NEW-P 88-15-073	118-40-060	NEW-P 88-15-074	132D-16-180	REP-P 88-19-090
55-01-060	NEW-P 88-21-116	118-40-060	NEW 88-19-025	132D-16-190	REP-P 88-19-090
55-01-070	NEW-P 88-15-073	118-40-070	NEW-P 88-15-074	132D-16-200	REP-P 88-19-090
55-01-070	NEW-P 88-21-116	118-40-070	NEW 88-19-025	132D-16-210	REP-P 88-19-090
55-01-080	NEW-P 88-15-073	118-40-080	NEW-P 88-15-074	132D-16-220	REP-P 88-19-090
55-01-080	NEW-P 88-21-116	118-40-080	NEW 88-19-025	132D-16-230	REP-P 88-19-090
67-10-020	AMD-P 88-04-016	118-40-090	NEW-P 88-15-074	132D-16-240	REP-P 88-19-090
67-10-020	AMD 88-09-006	118-40-090	NEW 88-19-025	132D-16-250	REP-P 88-19-090
67-10-030	AMD-P 88-04-016	118-40-100	NEW-P 88-15-074	132D-16-260	REP-P 88-19-090
67-10-030	AMD 88-09-006	118-40-100	NEW 88-19-025	132D-16-270	REP-P 88-19-090
67-10-040	AMD-P 88-04-016	118-40-150	NEW-P 88-15-074	132D-16-280	REP-P 88-19-090
67-10-040	AMD 88-09-006	118-40-150	NEW 88-19-025	132D-16-290	REP-P 88-19-090
67-10-060	AMD-P 88-04-016	118-40-160	NEW-P 88-15-074	132D-16-300	REP-P 88-19-090
67-10-060	AMD 88-09-006	118-40-160	NEW 88-19-025	132D-16-310	REP-P 88-19-090
67-25-120	AMD-P 88-04-016	118-40-170	NEW-P 88-15-074	132D-116-010	NEW-P 88-19-090
67-25-120	AMD 88-09-006	118-40-170	NEW 88-19-025	132D-116-020	NEW-P 88-19-090
67-25-400	AMD-P 88-04-016	118-40-180	NEW-P 88-15-074	132D-116-030	NEW-P 88-19-090
67-25-400	AMD 88-09-006	118-40-180	NEW 88-19-025	132D-116-040	NEW-P 88-19-090
67-25-404	AMD-P 88-04-016	118-40-190	NEW-P 88-15-074	132D-116-050	NEW-P 88-19-090
67-25-404	AMD 88-09-006	118-40-190	NEW 88-19-025	132D-116-060	NEW-P 88-19-090
67-25-570	AMD-P 88-04-016	118-40-300	NEW-P 88-15-074	132D-116-070	NEW-P 88-19-090
67-25-570	AMD 88-09-006	118-40-300	NEW 88-19-025	132D-116-080	NEW-P 88-19-090
82-50-021	AMD-P 88-13-092	118-40-400	NEW-P 88-15-074	132D-116-090	NEW-P 88-19-090
82-50-021	AMD 88-16-027	118-40-400	NEW 88-19-025	132D-116-100	NEW-P 88-19-090
82-50-031	AMD-P 88-13-092	131-08-010	AMD-P 88-21-048	132D-116-110	NEW-P 88-19-090
82-50-031	AMD 88-16-027	132D-14-010	REP-P 88-19-084	132D-116-120	NEW-P 88-19-090
82-50-041	REP-P 88-13-092	132D-14-020	REP-P 88-19-084	132D-116-130	NEW-P 88-19-090
82-50-041	REP 88-16-027	132D-14-030	REP-P 88-19-084	132D-116-140	NEW-P 88-19-090
98-11-005	NEW-P 88-03-062	132D-14-040	REP-P 88-19-084	132D-116-150	NEW-P 88-19-090
98-11-005	NEW 88-07-032	132D-14-050	REP-P 88-19-084	132D-116-160	NEW-P 88-19-090
98-40-050	AMD-P 88-03-062	132D-14-060	REP-P 88-19-084	132D-116-170	NEW-P 88-19-090
98-40-050	AMD 88-07-032	132D-14-070	REP-P 88-19-084	132D-116-180	NEW-P 88-19-090
100-100-050	AMD-P 88-11-076	132D-14-080	REP-P 88-19-084	132D-116-190	NEW-P 88-19-090
100-100-050	AMD-E 88-11-077	132D-14-090	REP-P 88-19-084	132D-116-200	NEW-P 88-19-090
106-116-850	NEW-P 88-07-017	132D-14-100	REP-P 88-19-084	132D-116-210	NEW-P 88-19-090
106-116-850	NEW-E 88-11-065	132D-14-110	REP-P 88-19-084	132D-116-220	NEW-P 88-19-090
106-116-850	NEW 88-11-066	132D-14-120	REP-P 88-19-084	132D-116-230	NEW-P 88-19-090
106-116-853	NEW-P 88-07-017	132D-14-130	REP-P 88-19-084	132D-116-240	NEW-P 88-19-090
106-116-853	NEW-E 88-11-065	132D-14-140	REP-P 88-19-084	132D-116-250	NEW-P 88-19-090
106-116-853	NEW 88-11-066	132D-14-150	REP-P 88-19-084	132D-116-260	NEW-P 88-19-090
106-116-856	NEW-P 88-07-017	132D-14-160	REP-P 88-19-084	132D-116-270	NEW-P 88-19-090
106-116-856	NEW-E 88-11-065	132D-14-170	REP-P 88-19-084	132D-116-280	NEW-P 88-19-090
106-116-856	NEW 88-11-066	132D-14-180	REP-P 88-19-084	132D-116-290	NEW-P 88-19-090
106-116-859	NEW-P 88-07-017	132D-14-190	REP-P 88-19-084	132D-116-300	NEW-P 88-19-090
106-116-859	NEW-E 88-11-065	132D-14-200	REP-P 88-19-084	132D-120-010	NEW-P 88-19-084
106-116-859	NEW 88-11-066	132D-14-210	REP-P 88-19-084	132D-120-020	NEW-P 88-19-084
106-116-901	AMD-P 88-07-017	132D-14-220	REP-P 88-19-084	132D-120-030	NEW-P 88-19-084
106-116-901	AMD-E 88-11-065	132D-14-230	REP-P 88-19-084	132D-120-040	NEW-P 88-19-084
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113-12-100	REP-P 88-19-074	132D-14-250	REP-P 88-19-084	132D-120-060	NEW-P 88-19-084
113-12-101	NEW-P 88-19-074	132D-14-260	REP-P 88-19-084	132D-120-070	NEW-P 88-19-084
113-12-103	NEW-P 88-19-074	132D-14-270	REP-P 88-19-084	132D-120-080	NEW-P 88-19-084
113-12-104	NEW-P 88-19-074	132D-14-280	REP-P 88-19-084	132D-120-090	NEW-P 88-19-084
113-12-200	AMD-P 88-05-058	132D-14-290	REP-P 88-19-084	132D-120-100	NEW-P 88-19-084
113-12-200	AMD-P 88-14-040	132D-14-300	REP-P 88-19-084	132D-120-110	NEW-P 88-19-084
113-12-200	AMD 88-17-100	132D-14-310	REP-P 88-19-084	132D-120-120	NEW-P 88-19-084
113-12-220	NEW-P 88-19-074	132D-14-320	REP-P 88-19-084	132D-120-130	NEW-P 88-19-084
113-12-230	NEW-P 88-19-074	132D-14-330	REP-P 88-19-084	132D-120-140	NEW-P 88-19-084
114-12-160	AMD-P 88-14-095	132D-14-340	REP-P 88-19-084	132D-120-150	NEW-P 88-19-084
114-12-160	AMD 88-17-084	132D-14-350	REP-P 88-19-084	132D-120-160	NEW-P 88-19-084
114-12-160	AMD-P 88-18-078	132D-16-010	REP-P 88-19-090	132D-120-170	NEW-P 88-19-084
114-12-160	AMD 88-22-023	132D-16-020	REP-P 88-19-090	132D-120-180	NEW-P 88-19-084

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132E-12-395	REP	88-17-083	132E-120-045	NEW-P	88-17-016	132I-14-080	REP-P	88-03-047
132E-12-398	REP-P	88-13-097	132E-120-398	NEW-W	88-22-025	132I-14-080	REP	88-07-119
132E-12-398	REP	88-17-083	132E-120-050	REP-P	88-13-001	132I-14-090	REP-P	88-03-047
132E-12-401	REP-P	88-13-097	132E-120-050	REP	88-17-082	132I-14-090	REP	88-07-119
132E-12-401	REP	88-17-083	132E-120-060	REP-P	88-13-001	132I-14-100	REP-P	88-03-047
132E-12-404	REP-P	88-13-097	132E-120-060	REP	88-17-082	132I-14-100	REP	88-07-119
132E-12-404	REP	88-17-083	132E-120-070	REP-P	88-13-001	132I-14-110	REP-P	88-03-047
132E-12-407	REP-P	88-13-097	132E-120-070	REP	88-17-082	132I-14-110	REP	88-07-119
132E-12-407	REP	88-17-083	132E-120-080	REP-P	88-13-001	132I-14-120	REP-P	88-03-047
132E-12-410	REP-P	88-13-097	132E-120-080	REP	88-17-082	132I-14-120	REP	88-07-119
132E-12-410	REP	88-17-083	132E-121-010	NEW-P	88-13-096	132I-14-130	REP-P	88-03-047
132E-12-413	REP-P	88-13-097	132E-121-010	NEW	88-18-028	132I-14-130	REP	88-07-119
132E-12-413	REP	88-17-083	132E-124-030	REP-P	88-08-022	132I-14-140	REP-P	88-03-047
132E-12-416	REP-P	88-13-097	132E-124-030	REP	88-12-004	132I-14-140	REP	88-07-119
132E-12-416	REP	88-17-083	132E-124-040	REP-P	88-08-022	132I-14-150	REP-P	88-03-047
132E-12-419	REP-P	88-13-097	132E-124-040	REP	88-12-004	132I-14-150	REP	88-07-119
132E-12-419	REP	88-17-083	132E-124-050	REP-P	88-08-022	132I-14-160	REP-P	88-03-047
132E-12-422	REP-P	88-13-097	132E-124-050	REP	88-12-004	132I-14-160	REP	88-07-119
132E-12-422	REP	88-17-083	132E-124-060	REP-P	88-08-022	132I-14-170	REP-P	88-03-047
132E-12-425	REP-P	88-13-097	132E-124-060	REP	88-12-004	132I-14-170	REP	88-07-119
132E-12-425	REP	88-17-083	132E-168-010	REP-P	88-08-019	132I-14-180	REP-P	88-03-047
132E-12-428	REP-P	88-13-097	132E-168-010	REP	88-12-006	132I-14-180	REP	88-07-119
132E-12-428	REP	88-17-083	132E-168-020	REP-P	88-08-019	132I-14-190	REP-P	88-03-047
132E-12-431	REP-P	88-13-097	132E-168-020	REP	88-12-006	132I-14-190	REP	88-07-119
132E-12-431	REP	88-17-083	132E-168-030	REP-P	88-08-019	132I-14-200	REP-P	88-03-047
132E-12-434	REP-P	88-13-097	132E-168-030	REP	88-12-006	132I-14-200	REP	88-07-119
132E-12-434	REP	88-17-083	132E-168-040	REP-P	88-08-019	132I-14-210	REP-P	88-03-047
132E-112-010	REP-P	88-06-020	132E-168-040	REP	88-12-006	132I-14-210	REP	88-07-119
132E-112-010	REP	88-10-014	132E-168-050	REP-P	88-08-019	132I-120-010	NEW-P	88-03-048
132E-112-020	REP-P	88-06-020	132E-168-050	REP	88-12-006	132I-120-010	NEW	88-07-120
132E-112-020	REP	88-10-014	132E-168-060	REP-P	88-08-019	132I-120-020	NEW-P	88-03-048
132E-112-030	REP-P	88-06-020	132E-168-060	REP	88-12-006	132I-120-020	NEW	88-07-120
132E-112-030	REP	88-10-014	132E-168-070	REP-P	88-08-019	132I-120-030	NEW-P	88-03-048
132E-112-040	REP-P	88-06-020	132E-168-070	REP	88-12-006	132I-120-030	NEW	88-07-120
132E-112-040	REP	88-10-014	132E-168-080	REP-P	88-08-019	132I-120-100	NEW-P	88-03-048
132E-112-050	REP-P	88-06-020	132E-168-080	REP	88-12-006	132I-120-100	NEW	88-07-120
132E-112-050	REP	88-10-014	132E-168-090	REP-P	88-08-019	132I-120-300	NEW-P	88-03-048
132E-112-060	REP-P	88-06-020	132E-168-090	REP	88-12-006	132I-120-300	NEW	88-07-120
132E-112-060	REP	88-10-014	132E-276-030	AMD-P	88-08-053	132I-120-305	NEW-P	88-03-048
132E-112-070	REP-P	88-06-020	132E-276-030	AMD	88-12-005	132I-120-305	NEW	88-07-120
132E-112-070	REP	88-10-014	132E-276-060	AMD-P	88-10-023	132I-120-310	NEW-P	88-03-048
132E-112-080	REP-P	88-06-020	132E-276-060	AMD	88-14-013	132I-120-310	NEW	88-07-120
132E-112-080	REP	88-10-014	132E-276-070	AMD-P	88-10-023	132I-120-315	NEW-P	88-03-048
132E-112-090	REP-P	88-06-020	132E-276-070	AMD	88-14-013	132I-120-315	NEW	88-07-120
132E-112-090	REP	88-10-014	132F-120-090	AMD-P	88-03-044	132I-120-320	NEW-P	88-03-048
132E-112-100	REP-P	88-06-020	132F-120-090	AMD	88-08-069	132I-120-320	NEW	88-07-120
132E-112-100	REP	88-10-014	132H-105-140	AMD-P	88-06-058	132I-120-325	NEW-P	88-03-048
132E-112-110	REP-P	88-06-020	132H-105-140	AMD-P	88-07-089	132I-120-325	NEW	88-07-120
132E-112-110	REP	88-10-014	132H-105-140	AMD	88-13-047	132I-120-330	NEW-P	88-03-048
132E-112-120	REP-P	88-06-020	132H-148-020	REP-P	88-20-002	132I-120-330	NEW	88-07-120
132E-112-120	REP	88-10-014	132H-148-030	REP-P	88-20-002	132I-120-335	NEW-P	88-03-048
132E-112-130	REP-P	88-06-020	132H-148-040	REP-P	88-20-002	132I-120-335	NEW	88-07-120
132E-112-130	REP	88-10-014	132H-148-050	REP-P	88-20-002	132I-120-340	NEW-P	88-03-048
132E-112-140	REP-P	88-06-020	132H-148-060	REP-P	88-20-002	132I-120-340	NEW	88-07-120
132E-112-140	REP	88-10-014	132H-148-070	REP-P	88-20-002	132I-120-345	NEW-P	88-03-048
132E-112-150	REP-P	88-06-020	132H-148-080	REP-P	88-20-002	132I-120-345	NEW	88-07-120
132E-112-150	REP	88-10-014	132H-148-090	REP-P	88-20-002	132I-120-400	NEW-P	88-03-048
132E-112-160	REP-P	88-06-020	132H-148-100	REP-P	88-20-002	132I-120-400	NEW	88-07-120
132E-112-160	REP	88-10-014	132H-148-110	NEW-P	88-20-002	132I-120-405	NEW-P	88-03-048
132E-112-170	REP-P	88-06-020	132H-200-200	NEW-P	88-04-059	132I-120-405	NEW	88-07-120
132E-112-170	REP	88-10-014	132H-200-200	NEW	88-07-036	132I-120-410	NEW-P	88-03-048
132E-112-180	REP-P	88-06-020	132H-200-250	NEW-P	88-07-088	132I-120-410	NEW	88-07-120
132E-112-180	REP	88-10-014	132H-200-250	NEW	88-13-048	132I-120-415	NEW-P	88-03-048
132E-112-190	REP-P	88-06-020	132I-14-010	REP-P	88-03-047	132I-120-415	NEW	88-07-120
132E-112-190	REP	88-10-014	132I-14-010	REP	88-07-119	132I-120-420	NEW-P	88-03-048
132E-112-200	REP-P	88-06-020	132I-14-020	REP-P	88-03-047	132I-120-420	NEW	88-07-120
132E-112-200	REP	88-10-014	132I-14-020	REP	88-07-119	132I-120-425	NEW-P	88-03-048
132E-112-210	REP-P	88-06-020	132I-14-030	REP-P	88-03-047	132I-120-425	NEW	88-07-120
132E-112-210	REP	88-10-014	132I-14-030	REP	88-07-119	132I-120-430	NEW-P	88-03-048
132E-112-220	REP-P	88-06-020	132I-14-040	REP-P	88-03-047	132I-120-430	NEW	88-07-120
132E-112-220	REP	88-10-014	132I-14-040	REP	88-07-119	132I-120-435	NEW-P	88-03-048
132E-112-230	REP-P	88-06-020	132I-14-050	REP-P	88-03-047	132I-120-435	NEW	88-07-120
132E-112-230	REP	88-10-014	132I-14-050	REP	88-07-119	132I-120-440	NEW-P	88-03-048
132E-120-030	REP-P	88-17-015	132I-14-060	REP-P	88-03-047	132I-120-440	NEW	88-07-120
132E-120-030	REP-W	88-22-024	132I-14-060	REP	88-07-119	132I-120-445	NEW-P	88-03-048
132E-120-040	REP-P	88-17-015	132I-14-070	REP-P	88-03-047	132I-120-445	NEW	88-07-120

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132R-210-766	REP	88-21-027	132R-210-930	REP-P	88-15-001	132U-40-070	REP	88-15-005
132R-210-768	REP-P	88-15-001	132R-210-930	REP	88-21-027	132U-40-080	REP-P	88-07-029
132R-210-768	REP	88-21-027	132R-210-950	REP-P	88-15-001	132U-40-080	REP	88-15-005
132R-210-770	REP-P	88-15-001	132R-210-950	REP	88-21-027	132U-40-090	REP-P	88-07-029
132R-210-770	REP	88-21-027	132T-05-060	AMD-P	88-03-045	132U-40-090	REP	88-15-005
132R-210-772	REP-P	88-15-001	132T-05-060	AMD	88-07-019	132U-40-100	REP-P	88-07-029
132R-210-772	REP	88-21-027	132T-128-010	REP-P	88-03-046	132U-40-100	REP	88-15-005
132R-210-774	REP-P	88-15-001	132T-128-010	REP	88-07-020	132U-40-110	REP-P	88-07-029
132R-210-774	REP	88-21-027	132T-128-020	REP-P	88-03-046	132U-40-110	REP	88-15-005
132R-210-776	REP-P	88-15-001	132T-128-020	REP	88-07-020	132U-40-120	REP-P	88-07-029
132R-210-776	REP	88-21-027	132T-128-030	REP-P	88-03-046	132U-40-120	REP	88-15-005
132R-210-778	REP-P	88-15-001	132T-128-030	REP	88-07-020	132U-40-130	REP-P	88-07-029
132R-210-778	REP	88-21-027	132T-128-040	REP-P	88-03-046	132U-40-130	REP	88-15-005
132R-210-780	REP-P	88-15-001	132T-128-040	REP	88-07-020	132U-40-140	REP-P	88-07-029
132R-210-780	REP	88-21-027	132T-128-050	REP-P	88-03-046	132U-40-140	REP	88-15-005
132R-210-782	REP-P	88-15-001	132T-128-050	REP	88-07-020	132U-52-010	NEW-E	88-02-047
132R-210-782	REP	88-21-027	132T-128-060	REP-P	88-03-046	132U-52-010	NEW-P	88-04-070
132R-210-784	REP-P	88-15-001	132T-128-060	REP	88-07-020	132U-52-010	NEW	88-07-057
132R-210-784	REP	88-21-027	132T-128-070	REP-P	88-03-046	132U-80	REP-C	88-12-020
132R-210-802	REP-P	88-15-001	132T-128-070	REP	88-07-029	132U-80-010	REP-P	88-07-029
132R-210-802	REP	88-21-027	132T-128-080	REP-P	88-03-046	132U-80-010	REP	88-15-005
132R-210-805	REP-P	88-15-001	132T-128-080	REP	88-07-020	132U-80-020	REP-P	88-07-029
132R-210-805	REP	88-21-027	132T-128-090	REP-P	88-03-046	132U-80-020	REP	88-15-005
132R-210-808	REP-P	88-15-001	132T-128-090	REP	88-07-020	132U-80-030	REP-P	88-07-029
132R-210-808	REP	88-21-027	132U-04	REP-C	88-12-020	132U-80-030	REP	88-15-005
132R-210-811	REP-P	88-15-001	132U-04-100	REP-P	88-07-029	132U-80-060	REP-P	88-07-029
132R-210-811	REP	88-21-027	132U-04-100	REP	88-15-005	132U-80-060	REP	88-15-005
132R-210-814	REP-P	88-15-001	132U-04-110	REP-P	88-07-029	132U-80-065	REP-P	88-07-029
132R-210-814	REP	88-21-027	132U-04-110	REP	88-15-005	132U-80-065	REP	88-15-005
132R-210-817	REP-P	88-15-001	132U-10	REP-C	88-12-020	132U-80-070	REP-P	88-07-029
132R-210-817	REP	88-21-027	132U-10-100	REP-P	88-07-029	132U-80-070	REP	88-15-005
132R-210-820	REP-P	88-15-001	132U-10-100	REP	88-15-005	132U-80-080	REP-P	88-07-029
132R-210-820	REP	88-21-027	132U-10-110	REP-P	88-07-029	132U-80-080	REP	88-15-005
132R-210-823	REP-P	88-15-001	132U-10-110	REP	88-15-005	132U-80-090	REP-P	88-07-029
132R-210-823	REP	88-21-027	132U-10-120	REP-P	88-07-029	132U-80-090	REP	88-15-005
132R-210-826	REP-P	88-15-001	132U-10-120	REP	88-15-005	132U-80-100	REP-P	88-07-029
132R-210-826	REP	88-21-027	132U-10-130	REP-P	88-07-029	132U-80-100	REP	88-15-005
132R-210-829	REP-P	88-15-001	132U-10-130	REP	88-15-005	132U-80-105	REP-P	88-07-029
132R-210-829	REP	88-21-027	132U-10-140	REP-P	88-07-029	132U-80-105	REP	88-15-005
132R-210-832	REP-P	88-15-001	132U-10-140	REP	88-15-005	132U-80-110	REP-P	88-07-029
132R-210-832	REP	88-21-027	132U-10-150	REP-P	88-07-029	132U-80-110	REP	88-15-005
132R-210-835	REP-P	88-15-001	132U-10-150	REP	88-15-005	132U-80-115	REP-P	88-07-029
132R-210-835	REP	88-21-027	132U-10-160	REP-P	88-07-029	132U-80-115	REP	88-15-005
132R-210-838	REP-P	88-15-001	132U-10-160	REP	88-15-005	132U-80-125	REP-P	88-07-029
132R-210-838	REP	88-21-027	132U-10-170	REP-P	88-07-029	132U-80-125	REP	88-15-005
132R-210-841	REP-P	88-15-001	132U-10-170	REP	88-15-005	132U-80-200	REP-P	88-07-029
132R-210-841	REP	88-21-027	132U-10-180	REP-P	88-07-029	132U-80-200	REP	88-15-005
132R-210-843	REP-P	88-15-001	132U-10-180	REP	88-15-005	132U-80-205	REP-P	88-07-029
132R-210-843	REP	88-21-027	132U-10-190	REP-P	88-07-029	132U-80-205	REP	88-15-005
132R-210-847	REP-P	88-15-001	132U-10-190	REP	88-15-005	132U-80-210	REP-P	88-07-029
132R-210-847	REP	88-21-027	132U-10-200	REP-P	88-07-029	132U-80-210	REP	88-15-005
132R-210-850	REP-P	88-15-001	132U-10-200	REP	88-15-005	132U-80-220	REP-P	88-07-029
132R-210-850	REP	88-21-027	132U-10-210	REP-P	88-07-029	132U-80-220	REP	88-15-005
132R-210-853	REP-P	88-15-001	132U-10-210	REP	88-15-005	132U-80-230	REP-P	88-07-029
132R-210-853	REP	88-21-027	132U-10-220	REP-P	88-07-029	132U-80-230	REP	88-15-005
132R-210-856	REP-P	88-15-001	132U-10-220	REP	88-15-005	132U-80-235	REP-P	88-07-029
132R-210-856	REP	88-21-027	132U-10-230	REP-P	88-07-029	132U-80-235	REP	88-15-005
132R-210-859	REP-P	88-15-001	132U-10-230	REP	88-15-005	132U-80-240	REP-P	88-07-029
132R-210-859	REP	88-21-027	132U-10-240	REP-P	88-07-029	132U-80-240	REP	88-15-005
132R-210-862	REP-P	88-15-001	132U-10-240	REP	88-15-005	132U-80-245	REP-P	88-07-029
132R-210-862	REP	88-21-027	132U-36	REP-C	88-12-020	132U-80-245	REP	88-15-005
132R-210-865	REP-P	88-15-001	132U-36-010	REP-P	88-07-029	132U-80-250	REP-P	88-07-029
132R-210-865	REP	88-21-027	132U-36-010	REP	88-15-005	132U-80-250	REP	88-15-005
132R-210-868	REP-P	88-15-001	132U-40	REP-C	88-12-020	132U-80-255	REP-P	88-07-029
132R-210-868	REP	88-21-027	132U-40-010	REP-P	88-07-029	132U-80-255	REP	88-15-005
132R-210-871	REP-P	88-15-001	132U-40-010	REP	88-15-005	132U-80-265	REP-P	88-07-029
132R-210-871	REP	88-21-027	132U-40-020	REP-P	88-07-029	132U-80-265	REP	88-15-005
132R-210-874	REP-P	88-15-001	132U-40-020	REP	88-15-005	132U-80-300	REP-P	88-07-029
132R-210-874	REP	88-21-027	132U-40-030	REP-P	88-07-029	132U-80-300	REP	88-15-005
132R-210-877	REP-P	88-15-001	132U-40-030	REP	88-15-005	132U-80-310	REP-P	88-07-029
132R-210-877	REP	88-21-027	132U-40-040	REP-P	88-07-029	132U-80-310	REP	88-15-005
132R-210-880	REP-P	88-15-001	132U-40-040	REP	88-15-005	132U-80-320	REP-P	88-07-029
132R-210-880	REP	88-21-027	132U-40-050	REP-P	88-07-029	132U-80-320	REP	88-15-005
132R-210-910	REP-P	88-15-001	132U-40-050	REP	88-15-005	132U-80-330	REP-P	88-07-029
132R-210-910	REP	88-21-027	132U-40-060	REP-P	88-07-029	132U-80-330	REP	88-15-005
132R-210-920	REP-P	88-15-001	132U-40-060	REP	88-15-005	132U-80-340	REP-P	88-07-029
132R-210-920	REP	88-21-027	132U-40-070	REP-P	88-07-029	132U-80-340	REP	88-15-005

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132X-20-080	NEW	88-21-071	132X-50-240	NEW-P	88-17-074	136-160-060	AMD	88-16-017
132X-20-090	NEW-P	88-17-074	132X-50-240	NEW	88-21-071	136-160-065	NEW	88-05-040
132X-20-090	NEW	88-21-071	132X-50-250	NEW-P	88-17-074	136-220-020	AMD-P	88-12-079
132X-20-100	NEW-P	88-17-074	132X-50-250	NEW	88-21-071	136-220-020	AMD	88-16-017
132X-20-100	NEW	88-21-071	132X-50-260	NEW-P	88-17-074	136-220-030	AMD-P	88-12-079
132X-20-110	NEW-P	88-17-074	132X-50-260	NEW	88-21-071	136-220-030	AMD	88-16-017
132X-20-110	NEW	88-21-071	132X-50-270	NEW-P	88-17-074	137-60-040	AMD-W	88-04-043
132X-20-120	NEW-P	88-17-074	132X-50-270	NEW	88-21-071	137-78-010	NEW-P	88-12-002
132X-20-120	NEW	88-21-071	132X-50-280	NEW-P	88-17-074	137-78-020	NEW-P	88-12-002
132X-20-130	NEW-P	88-17-074	132X-50-280	NEW	88-21-071	137-78-030	NEW-P	88-12-002
132X-20-130	NEW	88-21-071	132X-50-290	NEW-P	88-17-074	137-78-040	NEW-P	88-12-002
132X-30-010	NEW-P	88-17-074	132X-50-290	NEW	88-21-071	137-78-050	NEW-P	88-12-002
132X-30-010	NEW	88-21-071	132X-50-300	NEW-P	88-17-074	137-78-060	NEW-P	88-12-002
132X-30-020	NEW-P	88-17-074	132X-50-300	NEW	88-21-071	137-78-070	NEW-P	88-12-002
132X-30-020	NEW	88-21-071	132X-60-010	NEW-P	88-17-074	137-78-080	NEW-P	88-12-002
132X-30-030	NEW-P	88-17-074	132X-60-010	NEW	88-21-071	139-05-810	NEW-P	88-15-028
132X-30-030	NEW	88-21-071	132X-60-020	NEW-P	88-17-074	139-05-810	NEW	88-20-022
132X-30-040	NEW-P	88-17-074	132X-60-020	NEW	88-21-071	139-25-110	NEW-P	88-15-029
132X-30-040	NEW	88-21-071	132X-60-030	NEW-P	88-17-074	139-25-110	NEW	88-20-023
132X-30-050	NEW-P	88-17-074	132X-60-030	NEW	88-21-071	143-06-010	AMD-P	88-18-089
132X-30-050	NEW	88-21-071	132X-60-040	NEW-P	88-17-074	143-06-010	AMD	88-21-029
132X-30-060	NEW-P	88-17-074	132X-60-040	NEW	88-21-071	143-06-020	AMD-P	88-18-089
132X-30-060	NEW	88-21-071	132X-60-050	NEW-P	88-17-074	143-06-020	AMD	88-21-029
132X-30-070	NEW-P	88-17-074	132X-60-050	NEW	88-21-071	143-06-030	AMD-P	88-18-089
132X-30-070	NEW	88-21-071	132X-60-060	NEW-P	88-17-074	143-06-030	AMD	88-21-029
132X-40-010	NEW-P	88-17-074	132X-60-060	NEW	88-21-071	143-06-050	AMD-P	88-18-089
132X-40-010	NEW	88-21-071	132X-60-070	NEW-P	88-17-074	143-06-050	AMD	88-21-029
132X-40-020	NEW-P	88-17-074	132X-60-070	NEW	88-21-071	143-06-060	AMD-P	88-18-089
132X-40-020	NEW	88-21-071	132X-60-080	NEW-P	88-17-074	143-06-060	AMD	88-21-029
132X-40-030	NEW-P	88-17-074	132X-60-080	NEW	88-21-071	143-06-070	AMD-P	88-18-089
132X-40-030	NEW	88-21-071	132X-60-090	NEW-P	88-17-074	143-06-070	AMD	88-21-029
132X-50-010	NEW-P	88-17-074	132X-60-090	NEW	88-21-071	143-06-080	AMD-P	88-18-089
132X-50-010	NEW	88-21-071	132X-60-100	NEW-P	88-17-074	143-06-080	AMD	88-21-029
132X-50-020	NEW-P	88-17-074	132X-60-100	NEW	88-21-071	143-06-090	AMD-P	88-18-089
132X-50-020	NEW	88-21-071	132X-60-110	NEW-P	88-17-074	143-06-090	AMD	88-21-029
132X-50-030	NEW-P	88-17-074	132X-60-110	NEW	88-21-071	143-06-100	AMD-P	88-18-089
132X-50-030	NEW	88-21-071	132X-60-120	NEW-P	88-17-074	143-06-100	AMD	88-21-029
132X-50-040	NEW-P	88-17-074	132X-60-120	NEW	88-21-071	143-06-110	AMD-P	88-18-089
132X-50-040	NEW	88-21-071	132X-60-130	NEW-P	88-17-074	143-06-110	AMD	88-21-029
132X-50-050	NEW-P	88-17-074	132X-60-130	NEW	88-21-071	143-06-120	AMD-P	88-18-089
132X-50-050	NEW	88-21-071	132X-60-140	NEW-P	88-17-074	143-06-120	AMD	88-21-029
132X-50-060	NEW-P	88-17-074	132X-60-140	NEW	88-21-071	143-06-130	AMD-P	88-18-089
132X-50-060	NEW	88-21-071	132X-60-150	NEW-P	88-17-074	143-06-130	AMD	88-21-029
132X-50-070	NEW-P	88-17-074	132X-60-150	NEW	88-21-071	143-06-140	AMD-P	88-18-089
132X-50-070	NEW	88-21-071	132Y-20-010	REP-P	88-06-023	143-06-140	AMD	88-21-029
132X-50-080	NEW-P	88-17-074	132Y-140-001	REP-P	88-06-024	143-06-150	AMD-P	88-18-089
132X-50-080	NEW	88-21-071	132Y-140-001	REP	88-13-013	143-06-150	AMD	88-21-029
132X-50-090	NEW-P	88-17-074	132Y-140-101	REP-P	88-06-024	143-10-010	AMD-P	88-18-089
132X-50-090	NEW	88-21-071	132Y-140-101	REP	88-13-013	143-10-010	AMD	88-21-029
132X-50-100	NEW-P	88-17-074	132Y-140-108	REP-P	88-06-024	154-04-040	AMD-P	88-09-075
132X-50-100	NEW	88-21-071	132Y-140-108	REP	88-13-013	154-04-040	AMD	88-12-028
132X-50-110	NEW-P	88-17-074	132Y-140-112	REP-P	88-06-024	154-12-015	AMD-P	88-09-075
132X-50-110	NEW	88-21-071	132Y-140-112	REP	88-13-013	154-12-015	AMD	88-12-028
132X-50-120	NEW-P	88-17-074	132Y-140-116	REP-P	88-06-024	154-12-020	AMD-P	88-09-075
132X-50-120	NEW	88-21-071	132Y-140-116	REP	88-13-013	154-12-020	AMD	88-12-028
132X-50-130	NEW-P	88-17-074	132Y-300-001	NEW-P	88-21-049	154-12-030	AMD-P	88-09-075
132X-50-130	NEW	88-21-071	132Y-300-002	NEW-P	88-21-049	154-12-030	AMD	88-12-028
132X-50-140	NEW-P	88-17-074	132Y-300-003	NEW-P	88-21-049	154-12-110	AMD-P	88-09-075
132X-50-140	NEW	88-21-071	132Y-300-004	NEW-P	88-21-049	154-12-110	AMD	88-12-028
132X-50-150	NEW-P	88-17-074	136-15-010	NEW-P	88-12-079	154-24-010	AMD-P	88-09-075
132X-50-150	NEW	88-21-071	136-15-010	NEW	88-16-017	154-24-010	AMD	88-12-028
132X-50-160	NEW-P	88-17-074	136-15-020	NEW-P	88-12-079	154-110-010	NEW-P	88-07-104
132X-50-160	NEW	88-21-071	136-15-020	NEW	88-16-017	154-110-010	NEW	88-11-028
132X-50-170	NEW-P	88-17-074	136-15-030	NEW-P	88-12-079	154-110-015	NEW-P	88-07-104
132X-50-170	NEW	88-21-071	136-15-030	NEW	88-16-017	154-110-015	NEW	88-11-028
132X-50-180	NEW-P	88-17-074	136-15-040	NEW-P	88-12-079	154-110-020	NEW-P	88-07-104
132X-50-180	NEW	88-21-071	136-15-040	NEW	88-16-017	154-110-020	NEW	88-11-028
132X-50-190	NEW-P	88-17-074	136-15-050	NEW-P	88-12-079	154-110-030	NEW-P	88-07-104
132X-50-190	NEW	88-21-071	136-15-050	NEW	88-16-017	154-110-030	NEW	88-11-028
132X-50-200	NEW-P	88-17-074	136-15-060	NEW-P	88-12-079	154-120-010	NEW-P	88-07-104
132X-50-200	NEW	88-21-071	136-15-060	NEW	88-16-017	154-120-010	NEW	88-11-028
132X-50-210	NEW-P	88-17-074	136-130-050	AMD-C	88-09-034	154-120-015	NEW-P	88-07-104
132X-50-210	NEW	88-21-071	136-130-050	AMD	88-12-080	154-120-015	NEW	88-11-028
132X-50-220	NEW-P	88-17-074	136-130-060	AMD	88-05-040	154-120-020	NEW-P	88-07-104
132X-50-220	NEW	88-21-071	136-130-070	AMD	88-05-040	154-120-020	NEW	88-11-028
132X-50-230	NEW-P	88-17-074	136-160-050	AMD	88-05-040	154-120-025	NEW-P	88-07-104
132X-50-230	NEW	88-21-071	136-160-060	AMD-P	88-12-079	154-120-025	NEW	88-11-028

