

DECEMBER 7, 1988

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ISSUE 88-23



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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.

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## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of December 1988 pursuant to RCW 19.52.020 is twelve point one three percent (12.13%).

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 (12.25%).

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.

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# 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 <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
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
88-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
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
89-02	Dec 7	Dec 21, 1988	Jan 4, 1989	Jan 18	Feb 7
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
89-05	Jan 18	Feb 1	Feb 15	Mar 1	Mar 21
89-06	Feb 1	Feb 15	Mar 1	Mar 15	Apr 4
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89-08	Mar 8	Mar 22	Apr 5	Apr 19	May 9
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89-11	Apr 26	May 10	May 24	Jun 7	Jun 27
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89-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
89-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
89-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1990

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

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

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

**WSR 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, directs 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.

#### NEW SECTION

WAC 458-19-005 PROPERTY TAX LEVIES AND LEVY LIMITATIONS—DEFINITIONS. Unless the context clearly requires otherwise, the following definitions apply throughout this chapter.

(1) "Annexation" is the act of a taxing district taking in an area without the original district.

(2) "Assessed value" is the value of property placed on the assessment rolls for property tax purposes. The term is often abbreviated by its initials "A.V."

(3) "Certified property tax levy" is the lawful levy certified by the taxing district governing body to the county legislative authority, or county assessor, as appropriate.

(4) "Certified property tax levy rate" is the tax rate calculated for the certified levy.

(5) "Consolidated levy rate" is the aggregate of all levy rates as applied to a specific property or tax code area.

(6) "Consolidated regular levy rate" is the sum of all regular levy rates set for collection exclusive of rates set for port and public utility districts, emergency medical services under RCW 84.52.069, and conservation futures under RCW 84.34.230.

(7) "Consolidation" is the act of combining two or more taxing districts into one taxing district.

(8) "Constitutional" or "Constitutional one percent levy limit" means the levy limit established by Article VII, Section 2 of the Washington Constitution.

(9) "Improvement" is any beneficial or valuable change or addition; a betterment in the condition of that property.

(10) "Junior taxing districts" consist of all taxing districts other than the state, counties, county roads, cities, towns, ports, and public utility districts.

(11) "Levy rates" are expressed in dollars and cents per one thousand dollars assessed value and are calculated by dividing the total amount of the authorized levy of a taxing district by the total assessed value of that district.

(12) "New construction" means the creation of something new rather than the repair or improvement of an existing object. It is the building or erection of something that did not exist before, as distinguished from something that already exists. The following should be considered as new construction for the one hundred six percent levy limit calculation:

(a) New buildings and additions, including new mobile homes along with those new to the taxing district,

(b) Physical improvements to land (site improvements), such as water and sewer lines, septic tanks and drain fields, power access roads, driveways, sidewalks, parking lots, etc., and

(c) Machinery, equipment and other property affixed to real property.

(13) "Payback" means the reimbursement made by a taxing district whose certified levy rate was maintained in whole in a prorating situation to a taxing district whose levy rate was reduced as a result of such action.

(14) "Preliminary levy rate" means an interim levy rate derived only for a fire protection district under RCW 52.16.130, a library, metropolitan park, or a public hospital district, through application of RCW 84.52.0501. The term is applied in two separate situations as follows:

(a) "First preliminary rate" is the result of multiplying the certified rate by the prorate factor,

(b) "Second preliminary rate" is used only when the taxing district has obtained voter approval pursuant to RCW 84.52.100 to maintain its authorized levy capacity. It is used in conjunction with the first preliminary rate. Its value, not to exceed 35 cents, is the difference between the certified levy rate and the first preliminary rate.

(15) "Regular property tax levy" means a property tax levy for a taxing district subject to the limitation set forth in RCW 84.52.043 and 84.52.050, or a levy imposed by a port district, a public utility district, county conservation futures, or for emergency medical services.

(16) "Regular property taxes" are those taxes resulting from levy rates authorized by the legislature.

(17) "Senior taxing districts" means the state (for public school support), the county, county road, and a city or town.

(18) "Senior of the junior taxing districts" are the fire protection, library, metropolitan park and public hospital districts.

(19) "Statutory dollar rate" is the maximum dollar rate that can be levied by a taxing district as a regular levy in accordance with RCW 84.52.043.

(20) "Taxing district" shall mean any political subdivision, municipal corporation, district, or other governmental agency with statutory authority to levy, or to have a property tax levied for it.

**NEW SECTION**

WAC 458-19-010 LEVY LIMIT AND RATE CALCULATIONS (RCW 27.12.150, 84.48.120 AND 84.52.010). (1) The county assessor shall determine, calculate and fix the rate percent necessary to raise the amount of taxes certified within the limitations provided by law except as provided in subsection (2) of this section.

(2) The board of trustees of an intercounty rural library district shall determine the uniform tax rate for the district and certify their determination to the respective county legislative authorities.

(3) The one hundred six percent levy limitation shall be determined by the county assessor for all districts subject to its provisions except for intercounty rural library districts and any state levy. The limit for an intercounty rural library district shall be determined by the library district in consultation with the respective county assessors, and the limit for any state levy shall be determined by the Department of Revenue.

**NEW SECTION**

WAC 458-19-015 ONE HUNDRED SIX PERCENT LEVY LIMIT—CALCULATION (RCW 84.55.010). The amount of regular property taxes that can be levied by a taxing district is limited by RCW 84.55.010, though it may be modified by RCW 84.55.092.

(1) The levy is calculated in a two step process as follows:  
 (a) the levy is limited to an amount that will not exceed one hundred six percent of the highest amount that could have been lawfully levied in the three preceding years.

(b) To this amount is added an additional dollar component calculated by multiplying the increase in assessed value of the district resulting from new construction, improvements to property, and any increase in the assessed value of state assessed property by the regular property tax levy rate for the preceding year.

The levy rate is calculated by dividing the amount of levy computed in subsection (1)(a) and (b) of this section by the assessed value of the district.

(2) The regular levy for a taxing district, other than the state, may be set at the amount that would have been allowed otherwise had the district levied the full amount permitted as provided by chapter 84.55 RCW, starting with levies due in 1984.

**EXAMPLE — TO CALCULATE THE 106% LEVY LIMIT**

\$52,500	Highest lawful levy that could have been levied in the last 3 years, or as provided in subsection (2) of this section
x 106%	
\$55,650	
+ 4,760	(\$8,000,000 new construction x \$0.5950/\$1,000 (last year's levy rate))
+ 1,190	(\$2,000,000 increase in assessed value of state assessed property x \$0.5950/\$1,000)
\$61,600	Highest allowable levy under the 106% limit

**Levy Rate Calculation**

\$61,600	District levy under 106% levy limit
\$98,250,000	District assessed value
\$0.6270/\$1,000	District levy rate under 106% levy limit

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 458-19-020 ONE HUNDRED SIX PERCENT LEVY LIMIT—RESTORATION OF REGULAR LEVY (RCW 84.55.015). When an existing district, not having imposed a regular property tax levy in the three most recent years elects to restore such a levy, the restored levy shall be set not to exceed:

(1) The amount that could have been lawfully levied in 1973 plus,

(2) The additional dollar component calculated by multiplying the cumulative increase in assessed value resulting from new construction and improvements to property starting with 1974 through the current year by the levy rate of the restored levy. New construction and improvements to property records should be maintained each year for each district whether or not the district imposes a tax levy.

The restored levy rate shall not exceed the statutory rate for that district.

**EXAMPLE — TO RESTORE A REGULAR LEVY**

1973 district assessed value	\$ 104,994,034
Times 1973 district levy rate	x .5867/\$1,000
1973 allowable levy	\$ 61,600

Add all increases in assessed value resulting from new construction and improvements to property (start with 1974 through the current year)	\$ 15,007,670
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Current year's assessed value	\$ 430,475,539
Less increases in assessed value due to new construction and improvements to property	- 15,007,670

Current year's assessed value less accumulated new construction	\$ 415,467,869
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1973 allowable levy divided by Current year's net assessed value	\$ 61,600 / \$ 415,467,869
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Property tax levy rate for restored levy =	\$0.01483/\$1,000
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Additional dollar component resulting from new construction times restored rate (\$15,007,670 x \$0.01483/\$1,000)	\$ 2,225
Plus 1973 allowable levy	61,600
Total restored levy	\$ 63,825

Levy rate (\$63,825/\$430,475,539) =	\$0.01483/\$1,000
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**NEW SECTION**

WAC 458-19-025 ONE HUNDRED SIX PERCENT LEVY LIMIT—CONSOLIDATION OF DISTRICTS (RCW 84.055.020). When a taxing district is created by consolidation of existing districts, the first levy made by the new district will:

(1) Not exceed one hundred six percent of the combined highest levy that could have been lawfully levied in the three preceding years by each component district, plus

(2) An amount based on the increase in assessed value resulting from new construction and improvements to property of each component district multiplied by the respective levy rates of the component districts for the preceding year.

**EXAMPLE — CALCULATING 106% LIMIT RESULTING FROM CONSOLIDATION OF TAXING DISTRICTS**

<b>District #1</b>	\$52,500	Highest lawful levy that could have been levied in the last three years
	x 106%	
	\$55,650	
	+ 4,760	Increase resulting from new construction and improvements to property
	+ 1,190	Increase due to increase in assessed value of state assessed property
	\$ 61,600	106% limit for District #1

<b>District #2</b>	\$23,500	Highest lawful levy that could have been levied in the last three years
	x 106%	
	\$24,910	
	+ 3,000	Increase resulting from new construction and improvements to property
	+ 500	Increase due to increase in assessed value of state assessed property
	\$28,410	106% limit for District #2

Consolidated Levy Calculation

Table with 3 columns: District, Assessed Value, 106% Levy Limit. Rows for #1, #2, and Total.

Levy Rate Calculation

\$90,010/\$137,240,000 = \$0.6559/\$1,000 Levy Rate

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

NEW SECTION

WAC 458-19-030 ONE HUNDRED SIX PERCENT LEVY LIMIT-ANNEXATION (RCW 84.55.030). To calculate the first levy for a taxing district following annexation of another district:

(1) Determine the one hundred six percent limit for the annexing district, including the levy rate, as though no annexation had occurred (refer to WAC 458-19-015).

(2) Multiply the current year assessed value of the annexed district by the levy rate of the annexing district.

Sum the amounts calculated in subsections (1) and (2) of this section.

EXAMPLE - CALCULATION OF LEVY LIMIT FOLLOWING ANNEXATION

Table showing calculations for 106% levy limit, assessed value, and levy rate of annexing district, and assessed value, levy rate, and levy attributable to annexed district.

Levy rate calculation

Table showing total district assessed value and district levy rate.

When a taxing district loses an area through annexation to another district, the one hundred six percent limit is not affected. This action may result in a rate increase for that district as it now has a smaller total assessed value. The levy rate, however, shall not exceed the statutory limit for that type of taxing district.

NEW SECTION

WAC 458-19-040 ONE HUNDRED SIX PERCENT LEVY LIMIT-NEWLY FORMED TAXING DISTRICT (RCW 84.55.035). The one hundred six percent levy limitation shall not apply to the first levy by a newly formed taxing district created by other than consolidation or annexation.

A newly divided district may constitute two newly formed districts, dependent upon the statutory language providing for the division.

NEW SECTION

WAC 458-19-045 ONE HUNDRED SIX PERCENT LEVY LIMIT-REMOVAL OF LIMIT (RCW 84.55.050). As provided by RCW 84.55.050, a taxing district may submit a ballot proposition to the voters to increase its levy rate, or remove the limit.

(1) The ballot title of a proposition placed before the voters by a district desiring to increase its levy rate, or remove the limit shall be in the following form:

AUTHORIZING PROPERTY TAX LEVY

Shall (name of taxing district) be authorized to increase its regular property tax levy rate to \$ \_\_\_\_\_ per thousand dollars of assessed value to be collected in 19\_\_?

(This shall not be construed to authorized an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

(2) Should the proposition be approved, the following guidelines will apply to the new levy base:

(a) The authorization to increase the levy rate does not create an excess levy as the rate is still within the \$5.55 per thousand dollars assessed value regular levy limit as provided by RCW 84.52.043 and the one percent limit provided by RCW 84.52.050.

(b) Authorization to increase the levy rate allows the district to levy at a rate up to and including that stated on the ballot, but not to exceed the statutory limit. Should a junior taxing district approve a levy rate increase, the new rate, together with the rates of the other junior taxing districts, shall be within the total available to them, and within the limits provided by RCW 84.52.043 and 84.52.050; if not, their rates will be prorated or eliminated as provided by RCW 84.52.010 and, if required, by RCW 84.52.0501, until they are within such limits.

(c) The increased levy rate resulting from such authorization will become the rate for use under RCW 84.52.010, should it become necessary to prorate levy rates.

(d) The first levy set for collection following voter approval to raise the one hundred six percent limit shall establish a new levy limit base for subsequent years, except as provided in subsection (4) of this section.

(3) A special purpose or limited duration proposition placed before the voters under this section may:

(a) Limit the period that the increased levy will be imposed;

(b) Limit the purpose of the increased levy that is sought;

(c) Set the levy at a rate less than the maximum rate allowed for the district; or

(d) Include any combination of the conditions in this subsection; and

(e) The ballot title for a proposition submitted under this subsection shall be in the following form:

AUTHORIZING PROPERTY TAX LEVY

Shall (name of taxing district) be authorized to increase its regular property tax levy rate for (number of years) and/or for (state purpose) by \$ \_\_\_\_\_ per thousand dollars of assessed value for collection to begin in 19\_\_?

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

(4) Upon expiration of the limited period, or satisfaction of the limited purpose, whichever occurs first, subsequent levies shall be computed as if:

(a) The special purpose or limited duration proposition had not been approved; and

(b) The taxing district would have made levies at the maximum rates that otherwise would have been allowed under the one hundred six percent limitation during the years the levies were made under this proposition.

(5) A district administering an emergency medical services levy authorized under RCW 84.52.069 shall place separate propositions on the ballot at the same election if it is:

(a) Attempting to increase the levy rate, or remove the limit; and

(b) Attempting to increase its regular levy rate.

NEW SECTION

WAC 458-19-055 ONE HUNDRED SIX PERCENT LEVY LIMIT-PORT DISTRICT. A port district is authorized three regular levies of forty-five cents per thousand dollars assessed value each to be levied upon the assessed valuation of the taxable property for:

(1) General port district purposes including establishment of a capital improvement fund for future capital improvements and payment of general obligation bonds (RCW 53.36.020);

(2) Dredging, canal construction, land leveling and filling when authorized by a majority vote at a special election (RCW 53.36.070);

(3) Harbor improvements and industrial development for a six year period with an additional six years (RCW 53.36.100).

The general purpose levy shall be combined with the dredging, canal construction, etc., levy in calculating the one hundred six percent levy limit. The harbor improvements and industrial development levy under this limitation is separately calculated.

The district commissioners may issue, without a vote, general obligation bonds in an amount not to exceed one-fourth of one percent of the value of the taxable property in the district (including any other outstanding indebtedness). The district may, upon approval of three-fifths of those voting at a district election, issue general obligation bonds, contract indebtedness or borrow money for district purposes, provided the total amount of indebtedness does not exceed three-

fourths of one percent of the value of the taxable property in the district.

**EXAMPLE — PORT DISTRICT ONE HUNDRED SIX PERCENT LEVY LIMIT CALCULATION**

Prior Year Dist. A.V.	Rate \$/1,000	Levy Amount	Type of Levy
\$100,000,000	\$0.35	\$35,000	General purpose
100,000,000	0.15	15,000	Voted G.O. bonds
100,000,000	0.30	30,000	Industrial dev.
100,000,000	\$0.80	\$80,000	

Current Year 106% Calculation

\$50,000	Highest levy for gen'l purpose and voted bonds
x 1.06	
\$53,000	
+ 2,000	(\$4,000,000 new construction x \$0.50)
+ 1,000	(\$2,000,000 incr. in state assessed prop. x \$0.50)
\$56,000	Highest allowable levy

Levy Rate Calculation

\$56,000/\$130,000,000 = \$0.4308/\$1,000 Levy Rate for general purpose and voted bonds

The new maximum levy of \$56,000 has a rate of \$0.4308 per \$1,000 assessed value that will be shared by the general purpose levy and voted G.O. bonds. The levy share allocated for general purposes, excluding bonds, cannot exceed the statutory rate of 45 cents per \$1,000 assessed value. An expired levy may be used for the remaining levy.

Current Year 106% Calculation

\$30,000	Highest levy for industrial development
x 1.06	
\$31,800	
+ 1,200	(\$4,000,000 new construction x \$0.30)
+ 600	(\$2,000,000 incr. in state assessed prop. x \$0.30)
\$33,600	Highest allowable levy

Levy Rate Calculation

\$33,600/\$130,000,000 = \$0.2585/\$1,000 Levy Rate for industrial development

The industrial development levy of \$33,600 has a rate of \$0.2585 per \$1,000 assessed value.

Should a port district be dissolved, the county legislative authority can levy up to 45 cents per \$1,000 assessed value to pay the district's obligations (RCW 53.47.040).

Port district levies are outside the \$5.55 per \$1,000 assessed value and constitutional one percent limit (RCW 84.52.043 and 84.52.050).

**NEW SECTION**

WAC 458-19-060 ONE HUNDRED SIX PERCENT LEVY LIMIT—PRORATION OF EARMARKED FUNDS. Cities and counties may at their discretion, reduce certain earmarked levies within their regular levy in the same proportion as their general levy is reduced by the one hundred six percent levy limit. These levies are:

(1) The city's levy to fund the firemen's pension fund at a maximum rate of twenty-two and one-half cents per thousand dollars assessed value pursuant to RCW 41.16.060; and

(2) The county's levies for;

(a) Mental retardation and other developmental disabilities at a maximum rate of two and one-half cents per thousand dollars assessed value pursuant to RCW 71.20.110, and

(b) Veterans relief, ranging from one and one-eighth cents to twenty-seven cents per thousand dollars assessed value pursuant to RCW 73.08.080.