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154-120-030	NEW	88-11-028	162-18-150	NEW-P	88-09-080
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154-120-035	NEW	88-11-028	162-19-010	NEW-P	88-09-080
154-120-040	NEW-P	88-07-104	162-19-020	NEW-P	88-09-080
154-120-040	NEW	88-11-028	162-19-030	NEW-P	88-09-080
154-120-045	NEW-P	88-07-104	162-19-040	NEW-P	88-09-080
154-120-045	NEW	88-11-028	162-19-060	NEW-P	88-09-080
154-120-050	NEW-P	88-07-104	162-19-070	NEW-P	88-09-080
154-120-050	NEW	88-11-028	162-19-080	NEW-P	88-09-080
154-120-055	NEW-P	88-07-104	162-19-090	NEW-P	88-09-080
154-120-055	NEW	88-11-028	173-06-030	AMD-E	88-20-039
154-130-010	NEW-P	88-07-104	173-14	AMD-C	88-04-091
154-130-010	NEW	88-11-028	173-14-030	AMD-W	88-07-006
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154-150-020	NEW-P	88-07-104	173-19-220	AMD-C	88-14-091
154-150-020	NEW	88-11-028	173-19-220	AMD	88-19-008
154-150-030	NEW-P	88-07-104	173-19-2201	AMD-P	88-08-064
154-150-030	NEW	88-11-028	173-19-2201	AMD-C	88-14-091
154-150-040	NEW-P	88-07-104	173-19-2201	AMD	88-19-008
154-150-040	NEW	88-11-028	173-19-2202	AMD-P	88-08-065
154-150-050	NEW-P	88-07-104	173-19-2202	AMD-C	88-14-091
154-150-050	NEW	88-11-028	173-19-2202	AMD	88-19-008
154-160-010	NEW-P	88-07-104	173-19-2204	AMD-P	88-08-066
154-160-010	NEW	88-11-028	173-19-2204	AMD-C	88-14-091
154-160-020	NEW-P	88-07-104	173-19-2204	AMD	88-19-008
154-160-020	NEW	88-11-028	173-19-2207	AMD-P	88-08-067
154-170-010	NEW-P	88-07-104	173-19-2207	AMD-C	88-14-091
154-170-010	NEW	88-11-028	173-19-2207	AMD-C	88-19-005
154-180-010	NEW-P	88-07-104	173-19-2207	AMD-W	88-19-129
154-180-010	NEW	88-11-028	173-19-2208	AMD-P	88-08-068
154-180-020	NEW-P	88-07-104	173-19-2208	AMD-C	88-14-091
154-180-020	NEW	88-11-028	173-19-2208	AMD	88-19-008
154-180-030	NEW-P	88-07-104	173-19-2507	AMD-C	88-04-092
154-180-030	NEW	88-11-028	173-19-2507	AMD	88-07-008
154-180-040	NEW-P	88-07-104	173-19-2512	AMD-P	88-17-126
154-180-040	NEW	88-11-028	173-19-2515	AMD-P	88-21-113
154-180-050	NEW-P	88-07-104	173-19-2516	AMD-P	88-12-068
154-180-050	NEW	88-11-028	173-19-2516	AMD-C	88-17-125
154-180-060	NEW-P	88-07-104	173-19-2601	AMD-P	88-16-103
154-180-060	NEW	88-11-028	173-19-2601	AMD	88-22-089
154-180-070	NEW-P	88-07-104	173-19-310	AMD-W	88-02-053
154-180-070	NEW	88-11-028	173-19-310	AMD-P	88-02-054
154-190-010	NEW-P	88-07-104	173-19-310	AMD	88-07-010
154-190-010	NEW	88-11-028	173-19-3302	AMD	88-02-064
154-200-010	NEW-P	88-07-104	173-19-3501	AMD-P	88-05-066
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154-200-020	NEW	88-11-028	173-19-3512	AMD-C	88-04-093
154-200-030	NEW-P	88-07-104	173-19-3512	AMD	88-07-007
154-200-030	NEW	88-11-028	173-19-360	AMD-P	88-12-069
154-200-040	NEW-P	88-07-104	173-19-360	AMD-C	88-13-119
154-200-040	NEW	88-11-028	173-19-360	AMD-C	88-19-006
162-18-010	REP-P	88-09-080	173-19-360	AMD-C	88-19-102
162-18-020	REP-P	88-09-080	173-19-4507	AMD-P	88-21-112
162-18-030	REP-P	88-09-080	173-22-0648	AMD	88-03-070
162-18-040	REP-P	88-09-080	173-95-010	NEW-P	88-09-076
162-18-050	REP-P	88-09-080	173-95-010	NEW	88-14-125
162-18-060	REP-P	88-09-080	173-95-020	NEW-P	88-09-076
162-18-070	REP-P	88-09-080	173-95-020	NEW	88-14-125
162-18-080	REP-P	88-09-080	173-95-030	NEW-P	88-09-076
162-18-090	REP-P	88-09-080	173-95-030	NEW	88-14-125
162-18-100	REP-P	88-09-080	173-95-040	NEW-P	88-09-076
162-18-110	NEW-P	88-09-080	173-95-040	NEW	88-14-125
162-18-120	NEW-P	88-09-080	173-95-050	NEW-P	88-09-076
162-18-130	NEW-P	88-09-080	173-95-050	NEW	88-14-125
173-95-060	NEW-P	88-09-076	173-95-060	NEW-P	88-09-076
173-95-060	NEW	88-14-125	173-95-070	NEW-P	88-09-076
173-95-070	NEW-P	88-14-125	173-95-070	NEW	88-14-125
173-95-080	NEW-P	88-09-076	173-95-080	NEW-P	88-09-076
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173-95-090	NEW-P	88-09-076	173-95-090	NEW-P	88-09-076
173-95-090	NEW	88-14-125	173-95-100	NEW	88-14-125
173-95-100	NEW-P	88-09-076	173-95-100	NEW	88-14-125
173-95-100	NEW	88-14-125	173-95-110	NEW-P	88-09-076
173-95-110	NEW-P	88-09-076	173-95-110	NEW	88-14-125
173-95-120	NEW-P	88-09-076	173-95-120	NEW-P	88-09-076
173-95-120	NEW	88-14-125	173-95-120	NEW	88-14-125
173-95-130	NEW-P	88-09-076	173-95-130	NEW-P	88-09-076
173-95-130	NEW	88-14-125	173-95-130	NEW	88-14-125
173-95-140	NEW-P	88-09-076	173-95-140	NEW-P	88-09-076
173-95-140	NEW	88-14-125	173-95-140	NEW	88-14-125
173-95-150	NEW-P	88-09-076	173-95-150	NEW-P	88-09-076
173-95-150	NEW	88-14-125	173-95-150	NEW	88-14-125
173-95-160	NEW-P	88-09-076	173-95-160	NEW	88-14-125
173-95-160	NEW	88-14-125	173-100-050	AMD-P	88-09-054
173-100-050	AMD-P	88-13-037	173-100-050	AMD	88-13-037
173-100-050	AMD	88-09-054	173-100-160	NEW-P	88-09-054
173-100-160	NEW-P	88-13-037	173-100-160	NEW	88-13-037
173-100-160	NEW	88-08-020	173-100-160	NEW-E	88-08-020
173-110-010	NEW-E	88-14-126	173-110-010	NEW-E	88-14-126
173-110-010	NEW-E	88-08-020	173-110-010	NEW-E	88-14-126
173-110-020	NEW-E	88-08-020	173-110-020	NEW-E	88-08-020
173-110-020	NEW-E	88-14-126	173-110-020	NEW-E	88-14-126
173-110-030	NEW-E	88-08-020	173-110-030	NEW-E	88-08-020
173-110-030	NEW-E	88-14-126	173-110-030	NEW-E	88-14-126
173-110-040	NEW-E	88-08-020	173-110-040	NEW-E	88-08-020
173-110-040	NEW-E	88-14-126	173-110-040	NEW-E	88-14-126
173-110-050	NEW-E	88-08-020	173-110-050	NEW-E	88-08-020
173-110-050	NEW-E	88-14-126	173-110-050	NEW-E	88-14-126
173-110-060	NEW-E	88-08-020	173-110-060	NEW-E	88-08-020
173-110-060	NEW-E	88-14-126	173-110-060	NEW-E	88-14-126
173-110-070	NEW-E	88-08-020	173-110-070	NEW-E	88-08-020
173-110-070	NEW-E	88-14-126	173-110-070	NEW-E	88-14-126
173-110-080	NEW-E	88-08-020	173-110-080	NEW-E	88-08-020
173-110-080	NEW-E	88-14-126	173-110-080	NEW-E	88-14-126
173-110-090	NEW-E	88-08-020	173-110-090	NEW-E	88-08-020
173-110-090	NEW-E	88-14-126	173-110-090	NEW-E	88-14-126
173-110-100	NEW-E	88-08-020	173-110-100	NEW-E	88-08-020
173-110-100	NEW-E	88-14-126	173-110-100	NEW-E	88-14-126
173-124-06001	REP-P	88-09-054	173-124-06001	REP-P	88-09-054
173-124-06001	REP	88-13-037	173-124-06001	REP	88-13-037
173-124-070	NEW-P	88-09-054	173-124-070	NEW-P	88-09-054
173-124-070	NEW	88-13-037	173-124-070	NEW	88-13-037
173-124-080	NEW-P	88-09-054	173-124-080	NEW-P	88-09-054
173-124-080	NEW	88-13-037	173-124-080	NEW	88-13-037
173-128A-060	NEW-P	88-09-054	173-128A-060	NEW-P	88-09-054
173-128A-060	NEW	88-13-037	173-128A-060	NEW	88-13-037
173-130A-215	NEW-P	88-09-054	173-130A-215	NEW-P	88-09-054
173-130A-215	NEW	88-13-037	173-130A-215	NEW	88-13-037
173-130A-217	NEW-P	88-09-054	173-130A-217	NEW-P	88-09-054
173-130A-217	NEW	88-13-037	173-130A-217	NEW	88-13-037
173-130A-220	AMD-P	88-09-054	173-130A-220	AMD-P	88-09-054
173-130A-220	AMD	88-13-037	173-130A-220	AMD	88-13-037
173-132-060	NEW-P	88-09-054	173-132-060	NEW-P	88-09-054
173-132-060	NEW	88-13-037	173-132-060	NEW	88-13-037
173-134A-150	AMD-P	88-09-054	173-134A-150	AMD-P	88-09-054
173-134A-150	AMD	88-13-037	173-134A-150	AMD	88-13-037
173-134A-165	NEW-P	88-09-054	173-134A-165	NEW-P	88-09-054
173-134A-165	NEW	88-13-037	173-134A-165	NEW	88-13-037
173-134A-170	AMD-P	88-09-054	173-134A-170	AMD-P	88-09-054
173-134A-170	AMD	88-13-037	173-134A-170	AMD	88-13-037
173-136-095	NEW-P	88-09-054	173-136-095	NEW-P	88-09-054
173-136-095	NEW	88-13-037	173-136-095	NEW	88-13-037
173-136-100	AMD-P	88-09-054	173-136-100	AMD-P	88-09-054
173-136-100	AMD	88-13-037	173-136-100	AMD	88-13-037
173-136-110	NEW-P	88-09-054	173-136-110	NEW-P	88-09-054
173-136-110	NEW	88-13-037	173-136-110	NEW	88-13-037
173-150-125	NEW-P	88-09-054	173-150-125	NEW-P	88-09-054
173-150-125	NEW	88-13-037	173-150-125	NEW	88-13-037
173-150-130	AMD-P	88-09-054	173-150-130	AMD-P	88-09-054

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173-150-135	NEW	88-13-037	173-160-265	NEW	88-08-070	173-201-100	AMD	88-02-058
173-154-095	NEW-P	88-09-054	173-160-270	REP	88-08-070	173-202-020	AMD-P	88-12-097
173-154-095	NEW	88-13-037	173-160-275	NEW	88-08-070	173-202-020	AMD-C	88-20-067
173-154-100	AMD-P	88-09-054	173-160-280	REP	88-08-070	173-202-020	AMD	88-22-030
173-154-100	AMD	88-13-037	173-160-285	NEW	88-08-070	173-216-130	AMD-P	88-07-103
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173-158-020	NEW	88-10-058	173-160-315	NEW	88-08-070	173-220-020	AMD	88-22-059
173-158-030	NEW-P	88-05-042	173-160-320	REP	88-08-070	173-220-030	AMD-P	88-13-095
173-158-030	NEW	88-10-058	173-160-325	NEW	88-08-070	173-220-030	AMD	88-22-059
173-158-040	NEW-P	88-05-042	173-160-330	REP	88-08-070	173-220-040	AMD-P	88-13-095
173-158-040	NEW	88-10-058	173-160-335	NEW	88-08-070	173-220-040	AMD	88-22-059
173-158-050	NEW-P	88-05-042	173-160-340	REP	88-08-070	173-220-045	AMD-P	88-13-095
173-158-050	NEW	88-10-058	173-160-345	NEW	88-08-070	173-220-045	AMD	88-22-059
173-158-060	NEW-P	88-05-042	173-160-350	REP	88-08-070	173-220-050	AMD-P	88-13-095
173-158-060	NEW	88-10-058	173-160-355	NEW	88-08-070	173-220-050	AMD	88-22-059
173-158-070	NEW-P	88-05-042	173-160-360	REP	88-08-070	173-220-060	AMD-P	88-13-095
173-158-070	NEW	88-10-058	173-160-365	NEW	88-08-070	173-220-060	AMD	88-22-059
173-158-080	NEW-P	88-05-042	173-160-370	REP	88-08-070	173-220-070	AMD-P	88-13-095
173-158-080	NEW	88-10-058	173-160-375	NEW	88-08-070	173-220-070	AMD	88-22-059
173-158-090	NEW-P	88-05-042	173-160-380	REP	88-08-070	173-220-080	AMD-P	88-13-095
173-158-090	NEW	88-10-058	173-160-385	NEW	88-08-070	173-220-080	AMD	88-22-059
173-158-100	NEW-P	88-05-042	173-160-395	NEW	88-08-070	173-220-090	AMD-P	88-13-095
173-158-100	NEW	88-10-058	173-160-405	NEW	88-08-070	173-220-090	AMD	88-22-059
173-158-100	AMD-E	88-21-033	173-160-415	NEW	88-08-070	173-220-100	AMD-P	88-13-095
173-158-110	NEW-P	88-05-042	173-160-420	NEW	88-08-070	173-220-100	AMD	88-22-059
173-158-110	NEW	88-10-058	173-160-425	NEW	88-08-070	173-220-120	AMD-P	88-13-095
173-158-120	NEW-P	88-05-042	173-160-435	NEW	88-08-070	173-220-120	AMD	88-22-059
173-158-120	NEW	88-10-058	173-160-445	NEW	88-08-070	173-220-130	AMD-P	88-13-095
173-160	AMD-C	88-04-071	173-160-455	NEW	88-08-070	173-220-130	AMD	88-22-059
173-160	AMD	88-08-070	173-160-465	NEW	88-08-070	173-220-140	AMD-P	88-13-095
173-160-010	AMD	88-08-070	173-160-475	NEW	88-08-070	173-220-140	AMD	88-22-059
173-160-020	AMD	88-08-070	173-160-500	NEW	88-08-070	173-220-150	AMD-P	88-07-103
173-160-030	AMD	88-08-070	173-160-510	NEW	88-08-070	173-220-150	AMD	88-12-035
173-160-040	AMD	88-08-070	173-160-520	NEW	88-08-070	173-220-150	AMD-P	88-13-095
173-160-050	AMD	88-08-070	173-160-530	NEW	88-08-070	173-220-150	AMD	88-22-059
173-160-055	NEW	88-08-070	173-160-540	NEW	88-08-070	173-220-160	AMD-P	88-13-095
173-160-060	REP	88-08-070	173-160-550	NEW	88-08-070	173-220-160	AMD	88-22-059
173-160-065	NEW	88-08-070	173-160-560	NEW	88-08-070	173-220-180	AMD-P	88-13-095
173-160-070	REP	88-08-070	173-162	AMD-C	88-04-071	173-220-180	AMD	88-22-059
173-160-075	NEW	88-08-070	173-162	AMD	88-08-070	173-220-190	AMD-P	88-13-095
173-160-080	REP	88-08-070	173-162-010	AMD	88-08-070	173-220-190	AMD	88-22-059
173-160-085	NEW	88-08-070	173-162-020	AMD	88-08-070	173-220-200	AMD-P	88-13-095
173-160-090	REP	88-08-070	173-162-030	AMD	88-08-070	173-220-200	AMD	88-22-059
173-160-09001	REP	88-08-070	173-162-040	AMD	88-08-070	173-220-210	AMD-P	88-13-095
173-160-095	NEW	88-08-070	173-162-050	AMD	88-08-070	173-220-210	AMD	88-22-059
173-160-100	REP	88-08-070	173-162-060	AMD	88-08-070	173-220-220	REP-P	88-13-095
173-160-105	NEW	88-08-070	173-162-100	AMD	88-08-070	173-220-220	REP	88-22-059
173-160-110	REP	88-08-070	173-162-110	REP	88-08-070	173-220-225	AMD-P	88-13-095
173-160-115	NEW	88-08-070	173-162-130	AMD	88-08-070	173-220-225	AMD	88-22-059
173-160-120	REP	88-08-070	173-162-140	AMD	88-08-070	173-222-015	AMD-P	88-07-103
173-160-125	NEW	88-08-070	173-162-150	REP	88-08-070	173-222-015	AMD	88-12-035
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173-160-135	NEW	88-08-070	173-162-170	AMD	88-08-070	173-223-015	NEW	88-12-035
173-160-140	REP	88-08-070	173-162-180	REP	88-08-070	173-223-020	NEW-P	88-07-103
173-160-150	REP	88-08-070	173-162-190	AMD	88-08-070	173-223-020	NEW	88-12-035
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173-160-170	REP	88-08-070	173-162-210	NEW	88-08-070	173-223-030	NEW	88-12-035
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173-160-190	REP	88-08-070	173-164-050	AMD-P	88-09-054	173-223-040	NEW	88-12-035
173-160-200	REP	88-08-070	173-164-050	AMD	88-13-037	173-223-050	NEW-P	88-07-103
173-160-205	NEW	88-08-070	173-164-080	NEW-P	88-09-054	173-223-050	NEW	88-12-035
173-160-210	REP	88-08-070	173-164-080	NEW	88-13-037	173-223-060	NEW-P	88-07-103
173-160-215	NEW	88-08-070	173-166-070	NEW-P	88-09-054	173-223-060	NEW	88-12-035
173-160-215	AMD-E	88-22-007	173-166-070	NEW	88-13-037	173-223-070	NEW-P	88-07-103
173-160-220	REP	88-08-070	173-201	AMD	88-02-058	173-223-070	NEW	88-12-035
173-160-225	NEW	88-08-070	173-201-010	AMD	88-02-058	173-223-080	NEW-P	88-07-103
173-160-230	REP	88-08-070	173-201-025	AMD	88-02-058	173-223-080	NEW	88-12-035
173-160-235	NEW	88-08-070	173-201-035	AMD	88-02-058	173-223-090	NEW-P	88-07-103
173-160-240	REP	88-08-070	173-201-045	AMD	88-02-058	173-223-090	NEW	88-12-035
173-160-245	NEW	88-08-070	173-201-047	NEW	88-02-058	173-223-100	NEW-P	88-07-103
173-160-250	REP	88-08-070	173-201-070	AMD	88-02-058	173-223-100	NEW	88-12-035

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173-303	AMD-C	88-03-074	173-303-901	REP	88-18-083	173-309-050	NEW-P	88-09-049
173-303	AMD-C	88-06-041	173-303-905	NEW-P	88-13-116	173-309-050	NEW-E	88-09-050
173-303-040	AMD-P	88-22-078	173-303-905	NEW	88-18-083	173-309-050	NEW-C	88-11-067
173-303-045	AMD-P	88-22-078	173-303-910	AMD	88-02-057	173-309-050	NEW-E	88-15-057
173-303-070	AMD-P	88-22-078	173-303-9903	AMD-P	88-22-078	173-309-050	NEW	88-17-009
173-303-071	AMD-P	88-22-078	173-303-9904	AMD-P	88-22-078	173-309-060	NEW-P	88-09-049
173-303-080	AMD-P	88-22-078	173-303-9905	AMD-P	88-22-078	173-309-060	NEW-E	88-09-050
173-303-110	AMD-P	88-22-078	173-304	AMD-C	88-08-062	173-309-060	NEW-C	88-11-067
173-303-120	AMD	88-07-039	173-304	AMD-C	88-18-090	173-309-060	NEW-E	88-15-057
173-303-120	AMD-P	88-13-116	173-304-100	AMD-P	88-04-074	173-309-060	NEW	88-17-009
173-303-120	AMD	88-18-083	173-304-100	AMD-W	88-14-109	173-309-070	NEW-P	88-09-049
173-303-140	AMD	88-02-057	173-304-100	AMD-P	88-14-110	173-309-070	NEW-E	88-09-050
173-303-161	AMD-P	88-22-078	173-304-100	AMD	88-20-066	173-309-070	NEW-C	88-11-067
173-303-170	AMD	88-02-057	173-304-400	AMD-P	88-04-074	173-309-070	NEW-E	88-15-057
173-303-200	AMD-P	88-22-078	173-304-400	AMD-W	88-14-109	173-309-070	NEW	88-17-009
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173-303-281	NEW-P	88-13-116	173-304-405	AMD-P	88-04-074	173-309-080	NEW-C	88-11-067
173-303-281	NEW	88-18-083	173-304-405	AMD-W	88-14-109	173-309-080	NEW-E	88-15-057
173-303-283	NEW-P	88-13-116	173-304-405	AMD-P	88-14-110	173-309-080	NEW	88-17-009
173-303-283	NEW	88-18-083	173-304-405	AMD	88-20-066	173-309-090	NEW-P	88-09-049
173-303-284	NEW	88-07-039	173-304-407	NEW-P	88-04-074	173-309-090	NEW-E	88-09-050
173-303-284	REP-P	88-13-116	173-304-407	NEW-W	88-14-109	173-309-090	NEW-C	88-11-067
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173-303-285	NEW	88-07-039	173-304-407	NEW	88-20-066	173-309-090	NEW	88-17-009
173-303-285	REP-P	88-13-116	173-304-430	AMD-P	88-04-074	173-311-010	NEW-P	88-19-108
173-303-285	REP	88-18-083	173-304-430	AMD-W	88-14-109	173-311-020	NEW-P	88-19-108
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173-303-400	AMD-P	88-22-078	173-304-450	AMD-P	88-14-110	173-312-020	NEW	88-17-001
173-303-420	AMD	88-07-039	173-304-450	AMD	88-20-066	173-312-030	NEW	88-17-001
173-303-420	AMD-P	88-13-116	173-304-460	AMD-P	88-04-074	173-312-040	NEW	88-17-001
173-303-420	AMD	88-18-083	173-304-460	AMD-W	88-14-109	173-312-050	NEW	88-17-001
173-303-430	AMD	88-07-039	173-304-460	AMD-P	88-14-110	173-314	NEW-C	88-22-008
173-303-440	AMD	88-07-039	173-304-460	AMD	88-20-066	173-314-010	NEW-P	88-18-106
173-303-440	AMD-P	88-22-078	173-304-467	NEW-P	88-04-074	173-314-100	NEW-P	88-18-106
173-303-510	AMD	88-07-039	173-304-467	NEW-W	88-14-109	173-314-200	NEW-P	88-18-106
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173-303-510	AMD	88-18-083	173-304-467	NEW	88-20-066	173-314-220	NEW-P	88-18-106
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173-303-520	AMD-P	88-13-116	173-304-600	AMD-P	88-04-074	173-314-320	NEW-P	88-18-106
173-303-520	AMD	88-18-083	173-304-600	AMD-W	88-14-109	173-314-330	NEW-P	88-18-106
173-303-550	AMD-P	88-22-078	173-304-600	AMD-P	88-14-110	173-314-340	NEW-P	88-18-106
173-303-560	AMD	88-07-039	173-304-600	AMD	88-20-066	173-326-010	AMD-P	88-15-071
173-303-560	AMD-P	88-13-116	173-306-010	NEW-P	88-12-072	173-326-010	AMD	88-18-098
173-303-560	AMD	88-18-083	173-306-010	NEW-E	88-12-073	173-326-030	AMD-P	88-18-099
173-303-600	AMD	88-07-039	173-306-020	NEW-P	88-12-072	173-326-030	AMD	88-21-072
173-303-600	AMD-P	88-13-116	173-306-020	NEW-E	88-12-073	173-326-040	AMD-P	88-15-071
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173-303-620	AMD-P	88-22-078	173-306-040	NEW-P	88-12-072	173-335-010	NEW-P	88-12-071
173-303-640	AMD-P	88-22-078	173-306-040	NEW-E	88-12-073	173-335-010	NEW	88-17-002
173-303-645	AMD-P	88-22-078	173-306-050	NEW-P	88-12-072	173-335-020	NEW-E	88-12-070
173-303-650	AMD	88-07-039	173-306-050	NEW-E	88-12-073	173-335-020	NEW-P	88-12-071
173-303-650	AMD-P	88-13-116	173-309-010	NEW-P	88-09-049	173-335-020	NEW	88-17-002
173-303-650	AMD	88-18-083	173-309-010	NEW-E	88-09-050	173-335-030	NEW-E	88-12-070
173-303-665	AMD	88-02-057	173-309-010	NEW-C	88-11-067	173-335-030	NEW-P	88-12-071
173-303-800	AMD	88-07-039	173-309-010	NEW-E	88-15-057	173-335-030	NEW	88-17-002
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173-303-800	AMD	88-18-083	173-309-020	NEW-P	88-09-049	173-335-040	NEW-P	88-12-071
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173-303-802	AMD-P	88-13-116	173-309-020	NEW-C	88-11-067	173-335-050	NEW-E	88-12-070
173-303-802	AMD	88-18-083	173-309-020	NEW-E	88-15-057	173-335-050	NEW-P	88-12-071
173-303-805	AMD	88-07-039	173-309-020	NEW	88-17-009	173-335-050	NEW	88-17-002
173-303-805	AMD-P	88-13-116	173-309-030	NEW-P	88-09-049	173-336-010	NEW-P	88-11-072
173-303-805	AMD	88-18-083	173-309-030	NEW-E	88-09-050	173-336-010	NEW	88-15-038
173-303-805	AMD-P	88-22-078	173-309-030	NEW-C	88-11-067	173-336-020	NEW-P	88-11-072
173-303-806	AMD	88-07-039	173-309-030	NEW-E	88-15-057	173-336-020	NEW	88-15-038
173-303-806	AMD-P	88-13-116	173-309-030	NEW	88-17-009	173-336-030	NEW-P	88-11-072
173-303-806	AMD	88-18-083	173-309-040	NEW-P	88-09-049	173-336-030	NEW	88-15-038
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173-338-030	NEW-P	88-11-073	173-433-100	AMD-E	88-15-069	173-511-090	AMD	88-13-037
173-338-030	NEW	88-15-037	173-433-100	AMD-W	88-19-079	173-511-095	NEW-P	88-09-054
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173-338-040	NEW	88-15-037	173-433-100	AMD-E	88-21-004	173-511-100	AMD-P	88-09-054
173-338-050	NEW-P	88-11-073	173-433-120	AMD-P	88-10-052	173-511-100	AMD	88-13-037
173-338-050	NEW	88-15-037	173-433-120	AMD-W	88-19-079	173-512-070	AMD-P	88-09-054
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173-340-010	NEW	88-13-036	173-433-130	NEW-P	88-19-080	173-512-080	AMD-P	88-09-054
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173-340-020	NEW	88-13-036	173-435-010	AMD-C	88-19-082	173-513-095	NEW	88-13-037
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173-340-030	NEW-P	88-07-105	173-435-020	AMD-P	88-10-053	173-513-100	AMD	88-13-037
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173-340-030	NEW-C	88-10-055	173-435-030	AMD-P	88-10-053	173-514-080	AMD	88-13-037
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173-340-050	NEW-C	88-10-055	173-470-030	AMD-P	88-10-053	173-515-100	AMD	88-13-037
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173-341-040	NEW-P	88-17-115	173-500-030	AMD-P	88-09-054	173-522-080	NEW	88-13-037
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173-343-020	NEW-P	88-19-109	173-501-090	AMD-P	88-09-054	173-530-910	REP	88-13-037
173-343-030	NEW-P	88-19-109	173-501-090	AMD	88-13-037	173-530-920	REP-P	88-09-054
173-400-075	AMD-P	88-19-082	173-501-095	NEW-P	88-09-054	173-530-920	REP	88-13-037
173-400-100	AMD-P	88-19-082	173-501-095	NEW	88-13-037	173-530-930	REP-P	88-09-054
173-400-110	AMD-P	88-19-082	173-501-100	AMD-P	88-09-054	173-530-930	REP	88-13-037
173-400-115	AMD-P	88-10-053	173-501-100	AMD	88-13-037	173-530-940	REP-P	88-09-054
173-400-115	AMD-C	88-19-082	173-507-020	AMD-P	88-09-054	173-530-940	REP	88-13-037
173-400-120	AMD-P	88-19-082	173-507-020	AMD	88-13-037	173-530-950	REP-P	88-09-054
173-403-030	AMD-P	88-10-053	173-507-070	AMD-P	88-09-054	173-530-950	REP	88-13-037
173-403-030	AMD-C	88-19-082	173-507-070	AMD	88-13-037	173-530-960	REP-P	88-09-054
173-403-050	AMD-P	88-10-053	173-507-075	NEW-P	88-09-054	173-530-960	REP	88-13-037
173-403-050	AMD-C	88-19-082	173-507-075	NEW	88-13-037	173-531A-080	NEW-P	88-09-054
173-403-080	AMD-P	88-10-053	173-507-080	AMD-P	88-09-054	173-531A-080	NEW	88-13-037
173-403-080	AMD-C	88-19-082	173-507-080	AMD	88-13-037	173-531A-090	NEW-P	88-09-054
173-405-078	AMD-P	88-19-082	173-508-070	AMD-P	88-09-054	173-531A-090	NEW	88-13-037
173-410-071	AMD-P	88-19-082	173-508-070	AMD	88-13-037	173-532-090	NEW-P	88-09-054
173-415-080	AMD-P	88-19-082	173-508-090	AMD-P	88-09-054	173-532-090	NEW	88-13-037
173-425-030	AMD-P	88-10-053	173-508-090	AMD	88-13-037	173-532-100	NEW-P	88-09-054
173-425-030	AMD-C	88-19-082	173-508-095	NEW-P	88-09-054	173-532-100	NEW	88-13-037
173-425-035	REP-P	88-10-053	173-508-095	NEW	88-13-037	173-532-110	NEW-P	88-09-054
173-425-035	REP-C	88-19-082	173-508-100	AMD-P	88-09-054	173-532-110	NEW	88-13-037
173-425-036	NEW-P	88-10-053	173-508-100	AMD	88-13-037	173-545-090	AMD-P	88-09-054
173-425-036	NEW-C	88-19-082	173-509-030	AMD-P	88-09-054	173-545-090	AMD	88-13-037
173-425-045	AMD-P	88-10-053	173-509-030	AMD	88-13-037	173-545-095	NEW-P	88-09-054
173-425-045	AMD-C	88-19-082	173-509-080	AMD-P	88-09-054	173-545-095	NEW	88-13-037
173-425-065	AMD-P	88-10-053	173-509-080	AMD	88-13-037	173-545-100	AMD-P	88-09-054
173-425-065	AMD-C	88-19-082	173-509-085	NEW-P	88-09-054	173-545-100	AMD	88-13-037
173-425-075	AMD-P	88-10-053	173-509-085	NEW	88-13-037	173-548-080	NEW-P	88-09-054
173-425-075	AMD-C	88-19-082	173-509-090	AMD-P	88-09-054	173-548-080	NEW	88-13-037
173-425-085	AMD-P	88-10-053	173-509-090	AMD	88-13-037	173-548-090	NEW-P	88-09-054
173-425-085	AMD-C	88-19-082	173-510-030	AMD-P	88-09-054	173-548-090	NEW	88-13-037
173-425-095	AMD-P	88-10-053	173-510-030	AMD	88-13-037	173-548-100	NEW-P	88-09-054
173-425-095	AMD-C	88-19-082	173-510-090	AMD-P	88-09-054	173-548-100	NEW	88-13-037
173-425-130	AMD-P	88-10-053	173-510-090	AMD	88-13-037	173-549-090	AMD-P	88-09-054
173-425-130	AMD-C	88-19-082	173-510-095	NEW-P	88-09-054	173-549-090	AMD	88-13-037
173-433-030	AMD-P	88-10-052	173-510-095	NEW	88-13-037	173-549-095	NEW-P	88-09-054
173-433-030	AMD-W	88-19-079	173-510-100	AMD-P	88-09-054	173-549-095	NEW	88-13-037

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173-549-100	AMD	88-13-037	174-107-110	REP-P	88-14-101	174-107-440	REP-P	88-14-102
173-555-080	NEW-P	88-09-054	174-107-110	REP-P	88-14-102	174-107-440	REP-E	88-17-068
173-555-080	NEW	88-13-037	174-107-110	REP-E	88-17-068	174-107-440	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
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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	174-116-020	AMD-E	88-19-096
173-592-060	AMD-P	88-09-054	174-107-210	REP-P	88-14-102	174-116-020	AMD	88-19-097
173-592-060	AMD	88-13-037	174-107-210	REP-E	88-17-068	174-116-040	AMD-P	88-16-088
173-592-070	AMD-P	88-09-054	174-107-210	REP	88-17-069	174-116-040	AMD-E	88-19-096
173-592-070	AMD	88-13-037	174-107-220	REP-P	88-14-101	174-116-040	AMD	88-19-097
173-592-110	AMD-P	88-09-054	174-107-220	REP-P	88-14-102	174-116-043	AMD-P	88-16-088
173-592-110	AMD	88-13-037	174-107-220	REP-E	88-17-068	174-116-043	AMD-E	88-19-096
173-592-115	NEW-P	88-09-054	174-107-220	REP	88-17-069	174-116-043	AMD	88-19-097
173-592-115	NEW	88-13-037	174-107-360	REP-P	88-14-101	174-116-045	REP-P	88-16-088
173-596-010	REP-P	88-09-054	174-107-360	REP-P	88-14-102	174-116-045	REP-E	88-19-096
173-596-010	REP	88-13-037	174-107-360	REP-E	88-17-068	174-116-045	REP	88-19-097
173-596-015	REP-P	88-09-054	174-107-360	REP	88-17-069	174-116-119	AMD-P	88-16-088
173-596-015	REP	88-13-037	174-107-370	REP-P	88-14-101	174-116-119	AMD-E	88-19-096
173-596-020	REP-P	88-09-054	174-107-370	REP-P	88-14-102	174-116-119	AMD	88-19-097
173-596-020	REP	88-13-037	174-107-370	REP-E	88-17-068	174-120-010	NEW-P	88-14-102
173-596-025	REP-P	88-09-054	174-107-370	REP	88-17-069	174-120-010	NEW-E	88-17-068
173-596-025	REP	88-13-037	174-107-380	REP-P	88-14-101	174-120-010	NEW	88-17-069
173-596-030	REP-P	88-09-054	174-107-380	REP-P	88-14-102	174-120-020	NEW-P	88-14-102
173-596-030	REP	88-13-037	174-107-380	REP-E	88-17-068	174-120-020	NEW-E	88-17-068
173-596-035	REP-P	88-09-054	174-107-380	REP	88-17-069	174-120-020	NEW	88-17-069
173-596-035	REP	88-13-037	174-107-400	REP-P	88-14-101	174-120-030	NEW-P	88-14-102
173-596-040	REP-P	88-09-054	174-107-400	REP-P	88-14-102	174-120-030	NEW-E	88-17-068
173-596-040	REP	88-13-037	174-107-400	REP-E	88-17-068	174-120-030	NEW	88-17-069
173-596-045	REP-P	88-09-054	174-107-400	REP	88-17-069	174-120-040	NEW-P	88-14-102
173-596-045	REP	88-13-037	174-107-410	REP-P	88-14-101	174-120-040	NEW-E	88-17-068
173-596-050	REP-P	88-09-054	174-107-410	REP-P	88-14-102	174-120-040	NEW	88-17-069
173-596-050	REP	88-13-037	174-107-410	REP-E	88-17-068	174-120-050	NEW-P	88-14-102
173-596-055	REP-P	88-09-054	174-107-410	REP	88-17-069	174-120-050	NEW-E	88-17-068
173-596-055	REP	88-13-037	174-107-420	REP-P	88-14-101	174-120-050	NEW	88-17-069
173-596-060	REP-P	88-09-054	174-107-420	REP-P	88-14-102	174-120-060	NEW-P	88-14-102
173-596-060	REP	88-13-037	174-107-420	REP-E	88-17-068	174-120-060	NEW-E	88-17-068
173-596-065	REP-P	88-09-054	174-107-420	REP	88-17-069	174-120-060	NEW	88-17-069
173-596-065	REP	88-13-037	174-107-430	REP-P	88-14-101	174-120-070	NEW-P	88-14-102
174-107-100	REP-P	88-14-101	174-107-430	REP-P	88-14-102	174-120-070	NEW-E	88-17-068
174-107-100	REP-P	88-14-102	174-107-430	REP-E	88-17-068	174-120-070	NEW	88-17-069
174-107-100	REP-E	88-17-068	174-107-430	REP	88-17-069	174-120-080	NEW-P	88-14-102

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174-120-080	NEW	88-17-069	180-16-223	AMD-P	88-05-050	180-78-120	NEW	88-07-002
174-120-090	NEW-P	88-14-102	180-16-223	AMD	88-08-045	180-78-125	NEW	88-07-002
174-120-090	NEW	88-17-069	180-56-400	REP-E	88-21-102	180-78-125	AMD-P	88-21-106
174-120-090	NEW-E	88-17-068	180-56-400	REP-P	88-21-104	180-78-130	NEW	88-07-002
174-124-020	REP-P	88-14-101	180-56-405	REP-E	88-21-102	180-78-140	NEW	88-07-002
174-124-020	REP-P	88-14-102	180-56-405	REP-P	88-21-104	180-78-140	AMD-P	88-21-106
174-124-020	REP-E	88-17-068	180-56-410	REP-E	88-21-102	180-78-145	NEW	88-07-002
174-124-020	REP	88-17-069	180-56-410	REP-P	88-21-104	180-78-145	AMD-P	88-21-106
174-124-030	REP-P	88-14-101	180-56-415	REP-E	88-21-102	180-78-150	NEW	88-07-002
174-124-030	REP-P	88-14-102	180-56-415	REP-P	88-21-104	180-78-150	AMD-P	88-21-106
174-124-030	REP-E	88-17-068	180-56-420	REP-E	88-21-102	180-78-155	NEW	88-07-002
174-124-030	REP	88-17-069	180-56-420	REP-P	88-21-104	180-78-160	NEW	88-07-002
174-124-040	REP-P	88-14-101	180-56-425	REP-E	88-21-102	180-78-160	AMD-E	88-12-015
174-124-040	REP-P	88-14-102	180-56-425	REP-P	88-21-104	180-78-160	AMD-P	88-17-038
174-124-040	REP-E	88-17-068	180-56-430	REP-E	88-21-102	180-78-160	AMD	88-21-013
174-124-040	REP	88-17-069	180-56-430	REP-P	88-21-104	180-78-160	AMD-P	88-21-106
174-124-050	REP-P	88-14-101	180-56-435	REP-E	88-21-102	180-78-165	NEW	88-07-002
174-124-050	REP-P	88-14-102	180-56-435	REP-P	88-21-104	180-78-165	AMD-P	88-21-106
174-124-050	REP-E	88-17-068	180-57-050	AMD-P	88-08-072	180-78-170	NEW	88-07-002
174-124-050	REP	88-17-069	180-57-050	AMD	88-13-026	180-78-170	AMD-P	88-21-106
174-124-120	REP-P	88-14-101	180-75-017	AMD-P	88-21-105	180-78-175	NEW	88-07-002
174-124-120	REP-P	88-14-102	180-75-017	NEW-P	88-21-105	180-78-180	NEW	88-07-002
174-124-120	REP-E	88-17-068	180-75-048	NEW-P	88-21-105	180-78-185	NEW	88-07-002
174-124-120	REP	88-17-069	180-75-055	AMD-P	88-21-105	180-78-190	NEW	88-07-002
174-130-010	NEW-P	88-14-101	180-75-061	AMD-P	88-21-105	180-78-190	AMD	88-07-002
174-130-020	NEW-P	88-14-101	180-75-085	AMD-P	88-08-073	180-78-193	AMD-P	88-21-106
174-130-030	NEW-P	88-14-101	180-75-085	AMD	88-13-009	180-78-194	AMD	88-07-002
174-130-040	NEW-P	88-14-101	180-75-087	AMD-P	88-21-105	180-78-199	AMD	88-07-002
174-130-050	NEW-P	88-14-101	180-75-088	NEW-P	88-21-105	180-78-205	NEW	88-07-002
174-130-060	NEW-P	88-14-101	180-75-090	AMD-P	88-21-105	180-78-210	NEW	88-07-002
174-130-070	NEW-P	88-14-101	180-78	AMD-C	88-03-025	180-78-215	NEW	88-07-002
174-130-080	NEW-P	88-14-101	180-78	AMD	88-07-002	180-78-220	NEW	88-07-002
174-130-090	NEW-P	88-14-101	180-78-005	AMD-P	88-21-106	180-78-225	NEW	88-07-002
174-132-010	NEW-P	88-22-079	180-78-007	NEW	88-07-002	180-78-230	NEW	88-07-002
174-132-020	NEW-P	88-22-079	180-78-008	NEW	88-07-002	180-78-235	NEW	88-07-002
174-132-030	NEW-P	88-22-079	180-78-008	AMD-P	88-21-106	180-78-240	NEW	88-07-002
174-132-040	NEW-P	88-22-079	180-78-010	AMD	88-07-002	180-78-245	NEW	88-07-002
174-132-050	NEW-P	88-22-079	180-78-010	AMD-P	88-21-106	180-78-250	NEW	88-07-002
174-132-060	NEW-P	88-22-079	180-78-026	NEW	88-07-002	180-78-255	NEW	88-07-002
174-132-070	NEW-P	88-22-079	180-78-027	REP	88-07-002	180-78-260	NEW	88-07-002
174-132-080	NEW-P	88-22-079	180-78-028	NEW	88-07-002	180-78-265	NEW	88-07-002
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174-132-110	NEW-P	88-22-079	180-78-029	AMD-P	88-21-106	180-78-280	NEW	88-07-002
174-132-120	NEW-P	88-22-079	180-78-030	REP	88-07-002	180-78-285	NEW	88-07-002
174-136-02002	NEW-P	88-22-081	180-78-033	NEW	88-07-002	180-78-290	NEW	88-07-002
174-136-02003	NEW-P	88-22-081	180-78-033	AMD-P	88-21-106	180-78-295	NEW	88-07-002
174-136-02004	NEW-P	88-22-081	180-78-035	REP	88-07-002	180-78-300	NEW	88-07-002
174-136-02005	NEW-P	88-22-081	180-78-036	NEW	88-07-002	180-78-305	NEW	88-07-002
174-136-030	NEW-P	88-22-080	180-78-037	NEW	88-07-002	180-78-310	NEW	88-07-002
174-136-060	AMD-P	88-22-082	180-78-040	REP	88-07-002	180-78-315	NEW	88-07-002
174-136-070	REP-P	88-22-082	180-78-045	REP-P	88-21-106	180-78-320	NEW	88-07-002
174-136-080	AMD-P	88-22-082	180-78-047	NEW	88-07-002	180-78-325	NEW	88-07-002
174-136-090	AMD-P	88-22-082	180-78-047	AMD-P	88-21-106	180-79-005	AMD-P	88-21-107
174-136-100	AMD-P	88-22-082	180-78-050	REP	88-07-002	180-79-007	AMD-E	88-05-045
174-136-110	AMD-P	88-22-082	180-78-055	REP	88-07-002	180-79-007	AMD-P	88-05-051
174-136-120	AMD-P	88-22-082	180-78-057	AMD	88-07-002	180-79-007	AMD	88-08-046
174-136-300	NEW-P	88-14-103	180-78-057	AMD-P	88-21-106	180-79-007	REP-P	88-21-107
174-136-300	NEW-E	88-17-070	180-78-060	AMD	88-07-002	180-79-010	AMD	88-05-047
174-136-300	NEW	88-17-071	180-78-063	NEW	88-07-002	180-79-010	AMD-P	88-21-107
174-136-310	NEW-P	88-14-103	180-78-063	AMD-P	88-21-106	180-79-013	REP	88-05-047
174-136-310	NEW-E	88-17-070	180-78-065	NEW	88-07-002	180-79-014	REP	88-05-047
174-136-310	NEW	88-17-071	180-78-068	NEW	88-07-002	180-79-045	AMD	88-05-047
174-136-320	NEW-P	88-14-103	180-78-070	NEW	88-07-002	180-79-047	NEW-P	88-21-107
174-136-320	NEW-E	88-17-070	180-78-073	NEW	88-07-002	180-79-049	NEW	88-05-047
174-136-320	NEW	88-17-071	180-78-073	AMD-P	88-21-106	180-79-060	AMD	88-05-047
174-136-330	NEW-P	88-14-103	180-78-074	NEW	88-07-002	180-79-060	AMD-P	88-21-107
174-136-330	NEW-E	88-17-070	180-78-075	NEW	88-07-002	180-79-062	NEW	88-05-047
174-136-330	NEW	88-17-071	180-78-075	AMD-P	88-21-106	180-79-063	NEW	88-05-047
174-160-010	AMD-P	88-22-060	180-78-080	NEW	88-07-002	180-79-063	AMD-P	88-21-107
174-160-020	AMD-P	88-22-060	180-78-085	NEW	88-07-002	180-79-065	AMD	88-05-047
174-160-022	NEW-P	88-22-060	180-78-090	NEW	88-07-002	180-79-065	AMD-P	88-21-107
174-160-024	NEW-P	88-22-060	180-78-095	NEW	88-07-002	180-79-075	AMD-P	88-21-107
174-160-028	NEW-P	88-22-060	180-78-100	NEW	88-07-002	180-79-080	AMD	88-05-047
174-160-030	AMD-P	88-22-060	180-78-105	NEW	88-07-002	180-79-086	AMD	88-05-047
180-16-210	AMD-P	88-21-103	180-78-110	NEW	88-07-002	180-79-086	AMD-P	88-21-107

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180-79-115	AMD	88-05-047	180-84-055	REP	88-05-049	180-115-030	NEW-P	88-05-052
180-79-115	AMD-E	88-12-013	180-84-060	REP	88-05-049	180-115-030	NEW	88-08-044
180-79-115	AMD-P	88-17-039	180-84-075	REP	88-05-049	180-115-035	NEW-E	88-05-046
180-79-115	AMD	88-21-011	180-84-080	REP	88-05-049	180-115-035	NEW-P	88-05-052
180-79-116	NEW-E	88-05-045	180-84-090	REP	88-05-049	180-115-035	NEW	88-08-044
180-79-116	NEW-P	88-05-051	180-85-020	AMD-P	88-21-109	180-115-040	NEW-E	88-05-046
180-79-116	NEW	88-08-046	180-85-025	AMD-P	88-21-109	180-115-040	NEW-P	88-05-052
180-79-117	NEW	88-05-047	180-85-030	AMD-P	88-21-109	180-115-040	NEW	88-08-044
180-79-117	AMD-P	88-21-107	180-85-075	AMD-P	88-21-109	180-115-045	NEW-E	88-05-046
180-79-120	AMD	88-05-047	180-85-080	AMD-P	88-21-109	180-115-045	NEW-P	88-05-052
180-79-120	AMD-P	88-21-107	180-85-083	NEW-P	88-21-109	180-115-045	NEW	88-08-044
180-79-122	NEW	88-05-047	180-85-085	AMD-P	88-21-109	180-115-050	NEW-E	88-05-046
180-79-122	AMD-P	88-21-107	180-85-120	AMD-P	88-21-109	180-115-050	NEW-P	88-05-052
180-79-125	AMD	88-05-047	180-85-200	AMD-P	88-21-109	180-115-050	NEW	88-08-044
180-79-125	AMD-P	88-21-107	180-85-202	AMD-P	88-21-109	180-115-055	NEW-E	88-05-046
180-79-127	NEW	88-05-047	180-85-225	AMD-P	88-21-109	180-115-055	NEW-P	88-05-052
180-79-127	AMD-P	88-21-107	180-90-160	AMD-P	88-21-110	180-115-055	NEW	88-08-044
180-79-128	NEW-P	88-21-107	180-96-005	NEW-E	88-21-101	180-115-060	NEW-E	88-05-046
180-79-129	NEW-E	88-05-045	180-96-005	NEW-P	88-21-111	180-115-060	NEW-P	88-05-052
180-79-129	NEW-P	88-05-051	180-96-010	NEW-E	88-21-101	180-115-060	NEW	88-08-044
180-79-129	NEW	88-08-046	180-96-010	NEW-P	88-21-111	180-115-065	NEW-E	88-05-046
180-79-130	REP	88-05-047	180-96-015	NEW-E	88-21-101	180-115-065	NEW-P	88-05-052
180-79-131	NEW	88-05-047	180-96-015	NEW-P	88-21-111	180-115-065	NEW	88-08-044
180-79-135	REP	88-05-047	180-96-020	NEW-E	88-21-101	180-115-070	NEW-E	88-05-046
180-79-136	NEW	88-05-047	180-96-020	NEW-P	88-21-111	180-115-070	NEW-P	88-05-052
180-79-140	NEW	88-05-047	180-96-025	NEW-E	88-21-101	180-115-070	NEW	88-08-044
180-79-150	REP	88-05-047	180-96-025	NEW-P	88-21-111	180-115-075	NEW-E	88-05-046
180-79-155	REP	88-05-047	180-96-030	NEW-E	88-21-101	180-115-075	NEW-P	88-05-052
180-79-160	REP	88-05-047	180-96-030	NEW-P	88-21-111	180-115-075	NEW	88-08-044
180-79-170	REP	88-05-047	180-96-035	NEW-E	88-21-101	180-115-080	NEW-E	88-05-046
180-79-175	REP	88-05-047	180-96-035	NEW-P	88-21-111	180-115-080	NEW-P	88-05-052
180-79-180	REP-E	88-12-014	180-96-040	NEW-E	88-21-101	180-115-080	NEW	88-08-044
180-79-180	REP-P	88-17-037	180-96-040	NEW-P	88-21-111	180-115-085	NEW-E	88-05-046
180-79-180	REP	88-21-012	180-96-045	NEW-E	88-21-101	180-115-085	NEW-P	88-05-052
180-79-185	REP	88-05-047	180-96-045	NEW-P	88-21-111	180-115-085	NEW	88-08-044
180-79-190	REP	88-05-047	180-96-050	NEW-E	88-21-101	180-115-090	NEW-E	88-05-046
180-79-195	REP	88-05-047	180-96-050	NEW-P	88-21-111	180-115-090	NEW-P	88-05-052
180-79-199	NEW-P	88-21-107	180-96-055	NEW-E	88-21-101	180-115-090	NEW	88-08-044
180-79-200	REP	88-05-047	180-96-055	NEW-P	88-21-111	180-115-095	NEW-E	88-05-046
180-79-205	REP	88-05-047	180-96-060	NEW-E	88-21-101	180-115-095	NEW-P	88-05-052
180-79-210	REP	88-05-047	180-96-060	NEW-P	88-21-111	180-115-095	NEW	88-08-044
180-79-215	REP	88-05-047	180-96-065	NEW-E	88-21-101	180-115-100	NEW-E	88-05-046
180-79-230	AMD	88-05-047	180-96-065	NEW-P	88-21-111	180-115-100	NEW-P	88-05-052
180-79-245	AMD	88-05-047	180-96-070	NEW-E	88-21-101	180-115-100	NEW	88-08-044
180-79-250	REP	88-05-047	180-96-070	NEW-P	88-21-111	180-115-105	NEW-E	88-05-046
180-79-300	AMD-P	88-21-107	180-96-075	NEW-E	88-21-101	180-115-105	NEW-P	88-05-052
180-79-303	NEW-P	88-21-107	180-96-075	NEW-P	88-21-111	180-115-105	NEW	88-08-044
180-79-305	AMD-P	88-21-107	180-110-010	NEW	88-06-002	182-12-115	AMD-P	88-09-058
180-79-315	AMD-P	88-21-107	180-110-015	NEW	88-06-002	182-12-115	AMD	88-12-034
180-79-317	AMD-P	88-21-107	180-110-017	NEW	88-06-002	182-12-115	AMD-P	88-16-050
180-79-396	AMD-P	88-21-107	180-110-020	NEW	88-06-002	182-12-115	AMD-E	88-16-051
180-80-205	REP	88-05-048	180-110-030	NEW	88-06-002	182-12-115	AMD-C	88-17-021
180-80-210	REP	88-05-048	180-110-035	NEW	88-06-002	182-12-115	AMD-E	88-18-037
180-80-215	REP	88-05-048	180-110-040	NEW	88-06-002	182-12-115	AMD	88-19-078
180-80-280	REP	88-05-048	180-110-045	NEW	88-06-002	182-12-115	AMD-P	88-22-016
180-80-285	REP	88-05-048	180-110-050	NEW	88-06-002	182-12-120	REP-P	88-09-058
180-80-290	REP	88-05-048	180-110-052	NEW	88-06-002	182-12-120	REP	88-12-034
180-80-295	REP	88-05-048	180-110-053	NEW	88-06-002	182-12-127	AMD-P	88-16-050
180-80-300	REP	88-05-048	180-110-055	NEW	88-06-002	182-12-127	AMD-C	88-17-021
180-80-301	REP	88-05-048	180-110-060	NEW	88-06-002	182-12-127	AMD	88-19-078
180-80-302	REP	88-05-048	180-110-065	NEW	88-06-002	182-12-165	AMD-P	88-09-058
180-80-303	REP	88-05-048	180-115-005	NEW-E	88-05-046	182-12-165	AMD	88-12-034
180-80-312	REP	88-05-048	180-115-005	NEW-P	88-05-052	182-12-210	AMD-P	88-16-050
180-80-530	REP	88-05-048	180-115-005	NEW	88-08-044	182-12-210	AMD-C	88-17-021
180-80-705	REP	88-05-048	180-115-010	NEW-E	88-05-046	182-12-210	AMD	88-19-078
180-81-003	NEW-P	88-21-108	180-115-010	NEW-P	88-05-052	192-12-019	AMD-P	88-13-127
180-81-005	NEW-P	88-21-108	180-115-010	NEW	88-08-044	192-12-019	AMD	88-16-077
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180-81-020	NEW-P	88-21-108	180-115-015	NEW	88-08-044	192-16-057	NEW	88-10-020
180-81-025	NEW-P	88-21-108	180-115-020	NEW-E	88-05-046	192-16-061	NEW	88-05-034
180-81-030	NEW-P	88-21-108	180-115-020	NEW-P	88-05-052	192-16-065	NEW-E	88-07-107
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180-84-015	REP	88-05-049	180-115-025	NEW-E	88-05-046	192-16-065	NEW	88-10-020
180-84-020	REP	88-05-049	180-115-025	NEW-P	88-05-052	192-18-012	NEW-P	88-13-072
180-84-025	REP	88-05-049	180-115-025	NEW	88-08-044	192-18-012	NEW-E	88-13-073

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192-28-105	AMD-P 88-07-109	204-36-040	AMD 88-15-052	204-91A-041	NEW-P 88-13-058
192-28-105	AMD 88-10-021	204-36-050	AMD-P 88-11-012	204-91A-041	NEW-W 88-16-021
192-28-110	AMD-P 88-07-109	204-36-050	AMD 88-15-052	204-91A-051	NEW-P 88-13-058
192-28-110	AMD 88-10-021	204-36-060	AMD-P 88-11-012	204-91A-051	NEW-W 88-16-021
192-28-120	AMD-P 88-07-109	204-36-060	AMD 88-15-052	204-91A-081	NEW-P 88-13-058
192-28-120	AMD 88-10-021	204-36-070	AMD-P 88-11-012	204-91A-081	NEW-W 88-16-021
192-28-130	NEW-P 88-07-109	204-36-070	AMD 88-15-052	204-91A-100	NEW-P 88-13-058
192-28-130	NEW 88-10-021	204-38-010	AMD-P 88-11-013	204-91A-100	NEW-W 88-16-021
192-42-005	NEW-P 88-07-110	204-38-010	AMD 88-15-055	204-91A-110	NEW-P 88-13-058
192-42-005	NEW 88-12-051	204-38-050	AMD-P 88-11-013	204-91A-110	NEW-W 88-16-021
192-42-010	NEW-P 88-07-110	204-38-050	AMD 88-15-055	204-91A-120	NEW-P 88-13-058
192-42-010	NEW 88-12-051	204-40-010	AMD-P 88-11-014	204-91A-120	NEW-W 88-16-021
192-42-020	NEW-P 88-07-110	204-40-010	AMD 88-15-049	204-91A-130	NEW-P 88-13-058
192-42-020	NEW 88-12-051	204-40-030	AMD-P 88-11-014	204-91A-130	NEW-W 88-16-021
192-42-030	NEW-P 88-07-110	204-40-030	AMD 88-15-049	204-91A-140	NEW-P 88-13-058
192-42-030	NEW 88-12-051	204-50-040	AMD-P 88-11-015	204-91A-140	NEW-W 88-16-021
192-42-040	NEW-P 88-07-110	204-50-040	AMD 88-15-050	204-91A-150	NEW-P 88-13-058
192-42-040	NEW 88-12-051	204-50-050	AMD-P 88-11-015	204-91A-150	NEW-W 88-16-021
192-42-050	NEW-P 88-07-110	204-50-050	AMD 88-15-050	204-91A-160	NEW-P 88-13-058
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192-42-060	NEW 88-12-051	204-74-040	AMD-P 88-11-016	204-91A-170	NEW-W 88-16-021
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192-42-070	NEW 88-12-051	204-80-010	AMD-P 88-11-017	204-91A-180	NEW-W 88-16-021
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192-42-080	NEW 88-12-051	204-80-060	NEW-P 88-11-017	204-91A-190	NEW-W 88-16-021
192-44-010	NEW-P 88-11-091	204-80-060	NEW 88-15-054	212-17-001	AMD-P 88-03-014
192-44-020	NEW-P 88-11-091	204-88-010	AMD-P 88-11-018	212-17-001	AMD 88-08-027
192-44-030	NEW-P 88-11-091	204-88-010	AMD 88-15-053	212-17-010	AMD-P 88-03-014
192-44-040	NEW-P 88-11-091	204-88-030	AMD-P 88-11-018	212-17-010	AMD 88-08-027
192-44-050	NEW-P 88-11-091	204-88-030	AMD 88-15-053	212-17-060	AMD-P 88-03-014
192-44-060	NEW-P 88-11-091	204-88-070	AMD-P 88-11-018	212-17-060	AMD 88-08-027
192-44-070	NEW-P 88-11-091	204-88-070	AMD 88-15-053	212-17-065	AMD-P 88-03-014
192-44-080	NEW-P 88-11-091	204-91-010	REP-P 88-13-058	212-17-065	AMD 88-08-027
192-44-090	NEW-P 88-11-091	204-91-010	REP-W 88-16-021	212-17-070	AMD-P 88-03-014
192-44-100	NEW-P 88-11-091	204-91-020	REP-P 88-13-058	212-17-070	AMD 88-08-027
192-44-110	NEW-P 88-11-091	204-91-020	REP-W 88-16-021	212-17-085	AMD-P 88-03-014
192-44-120	NEW-P 88-11-091	204-91-030	REP-P 88-13-058	212-17-085	AMD 88-08-027
192-44-130	NEW-P 88-11-091	204-91-030	REP-W 88-16-021	212-17-115	AMD-P 88-03-014
192-44-140	NEW-P 88-11-091	204-91-040	REP-P 88-13-058	212-17-115	AMD 88-08-027
192-44-150	NEW-P 88-11-091	204-91-040	REP-W 88-16-021	212-17-120	AMD-P 88-03-014
192-44-160	NEW-P 88-11-091	204-91-050	REP-P 88-13-058	212-17-120	AMD 88-08-027
192-44-170	NEW-P 88-11-091	204-91-050	REP-W 88-16-021	212-17-125	AMD-P 88-03-014
192-44-180	NEW-P 88-11-091	204-91-060	REP-P 88-13-058	212-17-125	AMD 88-08-027
192-44-190	NEW-P 88-11-091	204-91-060	REP-W 88-16-021	212-17-135	AMD-P 88-03-014
196-04-025	NEW-E 88-05-064	204-91-070	REP-P 88-13-058	212-17-135	AMD 88-08-027
196-04-025	NEW-P 88-07-094	204-91-070	REP-W 88-16-021	212-17-140	AMD-P 88-03-014
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196-04-030	AMD-P 88-07-094	204-91-100	REP-P 88-13-058	212-17-170	AMD 88-08-027
196-04-030	AMD 88-12-044	204-91-100	REP-W 88-16-021	212-17-185	AMD-P 88-03-014
196-12-010	AMD-E 88-05-064	204-91-110	REP-P 88-13-058	212-17-185	AMD 88-08-027
196-12-010	AMD-P 88-07-094	204-91-110	REP-W 88-16-021	212-17-195	AMD-P 88-03-014
196-12-010	AMD 88-12-044	204-91-120	REP-P 88-13-058	212-17-195	AMD 88-08-027
196-12-085	AMD-E 88-05-064	204-91-120	REP-W 88-16-021	212-17-203	AMD-P 88-03-014
196-12-085	AMD-P 88-07-094	204-91-130	REP-P 88-13-058	212-17-203	AMD 88-08-027
196-12-085	AMD 88-12-044	204-91-130	REP-W 88-16-021	212-17-225	AMD-P 88-03-014
196-16-007	AMD-E 88-05-064	204-91-140	REP-P 88-13-058	212-17-225	AMD 88-08-027
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196-20-010	AMD-P 88-07-094	204-91-160	REP-P 88-13-058	212-17-235	AMD 88-08-027
196-20-010	AMD 88-12-044	204-91-160	REP-W 88-16-021	212-17-245	AMD-P 88-03-014
204-08-020	AMD 88-03-031	204-91-170	REP-P 88-13-058	212-17-245	AMD 88-08-027
204-08-030	AMD 88-03-031	204-91-170	REP-W 88-16-021	212-17-250	AMD-P 88-03-014
204-08-040	AMD 88-03-031	204-91-180	REP-P 88-13-058	212-17-250	AMD 88-08-027
204-08-050	AMD 88-03-031	204-91-180	REP-W 88-16-021	212-17-260	AMD-P 88-03-014
204-29-010	NEW-E 88-14-022	204-91-190	REP-P 88-13-058	212-17-260	AMD 88-08-027
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204-29-010	NEW-P 88-20-064	204-91-200	REP-P 88-13-058	212-17-265	AMD 88-08-027
204-36-010	AMD-P 88-11-012	204-91-200	REP-W 88-16-021	212-17-270	AMD-P 88-03-014
204-36-010	AMD 88-15-052	204-91A-010	NEW-P 88-13-058	212-17-270	AMD 88-08-027
204-36-020	AMD-P 88-11-012	204-91A-010	NEW-W 88-16-021	212-17-335	AMD-P 88-03-014
204-36-020	AMD 88-15-052	204-91A-020	NEW-P 88-13-058	212-17-335	AMD 88-08-027
204-36-030	AMD-P 88-11-012	204-91A-020	NEW-W 88-16-021	212-17-345	AMD-P 88-03-014
204-36-030	AMD 88-15-052	204-91A-030	NEW-P 88-13-058	212-17-345	AMD 88-08-027