**EXAMPLE — PRORATION OF EARMARKED LEVY RATES**

(1) \$ 2.80	City levy rate under 106% limit
\$ 3.60	Statutory rate
0.7778	Proration factor
\$ 0.225	Firemen's pension fund maximum rate
x0.7778	Proration factor
\$0.1750	Prorated firemen's pension fund rate
(2) \$ 1.50	County levy rate under 106% limit
\$ 1.80	Statutory rate
0.8333	Proration factor

(a) \$ 0.025	Developmental disabilities fund maximum rate
x0.8333	Proration factor
\$0.0208	Prorated developmental disabilities fund rate
(b) \$0.01125	to \$ 0.27 Veterans relief fund rate range
x 0.8333	x 0.8333 Proration factor
\$ 0.0094	to \$ 0.2250 Prorated veterans fund rate range

Proration of these rates will be made only when the city or county levies are impacted by the one hundred six percent limit. If the city or county voluntarily reduces its regular levy below that permitted under the one hundred six percent limit, the statutory rate reduction provisions will not apply.

**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.

**NEW SECTION**

WAC 458-19-065 ONE HUNDRED SIX PERCENT LEVY LIMIT—EMERGENCY MEDICAL SERVICE LEVY (RCW 84.52.069). The emergency medical service (EMS) levy is an additional regular levy voted for a six year period at a rate that shall not exceed twenty-five cents per thousand dollars assessed value. The one hundred six percent levy limit does not apply to the first levy following voter authorization, but does apply to each levy made in the next five years or until reauthorized.

If a county levies less than the twenty-five cents maximum rate, then a district that is authorized to impose the levy may levy a tax equal to the difference between the county rate and the statutory limit. If a county-wide levy is approved, then existing EMS levies will be reduced or eliminated if the combined rates exceed twenty-five cents.

If a county proposes to gain authorization to impose an EMS levy, no other district may have a like proposal on the same ballot. Any EMS levy authorized subsequent to a county levy shall expire at the same time with the county levy.

The EMS levy shall be calculated separate from the regular levy of the taxing district imposing the levy.

**NEW SECTION**

WAC 458-19-095 LIMITED DURATION INCREASE IN CONSOLIDATED REGULAR LEVY RATE (RCW 84.52.100). The governing body of any fire protection, library, metropolitan park, or public hospital district is authorized to submit a ballot proposition to the district voters to obtain approval to maintain its otherwise authorized levy rate while authorizing an increase in the consolidated regular levy rate of \$5.55 per \$1,000 assessed value within that district. A fire protection district may use this authority to increase its regular levy rate up to 50 cents per \$1,000 assessed value. The approved increase in district levy authority shall be in effect for five consecutive years. The proposition requires a simple majority vote to become effective.

The governing body of the district requesting such authorization shall submit its resolution calling for a ballot proposition to the county legislative authority of each county where the district is located at least forty-five days prior to the date of the special election to be conducted for this purpose. The ballot proposition shall be worded as follows:

"Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert taxing district name) to maintain its otherwise statutory authorized property tax rate?"

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

The ballot proposition for a fire protection district shall be worded as follows:

"Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period to permit (insert fire protection district name) to levy its property tax at a rate up to fifty cents per thousand dollars of assessed valuation?"



(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

Should the district approve the proposition, the following activities shall take place for the succeeding five consecutive year period:

(a) The levy and the levy rate by each district shall be calculated as if the proposition had not been approved; and

(b) Subject to RCW 84.55.010, the district's regular levy rate is increased to a limit that does not exceed the lesser of,

(i) The statutory levy rate, or

(ii) The levy rate it would otherwise be able to impose plus an additional thirty-five cents per one thousand dollars assessed value; and

(c) The consolidated regular levy rate within the district is increased to \$5.55 per \$1,000 assessed value plus the increased levy rate capacity, not to exceed \$5.90 per \$1,000 assessed value.

If two or more districts occupying a portion of the same territory obtain approval, the increased rate authorization shall be distributed among them on a prorata basis within the \$5.90 per \$1,000 assessed value regular levy limit.

Emergency medical service levies made pursuant to RCW 84.52.069 are not subject to the rate adjustments described in this section and the \$5.90 per \$1,000 assessed value regular levy limit.

#### NEW SECTION

WAC 458-19-100 PROCEDURE TO LIMIT CONSOLIDATED LEVY RATE FOR LOCAL TAXING DISTRICTS (RCW 84.52.010 AND 84.52.0501). The aggregate of all local regular levy rates imposed pursuant to RCW 84.52.043 and 84.52.050 shall not exceed \$5.55 per \$1,000 assessed value of all taxable property. This limitation may be exceeded only by a voter-approved limited duration authorization of up to 35 cents per \$1,000 assessed valuation permitted by RCW 84.52.100 for the following junior taxing districts: fire protection, library, metropolitan park and public hospital. In the event the county assessor finds that the consolidated local regular levy rate exceeds the authorized statutory limit, levy rate reductions will be made on a prorata basis, or rates eliminated, until the consolidated rate does not exceed that limit.

(1) The following schedule lists the order of adjustment for districts whose levy rates will be reduced on a prorata basis or eliminated until the consolidated rate does not exceed that limit:

(a) The levy rate, if any, by a park and recreation service area under RCW 36.68.525, a park and recreation district under RCW 36.69.145, and a cultural arts, stadium and convention district under RCW 67.38.130;

(b) The levy rate, if any, by a flood control zone district under RCW 86.15.160(3);

(c) The levy rate, if any, by all other junior taxing districts, except fire protection, public hospital, metropolitan park, and library districts;

(d) The levy rate, if any, by fire protection districts as authorized by RCW 52.16.140 and 52.16.160; and

(e) The levy rates by fire protection districts under RCW 52.16.130, public hospital, metropolitan park, and library districts.

If application of subsection (1)(a) through (d) of this section results in a consolidated levy rate that does not exceed the \$5.55 per \$1,000 assessed value limitation, the assessor shall extend the levy rate for each district upon the tax rolls.

(2) If, after application of subsection (1)(a) through (d) of this section results in a consolidated levy rate that exceeds the \$5.55 per \$1,000 assessed value limitation, the assessor shall adjust the levy rates by a city or town, fire protection district under RCW 52.16.130, public hospital, metropolitan park, and library district, as applicable, until it is within such authorized limit.

(a) Starting with the \$5.55 per \$1,000 assessed value consolidated levy rate limit, subtract the levy rates by the county and the road district if the tax code area is in the unincorporated portion of the county, or the levy rates by the county and the city or town if the tax code area includes an incorporated place, as applicable. The remainder will become the upper limit available to the senior of the junior taxing districts.

(b) Calculate a preliminary levy rate for the junior taxing districts as follows:

(i) Sum the certified levy rates of those districts,

(ii) Divide the limit available by the sum of those rates to calculate the prorata factor, and

(iii) Multiply the certified levy rate by the prorata factor.

(c) Add in a second preliminary levy rate of up to 35 cents per \$1,000 assessed value for each district that has approved a proposition pursuant to RCW 84.52.100. If such approval has not been obtained, the second preliminary rate will be zero.

(d) The preliminary levy rate together for the district shall not exceed its statutory levy rate, or the rate permitted by chapter 84.55 RCW, whichever is less.

(e) In the event that all junior taxing districts obtain the additional levy rate authorization permitted by RCW 84.52.100, and the preliminary rates together for each, when summed, do not require reduction under RCW 84.52.010 (2)(f), the assessor shall extend the certified levy rates upon the tax rolls.

(f) Should the sum of the preliminary levy rates together for the junior taxing districts exceed the upper limit available to them, and not allow the levy rates subject to RCW 84.52.010 (2)(f) to be levied without reduction pursuant to both RCW 84.52.010 (2)(f) and 84.52.100, the assessor shall reduce the rate of the district with the smallest assessed value of those referred to in RCW 84.52.010 (2)(e), so that after first allowing for any additional rate permitted by RCW 84.52.100, other than the rate that is reduced, there will be no reduction in rates for the districts referred to in RCW 84.52.010 (2)(f). Should this procedure not succeed with the district containing the smallest assessed value, the assessor shall reduce the levy rate of the district with the next smallest assessed value until there is no reduction of rates under RCW 84.52.010 (2)(f). The assessor shall extend the levy rates calculated under this procedure upon the tax rolls.

(3) Each taxing district that avoids a levy rate reduction because of subsection (2)(f) of this section shall pay an amount to the district(s) that had its levy rate reduced as a result of subsection (2)(f) of this section. Such payment shall be a proportionate share of that reduction based on what its own reduction would have been had subsection (2)(f) of this section not been in effect, and the levy rates had been adjusted according to subsection (1)(e) of this section.

The payback to the affected district will be facilitated in part, by a rate adjustment procedure that is calculated as follows:

For the districts whose assessed value is larger than the district whose rate is reduced, their "summed preliminary rates" will be increased to a rate that is equal to its certified levy rate. The amount of rate increase will be referred to as the rate adjustment.

For the district with the smallest assessed value, reduce the "summed preliminary rate" by an amount equal to the sum of the rate adjustments for the districts whose rates were increased as a result of this procedure.

(a) For each fire protection, library, metropolitan park, or public hospital district whose levy rate is reduced because of subsection (2)(f) of this section, that district will bear a proportionate share as if its rate were sufficient to collect its certified levy.

(b) Payback involving a city or town annexed to a library and/or fire protection district.

(i) When the levy of a city or town annexed to a library and/or fire protection district is reduced under subsection (2)(f) of this section, it shall forgo receipt of (1) ten percent of the payback from each of the above named districts whose levy rate is not reduced as a result of subsection (2)(f) of this section, or (2) an amount equal to one half of the financial benefit received from the annexation, whichever is less.

(ii) Conversely, when the levy of a city or town annexed to a library and/or fire protection district is not reduced under subsection (2)(f) of this section, it shall pay (1) ten percent of the payback to each of the above named districts whose levy rate is reduced as a result of subsection (2)(f) of this section, or (2) an amount equal to one half of the financial benefit received from the annexation, whichever is less.

The amount in (2) of either situation shall be calculated by multiplying the assessed value of the district with the result of the following computation: starting with the city or town certified levy rate, add the certified levy rate(s) of the annexing district(s), then subtract the rate it would have been able to levy were it not annexed; multiply the remainder, if not in excess of twenty-two and one-half cents, by one-half; if it is greater, do not use the results of the computation.

The payback to each district whose levy is reduced as a result of the rate adjustments made pursuant to subsection (2)(f) of this section will be calculated in such a manner that will result in the least cost to all districts involved in this procedure.

(4) To demonstrate how the procedures described in subsections (2) and (3) of this section are applied, seven examples have been prepared that represent probable situations that could arise in a tax code area. The levy rates shown in them are expressed in terms of dollars and

cents per one thousand dollars of assessed value, and the assessed values shown are in millions of dollars.

(a) The first represents a tax code area in the county's unincorporated area and includes a fire protection, library and a public hospital district. None of the junior taxing districts have obtained approval to

maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	0	.43	+.07	.50
Fire Protection	195	.50	.8571	.43	0	.43	-.18	.25
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.50		1.50
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is, in this situation, zero. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation allow the library and the public hospital districts to levy at their certified rates, but the fire protection district rate is reduced since it has the smallest assessed value. The library and public hospital districts are to payback the fire protection district to offset its rate adjustment.

The payback is accomplished as follows:

$$\$0.50 - 0.25 = \$0.25/\$1,000 \times \$195,000,000 = \$48,750$$

This amount is derived by subtracting the final rate from the certified rate and multiplying the residual by the fire protection district assessed value.

Each district's share of the payback is based on its proportion of the total rate adjustment multiplied by the total payback. In this situation, the payback by each district is calculated as follows:

Library	7/25 (0.2800) x \$48,750 = \$13,650
Public Hospital	11/25 (0.4400) x 48,750 = 21,450
Fire Protection	7/25 (0.2800) x 48,750 = 13,650
Totals	25/25 \$48,750

In actual application, the fire protection district does not payback this amount to itself; it represents the proportion that is foregone.

(b) This situation also involves the same districts that are illustrated in subsection (4)(a) of this section. It differs in that the fire protection district has been authorized to increase its levy rate to 50 cents per \$1,000 assessed value pursuant to RCW 84.52.100.

The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	0	.43	+.07	.50
Fire Protection	195	.50	.8571	.43	.07	.50	-.18	.32
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.57		1.57
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate, as applied to the fire protection district, is 7 cents; for the others, it is zero. The preliminary levy rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The levy rate adjustments in this situation allow the library and the public hospital districts to levy at their certified rates, but that by the fire protection district will be reduced as its assessed value is the smallest of these districts. Since the fire protection district obtained additional levy authority to maintain its levy capacity, the library and public hospital districts are required to payback the fire protection district to offset the rate adjustment.

The payback is accomplished as follows:

$$\$0.50 - 0.32 = \$0.18/\$1,000 \times \$195,000,000 = \$35,100$$

This amount is derived by subtracting the final rate from the certified rate and multiplying the residual (also equal to the sum of the plus

"+" signed rate adjustments) by the fire protection district assessed value.

Each district's share of the payback is based on its proportion of the total rate adjustment multiplied by the total payback. In this situation, the payback by each district is calculated as follows:

Library	7/18 (0.3889) x \$35,100 = \$13,650
Public Hospital	11/18 (0.6111) x 35,100 = 21,450
Totals	18/18 \$35,100

(c) This situation also involves the same districts that are illustrated in subsections (4)(a) and (b) of this section. In this situation, the library and fire protection districts have obtained approval to maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	.07	.50	0	.50
Fire Protection	195	.50	.8571	.43	.07	.50	-.11	.39
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.64		1.64
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate, as applied to the library and fire protection districts, is 7 cents each, and zero for the public hospital district. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation allow the public hospital district to levy at its certified rate, but the fire protection district rate is reduced since it has the smallest assessed value. The public hospital district is required to payback the fire protection district to offset its rate adjustment.

The payback is accomplished as follows:

$$\$0.50 - 0.39 = \$0.11/\$1,000 \times \$195,000,000 = \$21,450$$

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	.07	.50	0	.50
Fire Protection	195	.50	.8571	.43	.0	.43	0	.43
Public Hospital	387	.75	.8571	.64	.11	.75	0	.75
Totals		1.75				1.68		1.68
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate for the library district is 7 cents, 11 cents for the public hospital district, and zero for the fire protection district. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation have no effect on the library and public hospital districts ability to levy at their certified rates, but the fire protection district rate is reduced since it has the smallest assessed value and no levy maintenance authority. In this situation, there is no payback.

(e) This situation involves a tax code area that contains a public hospital district and a city annexed to a library district. The public hospital district has voted to lift the 106 percent limit to levy at its

This amount is derived by subtracting the final rate from the certified rate and multiplying the remainder by the fire protection district assessed value.

(d) This situation also involves the same districts that are illustrated in subsections (4)(a), (b), and (c) of this section. In this example, the library and public hospital districts have obtained approval to maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

statutory rate, and has also obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The library district has also obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The county levy rate is \$1.70 per \$1,000 assessed value, and the city rate, after allowing for the library district rate, is \$3.10 per \$1,000 assessed value. Their combined total is \$4.80 per \$1,000 assessed value, leaving 75 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts (\$5.55 - 4.80 = \$0.75).

The assessed values for these districts are as follows:

District	Assessed Value (\$Millions)
City	\$94
Public Hospital	387
Library	650

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Rate Adj. Factor	Adj. Second Prelim. Rate	Combined Rate#	Rate Adj.	Final Rate
County	1.70	None							1.70
City	3.10	None						None	2.95
Pub. Hosp.	.75	.60	.45	.30	.70	.21	.66	+.09	.75
Library	.50	.60	.30	.20	.70	.14	.44	+.06	.50
Totals	6.05		.75	.50		.35	1.10		5.90

Available to the junior taxing districts: \$0.75

Sum of junior taxing district certified levy rates: \$1.25

Prorate factor: 0.75/1.25 = 0.60

The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows: 0.35/0.50 = 0.70

#First preliminary and adjusted second preliminary levy rates together.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The rate adjustments, performed according to subsection (2)(f) of this section, act to

reduce the city's levy rate as it has the smallest assessed value and permit the public hospital and library districts to levy at their certified rates.

As a result of the city's levy rate being reduced by 15 cents per \$1,000 assessed value, the public hospital and library districts are to payback a portion of the reduced levy. Since the city is annexed to the library district, the payback is to be adjusted according to the procedure described in subsection (3)(b) of this section. The adjustment is calculated in a two stage procedure, with the lesser amount foregone by the city.

All amounts shown in these computations have been rounded to the nearest dollar for clarity.

Payback to city:

$\$3.10 - 2.95 = \$0.15/\$1,000 \times \$94,000,000 = \$14,100$

Adjustment to payback:

First computation:

$\$3.10 - 2.95 = \$0.15/\$1,000 \times \$94,000,000 = \$14,100 - 1,410 (10\%) = \$12,690$

City (forgoes)	10% of \$14,100 =	\$1,410
Public Hospital (pays)	9/15 x 12,690 =	7,614
Library (pays)	6/15 x 12,690 =	5,076
Totals	15/15	\$14,100

Second computation:

$\$94,000,000 \times [(\$3.10 + 0.50 - 3.375) \times 0.5] = \$10,575$

Since the amount resulting from this computation is greater than the first, the city forgoes \$1,410, the lesser of the two amounts. In this situation, the city receives \$12,690 from the library and public hospital districts as shown in the first computation.

(f) This situation also involves a tax code area that contains a public hospital district and a city annexed to a library district. The public hospital and library districts have obtained approval to maintain their levy capacity pursuant to RCW 84.52.100. The county levy rate is \$1.70 per \$1,000 assessed value, and the city rate, after allowing for the library district rate, is \$3.10 per \$1,000 assessed value. Their combined total is \$4.80 per \$1,000 assessed value, leaving 75 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts (\$5.55 - 4.80 = \$0.75).