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-17-352	NEW-P	88-03-014	220-32-03000U	REP-E	88-19-059	220-33-050	NEW	88-18-066
212-17-352	NEW	88-08-027	220-32-03000V	NEW-E	88-19-059	220-33-060	NEW-P	88-14-136
212-17-362	NEW-P	88-03-014	220-32-03000V	REP-E	88-21-019	220-33-060	NEW	88-18-066
212-17-362	NEW	88-08-027	220-32-031	REP-P	88-14-136	220-36-021	AMD-P	88-14-135
220-01-00100A	NEW-E	88-18-087	220-32-031	REP	88-22-005	220-36-021	AMD	88-19-098
220-01-00100A	REP-E	88-19-007	220-32-031	REP-E	88-22-006	220-36-02100A	NEW-E	88-22-043
220-12-020	AMD-P	88-07-111	220-32-032	REP-P	88-14-136	220-36-02100T	NEW-E	88-14-024
220-12-020	AMD-C	88-10-041	220-32-032	REP	88-22-005	220-36-02100T	REP-E	88-17-035
220-12-020	AMD	88-12-025	220-32-032	REP-E	88-22-006	220-36-02100U	NEW-E	88-17-035
220-16-040	AMD-P	88-14-136	220-32-033	REP-P	88-14-136	220-36-02100U	REP-E	88-18-003
220-16-040	AMD	88-18-066	220-32-033	REP	88-22-005	220-36-02100V	NEW-E	88-18-003
220-16-085	AMD-P	88-03-076	220-32-033	REP-E	88-22-006	220-36-02100V	REP-E	88-18-093
220-16-085	AMD	88-10-012	220-32-034	REP-P	88-14-136	220-36-02100W	NEW-E	88-18-093
220-16-08500A	NEW-E	88-08-002	220-32-034	REP	88-22-005	220-36-02100W	REP-E	88-19-013
220-16-400	NEW-P	88-14-136	220-32-034	REP-E	88-22-006	220-36-02100X	NEW-E	88-19-013
220-16-400	NEW	88-18-066	220-32-036	REP-P	88-14-136	220-36-02100X	REP-E	88-19-101
220-16-405	NEW-P	88-14-136	220-32-036	REP	88-22-005	220-36-02100Y	NEW-E	88-22-014
220-16-405	NEW	88-18-066	220-32-036	REP-E	88-22-006	220-36-02100Y	REP-E	88-22-040
220-20-010	AMD-P	88-03-075	220-32-040	REP-P	88-14-136	220-36-02100Z	NEW-E	88-22-040
220-20-010	AMD	88-10-013	220-32-040	REP	88-22-005	220-36-02100Z	REP-E	88-22-041
220-20-01000J	NEW-E	88-08-002	220-32-040	REP-E	88-22-006	220-36-022	REP-P	88-14-135
220-20-01000L	NEW-E	88-13-074	220-32-041	REP-P	88-14-136	220-36-022	REP	88-19-098
220-20-060	NEW-P	88-13-005	220-32-041	REP	88-22-005	220-36-024	REP-P	88-14-135
220-20-060	NEW	88-16-074	220-32-041	REP-E	88-22-006	220-36-024	REP	88-19-098
220-20-070	NEW-P	88-22-083	220-32-04100K	NEW-E	88-11-041	220-40-021	AMD-P	88-14-135
220-20-06000A	NEW-E	88-13-006	220-32-043	REP-P	88-14-136	220-40-021	AMD	88-19-098
220-20-06000A	REP-E	88-16-004	220-32-043	REP	88-22-005	220-40-02100F	NEW-E	88-14-024
220-20-06000B	NEW-E	88-16-004	220-32-043	REP-E	88-22-006	220-40-02100F	REP-E	88-17-035
220-22-02000D	NEW-E	88-14-024	220-32-044	REP-P	88-14-136	220-40-02100G	NEW-E	88-17-035
220-22-030	AMD-P	88-10-060	220-32-044	REP	88-22-005	220-40-02100G	REP-E	88-18-003
220-22-030	AMD-C	88-13-069	220-32-044	REP-E	88-22-006	220-40-02100H	NEW-E	88-18-003
220-22-030	AMD	88-14-133	220-32-05100A	NEW-E	88-07-015	220-40-02100H	REP-E	88-18-030
220-24-02000B	NEW-E	88-09-023	220-32-05100B	NEW-E	88-13-111	220-40-02100I	NEW-E	88-18-030
220-24-02000B	REP-E	88-13-063	220-32-05100B	REP-E	88-14-004	220-40-02100I	REP-E	88-18-086
220-24-02000C	NEW-E	88-13-063	220-32-05100C	NEW-E	88-14-004	220-40-02100J	NEW-E	88-18-086
220-28-800	NEW-E	88-18-049	220-32-05100C	REP-E	88-14-018	220-40-02100J	REP-E	88-19-015
220-28-800	REP-E	88-19-046	220-32-05100D	NEW-E	88-14-018	220-40-02100K	NEW-E	88-19-015
220-32	REP-C	88-22-004	220-32-05100D	REP-E	88-16-075	220-40-02100K	REP-E	88-20-051
220-32-016	REP-P	88-14-136	220-32-05100E	NEW-E	88-14-100	220-40-02100L	NEW-E	88-20-051
220-32-016	REP	88-22-005	220-32-05100E	REP-E	88-17-010	220-40-02100L	REP-E	88-22-039
220-32-016	REP-E	88-22-006	220-32-05100F	NEW-E	88-17-010	220-40-02100M	NEW-E	88-22-039
220-32-017	REP-P	88-14-136	220-32-05100F	REP-E	88-17-076	220-40-022	REP-P	88-14-135
220-32-017	REP	88-22-005	220-32-05100G	NEW-E	88-17-076	220-40-022	REP	88-19-098
220-32-017	REP-E	88-22-006	220-32-05100G	REP-E	88-18-019	220-40-024	REP-P	88-14-135
220-32-020	REP-P	88-14-136	220-32-05100H	NEW-E	88-18-019	220-40-024	REP	88-19-098
220-32-020	REP	88-22-005	220-32-05100H	REP-E	88-18-067	220-40-025	REP-P	88-14-135
220-32-020	REP-E	88-22-006	220-32-05100I	NEW-E	88-18-067	220-40-025	REP	88-19-098
220-32-021	REP-P	88-14-136	220-32-05100I	REP-E	88-19-060	220-44-030	AMD-P	88-19-063
220-32-021	REP	88-22-005	220-32-05100J	NEW-E	88-19-060	220-44-030	AMD	88-22-033
220-32-021	REP-E	88-22-006	220-32-05100J	REP-E	88-19-100	220-44-03000C	NEW-E	88-13-070
220-32-022	REP-P	88-14-136	220-32-05100K	NEW-E	88-19-100	220-44-03000D	NEW-E	88-19-062
220-32-022	REP	88-22-005	220-32-05100K	REP-E	88-20-021	220-44-050	AMD-P	88-09-051
220-32-022	REP-E	88-22-006	220-32-05100L	NEW-E	88-20-021	220-44-050	AMD	88-14-020
220-32-023	REP-P	88-14-136	220-32-05100M	NEW-E	88-20-050	220-44-05000M	NEW-E	88-09-004
220-32-023	REP	88-22-005	220-32-05100M	REP-E	88-21-008	220-44-05000N	NEW-E	88-14-132
220-32-023	REP-E	88-22-006	220-32-05100N	NEW-E	88-21-008	220-44-05000N	REP-E	88-16-003
220-32-024	REP-P	88-14-136	220-32-05100Z	NEW-E	88-05-014	220-44-05000P	NEW-E	88-16-003
220-32-024	REP	88-22-005	220-32-05700A	REP-E	88-07-015	220-44-05000P	REP-E	88-17-086
220-32-024	REP-E	88-22-006	220-32-05700A	NEW-E	88-14-034	220-44-05000Q	NEW-E	88-17-086
220-32-025	REP-P	88-14-136	220-32-05700B	NEW-E	88-22-029	220-44-05000Q	REP-E	88-19-089
220-32-025	REP	88-22-005	220-32-05900N	NEW-E	88-09-052	220-44-05000R	NEW-E	88-19-089
220-32-025	REP-E	88-22-006	220-33-001	NEW-P	88-14-136	220-44-05000R	REP-E	88-20-030
220-32-030	REP-P	88-14-136	220-33-001	NEW	88-18-066	220-44-05000S	NEW-E	88-20-030
220-32-030	REP	88-22-005	220-33-005	NEW-P	88-14-136	220-47-266	AMD-P	88-10-060
220-32-030	REP-E	88-22-006	220-33-010	NEW	88-18-066	220-47-266	AMD-C	88-13-069
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220-32-03000P	NEW-E	88-07-014	220-33-010	NEW-E	88-21-019	220-47-269	NEW-C	88-13-069
220-32-03000Q	NEW-E	88-13-111	220-33-01000A	REP-E	88-22-015	220-47-269	NEW	88-14-133
220-32-03000Q	REP-E	88-14-004	220-33-01000B	NEW-E	88-22-015	220-47-307	AMD-P	88-10-060
220-32-03000R	NEW-E	88-14-004	220-33-020	NEW-P	88-14-136	220-47-307	AMD-C	88-13-069
220-32-03000R	REP-E	88-17-010	220-33-020	NEW	88-18-066	220-47-307	AMD	88-14-133
220-32-03000S	NEW-E	88-17-010	220-33-030	NEW-P	88-14-136	220-47-311	AMD-P	88-10-060
220-32-03000S	REP-E	88-17-036	220-33-030	NEW	88-18-066	220-47-311	AMD-C	88-13-069
220-32-03000T	NEW-E	88-17-036	220-33-040	NEW-P	88-14-136	220-47-311	AMD	88-14-133
220-32-03000T	REP-E	88-19-012	220-33-040	NEW	88-18-066	220-47-312	AMD-P	88-10-060
220-32-03000U	NEW-E	88-19-012	220-33-050	NEW-P	88-14-136	220-47-312	AMD-C	88-13-069

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220-47-313	AMD-P	88-10-060	220-52-010	AMD-P	88-07-111	220-56-19000X	NEW-E	88-12-045
220-47-313	AMD-C	88-13-069	220-52-010	AMD-C	88-10-041	220-56-19000X	REP-E	88-14-017
220-47-313	AMD	88-14-133	220-52-010	AMD	88-12-025	220-56-19000Y	NEW-E	88-14-017
220-47-401	AMD-P	88-10-060	220-52-05100A	NEW-E	88-16-045	220-56-19000Y	REP-E	88-15-007
220-47-401	AMD-C	88-13-069	220-52-05300U	NEW-E	88-12-003	220-56-19000Z	NEW-E	88-14-019
220-47-401	AMD	88-14-133	220-52-05300U	REP-E	88-13-071	220-56-19000Z	REP-E	88-16-048
220-47-411	AMD-P	88-10-060	220-52-05300V	NEW-E	88-13-071	220-56-195	AMD-P	88-03-075
220-47-411	AMD-C	88-13-069	220-52-05300V	REP-E	88-14-071	220-56-195	AMD	88-10-013
220-47-411	AMD	88-14-133	220-52-05300W	NEW-E	88-10-071	220-56-19500H	NEW-E	88-08-002
220-47-412	AMD-P	88-10-060	220-52-07300E	NEW-E	88-22-051	220-56-19500I	NEW-E	88-18-069
220-47-412	AMD-C	88-13-069	220-55-040	AMD	88-05-002	220-56-199	AMD-P	88-03-075
220-47-412	AMD	88-14-133	220-55-060	AMD	88-05-002	220-56-199	AMD	88-10-013
220-47-413	AMD-P	88-10-060	220-55-065	AMD	88-05-002	220-56-19900B	NEW-E	88-08-002
220-47-413	AMD-C	88-13-069	220-55-06500A	NEW-E	88-02-048	220-56-205	AMD-P	88-03-075
220-47-413	AMD	88-14-133	220-55-070	AMD	88-05-002	220-56-205	AMD	88-10-013
220-47-414	AMD-P	88-10-060	220-55-07000A	NEW-E	88-02-048	220-56-20500B	NEW-E	88-08-002
220-47-414	AMD-C	88-13-069	220-55-075	AMD	88-05-002	220-56-235	AMD-P	88-03-075
220-47-414	AMD	88-14-133	220-55-07500A	NEW-E	88-02-048	220-56-235	AMD	88-10-013
220-47-900	NEW-E	88-15-025	220-55-07600A	NEW-E	88-02-048	220-56-23500D	NEW-E	88-08-002
220-47-900	REP-E	88-16-075	220-55-080	AMD	88-05-002	220-56-240	AMD-P	88-03-076
220-47-901	NEW-E	88-15-044	220-55-085	REP	88-05-002	220-56-240	AMD	88-10-012
220-47-901	REP-E	88-16-075	220-55-090	AMD	88-05-002	220-56-24000D	NEW-E	88-08-002
220-47-902	NEW-E	88-15-067	220-55-095	REP	88-05-002	220-56-245	AMD-P	88-03-076
220-47-902	REP-E	88-16-006	220-55-105	AMD	88-05-002	220-56-245	AMD	88-10-012
220-47-903	NEW-E	88-16-006	220-55-110	AMD	88-05-002	220-56-24500D	NEW-E	88-08-002
220-47-903	REP-E	88-16-010	220-55-115	AMD	88-05-002	220-56-24500E	NEW-E	88-16-028
220-47-904	NEW-E	88-16-010	220-55-120	AMD	88-05-002	220-56-255	AMD-P	88-03-075
220-47-904	REP-E	88-16-047	220-55-12000A	NEW-E	88-02-048	220-56-255	AMD	88-10-013
220-47-905	NEW-E	88-16-047	220-55-125	AMD	88-05-002	220-56-25500A	REP-E	88-06-050
220-47-905	REP-E	88-17-004	220-55-130	AMD	88-05-002	220-56-25500B	NEW-E	88-06-050
220-47-906	NEW-E	88-17-004	220-55-135	AMD	88-05-002	220-56-25500C	REP-E	88-08-002
220-47-906	REP-E	88-17-033	220-55-13000A	NEW-E	88-02-048	220-56-25500C	NEW-E	88-08-002
220-47-907	NEW-E	88-17-033	220-56-105	AMD-P	88-03-075	220-56-25500D	NEW-E	88-16-028
220-47-907	REP-E	88-17-077	220-56-105	AMD	88-10-013	220-56-265	AMD-P	88-03-075
220-47-908	NEW-E	88-17-077	220-56-115	AMD-P	88-03-075	220-56-265	AMD	88-10-013
220-47-908	REP-E	88-18-013	220-56-115	AMD	88-10-013	220-56-26500A	NEW-E	88-08-002
220-47-909	NEW-E	88-18-013	220-56-11500B	NEW-E	88-08-002	220-56-28000A	NEW-E	88-20-057
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220-47-910	NEW-E	88-18-068	220-56-116	AMD-P	88-03-076	220-56-28000B	NEW-E	88-21-062
220-47-910	REP-E	88-19-014	220-56-116	AMD	88-10-012	220-56-285	AMD-P	88-03-076
220-47-911	NEW-E	88-19-014	220-56-120	AMD-P	88-03-076	220-56-285	AMD	88-10-012
220-47-911	REP-E	88-19-036	220-56-120	AMD	88-10-012	220-56-28500E	NEW-E	88-20-057
220-47-912	NEW-E	88-19-036	220-56-12600A	NEW-E	88-16-005	220-56-28500E	REP-E	88-21-062
220-47-912	REP-E	88-19-046	220-56-128	AMD-P	88-03-076	220-56-28500F	NEW-E	88-21-062
220-47-913	NEW-E	88-19-046	220-56-128	AMD	88-10-012	220-56-310	AMD-P	88-03-075
220-47-913	REP-E	88-19-058	220-56-12800C	NEW-E	88-08-002	220-56-310	AMD-P	88-07-111
220-47-914	NEW-E	88-19-058	220-56-175	AMD	88-05-002	220-56-310	AMD	88-10-013
220-47-914	REP-E	88-19-099	220-56-17500A	NEW-E	88-02-048	220-56-310	AMD-C	88-10-041
220-47-915	NEW-E	88-19-099	220-56-180	AMD-P	88-03-075	220-56-310	AMD	88-12-025
220-47-915	REP-E	88-20-005	220-56-180	AMD	88-10-013	220-56-31000H	NEW-E	88-08-002
220-47-916	NEW-E	88-20-005	220-56-18000A	NEW-E	88-21-074	220-56-320	AMD-P	88-07-111
220-47-916	REP-E	88-20-011	220-56-18000V	NEW-E	88-08-002	220-56-320	AMD-C	88-10-041
220-47-917	NEW-E	88-20-011	220-56-18000W	NEW-E	88-08-003	220-56-320	AMD	88-12-025
220-47-917	REP-E	88-20-019	220-56-18000X	NEW-E	88-12-047	220-56-32500J	NEW-E	88-11-040
220-47-918	NEW-E	88-20-019	220-56-18000X	REP-E	88-16-011	220-56-32500J	REP-E	88-14-016
220-47-918	REP-E	88-20-049	220-56-18000Y	NEW-E	88-16-011	220-56-32500K	NEW-E	88-12-003
220-47-919	NEW-E	88-20-049	220-56-18000Y	REP-E	88-20-010	220-56-32500K	REP-E	88-14-071
220-47-919	REP-E	88-20-069	220-56-18000Z	NEW-E	88-20-010	220-56-32500L	NEW-E	88-14-016
220-47-920	NEW-E	88-20-069	220-56-18000Z	REP-E	88-21-074	220-56-32500M	NEW-E	88-14-071
220-47-920	REP-E	88-21-010	220-56-185	AMD-P	88-03-075	220-56-32500N	NEW-E	88-16-045
220-47-921	NEW-E	88-21-010	220-56-185	AMD	88-10-013	220-56-335	AMD-P	88-03-075
220-47-921	REP-E	88-21-020	220-56-19000A	NEW-E	88-15-007	220-56-335	AMD	88-10-013
220-47-922	NEW-E	88-21-020	220-56-19000A	REP-E	88-16-009	220-56-33500F	NEW-E	88-08-002
220-47-922	REP-E	88-21-061	220-56-19000B	NEW-E	88-16-009	220-56-350	AMD-P	88-03-075
220-47-923	NEW-E	88-21-061	220-56-19000B	REP-E	88-16-046	220-56-350	AMD	88-10-013
220-47-923	REP-E	88-21-075	220-56-19000C	NEW-E	88-16-046	220-56-35000D	NEW-E	88-08-002
220-47-924	NEW-E	88-21-075	220-56-19000C	REP-E	88-17-048	220-56-355	AMD-P	88-03-075
220-47-924	REP-E	88-22-013	220-56-19000D	NEW-E	88-16-048	220-56-355	AMD	88-10-013
220-47-925	NEW-E	88-22-013	220-56-19000D	REP-E	88-18-085	220-56-35500A	NEW-E	88-08-002
220-47-925	REP-E	88-22-042	220-56-19000E	NEW-E	88-17-048	220-56-36000P	NEW-E	88-07-013
220-47-926	NEW-E	88-22-042	220-56-19000E	REP-E	88-18-043	220-56-36000Q	NEW-E	88-21-076
220-48-01500A	NEW-E	88-03-009	220-56-19000F	NEW-E	88-18-043	220-56-380	AMD-P	88-03-075
220-48-01500B	NEW-E	88-07-034	220-56-19000G	NEW-E	88-18-041	220-56-380	AMD-P	88-03-076
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220-48-02900B	NEW-E	88-03-009	220-56-19000H	NEW-E	88-18-085	220-56-380	AMD	88-10-013
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248-54-115	REP	88-05-057	248-63-140	REP	88-10-027	248-100-163	REP-P	88-03-022
248-54-125	AMD	88-05-057	248-63-145	NEW-P	88-06-092	248-100-163	REP	88-07-063
248-54-131	NEW	88-05-057	248-63-145	NEW	88-10-027	248-100-164	REP-P	88-03-022
248-54-135	AMD	88-05-057	248-63-150	REP-P	88-06-092	248-100-164	REP	88-07-063
248-54-145	AMD	88-05-057	248-63-150	REP	88-10-027	248-100-166	NEW-P	88-03-022
248-54-155	AMD	88-05-057	248-63-155	NEW-P	88-06-092	248-100-166	NEW	88-07-063
248-54-165	AMD	88-05-057	248-63-155	NEW	88-10-027	248-100-171	NEW-P	88-03-022
248-54-175	AMD	88-05-057	248-63-160	REP-P	88-06-092	248-100-171	NEW	88-07-063
248-54-185	AMD	88-05-057	248-63-160	REP	88-10-027	248-100-176	NEW-P	88-03-022
248-54-194	NEW	88-05-057	248-63-165	NEW-P	88-06-092	248-100-176	NEW	88-07-063
248-54-195	REP	88-05-057	248-63-165	NEW	88-10-027	248-100-181	NEW-P	88-03-022
248-54-196	NEW	88-05-057	248-63-170	REP-P	88-06-092	248-100-181	NEW	88-07-063
248-54-201	NEW	88-05-057	248-63-170	REP	88-10-027	248-100-186	NEW-P	88-03-022
248-54-205	AMD	88-05-057	248-63-175	NEW-P	88-06-092	248-100-186	NEW	88-07-063
248-54-215	AMD	88-05-057	248-63-175	NEW	88-10-027	248-100-191	NEW-P	88-03-022
248-54-225	AMD	88-05-057	248-63-180	REP-P	88-06-092	248-100-191	NEW	88-07-063
248-54-235	AMD	88-05-057	248-63-180	REP	88-10-027	248-100-196	NEW-P	88-03-022
248-54-255	AMD	88-05-057	248-97-010	NEW-P	88-10-005	248-100-196	NEW	88-07-063
248-54-265	AMD	88-05-057	248-97-010	NEW	88-13-125	248-100-201	NEW-P	88-03-022
248-54-275	REP	88-05-057	248-97-020	NEW-P	88-10-005	248-100-201	NEW	88-07-063
248-54-285	AMD	88-05-057	248-97-020	NEW	88-13-125	248-100-206	AMD-P	88-14-079
248-54-291	NEW	88-05-057	248-97-030	NEW-P	88-10-005	248-100-206	AMD	88-17-056
248-63	AMD-P	88-06-092	248-97-030	NEW	88-13-125	248-100-206	AMD-P	88-18-103
248-63	AMD	88-10-027	248-97-040	NEW-P	88-10-005	248-100-206	AMD	88-21-093
248-63-001	AMD-P	88-06-092	248-97-040	NEW	88-13-125	248-100-207	NEW-E	88-09-053
248-63-001	AMD	88-10-027	248-97-050	NEW-P	88-10-005	248-100-207	NEW-P	88-13-104
248-63-010	AMD-P	88-06-092	248-97-050	NEW	88-13-125	248-100-207	NEW-E	88-13-108
248-63-010	AMD	88-10-027	248-97-060	NEW-P	88-10-005	248-100-207	NEW	88-17-058
248-63-020	REP-P	88-06-092	248-97-060	NEW	88-13-125	248-100-208	NEW-E	88-09-053
248-63-020	REP	88-10-027	248-97-070	NEW-P	88-10-005	248-100-208	NEW-P	88-13-104
248-63-025	NEW-P	88-06-092	248-97-070	NEW	88-13-125	248-100-208	NEW-E	88-13-108
248-63-025	NEW	88-10-027	248-97-080	NEW-P	88-10-005	248-100-208	NEW	88-17-058
248-63-030	REP-P	88-06-092	248-97-080	NEW	88-13-125	248-100-209	NEW-P	88-13-104
248-63-030	REP	88-10-027	248-97-090	NEW-P	88-10-005	248-100-209	NEW-E	88-13-108
248-63-035	NEW-P	88-06-092	248-97-090	NEW	88-13-125	248-100-209	NEW	88-17-058
248-63-035	NEW	88-10-027	248-97-100	NEW-P	88-10-005	248-100-209	AMD-P	88-18-102
248-63-040	REP-P	88-06-092	248-97-100	NEW	88-13-125	248-100-209	AMD-E	88-21-058
248-63-040	REP	88-10-027	248-97-110	NEW-P	88-10-005	248-100-209	AMD-P	88-21-089
248-63-045	NEW-P	88-06-092	248-97-110	NEW	88-13-125	248-100-231	AMD-P	88-03-022
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248-63-050	REP-P	88-06-092	248-97-120	NEW	88-13-125	248-100-236	AMD-P	88-03-022
248-63-050	REP	88-10-027	248-97-130	NEW-P	88-10-005	248-100-236	AMD	88-07-063
248-63-055	NEW-P	88-06-092	248-97-130	NEW	88-13-125	248-100-440	REP-P	88-03-022
248-63-055	NEW	88-10-027	248-97-140	NEW-P	88-10-005	248-100-440	REP	88-07-063
248-63-060	REP-P	88-06-092	248-97-140	NEW	88-13-125	248-100-450	REP-P	88-03-022
248-63-060	REP	88-10-027	248-97-150	NEW-P	88-10-005	248-100-450	REP	88-07-063
248-63-065	NEW-P	88-06-092	248-97-150	NEW	88-13-125	248-100-452	REP-P	88-03-022
248-63-065	NEW	88-10-027	248-97-160	NEW-P	88-10-005	248-100-452	REP	88-07-063
248-63-070	REP-P	88-06-092	248-97-160	NEW	88-13-125	248-124-010	AMD-P	88-16-108
248-63-070	REP	88-10-027	248-97-170	NEW-P	88-10-005	248-124-010	AMD	88-19-092
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248-63-075	NEW	88-10-027	248-100-011	AMD-P	88-03-022	248-124-015	NEW	88-19-092
248-63-080	REP-P	88-06-092	248-100-011	AMD	88-07-063	248-124-160	NEW-P	88-16-107
248-63-080	REP	88-10-027	248-100-011	AMD-E	88-09-053	248-124-160	NEW	88-19-034
248-63-085	NEW-P	88-06-092	248-100-011	AMD-P	88-13-103	248-172-101	NEW	88-04-090
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248-63-090	REP-P	88-06-092	248-100-011	AMD	88-17-057	248-172-202	NEW	88-04-090
248-63-090	REP	88-10-027	248-100-016	AMD-P	88-13-103	248-172-203	NEW	88-04-090
248-63-095	NEW-P	88-06-092	248-100-016	AMD-E	88-13-109	248-172-204	NEW	88-04-090
248-63-095	NEW	88-10-027	248-100-016	AMD	88-17-057	248-172-205	NEW	88-04-090
248-63-100	REP-P	88-06-092	248-100-016	AMD-P	88-18-102	248-172-206	NEW	88-04-090
248-63-100	REP	88-10-027	248-100-016	AMD	88-21-093	248-172-301	NEW	88-04-090
248-63-105	NEW-P	88-06-092	248-100-025	REP-P	88-03-022	248-172-302	NEW	88-04-090
248-63-105	NEW	88-10-027	248-100-025	REP	88-07-063	248-172-303	NEW	88-04-090
248-63-110	REP-P	88-06-092	248-100-026	NEW-P	88-03-022	248-172-304	NEW	88-04-090
248-63-110	REP	88-10-027	248-100-026	NEW	88-07-063	248-172-401	NEW	88-04-090
248-63-115	NEW-P	88-06-092	248-100-036	NEW-P	88-03-022	248-172-402	NEW	88-04-090
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248-63-120	REP-P	88-06-092	248-100-036	AMD-P	88-18-102	250-20-021	AMD	88-10-001
248-63-120	REP	88-10-027	248-100-036	AMD-E	88-21-058	250-20-031	AMD-P	88-06-089

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250-40-030	AMD	88-10-002	251-01-445	AMD-C	88-13-112	251-12-075	AMD-P	88-17-106
250-40-040	AMD-P	88-06-090	251-01-445	AMD	88-18-018	251-12-080	AMD-P	88-06-063
250-40-040	AMD	88-10-002	251-01-450	REP-P	88-02-072	251-12-081	NEW-P	88-06-063
250-40-050	AMD-P	88-06-090	251-01-455	REP-P	88-02-072	251-12-101	NEW-P	88-17-106
250-40-050	AMD	88-10-002	251-01-455	REP-P	88-06-075	251-12-101	NEW	88-22-057
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250-60-030	AMD	88-10-003	251-04-040	AMD	88-15-023	251-12-103	NEW	88-22-057
250-60-040	AMD-P	88-06-091	251-08-100	AMD-P	88-12-052	251-12-250	AMD-P	88-06-063
250-60-040	AMD	88-10-003	251-08-100	AMD	88-15-023	251-12-260	AMD-P	88-22-044
250-60-050	AMD-P	88-06-091	251-08-110	AMD-P	88-21-100	251-12-270	AMD-P	88-06-063
250-60-050	AMD	88-10-003	251-10	AMD	88-22-057	251-12-290	AMD-P	88-06-063
250-60-060	AMD-P	88-06-091	251-10-030	AMD-P	88-17-107	251-12-600	AMD-P	88-17-106
250-60-060	AMD	88-10-003	251-10-030	AMD	88-22-057	251-12-600	AMD	88-22-057
250-60-070	AMD-P	88-06-091	251-10-035	AMD-P	88-17-107	251-14-020	AMD-P	88-02-072
250-60-070	AMD	88-10-003	251-10-035	AMD	88-22-057	251-14-020	AMD-C	88-06-062
250-60-080	AMD-P	88-06-091	251-10-070	NEW-P	88-21-100	251-14-020	AMD-P	88-06-075
250-60-080	AMD	88-10-003	251-10-080	NEW-P	88-21-100	251-14-020	AMD-C	88-13-112
250-60-090	AMD-P	88-06-091	251-10-090	NEW-P	88-21-100	251-14-020	AMD	88-18-018
250-60-090	AMD	88-10-003	251-10-105	REP-P	88-17-107	251-14-030	AMD-P	88-02-072
250-60-100	AMD-P	88-06-091	251-10-105	REP	88-22-057	251-14-052	AMD-P	88-02-072
250-60-100	AMD	88-10-003	251-10-108	REP-P	88-17-107	251-14-052	AMD-C	88-06-062
250-60-110	AMD-P	88-06-091	251-10-108	REP	88-22-057	251-14-052	AMD-P	88-06-075
250-60-110	AMD	88-10-003	251-10-110	REP-P	88-17-107	251-14-052	AMD-C	88-13-112
250-60-120	AMD-P	88-06-091	251-10-110	REP	88-22-057	251-14-052	AMD	88-18-018
250-60-120	AMD	88-10-003	251-10-111	REP-P	88-17-107	251-14-054	AMD-P	88-02-072
250-65-010	NEW	88-03-008	251-10-111	REP	88-22-057	251-14-054	AMD-C	88-06-062
250-65-020	NEW	88-03-008	251-10-120	REP-P	88-17-107	251-14-054	AMD-P	88-06-075
250-65-030	NEW	88-03-008	251-10-120	REP	88-22-057	251-14-056	AMD-P	88-04-069
250-65-040	NEW	88-03-008	251-10-130	REP-P	88-17-107	251-14-056	AMD	88-08-018
250-65-050	NEW	88-03-008	251-10-130	REP	88-22-057	251-14-058	AMD-P	88-02-072
250-65-060	NEW	88-03-008	251-10-140	REP-P	88-17-107	251-14-058	AMD-C	88-06-062
250-66-010	NEW-P	88-11-074	251-10-140	REP	88-22-057	251-14-058	AMD-P	88-06-075
250-66-010	NEW	88-14-088	251-10-150	REP-P	88-17-107	251-14-058	AMD-C	88-13-112
250-66-020	NEW-P	88-11-074	251-10-150	REP	88-22-057	251-14-058	AMD	88-18-018
250-66-020	NEW	88-14-088	251-10-160	REP-P	88-17-107	251-14-058	AMD-P	88-22-044
250-66-030	NEW-P	88-11-074	251-10-160	REP	88-22-057	251-17-090	AMD-P	88-21-100
250-66-030	NEW	88-14-088	251-10-170	AMD-P	88-02-072	251-17-140	REP-P	88-09-057
250-66-040	NEW-P	88-11-074	251-10-170	AMD-C	88-06-062	251-17-140	REP	88-13-018
250-66-040	NEW	88-14-088	251-10-170	AMD-P	88-06-075	251-17-170	AMD-P	88-08-021
250-66-050	NEW-P	88-11-074	251-10-170	AMD-C	88-13-112	251-18-180	AMD-P	88-21-100
250-66-050	NEW	88-14-088	251-10-170	REP-P	88-17-107	251-22-110	AMD-P	88-09-056
250-66-060	NEW-P	88-11-074	251-10-170	AMD	88-18-018	251-22-110	AMD	88-13-019
250-66-060	NEW	88-14-088	251-10-170	REP	88-22-057	251-22-110	AMD-P	88-13-114
250-67-010	NEW-P	88-11-075	251-10-180	REP-P	88-17-107	251-22-110	AMD	88-17-008
250-67-010	NEW	88-14-089	251-10-180	REP	88-22-057	251-22-115	REP-P	88-09-056
250-67-020	NEW-P	88-11-075	251-10-190	REP-P	88-17-107	251-22-115	REP	88-13-019
250-67-020	NEW	88-14-089	251-10-190	REP	88-22-057	251-24-030	AMD-P	88-21-100
250-67-030	NEW-P	88-11-075	251-10-195	REP-P	88-17-107	260-16-090	NEW	88-06-017
250-67-030	NEW	88-14-089	251-10-195	REP	88-22-057	260-20-170	AMD	88-06-017
250-67-040	NEW-P	88-11-075	251-11-010	NEW-P	88-17-107	260-34-010	NEW-P	88-06-052
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250-67-060	NEW	88-14-089	251-11-030	NEW	88-22-057	260-34-030	NEW	88-09-033
251-01-018	NEW-P	88-02-072	251-11-040	NEW-P	88-17-107	260-34-040	NEW-P	88-06-052
251-01-028	NEW-P	88-09-057	251-11-040	NEW	88-22-057	260-34-040	NEW	88-09-033
251-01-028	NEW	88-13-018	251-11-050	NEW-P	88-17-107	260-34-050	NEW-P	88-06-052
251-01-057	AMD-P	88-09-056	251-11-050	NEW	88-22-057	260-34-050	NEW	88-09-033
251-01-057	AMD	88-13-019	251-11-060	NEW-P	88-17-107	260-34-060	NEW-P	88-06-052
251-01-255	REP-P	88-02-071	251-11-060	NEW	88-22-057	260-34-060	NEW	88-09-033
251-01-255	AMD-P	88-13-115	251-11-070	NEW-P	88-17-107	260-34-070	NEW-P	88-06-052
251-01-255	AMD	88-17-108	251-11-070	NEW	88-22-057	260-34-070	NEW	88-09-033
251-01-258	NEW-P	88-02-072	251-11-080	NEW-P	88-17-107	260-34-080	NEW-P	88-06-052
251-01-258	NEW-C	88-06-062	251-11-080	NEW	88-22-057	260-34-080	NEW	88-09-033
251-01-258	NEW-P	88-06-075	251-11-090	NEW-P	88-17-107	260-34-090	NEW-P	88-06-052
251-01-258	NEW-C	88-13-112	251-11-090	NEW	88-22-057	260-34-090	NEW	88-09-033
251-01-258	NEW	88-18-018	251-11-100	NEW-P	88-17-107	260-34-100	NEW-P	88-06-052
251-01-367	NEW-P	88-02-072	251-11-100	NEW	88-22-057	260-34-100	NEW	88-09-033
251-01-367	NEW-C	88-06-062	251-11-110	NEW-P	88-17-107	260-34-110	NEW-P	88-06-052
251-01-367	NEW-P	88-06-075	251-11-110	NEW	88-22-057	260-34-110	NEW-P	88-13-011
251-01-367	NEW-C	88-13-112	251-11-120	NEW-P	88-17-107	260-34-110	NEW	88-17-075
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260-34-130	NEW-P	88-06-052	275-35-020	AMD-P	88-09-038	275-38-695	AMD	88-12-087
260-34-130	NEW-P	88-13-011	275-35-020	AMD	88-13-028	275-38-700	AMD-P	88-07-122
260-34-130	NEW	88-17-075	275-35-030	AMD-P	88-09-038	275-38-700	AMD	88-12-087
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260-34-140	NEW-P	88-13-011	275-35-040	AMD-P	88-09-038	275-38-705	AMD	88-12-087
260-34-140	NEW	88-17-075	275-35-040	AMD	88-13-028	275-38-706	NEW-P	88-07-122
260-34-150	NEW-P	88-06-052	275-35-050	AMD-P	88-09-038	275-38-706	NEW	88-12-087
260-34-150	NEW-P	88-13-011	275-35-050	AMD	88-13-028	275-38-715	AMD-P	88-07-122
260-34-150	NEW	88-17-075	275-35-060	AMD-P	88-09-038	275-38-715	AMD	88-12-087
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260-34-160	NEW-P	88-13-011	275-35-070	AMD-P	88-09-038	275-38-720	AMD	88-12-087
260-34-160	NEW	88-17-075	275-35-070	AMD	88-13-028	275-38-725	AMD-P	88-07-122
260-34-170	NEW-P	88-06-052	275-35-080	AMD-P	88-09-038	275-38-725	AMD	88-12-087
260-34-170	NEW-P	88-13-011	275-35-080	AMD	88-13-028	275-38-735	REP-P	88-07-122
260-34-170	NEW	88-17-075	275-35-090	REP-P	88-09-038	275-38-735	REP	88-12-087
260-34-180	NEW-P	88-06-052	275-35-090	REP	88-13-028	275-38-745	AMD-P	88-07-122
260-34-180	NEW	88-09-033	275-35-100	AMD-P	88-09-038	275-38-745	AMD	88-12-087
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296-17-759	AMD-P	88-06-072	296-17-91903	AMD-P	88-09-070	296-24-58503	AMD-P	88-18-071
296-17-759	AMD	88-12-050	296-17-91903	AMD-E	88-14-075	296-24-58513	AMD-P	88-09-074
296-17-760	AMD-P	88-06-072	296-17-91903	AMD	88-14-107	296-24-58513	AMD	88-14-108
296-17-760	AMD	88-12-050	296-17-91904	AMD-P	88-09-070	296-24-590	REP-P	88-06-073
296-17-761	AMD-P	88-06-072	296-17-91904	AMD-E	88-14-075	296-24-590	REP	88-11-021
296-17-761	AMD	88-12-050	296-17-91904	AMD	88-14-107	296-24-605	REP-P	88-06-073
296-17-762	AMD-P	88-06-072	296-17-91904	AMD-P	88-18-100	296-24-605	REP	88-11-021
296-17-762	AMD	88-12-050	296-17-91905	AMD-P	88-09-070	296-24-63399	AMD-P	88-09-074
296-17-76201	NEW-P	88-06-072	296-17-91905	AMD-E	88-14-075	296-24-63399	AMD	88-14-108
296-17-76201	NEW	88-12-050	296-17-91905	AMD	88-14-107	296-24-68001	AMD-P	88-18-071
296-17-76202	NEW-P	88-06-072	296-18A-440	AMD-P	88-16-091	296-24-68203	AMD-P	88-06-073
296-17-76202	NEW	88-12-050	296-18A-440	AMD	88-21-022	296-24-68203	AMD	88-11-021
296-17-76203	NEW-P	88-06-072	296-18A-445	AMD-P	88-07-100	296-24-78009	AMD-P	88-06-073
296-17-76203	NEW	88-12-050	296-18A-445	AMD	88-12-096	296-24-78009	AMD	88-11-021
296-17-76204	NEW-P	88-06-072	296-18A-450	AMD-P	88-09-071	296-24-82513	AMD-P	88-18-071
296-17-76204	NEW	88-12-050	296-18A-450	AMD	88-14-011	296-24-82515	AMD-P	88-18-071
296-17-76205	NEW-P	88-06-072	296-18A-460	AMD-P	88-16-091	296-24-82517	AMD-P	88-18-071
296-17-76205	NEW	88-12-050	296-18A-460	AMD	88-21-022	296-24-95601	AMD-P	88-18-071
296-17-76206	NEW-P	88-06-072	296-18A-465	AMD-P	88-16-091	296-27-15501	AMD-P	88-09-074
296-17-76206	NEW	88-12-050	296-18A-465	AMD	88-21-022	296-27-15501	AMD	88-14-108
296-17-76207	NEW-P	88-06-072	296-18A-480	AMD-P	88-16-091	296-45-65025	REP-P	88-06-073
296-17-76207	NEW	88-12-050	296-18A-480	AMD	88-21-022	296-45-65025	REP	88-11-021
296-17-76208	NEW-P	88-06-072	296-18A-500	AMD-P	88-07-100	296-45-65026	NEW-P	88-06-073
296-17-76208	NEW	88-12-050	296-18A-500	AMD	88-12-096	296-45-65026	NEW	88-11-021
296-17-76209	NEW-P	88-06-072	296-18A-520	AMD-P	88-09-071	296-45-65037	AMD-P	88-06-073
296-17-76209	NEW	88-12-050	296-18A-520	AMD	88-14-011	296-45-65037	AMD	88-11-021
296-17-76210	NEW-P	88-06-072	296-20-0100	NEW-P	88-19-111	296-46-316	AMD-P	88-11-086
296-17-76210	NEW	88-12-050	296-20-03001	AMD-W	88-04-049	296-46-316	AMD-E	88-11-087
296-17-76211	NEW-P	88-06-072	296-20-045	AMD-C	88-04-051	296-46-316	AMD	88-15-063
296-17-76211	NEW	88-12-050	296-20-045	AMD-C	88-06-036	296-46-420	AMD-P	88-11-086
296-17-76212	NEW-P	88-06-072	296-20-132	AMD-P	88-19-111	296-46-420	AMD-E	88-11-087
296-17-76212	NEW	88-12-050	296-20-135	AMD-P	88-19-111	296-46-420	AMD	88-15-063
296-17-773	AMD-P	88-06-076	296-20-140	REP-P	88-19-111	296-52-401	AMD-P	88-18-071
296-17-773	AMD	88-12-065	296-20-145	REP-P	88-19-111	296-52-419	NEW-P	88-18-071
296-17-855	AMD-P	88-20-074	296-20-150	REP-P	88-19-111	296-52-421	AMD-P	88-18-071
296-17-86501	AMD-P	88-20-074	296-20-155	REP-P	88-19-111	296-52-423	NEW-P	88-18-071
296-17-86502	NEW-P	88-09-073	296-20-210	AMD-P	88-09-072			