The assessed values for these districts are as follows:

District	Assessed Value (\$Millions)
City	\$ 140
Public Hospital	90
Library	650

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Rate Adj. Factor	Adj. Second Prelim. Rate	Com-bined Rates#	Rate Adj.	Final Rate
County	1.70	None						None	1.70
City	3.10	None						None	3.10
Pub. Hosp.	.75	.60	.45	.30	.70	.21	.66	-.06	.60
Library	.50	.60	.30	.20	.70	.14	.44	+.06	.50
Totals	6.05		.75	.50		.35	1.10		5.90

Available to the junior taxing districts: \$0.75

Sum of junior taxing district certified levy rates: \$1.25

Prorate factor:  $0.75/1.25 = 0.60$

The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows:  $0.35/0.50 = 0.70$

#First preliminary and adjusted second preliminary levy rates together.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The combined rate of 66 cents per \$1,000 assessed value for the public hospital district is reduced by 6 cents to a final rate of 60 cents. This permits the library district's combined rate of 44 cents per \$1,000 assessed value to be adjusted by 6 cents to a final rate of 50 cents. The rate adjustment that the payback is based upon is the difference between the certified levy rate and the final rate. This adjustment, performed according to subsection (2)(f) of this section, reduces the certified levy rate of the public hospital district by 15 cents per \$1,000 assessed value since it has the smallest assessed value.

As a result of reducing the public hospital district levy rate, the city and the library district are to payback a portion of its reduced levy. The payback is adjusted according to the procedure described in subsection (3)(b) of this section.

All amounts shown in these computations have been rounded to the nearest dollar for clarity.

Payback to public hospital district prior to adjustment:

$\$0.15/\$1,000 \times \$90,000,000 = \$13,500$

Payback adjustment:

First computation:

City	$\$0.15/\$1,000 \times \$90,000,000 \times 0.1 =$	\$1,350
Library	$6/15 \times \$0.15/\$1,000 \times \$90,000,000 =$	\$5,400
	less amount paid by city (\$1,350) =	4,050
Public Hosp.	$9/15 \times \$0.15/\$1,000 \times \$90,000,000 =$	8,100
Totals		\$13,500

Second computation:

$\$90,000,000 \times [(\$3.10 + 0.50 - 3.375) \times 0.5] = \$10,125$

Since the amount resulting from this computation is greater than the first, the city pays \$1,350, the lesser of the two amounts. In this situation, the public hospital district receives \$1,350 from the city and \$4,050 from the library district, for a total of \$5,400. The public hospital district forgoes \$8,100 of the payback.

(g) This situation involves a tax code area that includes a city and a public hospital district. The latter district has obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The county rate is \$1.80 per \$1,000 assessed value, and the city rate is \$3.375 per \$1,000 assessed value. Their combined total is \$5.175 per \$1,000 assessed value, leaving 37.5 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts (\$5.55 - 5.175 = \$0.375).

The assessed value for each district is as follows:

District	Assessed Value (\$Millions)
City	\$94
Public Hospital	387

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Rate Adj. Factor	Adj. Second Prelim. Rate	Com-bined Rate#	Rate Adj.	Final Rate
County	1.80	None						None	1.80
City	3.375	None						-.025	3.35
Pub. Hosp.	.75	.50	.375	.35	1.00	.35	.725	+.025	.75
Totals	5.925								5.90

Available to the junior taxing districts: \$0.375

Sum of junior taxing district certified levy rates: \$0.75

Prorate factor:  $0.375/0.75 = 0.50$

The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows:  $0.35/0.35 = 1.00$

#First preliminary and adjusted second preliminary levy rates together.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The rate adjustments, performed according to subsection (2)(f) of this section, act to reduce the city's levy rate as it has the smallest assessed value and permit the public hospital district to levy at its certified rate.

As a result of reducing the city's levy rate by 2.5 cents per \$1,000 assessed value, the public hospital district is to payback the levy reduction.

The payback is accomplished as follows:

$$\$3.375 - 3.35 = \$0.025/\$1,000 \times \$94,000,000 = \$2,350$$

This amount is derived by subtracting the final rate from the certified rate and multiplying the remainder by the city's assessed value.

In this situation, the city does not forgo any of the payback that will be made by the public hospital district.

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

**Reviser's note:** The 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.

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

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

**NEW SECTION**

WAC 458-19-110 CITY ANNEXED BY FIRE PROTECTION AND/OR LIBRARY DISTRICTS. When a city or town is annexed to a fire protection and/or a library district, said city or town is entitled to levy up to three dollars and sixty cents per thousand dollars assessed value less the levy of the fire protection and/or library district. The assessor shall calculate the first levy as follows:

(1) Calculate the levy and rate for the fire protection district (include the assessed value of the annexed city or town); then

(2) Subtract the fire protection district levy rate from the city or town statutory rate (\$3.60/\$1,000 A.V.). The resulting rate will become the maximum levy rate for the city or town even if the fire protection district rate is later reduced as a result of prorationing pursuant to RCW 84.52.010, and if necessary, RCW 84.52.0501, to prevent the consolidated local regular levy rate from exceeding the five dollar and fifty-five cent per one thousand dollars assessed value limit; and

(3) Calculate the one hundred six percent levy limit independent of the calculations performed in subsections (1) and (2) of this section.

The fire protection district levy rate will be subtracted from the city or town statutory rate before any prorata reduction is made.

Library district levies and levy rates will be calculated in the same manner as those for fire protection districts. If the city or town is annexed by both districts, then the sum of their rates will be subtracted from the statutory city or town rate.

**EXAMPLE — CITY OR TOWN LEVY RATE WHEN ANNEXED TO A LIBRARY**

**AND/OR A FIRE PROTECTION DISTRICT**

	\$3.60	Statutory rate for City or Town
less	0.50	Library District levy
less	1.00	Fire Protection District
equals	\$2.10	City or Town levy rate

**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

**NEW SECTION**

WAC 458-19-005 PROPERTY TAX LEVIES AND LEVY LIMITATIONS—DEFINITIONS. *Unless the context clearly requires otherwise, the following definitions apply throughout this chapter.*

(1) "Annexation" is the act of a taxing district taking in an area without the original district.

(2) "Assessed value" is the value of property placed on the assessment rolls for property tax purposes. The term is often abbreviated by its initials "A.V."

(3) "Certified property tax levy" is the lawful levy certified by the taxing district governing body to the county legislative authority, or county assessor, as appropriate.

(4) "Certified property tax levy rate" is the tax rate calculated for the certified levy.

(5) "Consolidated levy rate" is the aggregate of all levy rates as applied to a specific property or tax code area.

(6) "Consolidated regular levy rate" is the sum of all regular levy rates set for collection exclusive of rates set for port and public utility districts, emergency medical services under RCW 84.52.069, and conservation futures under RCW 84.34.230.

(7) "Consolidation" is the act of combining two or more taxing districts into one taxing district.

(8) "Constitutional" or "Constitutional one percent levy limit" means the levy limit established by Article VII, Section 2 of the Washington Constitution.

(9) "Improvement" is any beneficial or valuable change or addition; a betterment in the condition of that property.

(10) "Junior taxing districts" consist of all taxing districts other than the state, counties, county roads, cities, towns, ports, and public utility districts.

(11) "Levy rates" are expressed in dollars and cents per one thousand dollars assessed value and are calculated by dividing the total amount of the authorized levy of a taxing district by the total assessed value of that district.

(12) "New construction" means the creation of something new rather than the repair or improvement of an existing object. It is the building or erection of something that did not exist before, as distinguished from something that already exists. The following should be considered as new construction for the one hundred six percent levy limit calculation:

(a) New buildings and additions, including new mobile homes along with those new to the taxing district,

(b) Physical improvements to land (site improvements), such as water and sewer lines, septic tanks and drain fields, power access roads, driveways, sidewalks, parking lots, etc., and

(c) Machinery, equipment and other property affixed to real property.

(13) "Payback" means the reimbursement made by a taxing district whose certified levy rate was maintained in whole in a prorationing situation to a taxing district whose levy rate was reduced as a result of such action.

(14) "Preliminary levy rate" means an interim levy rate derived only for a fire protection district under RCW 52.16.130, a library, metropolitan park, or a public hospital district, through application of RCW 84.52.0501. The term is applied in two separate situations as follows:

(a) "First preliminary rate" is the result of multiplying the certified rate by the prorate factor,

(b) "Second preliminary rate" is used only when the taxing district has obtained voter approval pursuant to RCW 84.52.100 to maintain its authorized levy capacity. It is used in conjunction with the first preliminary rate. Its value, not to exceed 35 cents, is the difference between the certified levy rate and the first preliminary rate.

(15) "Regular property tax levy" means a property tax levy for a taxing district subject to the limitation set

forth in RCW 84.52.043 and 84.52.050, or a levy imposed by a port district, a public utility district, county conservation futures, or for emergency medical services.

(16) "Regular property taxes" are those taxes resulting from levy rates authorized by the legislature.

(17) "Senior taxing districts" means the state (for public school support), the county, county road, and a city or town.

(18) "Senior of the junior taxing districts" are the fire protection, library, metropolitan park and public hospital districts.

(19) "Statutory dollar rate" is the maximum dollar rate that can be levied by a taxing district as a regular levy in accordance with RCW 84.52.043.

(20) "Taxing district" shall mean any political subdivision, municipal corporation, district, or other governmental agency with statutory authority to levy, or to have a property tax levied for it.

#### NEW SECTION

WAC 458-19-010 LEVY LIMIT AND RATE CALCULATIONS (RCW 27.12.150, 84.48.120 AND 84.52.010). (1) The county assessor shall determine, calculate and fix the rate percent necessary to raise the amount of taxes certified within the limitations provided by law except as provided in subsection (2) of this section.

(2) The board of trustees of an intercounty rural library district shall determine the uniform tax rate for the district and certify their determination to the respective county legislative authorities.

(3) The one hundred six percent levy limitation shall be determined by the county assessor for all districts subject to its provisions except for intercounty rural library districts and any state levy. The limit for an intercounty rural library district shall be determined by the library district in consultation with the respective county assessors, and the limit for any state levy shall be determined by the Department of Revenue.

#### NEW SECTION

WAC 458-19-015 ONE HUNDRED SIX PERCENT LEVY LIMIT—CALCULATION (RCW 84.55.010). The amount of regular property taxes that can be levied by a taxing district is limited by RCW 84.55.010, though it may be modified by RCW 84.55.092.

(1) The levy is calculated in a two step process as follows:

(a) the levy is limited to an amount that will not exceed one hundred six percent of the highest amount that could have been lawfully levied in the three preceding years.

(b) To this amount is added an additional dollar component calculated by multiplying the increase in assessed value of the district resulting from new construction, improvements to property, and any increase in the assessed value of state assessed property by the regular property tax levy rate for the preceding year.

The levy rate is calculated by dividing the amount of levy computed in subsection (1)(a) and (b) of this section by the assessed value of the district.

(2) The regular levy for a taxing district, other than the state, may be set at the amount that would have been allowed otherwise had the district levied the full amount permitted as provided by chapter 84.55 RCW, starting with levies due in 1984.

**EXAMPLE — TO CALCULATE THE 106% LEVY LIMIT**

\$52,500	Highest lawful levy that could have been levied in the last 3 years, or as provided in subsection (2) of this section
x 106%	
\$55,650	
+ 4,760	(\$8,000,000 new construction x \$0.5950/\$1,000 (last year's levy rate))
+ 1,190	(\$2,000,000 increase in assessed value of state assessed property x \$0.5950/\$1,000)
<u>\$61,600</u>	Highest allowable levy under the 106% limit

**Levy Rate Calculation**

\$61,600	District levy under 106% levy limit
\$98,250,000	District assessed value
<u>\$0.6270/\$1,000</u>	District levy rate under 106% levy limit

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 458-19-020 ONE HUNDRED SIX PERCENT LEVY LIMIT—RESTORATION OF REGULAR LEVY (RCW 84.55.015). When an existing district, not having imposed a regular property tax levy in the three most recent years elects to restore such a levy, the restored levy shall be set not to exceed:

(1) The amount that could have been lawfully levied in 1973 plus,

(2) The additional dollar component calculated by multiplying the cumulative increase in assessed value resulting from new construction and improvements to property starting with 1974 through the current year by the levy rate of the restored levy. New construction and improvements to property records should be maintained each year for each district whether or not the district imposes a tax levy.

The restored levy rate shall not exceed the statutory rate for that district.

**EXAMPLE — TO RESTORE A REGULAR LEVY**

1973 district assessed value	\$ 104,994,034
Times 1973 district levy rate	x .5867/\$1,000
1973 allowable levy	<u>\$ 61,600</u>

Add all increases in assessed value resulting from new construction and improvements to property (start with 1974 through the current year) \$ 15,007,670

Current year's assessed value \$ 430,475,539  
Less increases in assessed value due to new construction and improvements to property - 15,007,670

Current year's assessed value less accumulated new construction \$ 415,467,869

1973 allowable levy divided by Current year's net assessed value \$ 61,600 / \$ 415,467,869

Property tax levy rate for restored levy = \$0.01483/\$1,000

Additional dollar component resulting from new construction times restored rate (\$15,007,670 x \$0.01483/\$1,000) \$ 2,225  
Plus 1973 allowable levy \$ 61,600  
Total restored levy \$ 63,825

Levy rate (\$63,825/\$430,475,539) = \$0.01483/\$1,000

**NEW SECTION**

WAC 458-19-025 ONE HUNDRED SIX PERCENT LEVY LIMIT—CONSOLIDATION OF DISTRICTS (RCW 84.055.020). When a taxing district is created by consolidation of existing districts, the first levy made by the new district will:

(1) Not exceed one hundred six percent of the combined highest levy that could have been lawfully levied in the three preceding years by each component district, plus

(2) An amount based on the increase in assessed value resulting from new construction and improvements to property of each component district multiplied by the respective levy rates of the component districts for the preceding year.

**EXAMPLE — CALCULATING 106% LIMIT RESULTING FROM CONSOLIDATION OF TAXING DISTRICTS**

**District #1**

\$52,500 Highest lawful levy that could have been levied in the last three years

x 106%	
\$55,650	
+ 4,760	Increase resulting from new construction and improvements to property
+ 1,190	Increase due to increase in assessed value of state assessed property
<u>\$ 61,600</u>	106% limit for District #1

**District #2**

\$23,500 Highest lawful levy that could have been levied in the last three years

x 106%	
\$24,910	
+ 3,000	Increase resulting from new construction and improvements to property
+ 500	Increase due to increase in assessed value of state assessed property
<u>\$28,410</u>	106% limit for District #2

**Consolidated Levy Calculation**

District	Assessed Value	106% Levy Limit
#1	\$ 88,240,000	\$61,600
#2	49,000,000	28,410
Total	\$137,240,000	\$90,010

**Levy Rate Calculation**

\$90,010/\$137,240,000 = \$0.6559/\$1,000 Levy Rate

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

**NEW SECTION**

WAC 458-19-030 ONE HUNDRED SIX PERCENT LEVY LIMIT—ANNEXATION (RCW 84.55.030). To calculate the first levy for a taxing district following annexation of another district:

(1) Determine the one hundred six percent limit for the annexing district, including the levy rate, as though no annexation had occurred (refer to WAC 458-19-015).

(2) Multiply the current year assessed value of the annexed district by the levy rate of the annexing district. Sum the amounts calculated in subsections (1) and (2) of this section.

**EXAMPLE — CALCULATION OF LEVY LIMIT FOLLOWING ANNEXATION**

106% levy limit of annexing district	Assessed value of annexing district	Levy rate of annexing district
\$61,600	/	\$88,240,000
	=	\$0.6981/\$1,000

\$ 49,000,000	Assessed value of annexed district
x 0.0006981	Levy rate of annexing district
\$ 34,207	Levy attributable to annexed district
\$61,600	106% levy limit of annexing district
+34,207	Levy attributable to annexed district
\$95,807	Total district levy following annexation

Levy rate calculation

<u>Total district levy</u>		<u>Total district assessed value</u>	=	<u>District levy rate</u>
\$95,807	/	\$137,240,000	=	\$0.6981/\$1,000

When a taxing district loses an area through annexation to another district, the one hundred six percent limit is not affected. This action may result in a rate increase for that district as it now has a smaller total assessed value. The levy rate, however, shall not exceed the statutory limit for that type of taxing district.

NEW SECTION

WAC 458-19-040 ONE HUNDRED SIX PERCENT LEVY LIMIT—NEWLY FORMED TAXING DISTRICT (RCW 84.55.035). The one hundred six percent levy limitation shall not apply to the first levy by a newly formed taxing district created by other than consolidation or annexation.

A newly divided district may constitute two newly formed districts, dependent upon the statutory language providing for the division.

NEW SECTION

WAC 458-19-045 ONE HUNDRED SIX PERCENT LEVY LIMIT—REMOVAL OF LIMIT (RCW 84.55.050). As provided by RCW 84.55.050, a taxing district may submit a ballot proposition to the voters to increase its levy rate, or remove the limit.

(1) The ballot title of a proposition placed before the voters by a district desiring to increase its levy rate, or remove the limit shall be in the following form:

AUTHORIZING PROPERTY TAX LEVY

Shall (name of taxing district) be authorized to increase its regular property tax levy rate to \$\_\_\_\_\_ per thousand dollars of assessed value to be collected in 19\_\_?

(This shall not be construed to authorized an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes                      No

(2) Should the proposition be approved, the following guidelines will apply to the new levy base:

(a) The authorization to increase the levy rate does not create an excess levy as the rate is still within the \$5.55 per thousand dollars assessed value regular levy limit as provided by RCW 84.52.043 and the one percent limit provided by RCW 84.52.050.

(b) Authorization to increase the levy rate allows the district to levy at a rate up to and including that stated on the ballot, but not to exceed the statutory limit. Should a junior taxing district approve a levy rate increase, the new rate, together with the rates of the other

junior taxing districts, shall be within the total available to them, and within the limits provided by RCW 84.52.043 and 84.52.050; if not, their rates will be prorated or eliminated as provided by RCW 84.52.010 and, if required, by RCW 84.52.0501, until they are within such limits.

(c) The increased levy rate resulting from such authorization will become the rate for use under RCW 84.52.010, should it become necessary to prorate levy rates.

(d) The first levy set for collection following voter approval to raise the one hundred six percent limit shall establish a new levy limit base for subsequent years, except as provided in subsection (4) of this section.

(3) A special purpose or limited duration proposition placed before the voters under this section may:

(a) Limit the period that the increased levy will be imposed;

(b) Limit the purpose of the increased levy that is sought;

(c) Set the levy at a rate less than the maximum rate allowed for the district; or

(d) Include any combination of the conditions in this subsection; and

(e) The ballot title for a proposition submitted under this subsection shall be in the following form:

AUTHORIZING PROPERTY TAX LEVY

Shall (name of taxing district) be authorized to increase its regular property tax levy rate for (number of years) and/or for (state purpose) by \$\_\_\_\_\_ per thousand dollars of assessed value for collection to begin in 19\_\_?

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes                      No

(4) Upon expiration of the limited period, or satisfaction of the limited purpose, whichever occurs first, subsequent levies shall be computed as if:

(a) The special purpose or limited duration proposition had not been approved; and

(b) The taxing district would have made levies at the maximum rates that otherwise would have been allowed under the one hundred six percent limitation during the years the levies were made under this proposition.

(5) A district administering an emergency medical services levy authorized under RCW 84.52.069 shall place separate propositions on the ballot at the same election if it is:

(a) Attempting to increase the levy rate, or remove the limit; and

(b) Attempting to increase its regular levy rate.

NEW SECTION

WAC 458-19-055 ONE HUNDRED SIX PERCENT LEVY LIMIT—PORT DISTRICT. A port district is authorized three regular levies of forty-five cents



per thousand dollars assessed value each to be levied upon the assessed valuation of the taxable property for:

(1) General port district purposes including establishment of a capital improvement fund for future capital improvements and payment of general obligation bonds (RCW 53.36.020);

(2) Dredging, canal construction, land leveling and filling when authorized by a majority vote at a special election (RCW 53.36.070);

(3) Harbor improvements and industrial development for a six year period with an additional six years (RCW 53.36.100).

The general purpose levy shall be combined with the dredging, canal construction, etc., levy in calculating the one hundred six percent levy limit. The harbor improvements and industrial development levy under this limitation is separately calculated.

The district commissioners may issue, without a vote, general obligation bonds in an amount not to exceed one-fourth of one percent of the value of the taxable property in the district (including any other outstanding indebtedness). The district may, upon approval of three-fifths of those voting at a district election, issue general obligation bonds, contract indebtedness or borrow money for district purposes, provided the total amount of indebtedness does not exceed three-fourths of one percent of the value of the taxable property in the district.

**EXAMPLE — PORT DISTRICT ONE HUNDRED SIX PERCENT LEVY LIMIT CALCULATION**

Prior Year Dist. A.V.	Rate \$/1,000	Levy Amount	Type of Levy
\$100,000,000	\$0.35	\$35,000	General purpose
100,000,000	0.15	15,000	Voted G.O. bonds
100,000,000	0.30	30,000	Industrial dev.
100,000,000	\$0.80	\$80,000	

**Current Year 106% Calculation**

\$50,000 Highest levy for gen'l purpose and voted bonds  
 x 1.06  
 \$53,000  
 + 2,000 (\$4,000,000 new construction x \$0.50)  
 + 1,000 (\$2,000,000 incr. in state assessed prop. x \$0.50)  
 \$56,000 Highest allowable levy

**Levy Rate Calculation**

\$56,000/\$130,000,000 = \$0.4308/\$1,000 Levy Rate for general purpose and voted bonds

The new maximum levy of \$56,000 has a rate of \$0.4308 per \$1,000 assessed value that will be shared by the general purpose levy and voted G.O. bonds. The levy share allocated for general purposes, excluding bonds, cannot exceed the statutory rate of 45 cents per \$1,000 assessed value. An expired levy may be used for the remaining levy.

**Current Year 106% Calculation**

\$30,000 Highest levy for industrial development  
 x 1.06  
 \$31,800  
 + 1,200 (\$4,000,000 new construction x \$0.30)  
 + 600 (\$2,000,000 incr. in state assessed prop. x \$0.30)  
 \$33,600 Highest allowable levy

**Levy Rate Calculation**

\$33,600/\$130,000,000 = \$0.2585/\$1,000 Levy Rate for industrial development

The industrial development levy of \$33,600 has a rate of \$0.2585 per \$1,000 assessed value.

Should a port district be dissolved, the county legislative authority can levy up to 45 cents per \$1,000 assessed value to pay the district's obligations (RCW 53.47.040).

Port district levies are outside the \$5.55 per \$1,000 assessed value and constitutional one percent limit (RCW 84.52.043 and 84.52.050).

**NEW SECTION**

WAC 458-19-060 ONE HUNDRED SIX PERCENT LEVY LIMIT—PRORATION OF EARMARKED FUNDS. Cities and counties may at their discretion, reduce certain earmarked levies within their regular levy in the same proportion as their general levy is reduced by the one hundred six percent levy limit. These levies are:

(1) The city's levy to fund the firemen's pension fund at a maximum rate of twenty-two and one-half cents per thousand dollars assessed value pursuant to RCW 41-16.060; and

(2) The county's levies for,

(a) Mental retardation and other developmental disabilities at a maximum rate of two and one-half cents per thousand dollars assessed value pursuant to RCW 71.20.110, and

(b) Veterans relief, ranging from one and one-eighth cents to twenty-seven cents per thousand dollars assessed value pursuant to RCW 73.08.080.

**EXAMPLE — PRORATION OF EARMARKED LEVY RATES**

(1) \$ 2.80	City levy rate under 106% limit
\$ 3.60	Statutory rate
0.7778	Proration factor
\$ 0.225	Firemen's pension fund maximum rate
x0.7778	Proration factor
\$0.1750	Prorated firemen's pension fund rate
(2) \$ 1.50	County levy rate under 106% limit
\$ 1.80	Statutory rate
0.8333	Proration factor
(a) \$ 0.025	Developmental disabilities fund maximum rate
x0.8333	Proration factor
\$0.0208	Prorated developmental disabilities fund rate
(b) \$0.0125	to \$ 0.27 Veterans relief fund rate range
x 0.8333	x 0.8333 Proration factor
\$ 0.0094	to \$ 0.2250 Prorated veterans fund rate range

Proration of these rates will be made only when the city or county levies are impacted by the one hundred six percent limit. If the city or county voluntarily reduces its regular levy below that permitted under the one hundred six percent limit, the statutory rate reduction provisions will not apply.

**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.

**NEW SECTION**

WAC 458-19-065 ONE HUNDRED SIX PERCENT LEVY LIMIT—EMERGENCY MEDICAL SERVICE LEVY (RCW 84.52.069). The emergency medical service (EMS) levy is an additional regular levy voted for a six year period at a rate that shall not exceed twenty-five cents per thousand dollars assessed value. The one hundred six percent levy limit does not apply to

the first levy following voter authorization, but does apply to each levy made in the next five years or until reauthorized.

If a county levies less than the twenty-five cents maximum rate, then a district that is authorized to impose the levy may levy a tax equal to the difference between the county rate and the statutory limit. If a county-wide levy is approved, then existing EMS levies will be reduced or eliminated if the combined rates exceed twenty-five cents.

If a county proposes to gain authorization to impose an EMS levy, no other district may have a like proposal on the same ballot. Any EMS levy authorized subsequent to a county levy shall expire at the same time with the county levy.

The EMS levy shall be calculated separate from the regular levy of the taxing district imposing the levy.

**NEW SECTION**

**WAC 458-19-095 LIMITED DURATION INCREASE IN CONSOLIDATED REGULAR LEVY RATE (RCW 84.52.100).** The governing body of any fire protection, library, metropolitan park, or public hospital district is authorized to submit a ballot proposition to the district voters to obtain approval to maintain its otherwise authorized levy rate while authorizing an increase in the consolidated regular levy rate of \$5.55 per \$1,000 assessed value within that district. A fire protection district may use this authority to increase its regular levy rate up to 50 cents per \$1,000 assessed value. The approved increase in district levy authority shall be in effect for five consecutive years. The proposition requires a simple majority vote to become effective.

The governing body of the district requesting such authorization shall submit its resolution calling for a ballot proposition to the county legislative authority of each county where the district is located at least forty-five days prior to the date of the special election to be conducted for this purpose. The ballot proposition shall be worded as follows:

"Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period allowing (insert taxing district name) to maintain its otherwise statutory authorized property tax rate?"

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

The ballot proposition for a fire protection district shall be worded as follows:

"Shall the cumulative limitation on most regular property tax rates be increased by an amount not exceeding thirty-five cents per thousand dollars of assessed valuation for a five consecutive year period to permit (insert fire protection district name) to levy its property tax at a rate up to fifty cents per thousand dollars of assessed valuation?"

(This shall not be construed to authorize an excess levy and shall be subject to otherwise applicable statutory limits.)

Yes No

Should the district approve the proposition, the following activities shall take place for the succeeding five consecutive year period:

(a) The levy and the levy rate by each district shall be calculated as if the proposition had not been approved; and

(b) Subject to RCW 84.55.010, the district's regular levy rate is increased to a limit that does not exceed the lesser of,

(i) The statutory levy rate, or

(ii) The levy rate it would otherwise be able to impose plus an additional thirty-five cents per one thousand dollars assessed value; and

(c) The consolidated regular levy rate within the district is increased to \$5.55 per \$1,000 assessed value plus the increased levy rate capacity, not to exceed \$5.90 per \$1,000 assessed value.

If two or more districts occupying a portion of the same territory obtain approval, the increased rate authorization shall be distributed among them on a prorata basis within the \$5.90 per \$1,000 assessed value regular levy limit.

Emergency medical service levies made pursuant to RCW 84.52.069 are not subject to the rate adjustments described in this section and the \$5.90 per \$1,000 assessed value regular levy limit.

**NEW SECTION**

**WAC 458-19-100 PROCEDURE TO LIMIT CONSOLIDATED LEVY RATE FOR LOCAL TAXING DISTRICTS (RCW 84.52.010 AND 84.52.0501).** The aggregate of all local regular levy rates imposed pursuant to RCW 84.52.043 and 84.52.050 shall not exceed \$5.55 per \$1,000 assessed value of all taxable property. This limitation may be exceeded only by a voter-approved limited duration authorization of up to 35 cents per \$1,000 assessed valuation permitted by RCW 84.52.100 for the following junior taxing districts: fire protection, library, metropolitan park and public hospital. In the event the county assessor finds that the consolidated local regular levy rate exceeds the authorized statutory limit, levy rate reductions will be made on a prorata basis, or rates eliminated, until the consolidated rate does not exceed that limit.

(1) The following schedule lists the order of adjustment for districts whose levy rates will be reduced on a prorata basis or eliminated until the consolidated rate does not exceed that limit:

(a) The levy rate, if any, by a park and recreation service area under RCW 36.68.525, a park and recreation district under RCW 36.69.145, and a cultural arts, stadium and convention district under RCW 67.38.130;

(b) The levy rate, if any, by a flood control zone district under RCW 86.15.160(3);

(c) The levy rate, if any, by all other junior taxing districts, except fire protection, public hospital, metropolitan park, and library districts;

(d) The levy rate, if any, by fire protection districts as authorized by RCW 52.16.140 and 52.16.160; and

(e) The levy rates by fire protection districts under RCW 52.16.130, public hospital, metropolitan park, and library districts.

If application of subsection (1)(a) through (d) of this section results in a consolidated levy rate that does not exceed the \$5.55 per \$1,000 assessed value limitation, the assessor shall extend the levy rate for each district upon the tax rolls.

(2) If, after application of subsection (1)(a) through (d) of this section results in a consolidated levy rate that exceeds the \$5.55 per \$1,000 assessed value limitation, the assessor shall adjust the levy rates by a city or town, fire protection district under RCW 52.16.130, public hospital, metropolitan park, and library district, as applicable, until it is within such authorized limit.

(a) Starting with the \$5.55 per \$1,000 assessed value consolidated levy rate limit, subtract the levy rates by the county and the road district if the tax code area is in the unincorporated portion of the county, or the levy rates by the county and the city or town if the tax code area includes an incorporated place, as applicable. The remainder will become the upper limit available to the senior of the junior taxing districts.

(b) Calculate a preliminary levy rate for the junior taxing districts as follows:

- (i) Sum the certified levy rates of those districts,
- (ii) Divide the limit available by the sum of those rates to calculate the prorate factor, and
- (iii) Multiply the certified levy rate by the prorate factor.

(c) Add in a second preliminary levy rate of up to 35 cents per \$1,000 assessed value for each district that has approved a proposition pursuant to RCW 84.52.100. If such approval has not been obtained, the second preliminary rate will be zero.

(d) The preliminary levy rate together for the district shall not exceed its statutory levy rate, or the rate permitted by chapter 84.55 RCW, whichever is less.

(e) In the event that all junior taxing districts obtain the additional levy rate authorization permitted by RCW 84.52.100, and the preliminary rates together for each, when summed, do not require reduction under RCW 84.52.010 (2)(f), the assessor shall extend the certified levy rates upon the tax rolls.

(f) Should the sum of the preliminary levy rates together for the junior taxing districts exceed the upper limit available to them, and not allow the levy rates subject to RCW 84.52.010 (2)(f) to be levied without reduction pursuant to both RCW 84.52.010 (2)(f) and 84.52.100, the assessor shall reduce the rate of the district with the smallest assessed value of those referred to

in RCW 84.52.010 (2)(e), so that after first allowing for any additional rate permitted by RCW 84.52.100, other than the rate that is reduced, there will be no reduction in rates for the districts referred to in RCW 84.52.010 (2)(f). Should this procedure not succeed with the district containing the smallest assessed value, the assessor shall reduce the levy rate of the district with the next smallest assessed value until there is no reduction of rates under RCW 84.52.010 (2)(f). The assessor shall extend the levy rates calculated under this procedure upon the tax rolls.

(3) Each taxing district that avoids a levy rate reduction because of subsection (2)(f) of this section shall pay an amount to the district(s) that had its levy rate reduced as a result of subsection (2)(f) of this section. Such payment shall be a proportionate share of that reduction based on what its own reduction would have been had subsection (2)(f) of this section not been in effect, and the levy rates had been adjusted according to subsection (1)(e) of this section.

The payback to the affected district will be facilitated in part, by a rate adjustment procedure that is calculated as follows:

For the districts whose assessed value is larger than the district whose rate is reduced, their "summed preliminary rates" will be increased to a rate that is equal to its certified levy rate. The amount of rate increase will be referred to as the rate adjustment.

For the district with the smallest assessed value, reduce the "summed preliminary rate" by an amount equal to the sum of the rate adjustments for the districts whose rates were increased as a result of this procedure.

(a) For each fire protection, library, metropolitan park, or public hospital district whose levy rate is reduced because of subsection (2)(f) of this section, that district will bear a proportionate share as if its rate were sufficient to collect its certified levy.

(b) Payback involving a city or town annexed to a library and/or fire protection district.

(i) When the levy of a city or town annexed to a library and/or fire protection district is reduced under subsection (2)(f) of this section, it shall forgo receipt of (1) ten percent of the payback from each of the above named districts whose levy rate is not reduced as a result of subsection (2)(f) of this section, or (2) an amount equal to one half of the financial benefit received from the annexation, whichever is less.

(ii) Conversely, when the levy of a city or town annexed to a library and/or fire protection district is not reduced under subsection (2)(f) of this section, it shall pay (1) ten percent of the payback to each of the above named districts whose levy rate is reduced as a result of subsection (2)(f) of this section, or (2) an amount equal to one half of the financial benefit received from the annexation, whichever is less.

The amount in (2) of either situation shall be calculated by multiplying the assessed value of the district with the result of the following computation: starting with the city or town certified levy rate, add the certified levy rate(s) of the annexing district(s), then subtract the rate it would have been able to levy were it not annexed; multiply the remainder, if not in excess of twenty-two

and one-half cents, by one-half, if it is greater, do not use the results of the computation.

The payback to each district whose levy is reduced as a result of the rate adjustments made pursuant to subsection (2)(f) of this section will be calculated in such a manner that will result in the least cost to all districts involved in this procedure.

(4) To demonstrate how the procedures described in subsections (2) and (3) of this section are applied, seven examples have been prepared that represent probable situations that could arise in a tax code area. The levy rates shown in them are expressed in terms of dollars

and cents per one thousand dollars of assessed value, and the assessed values shown are in millions of dollars.

(a) The first represents a tax code area in the county's unincorporated area and includes a fire protection, library and a public hospital district. None of the junior taxing districts have obtained approval to maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts ( $\$5.55 - 4.05 = \$1.50$ ).

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	0	.43	+.07	.50
Fire Protection	195	.50	.8571	.43	0	.43	-.18	.25
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.50		1.50
	Available	1.50						

Prorate factor  $1.50/1.75 = 0.8571$   
 #Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is, in this situation, zero. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation allow the library and the public hospital districts to levy at their certified rates, but the fire protection district rate is reduced since it has the smallest assessed value. The library and public hospital districts are to payback the fire protection district to offset its rate adjustment.

The payback is accomplished as follows:  
 $\$0.50 - 0.25 = \$0.25/\$1,000 \times \$195,000,000 = \$48,750$

This amount is derived by subtracting the final rate from the certified rate and multiplying the residual by the fire protection district assessed value.

Each district's share of the payback is based on its proportion of the total rate adjustment multiplied by the

total payback. In this situation, the payback by each district is calculated as follows:

Library	7/25 (0.2800) x \$48,750 = \$13,650
Public Hospital	11/25 (0.4400) x 48,750 = 21,450
Fire Protection	7/25 (0.2800) x 48,750 = 13,650
Totals	25/25 \$48,750

In actual application, the fire protection district does not payback this amount to itself; it represents the proportion that is foregone.

(b) This situation also involves the same districts that are illustrated in subsection (4)(a) of this section. It differs in that the fire protection district has been authorized to increase its levy rate to 50 cents per \$1,000 assessed value pursuant to RCW 84.52.100.