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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
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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	296-62-07523	NEW-P 88-16-092
296-54-501	AMD-P 88-18-071	296-59-130	NEW-P 88-09-074	296-62-07523	NEW-E 88-21-001
296-54-559	AMD-P 88-18-071	296-59-130	NEW 88-14-108	296-62-07523	NEW 88-21-002
296-54-605	AMD-P 88-18-071	296-59-135	NEW-P 88-18-071	296-62-07525	NEW-P 88-09-074
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296-54-99005	REP-P 88-18-071	296-62-05403	AMD-P 88-09-074	296-62-07525	NEW-P 88-16-092
296-54-99006	REP-P 88-18-071	296-62-05403	AMD 88-14-108	296-62-07525	NEW-E 88-21-001
296-54-99011	REP-P 88-18-071	296-62-05405	AMD-P 88-09-074	296-62-07525	NEW 88-21-002
296-54-99012	REP-P 88-18-071	296-62-05405	AMD 88-14-108	296-62-07527	NEW-P 88-09-074
296-56-60001	AMD-P 88-09-074	296-62-05407	AMD-P 88-09-074	296-62-07527	NEW-W 88-14-141
296-56-60001	AMD 88-14-108	296-62-05407	AMD 88-14-108	296-62-07527	NEW-E 88-16-044
296-56-60081	AMD-P 88-09-074	296-62-05409	AMD-P 88-09-074	296-62-07527	NEW-P 88-16-092
296-56-60081	AMD 88-14-108	296-62-05409	AMD 88-14-108	296-62-07527	NEW-E 88-21-001
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296-56-60249	AMD 88-14-108	296-62-05411	AMD 88-14-108	296-62-07529	NEW-P 88-09-074
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296-59-003	NEW-P 88-09-074	296-62-05415	AMD-P 88-09-074	296-62-07529	NEW-P 88-16-092
296-59-003	NEW 88-14-108	296-62-05415	AMD-W 88-14-141	296-62-07529	NEW-E 88-21-001
296-59-005	NEW-P 88-09-074	296-62-05417	AMD-P 88-09-074	296-62-07529	NEW 88-21-002
296-59-005	NEW 88-14-108	296-62-05417	AMD 88-14-108	296-62-07531	NEW-P 88-09-074
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296-59-010	NEW 88-14-108	296-62-05423	AMD 88-14-108	296-62-07531	NEW-E 88-21-001
296-59-015	NEW-P 88-09-074	296-62-05425	AMD-P 88-09-074	296-62-07531	NEW 88-21-002
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296-59-020	NEW 88-14-108	296-62-07113	AMD 88-14-108	296-62-07533	NEW-E 88-16-044
296-59-025	NEW-P 88-09-074	296-62-07115	AMD-P 88-09-074	296-62-07533	NEW-P 88-16-092
296-59-025	NEW 88-14-108	296-62-07115	AMD 88-14-108	296-62-07533	NEW-E 88-21-001
296-59-027	NEW-P 88-09-074	296-62-07336	NEW-P 88-06-073	296-62-07533	NEW 88-21-002
296-59-027	NEW 88-14-108	296-62-07336	NEW 88-11-021	296-62-07540	NEW-P 88-09-074
296-59-030	NEW-P 88-09-074	296-62-07337	NEW-P 88-06-073	296-62-07540	NEW-W 88-14-141
296-59-030	NEW 88-14-108	296-62-07337	NEW 88-11-021	296-62-07540	NEW-E 88-16-044
296-59-035	NEW-P 88-09-074	296-62-07338	NEW-P 88-06-073	296-62-07540	NEW-P 88-16-092
296-59-035	NEW 88-14-108	296-62-07338	NEW 88-11-021	296-62-07540	NEW-E 88-21-001
296-59-040	NEW-P 88-09-074	296-62-07339	NEW-P 88-06-073	296-62-07540	NEW 88-21-002
296-59-040	NEW 88-14-108	296-62-07339	NEW 88-11-021	296-62-07542	NEW-P 88-09-074
296-59-050	NEW-P 88-09-074	296-62-07340	NEW-P 88-06-073	296-62-07542	NEW-W 88-14-141
296-59-050	NEW 88-14-108	296-62-07340	NEW 88-11-021	296-62-07542	NEW-E 88-16-044
296-59-055	NEW-P 88-09-074	296-62-07341	REP-P 88-06-073	296-62-07542	NEW-P 88-16-092
296-59-055	NEW 88-14-108	296-62-07341	REP 88-11-021	296-62-07542	NEW-E 88-21-001
296-59-060	NEW-P 88-09-074	296-62-07342	NEW-P 88-06-073	296-62-07542	NEW 88-21-002
296-59-060	NEW 88-14-108	296-62-07342	NEW 88-11-021	296-62-07544	NEW-P 88-09-074
296-59-065	NEW-P 88-09-074	296-62-07343	NEW-P 88-06-073	296-62-07544	NEW-W 88-14-141
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296-59-070	NEW 88-14-108	296-62-07344	NEW 88-11-021	296-62-07544	NEW-E 88-21-001
296-59-075	NEW-P 88-09-074	296-62-07345	REP-P 88-06-073	296-62-07544	NEW 88-21-002
296-59-075	NEW 88-14-108	296-62-07345	REP 88-11-021	296-62-07546	NEW-P 88-09-074
296-59-080	NEW-P 88-09-074	296-62-07346	NEW-P 88-06-073	296-62-07546	NEW-W 88-14-141
296-59-080	NEW 88-14-108	296-62-07346	NEW 88-11-021	296-62-07546	NEW-E 88-16-044
296-59-085	NEW-P 88-09-074	296-62-07355	AMD-P 88-18-071	296-62-07546	NEW-P 88-16-092
296-59-085	NEW 88-14-108	296-62-07359	AMD-P 88-18-071	296-62-07546	NEW-E 88-21-001
296-59-090	NEW-P 88-09-074	296-62-07361	AMD-P 88-18-071	296-62-07546	NEW 88-21-002
296-59-090	NEW 88-14-108	296-62-07363	AMD-P 88-18-071	296-62-07548	NEW-P 88-09-074
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296-59-095	NEW 88-14-108	296-62-07367	AMD-P 88-18-071	296-62-07548	NEW-E 88-16-044
296-59-100	NEW-P 88-09-074	296-62-07373	AMD-P 88-18-071	296-62-07548	NEW-P 88-16-092
296-59-100	NEW 88-14-108	296-62-07379	AMD-P 88-18-071	296-62-07548	NEW-E 88-21-001
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296-59-103	NEW-P 88-09-074	296-62-07385	AMD-P 88-09-074	296-62-07550	NEW-W 88-14-141
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296-59-105	NEW 88-14-108	296-62-07387	AMD 88-14-108	296-62-07550	NEW-E 88-21-001

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296-62-14541	AMD-P	88-09-074	296-62-3110	NEW	88-21-002	296-99-070	NEW-P	88-18-071
296-62-14541	AMD	88-14-108	296-62-3120	NEW-P	88-09-074	296-99-075	NEW-P	88-18-071
296-62-14601	REP-P	88-18-071	296-62-3120	NEW-W	88-14-141	296-99-080	NEW-P	88-18-071
296-62-14605	REP-P	88-18-071	296-62-3120	NEW-E	88-16-044	296-99-085	NEW-P	88-18-071
296-62-14607	REP-P	88-18-071	296-62-3120	NEW-E	88-16-092	296-99-090	NEW-P	88-18-071
296-62-20009	AMD-P	88-18-071	296-62-3120	NEW-E	88-21-001	296-99-093	NEW-P	88-18-071
296-62-300	NEW-P	88-09-074	296-62-3120	NEW	88-21-002	296-99-095	NEW-P	88-18-071
296-62-300	NEW-W	88-14-141	296-62-3130	NEW-P	88-09-074	296-116-020	AMD-C	88-05-016
296-62-300	NEW-E	88-16-044	296-62-3130	NEW-W	88-14-141	296-116-020	AMD	88-09-025
296-62-300	NEW-P	88-16-092	296-62-3130	NEW-E	88-16-044	296-116-030	AMD-C	88-05-017
296-62-300	NEW-E	88-21-001	296-62-3130	NEW-P	88-16-092	296-116-030	AMD	88-09-026
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296-62-3010	NEW-P	88-09-074	296-62-3130	NEW	88-21-002	296-116-070	AMD	88-14-063
296-62-3010	NEW-W	88-14-141	296-62-3140	NEW-P	88-09-074	296-116-080	AMD-C	88-06-066
296-62-3010	NEW-E	88-16-044	296-62-3140	NEW-W	88-14-141	296-116-080	AMD	88-10-037
296-62-3010	NEW-P	88-16-092	296-62-3140	NEW-E	88-16-044	296-116-083	NEW-P	88-06-067
296-62-3010	NEW-E	88-21-001	296-62-3140	NEW-P	88-16-092	296-116-083	NEW	88-10-038
296-62-3010	NEW	88-21-002	296-62-3140	NEW-E	88-21-001	296-116-120	AMD-C	88-05-018
296-62-3020	NEW-P	88-09-074	296-62-3140	NEW	88-21-002	296-116-120	AMD	88-09-027
296-62-3020	NEW-W	88-14-141	296-62-3150	NEW-P	88-09-074	296-116-185	AMD	88-05-043
296-62-3020	NEW-E	88-16-044	296-62-3150	NEW-W	88-14-141	296-116-185	AMD-P	88-22-071
296-62-3020	NEW-P	88-16-092	296-62-3150	NEW-E	88-16-044	296-116-300	AMD	88-05-039
296-62-3020	NEW-E	88-21-001	296-62-3150	NEW-P	88-16-092	296-116-300	AMD-P	88-22-071
296-62-3020	NEW	88-21-002	296-62-3150	NEW-E	88-21-001	296-116-320	REP-P	88-06-068
296-62-3030	NEW-P	88-09-074	296-62-3150	NEW	88-21-002	296-116-320	REP	88-10-039
296-62-3030	NEW-W	88-14-141	296-62-3152	NEW-P	88-09-074	296-116-360	NEW-C	88-05-019
296-62-3030	NEW-E	88-16-044	296-62-3152	NEW-W	88-14-141	296-116-360	NEW	88-09-015
296-62-3030	NEW-P	88-16-092	296-62-3152	NEW-E	88-16-044	296-116-370	NEW-P	88-06-069
296-62-3030	NEW-E	88-21-001	296-62-3152	NEW-P	88-16-092	296-116-370	NEW-C	88-10-035
296-62-3030	NEW	88-21-002	296-62-3152	NEW-E	88-21-001	296-116-370	NEW	88-14-062
296-62-3040	NEW-P	88-09-074	296-62-3152	NEW	88-21-002	296-116-400	NEW-C	88-05-020
296-62-3040	NEW-W	88-14-141	296-62-3160	NEW-P	88-09-074	296-116-400	NEW	88-09-016
296-62-3040	NEW-E	88-16-044	296-62-3160	NEW-W	88-14-141	296-116-410	NEW-C	88-05-021
296-62-3040	NEW-P	88-16-092	296-62-3160	NEW-E	88-16-044	296-116-410	NEW	88-09-017
296-62-3040	NEW-E	88-21-001	296-62-3160	NEW-P	88-16-092	296-116-420	NEW-P	88-06-070
296-62-3040	NEW	88-21-002	296-62-3160	NEW-E	88-21-001	296-116-420	NEW	88-10-040
296-62-3050	NEW-P	88-09-074	296-62-3160	NEW	88-21-002	296-127	AMD-C	88-21-021
296-62-3050	NEW-W	88-14-141	296-62-3170	NEW-P	88-09-074	296-127	AMD-C	88-22-021
296-62-3050	NEW-E	88-16-044	296-62-3170	NEW-W	88-14-141	296-127-010	AMD-P	88-16-090
296-62-3050	NEW-P	88-16-092	296-62-3170	NEW-E	88-16-044	296-127-010	AMD	88-22-046
296-62-3050	NEW-E	88-21-001	296-62-3170	NEW-P	88-16-092	296-127-011	AMD-P	88-16-090
296-62-3050	NEW	88-21-002	296-62-3170	NEW-E	88-21-001	296-127-011	AMD	88-22-046
296-62-3060	NEW-P	88-09-074	296-62-3170	NEW	88-21-002	296-127-013	NEW-P	88-16-090
296-62-3060	NEW-W	88-14-141	296-62-3180	NEW-P	88-09-074	296-127-013	NEW	88-22-046
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296-62-3060	NEW	88-21-002	296-62-3180	NEW-E	88-21-001	296-127-015	NEW	88-22-046
296-62-3070	NEW-P	88-09-074	296-62-3180	NEW	88-21-002	296-127-016	NEW-P	88-16-090
296-62-3070	NEW-W	88-14-141	296-62-3190	NEW-P	88-09-074	296-127-016	NEW	88-22-046
296-62-3070	NEW-E	88-16-044	296-62-3190	NEW-W	88-14-141	296-127-019	NEW-P	88-16-090
296-62-3070	NEW-P	88-16-092	296-62-3190	NEW-E	88-16-044	296-127-019	NEW	88-22-046
296-62-3070	NEW-E	88-21-001	296-62-3190	NEW-P	88-16-092	296-127-022	NEW-E	88-13-045
296-62-3070	NEW	88-21-002	296-62-3190	NEW-E	88-21-001	296-127-022	NEW-P	88-14-106
296-62-3080	NEW-P	88-09-074	296-62-3190	NEW	88-21-002	296-127-022	NEW-E	88-16-013
296-62-3080	NEW-W	88-14-141	296-78-56505	AMD-P	88-18-071	296-127-022	NEW-C	88-18-008
296-62-3080	NEW-E	88-16-044	296-81-007	AMD-P	88-13-128	296-127-022	NEW	88-19-055
296-62-3080	NEW-P	88-16-092	296-81-007	AMD	88-19-053	296-127-023	NEW-P	88-16-090
296-62-3080	NEW-E	88-21-001	296-81-008	AMD-P	88-04-053	296-127-023	NEW	88-22-046
296-62-3080	NEW	88-21-002	296-81-008	AMD	88-07-101	296-127-025	NEW-P	88-16-090
296-62-3090	NEW-P	88-09-074	296-81-275	NEW-P	88-13-128	296-127-025	NEW	88-22-046
296-62-3090	NEW-W	88-14-141	296-81-275	NEW	88-19-053	296-127-026	NEW-P	88-16-090
296-62-3090	NEW-E	88-16-044	296-81-276	NEW-P	88-13-129	296-127-026	NEW	88-22-046
296-62-3090	NEW-P	88-16-092	296-81-276	NEW-W	88-19-054	296-127-040	AMD-P	88-16-090
296-62-3090	NEW-E	88-21-001	296-81-277	NEW-P	88-18-101	296-127-040	AMD	88-22-046
296-62-3090	NEW	88-21-002	296-99-010	NEW-P	88-18-071	296-127-045	AMD-P	88-16-090
296-62-3100	NEW-P	88-09-074	296-99-015	NEW-P	88-18-071	296-127-045	AMD	88-22-046
296-62-3100	NEW-W	88-14-141	296-99-020	NEW-P	88-18-071	296-130-010	NEW-P	88-14-105
296-62-3100	NEW-E	88-16-044	296-99-025	NEW-P	88-18-071	296-130-010	NEW-C	88-18-007
296-62-3100	NEW-P	88-16-092	296-99-030	NEW-P	88-18-071	296-130-010	NEW	88-18-044
296-62-3100	NEW-E	88-21-001	296-99-035	NEW-P	88-18-071	296-130-010	NEW-E	88-18-045
296-62-3100	NEW	88-21-002	296-99-040	NEW-P	88-18-071	296-130-020	NEW-P	88-14-105
296-62-3110	NEW-P	88-09-074	296-99-045	NEW-P	88-18-071	296-130-020	NEW-C	88-18-007
296-62-3110	NEW-W	88-14-141	296-99-050	NEW-P	88-18-071	296-130-020	NEW	88-18-044
296-62-3110	NEW-E	88-16-044	296-99-055	NEW-P	88-18-071	296-130-020	NEW-E	88-18-045
296-62-3110	NEW-P	88-16-092	296-99-060	NEW-P	88-18-071	296-130-030	NEW-P	88-14-105

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-130-030	NEW-C	88-18-007	296-155-455	REP-P	88-06-073	296-401-087	NEW-P	88-11-085
296-130-030	NEW	88-18-044	296-155-455	REP	88-11-021	296-401-087	NEW	88-16-002
296-130-030	NEW-E	88-18-045	296-155-456	NEW-P	88-06-073	296-401-090	AMD-P	88-11-085
296-130-035	NEW-E	88-18-045	296-155-456	NEW	88-11-021	296-401-090	AMD	88-16-002
296-130-035	NEW-P	88-19-110	296-155-459	NEW-P	88-06-073	296-401-100	AMD-P	88-11-085
296-130-040	NEW-P	88-14-105	296-155-459	NEW	88-11-021	296-401-100	AMD	88-16-002
296-130-040	NEW-C	88-18-007	296-155-462	NEW-P	88-06-073	296-401-120	AMD-P	88-11-085
296-130-040	NEW	88-18-044	296-155-462	NEW	88-11-021	296-401-120	AMD	88-16-002
296-130-040	NEW-E	88-18-045	296-155-745	AMD-P	88-18-071	296-401-170	AMD-P	88-11-085
296-130-050	NEW-P	88-14-105	296-304-06013	AMD-P	88-09-074	296-401-170	AMD	88-16-002
296-130-050	NEW-C	88-18-007	296-304-06013	AMD	88-14-108	296-401-180	AMD-P	88-11-085
296-130-050	NEW	88-18-044	296-305-007	AMD-P	88-09-074	296-401-180	AMD	88-16-002
296-130-050	NEW-E	88-18-045	296-305-007	AMD	88-14-108	296-402-030	AMD-P	88-11-085
296-130-060	NEW-P	88-14-105	296-305-060	AMD-P	88-09-074	296-402-030	AMD	88-16-002
296-130-060	NEW-C	88-18-007	296-305-060	AMD	88-14-108	296-402-140	AMD-P	88-11-085
296-130-060	NEW	88-18-044	296-305-06003	AMD-P	88-09-074	296-402-140	AMD	88-16-002
296-130-060	NEW-E	88-18-045	296-305-06003	AMD	88-14-108	296-402-150	AMD-P	88-11-085
296-130-065	NEW-P	88-14-105	296-305-06005	AMD-P	88-09-074	296-402-150	AMD	88-16-002
296-130-065	NEW	88-18-044	296-305-06005	AMD	88-14-108	296-402-190	AMD-P	88-11-085
296-130-065	NEW-E	88-18-045	296-305-06011	AMD-P	88-09-074	296-402-190	AMD	88-16-002
296-130-070	NEW-P	88-14-105	296-305-06011	AMD	88-14-108	296-402-200	NEW-P	88-11-085
296-130-070	NEW-C	88-18-007	296-305-063	AMD-P	88-09-074	296-402-200	NEW	88-16-002
296-130-070	NEW	88-18-044	296-305-063	AMD	88-14-108	296-403-010	AMD-P	88-11-085
296-130-070	NEW-E	88-18-045	296-305-06301	REP-P	88-09-074	296-403-010	AMD	88-16-002
296-130-080	NEW-P	88-14-105	296-305-06301	REP	88-14-108	296-403-070	AMD-P	88-11-085
296-130-080	NEW-C	88-18-007	296-305-06303	REP-P	88-09-074	296-403-070	AMD	88-16-002
296-130-080	NEW	88-18-044	296-305-06303	REP	88-14-108	304-12-290	AMD-E	88-02-046
296-130-080	NEW-E	88-18-045	296-305-06305	REP-P	88-09-074	304-12-290	AMD-P	88-03-018
296-130-500	NEW-P	88-14-105	296-305-06305	REP	88-14-108	304-12-290	AMD-E	88-07-086
296-130-500	NEW-C	88-18-007	296-305-06307	REP-P	88-09-074	304-12-290	AMD	88-07-087
296-130-500	NEW	88-18-044	296-305-06307	REP	88-14-108	308-04-001	AMD-E	88-15-062
296-130-500	NEW-E	88-18-045	296-305-06309	REP-P	88-09-074	308-04-001	AMD-P	88-16-098
296-150B-015	AMD-P	88-14-104	296-305-06309	REP	88-14-108	308-08-700	NEW-P	88-15-040
296-150B-015	AMD	88-19-010	296-305-06311	REP-P	88-09-074	308-11-050	AMD-P	88-15-081
296-150B-220	AMD-P	88-14-104	296-305-06311	REP	88-14-108	308-12-031	AMD-P	88-14-007
296-150B-220	AMD	88-19-010	296-305-06313	REP-P	88-09-074	308-12-031	AMD	88-17-085
296-150B-225	AMD-P	88-14-104	296-305-06313	REP	88-14-108	308-12-050	AMD-P	88-05-037
296-150B-225	AMD	88-19-010	296-305-064	NEW-P	88-09-074	308-12-050	AMD	88-09-066
296-150B-245	AMD-P	88-14-104	296-305-064	NEW	88-14-108	308-13-020	AMD-P	88-02-069
296-150B-245	AMD	88-19-010	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	308-20-010	AMD	88-19-047
296-155-426	NEW-P	88-06-073	296-305-07003	AMD-P	88-09-074	308-20-020	AMD-P	88-13-130
296-155-426	NEW	88-11-021	296-305-07003	AMD	88-14-108	308-20-020	AMD	88-19-047
296-155-428	NEW-P	88-06-073	296-305-100	AMD-P	88-09-074	308-20-030	AMD-P	88-13-130
296-155-428	NEW	88-11-021	296-305-100	AMD	88-14-108	308-20-030	AMD	88-19-047
296-155-429	NEW-P	88-06-073	296-305-9901	REP-P	88-09-074	308-20-040	AMD-P	88-13-130
296-155-429	NEW	88-11-021	296-305-9901	REP	88-14-108	308-20-040	AMD	88-19-047
296-155-430	REP-P	88-06-073	296-305-9902	REP-P	88-09-074	308-20-050	AMD-P	88-13-130
296-155-430	REP	88-11-021	296-305-9902	REP	88-14-108	308-20-050	AMD	88-19-047
296-155-432	NEW-P	88-06-073	296-305-9903	REP-P	88-09-074	308-20-060	AMD-P	88-13-130
296-155-432	NEW	88-11-021	296-305-9903	REP	88-14-108	308-20-060	AMD	88-19-047
296-155-434	NEW-P	88-06-073	296-305-9904	REP-P	88-09-074	308-20-070	AMD-P	88-13-130
296-155-434	NEW	88-11-021	296-305-9904	REP	88-14-108	308-20-070	AMD	88-19-047
296-155-435	REP-P	88-06-073	296-305-9905	REP-P	88-09-074	308-20-080	AMD-P	88-13-130
296-155-435	REP	88-11-021	296-305-9905	REP	88-14-108	308-20-080	AMD	88-19-047
296-155-437	NEW-P	88-06-073	296-305-9906	REP-P	88-09-074	308-20-090	AMD-P	88-13-130
296-155-437	NEW	88-11-021	296-305-9906	REP	88-14-108	308-20-090	AMD	88-19-047
296-155-440	REP-P	88-06-073	296-306-010	AMD-P	88-09-074	308-20-100	AMD-P	88-13-130
296-155-440	REP	88-11-021	296-306-010	AMD	88-14-108	308-20-100	AMD	88-19-047
296-155-441	NEW-P	88-06-073	296-306-085	AMD-P	88-09-074	308-20-105	AMD-P	88-13-130
296-155-441	NEW	88-11-021	296-306-085	AMD	88-14-108	308-20-105	AMD	88-19-047
296-155-444	NEW-P	88-06-073	296-306-090	AMD-P	88-09-074	308-20-107	NEW-P	88-13-130
296-155-444	NEW	88-11-021	296-306-090	AMD	88-14-108	308-20-107	NEW	88-19-047
296-155-447	NEW-P	88-06-073	296-306-320	AMD-P	88-18-071	308-20-109	NEW-P	88-13-130
296-155-447	NEW	88-11-021	296-400-045	AMD	88-06-037	308-20-109	NEW	88-19-047
296-155-449	NEW-P	88-06-073	296-401-030	AMD-P	88-11-085	308-20-110	AMD-P	88-13-130
296-155-449	NEW	88-11-021	296-401-030	AMD	88-16-002	308-20-110	AMD	88-19-047
296-155-450	REP-P	88-06-073	296-401-080	AMD-P	88-11-085	308-20-120	AMD-P	88-13-130
296-155-450	REP	88-11-021	296-401-080	AMD	88-16-002	308-20-120	AMD	88-19-047
296-155-452	NEW-P	88-06-073	296-401-085	NEW-P	88-11-085	308-20-130	AMD-P	88-13-130
296-155-452	NEW	88-11-021	296-401-085	NEW	88-16-002	308-20-130	AMD	88-19-047