The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts ( $\$5.55 - 4.05 = \$1.50$ ).

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	0	.43	+.07	.50
Fire Protection	195	.50	.8571	.43	.07	.50	-.18	.32
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.57		1.57
	Available	1.50						

Prorate factor  $1.50/1.75 = 0.8571$   
 #Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate, as applied to the fire protection district, is 7 cents; for the others, it is zero. The preliminary levy rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The levy rate adjustments in this situation allow the

library and the public hospital districts to levy at their certified rates, but that by the fire protection district will be reduced as its assessed value is the smallest of these districts. Since the fire protection district obtained additional levy authority to maintain its levy capacity, the library and public hospital districts are required to payback the fire protection district to offset the rate adjustment.

The payback is accomplished as follows:

$$\$0.50 - 0.32 = \$0.18 / \$1,000 \times \$195,000,000 = \$35,100$$

This amount is derived by subtracting the final rate from the certified rate and multiplying the residual (also equal to the sum of the plus "+" signed rate adjustments) by the fire protection district assessed value.

Each district's share of the payback is based on its proportion of the total rate adjustment multiplied by the total payback. In this situation, the payback by each district is calculated as follows:

Library	7/18 (0.3889) x \$35,100 = \$13,650
Public Hospital	11/18 (0.6111) x 35,100 = 21,450
Totals	18/18

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	.07	.50	0	.50
Fire Protection	195	.50	.8571	.43	.07	.50	-.11	.39
Public Hospital	387	.75	.8571	.64	0	.64	+.11	.75
Totals		1.75				1.64		1.64
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate, as applied to the library and fire protection districts, is 7 cents each, and zero for the public hospital district. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation allow the public hospital district to levy at its certified rate, but the fire protection district rate is reduced since it has the smallest assessed value. The public hospital district is required to payback the fire protection district to offset its rate adjustment.

The payback is accomplished as follows:

$$\$0.50 - 0.39 = \$0.11 / \$1,000 \times \$195,000,000 = \$21,450$$

District	Assessed Value	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Summed Prelim. Rates#	Rate Adj.	Final Rate
Library	\$650	.50	.8571	.43	.07	.50	0	.50
Fire Protection	195	.50	.8571	.43	.0	.43	0	.43
Public Hospital	387	.75	.8571	.64	.11	.75	0	.75
Totals		1.75				1.68		1.68
	Available	1.50						

Prorate factor 1.50/1.75 = 0.8571  
#Preliminary rates together

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate for the library district is 7 cents, 11 cents for the public hospital district, and zero for the fire protection district. The preliminary rates together cannot exceed the statutory authorization for the district, or that permitted by chapter 84.55 RCW (the 106 percent limitation), whichever is less. The rate adjustments in this situation have no effect on the library and public hospital districts ability to levy at their certified rates, but the fire protection district rate is reduced since

(c) This situation also involves the same districts that are illustrated in subsections (4)(a) and (b) of this section. In this situation, the library and fire protection districts have obtained approval to maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

This amount is derived by subtracting the final rate from the certified rate and multiplying the remainder by the fire protection district assessed value.

(d) This situation also involves the same districts that are illustrated in subsections (4)(a), (b), and (c) of this section. In this example, the library and public hospital districts have obtained approval to maintain their levy authority pursuant to RCW 84.52.100. The county levy rate is \$1.80 per \$1,000 assessed value and the road district rate is \$2.25 per \$1,000 assessed value. Their combined total is \$4.05 per \$1,000 assessed value, leaving \$1.50 per \$1,000 assessed value for the junior taxing districts (\$5.55 - 4.05 = \$1.50).

it has the smallest assessed value and no levy maintenance authority. In this situation, there is no payback.

(e) This situation involves a tax code area that contains a public hospital district and a city annexed to a library district. The public hospital district has voted to lift the 106 percent limit to levy at its statutory rate, and has also obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The library district has also obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The county levy rate is \$1.70

per \$1,000 assessed value, and the city rate, after allowing for the library district rate, is \$3.10 per \$1,000 assessed value. Their combined total is \$4.80 per \$1,000 assessed value, leaving 75 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts (\$5.55 - 4.80 = \$0.75).

The assessed values for these districts are as follows:

District	Assessed Value (\$Millions)
City	\$94
Public Hospital	387
Library	650

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Rate Adj. Factor	Adj. Second Prelim. Rate	Com-bined Rate#	Rate Adj.	Final Rate
County	1.70	None						None	1.70
City	3.10	None						-.15	2.95
Pub. Hosp.	.75	.60	.45	.30	.70	.21	.66	+.09	.75
Library	.50	.60	.30	.20	.70	.14	.44	+.06	.50
Totals	6.05		.75	.50		.35	1.10		5.90

Available to the junior taxing districts: \$0.75  
 Sum of junior taxing district certified levy rates: \$1.25  
 Prorate factor: 0.75/1.25 = 0.60  
 The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows: 0.35/0.50 = 0.70  
 #First preliminary and adjusted second preliminary levy rates together.

City (forgoes)	10% of \$14,100 = \$1,410
Public Hospital (pays)	9/15 x 12,690 = 7,614
Library (pays)	6/15 x 12,690 = 5,076
Totals	15/15 \$14,100

Second computation:

$$\$94,000,000 \times [(\$3.10 + 0.50 - \$3.375) \times 0.5] = \$10,575$$

Since the amount resulting from this computation is greater than the first, the city forgoes \$1,410, the lesser of the two amounts. In this situation, the city receives \$12,690 from the library and public hospital districts as shown in the first computation.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The rate adjustments, performed according to subsection (2)(f) of this section, act to reduce the city's levy rate as it has the smallest assessed value and permit the public hospital and library districts to levy at their certified rates.

(f) This situation also involves a tax code area that contains a public hospital district and a city annexed to a library district. The public hospital and library districts have obtained approval to maintain their levy capacity pursuant to RCW 84.52.100. The county levy rate is \$1.70 per \$1,000 assessed value, and the city rate, after allowing for the library district rate, is \$3.10 per \$1,000 assessed value. Their combined total is \$4.80 per \$1,000 assessed value, leaving 75 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts (\$5.55 - 4.80 = \$0.75).

As a result of the city's levy rate being reduced by 15 cents per \$1,000 assessed value, the public hospital and library districts are to payback a portion of the reduced levy. Since the city is annexed to the library district, the payback is to be adjusted according to the procedure described in subsection (3)(b) of this section. The adjustment is calculated in a two stage procedure, with the lesser amount foregone by the city.

The assessed values for these districts are as follows:

District	Assessed Value (\$Millions)
City	\$ 140
Public Hospital	90
Library	650

All amounts shown in these computations have been rounded to the nearest dollar for clarity.

Payback to city:

$$\$3.10 - 2.95 = \$0.15/\$1,000 \times \$94,000,000 = \$14,100$$

Adjustment to payback:

First computation:

$$\$3.10 - 2.95 = \$0.15/\$1,000 \times \$94,000,000 = \$14,100 - 1,410 (10\%) = \$12,690$$

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Rate Adj. Factor	Adj. Second Prelim. Rate	Com-bined Rates#	Rate Adj.	Final Rate
County	1.70	None						None	1.70
City	3.10	None						None	3.10
Pub. Hosp.	.75	.60	.45	.30	.70	.21	.66	-.06	.60
Library	.50	.60	.30	.20	.70	.14	.44	+.06	.50
Totals	6.05		.75	.50		.35	1.10		5.90

Available to the junior taxing districts: \$0.75  
 Sum of junior taxing district certified levy rates: \$1.25  
 Prorate factor:  $0.75/1.25 = 0.60$   
 The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows:  
 $0.35/0.50 = 0.70$   
 #First preliminary and adjusted second preliminary levy rates together.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The combined rate of 66 cents per \$1,000 assessed value for the public hospital district is reduced by 6 cents to a final rate of 60 cents. This permits the library district's combined rate of 44 cents per \$1,000 assessed value to be adjusted by 6 cents to a final rate of 50 cents. The rate adjustment that the payback is based upon is the difference between the certified levy rate and the final rate. This adjustment, performed according to subsection (2)(f) of this section, reduces the certified levy rate of the public hospital district by 15 cents per \$1,000 assessed value since it has the smallest assessed value.

As a result of reducing the public hospital district levy rate, the city and the library district are to payback a portion of its reduced levy. The payback is adjusted according to the procedure described in subsection (3)(b) of this section.

All amounts shown in these computations have been rounded to the nearest dollar for clarity.

District	Cert. Levy Rate	Pro-rate Factor	First Prelim. Rate	Second Prelim. Rate	Second Prelim. Adj. Factor	Adj. Second Prelim. Rate	Com-bined Rate#	Rate Adj.	Final Rate
County	1.80	None						None	1.80
City	3.375	None						-.025	3.35
Pub. Hosp.	.75	.50	.375	.35	1.00	.35	.725	+.025	.75
Totals	5.925								5.90

Available to the junior taxing districts: \$0.375  
 Sum of junior taxing district certified levy rates: \$0.75  
 Prorate factor:  $0.375/0.75 = 0.50$   
 The second preliminary rate adjustment factor is calculated by dividing 35 cents by the sum of the second preliminary rates as follows:  
 $0.35/0.35 = 1.00$   
 #First preliminary and adjusted second preliminary levy rates together.

The first preliminary levy rate is calculated by multiplying the certified levy rate by the prorate factor. The second preliminary rate is obtained by subtracting the first preliminary rate from the certified levy rate. The adjusted second preliminary rate is computed by multiplying the second preliminary rate by its adjustment factor. The rate adjustments, performed according to subsection (2)(f) of this section, act to reduce the city's levy rate as it has the smallest assessed value and permit the public hospital district to levy at its certified rate.

As a result of reducing the city's levy rate by 2.5 cents per \$1,000 assessed value, the public hospital district is to payback the levy reduction.

Payback to public hospital district prior to adjustment:

$$\$0.15/\$1,000 \times \$90,000,000 = \$13,500$$

Payback adjustment:

First computation:

City	$\$0.15/\$1,000 \times \$90,000,000 \times 0.1$	=	\$1,350
Library	$6/15 \times \$0.15/\$1,000 \times \$90,000,000$	=	\$5,400
	less amount paid by city (\$1,350)	=	4,050
Public Hosp.	$9/15 \times \$0.15/\$1,000 \times \$90,000,000$	=	8,100
Totals			\$13,500

Second computation:

$$\$90,000,000 \times [(\$3.10 + 0.50 - 3.375) \times 0.5] = \$10,125$$

Since the amount resulting from this computation is greater than the first, the city pays \$1,350, the lesser of the two amounts. In this situation, the public hospital district receives \$1,350 from the city and \$4,050 from the library district, for a total of \$5,400. The public hospital district forgoes \$8,100 of the payback.

(g) This situation involves a tax code area that includes a city and a public hospital district. The latter district has obtained approval to maintain its levy capacity pursuant to RCW 84.52.100. The county rate is \$1.80 per \$1,000 assessed value, and the city rate is \$3.375 per \$1,000 assessed value. Their combined total is \$5.175 per \$1,000 assessed value, leaving 37.5 cents per \$1,000 assessed value as the upper limit available to the junior taxing districts ( $\$5.55 - 5.175 = \$0.375$ ).

The assessed value for each district is as follows:

District	Assessed Value (\$Millions)
City	\$94
Public Hospital	387

The payback is accomplished as follows:

$$\$3.375 - 3.35 = \$0.025/\$1,000 \times \$94,000,000 = \$2,350$$

This amount is derived by subtracting the final rate from the certified rate and multiplying the remainder by the city's assessed value.

In this situation, the city does not forgo any of the payback that will be made by the public hospital district.

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

**Reviser's note:** The 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.

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

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

NEW SECTION

**WAC 458-19-110 CITY ANNEXED BY FIRE PROTECTION AND/OR LIBRARY DISTRICTS.**

When a city or town is annexed to a fire protection and/or a library district, said city or town is entitled to levy up to three dollars and sixty cents per thousand dollars assessed value less the levy of the fire protection and/or library district. The assessor shall calculate the first levy as follows:

(1) Calculate the levy and rate for the fire protection district (include the assessed value of the annexed city or town); then

(2) Subtract the fire protection district levy rate from the city or town statutory rate (\$3.60/\$1,000 A.V.). The resulting rate will become the maximum levy rate for the city or town even if the fire protection district rate is later reduced as a result of prorationing pursuant to RCW 84.52.010, and if necessary, RCW 84.52.0501, to prevent the consolidated local regular levy rate from exceeding the five dollar and fifty-five cent per one thousand dollars assessed value limit; and

(3) Calculate the one hundred six percent levy limit independent of the calculations performed in subsections (1) and (2) of this section.

The fire protection district levy rate will be subtracted from the city or town statutory rate before any prorata reduction is made.

Library district levies and levy rates will be calculated in the same manner as those for fire protection districts. If the city or town is annexed by both districts, then the sum of their rates will be subtracted from the statutory city or town rate.

EXAMPLE — CITY OR TOWN LEVY RATE WHEN ANNEXED TO A LIBRARY AND/OR A FIRE PROTECTION DISTRICT

	\$3.60	Statutory rate for City or Town
less	0.50	Library District levy
less	1.00	Fire Protection District
equals	\$2.10	City or Town levy rate

**WSR 88-23-001**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING**

[Order PM 787—Filed November 3, 1988]

I, Mary G. Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the grandfathering and examination dates of respiratory care practitioners, amending WAC 308-195-070.

This action is taken pursuant to Notice No. WSR 88-19-114 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 pursuant to RCW 18.89.050 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 18.89 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 28, 1988.

By Mary G. Faulk  
Director

AMENDATORY SECTION (Amending Order 724, filed 4/27/88)

WAC 308-195-070 GRANDFATHER—EXAMINATION DATES. (1) Applicants qualifying for respiratory care practitioner certification under RCW 18.89.130(2) shall have one year from July 26, ((1987)) 1988, to apply for examination.

(2) Applicants who qualify for respiratory care practitioner certification under RCW 18.89.130(2) and are eligible for exemption under the rural hospital designation shall have one year from September 15, 1988, to apply for examination.

(3) Applicants must satisfactorily complete the examination in four consecutive sittings.

**WSR 88-23-002**

**NOTICE OF PUBLIC MEETINGS**

**HUMAN RIGHTS COMMISSION**

[Memorandum—November 1, 1988]

The commissioners of the Washington State Human Rights Commission will hold a special commission meeting to discuss letters of interest received regarding a proposed study. The meeting will be held by telephone conference call which will originate in the Olympia Office of the Washington State Human Rights Commission, 402 Evergreen Plaza Building, 711 South Capitol Way, on November 7, 1988, beginning at 2:00 p.m.

**WSR 88-23-003**

**ATTORNEY GENERAL OPINION**

Cite as: AGO 1988 No. 24

[October 28, 1988]

**SHORELINES MANAGEMENT ACT—SHORELANDS—COUNTIES**

A county does not have authority, either under chapter 36.70 RCW or under article 11, section 11 of the state constitution, to impose greater restrictions on aquaculture developments located in areas designated as shorelines of statewide significance, than those standards adopted by the state and relevant local governments pursuant to chapter 90.58 RCW, the Shorelines Management Act of 1971.

Requested by:

Honorable David F. Thiele  
Prosecuting Attorney  
Island County Courthouse



P.O. Box 430  
Coupeville, WA 98239

**WSR 88-23-004**

**ADOPTED RULES**

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
(Office of Archaeology and Historic Preservation)**

[Order 88-06—Filed November 4, 1988]

I, Chuck Clarke, director of the Department of Community Development, do promulgate and adopt at Olympia, Washington, the annexed rules relating to revising existing archaeological excavation permit rules to apply to the archaeological excavation and salvage of historic shipwrecks and aircraft on state owned aquatic lands.

This action is taken pursuant to Notice No. WSR 88-18-091 filed with the code reviser on September 7, 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 27.53.030, [27.53.]060, [27.53.]080 and sections 1, 3, 5, 6 and 7, chapter 124, 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 13, 1988.

By Chuck Clarke  
Director

Chapter 25-48 WAC  
**ARCHAEOLOGICAL EXCAVATION AND REMOVAL PERMIT**

**AMENDATORY SECTION** (Amending Order 11, filed 6/5/86)

WAC 25-48-010 PURPOSE. The purpose of this chapter is to establish application and review procedures for the issuance of archaeological excavation and removal permits as provided for in (~~RCW 27.53.060 and 27-44.020~~) chapters 27.44 and 27.53 RCW.

**AMENDATORY SECTION** (Amending Order 11, filed 6/5/86)

WAC 25-48-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Archaeology" means systematic, scientific study of man's past through his material remains.

(2) "Historic" means peoples and cultures who are known through written documents in their own or other languages. As applied to underwater archaeological resources, the term historic shall include only those properties which are listed in or eligible for listing in the Washington state register of historic places (RCW 27-34.220) or the National Register of Historic Places as

defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 889-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(3) "Prehistoric" means peoples and cultures who are unknown through contemporaneous written documents in any language.

(4) "Professional archaeologist" means a person has designed and executed an archaeological study as evidenced by a thesis or dissertation, and has been awarded an advanced degree such as an M.A., M.S., or Ph.D. from an accredited institution of higher education in archaeology, anthropology, or history or other germane discipline with a specialization in archaeology; has a minimum of one year of field experience with at least twenty-four weeks of field work under the supervision of a professional archaeologist including no more than twelve weeks of survey or reconnaissance work, and at least eight weeks of supervised laboratory experience. Twenty weeks of field work in a supervisory capacity must be documentable with a report produced by the individual on the field work.

(5) "Public lands" means lands owned by or under the possession, custody, or control of the state of Washington or any county, city, or political subdivision of the state.

(6) "Site restoration" means to repair the archaeological property to its preexcavation vegetational and topographic state.

(7) "Amateur society" means any organization composed primarily of persons who are not professional archaeologists, whose primary interest is in the archaeological resources of the state, and which has been certified in writing by two professional archaeologists.

(8) "Archaeological resource" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistorical or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and (~~grinding~~) grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material.

(9) "Historic archaeological resources" means those properties which are listed in or eligible for listing in the Washington state register of historic places (RCW 27-34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of 1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(10) "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation.

~~((10))~~ (11) "Director" means the ~~((state historic preservation officer as provided for in chapter 27.34 RCW))~~ director of the department of community development or his designee.

~~((11))~~ (12) "Office" means the Washington state office of archaeology and historic preservation, department of community development.

~~((12))~~ (13) "Department" means the department of community development.

(14) "Suspension" means the abeyance of a permit under this chapter for a specified period of time.

~~((13))~~ (15) "Revocation" means the termination of a permit under this chapter.

(16) "Mitigation" means:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action;

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

(e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or

(f) Monitoring the impact and taking appropriate corrective measures.

(17) "Abandonment" means that the resource has been deserted and the owner has relinquished ownership rights with no retention, as demonstrated by a writing, oral communication, action, or inaction.

#### AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-030 SCOPE AND COVERAGE OF THIS CHAPTER. (1) This chapter is applicable to any person, corporation, partnership, trust, institution, association, or any other private entity, or any officer, employee, agent, department, or instrumentality of the state, county, or city, or a political subdivision of the state.

(2) This chapter is applicable to the alteration, digging, excavating, or removal of archaeological or historic archaeological resources which have been abandoned thirty years or more from public lands, the alteration, digging, excavating or removal of archaeological or historic archaeological resources from private lands where the landowner has requested the office to issue archaeological excavation and removal permits, and the removal of glyptic or painted records of prehistoric peoples or archaeological resources from Indian cairns or graves ~~((under either circumstance))~~.

(3) This chapter does not apply to the removal of artifacts found exposed on the surface of the ground ~~((nor to the excavation and removal of artifacts from state-owned shorelands below the line of ordinary high water or within the intertidal zone))~~ which are not historic

archaeological resources except when there will be removal of glyptic or painted records of prehistoric peoples, or archaeological resources from Indian cairns or graves.

(4) This chapter is applicable as follows to the removal of sample artifacts as provided under WAC 25-46-060 (1)(d):

WAC 25-48-010.

WAC 25-48-020.

WAC 25-48-030.

WAC 25-48-050.

WAC 25-48-060 (1)(a), except for the requirements of a completed inventory form, (1)(d), (f), (g), (h), (m), (n), and (5).

WAC 25-48-090.

WAC 25-48-100.

WAC 25-48-105.

WAC 25-48-120.

#### AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-050 APPLICATION REQUIREMENTS AND FORMS. (1) Any person or entity covered by this chapter and described in WAC 25-48-030 proposing to excavate and/or remove archaeological or historic archaeological resources from public lands, or private lands where the landowner has transferred permit authority to the ~~((office))~~ department, or proposing to remove glyptic or painted records of prehistoric tribes or peoples, or archaeological resources from Indian cairns or graves shall apply to the office for a permit for the proposed work, and shall not begin the proposed work until a permit has been issued.

(2) Each application for a permit from the ~~((office))~~ department shall be submitted on the archaeological excavation and removal permit application form approved by the ~~((preservation officer))~~ director. These application forms may be obtained from the Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue KL-11, Olympia, WA 98504; telephone (206) 753-5010.

#### AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-060 SUMMARY OF INFORMATION REQUIRED OF AN APPLICANT. (1) Each application for a permit shall include:

(a) The nature and extent of the work proposed, including how and why it is proposed to be conducted and the methods proposed for excavation and recovery, proposed time of performance, locational maps, and a completed site inventory form.

(b) An artifact inventory plan detailing the character of the expected data categories to be recovered including the proposed methods of inventorying the recovered data and proposed methods of cleaning, stabilizing, and curating of specimens and recovered data consistent with the Secretary of the Interior's standards for archaeological curation.

(c) A professional, scientific research design demonstrating that the work will be performed in a scientific

and technically acceptable manner taking into account current scientific research issues and cultural resource management plans.

~~((c))~~ (d) The name and address of the individual(s) proposed to be responsible for conducting the work, institutional affiliation, if any, and evidence of education, training, and experience in accord with the minimal qualifications listed in this chapter.

~~((d))~~ (e) The name and address of the individual(s) proposed to be responsible for carrying out the terms and conditions of the permit, if different from the individuals enumerated under ~~((c))~~ (d) of this subsection.

~~((e))~~ (f) Financial evidence of the applicant's ability to initiate, conduct, and complete the proposed work, including evidence of logistical support and laboratory facilities.

~~((f))~~ (g) A plan for site restoration following excavation activities and evidence of plans to secure bonding to cover the cost of site restoration.

~~((g))~~ (h) Evidence of ~~((approval of))~~ an agreement for the proposed work from the agency or political subdivision with management responsibility over the land.

~~((h))~~ (i) Evidence of filing of the proposed work with the Washington archaeological research center.

~~((i))~~ (j) For amateur society application, evidence of review and recommendations from the Washington archaeological research center.

~~((j))~~ (k) A site security plan to assure the protection of the site and its contents during the public permit review and excavation process.

~~((k))~~ (l) A public participation plan detailing the extent of public involvement and dissemination of project results.

~~((l))~~ (m) A completed environmental checklist as required by WAC 197-11-100 to assist the office in making a threshold determination and to initiate SEPA compliance.

(n) Evidence of abandonment: Abandonment will be presumed where the applicant presents information that thirty or more years have elapsed since the loss of the resource. If it appears to the office from any source that the resource has not been abandoned or may not have been abandoned, and in the case of all United States government warships, aircraft, or other public vessels, the office will find that the presumption does not arise and will require proof of abandonment. Proof may be satisfied by submission of a statement of abandonment from the owner, his or her successors, assigns or legal representatives, or through final adjudication by a court of law.

(2) Where the application is for the excavation and/or removal of archaeological resources on public lands, the name of the Washington university, museum, repository or other scientific or educational institution in which the applicant proposes to store all collections, and copies of records, data, photographs, and other documents derived from the proposed work. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the collections, records, data, photographs and

other documents and to safeguard, preserve, and allow for the future scientific access to these materials as property of the state.

(3) Where the application is for the excavation and/or removal of archaeological resources on private land, the name of the university, museum, repository, or other scientific or educational institution in which the applicant proposes to store copies of records, data, photographs, and other documents derived from the proposed work and all collections in the event the landowner does not wish to take custody or otherwise dispose of the archaeological resources. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the collections, if applicable, and/or the records, data, photographs, and other documents derived from the proposed work and to safeguard, preserve, and allow for the future scientific access to these materials.

(4) Where the application is for the excavation and/or removal of a historic archaeological resource that is an historic aircraft, the name of the Washington museum, historical society, nonprofit organization, or governmental entity that proposes to assume curatorial responsibility for the resource. Applicants shall submit written certification, signed by an authorized official of the institution, of willingness to assume curatorial responsibility for the resource and all associated records, data, photographs and other documents derived from the proposed work and to safeguard, preserve, and allow for the future scientific and public access to these materials.

(5) After review of the application, the office may require additional information to properly evaluate the proposed work and shall so inform the applicant. Field investigation or research may be required of the applicant or conducted by the office at the applicant's cost. A bond in an amount specified by the office may be required of the applicant to ensure payment of the professional expenses incurred by the office. Advance notice of any anticipated cost shall be given to the applicant.

## NEW SECTION

WAC 25-48-085 APPLICATIONS FOR EXCAVATION AND REMOVAL OF PREVIOUSLY REGISTERED SHIPWRECKS AND HISTORIC AIRCRAFT. Where the completed application is for the excavation and/or removal of an historic archaeological resource that is a shipwreck or historic aircraft that has been registered with the department by an entity other than the applicant the office will:

(1) Notify the entity by certified mail, return receipt requested, that registered the historic archaeological resource with the department that it shall have sixty days from receipt of notice to submit its own permit application and exercise its first refusal right, or the right shall be extinguished.

(2) Notify the applicant that its permit application will not be acted upon until the entity that has registered the historic archaeological resource has exercised its right of first refusal by submitting a permit application or has allowed its right to be extinguished.

AMENDATORY SECTION (Amending Order 11, filed 6/5/86)

WAC 25-48-090 ISSUANCE OF PERMIT. The office will normally act upon a permit application within sixty days of receipt of a complete permit application except in the case of an historic archaeological resource where the applicant is not the holder of the right of first refusal. Such applications shall be subject to the provisions of WAC 25-48-085. The director may issue a temporary permit immediately where delay could cause damage to an archaeological or historic archaeological resource or site. Said permit shall be valid only for thirty days. The office may issue a permit, for a specified period of time appropriate to the work to be conducted, upon determining that:

(1) The applicant, or in the case of an amateur society, or other group or organization, the individual proposed to be responsible for conducting the work, is appropriately qualified, as evidenced by training, education, and/or experience, and possesses demonstrable competence in archaeological methods and theory, and in collecting, handling, analyzing, evaluating, and reporting archaeological data, relative to the type and scope of the work proposed, and also meets the minimum qualifications as a professional archaeologist.

(2) The proposed work is to be undertaken for the purpose of furthering archaeological knowledge in the public interest, which may include but need not be limited to, scientific or scholarly research, and preservation of archaeological data.

(3) The proposed work, including time, scope, location, and purpose, is not inconsistent with any management plan or established policy, objectives, or requirements applicable to the management of public lands concerned.

(4) Evidence is submitted to the office that any Washington university, museum, repository, or other scientific or educational institution proposed (~~in the application~~) as the repository possesses adequate curatorial capability for safeguarding and preserving the archaeological resources and all associated records.

(5) Where the application is for an historic archaeological resource, a contract between the applicant and the department has been executed. Such a contract shall include but not be limited to the following terms and conditions:

(a) Historic shipwrecks:

(i) The contract shall provide for fair compensation to a salvor. Fair compensation means an amount not less than ninety percent of the appraised value of the objects recovered following successful completion of the contract.

(ii) The salvor may retain objects with a value of up to ninety percent of the appraised value of the total objects recovered, or cash, or a combination of objects and cash. In no event may the total of objects and cash exceed ninety percent of the total appraised value of the objects recovered. A salvor shall not be entitled to further compensation from any state sources.

(iii) The contract shall provide that the state will be given first choice of which objects it may wish to retain

for display purposes for the people of the state from among all the objects recovered. The state may retain objects with a value of up to ten percent of the appraised value of the total objects recovered. If the state chooses not to retain recovered objects with a value of up to ten percent of the appraised value, the state shall be entitled to receive its share in cash or a combination of recovered objects and cash so long as the state's total share does not exceed ten percent of the appraised value of the objects recovered.

(iv) The contract shall provide that both the state and the salvor shall have the right to select a single appraiser or joint appraisers.

(v) The contract shall provide that the applicant agrees to allow the department access to all artifacts and data recovered from the historic shipwreck for purposes of scholarly research and photographic documentation for the period specified by the department.

(vi) The contract shall also provide that title to the objects shall pass to the salvor when the permit is issued. However, should the salvor fail to fully perform under the terms of the contract, title to all objects recovered shall revert to the state. If the salvor should fail to perform the contract terms specified in (a)(v) of this subsection and has disposed of the objects to which title has passed, the salvor shall be liable to the state for liquidated damages in the amount of the appraised value of the objects disposed of.

(b) Historic aircraft:

(i) The contract shall provide that historic aircraft belonging to the state of Washington may only be recovered if the purposes of the salvage operation is to recover the aircraft for a Washington museum, historical society, nonprofit organization, or governmental entity.

(ii) Title to the aircraft may only be passed by the state to one of the entities listed in (b)(i) of this subsection.

(iii) Compensation to the salvor shall only be derived from the sale or exchange of the aircraft to one of the entities listed in (b)(i) of this subsection or such other compensation as one of the entities and the salvor may arrange. The salvor shall not have a claim to compensation from state funds.

(c) Other historic archaeological resources:

The director, in his or her discretion, may negotiate the terms of such contracts.

(6) Evidence that the applicant agrees to mitigate any archaeological damage which occurs during the excavations and recovery operations.

(7) Evidence that the applicant agrees to allow the department access to all artifacts and data recovered from historic archaeological sites for purposes of scholarly research and photographic documentation for a period to be agreed upon by the parties.

(8) Evidence that the applicant agrees to allow the department to have the right to publish scientific papers concerning the results of all research conducted as project mitigation.

(9) After the granting of a permit and, when information filed with the office becomes inaccurate in any way, or additions or deletions are necessary, the applicant or permittee shall submit full details of any such

changes and/or correct any inaccuracy, together with copies of any new required documents, with the office within fifteen days following the change. The office reserves the right to suspend or revoke a permit under the terms of WAC 25-48-110.

**AMENDATORY SECTION** (Amending Order 11, filed 6/5/86)

**WAC 25-48-100 TERMS AND CONDITIONS OF PERMITS.** (1) In all permits issued, the office shall specify:

(a) The nature and extent of work allowed and required under the permit, including the time, duration, scope, location, and purpose of the work;

(b) The name of the individual(s) responsible for conducting the work and, if different, the name of the individual(s) responsible for carrying out the terms and conditions of the permit.

(c) The name of any university, museum, repository, or other scientific or educational institutions in which any collected materials and data shall be deposited.

(d) Reporting documentation requirements and site restoration and mitigation requirements.

(2) The ~~((preservation officer))~~ director may specify such terms and conditions as deemed necessary, consistent with this chapter, to protect public safety and other values and/or resources, to secure work areas, to safeguard other legitimate land uses, and to limit activities incidental to work authorized under the permit. This may include sufficient bonding to cover cost of site restoration.

(3) The office may include in permits issued for archaeological work on Indian cairns and graves or glyptic or painted records such terms and conditions as may be requested by the concerned Indian tribe.

(4) Initiation of work or other activities under the authority of a permit signifies the permittee's acceptance of the terms and conditions of the permit.

(5) The permittee shall not be released from requirements of a permit until all outstanding obligations have been satisfied, whether or not the term of the permit has expired.

(6) The permittee may request that the office extend or modify a permit. Such a request will require compliance with all the provisions of this chapter.

(7) The permittee's performance under any permit issued for a period greater than one year shall be subject to review by the office, at least annually.

**AMENDATORY SECTION** (Amending Order 11, filed 6/5/86)

**WAC 25-48-105 PERMIT DENIAL.** If a permit is denied, a written statement of the reasons for the denial will accompany the notice of permit denial to the applicant. A permit may be denied for failure to meet the standards required of an application under WAC 25-48-060.

**NEW SECTION**

**WAC 25-48-108 RIGHT OF FIRST REFUSAL—DISCOVERY OF NEW TECHNOLOGY.** (1)

Any agency, institution, person, firm, or corporation which has been denied a permit because the historic archaeological resource would be destroyed beyond mitigation by their method of salvage shall have the right of first refusal for a permit at a future date should technology be found which would make salvage possible without destroying the historic archaeological resource.

(2) Such rights may be assigned, but it is the responsibility of the parties to the assignment to provide written evidence of the assignment to the department, including the correct name and mailing address of the assignee.

(3) Upon receipt of a complete permit application and determination that a new technology can salvage the resource, the director shall notify by certified mail, return receipt requested, the holder of the right of first refusal of a permit application that a new technology exists and the holder has sixty days from the receipt of the director's determination to submit its own permit application and thereby exercise its first refusal right, or the right shall be extinguished.

(4) If the person, firm, corporation, institution, or agency that possesses the first refusal right for a permit does not exercise its first refusal right within the sixty-day time period, the department shall send to that entity a notice by certified mail, return receipt requested, that the entity's right of first refusal has been extinguished.

**AMENDATORY SECTION** (Amending Order 11, filed 6/5/86)

**WAC 25-48-120 APPEALS RELATING TO PERMITS.** Any affected person may request a hearing to appeal a denial ~~((of a permit))~~, suspension, or revocation of a permit or extinguishment of a right of first refusal under WAC 25-48-108 to the ~~((preservation officer))~~ director. Said request must be in writing and filed with the ~~((preservation officer))~~ director within ~~((twenty))~~ twenty-one calendar days of receipt of notice of the denial, suspension, ~~((or))~~ revocation, or extinguishment.

**NEW SECTION**

**WAC 25-48-125 LISTING OF AREAS WHERE PERMITS ARE REQUIRED TO PROTECT HISTORIC ARCHAEOLOGICAL SITES ON AQUATIC LANDS.** The following is a list of those areas where permits are required to protect historic archaeological sites on aquatic lands:

Lake Washington.  
Elliott Bay.  
Columbia River Bar.

**WSR 88-23-005**

**ADOPTED RULES**

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
(Office of Archaeology and Historic Preservation)**

[Order 88-07—Filed November 4, 1988]

I, Chuck Clarke, director of the Department of Community Development, do promulgate and adopt at

Olympia, Washington, the annexed rules relating to establishing registration procedures for previously unknown historic archaeological resources on state owned aquatic lands.

This action is taken pursuant to Notice No. WSR 88-18-092 filed with the code reviser on September 7, 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 27.53.030, [27.53.]060 and sections 1, 3, 5, 6, 7 and 10, chapter 124, 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 13, 1988.

By Chuck Clarke  
Director

Chapter 25-46 WAC  
REGISTRATION OF HISTORIC ARCHAEOLOGICAL RESOURCES ON STATE-OWNED AQUATIC LANDS

WAC

- 25-46-010 Purpose.
- 25-46-020 Definitions.
- 25-46-040 Registration forms.
- 25-46-060 Summary of information required for registration.
- 25-46-080 Competing applications for the same resource.
- 25-46-100 Issuance of registration acceptance.
- 25-46-120 Registration denial.
- 25-46-140 Appeals relating to registration.
- 25-46-160 Right of first refusal to permit upon registration.
- 25-46-180 Severability.

NEW SECTION

WAC 25-46-010 PURPOSE. The purpose of this chapter is to establish registration procedures for previously unreported historic archaeological resources discovered on, in, or under state-owned aquatic lands as provided for in chapter 27.53 RCW.