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308-20-140	AMD-P	88-13-130	308-34-170	AMD-E	88-15-042	308-51-021	NEW-P	88-16-069
308-20-140	AMD	88-19-047	308-34-170	AMD-P	88-16-099	308-51-021	NEW	88-19-048
308-20-150	AMD-P	88-13-130	308-34-170	AMD-E	88-16-105	308-51-040	REP-P	88-06-034
308-20-150	AMD	88-19-047	308-34-170	AMD	88-20-075	308-51-040	REP	88-11-011
308-20-155	NEW-P	88-13-130	308-34-180	NEW-P	88-11-090	308-51-050	AMD-P	88-06-034
308-20-155	NEW	88-19-047	308-34-180	NEW	88-14-009	308-51-050	AMD	88-11-011
308-20-171	AMD-P	88-13-130	308-34-190	NEW-P	88-11-090	308-51-060	REP-P	88-06-034
308-20-171	AMD	88-19-047	308-34-190	NEW	88-14-009	308-51-060	REP	88-11-011
308-20-190	AMD-P	88-13-130	308-34-310	NEW-P	88-15-080	308-51-070	AMD-P	88-06-034
308-20-190	AMD	88-19-047	308-34-310	NEW-C	88-17-096	308-51-070	REP-P	88-11-055
308-20-205	AMD-P	88-13-130	308-34-320	NEW-P	88-15-080	308-51-070	REP	88-14-097
308-20-205	AMD	88-19-047	308-34-320	NEW-C	88-17-096	308-51-080	REP-P	88-06-034
308-25-080	NEW-P	88-15-043	308-34-330	NEW-P	88-15-080	308-51-080	REP	88-11-011
308-25-090	NEW-P	88-15-043	308-34-330	NEW-C	88-17-096	308-51-100	AMD-P	88-06-034
308-25-100	NEW-P	88-15-043	308-34-410	NEW-P	88-15-080	308-51-100	AMD	88-11-011
308-25-110	NEW-P	88-15-043	308-34-410	NEW-C	88-17-096	308-51-110	AMD-P	88-06-034
308-25-120	NEW-P	88-15-043	308-34-420	NEW-P	88-15-080	308-51-110	AMD	88-11-011
308-25-130	NEW-P	88-15-043	308-34-420	NEW-C	88-17-096	308-51-125	AMD-P	88-06-034
308-25-140	NEW-P	88-15-043	308-34-430	NEW-P	88-15-080	308-51-125	AMD	88-11-011
308-25-150	NEW-P	88-15-043	308-34-430	NEW-C	88-17-096	308-51-140	AMD-P	88-06-034
308-25-160	NEW-P	88-15-043	308-34-440	NEW-P	88-15-080	308-51-140	AMD	88-11-011
308-25-300	NEW-P	88-17-103	308-34-440	NEW-C	88-17-096	308-51-140	AMD-P	88-16-069
308-25-300	NEW	88-22-077	308-34-450	NEW-P	88-15-080	308-51-140	AMD	88-19-048
308-26-055	NEW-P	88-15-043	308-34-450	NEW-C	88-17-096	308-51-150	REP-P	88-06-034
308-26-065	NEW-P	88-15-043	308-34-460	NEW-P	88-15-080	308-51-150	REP	88-11-011
308-26-075	NEW-P	88-15-043	308-34-460	NEW-C	88-17-096	308-51-210	AMD-P	88-18-081
308-26-085	NEW-P	88-15-043	308-34-470	NEW-E	88-15-002	308-51-210	AMD-E	88-19-002
308-26-095	NEW-P	88-15-043	308-34-470	NEW-P	88-15-080	308-51-220	NEW-P	88-06-034
308-26-105	NEW-P	88-15-043	308-34-470	NEW-C	88-17-096	308-51-220	NEW	88-11-011
308-26-115	NEW-P	88-15-043	308-34-480	NEW-P	88-15-080	308-51-230	NEW-P	88-15-043
308-26-125	NEW-P	88-15-043	308-34-480	NEW-C	88-17-096	308-51-240	NEW-P	88-15-043
308-26-135	NEW-P	88-15-043	308-37-190	AMD-P	88-17-042	308-51-250	NEW-P	88-15-043
308-26-200	NEW-P	88-17-103	308-40-030	REP-P	88-09-067	308-51-260	NEW-P	88-15-043
308-26-200	NEW	88-22-077	308-40-030	REP	88-13-131	308-51-270	NEW-P	88-15-043
308-31-010	AMD-P	88-08-075	308-40-101	AMD-P	88-09-067	308-51-280	NEW-P	88-15-043
308-31-010	AMD	88-11-034	308-40-101	AMD	88-13-131	308-51-290	NEW-P	88-15-043
308-31-010	AMD-P	88-20-088	308-40-102	AMD-P	88-09-067	308-51-300	NEW-P	88-15-043
308-31-015	REP-P	88-08-075	308-40-102	AMD	88-13-131	308-51-310	NEW-P	88-15-043
308-31-015	REP	88-11-034	308-40-103	AMD-P	88-09-067	308-51-320	NEW-P	88-17-103
308-31-056	NEW-P	88-08-075	308-40-103	AMD	88-13-131	308-51-320	NEW	88-22-077
308-31-057	NEW-P	88-20-088	308-40-104	AMD-P	88-20-034	308-51-320	NEW-P	88-08-088
308-34-010	REP-P	88-15-080	308-40-105	AMD-P	88-09-067	308-51A-010	NEW	88-13-038
308-34-010	REP-C	88-17-096	308-40-105	AMD	88-13-131	308-51A-020	NEW-P	88-08-088
308-34-020	REP-P	88-15-080	308-42-010	AMD-P	88-17-104	308-51A-020	NEW	88-13-038
308-34-020	REP-C	88-17-096	308-42-015	NEW-P	88-03-033	308-51A-030	NEW-P	88-08-088
308-34-030	REP-P	88-15-080	308-42-015	NEW-P	88-08-036	308-51A-030	NEW	88-13-038
308-34-030	REP-C	88-17-096	308-42-090	NEW-P	88-17-104	308-51A-040	NEW-P	88-08-088
308-34-040	REP-P	88-15-080	308-42-120	AMD-P	88-17-104	308-51A-040	NEW	88-13-038
308-34-040	REP-C	88-17-096	308-42-123	NEW-P	88-17-104	308-51A-050	NEW-P	88-08-088
308-34-050	REP-P	88-15-080	308-48-030	AMD	88-08-015	308-51A-050	NEW	88-13-038
308-34-050	REP-C	88-17-096	308-48-030	AMD-E	88-08-016	308-51A-060	NEW-P	88-08-088
308-34-060	REP-P	88-15-080	308-48-031	NEW	88-08-015	308-51A-060	NEW	88-13-038
308-34-060	REP-C	88-17-096	308-48-031	NEW-E	88-08-016	308-52-138	AMD	88-06-008
308-34-070	REP-P	88-15-080	308-48-085	AMD	88-08-015	308-52-139	AMD	88-06-008
308-34-070	REP-C	88-17-096	308-48-085	AMD-E	88-08-016	308-52-139	AMD-P	88-16-018
308-34-080	REP-P	88-15-080	308-48-140	AMD-P	88-08-037	308-52-139	AMD-E	88-16-020
308-34-080	REP-C	88-17-096	308-48-140	AMD	88-13-010	308-52-139	AMD	88-21-047
308-34-090	REP-P	88-15-080	308-48-350	NEW-P	88-19-050	308-52-140	AMD	88-06-008
308-34-090	REP-C	88-17-096	308-48-790	AMD-P	88-08-037	308-52-147	NEW	88-06-008
308-34-110	NEW-P	88-11-090	308-48-790	AMD	88-13-010	308-52-148	NEW	88-06-008
308-34-110	NEW	88-14-009	308-49-140	AMD-P	88-08-037	308-52-149	NEW	88-06-008
308-34-110	AMD-P	88-15-079	308-49-140	AMD	88-13-010	308-52-600	NEW-P	88-16-018
308-34-110	AMD-E	88-16-019	308-49-170	AMD-P	88-08-037	308-52-600	NEW-E	88-16-020
308-34-110	AMD-C	88-17-097	308-49-170	AMD	88-13-010	308-52-600	NEW	88-21-047
308-34-120	NEW-P	88-11-090	308-50-010	AMD-P	88-21-078	308-52-610	NEW-P	88-16-018
308-34-120	NEW	88-14-009	308-50-020	AMD-P	88-21-078	308-52-610	NEW-E	88-16-020
308-34-130	NEW-P	88-11-090	308-50-035	AMD-P	88-21-078	308-52-610	NEW	88-21-047
308-34-130	NEW	88-14-009	308-50-130	AMD-P	88-21-078	308-53-010	AMD-P	88-03-071
308-34-140	NEW-P	88-11-090	308-50-350	AMD-P	88-21-078	308-53-010	AMD	88-07-047
308-34-140	NEW	88-14-009	308-50-420	AMD-P	88-21-078	308-53-030	AMD-P	88-03-071
308-34-150	NEW-P	88-11-090	308-50-500	NEW-P	88-20-060	308-53-030	AMD	88-07-047
308-34-150	NEW	88-14-009	308-51	AMD-P	88-06-034	308-53-100	AMD-P	88-03-071
308-34-160	NEW-P	88-11-090	308-51	AMD	88-11-011	308-53-100	AMD	88-07-047
308-34-160	NEW	88-14-009	308-51-010	AMD-P	88-06-034	308-53-120	AMD-P	88-03-071
308-34-170	NEW-P	88-11-090	308-51-010	AMD	88-11-011	308-53-120	AMD	88-07-047
308-34-170	NEW	88-14-009	308-51-020	REP-P	88-06-034	308-53-145	AMD-P	88-03-071
308-34-170	AMD-P	88-15-039	308-51-020	REP	88-11-011	308-53-145	AMD	88-07-047

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308-53-170	AMD	88-07-047	308-90-050	REP	88-03-038	308-96A-450	NEW-P	88-14-111
308-53-200	AMD-P	88-14-039	308-90-060	AMD-E	88-03-001	308-96A-450	NEW	88-19-017
308-53-200	AMD-P	88-21-084	308-90-060	AMD	88-03-038	308-96A-460	NEW-E	88-14-038
308-53-200	AMD-C	88-22-072	308-90-070	AMD-E	88-03-001	308-96A-460	NEW-P	88-14-111
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308-54-130	AMD-P	88-19-049	308-90-080	AMD-E	88-03-001	308-96A-470	NEW-E	88-14-038
308-54-140	REP-P	88-19-049	308-90-080	AMD	88-03-038	308-96A-470	NEW-P	88-14-111
308-54-162	NEW-P	88-19-049	308-90-090	AMD-E	88-03-001	308-96A-470	NEW	88-19-017
308-54-170	AMD-P	88-10-056	308-90-090	AMD	88-03-038	308-96A-480	NEW-E	88-14-038
308-54-170	AMD-C	88-19-049	308-90-110	AMD-E	88-03-001	308-96A-480	NEW-P	88-14-111
308-55-035	NEW-P	88-15-043	308-90-110	AMD	88-03-038	308-96A-480	NEW	88-19-017
308-55-045	NEW-P	88-15-043	308-90-120	NEW-E	88-03-001	308-96A-490	NEW-P	88-19-119
308-55-055	NEW-P	88-15-043	308-90-120	NEW	88-03-038	308-115-065	NEW-P	88-17-051
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308-55-105	NEW-P	88-15-043	308-90-150	NEW-E	88-03-001	308-115-230	NEW	88-12-040
308-55-115	NEW-P	88-15-043	308-90-150	NEW	88-03-038	308-115-240	NEW-P	88-08-035
308-55-200	NEW-P	88-17-103	308-90-160	NEW-E	88-03-001	308-115-240	NEW	88-12-040
308-55-200	NEW	88-22-077	308-90-160	NEW	88-03-038	308-115-250	NEW-P	88-08-035
308-56A-125	AMD-P	88-11-023	308-91-010	AMD-E	88-03-030	308-115-250	NEW	88-12-040
308-56A-125	AMD	88-20-035	308-91-010	AMD-P	88-03-067	308-115-260	NEW-P	88-15-043
308-56A-275	AMD-P	88-11-023	308-91-010	AMD	88-06-061	308-115-270	NEW-P	88-15-043
308-56A-275	AMD	88-20-035	308-91-020	REP-E	88-03-030	308-115-280	NEW-P	88-15-043
308-56A-285	AMD-P	88-11-023	308-91-020	REP-P	88-03-067	308-115-290	NEW-P	88-15-043
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308-58-020	AMD-P	88-11-023	308-91-030	AMD	88-06-061	308-115-340	NEW-P	88-15-043
308-58-020	AMD-P	88-19-113	308-91-040	AMD-E	88-03-030	308-115-350	NEW-P	88-15-043
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308-58-030	AMD	88-20-035	308-91-040	AMD	88-06-061	308-115-500	NEW	88-22-077
308-61-026	AMD-E	88-04-026	308-91-050	AMD-E	88-03-030	308-117-010	AMD-P	88-21-024
308-61-026	AMD	88-06-025	308-91-050	AMD-P	88-03-067	308-117-030	AMD-P	88-04-077
308-61-050	REP-E	88-04-026	308-91-050	AMD	88-06-061	308-117-030	AMD	88-08-034
308-61-050	REP	88-06-025	308-91-060	AMD-E	88-03-030	308-117-030	AMD-P	88-13-094
308-61-108	AMD-E	88-04-026	308-91-060	AMD-P	88-03-067	308-117-030	AMD	88-18-005
308-61-108	AMD	88-06-025	308-91-060	AMD	88-06-061	308-117-030	AMD-P	88-21-024
308-61-135	AMD-E	88-04-026	308-91-070	AMD-E	88-03-030	308-117-040	AMD-P	88-13-094
308-61-135	AMD	88-06-025	308-91-070	AMD-P	88-03-067	308-117-040	AMD	88-18-005
308-61-158	AMD-E	88-04-026	308-91-070	AMD	88-06-061	308-117-050	AMD-P	88-13-094
308-61-158	AMD	88-06-025	308-91-080	AMD-E	88-03-030	308-117-050	AMD	88-18-005
308-61-175	AMD-E	88-04-026	308-91-080	AMD-P	88-03-067	308-117-060	AMD-P	88-21-024
308-61-175	AMD	88-06-025	308-91-080	AMD	88-06-061	308-117-080	AMD	88-05-011
308-61-210	AMD-E	88-04-026	308-91-090	AMD-E	88-03-030	308-117-090	AMD-P	88-13-094
308-61-210	AMD	88-06-025	308-91-090	AMD-P	88-03-067	308-117-090	AMD	88-18-005
308-61-240	AMD-E	88-04-026	308-91-090	AMD	88-06-061	308-117-090	AMD-P	88-21-024
308-61-240	AMD	88-06-025	308-91-100	REP-E	88-03-030	308-117-095	NEW-P	88-13-094
308-61-260	AMD-E	88-04-026	308-91-100	REP-P	88-03-067	308-117-095	NEW	88-18-005
308-61-260	AMD	88-06-025	308-91-100	REP	88-06-061	308-117-100	AMD-P	88-13-094
308-61-330	AMD-E	88-04-026	308-91-110	REP-E	88-03-030	308-117-100	AMD	88-18-005
308-61-330	AMD	88-06-025	308-91-110	REP-P	88-03-067	308-117-100	AMD-P	88-21-024
308-61-430	AMD-E	88-04-026	308-91-110	REP	88-06-061	308-117-105	NEW-P	88-13-094
308-61-430	AMD	88-06-025	308-91-120	NEW-E	88-03-030	308-117-105	NEW	88-18-005
308-72-502	NEW-P	88-04-029	308-91-120	NEW-P	88-03-067	308-117-360	NEW-P	88-21-024
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308-72-512	NEW	88-07-095	308-91-150	NEW	88-06-061	308-120-100	AMD-P	88-12-042
308-72-540	AMD-P	88-04-029	308-91-160	NEW-E	88-03-030	308-120-100	AMD	88-16-034
308-72-540	AMD	88-07-095	308-91-160	NEW-P	88-03-067	308-120-100	AMD-P	88-19-116
308-90-010	REP-E	88-03-001	308-91-160	NEW	88-06-061	308-120-161	AMD-P	88-19-116
308-90-010	REP	88-03-038	308-91-170	NEW-E	88-03-030	308-120-163	AMD-P	88-12-042
308-90-020	REP-E	88-03-001	308-91-170	NEW-P	88-03-067	308-120-163	AMD	88-16-034
308-90-020	REP	88-03-038	308-91-170	NEW	88-06-061	308-120-164	AMD-P	88-12-042
308-90-030	AMD-E	88-03-001	308-93-087	NEW-P	88-19-118	308-120-164	AMD	88-16-034
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308-120-186	AMD	88-05-010	308-121-020	REP-E	88-20-006	308-124E-011	REP-P	88-02-049
308-120-275	AMD-P	88-15-039	308-121-030	AMD-P	88-19-117	308-124E-011	REP	88-06-040
308-120-275	AMD-E	88-15-042	308-121-030	AMD-E	88-20-006	308-124E-012	NEW-P	88-02-049
308-120-275	AMD-P	88-16-099	308-121-040	AMD-P	88-19-117	308-124E-012	NEW	88-06-040
308-120-275	AMD-E	88-16-105	308-121-040	AMD-E	88-20-006	308-124E-012	AMD-P	88-20-091
308-120-275	AMD	88-20-075	308-121-050	AMD-P	88-19-117	308-124E-013	NEW-P	88-02-049
308-120-335	AMD	88-07-049	308-121-050	AMD-E	88-20-006	308-124E-013	NEW	88-06-040
308-120-338	NEW-P	88-12-042	308-121-055	NEW-P	88-19-117	308-124E-013	AMD-E	88-10-057
308-120-338	NEW	88-16-034	308-121-055	NEW-E	88-20-006	308-124E-013	AMD-P	88-11-089
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308-120-360	AMD	88-18-082	308-121-060	AMD-E	88-20-006	308-124E-013	AMD	88-16-102
308-120-505	AMD-P	88-12-042	308-121-070	NEW-P	88-15-039	308-124E-013	AMD-E	88-17-003
308-120-505	AMD	88-16-034	308-121-070	NEW-E	88-15-042	308-124E-013	AMD	88-20-037
308-120-506	AMD-P	88-12-042	308-121-070	NEW-P	88-15-098	308-124E-014	NEW-P	88-02-049
308-120-506	AMD	88-16-034	308-121-070	NEW-P	88-16-099	308-124E-014	NEW	88-06-040
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308-120-507	REP	88-16-034	308-121-070	NEW-P	88-19-117	308-124H-033	NEW-P	88-20-091
308-120-508	REP-P	88-12-042	308-121-070	NEW-E	88-20-006	308-124H-035	AMD-P	88-20-091
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308-120-509	REP-P	88-12-042	308-122-005	NEW-E	88-21-023	308-127-155	NEW	88-15-017
308-120-509	REP	88-16-034	308-122-006	NEW-P	88-19-115	308-128A-010	AMD-P	88-08-087
308-120-510	REP-P	88-12-042	308-122-006	NEW-E	88-21-023	308-128A-010	AMD	88-19-016
308-120-510	REP	88-16-034	308-122-200	AMD-P	88-06-007	308-128A-020	AMD-P	88-08-087
308-120-511	REP-P	88-12-042	308-122-200	AMD	88-09-029	308-128A-020	AMD	88-19-016
308-120-511	REP	88-16-034	308-122-215	AMD-P	88-06-007	308-128A-030	AMD-P	88-08-087
308-120-512	REP-P	88-12-042	308-122-215	AMD	88-09-029	308-128A-030	AMD	88-19-016
308-120-512	REP	88-16-034	308-122-235	NEW-P	88-06-007	308-128A-040	AMD-P	88-08-087
308-120-513	REP-P	88-12-042	308-122-235	NEW	88-09-029	308-128A-040	AMD	88-19-016
308-120-513	REP	88-16-034	308-122-280	NEW-P	88-19-115	308-128B-010	AMD-P	88-08-087
308-120-514	REP-P	88-12-042	308-122-280	NEW-E	88-21-023	308-128B-010	AMD	88-19-016
308-120-514	REP	88-16-034	308-122-350	AMD-P	88-19-115	308-128B-020	AMD-P	88-08-087
308-120-515	REP-P	88-12-042	308-122-350	AMD-E	88-21-023	308-128B-020	AMD	88-19-016
308-120-515	REP	88-16-034	308-122-640	AMD-P	88-06-007	308-128B-030	AMD-P	88-08-087
308-120-516	REP-P	88-12-042	308-122-640	AMD	88-09-029	308-128B-030	AMD	88-19-016
308-120-516	REP	88-16-034	308-122-720	NEW-P	88-06-007	308-128B-040	REP-P	88-08-087
308-120-517	REP-P	88-12-042	308-122-720	NEW	88-09-029	308-128B-040	REP	88-19-016
308-120-517	REP	88-16-034	308-124-021	AMD-P	88-20-091	308-128B-050	AMD-P	88-08-087
308-120-518	REP-P	88-12-042	308-124A-020	AMD-P	88-16-109	308-128B-050	AMD	88-19-016
308-120-518	REP	88-16-034	308-124A-020	AMD	88-20-036	308-128B-060	AMD-P	88-08-087
308-120-519	REP-P	88-12-042	308-124A-025	AMD-P	88-16-109	308-128B-060	AMD	88-19-016
308-120-519	REP	88-16-034	308-124A-025	AMD	88-20-036	308-128B-090	NEW-P	88-08-087
308-120-520	REP-P	88-12-042	308-124A-025	AMD-P	88-20-089	308-128B-090	NEW	88-19-016
308-120-520	REP	88-16-034	308-124A-100	REP-P	88-16-097	308-128C-010	REP-P	88-08-087
308-120-521	REP-P	88-12-042	308-124A-100	REP	88-20-037	308-128C-010	REP	88-19-016
308-120-521	REP	88-16-034	308-124A-110	AMD-P	88-16-097	308-128C-040	AMD-P	88-08-087
308-120-522	REP-P	88-12-042	308-124A-110	AMD	88-20-037	308-128C-040	AMD	88-19-016
308-120-522	REP	88-16-034	308-124A-115	REP-P	88-16-097	308-128C-050	AMD-P	88-08-087
308-120-525	NEW-P	88-12-042	308-124A-115	REP	88-20-037	308-128C-050	AMD	88-19-016
308-120-525	NEW	88-16-034	308-124A-120	AMD-P	88-16-109	308-128C-050	AMD-P	88-08-087
308-120-530	NEW-P	88-12-042	308-124A-120	AMD	88-20-036	308-128D-010	AMD-P	88-19-016
308-120-530	NEW	88-16-034	308-124A-130	AMD-P	88-02-051	308-128D-010	AMD	88-08-087
308-120-535	NEW-P	88-12-042	308-124A-130	AMD	88-06-039	308-128D-020	AMD-P	88-19-016
308-120-535	NEW	88-16-034	308-124A-200	AMD-P	88-16-097	308-128D-020	AMD-P	88-18-084
308-120-540	NEW-P	88-12-042	308-124A-200	AMD	88-20-037	308-128D-030	AMD-P	88-08-087
308-120-540	NEW	88-16-034	308-124A-420	AMD-P	88-16-097	308-128D-030	AMD	88-19-016
308-120-545	NEW-P	88-12-042	308-124A-420	AMD	88-20-037	308-128D-040	AMD-P	88-08-087
308-120-545	NEW	88-16-034	308-124A-425	NEW-P	88-16-097	308-128D-040	AMD-P	88-18-084
308-120-550	NEW-P	88-12-042	308-124A-425	NEW	88-20-037	308-128D-060	AMD-P	88-08-087
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308-120-560	NEW	88-16-034	308-124A-460	AMD-P	88-20-089	308-128D-080	NEW	88-19-016
308-120-565	NEW-P	88-12-042	308-124B-010	REP-E	88-02-050	308-128E-010	REP-P	88-08-087
308-120-565	NEW	88-16-034	308-124B-010	REP-P	88-02-051	308-128E-010	REP-P	88-18-084
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308-120-570	NEW	88-16-034	308-124B-130	AMD-E	88-02-050	308-128E-011	NEW-P	88-18-084
308-120-575	NEW-P	88-12-042	308-124B-130	AMD-P	88-02-051	308-128F-010	AMD-P	88-08-087
308-120-575	NEW	88-16-034	308-124B-130	AMD	88-06-039	308-128F-010	AMD	88-19-016
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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-128F-030	REP-P	88-08-087	308-150-014	AMD-P	88-21-080	308-180-340	NEW-P	88-15-043
308-128F-030	REP	88-19-016	308-151-080	AMD-P	88-05-041	308-180-350	NEW-P	88-15-043
308-128F-040	AMD-P	88-08-087	308-151-080	AMD	88-08-033	308-180-360	NEW-P	88-15-043
308-128F-040	AMD	88-19-016	308-151-090	AMD-P	88-05-041	308-180-370	NEW-P	88-15-043
308-128F-050	AMD-P	88-08-087	308-151-090	AMD	88-08-033	308-180-400	NEW-P	88-17-103
308-128F-050	AMD	88-19-016	308-153-010	AMD-P	88-21-080	308-180-400	NEW	88-22-077
308-128F-070	AMD-P	88-08-087	308-153-020	AMD-P	88-05-041	308-183-010	NEW-P	88-15-043
308-128F-070	AMD	88-19-016	308-153-020	AMD	88-08-033	308-183-020	NEW-P	88-15-043
308-130-320	NEW-P	88-15-043	308-153-030	AMD-P	88-05-041	308-183-030	NEW-P	88-15-043
308-130-330	NEW-P	88-15-043	308-153-030	AMD	88-08-033	308-183-040	NEW-P	88-15-043
308-130-340	NEW-P	88-15-043	308-153-030	AMD-P	88-21-080	308-183-050	NEW-P	88-15-043
308-130-350	NEW-P	88-15-043	308-153-045	AMD-P	88-21-080	308-183-060	NEW-P	88-15-043
308-130-360	NEW-P	88-15-043	308-154-085	NEW-P	88-21-080	308-183-070	NEW-P	88-15-043
308-130-370	NEW-P	88-15-043	308-156-060	AMD-P	88-05-041	308-183-080	NEW-P	88-15-043
308-130-380	NEW-P	88-15-043	308-156-060	AMD	88-08-033	308-183-090	NEW-P	88-16-071
308-130-390	NEW-P	88-15-043	308-156-090	AMD-P	88-05-041	308-183-090	NEW-P	88-21-079
308-130-400	NEW-P	88-15-043	308-156-090	AMD	88-08-033	308-183-100	NEW-P	88-16-071
308-130-410	NEW-P	88-17-103	308-156-100	AMD-P	88-05-041	308-183-100	NEW-P	88-21-079
308-130-410	NEW	88-22-077	308-156-100	AMD	88-08-033	308-183-110	NEW-P	88-16-071
308-138-055	AMD-P	88-03-035	308-156-200	NEW-P	88-21-080	308-183-110	NEW-P	88-21-079
308-138-055	AMD	88-09-030	308-157-010	NEW-P	88-21-080	308-183-120	NEW-P	88-16-071
308-138-055	AMD-P	88-11-088	308-171-010	AMD-P	88-05-061	308-183-120	NEW-P	88-21-079
308-138-055	AMD	88-14-113	308-171-010	AMD	88-09-031	308-183-130	NEW-P	88-16-071
308-138-070	AMD-P	88-20-059	308-171-010	AMD-P	88-22-073	308-183-130	NEW-P	88-21-079
308-138-070	AMD-E	88-22-075	308-171-020	AMD-P	88-05-061	308-183-140	NEW-P	88-16-071
308-138-320	AMD-P	88-03-035	308-171-020	AMD	88-09-031	308-183-140	NEW-P	88-21-079
308-138-320	AMD	88-09-030	308-171-020	AMD-P	88-22-073	308-183-150	NEW-P	88-16-071
308-138-340	NEW-P	88-11-088	308-171-040	AMD-P	88-22-073	308-183-150	NEW-P	88-21-079
308-138-340	NEW	88-14-113	308-171-103	AMD-P	88-09-048	308-183-160	NEW-P	88-16-071
308-138-340	AMD-P	88-17-098	308-171-320	NEW-P	88-22-073	308-183-160	NEW-P	88-21-079
308-138-340	AMD	88-21-081	308-171-330	NEW-P	88-22-073	308-183-170	NEW-P	88-16-071
308-138-350	NEW-P	88-20-059	308-173-010	NEW-P	88-15-043	308-183-170	NEW-P	88-21-079
308-138-350	NEW-E	88-22-075	308-173-020	NEW-P	88-15-043	308-183-180	NEW-P	88-16-071
308-138-360	NEW-P	88-20-059	308-173-030	NEW-P	88-15-043	308-183-180	NEW-P	88-21-079
308-138-360	NEW-E	88-22-075	308-173-040	NEW-P	88-15-043	308-183-190	NEW-P	88-21-079
308-138A-020	AMD-P	88-03-035	308-173-050	NEW-P	88-15-043	308-183-200	NEW-P	88-17-103
308-138A-020	AMD	88-09-030	308-173-060	NEW-P	88-15-043	308-183-200	NEW	88-22-077
308-138A-020	AMD-P	88-11-088	308-173-070	NEW-P	88-15-043	308-190-030	NEW-P	88-05-059
308-138A-020	AMD	88-14-113	308-173-080	NEW-P	88-15-043	308-190-030	NEW	88-11-024
308-138A-025	AMD-P	88-03-035	308-173-090	NEW-P	88-15-043	308-190-040	NEW-P	88-05-059
308-138A-025	AMD	88-09-030	308-173-100	NEW-P	88-17-103	308-190-040	NEW	88-11-024
308-138A-030	NEW-P	88-17-098	308-173-100	NEW	88-22-077	308-190-050	NEW-P	88-05-059
308-138A-030	NEW	88-21-081	308-173-130	NEW	88-20-075	308-190-050	NEW	88-11-024
308-138A-040	NEW-P	88-20-059	308-175-080	REP	88-14-094	308-190-060	NEW-P	88-15-043
308-138A-040	NEW-E	88-22-075	308-175-080	REP	88-17-043	308-190-070	NEW-P	88-15-043
308-138A-050	NEW-P	88-20-059	308-175-200	NEW-P	88-17-102	308-190-080	NEW-P	88-15-043
308-138A-050	NEW-E	88-22-075	308-175-200	NEW	88-22-076	308-190-090	NEW-P	88-15-043
308-138A-060	NEW-P	88-20-059	308-177-010	NEW-P	88-15-043	308-190-100	NEW-P	88-15-043
308-138A-060	NEW-E	88-22-075	308-177-020	NEW-P	88-15-043	308-190-110	NEW-P	88-15-043
308-138B-110	AMD-P	88-17-098	308-177-030	NEW-P	88-15-043	308-190-120	NEW-P	88-15-043
308-138B-110	AMD	88-21-081	308-177-040	NEW-P	88-15-043	308-190-130	NEW-P	88-15-043
308-138B-180	NEW-P	88-20-059	308-177-050	NEW-P	88-15-043	308-190-140	NEW-P	88-15-043
308-138B-180	NEW-E	88-22-075	308-177-060	NEW-P	88-15-043	308-190-200	NEW-P	88-17-103
308-138B-190	NEW-P	88-20-059	308-177-070	NEW-P	88-15-043	308-190-200	NEW	88-22-077
308-138B-190	NEW-E	88-22-075	308-177-080	NEW-P	88-15-043	308-195-020	NEW-P	88-03-034
308-138B-200	NEW-P	88-20-059	308-177-090	NEW-P	88-15-043	308-195-020	NEW	88-10-015
308-138B-200	NEW-E	88-22-075	308-177-100	NEW-P	88-17-103	308-195-030	NEW-P	88-03-034
308-140-010	REP-P	88-11-027	308-177-100	NEW	88-22-077	308-195-030	NEW	88-10-015
308-140-010	REP	88-15-031	308-180-120	AMD-P	88-02-061	308-195-040	NEW-P	88-03-034
308-140-020	REP-P	88-11-027	308-180-120	AMD	88-07-031	308-195-040	NEW	88-10-015
308-140-020	REP	88-15-031	308-180-210	AMD-P	88-02-061	308-195-050	NEW-P	88-03-034
308-140-030	REP-P	88-11-027	308-180-210	AMD	88-07-031	308-195-050	NEW	88-10-015
308-140-030	REP	88-15-031	308-180-220	AMD-P	88-02-061	308-195-060	NEW-P	88-03-034
308-140-040	REP-P	88-11-027	308-180-220	AMD	88-07-031	308-195-060	NEW	88-10-015
308-140-040	REP	88-15-031	308-180-250	AMD-P	88-02-061	308-195-070	NEW-P	88-03-034
308-140-070	REP-P	88-11-027	308-180-250	AMD	88-07-031	308-195-070	NEW	88-10-015
308-140-070	REP	88-15-031	308-180-260	AMD-P	88-11-026	308-195-070	AMD-P	88-19-114
308-140-100	REP-P	88-11-027	308-180-260	AMD	88-15-030	308-195-080	NEW-P	88-03-034
308-140-100	REP	88-15-031	308-180-270	NEW-P	88-02-061	308-195-080	NEW	88-10-015
308-140-250	REP-P	88-11-027	308-180-270	NEW	88-07-031	308-195-090	NEW-P	88-03-034
308-140-250	REP	88-15-031	308-180-280	NEW-P	88-02-061	308-195-090	NEW	88-10-015
308-140-270	REP-P	88-11-027	308-180-280	NEW	88-07-031	308-195-100	NEW-P	88-03-034
308-140-270	REP	88-15-031	308-180-290	NEW-P	88-15-043	308-195-100	NEW	88-10-015
308-140-300	REP-P	88-11-027	308-180-300	NEW-P	88-15-043	308-195-110	NEW-P	88-03-034
308-140-300	REP	88-15-031	308-180-310	NEW-P	88-15-043	308-195-110	NEW-P	88-14-006
308-150-013	AMD-P	88-05-041	308-180-320	NEW-P	88-15-043	308-195-110	NEW-E	88-14-008
308-150-013	AMD	88-08-033	308-180-330	NEW-P	88-15-043	308-195-110	NEW	88-17-099