NEW SECTION

WAC 25-46-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Historic archaeological resources" means those properties, including, but not limited to all ships, or aircraft, and any part or the contents thereof and all treasure trove which are listed or, in the professional judgment of the department, eligible for listing in the Washington state register of historic places (RCW 27.34.220) or the National Register of Historic Places as defined in the National Historic Preservation Act of

1966 (Title 1, Sec. 101, Public Law 89-665; 80 Stat. 915; 16 U.S.C. Sec. 470) as now or hereafter amended.

(2) "State-owned aquatic lands" means all state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters.

(3) "Department" means the department of community development.

(4) "Office" means the office of archaeology and historic preservation, department of community development.

(5) "Director" means the director of the department of community development or the director's designee.

(6) "Entity" means any person, firm, corporation, institution, or agency.

(7) "Previously unreported" means the historic archaeological resource and its location are not known to the office and are not available from public records including but not limited to government records, historic records, or insurance claims.

NEW SECTION

WAC 25-46-040 REGISTRATION FORMS. (1) Any person or entity who discovers a previously unreported historic archaeological resource abandoned for thirty years or more on, in, or under state-owned aquatic lands may register it with the department.

(2) Each registration of a previously unreported historic archaeological resource shall be submitted on the Historic Archaeological Resource Registration form approved by the director. These registration forms may be obtained from the Office of Archaeology and Historic Preservation, Department of Community Development, 111 West 21st Avenue KL-11, Olympia, Washington 98504; telephone (206) 753-5010.

NEW SECTION

WAC 25-46-060 SUMMARY OF INFORMATION REQUIRED FOR REGISTRATION. (1) In order to be considered complete, each registration form shall include:

(a) A description of the historic archaeological resource sufficient to identify its historic association, identity, and integrity of its physical remains.

(b) Locational information including latitude, longitude, and depth.

(c) A copy of the relevant United States Coast and Geodetic Survey chart indicating the resource's location.

(d) A copy of a photograph or videotape documenting the existence of identifiable physical remains of the resource sufficient to establish its historic identity and integrity. If a photograph or videotape will not establish the existence of identifiable physical remains of the resource sufficient to establish its historic identity and integrity, the applicant may apply to the office for permission to obtain a sample artifact for this purpose. In the event the applicant wishes to apply for such permission, the applicant shall be subject to WAC 25-48-030.

(2) Failure to supply this information to the satisfaction of the office may result in the application being deemed incomplete or inadequate under WAC 25-46-100 and 25-46-120.

NEW SECTION

**WAC 25-46-080 COMPETING APPLICATIONS FOR THE SAME RESOURCE.** (1) When registration forms are submitted for the same resource by two or more entities, the applications shall be evaluated, accepted, or denied in sequence based upon the unique log number assigned by the department.

(2) Notice will be sent by the department to each of the entities submitting the registration application for the same resource notifying them of the competing application and the sequence in which they will be evaluated. No competing application will be evaluated until such time as the first pending application has been denied and all appeal rights of that applicant have been exhausted.

(3) When an historic archaeological resource has been registered with the department all subsequent registration applications for that resource within the five-year time period for right of first refusal will be issued a notice that the resource has already been registered and the applications are denied.

NEW SECTION

**WAC 25-46-100 ISSUANCE OF REGISTRATION ACCEPTANCE.** (1) Each registration form shall be assigned a unique sequential log number upon date and time of receipt by the department and shall be evaluated in sequence.

(2) Upon receipt of the registration form, the office shall inform the applicant by registered mail within fourteen calendar days of any incomplete or inadequate information and afford the applicant twenty-one calendar days from the receipt of the notice to provide the missing or inadequate information, plus such time as may be authorized by the department for a sample artifact permit granted under WAC 25-46-060 (1)(d).

(3) If the applicant does not supply the missing or inadequate information within the specified time period the application shall be considered void and a notice of denial sent to the applicant.

(4) The department will act upon a complete registration application within thirty-five calendar days of receipt and shall so notify the applicant. In all notifications of registration acceptance, the department shall specify:

(a) The name, address, and telephone number of the entity submitting the registration application.

(b) A description of the historic archaeological resource sufficient to identify its historic association and identity.

(c) The location of the resource including its latitude and longitude and depth.

(d) A statement of director's opinion on the resource's eligibility to the Washington state register of historic places or the National Register of Historic Places.

(e) The date of the acceptance of the registration.

(f) The date of the expiration of the right for first refusal.

(g) That excavation or removal of any artifacts from the historic archaeological resource will require an archaeological excavation and removal permit and that granting of such a permit is not guaranteed.

NEW SECTION

**WAC 25-46-120 REGISTRATION DENIAL.** (1) If a registration application is denied, a written statement of the reasons for the denial will accompany the notice of registration denial to the applicant.

(2) Registration may be denied for the following reasons:

(a) The application is incomplete or inadequate and has not been completed or corrected pursuant to WAC 25-46-100;

(b) The resource does not qualify as an historic archaeological resource under WAC 25-46-020(1);

(c) The resource has already been registered;

(d) The resource and its location are already known to the office or are part of the public record.

NEW SECTION

**WAC 25-46-140 APPEALS RELATING TO REGISTRATION.** Any affected person may request a hearing to appeal a denial of registration or extinguishment of a right of first refusal under WAC 25-46-160 to the director. Said request must be in writing and filed with the director within twenty-one calendar days of receipt of notice of registration denial or extinguishment.

NEW SECTION

**WAC 25-46-160 RIGHT OF FIRST REFUSAL TO PERMIT UPON REGISTRATION.** (1) Any person, firm, corporation, institution, or agency that discovers and registers a previously unreported historic archaeological resource abandoned on, in, or under state-owned aquatic lands with the department shall have a right of first refusal to future excavation and recovery permits granted for the recovery of that resource subject to the provisions of chapter 27.53 RCW and chapter 25-48 WAC.

(2) Such right of first refusal shall exist for five years from the date of registration by the department. Such rights may be assigned, but it is the responsibility of the parties to the assignment to provide written evidence of the assignment to the department, including the correct name and mailing address of the assignee.

(3) Should another person, firm, corporation, institution, or agency apply for a permit to excavate or remove that resource or portions thereof, the person, firm, corporation, institution, or agency that registered the resource shall have sixty days from the receipt of notice to submit its own permit application and thereby exercise its first refusal right, or the right shall be extinguished.

(4) If the person, firm, corporation, institution, or agency that registered the resource does not exercise its first refusal right within sixty days of the receipt of notice, the department shall send to that entity a notice by certified mail, return receipt requested, that that entity's right of first refusal has been extinguished.

(5) If the entity that registered the historic archaeological resource does not exercise its right of first refusal within five years of the issuance of the registration acceptance the right lapses.

NEW SECTION

WAC 25-46-180 SEVERABILITY. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances shall not be affected.

**WSR 88-23-006****EMERGENCY RULES****DEPARTMENT OF NATURAL RESOURCES**

[Order 557—Filed November 4, 1988]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to lifting 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 recent rains and predicted continued wet weather have allowed the burning restrictions in place until November 15, 1988, to terminate at an earlier date. Forest fire danger has significantly been reduced by moist weather.

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

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.325 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 4, 1988.

By Brian J. Boyle  
Commissioner of Public Lands

AMENDATORY SECTION (Amending Emergency Order 556, filed 10/31/88)

WAC 332-26-092e **OUTDOOR BURNING RESTRICTIONS**. Effective immediately, Monday, October 31, 1988, through midnight, (~~Tuesday, November 15, 1988;~~) Sunday, November 6, 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.

**WSR 88-23-007**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON INSTITUTE  
OF APPLIED TECHNOLOGY**  
[Memorandum—November 4, 1988]

There will be a WIAT board meeting Wednesday, November 30, 1988, at 7:30 p.m. in the Sixth Floor Boardroom of the WIAT Building.

**WSR 88-23-008**

**NOTICE OF PUBLIC MEETINGS  
PUGET SOUND  
WATER QUALITY AUTHORITY**  
[Memorandum—November 2, 1988]

Listed below are the meeting locations for the remainder of 1988 and for 1989. As soon as specific meeting rooms are found for the 1989 locations, I will notify you. All meetings will begin at 9:30 a.m.

November 16, 1988  
Tacoma City Council Chambers  
Municipal Building, First Floor  
748 Market Street  
Tacoma

December 21, 1988  
Auditorium  
Mason County Public Utility District #3  
311 Cota Street  
Shelton

January 18, 1989  
The Prusik Room  
The Mountaineers  
300 Third Avenue West  
Seattle

February 15, 1989  
Tacoma

March 15, 1989  
Seattle

April 19, 1988  
Olympia

May 17, 1989  
Seattle

June 21, 1989  
Coupeville

July 19, 1989  
Port Townsend

August 16, 1989  
Seattle

September 20, 1989  
Bellingham

October 18, 1989  
Olympia



November 15, 1989  
Port Angeles

December 20, 1989  
Seattle

**WSR 88-23-009**

ATTORNEY GENERAL OPINION

Cite as: AGO 1988 No. 25

[October 31, 1988]

INITIATIVE AND REFERENDUM—INITIATIVE 97 AND ALTERNATIVE MEASURE 97B—AUTHORITY OF LEGISLATURE TO AMEND INITIATIVES—DEPARTMENT OF ECOLOGY—UNDERGROUND STORAGE TANKS

1. If Initiative 97 (relating to cleanup of hazardous waste spills) is approved by the voters in the November 1988 election, the Legislature would still be free to enact certain portions of House Bill 1967 (a 1988 bill dealing with regulation of underground storage tanks and cleanup of petroleum spills) without requiring approval of at least two-thirds of the members of both houses of the Legislature, but certain other provisions of House Bill 1967 would constitute "amendments" to the initiative measure and could not properly be enacted by the 1989 Legislature without the extraordinary majority required by the state constitution for amendments to initiative measures.
2. If Alternative Measure 97B (also relating to cleanup of hazardous waste spills) is approved by the voters in the November 1988 election, the Legislature would be free to enact House Bill 1967 without requiring approval of at least two-thirds of the members of both houses of the Legislature.
3. If either Initiative 97 or Alternative Measure 97B is approved by the voters in the November 1988 election, the Legislature's enactment within two years of some or all of the provisions of House Bill 1967 would not constitute an unconstitutional repeal of either initiative measure.

Requested by:

Honorable Nancy Rust  
State Representative  
1st Legislative District  
18747 Ridgely Road N.W.  
Seattle, WA 98177

**WSR 88-23-010**

ATTORNEY GENERAL OPINION

Cite as: AGO 1988 No. 26

[November 1, 1988]

TREASURER—COUNTIES—CITIES—PUBLIC FUNDS—  
DELEGATION OF POWERS—INVESTMENTS—LETTER OF  
CREDIT—LINE OF CREDIT—DEBT LIMITATIONS

1. When RCW 39.59.020(4) authorizes municipal treasurers to invest in ". . . any investments authorized by law for the treasurer of the state of Washington . . ." and the state treasurer is authorized by law to invest in commercial paper by RCW 43.84.080(7) but only to the extent consistent with the policy of the State Investment Board, the legal limitations on the state and on municipal treasurers are confined to formally adopted policies of the State Investment Board, and neither the state nor municipal treasurers are bound by State Investment Board policies which are informal or unwritten.
2. A municipal treasurer may not lawfully delegate authority to redeem warrants to a banking institution or other party outside the treasurer's office.
3. A municipal treasurer may lawfully secure a line of credit for warrant redemption with a bank, to the extent permitted by RCW 39.58.170.
4. A municipal treasurer may in certain circumstances secure a letter of credit from a bank for warrant redemption purposes, but only to guarantee payment of warrants the treasurer is statutorily authorized to pay.
5. A letter or line of credit is a contingent liability and does not constitute a borrowing by a municipal corporation for purposes of applying constitutional or statutory debt or borrowing limitations; the borrowing occurs if the letter of line of credit is actually drawn down.

Requested by:

Honorable Robert V. Graham  
State Auditor  
Legislative Building, AS-21  
Olympia, Washington 98504

**WSR 88-23-011**

ADOPTED RULES

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Order 88-25—Filed November 4, 1988]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt the annexed rules relating to WAC 392-103-035.

This action is taken pursuant to Notice No. WSR 88-22-063 filed with the code reviser on November 2, 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 42.18.250 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 4, 1988.

By Frank B. Brouillet  
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-103-035 FORMER EMPLOYEES—PROHIBITED PRACTICES. Except as otherwise provided in RCW 42.18.221, no former employee of the superintendent of public instruction shall ever assist another person (including partnerships, corporations, etc.), for or without compensation, in any transaction involving the superintendent in which the employee participated during his/her state employment; nor shall((:

~~(1)) a former employee ((appear before the superintendent within two years of termination of employment; or~~

~~(2) A former state employee share in any compensation received by another person (including partnerships, corporations) for assistance which the former employee is prohibited from providing by the foregoing provisions of this section, within two years of termination of employment; or~~

~~(3) A partnership of which a former state employee is a partner, or any partner or employee of such a partnership, assist another person in any transaction involving the state in which the former employee participated at any time while a state employee, within two years of the former employee's termination of state employment: PROVIDED, That this section shall not prohibit a former state employee's participation in transactions permitted by WAC 392-103-040 at any time, except as this exception may be qualified by rules of the governor issued pursuant to RCW 42.18.240, as now or hereafter amended)) engage in any activity prohibited by RCW 42.18.221.~~

Violation of this section may result in the imposition of a bar or conditions upon the former state employee or other persons' appearances before the superintendent or their conduct of, or negotiation or competition for, business with the superintendent, in addition to such other penalties as may be imposed pursuant to law. Any such administrative sanction shall be made only upon notice and an opportunity for a hearing in compliance with the Administrative Procedure((s)) Act, chapter 34.04 RCW.

### WSR 88-23-012

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 88-165—Filed November 4, 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 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 November 4, 1988.

By Robert Turner  
for Joseph R. Blum  
Director

#### NEW SECTION

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

#### FISHING PERIODS

- (1) Area 2G – Open  
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. November 1, to 11:59 p.m. November 30, 1988.
- (4) Area 2M – Open  
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 minimum 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:

WAC 220-40-02100M WILLAPA HARBOR GILLNET SEASON. (88-159)

**WSR 88-23-013**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 88-166—Filed November 4, 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 to catch the non-Indian portion of the United States share of United States and Canadian chum stocks. Openings in Area 7B provide opportunity to harvest non-Indian allocation of chum destined for the Nooksack-Samish region of origin. Openings in Area 8D provide opportunity to harvest the non-Indian share of the Area 8D portion of Stillaguamish-Snohomish origin coho, and to prevent wastage. 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 protect milling stocks. The restriction in Area 10 is necessary to reduce harvest impacts on local chum stocks. The restriction in Area 12B is 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 November 4, 1988.

By Robert Turner  
for Joseph R. Blum  
Director

### NEW SECTION

WAC 220-47-927 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 PM Saturday November 5 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 Sunday November 6, and from 5:00 AM to 8:00 PM Monday November 7, and Purse seines may fish from 5:00 AM to 8:00 PM Monday November 7, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8.
- \* Area 7B - Purse seines may fish from 5:00 AM to 8:00 PM Monday November 7, and from 5:00 AM to 8:00 PM Tuesday November 8, and from 5:00 AM to 8:00 PM Wednesday November 9, and from 5:00 AM to 8:00 PM Thursday November 10, and Gillnets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8, and from 4:00 PM Tuesday November 8 to 8:00 AM Wednesday November 9, and from 4:00 PM Wednesday November 9 to 8:00 AM Thursday November 10, and from 4:00 PM Thursday November 10 to 8:00 AM Friday November 11.
- \* Area 8 - Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Monday November 7, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8.
- \* Area 8A - Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Monday November 7, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8. 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 to 9:00 AM Sunday November 6, and from 4:00 PM Sunday November 6 to 8:00 AM Monday November 7, and from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8 and from 4:00 PM Tuesday November 8 to 8:00 AM Wednesday November 9, and from 4:00 PM Wednesday November 9 to 8:00 AM Thursday November 10, and from 4:00 PM Thursday November 10 to 8:00 AM Friday November 11.

11, and from 4:00 PM Friday November 11 to 8:00 AM Saturday November 12, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Sunday November 6, and from 5:00 AM to 8:00 PM Monday November 7, and from 5:00 AM to 8:00 PM Tuesday November 8, and from 5:00 AM to 8:00 PM Wednesday November 9, and from 5:00 AM to 8:00 PM Thursday November 10, and from 5:00 AM to 8:00 PM Friday November 11, and from 5:00 AM to 8:00 PM Saturday November 12.

- \* Areas 10 and 11 – Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Monday November 7, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8. This area 10 opening excludes those waters west of a line projected 178 degrees true from the light at the end of the Indianola Dock to the landfall on the south shore of Port Madison.
- \* Areas 12 and 12B – Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Monday November 7, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM Monday November 7 to 8:00 AM Tuesday November 8. 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, 9A, 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 November 5:

WAC 220-47-926 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-163)

#### **WSR 88-23-014**

##### **ADOPTED RULES**

#### **DEPARTMENT OF LICENSING (Board of Physical Therapy)**

[Order PM 789—Filed November 7, 1988]

Be it resolved by the Washington State Board of Physical Therapy, acting at Nendel's South Center, South Center Room, 15801 West Valley Highway, Tukwila, WA 98188, that it does adopt the annexed rules relating to the amending of WAC 308-42-010 and 308-42-120 and new WAC 308-42-090 and 308-42-123.

This action is taken pursuant to Notice No. WSR 88-17-104 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 18.74.023(3) which directs that the Board of Physical Therapy has authority to implement the provisions of RCW 18.74.010 and 70.24.270.

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 3, 1988.

By Patty VanWagner  
Chair

#### AMENDATORY SECTION (Amending Order PL 471, filed 6/19/84)

WAC 308-42-010 DEFINITIONS. For the purposes of administering chapter 18.74 RCW, the following terms are to be construed as set forth herein:

(1) The "performance of tests of neuromuscular function" includes the performance of electroneuromyographic examinations.

(2) "Consultation" means a communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(3) "Supervisor" shall mean the licensed physical therapist.