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-195-120	NEW-P	88-15-043	308-230-130	NEW-P	88-15-043	314-12-145	AMD	88-10-049
308-195-130	NEW-P	88-15-043	308-230-140	NEW-P	88-15-043	314-12-170	AMD-P	88-14-036
308-195-140	NEW-P	88-15-043	308-230-200	NEW-P	88-17-103	314-12-170	AMD	88-17-023
308-195-150	NEW-P	88-15-043	308-230-200	NEW	88-22-077	314-12-175	NEW-P	88-17-113
308-195-160	NEW-P	88-15-043	308-310-010	NEW-P	88-16-032	314-12-175	NEW-C	88-20-084
308-195-170	NEW-P	88-15-043	308-310-010	NEW-E	88-16-033	314-16-040	AMD-P	88-21-069
308-195-180	NEW-P	88-15-043	308-310-010	NEW-E	88-16-106	314-16-070	AMD-P	88-17-094
308-195-190	NEW-P	88-15-043	308-310-010	NEW	88-20-076	314-16-070	AMD	88-20-086
308-195-200	NEW-P	88-17-103	308-310-020	NEW-P	88-18-080	314-16-120	AMD-P	88-17-093
308-195-200	NEW	88-22-077	308-310-030	NEW-P	88-18-080	314-16-120	AMD	88-20-085
308-210-010	NEW-P	88-05-060	308-310-040	NEW-P	88-18-080	314-16-160	AMD-P	88-21-070
308-210-010	NEW	88-11-025	308-310-050	NEW-P	88-18-080	314-16-190	AMD-P	88-04-082
308-210-020	NEW-P	88-05-060	308-400	AMD-E	88-14-044	314-16-190	AMD	88-07-058
308-210-020	NEW	88-11-025	308-400	AMD-P	88-14-045	314-18-030	AMD-P	88-19-019
308-210-030	NEW-P	88-05-060	308-400	AMD-E	88-20-025	314-18-030	AMD	88-22-026
308-210-030	NEW	88-11-025	308-400-010	AMD-E	88-14-044	314-20-020	AMD-P	88-12-075
308-210-040	NEW-P	88-05-060	308-400-010	AMD-P	88-14-045	314-20-020	AMD	88-14-131
308-210-040	NEW	88-11-025	308-400-010	AMD-E	88-20-025	314-20-020	AMD-P	88-20-007
308-210-050	NEW-P	88-05-060	308-400-020	AMD-E	88-14-044	314-20-020	AMD-E	88-20-008
308-210-050	NEW	88-11-025	308-400-020	AMD-P	88-14-045	314-20-020	AMD-W	88-22-045
308-210-060	NEW-P	88-05-060	308-400-020	AMD-E	88-20-025	314-20-030	AMD-P	88-22-065
308-210-060	NEW	88-11-025	308-400-025	REP-E	88-14-044	314-20-090	AMD-P	88-21-070
308-210-080	NEW-P	88-15-043	308-400-025	REP-P	88-14-045	314-22-010	NEW-P	88-05-007
308-210-090	NEW-P	88-15-043	308-400-025	REP-E	88-20-025	314-22-010	NEW	88-07-090
308-210-100	NEW-P	88-15-043	308-400-030	AMD-E	88-14-044	314-24-040	AMD-P	88-12-074
308-210-110	NEW-P	88-15-043	308-400-030	AMD-P	88-14-045	314-24-040	AMD-C	88-14-130
308-210-120	NEW-P	88-15-043	308-400-030	AMD-E	88-20-025	314-24-040	AMD	88-17-095
308-210-130	NEW-P	88-15-043	308-400-044	REP-E	88-14-044	314-24-060	AMD-P	88-08-025
308-210-140	NEW-P	88-15-043	308-400-044	REP-P	88-14-045	314-24-060	AMD	88-11-009
308-210-150	NEW-P	88-15-043	308-400-044	REP-E	88-20-025	314-24-170	AMD-P	88-21-070
308-210-160	NEW-P	88-15-043	308-400-047	AMD-E	88-14-044	314-26-010	AMD-P	88-11-001
308-210-200	NEW-P	88-17-103	308-400-047	AMD-P	88-14-045	314-26-010	AMD	88-13-118
308-210-200	NEW	88-22-077	308-400-047	AMD-E	88-20-025	314-30-010	NEW-P	88-17-112
308-220-010	NEW-P	88-05-062	308-400-048	AMD-E	88-14-044	314-30-010	NEW	88-20-087
308-220-010	NEW	88-11-079	308-400-048	AMD-P	88-14-045	314-36-010	AMD-P	88-04-087
308-220-010	AMD-P	88-22-074	308-400-048	AMD-E	88-20-025	314-36-010	AMD	88-07-025
308-220-020	NEW-P	88-05-062	308-400-050	REP-E	88-14-044	314-36-020	AMD-P	88-04-087
308-220-020	NEW	88-11-079	308-400-050	REP-P	88-14-045	314-36-020	AMD	88-07-025
308-220-030	NEW-P	88-05-062	308-400-050	REP-E	88-20-025	314-36-030	AMD-P	88-04-087
308-220-030	NEW	88-11-079	308-400-052	AMD-E	88-14-044	314-36-030	AMD	88-07-025
308-220-030	AMD-P	88-22-074	308-400-052	AMD-P	88-14-045	314-36-040	AMD-P	88-04-087
308-220-040	NEW-P	88-05-062	308-400-052	AMD-E	88-20-025	314-36-040	AMD	88-07-025
308-220-040	NEW	88-11-079	308-400-058	AMD-E	88-14-044	314-36-050	AMD-P	88-04-087
308-220-050	NEW-P	88-05-062	308-400-058	AMD-P	88-14-045	314-36-050	AMD	88-07-025
308-220-050	NEW	88-11-079	308-400-058	AMD-E	88-20-025	314-36-060	AMD-P	88-04-087
308-220-060	NEW	88-11-079	308-400-059	AMD-E	88-14-044	314-36-060	AMD	88-07-025
308-220-070	NEW-P	88-05-062	308-400-059	AMD-P	88-14-045	314-36-070	AMD-P	88-04-087
308-220-070	NEW	88-11-079	308-400-059	AMD-E	88-20-025	314-36-070	AMD	88-07-025
308-220-080	NEW-P	88-05-062	308-400-080	REP-E	88-14-044	314-36-080	AMD-P	88-04-087
308-220-090	NEW-P	88-15-043	308-400-080	REP-P	88-14-045	314-36-080	AMD	88-07-025
308-220-100	NEW-P	88-15-043	308-400-080	REP-E	88-20-025	314-36-090	AMD-P	88-04-087
308-220-110	NEW-P	88-15-043	308-400-095	AMD-E	88-14-044	314-36-090	AMD	88-07-025
308-220-120	NEW-P	88-15-043	308-400-095	AMD-P	88-14-045	314-36-100	AMD-P	88-04-087
308-220-130	NEW-P	88-15-043	308-400-095	AMD-E	88-20-025	314-36-100	AMD	88-07-025
308-220-140	NEW-P	88-15-043	308-400-120	NEW-E	88-14-044	314-36-110	AMD-P	88-04-087
308-220-150	NEW-P	88-15-043	308-400-120	NEW-P	88-14-045	314-36-110	AMD	88-07-025
308-220-160	NEW-P	88-15-043	308-400-120	NEW-E	88-20-025	314-36-120	REP-P	88-04-087
308-220-170	NEW-P	88-15-043	308-410-010	NEW	88-03-037	314-36-120	REP	88-07-025
308-220-200	NEW-P	88-17-103	308-410-020	NEW	88-03-037	314-36-130	AMD-P	88-04-087
308-220-200	NEW	88-22-077	308-410-030	NEW	88-03-037	314-36-130	AMD	88-07-025
308-230-010	NEW-P	88-05-063	308-410-040	NEW	88-03-037	314-40-040	AMD-P	88-04-083
308-230-010	NEW	88-11-078	308-410-050	NEW	88-03-037	314-40-040	AMD	88-07-060
308-230-020	NEW-P	88-05-063	308-410-060	NEW	88-03-037	314-40-080	AMD-P	88-06-055
308-230-020	NEW	88-11-078	308-410-070	NEW	88-03-037	314-40-080	AMD	88-08-056
308-230-030	NEW-P	88-05-063	314-08-080	AMD-P	88-06-056	314-44-005	AMD-P	88-22-068
308-230-030	NEW	88-11-078	314-12-037	AMD	88-08-057	314-52-114	AMD-P	88-04-060
308-230-040	NEW-P	88-05-063	314-12-037	NEW-P	88-05-012	314-52-114	AMD-E	88-04-061
308-230-040	NEW	88-11-078	314-12-037	NEW-P	88-13-003	314-52-114	AMD	88-07-026
308-230-050	NEW-P	88-05-063	314-12-038	NEW-P	88-06-054	314-60-030	AMD-P	88-13-067
308-230-050	NEW	88-11-078	314-12-038	NEW-P	88-13-003	314-60-030	AMD	88-16-026
308-230-060	NEW-P	88-15-043	314-12-040	AMD-P	88-13-066	314-64-030	AMD-P	88-11-084
308-230-070	NEW-P	88-15-043	314-12-040	AMD	88-16-025	314-64-030	AMD	88-14-001
308-230-080	NEW-P	88-15-043	314-12-090	AMD-P	88-20-028	314-64-050	AMD-P	88-11-084
308-230-090	NEW-P	88-15-043	314-12-100	AMD	88-04-028	314-64-050	AMD	88-14-001
308-230-100	NEW-P	88-15-043	314-12-145	AMD-E	88-07-076	314-70-020	AMD-P	88-13-065
308-230-110	NEW-P	88-15-043	314-12-145	AMD-P	88-07-091	314-70-020	AMD	88-16-040
308-230-120	NEW-P	88-15-043	314-12-145	AMD-C	88-09-061	315-06-090	AMD-P	88-13-122

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
315-06-090	AMD	88-17-024	326-02-060	NEW-C	88-18-006	332-26-060	NEW-E	88-16-023
315-10-030	AMD-P	88-13-122	326-02-060	NEW	88-22-017	332-26-080	NEW-E	88-14-073
315-10-030	AMD	88-17-024	326-02-070	NEW-P	88-14-129	332-26-080	REP-E	88-16-024
315-11-310	NEW-P	88-02-062	326-02-070	NEW-C	88-18-006	332-26-081	NEW-E	88-16-024
315-11-310	NEW	88-06-031	326-02-070	NEW	88-22-017	332-26-081	REP-E	88-18-029
315-11-311	NEW-P	88-02-062	326-02-080	NEW-P	88-14-129	332-26-082	NEW-E	88-16-024
315-11-311	NEW	88-06-031	326-02-080	NEW-C	88-18-006	332-26-082	REP-E	88-18-029
315-11-312	NEW-P	88-02-062	326-02-080	NEW	88-22-017	332-26-083	NEW-E	88-16-024
315-11-312	NEW	88-06-031	326-02-090	NEW-P	88-14-129	332-26-083	REP-E	88-18-029
315-11-320	NEW-P	88-06-049	326-02-090	NEW-C	88-18-006	332-26-084	NEW-E	88-16-041
315-11-320	NEW	88-09-014	326-02-090	NEW	88-22-017	332-26-084	REP-E	88-17-006
315-11-321	NEW-P	88-06-049	326-20-080	AMD-P	88-09-060	332-26-085	NEW-E	88-16-041
315-11-321	NEW	88-09-014	326-20-080	AMD	88-12-060	332-26-085	REP-E	88-17-006
315-11-322	NEW-P	88-06-049	326-20-090	REP-E	88-06-029	332-26-086	NEW-E	88-16-041
315-11-322	NEW	88-09-014	326-20-090	REP	88-06-030	332-26-086	REP-E	88-18-029
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315-11-332	NEW	88-13-008	326-20-092	NEW-P	88-06-074	332-26-089	REP-E	88-18-029
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315-11-340	NEW	88-17-024	326-20-092	NEW	88-09-047	332-26-090	REP-E	88-18-029
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388-19-040	NEW-P	88-10-043	388-29-145	REP	88-07-062	388-40-110	NEW-P	88-10-042
388-19-040	NEW	88-14-037	388-29-146	REP	88-04-019	388-40-110	NEW-E	88-10-045
388-19-045	NEW-P	88-10-043	388-29-260	AMD-P	88-17-123	388-40-110	NEW	88-13-110
388-19-045	NEW	88-14-037	388-29-260	AMD-E	88-18-055	388-40-110	AMD-P	88-19-027
388-19-045	AMD-P	88-15-077	388-29-260	AMD	88-20-082	388-42-150	AMD-P	88-15-009
388-19-045	AMD	88-18-022	388-29-280	AMD	88-04-019	388-42-150	AMD	88-18-023
388-19-050	NEW-P	88-10-043	388-29-280	AMD-P	88-14-137	388-42-150	AMD-E	88-18-055
388-19-050	NEW	88-14-037	388-29-280	AMD-E	88-18-057	388-44-035	AMD-P	88-16-053
388-19-050	AMD-P	88-15-077	388-29-280	AMD	88-19-032	388-44-035	AMD-E	88-16-061
388-19-050	AMD	88-18-022	388-33-135	AMD	88-07-117	388-44-035	AMD	88-19-070
388-24-040	AMD-P	88-04-036	388-33-195	AMD-P	88-16-057	388-44-330	NEW-P	88-10-004
388-24-040	AMD-E	88-04-039	388-33-195	AMD-E	88-16-058	388-44-330	NEW	88-13-059
388-24-040	AMD	88-09-039	388-33-195	AMD	88-19-069	388-49-015	AMD-P	88-15-045
388-24-050	AMD-P	88-04-036	388-33-355	AMD-P	88-18-105	388-49-015	AMD	88-18-058
388-24-050	AMD-E	88-04-039	388-33-355	AMD	88-21-094	388-49-020	AMD-P	88-06-079
388-24-050	AMD	88-09-039	388-33-370	REP-P	88-18-105	388-49-020	AMD	88-08-080
388-24-050	AMD-P	88-18-104	388-33-370	REP	88-21-094	388-49-020	AMD-P	88-12-030
388-24-055	AMD-P	88-18-104	388-33-480	NEW-P	88-11-058	388-49-020	AMD	88-16-081
388-24-065	AMD-P	88-18-104	388-33-480	NEW-E	88-14-060	388-49-190	AMD-P	88-12-030
388-24-070	AMD-P	88-18-104	388-33-480	NEW	88-14-061	388-49-190	AMD	88-16-081
388-24-074	AMD	88-06-084	388-37-110	AMD-E	88-12-086	388-49-191	NEW-P	88-14-080
388-24-074	AMD	88-07-056	388-37-110	AMD-P	88-12-094	388-49-191	NEW-E	88-14-083
388-24-074	AMD-P	88-18-104	388-37-110	AMD	88-15-013	388-49-191	NEW	88-18-025
388-24-090	AMD	88-06-084	388-37-130	AMD-E	88-12-086	388-49-191	REP-P	88-22-034
388-24-090	AMD	88-07-056	388-37-130	AMD-P	88-12-094	388-49-191	REP-E	88-22-035
388-24-107	AMD	88-06-084	388-37-130	AMD	88-15-013	388-49-250	AMD-P	88-11-059
388-24-107	AMD	88-07-056	388-37-140	AMD-E	88-12-086	388-49-250	AMD	88-16-083
388-24-108	AMD-P	88-18-104	388-37-140	AMD-P	88-12-094	388-49-260	AMD-P	88-12-030
388-24-111	AMD-P	88-21-034	388-37-140	AMD	88-15-013	388-49-260	AMD	88-16-081
388-24-125	AMD-P	88-04-036	388-37-140	AMD-P	88-22-085	388-49-310	AMD-P	88-13-027
388-24-125	AMD-E	88-04-039	388-37-140	AMD-E	88-22-086	388-49-310	AMD	88-16-085
388-24-125	AMD	88-09-039	388-37-160	AMD-E	88-12-086	388-49-410	AMD-P	88-06-080

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-49-410	AMD	88-08-081	388-57-120	AMD	88-07-055	388-77-280	NEW-P	88-04-089
388-49-410	AMD-P	88-12-030	388-57-121	REP	88-07-055	388-77-280	NEW-W	88-08-038
388-49-410	AMD	88-16-081	388-57-123	AMD	88-07-055	388-77-285	NEW-P	88-04-089
388-49-420	AMD-P	88-12-030	388-57-124	AMD	88-07-055	388-77-285	NEW-W	88-08-038
388-49-420	AMD	88-16-081	388-57-125	AMD	88-07-055	388-77-285	NEW-P	88-09-079
388-49-470	AMD-P	88-05-005	388-70-013	AMD-P	88-13-124	388-77-285	NEW	88-12-093
388-49-470	AMD-E	88-05-006	388-70-013	AMD-E	88-14-055	388-77-310	NEW-P	88-04-089
388-49-470	AMD-P	88-06-081	388-70-013	AMD	88-17-059	388-77-310	NEW-W	88-08-038
388-49-470	AMD	88-08-079	388-77-005	NEW-P	88-04-089	388-77-320	NEW-P	88-04-089
388-49-470	AMD-P	88-18-054	388-77-005	NEW-W	88-08-038	388-77-320	NEW-W	88-08-038
388-49-470	AMD-E	88-18-060	388-77-005	NEW-P	88-09-079	388-77-320	NEW-P	88-09-079
388-49-470	AMD	88-21-096	388-77-005	NEW	88-12-093	388-77-320	NEW	88-12-093
388-49-480	AMD-P	88-12-030	388-77-005	AMD-P	88-14-081	388-77-330	NEW-P	88-04-089
388-49-480	AMD	88-16-081	388-77-005	AMD-E	88-14-082	388-77-330	NEW-W	88-08-038
388-49-500	AMD-P	88-06-082	388-77-005	AMD	88-18-024	388-77-335	NEW-P	88-04-089
388-49-500	AMD	88-08-078	388-77-005	AMD-P	88-22-034	388-77-335	NEW-W	88-08-038
388-49-500	AMD-E	88-20-044	388-77-005	AMD-E	88-22-035	388-77-340	NEW-P	88-04-089
388-49-500	AMD-P	88-20-046	388-77-010	NEW-P	88-04-089	388-77-340	NEW-W	88-08-038
388-49-505	NEW	88-04-042	388-77-010	NEW-W	88-08-038	388-77-350	NEW-P	88-04-089
388-49-505	AMD-E	88-20-044	388-77-010	NEW-P	88-09-079	388-77-350	NEW-W	88-08-038
388-49-505	AMD-P	88-20-046	388-77-010	NEW	88-12-093	388-77-355	NEW-P	88-04-089
388-49-510	AMD-E	88-20-044	388-77-015	NEW-P	88-04-089	388-77-355	NEW-W	88-08-038
388-49-510	AMD-P	88-20-046	388-77-015	NEW-W	88-08-038	388-77-360	NEW-P	88-04-089
388-49-515	NEW-P	88-12-091	388-77-015	NEW-P	88-09-079	388-77-360	NEW-W	88-08-038
388-49-515	NEW	88-16-082	388-77-015	NEW	88-12-093	388-77-365	NEW-P	88-04-089
388-49-520	AMD-P	88-12-091	388-77-015	AMD-P	88-14-081	388-77-365	NEW-W	88-08-038
388-49-520	AMD	88-16-082	388-77-015	AMD-E	88-14-082	388-77-370	NEW-P	88-04-089
388-49-530	AMD-P	88-12-091	388-77-015	AMD	88-18-024	388-77-370	NEW-W	88-08-038
388-49-530	AMD	88-16-082	388-77-020	NEW-P	88-04-089	388-77-375	NEW-P	88-04-089
388-49-535	NEW-P	88-12-091	388-77-020	NEW-W	88-08-038	388-77-375	NEW-W	88-08-038
388-49-535	NEW	88-16-082	388-77-025	NEW-P	88-04-089	388-77-500	NEW-P	88-04-089
388-49-550	AMD-P	88-18-053	388-77-025	NEW-W	88-08-038	388-77-500	NEW-W	88-08-038
388-49-550	AMD-E	88-18-059	388-77-030	NEW-P	88-04-089	388-77-500	NEW-P	88-09-079
388-49-550	AMD-E	88-20-045	388-77-030	NEW-W	88-08-038	388-77-500	NEW	88-12-093
388-49-550	AMD-P	88-20-048	388-77-035	NEW-P	88-04-089	388-77-500	AMD-P	88-14-081
388-49-600	AMD-P	88-21-090	388-77-035	NEW-W	88-08-038	388-77-500	AMD-E	88-14-082
388-49-610	AMD-P	88-12-092	388-77-040	NEW-P	88-04-089	388-77-500	AMD	88-18-024
388-49-610	AMD	88-16-080	388-77-040	NEW-W	88-08-038	388-77-505	NEW-P	88-04-089
388-49-620	AMD-P	88-12-092	388-77-045	NEW-P	88-04-089	388-77-505	NEW-W	88-08-038
388-49-620	AMD	88-16-080	388-77-045	NEW-W	88-08-038	388-77-510	NEW-P	88-04-089
388-49-640	AMD-P	88-04-088	388-77-045	NEW-P	88-09-079	388-77-510	NEW-W	88-08-038
388-49-640	AMD	88-08-039	388-77-045	NEW	88-12-093	388-77-515	NEW-P	88-04-089
388-49-660	AMD-P	88-04-046	388-77-055	NEW-P	88-04-089	388-77-515	NEW-W	88-08-038
388-49-660	AMD	88-08-040	388-77-055	NEW-W	88-08-038	388-77-515	NEW-P	88-09-079
388-55-010	AMD-P	88-19-091	388-77-065	NEW-P	88-04-089	388-77-515	NEW	88-12-093
388-55-010	AMD-E	88-19-093	388-77-065	NEW-W	88-08-038	388-77-515	AMD-P	88-14-081
388-55-020	AMD-P	88-19-091	388-77-200	NEW-P	88-04-089	388-77-515	AMD-E	88-14-082
388-55-020	AMD-E	88-19-093	388-77-200	NEW-W	88-08-038	388-77-520	NEW-P	88-04-089
388-55-040	AMD-P	88-19-091	388-77-200	NEW-P	88-09-079	388-77-520	NEW-W	88-08-038
388-55-040	AMD-E	88-19-093	388-77-200	NEW	88-12-093	388-77-520	NEW-P	88-09-079
388-57-010	REP	88-07-055	388-77-210	NEW-P	88-04-089	388-77-520	NEW	88-12-093
388-57-011	NEW	88-07-055	388-77-210	NEW-W	88-08-038	388-77-525	NEW-P	88-04-089
388-57-015	REP	88-07-055	388-77-210	NEW-P	88-09-079	388-77-525	NEW-W	88-08-038
388-57-020	REP	88-07-055	388-77-210	NEW	88-12-093	388-77-525	NEW-P	88-09-079
388-57-028	REP	88-07-055	388-77-215	NEW-P	88-04-089	388-77-525	NEW	88-12-093
388-57-032	REP	88-07-055	388-77-215	NEW-W	88-08-038	388-77-530	NEW-P	88-04-089
388-57-036	REP	88-07-055	388-77-230	NEW-P	88-09-079	388-77-530	NEW-W	88-08-038
388-57-040	AMD	88-07-055	388-77-230	NEW	88-12-093	388-77-530	NEW-P	88-14-081
388-57-045	REP	88-07-055	388-77-240	NEW-P	88-04-089	388-77-530	NEW-E	88-14-082
388-57-056	REP	88-07-055	388-77-240	NEW-W	88-08-038	388-77-530	NEW	88-18-024
388-57-057	AMD	88-07-055	388-77-240	NEW-P	88-09-079	388-77-545	NEW-P	88-04-089
388-57-059	NEW	88-07-055	388-77-240	NEW	88-12-093	388-77-545	NEW-W	88-08-038
388-57-061	REP	88-07-055	388-77-245	NEW-P	88-04-089	388-77-550	NEW-P	88-04-089
388-57-063	NEW	88-07-055	388-77-245	NEW-W	88-08-038	388-77-550	NEW-W	88-08-038
388-57-064	REP	88-07-055	388-77-255	NEW-P	88-04-089	388-77-555	NEW-P	88-04-089
388-57-066	NEW	88-07-055	388-77-255	NEW-W	88-08-038	388-77-555	NEW-W	88-08-038
388-57-067	NEW	88-07-055	388-77-255	NEW-P	88-09-079	388-77-555	NEW-P	88-09-079
388-57-070	REP	88-07-055	388-77-255	NEW	88-12-093	388-77-555	NEW	88-12-093
388-57-071	NEW	88-07-055	388-77-270	NEW-P	88-04-089	388-77-560	NEW-P	88-04-089
388-57-074	NEW	88-07-055	388-77-270	NEW-W	88-08-038	388-77-560	NEW-W	88-08-038
388-57-090	REP	88-07-055	388-77-270	NEW-P	88-09-079	388-77-600	NEW-P	88-04-089
388-57-097	AMD	88-07-055	388-77-270	NEW	88-12-093	388-77-600	NEW-W	88-08-038
388-57-100	AMD	88-07-055	388-77-270	AMD-P	88-14-081	388-77-600	NEW-P	88-09-079
388-57-105	NEW	88-07-055	388-77-270	AMD-E	88-14-082	388-77-600	NEW	88-12-093
388-57-112	NEW	88-07-055	388-77-270	AMD	88-18-024	388-77-600	AMD-P	88-14-081
388-57-115	NEW	88-07-055	388-77-275	NEW-P	88-04-089	388-77-600	AMD-E	88-14-082
388-57-117	NEW	88-07-055	388-77-275	NEW-W	88-08-038	388-77-600	AMD	88-18-024

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388-77-605	NEW-P	88-04-089	388-77-880	NEW-W	88-08-038	388-85-105	AMD-P	88-14-051
388-77-605	NEW-W	88-08-038	388-77-900	NEW-P	88-04-089	388-85-105	AMD-E	88-14-059
388-77-605	NEW-P	88-09-079	388-77-900	NEW-W	88-08-038	388-85-105	AMD	88-17-062
388-77-605	NEW	88-12-093	388-77-900	NEW-P	88-09-079	388-86-005	AMD-P	88-03-021
388-77-610	NEW-P	88-04-089	388-77-900	NEW	88-12-093	388-86-005	AMD	88-06-083
388-77-610	NEW-W	88-08-038	388-77-900	AMD-P	88-14-081	388-86-009	AMD-P	88-09-078
388-77-610	NEW-P	88-09-079	388-77-900	AMD-E	88-14-082	388-86-009	AMD	88-12-089
388-77-610	NEW	88-12-093	388-77-900	AMD	88-18-024	388-86-021	AMD-P	88-11-043
388-77-610	AMD-P	88-14-081	388-77-905	NEW-P	88-04-089	388-86-021	AMD-E	88-11-044
388-77-610	AMD-E	88-14-082	388-77-905	NEW-W	88-08-038	388-86-021	AMD	88-15-010
388-77-610	AMD	88-18-024	388-77-915	NEW-P	88-04-089	388-86-040	AMD-P	88-16-055
388-77-610	AMD-P	88-22-034	388-77-915	NEW-W	88-08-038	388-86-040	AMD	88-19-030
388-77-610	AMD-E	88-22-035	388-77-920	NEW-P	88-04-089	388-86-050	AMD	88-04-048
388-77-615	NEW-P	88-04-089	388-77-920	NEW-W	88-08-038	388-86-050	AMD-P	88-11-043
388-77-615	NEW-W	88-08-038	388-77-925	NEW-P	88-04-089	388-86-050	AMD-E	88-11-044
388-77-615	NEW-P	88-09-079	388-77-925	NEW-W	88-08-038	388-86-050	AMD	88-15-010
388-77-615	NEW	88-12-093	388-77-930	NEW-P	88-04-089	388-86-051	NEW	88-04-048
388-77-640	NEW-P	88-04-089	388-77-930	NEW-W	88-08-038	388-86-075	AMD-P	88-11-043
388-77-640	NEW-W	88-08-038	388-77-940	NEW-P	88-04-089	388-86-075	AMD-E	88-11-044
388-77-640	NEW-P	88-04-089	388-77-940	NEW-W	88-08-038	388-86-075	AMD	88-15-010
388-77-700	NEW-W	88-08-038	388-77-945	NEW-P	88-04-089	388-86-085	AMD-P	88-03-021
388-77-700	NEW-P	88-04-089	388-77-945	NEW-W	88-08-038	388-86-085	AMD	88-06-083
388-77-710	NEW-P	88-04-089	388-77-945	NEW-P	88-04-089	388-86-085	AMD-P	88-16-056
388-77-710	NEW-W	88-08-038	388-77-975	NEW-P	88-04-089	388-86-085	AMD-E	88-16-059
388-77-720	NEW-P	88-04-089	388-77-975	NEW-W	88-08-038	388-86-085	AMD	88-20-042
388-77-720	NEW-W	88-08-038	388-78-005	NEW-P	88-06-078	388-86-085	AMD	88-03-021
388-77-725	NEW-P	88-04-089	388-78-005	NEW	88-12-088	388-86-086	NEW-P	88-03-021
388-77-725	NEW-W	88-08-038	388-78-010	NEW-P	88-06-078	388-86-086	NEW	88-06-083
388-77-730	NEW-P	88-04-089	388-78-010	NEW	88-12-088	388-86-090	AMD-P	88-21-054
388-77-730	NEW-W	88-08-038	388-78-015	NEW-P	88-06-078	388-86-090	AMD-E	88-21-056
388-77-735	NEW-P	88-04-089	388-78-015	NEW	88-12-088	388-86-095	AMD-P	88-11-043
388-77-735	NEW-W	88-08-038	388-78-020	NEW-P	88-06-078	388-86-095	AMD-E	88-11-044
388-77-735	NEW-P	88-09-079	388-78-020	NEW	88-12-088	388-86-095	AMD	88-15-010
388-77-735	NEW	88-12-093	388-78-100	NEW-P	88-06-078	388-86-09601	AMD-P	88-11-043
388-77-737	NEW-P	88-04-089	388-78-100	NEW	88-12-088	388-86-09601	AMD-E	88-11-044
388-77-737	NEW-W	88-08-038	388-78-120	NEW-P	88-06-078	388-86-09601	AMD	88-15-010
388-77-737	NEW-P	88-09-079	388-78-120	NEW	88-12-088	388-86-098	AMD-P	88-11-043
388-77-737	NEW	88-12-093	388-78-205	NEW-P	88-06-078	388-86-098	AMD-E	88-11-044
388-77-740	NEW-P	88-04-089	388-78-205	NEW	88-12-088	388-86-098	AMD	88-15-010
388-77-740	NEW-W	88-08-038	388-78-210	NEW-P	88-06-078	388-87-005	AMD-P	88-13-107
388-77-745	NEW-P	88-04-089	388-78-210	NEW	88-12-088	388-87-005	AMD-E	88-14-056
388-77-745	NEW-W	88-08-038	388-78-215	NEW-P	88-06-078	388-87-005	AMD	88-16-084
388-77-750	NEW-P	88-04-089	388-78-215	NEW	88-12-088	388-87-007	AMD-P	88-13-107
388-77-750	NEW-W	88-08-038	388-78-220	NEW-P	88-06-078	388-87-007	AMD	88-16-084
388-77-755	NEW-P	88-04-089	388-78-220	NEW	88-12-088	388-87-010	AMD-P	88-03-021
388-77-755	NEW-W	88-08-038	388-81-043	AMD-P	88-21-038	388-87-010	AMD	88-06-083
388-77-760	NEW-P	88-04-089	388-81-047	NEW	88-03-050	388-87-011	AMD-P	88-08-060
388-77-760	NEW-W	88-08-038	388-81-060	AMD-P	88-21-091	388-87-011	AMD	88-11-061
388-77-765	NEW-P	88-04-089	388-82-008	NEW-P	88-14-051	388-87-013	AMD	88-04-048
388-77-765	NEW-W	88-08-038	388-82-008	NEW-E	88-14-059	388-87-027	AMD-P	88-03-021
388-77-770	NEW-P	88-04-089	388-82-008	NEW	88-17-062	388-87-027	AMD	88-06-083
388-77-770	NEW-W	88-08-038	388-82-010	AMD-P	88-06-077	388-87-035	AMD-P	88-03-021
388-77-780	NEW-P	88-04-089	388-82-010	AMD	88-09-037	388-87-035	AMD	88-06-083
388-77-780	NEW-W	88-08-038	388-82-115	AMD-P	88-06-077	388-87-036	NEW-P	88-03-021
388-77-810	NEW-P	88-04-089	388-82-115	AMD	88-09-037	388-87-036	NEW	88-06-083
388-77-810	NEW-W	88-08-038	388-82-115	AMD-P	88-14-050	388-87-070	AMD	88-04-048
388-77-810	NEW-P	88-09-079	388-82-115	AMD-E	88-14-057	388-88-050	AMD	88-04-041
388-77-810	NEW	88-12-093	388-82-115	AMD	88-17-063	388-88-101	AMD	88-04-041
388-77-815	NEW-P	88-04-089	388-82-115	AMD-P	88-21-053	388-92-045	AMD-P	88-03-072
388-77-815	NEW-W	88-08-038	388-82-115	AMD-E	88-21-055	388-92-045	AMD	88-06-087
388-77-820	NEW-P	88-04-089	388-82-140	NEW-P	88-21-091	388-95-360	AMD-P	88-14-051
388-77-820	NEW-W	88-08-038	388-83-032	AMD-P	88-08-041	388-95-360	AMD-E	88-14-059
388-77-820	NEW-P	88-09-079	388-83-032	AMD-E	88-08-042	388-95-360	AMD-P	88-19-066
388-77-820	NEW	88-12-093	388-83-032	AMD	88-11-063	388-95-380	AMD-P	88-03-072
388-77-820	AMD-P	88-14-080	388-83-032	AMD-P	88-16-054	388-95-380	AMD	88-06-087
388-77-820	AMD-E	88-14-083	388-83-032	AMD-E	88-16-060	388-95-400	AMD-P	88-14-051
388-77-820	AMD	88-18-025	388-83-032	AMD	88-19-033	388-95-400	AMD-E	88-14-059
388-77-820	AMD-P	88-22-034	388-83-032	AMD-E	88-20-043	388-95-400	AMD	88-17-062
388-77-820	AMD-E	88-22-035	388-83-032	AMD-P	88-20-047	388-96-026	AMD-P	88-21-039
388-77-825	NEW-P	88-04-089	388-83-036	AMD-P	88-14-051	388-96-107	AMD-P	88-21-039
388-77-825	NEW-W	88-08-038	388-83-036	AMD-E	88-14-059	388-96-533	AMD-P	88-21-039
388-77-830	NEW-P	88-04-089	388-83-036	AMD	88-17-062	388-96-559	AMD-P	88-13-078
388-77-830	NEW-W	88-08-038	388-83-130	AMD-P	88-14-051	388-96-559	AMD-E	88-13-079
388-77-835	NEW-P	88-04-089	388-83-130	AMD-E	88-14-059	388-96-559	AMD	88-16-079
388-77-835	NEW-W	88-08-038	388-83-130	AMD	88-17-062	388-96-565	AMD-P	88-21-039
388-77-870	NEW-P	88-04-089	388-84-105	AMD-P	88-14-051	388-96-585	AMD-P	88-21-039
388-77-870	NEW-W	88-08-038	388-84-105	AMD-E	88-14-059	388-96-722	AMD-P	88-21-039
388-77-880	NEW-P	88-04-089	388-84-105	AMD	88-17-062	388-96-754	AMD-P	88-21-039

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388-96-771	NEW-E	88-03-052	391-55-033	REP	88-12-055	392-121-128	REP	88-03-013
388-96-771	NEW-P	88-03-053	391-55-033	REP-E	88-12-063	392-121-129	REP	88-03-013
388-96-771	NEW	88-06-085	391-55-071	NEW-P	88-07-083	392-121-130	REP	88-03-013
388-96-774	AMD-P	88-21-039	391-55-071	NEW	88-12-055	392-121-131	REP	88-03-013
388-96-807	AMD-P	88-21-039	391-55-071	NEW-E	88-12-064	392-121-133	NEW	88-03-013
388-96-904	AMD-P	88-21-039	391-55-400	AMD-P	88-07-083	392-121-135	REP	88-03-013
388-98-005	NEW-E	88-03-051	391-55-400	AMD	88-12-055	392-121-136	NEW	88-03-013
388-98-005	NEW-P	88-03-054	391-55-410	AMD-P	88-07-083	392-121-140	REP	88-03-013
388-98-005	NEW	88-06-086	391-55-410	AMD	88-12-055	392-121-145	REP	88-03-013
388-98-010	NEW-E	88-03-051	391-55-415	AMD-P	88-07-083	392-121-150	REP	88-03-013
388-98-010	NEW-P	88-03-054	391-55-415	AMD	88-12-055	392-121-155	REP	88-03-013
388-98-010	NEW	88-06-086	391-55-420	AMD-P	88-07-083	392-121-160	REP	88-03-013
388-98-015	NEW-E	88-03-051	391-55-420	AMD	88-12-055	392-121-161	NEW	88-03-013
388-98-015	NEW-P	88-03-054	391-55-425	AMD-P	88-07-083	392-121-165	REP	88-03-013
388-98-015	NEW	88-06-086	391-55-425	AMD	88-12-055	392-121-170	REP	88-03-013
388-98-020	NEW-E	88-03-051	391-55-430	AMD-P	88-07-083	392-121-175	REP	88-03-013
388-98-020	NEW-P	88-03-054	391-55-430	AMD	88-12-055	392-121-176	REP	88-03-013
388-98-020	NEW	88-06-086	391-55-435	AMD-P	88-07-083	392-121-177	REP	88-03-013
388-99-010	AMD-P	88-06-077	391-55-435	AMD	88-12-055	392-121-180	REP	88-03-013
388-99-010	AMD	88-09-037	391-55-440	AMD-P	88-07-083	392-121-181	NEW	88-03-013
388-99-010	AMD-P	88-19-067	391-55-440	AMD	88-12-055	392-121-182	NEW	88-03-013
388-99-010	AMD-E	88-19-071	391-55-445	AMD-P	88-07-083	392-121-183	NEW	88-03-013
388-99-011	AMD-P	88-19-067	391-55-445	AMD	88-12-055	392-121-185	REP	88-03-013
388-99-011	AMD-E	88-19-071	391-55-450	AMD-P	88-07-083	392-121-186	REP	88-03-013
388-99-020	AMD	88-05-056	391-55-450	AMD	88-12-055	392-121-190	REP	88-03-013
388-99-020	AMD-P	88-20-079	391-55-455	AMD-P	88-07-083	392-121-195	REP	88-03-013
388-99-020	AMD-E	88-20-080	391-55-455	AMD	88-12-055	392-121-200	NEW	88-03-013
388-99-030	AMD-P	88-21-092	391-55-505	REP-P	88-07-083	392-121-205	NEW	88-03-013
388-99-030	AMD-E	88-21-097	391-55-505	REP	88-12-055	392-121-210	NEW	88-03-013
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388-99-040	AMD-E	88-20-080	391-65-050	AMD	88-12-057	392-121-220	NEW	88-03-013
390-05-210	AMD-P	88-11-064	391-65-074	REP-P	88-07-084	392-121-225	NEW	88-03-013
390-05-210	AMD	88-14-064	391-65-074	REP	88-12-057	392-121-225	NEW	88-03-013
390-16-223	NEW-P	88-11-064	391-65-094	REP-P	88-07-084	392-121-250	NEW	88-03-013
390-16-223	NEW	88-14-064	391-65-094	REP	88-12-057	392-121-255	NEW	88-03-013
390-16-223	REP-P	88-17-110	391-95-010	AMD-P	88-07-085	392-121-257	NEW	88-03-013
390-16-223	REP-E	88-17-111	391-95-010	AMD	88-12-058	392-121-260	NEW	88-03-013
390-16-223	REP	88-20-029	391-95-030	AMD-P	88-07-085	392-121-260	AMD-E	88-14-046
390-18-040	AMD-P	88-11-064	391-95-030	AMD	88-12-058	392-121-260	AMD-P	88-19-077
390-18-040	AMD	88-14-064	391-95-230	AMD-P	88-07-085	392-121-260	AMD	88-22-064
390-20-022	NEW-C	88-04-062	391-95-230	AMD	88-12-058	392-121-265	NEW	88-03-013
390-20-022	NEW	88-06-019	392-103-035	AMD-P	88-19-095	392-121-267	NEW	88-03-013
390-20-056	NEW-P	88-04-063	392-103-035	AMD-C	88-22-063	392-121-268	NEW	88-03-013
390-20-056	NEW-C	88-09-008	392-120-001	NEW-P	88-13-075	392-121-270	NEW	88-03-013
390-20-105	AMD-P	88-11-064	392-120-001	NEW	88-19-026	392-121-272	NEW	88-03-013
390-20-105	AMD	88-14-064	392-120-005	NEW-P	88-13-075	392-121-280	NEW	88-03-013
390-24-010	AMD-P	88-17-110	392-120-005	NEW	88-19-026	392-121-285	NEW	88-03-013
390-24-010	AMD	88-20-029	392-120-010	NEW-P	88-13-075	392-121-290	NEW	88-03-013
390-24-200	AMD-P	88-17-110	392-120-010	NEW	88-19-026	392-121-295	NEW	88-03-013
390-24-200	AMD	88-20-029	392-120-015	NEW-P	88-13-075	392-121-297	NEW	88-03-013
391-08-120	AMD-P	88-07-079	392-120-015	NEW	88-19-026	392-121-299	NEW	88-03-013
391-08-120	AMD	88-12-053	392-120-020	NEW-P	88-13-075	392-121-400	NEW	88-03-013
391-25-090	AMD-P	88-07-080	392-120-020	NEW	88-19-026	392-121-405	NEW	88-03-013
391-25-090	AMD	88-12-054	392-120-025	NEW-P	88-13-075	392-121-415	NEW	88-03-013
391-25-110	AMD-P	88-07-080	392-120-025	NEW	88-19-026	392-121-420	NEW	88-03-013
391-25-110	AMD	88-12-054	392-121-001	NEW	88-03-013	392-121-425	NEW	88-03-013
391-25-140	NEW-P	88-07-080	392-121-003	NEW	88-03-013	392-121-430	NEW	88-03-013
391-25-140	NEW	88-12-054	392-121-007	NEW	88-03-013	392-121-440	NEW	88-03-013
391-25-190	AMD-P	88-07-080	392-121-021	NEW	88-03-013	392-121-442	NEW	88-03-013
391-25-190	AMD	88-12-054	392-121-031	NEW	88-03-013	392-121-445	NEW	88-03-013
391-25-290	AMD-P	88-07-080	392-121-033	NEW	88-03-013	392-121-460	NEW	88-03-013
391-25-290	AMD	88-12-054	392-121-101	REP	88-03-013	392-126-003	NEW	88-03-003
391-25-390	AMD-P	88-07-080	392-121-103	REP	88-03-013	392-127-003	NEW	88-03-004
391-25-390	AMD	88-12-054	392-121-105	REP	88-03-013	392-130-005	NEW	88-04-001
391-25-470	AMD-P	88-07-080	392-121-106	NEW	88-03-013	392-130-010	NEW	88-04-001
391-25-470	AMD	88-12-054	392-121-107	NEW	88-03-013	392-130-015	NEW	88-04-001
391-35-020	NEW-P	88-07-081	392-121-108	NEW	88-03-013	392-130-020	NEW	88-04-001
391-35-020	NEW	88-12-061	392-121-110	REP	88-03-013	392-130-025	NEW	88-04-001
391-35-300	NEW-P	88-07-081	392-121-111	NEW	88-03-013	392-130-030	NEW	88-04-001
391-45-013	REP-P	88-07-082	392-121-115	REP	88-03-013	392-130-035	NEW	88-04-001
391-45-013	REP	88-12-056	392-121-120	REP	88-03-013	392-130-040	NEW	88-04-001
391-45-013	REP-E	88-12-062	392-121-121	REP	88-03-013	392-130-045	NEW	88-04-001
391-45-260	NEW-P	88-07-082	392-121-122	NEW	88-03-013	392-130-050	NEW	88-04-001
391-45-260	NEW	88-12-056	392-121-123	NEW	88-03-013	392-130-055	NEW	88-04-001
391-55-002	AMD-P	88-07-083	392-121-125	REP	88-03-013	392-130-060	NEW	88-04-001
391-55-002	AMD	88-12-055	392-121-126	REP	88-03-013	392-130-065	NEW	88-04-001

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392-130-075	NEW	88-04-001	392-139-200	NEW	88-03-007	392-164-015	REP-P	88-09-043
392-130-080	NEW	88-04-001	392-139-205	NEW	88-03-007	392-164-015	REP	88-13-002
392-130-085	NEW	88-04-001	392-139-210	NEW	88-03-007	392-164-020	REP-P	88-09-043
392-130-090	NEW	88-04-001	392-139-215	NEW	88-03-007	392-164-020	REP	88-13-002
392-130-095	NEW	88-04-001	392-139-220	NEW	88-03-007	392-164-025	REP-P	88-09-043
392-130-100	NEW	88-04-001	392-139-225	NEW	88-03-007	392-164-025	REP	88-13-002
392-130-105	NEW	88-04-001	392-139-230	NEW	88-03-007	392-164-030	REP-P	88-09-043
392-130-110	NEW	88-04-001	392-139-235	NEW	88-03-007	392-164-030	REP	88-13-002
392-130-115	NEW	88-04-001	392-139-240	NEW	88-03-007	392-164-035	REP-P	88-09-043
392-130-120	NEW	88-04-001	392-139-245	NEW	88-03-007	392-164-035	REP	88-13-002
392-130-125	NEW	88-04-001	392-139-300	NEW	88-03-007	392-164-040	REP-P	88-09-043
392-130-130	NEW	88-04-001	392-139-310	NEW	88-03-007	392-164-040	REP	88-13-002
392-130-135	NEW	88-04-001	392-139-320	NEW	88-03-007	392-164-045	REP-P	88-09-043
392-130-140	NEW	88-04-001	392-139-330	NEW	88-03-007	392-164-045	REP	88-13-002
392-130-145	NEW	88-04-001	392-139-340	NEW	88-03-007	392-164-050	REP-P	88-09-043
392-130-150	NEW	88-04-001	392-139-600	NEW	88-03-007	392-164-050	REP	88-13-002
392-130-155	NEW	88-04-001	392-139-605	NEW	88-03-007	392-164-055	REP-P	88-09-043
392-130-160	NEW	88-04-001	392-139-610	NEW	88-03-007	392-164-055	REP	88-13-002
392-130-165	NEW	88-04-001	392-139-615	NEW	88-03-007	392-164-060	REP-P	88-09-043
392-130-170	NEW	88-04-001	392-139-620	NEW	88-03-007	392-164-060	REP	88-13-002
392-130-175	NEW	88-04-001	392-139-625	NEW	88-03-007	392-164-065	REP-P	88-09-043
392-130-180	NEW	88-04-001	392-139-650	NEW	88-03-007	392-164-065	REP	88-13-002
392-130-185	NEW	88-04-001	392-139-660	NEW	88-03-007	392-164-070	REP-P	88-09-043
392-130-190	NEW	88-04-001	392-139-665	NEW	88-03-007	392-164-070	REP	88-13-002
392-130-195	NEW	88-04-001	392-139-670	NEW	88-03-007	392-164-075	REP-P	88-09-043
392-130-200	NEW	88-04-001	392-139-900	NEW	88-03-007	392-164-075	REP	88-13-002
392-130-205	NEW	88-04-001	392-140-145	NEW	88-03-005	392-164-080	REP-P	88-09-043
392-139-001	AMD	88-03-007	392-140-146	NEW	88-03-005	392-164-080	REP	88-13-002
392-139-005	AMD	88-03-007	392-140-147	NEW	88-03-005	392-164-085	REP-P	88-09-043
392-139-007	NEW	88-03-007	392-140-148	NEW	88-03-005	392-164-085	REP	88-13-002
392-139-010	REP	88-03-007	392-140-149	NEW	88-03-005	392-164-090	REP-P	88-09-043
392-139-016	REP	88-03-007	392-140-150	NEW	88-03-005	392-164-090	REP	88-13-002
392-139-017	REP	88-03-007	392-140-151	NEW	88-03-005	392-164-095	REP-P	88-09-043
392-139-018	REP	88-03-007	392-140-152	NEW	88-03-005	392-164-095	REP	88-13-002
392-139-021	REP	88-03-007	392-140-153	NEW	88-03-005	392-164-100	NEW-P	88-07-113
392-139-022	REP	88-03-007	392-140-154	NEW	88-03-005	392-164-100	NEW	88-13-089
392-139-026	REP	88-03-007	392-140-155	NEW	88-03-005	392-164-105	NEW-P	88-07-113
392-139-031	REP	88-03-007	392-140-156	NEW	88-03-005	392-164-105	NEW	88-13-089
392-139-036	REP	88-03-007	392-140-157	NEW	88-03-005	392-164-115	NEW-P	88-07-113
392-139-037	REP	88-03-007	392-140-158	NEW	88-03-005	392-164-115	NEW	88-13-089
392-139-038	REP	88-03-007	392-140-159	NEW	88-03-005	392-164-120	NEW-P	88-07-113
392-139-050	NEW	88-03-007	392-140-160	NEW-P	88-06-093	392-164-120	NEW	88-13-089
392-139-051	NEW	88-03-007	392-140-160	NEW	88-09-045	392-164-125	NEW-P	88-07-113
392-139-052	NEW	88-03-007	392-140-161	NEW-P	88-06-093	392-164-125	NEW	88-13-089
392-139-055	NEW	88-03-007	392-140-161	NEW	88-09-045	392-164-130	NEW-P	88-07-113
392-139-056	NEW	88-03-007	392-140-162	NEW-P	88-06-093	392-164-130	NEW	88-13-089
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392-139-100	NEW	88-03-007	392-140-163	NEW-P	88-06-093	392-164-135	NEW	88-13-089
392-139-105	NEW	88-03-007	392-140-163	NEW	88-09-045	392-164-140	NEW-P	88-07-113
392-139-110	NEW	88-03-007	392-140-164	NEW-P	88-06-093	392-164-140	NEW	88-13-089
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392-139-120	NEW	88-03-007	392-140-165	NEW-P	88-06-093	392-164-145	NEW	88-13-089
392-139-122	NEW	88-03-007	392-140-165	NEW	88-09-045	392-164-150	NEW-P	88-07-113
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392-139-130	NEW	88-03-007	392-140-167	NEW-P	88-06-093	392-164-155	NEW	88-13-089
392-139-132	NEW	88-03-007	392-140-167	NEW	88-09-045	392-164-160	NEW-P	88-07-113
392-139-134	NEW	88-03-007	392-140-168	NEW-P	88-06-093	392-164-160	NEW	88-13-089
392-139-150	NEW	88-03-007	392-140-168	NEW	88-09-045	392-164-165	NEW-P	88-07-113
392-139-152	NEW	88-03-007	392-140-169	NEW-P	88-06-093	392-164-165	NEW	88-13-089
392-139-154	NEW	88-03-007	392-140-169	NEW	88-09-045	392-164-170	NEW-P	88-07-113
392-139-156	NEW	88-03-007	392-140-170	NEW-P	88-06-093	392-164-170	NEW	88-13-089
392-139-158	NEW	88-03-007	392-140-170	NEW	88-09-045	392-164-175	NEW-P	88-07-113
392-139-160	NEW	88-03-007	392-140-171	NEW-P	88-06-093	392-164-175	NEW	88-13-089
392-139-162	NEW	88-03-007	392-140-171	NEW	88-09-045	392-164-180	NEW-P	88-07-113
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392-139-168	NEW	88-03-007	392-140-173	NEW-P	88-06-093	392-164-185	NEW	88-13-089
392-139-170	NEW	88-03-007	392-140-173	NEW	88-09-045	392-164-190	NEW-P	88-07-113
392-139-172	NEW	88-03-007	392-140-174	NEW-P	88-06-093	392-164-190	NEW	88-13-089
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392-139-176	NEW	88-03-007	392-164	AMD-P	88-07-113	392-164-195	NEW	88-13-089
392-139-178	NEW	88-03-007	392-164	AMD	88-13-089	392-164-200	NEW-P	88-07-113
392-139-180	NEW	88-03-007	392-164-005	REP-P	88-09-043	392-164-200	NEW	88-13-089
392-139-182	NEW	88-03-007	392-164-005	REP	88-13-002	392-164-205	NEW-P	88-07-113
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392-164-210	NEW-P	88-07-113	392-164-400	NEW	88-13-089	392-196-052	AMD-P	88-15-026
392-164-210	NEW	88-13-089	392-164-405	NEW-P	88-07-113	392-196-052	AMD-E	88-15-027
392-164-215	NEW-P	88-07-113	392-164-405	NEW	88-13-089	392-196-052	AMD	88-18-038
392-164-215	NEW	88-13-089	392-164-410	NEW-P	88-07-113	392-196-055	AMD-P	88-15-026
392-164-220	NEW-P	88-07-113	392-164-410	NEW	88-13-089	392-196-055	AMD-E	88-15-027
392-164-220	NEW	88-13-089	392-164-415	NEW-P	88-07-113	392-196-055	AMD	88-18-038
392-164-225	NEW-P	88-07-113	392-164-415	NEW	88-13-089	392-196-060	AMD-P	88-15-026
392-164-225	NEW	88-13-089	392-165-340	AMD-P	88-17-120	392-196-060	AMD-E	88-15-027
392-164-230	NEW-P	88-07-113	392-165-340	AMD	88-21-017	392-196-060	AMD	88-18-038
392-164-230	NEW	88-13-089	392-165-342	NEW-P	88-17-120	392-196-070	AMD-P	88-15-026
392-164-235	NEW-P	88-07-113	392-165-342	NEW	88-21-017	392-196-070	AMD-E	88-15-027
392-164-235	NEW	88-13-089	392-165-345	AMD-P	88-17-120	392-196-070	AMD	88-18-038
392-164-240	NEW-P	88-07-113	392-165-345	AMD	88-21-017	392-196-072	AMD-P	88-15-026
392-164-240	NEW	88-13-089	392-166-210	AMD-P	88-17-119	392-196-072	AMD-E	88-15-027
392-164-245	NEW-P	88-07-113	392-166-210	AMD	88-21-018	392-196-072	AMD	88-18-038
392-164-245	NEW	88-13-089	392-168	AMD-P	88-06-094	392-196-075	AMD-P	88-15-026
392-164-250	NEW-P	88-07-113	392-168	AMD	88-09-042	392-196-075	AMD-E	88-15-027
392-164-250	NEW	88-13-089	392-168-005	REP-P	88-06-094	392-196-075	AMD	88-18-038
392-164-255	NEW-P	88-07-113	392-168-005	REP	88-09-042	392-196-080	AMD-P	88-15-026
392-164-255	NEW	88-13-089	392-168-105	NEW-P	88-06-094	392-196-080	AMD-E	88-15-027
392-164-260	NEW-P	88-07-113	392-168-105	NEW	88-09-042	392-196-080	AMD	88-18-038
392-164-260	NEW	88-13-089	392-168-110	NEW-P	88-06-094	392-220-005	NEW-P	88-03-011
392-164-265	NEW-P	88-07-113	392-168-110	NEW	88-09-042	392-220-005	NEW-E	88-03-012
392-164-265	NEW	88-13-089	392-168-115	NEW-P	88-06-094	392-220-010	NEW-P	88-03-011
392-164-270	NEW-P	88-07-113	392-168-115	NEW	88-09-042	392-220-010	NEW-E	88-03-012
392-164-270	NEW	88-13-089	392-168-120	NEW-P	88-06-094	392-220-015	NEW-P	88-03-011
392-164-275	NEW-P	88-07-113	392-168-120	NEW	88-09-042	392-220-015	NEW-E	88-03-012
392-164-275	NEW	88-13-089	392-168-125	NEW-P	88-06-094	392-220-020	NEW-P	88-03-011
392-164-280	NEW-P	88-07-113	392-168-125	NEW	88-09-042	392-220-020	NEW-E	88-03-012
392-164-280	NEW	88-13-089	392-168-130	NEW-P	88-06-094	392-220-025	NEW-P	88-03-011
392-164-285	NEW-P	88-07-113	392-168-130	NEW	88-09-042	392-220-025	NEW-E	88-03-012
392-164-285	NEW	88-13-089	392-168-135	NEW-P	88-06-094	392-220-030	NEW-P	88-03-011
392-164-290	NEW-P	88-07-113	392-168-135	NEW	88-09-042	392-220-030	NEW-E	88-03-012
392-164-290	NEW	88-13-089	392-168-140	NEW-P	88-06-094	392-220-035	NEW-P	88-03-011
392-164-295	NEW-P	88-07-113	392-168-140	NEW	88-09-042	392-220-035	NEW-E	88-03-012
392-164-295	NEW	88-13-089	392-168-145	NEW-P	88-06-094	392-220-040	NEW-P	88-03-011
392-164-300	NEW-P	88-07-113	392-168-145	NEW	88-09-042	392-220-040	NEW-E	88-03-012
392-164-300	NEW	88-13-089	392-168-150	NEW-P	88-06-094	392-220-045	NEW-P	88-03-011
392-164-305	NEW-P	88-07-113	392-168-150	NEW	88-09-042	392-220-045	NEW-E	88-03-012
392-164-305	NEW	88-13-089	392-168-155	NEW-P	88-06-094	392-220-050	NEW-P	88-03-011
392-164-310	NEW-P	88-07-113	392-168-155	NEW	88-09-042	392-220-050	NEW-E	88-03-012
392-164-310	NEW	88-13-089	392-168-160	NEW-P	88-06-094	392-220-055	NEW-P	88-03-011
392-164-315	NEW-P	88-07-113	392-168-160	NEW	88-09-042	392-220-055	NEW-E	88-03-012
392-164-315	NEW	88-13-089	392-168-165	NEW-P	88-06-094	392-220-060	NEW-P	88-03-011
392-164-320	NEW-P	88-07-113	392-168-165	NEW	88-09-042	392-220-060	NEW-E	88-03-012
392-164-320	NEW	88-13-089	392-168-170	NEW-P	88-06-094	392-220-065	NEW-P	88-03-011
392-164-325	NEW-P	88-07-113	392-168-170	NEW	88-09-042	392-220-065	NEW-E	88-03-012
392-164-325	NEW	88-13-089	392-168-175	NEW-P	88-06-094	392-220-070	NEW-P	88-03-011
392-164-330	NEW-P	88-07-113	392-168-175	NEW	88-09-042	392-220-070	NEW-E	88-03-012
392-164-330	NEW	88-13-089	392-168-180	NEW-P	88-06-094	392-220-075	NEW-P	88-03-011
392-164-335	NEW-P	88-07-113	392-168-180	NEW	88-09-042	392-220-075	NEW-E	88-03-012
392-164-335	NEW	88-13-089	392-168-185	NEW-P	88-06-094	392-220-080	NEW-P	88-03-011
392-164-340	NEW-P	88-07-113	392-168-185	NEW	88-09-042	392-220-080	NEW-E	88-03-012
392-164-340	NEW	88-13-089	392-168-190	NEW-P	88-06-094	392-220-085	NEW-P	88-03-011
392-164-345	NEW-P	88-07-113	392-168-190	NEW	88-09-042	392-220-085	NEW-E	88-03-012
392-164-345	NEW	88-13-089	392-171-761	REP-P	88-07-112	392-220-090	NEW-P	88-03-011
392-164-350	NEW-P	88-07-113	392-171-761	AMD-P	88-12-016	392-220-090	NEW-E	88-03-012
392-164-350	NEW	88-13-089	392-171-761	AMD	88-15-020	392-220-095	NEW-P	88-03-011
392-164-355	NEW-P	88-07-113	392-171-766	REP-P	88-07-112	392-220-095	NEW-E	88-03-012
392-164-355	NEW	88-13-089	392-171-766	REP	88-12-017	392-220-100	NEW-P	88-03-011
392-164-360	NEW-P	88-07-113	392-171-771	REP-P	88-07-112	392-220-100	NEW-E	88-03-012
392-164-360	NEW	88-13-089	392-171-771	REP	88-12-017	392-220-105	NEW-P	88-03-011
392-164-365	NEW-P	88-07-113	392-171-776	REP-P	88-07-112	392-220-105	NEW-E	88-03-012
392-164-365	NEW	88-13-089	392-171-776	REP	88-12-017	392-220-110	NEW-P	88-03-011
392-164-370	NEW-P	88-07-113	392-171-781	REP-P	88-07-112	392-220-110	NEW-E	88-03-012
392-164-370	NEW	88-13-089	392-171-781	REP	88-12-017	392-220-115	NEW-P	88-03-011
392-164-375	NEW-P	88-07-113	392-195-010	AMD	88-03-006	392-220-115	NEW-E	88-03-012
392-164-375	NEW	88-13-089	392-195-015	AMD	88-03-006	392-220-120	NEW-P	88-03-011
392-164-380	NEW-P	88-07-113	392-196-020	AMD-P	88-15-026	392-220-120	NEW-E	88-03-012
392-164-380	NEW	88-13-089	392-196-020	AMD-E	88-15-027	392-220-125	NEW-P	88-03-011
392-164-385	NEW-P	88-07-113	392-196-020	AMD	88-18-038	392-220-125	NEW-E	88-03-012
392-164-385	NEW	88-13-089	392-196-045	AMD-P	88-15-026	392-220-130	NEW-P	88-03-011
392-164-390	NEW-P	88-07-113	392-196-045	AMD-E	88-15-027	392-220-130	NEW-E	88-03-012
392-164-390	NEW	88-13-089	392-196-045	AMD	88-18-038	392-220-135	NEW-P	88-03-011
392-164-395	NEW-P	88-07-113	392-196-050	AMD-P	88-15-026	392-220-135	NEW-E	88-03-012
392-164-395	NEW	88-13-089	392-196-050	AMD-E	88-15-027	392-220-140	NEW-P	88-03-011
392-164-400	NEW-P	88-07-113	392-196-050	AMD	88-18-038	392-220-140	NEW-E	88-03-012

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-220-145	NEW-P	88-03-011	400-12-570	NEW	88-06-053	434-19-013	NEW	88-09-028
392-220-145	NEW-E	88-03-012	400-12-600	NEW	88-06-053	434-19-014	NEW-P	88-05-054
392-220-150	NEW-P	88-03-011	400-12-610	NEW	88-06-053	434-19-014	NEW	88-09-028
392-220-150	NEW-E	88-03-012	400-12-620	NEW	88-06-053	434-19-015	NEW-P	88-05-054
392-220-155	NEW-P	88-03-011	400-12-630	NEW	88-06-053	434-19-015	NEW	88-09-028
392-220-155	NEW-E	88-03-012	400-12-640	NEW	88-06-053	434-19-016	NEW-P	88-05-054
392-310-010	NEW-P	88-03-073	400-12-650	NEW	88-06-053	434-19-016	NEW	88-09-028
392-310-010	NEW-E	88-04-002	400-12-660	NEW	88-06-053	434-19-017	NEW-P	88-05-054
392-310-010	NEW	88-06-042	400-12-700	NEW	88-06-053	434-19-017	NEW	88-09-028
392-310-015	NEW-P	88-03-073	400-12-710	NEW	88-06-053	434-19-018	NEW-P	88-05-054
392-310-015	NEW-E	88-04-002	400-12-720	NEW	88-06-053	434-19-018	NEW	88-09-028
392-310-015	NEW	88-06-042	402-80-040	AMD-P	88-14-052	434-19-020	NEW-P	88-05-054
392-310-020	NEW-P	88-03-073	402-80-040	AMD	88-17-060	434-19-020	NEW	88-09-028
392-310-020	NEW-E	88-04-002	402-80-060	AMD-P	88-14-052	434-19-050	NEW-P	88-05-054
392-310-020	NEW	88-06-042	402-80-060	AMD	88-17-060	434-19-050	NEW	88-09-028
392-310-025	NEW-P	88-03-073	402-80-065	NEW-P	88-14-052	434-19-051	NEW-P	88-05-054
392-310-025	NEW-E	88-04-002	402-80-065	NEW	88-17-060	434-19-051	NEW	88-09-028
392-310-025	NEW	88-06-042	415-02-090	AMD-P	88-13-121	434-19-052	NEW-P	88-05-054
392-315-005	NEW	88-09-044	415-02-090	AMD	88-17-053	434-19-052	NEW	88-09-028
392-315-010	NEW	88-09-044	415-108-450	NEW	88-11-030	434-19-053	NEW-P	88-05-054
392-315-015	NEW	88-09-044	415-108-460	NEW	88-11-030	434-19-053	NEW	88-09-028
392-315-020	NEW	88-09-044	415-112-330	NEW-P	88-13-120	434-19-054	NEW-P	88-05-054
392-315-025	NEW	88-09-044	415-112-330	NEW	88-17-052	434-19-054	NEW	88-09-028
392-315-030	NEW	88-09-044	415-112-410	AMD	88-11-031	434-19-055	NEW-P	88-05-054
392-315-035	NEW	88-09-044	415-112-411	NEW	88-11-031	434-19-055	NEW	88-09-028
392-315-040	NEW	88-09-044	419-32-070	REP-P	88-11-049	434-19-056	NEW-P	88-05-054
392-315-045	NEW	88-09-044	419-32-070	REP	88-17-032	434-19-056	NEW	88-09-028
392-315-050	NEW	88-09-044	419-32-080	REP-P	88-11-049	434-19-059	NEW-P	88-05-054
392-315-055	NEW	88-09-044	419-32-080	REP	88-17-032	434-19-059	NEW	88-09-028
392-315-060	NEW	88-09-044	419-32-090	REP-P	88-11-049	434-19-060	NEW-P	88-05-054
392-315-065	NEW	88-09-044	419-32-090	REP	88-17-032	434-19-060	NEW	88-09-028
392-315-070	NEW	88-09-044	419-32-100	REP-P	88-11-049	434-19-061	NEW	88-09-028
392-315-075	NEW	88-09-044	419-32-100	REP	88-17-032	434-19-065	NEW-P	88-05-054
392-315-080	NEW	88-09-044	419-32-110	REP-P	88-11-049	434-19-075	NEW-P	88-05-054
392-315-085	NEW	88-09-044	419-32-110	REP	88-17-032	434-19-075	NEW	88-09-028
392-315-090	NEW	88-09-044	419-32-120	REP-P	88-11-049	434-19-077	NEW-P	88-05-054
392-315-095	NEW	88-09-044	419-32-120	REP	88-17-032	434-19-077	NEW	88-09-028
392-315-100	NEW	88-09-044	419-32-130	REP-P	88-11-049	434-19-078	NEW-P	88-05-054
392-315-105	NEW	88-09-044	419-32-130	REP	88-17-032	434-19-078	NEW	88-09-028
392-315-110	NEW	88-09-044	419-32-140	REP-P	88-11-049	434-19-080	NEW-P	88-05-054
392-315-115	NEW	88-09-044	419-32-140	REP	88-17-032	434-19-080	NEW	88-09-028
392-315-120	NEW	88-09-044	419-32-150	REP-P	88-11-049	434-19-081	NEW-P	88-05-054
392-315-125	NEW	88-09-044	419-32-150	REP	88-17-032	434-19-081	NEW	88-09-028
392-315-130	NEW	88-09-044	419-32-160	REP-P	88-11-049	434-19-082	NEW-P	88-05-054
392-315-135	NEW	88-09-044	419-32-160	REP	88-17-032	434-19-082	NEW	88-09-028
392-315-140	NEW	88-09-044	419-32-170	REP-P	88-11-049	434-19-083	NEW-P	88-05-054
392-315-145	NEW	88-09-044	419-32-170	REP	88-17-032	434-19-083	NEW	88-09-028
392-315-150	NEW	88-09-044	419-56-010	NEW	88-02-068	434-19-084	NEW-P	88-05-054
392-315-155	NEW	88-09-044	419-56-020	NEW	88-02-068	434-19-084	NEW	88-09-028
392-315-160	NEW	88-09-044	419-56-030	NEW	88-02-068	434-19-086	NEW-P	88-05-054
392-315-165	NEW	88-09-044	419-56-040	NEW	88-02-068	434-19-086	NEW	88-09-028
399-30-040	AMD-P	88-06-045	419-56-050	NEW	88-02-068	434-19-087	NEW-P	88-05-054
399-30-040	AMD	88-10-009	419-56-060	NEW	88-02-068	434-19-087	NEW	88-09-028
399-30-042	NEW-P	88-13-023	419-56-070	NEW	88-02-068	434-19-088	NEW-P	88-05-054
399-30-042	NEW-E	88-13-024	419-56-080	NEW	88-02-068	434-19-088	NEW	88-09-028
399-30-042	NEW	88-17-080	419-56-090	NEW	88-02-068	434-19-090	NEW-P	88-05-054
399-30-060	AMD-P	88-19-107	419-60-010	NEW	88-02-067	434-19-090	NEW	88-09-028
400-12	NEW-C	88-04-023	419-60-020	NEW	88-02-067	434-19-100	NEW-P	88-05-054
400-12-100	NEW	88-06-053	419-60-030	NEW	88-02-067	434-19-100	NEW	88-09-028
400-12-110	NEW	88-06-053	419-64-010	NEW-P	88-11-050	434-19-101	NEW-P	88-05-054
400-12-120	NEW	88-06-053	419-64-010	NEW-P	88-22-047	434-19-101	NEW	88-09-028
400-12-200	NEW	88-06-053	419-64-020	NEW-P	88-11-050	434-19-102	NEW-P	88-05-054
400-12-210	NEW	88-06-053	419-64-020	NEW-P	88-22-047	434-19-102	NEW	88-09-028
400-12-220	NEW	88-06-053	419-64-030	NEW-P	88-11-050	434-19-105	NEW-P	88-05-054
400-12-300	NEW	88-06-053	419-64-030	NEW-P	88-22-047	434-19-110	NEW-P	88-05-054
400-12-310	NEW	88-06-053	419-64-040	NEW-P	88-11-050	434-19-110	NEW	88-09-028
400-12-320	NEW	88-06-053	419-64-040	NEW-P	88-22-047	434-19-113	NEW-P	88-05-054
400-12-400	NEW	88-06-053	419-64-050	NEW-P	88-22-047	434-19-113	NEW	88-09-028
400-12-410	NEW	88-06-053	419-64-060	NEW-P	88-22-047	434-19-114	NEW-P	88-05-054
400-12-420	NEW	88-06-053	419-64-070	NEW-P	88-22-047	434-19-114	NEW	88-09-028
400-12-500	NEW	88-06-053	419-64-080	NEW-P	88-22-047	434-19-115	NEW-P	88-05-054
400-12-510	NEW	88-06-053	419-64-090	NEW-P	88-22-047	434-19-115	NEW	88-09-028
400-12-520	NEW	88-06-053	434-19-010	NEW-P	88-05-054	434-19-116	NEW-P	88-05-054
400-12-530	NEW	88-06-053	434-19-010	NEW	88-09-028	434-19-118	NEW-P	88-05-054
400-12-540	NEW	88-06-053	434-19-012	NEW-P	88-05-054	434-19-118	NEW	88-09-028
400-12-550	NEW	88-06-053	434-19-012	NEW	88-09-028	434-19-190	NEW-P	88-05-054
400-12-560	NEW	88-06-053	434-19-013	NEW-P	88-05-054	434-19-190	NEW	88-09-028

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
434-19-191	NEW-P	88-05-054	458-16-030	AMD	88-13-041	458-30-075	REP-P	88-17-118
434-19-191	NEW	88-09-028	458-16-111	AMD-P	88-10-025	458-30-080	REP-P	88-17-118
434-19-192	NEW-P	88-05-054	458-16-111	AMD	88-13-041	458-30-085	REP-P	88-17-118
434-19-192	NEW	88-09-028	458-16-130	AMD-P	88-10-025	458-30-090	REP-P	88-17-118
434-19-193	NEW-P	88-05-054	458-16-130	AMD	88-13-041	458-30-095	REP-P	88-17-118
434-19-193	NEW	88-09-028	458-18-010	AMD-P	88-10-026	458-30-100	REP-P	88-17-118
434-19-194	NEW-P	88-05-054	458-18-010	AMD	88-13-042	458-30-105	REP-P	88-17-118
434-19-194	NEW	88-09-028	458-18-020	AMD-P	88-10-026	458-30-110	REP-P	88-17-118
434-19-195	NEW-P	88-05-054	458-18-020	AMD	88-13-042	458-30-115	REP-P	88-17-118
434-19-195	NEW	88-09-028	458-18-060	AMD-P	88-10-026	458-30-120	REP-P	88-17-118
434-19-230	NEW-P	88-05-054	458-18-060	AMD	88-13-042	458-30-125	REP-P	88-17-118
434-19-230	NEW	88-09-028	458-18-220	AMD-E	88-02-070	458-30-130	REP-P	88-17-118
434-40-005	NEW	88-03-019	458-18-220	AMD-P	88-03-016	458-30-135	REP-P	88-17-118
434-40-010	NEW	88-03-019	458-18-220	AMD	88-07-003	458-30-140	REP-P	88-17-118
434-40-020	NEW	88-03-019	458-19-005	NEW-P	88-22-010	458-30-145	REP-P	88-17-118
434-40-030	NEW	88-03-019	458-19-005	NEW-E	88-22-011	458-30-146	REP-P	88-17-118
434-40-040	NEW	88-03-019	458-19-010	NEW-P	88-22-010	458-30-150	REP-P	88-17-118
434-40-050	NEW	88-03-019	458-19-010	NEW-E	88-22-011	458-30-155	REP-P	88-17-118
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