(4) "Physical therapist assistant" shall mean an individual who shall have received an associate degree as a physical therapist assistant from an approved school, or a graduate of an approved school of physical therapy who has not been licensed to practice physical therapy in Washington state.

(5) "Physical therapist aide" shall mean an individual who shall have received on-the-job training from a physical therapist.

(6) "Immediate supervision" shall mean the supervisor is in audible or visual range of the patient and the person treating the patient.

(7) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the patient has been examined by the physical therapist at such time as acceptable physical therapy practice requires, consistent with the delegated health care task.

(8) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral instructions for treatment of the patient and the patient has been examined by the physical therapist at such time as acceptable health care practice requires, and consistent with the particular delegated health care task.

(9) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(10) "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.

**NEW SECTION**

WAC 308-42-090 APPLICATIONS. Effective January 1, 1989, persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the educational requirements of AIDS education as set forth in WAC 308-42-123.

**AMENDATORY SECTION** (Amending Order PL 455, filed 1/18/84)

WAC 308-42-120 RENEWAL OF LICENSE. (1) The annual license renewal date for physical therapists shall coincide with the licensee's birthdate. Individuals making application for initial license and examination, provided they meet all such requirements, will be issued a license to expire on their next birth anniversary date.

(2) Effective 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 WAC 308-42-123. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.

**NEW SECTION**

WAC 308-42-123 AIDS EDUCATION AND TRAINING. (1) 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.

(2) Implementation. Effective January 1, 1989, the requirement for licensure application, renewal, or reinstatement of any license on lapsed, 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 (1) of this section.

(3) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before renewal date or December 31, 1989, whichever date is earlier;

(b) Keep records for two years documenting attendance and description of the education; and

(c) Be prepared to validate, through submission of these records, that education has taken place.

**WSR 88-23-015****ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order PFT 88-004—Filed November 7, 1988]

I, Mary Faulk, director of the state of Washington Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to motor vehicle fuel tax, amending WAC 308-72-502 Sale or distribution at wholesale.

This action is taken pursuant to Notice No. WSR 88-19-076 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 under the general rule-making authority of the director of the Department of Licensing as authorized in RCW 82.36.435.

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 4, 1988.

By Mary Faulk  
Director

**AMENDATORY SECTION** (Amending Order PFT 88-003, filed 3/22/88)

WAC 308-72-502 SALE OR DISTRIBUTION AT WHOLESALE. "Sale or distribution at wholesale" includes all sales or distributions of motor vehicle fuel owned or controlled by a distributor, from bulk storage or from a fuel delivery vehicle owned or controlled by him/her, to two or more of his/her own retail service stations, where no change of title or ownership occurs. This is the same standard used in RCW 82.04.270 for imposition of business and occupation tax levied on wholesalers and distributors. A common carrier fuel delivery vehicle is "controlled by" the distributor if the common carrier's entire load is motor vehicle fuel owned or controlled by one distributor and the distributor, through the bill of lading, controls the time and place of pick-up and delivery of the entire load of motor vehicle fuel.

**WSR 88-23-016****ADOPTED RULES****DEPARTMENT OF LICENSING**

[Order TL/RG 45—Filed November 7, 1988]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to cancellation of vehicle registration and license plates, new WAC 308-96A-490.

This action is taken pursuant to Notice No. WSR 88-19-119 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 director of the Department of Licensing as authorized in RCW 46.01.110 and 46.16.276.

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 4, 1988.

By Mary Faulk  
Director

**NEW SECTION**

WAC 308-96A-490 DRIVING WITHOUT VALID LICENSE-NO VALID REGISTRATION. At the time of arrest for violation of RCW 46.20.021, 46.20.342(1), 46.20.420, or 46.65.090 if the vehicle is being operated on vehicle license plates and registration that are invalid, a temporary registration cannot be issued pursuant to RCW 46.16.710.

**WSR 88-23-017**

**NOTICE OF PUBLIC MEETINGS  
PUBLIC WORKS BOARD**

[Memorandum—November 7, 1988]

**PUBLIC WORKS BOARD MEETING DATES FOR 1989**

DATE/TIME	EVENT	LOCATION
January 10 8:30 a.m.	Regular meeting	Sea-Tac
February 7 8:30 a.m.	Regular meeting	Sea-Tac
March 7 8:30 a.m.	Regular meeting	Sea-Tac
April 4 10:00 a.m.	Regular meeting	Yakima
August 1 8:30 a.m.	Regular meeting	Sea-Tac
September 5 8:30 a.m.	Regular meeting	Sea-Tac
September 19 10:00 a.m.	Regular meeting	Bellingham
November 7 8:30 a.m.	Regular meeting	Sea-Tac

The above dates were formally adopted by the Public Works Board at a regular meeting on November 1, 1988.

**WSR 88-23-018**

**PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed November 7, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal

rules concerning refugee assistance, amending chapter 388-55 WAC;

that the agency will at 10:00 a.m., Tuesday, December 27, 1988, in the Auditorium, OB-2, 12th and Franklin, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 28, 1988.

The authority under which these rules are proposed is RCW 43.20A.550.

The specific statute these rules are intended to implement is RCW 43.20A.550.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 27, 1988.

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

Troyce Warner  
Office of Issuances  
Department of Social and Health Services  
Mailstop OB-33H  
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact the Office of Issuances, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by December 13, 1988. The meeting site is in a location which is barrier free.

Dated: November 7, 1988  
By: Leslie F. James, Director  
Administrative Services

**STATEMENT OF PURPOSE**

This statement is filed pursuant to RCW 34.04.045.  
Re: Amending chapter 388-55 WAC.

Purpose of the Rule Changes: To reduce the duration of refugee cash and medical assistance from 18 months to 12 months effective October 1, 1988. This rule is necessary to implement federal regulation which reduces the duration of refugee cash and medical assistance from 18 months to 12 months effective October 1, 1988. Section 412 (a)(9) of the Immigration and Nationality Act (8 U.S.C. 1522 (a)(9)) authorizes the secretary of the Department of Health and Human Services (DHHS) to issue regulations needed to carry out the refugee resettlement program; and adds a new category of immigrants, Amerasians, who qualify for refugee assistance.

Reason this Rule Amendment is Necessary: To implement Section 584 of the Foreign Operations Appropriations Act, which was incorporated as part of the FY 88 Continuing Resolution, P.L. 100-202.

Statutory Authority: RCW 43.20A.550 and 74.04.015.

Person Responsible for Drafting, Implementation and Enforcement of the Rule Change: Betty Brinkman, Program Manager, Division of Income Assistance, mailstop OB-31C, phone 753-4915.

These rules are necessary as a result of federal law, 45 CFR Part 400 and P.L. 100-202.

AMENDATORY SECTION (Amending Order 2111, filed 6/13/84)

## WAC 388-55-010 COMMON ELIGIBILITY CONDITIONS.

(1) ~~((Assistance))~~ The department shall ~~((be granted))~~ grant assistance to refugees within the provisions of P.L. 96-212, the Refugee Assistance Program.

(2) For the purpose of the refugee assistance program, ~~the department defines a refugee ((is defined))~~ as a person who has fled from and cannot return to his or her country due to persecution or fear of persecution because of race, religion, or political opinion. Under this definition, ~~the department shall include~~ the following ~~((individuals shall be eligible to apply for assistance and/or services under the refugee assistance program))~~ persons as refugees:

(a) A person from Cambodia, Laos, or Vietnam ~~((receiving Indochinese refugee assistance because he or she was))~~ who:

(i) ~~((A person having))~~ Has parole status ~~((as indicated by an INS (Immigration and Naturalization Service) Form I-94-))~~; or

(ii) ~~((A person having))~~ Has voluntary departure status ~~((as indicated by Form I-94-))~~; or

(iii) ~~((A person having))~~ Has conditional entry status ~~((as indicated by Form I-94-))~~; or

(iv) ~~((A person))~~ Was admitted to the United States with permanent resident status on or after April 8, 1975 (the date the president designated Vietnamese and Cambodians to be refugees under the Migration and Refugee Assistance Act) ~~((as indicated by Form I-151 or I-551-))~~; or

(v) ~~((A person having))~~ Has permanent resident status as a result of adjustment of status under P.L. 95-145 ~~((as indicated by Form I-151 or I-551-))~~.

(b) A person from Cuba receiving assistance or services under the Cuban phase-down program, who entered the United States on or after October 1, 1978. Such persons ~~((must))~~ shall have:

(i) A registration card issued by the United States Cuban Refugee Center in Miami on or after October 1, 1978(;;); and

(ii) INS documentation sufficient to establish the person entered the United States on or after October 1, 1978, (or verification with the United States Cuban Refugee Center of the ~~((refugee's))~~ person's date of entry.

(c) ~~((A person from Cambodia, Laos, or Vietnam having parole status:~~

(i) ~~Such persons must have a Form I-94 indicating the person has been paroled under Section 212 (d)(5) of the Immigration and Nationality Act (INA).~~

(ii) ~~If the Form I-94 was issued on or after June 1, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee:~~

(d) ~~A person from Cuba having been paroled as a refugee or asylee and entering the United States on or after October 1, 1978:~~

(i) ~~Such persons must have a Form I-94 indicating the person has been paroled under Section 212 (d)(5) of the INA:~~

(ii) ~~If the Form I-94 was issued on or after April 21, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee:~~

(e) ~~An individual))~~ A person from any country ~~((other than Cambodia, Laos, Vietnam, or Cuba))~~ having parole status as a refugee or asylee ~~((as evidenced by a Form I-94 indicating the person has been paroled))~~ under Section 212 (d)(5) of the INA ~~((as a refugee or asylee-))~~;

~~((f))~~ (d) ~~((An individual))~~ A person admitted from any country as a conditional entrant under Section 203 (a)(7) of the INA ~~((This must be indicated on the Form I-94-))~~;

~~((g))~~ (e) ~~((An individual))~~ A person from any country admitted as a refugee under Section 207 of the INA ~~((This must be indicated on Form I-94-))~~;

~~((h))~~ (f) ~~((An individual))~~ A person classified as an Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202;

(g) A person from any country having been granted asylum under Section 208 of the INA ~~((This must be indicated on Form I-94-))~~; and

~~((i))~~ (h) A person from any country previously holding one of the statuses identified in this section whose status has ~~((been))~~ changed to permanent resident alien.

(3) ~~((Refugee assistance cases))~~ The department shall transfer eligible ~~((for))~~ refugees to the AFDC and/or Medicaid programs ~~((shall be transferred to such programs))~~ retroactively effective October 1, 1977,

or as of such date as the ~~((case))~~ refugees qualified for refugee assistance, whichever is later. ~~((a))~~ The department shall regard such refugees ~~((must meet AFDC or Medicaid eligibility criteria to be transferred. (b) A refugee cash assistance case being transferred to AFDC shall be regarded))~~ as ~~((a))~~ recipients rather than ~~((a))~~ new ~~((applicant so the))~~ applicants and shall disregard their income ~~((shall be disregarded))~~ accordingly.

(4) ~~((Applications from refugees not currently receiving refugee cash and/or medical assistance))~~ The department shall ~~((be determined))~~ determine eligibility for AFDC or Medicaid ~~((eligibility))~~ before determining eligibility for the refugee assistance program for ~~applications from refugees not currently receiving refugee cash assistance and/or medical assistance.~~

(a) ~~If the department determines the applicant is ((determined))~~ not eligible for AFDC, then the department shall determine eligibility ~~((shall then be determined))~~ under the refugee assistance program.

(b) ~~If the department determines the applicant is ((determined))~~ not eligible for Medicaid, then the department shall determine eligibility ~~((shall be determined))~~ under the refugee assistance program.

(5) ~~The department shall waive requirements of categorical relatedness of federal assistance programs ((are waived))~~ for ~~((refugees under the))~~ refugee assistance program.

(6) ~~The department shall determine as not eligible for refugee assistance, refugees terminated from the AFDC program because of refusal to comply with eligibility requirements ((shall not be eligible for refugee assistance)).~~

(7) ~~Except as specified in subsection (8) of this section, the department shall provide assistance to all ((types of refugee cases))~~ refugees, regardless of family composition, ~~((shall be provided))~~ at the AFDC monthly standards~~((;)).~~ The department shall treat income and resources ~~((will be treated))~~ according to AFDC standards. ~~The department shall not consider resources ((not available)) which are unavailable, including property remaining in Vietnam, Laos, or Cambodia, ((shall not be considered))~~ in determining eligibility for financial assistance.

(8) Applicants for and recipients of refugee assistance ~~((shall))~~ are not ~~((be))~~ eligible for the thirty dollar plus one-third of the remainder exemption from earned income.

(9) ~~The department shall treat the refugee family unit including United States citizen's children, by virtue of being born in this country, ((shall be treated))~~ as a single assistance unit under the refugee assistance program in accordance with the provisions of WAC 388-24-050.

(10) ~~((Persons))~~ Beginning October 1, 1988, the department shall consider refugees meeting the criteria in this section ~~((shall be))~~ as eligible for refugee assistance only during the ~~((eighteen))~~ twelve-month period beginning the first of the month the ~~((individual))~~ refugee entered the United States.

(11) ~~The department shall not consider full-time students in an institution of higher education ((are not))~~ eligible for refugee assistance, unless participating in a department-approved job or language training program not to exceed twelve months.

(12) ~~The department shall notify the voluntary agency (VOLAG) sponsoring the ((applicant shall be notified))~~ refugee whenever ~~((he or she makes application))~~ the refugee applies for assistance.

(13) ~~((Persons))~~ Refugees meeting the criteria in this section ~~((shall be))~~ are eligible for additional requirements for emergent situations as in chapter 388-29 WAC.

AMENDATORY SECTION (Amending Order 2111, filed 6/13/84)

WAC 388-55-020 WORK AND TRAINING ELIGIBILITY CONDITIONS. (1) The department requires all applicants for and recipients of a financial grant under the refugee assistance program and each member of the family group of which the applicants and recipients are a part ~~((are required))~~ to register for employment with the state employment service or other designated employment agency. Exemptions to employment registration are:

(a) ~~((An individual under))~~ A person sixteen ~~((; or under))~~ through eighteen years of age ~~((nineteen and))~~ attending secondary school or an equivalent level of vocational or technical training full time or ~~any person under sixteen, regardless of school attendance; or~~

(b) A person ill, incapacitated, or over sixty-five years of age; or

(c) A person whose presence in the home is required because of illness or incapacity of another member of the household; or

(d) A mother or other caretaker caring for a child five years of age or under ~~((the age of six))~~; or

(e) A mother or other caretaker of a child, when the nonexempt father or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause; or

(f) ~~((An individual))~~ A person employed at least thirty hours per week; or

(g) A ~~((refugee))~~ person of any age while enrolled and participating in a CSO-approved employability training program intended to have a definite short-term (less than one year) employment objective.

(2) The department shall not exempt from registration or acceptance of employment a refugee solely because of inability to communicate in English ((does not justify exemption from registration or acceptance of employment)).

(3) For purposes of this section, training shall mean participation in any available and appropriate social service program providing job or language training as approved in the personal employment plan.

(4) Refusal of an employable adult refugee to register with the employment service without good cause ((shall result in the following actions: In addition:)) and/or refusal to accept, continue, or participate in a training or employment opportunity or referral, from any source(;; determined)) the department determines appropriate ((for the refugee by the CSO)) shall also result in the following ((actions)):

(a) ((An employable adult refugee applicant refusing a work or training opportunity or referral without good cause, as stated in this section within thirty days prior to application, shall be ineligible)) Ineligibility for refugee assistance for thirty days from the date of ((the)) refusal of work or training opportunity, for an applicant. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible((-);

(b) ((If an employable refugee recipient continues to refuse an offer of employment or training:)) Termination of assistance ((will be terminated)) the first of the following month after the date of ((his or her)) original refusal if an employable refugee recipient continues to refuse an offer of employment or training. The department shall allow the refugee ((shall be given)) at least ten days written notice of the termination of assistance and the reason therefore((-This);

(c) The sanction ((shall be)) for persons identified in subsection (4)(a) and (4)(b) is applied in the following manner:

(i) If the assistance unit includes other individuals, the grant ((shall be)) is reduced by the amount included on behalf of the refugee((-)) for three months after the first occurrence and six months for the second and each subsequent occurrence;

(ii) If such individual is the only individual in the assistance unit, the ((grant)) department shall ((be terminated:)) terminate the grant for three months after the first occurrence and six months for the second and each subsequent occurrence;

(iii) The department shall notify the recipient's voluntary agency (VOLAG) ((shall be notified)) if action is taken according to subsection (4)(b)(i) or (ii) of this section, provided the provisions for safeguarding information in chapter 388-320 WAC are met((-); and

(iv) A decision by the refugee to accept employment or training, made at any time before the effective date of termination, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

((v) An employable refugee shall be ineligible after the termination of assistance because of refusal to accept or continue employment or training as follows: For three months after the first occurrence and six months for the second and subsequent occurrences:))

**AMENDATORY SECTION (Amending Order 1969, filed 6/16/83)**

WAC 388-55-040 REFUGEE MEDICAL ASSISTANCE. (1) ((The)) A refugee ((recipient)) receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(2) The department shall determine the nonrecipient refugee eligibility for medical care ((for the nonrecipient refugee shall be determined)) as specified in chapter 388-83 WAC. The department shall base eligibility ((is based)) on medical and financial need only; requirements of categorical relatedness are waived.

(3) The department shall apply WAC 388-55-030(1) ((is applicable)) in determining the amount of participation in medical costs for refugee medical assistance recipients.

((3)) (4) The refugee financial assistance recipient ((becoming)) who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:

(a) In the case of a single individual assistance unit:

(i) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) He or she continues ((to be employed)) employment.

(b) In the case of a multiple individual assistance unit:

(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and

(ii) A member of the family continues ((to be employed)) employment.

((iii)) (5) Medical need ((shall)) is not ((be)) an eligibility factor for subsection (4)(a) or (4)(b) of this section.

((4)) (6) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

((5)) (7) Persons meeting the criteria in this section ((shall be)) are eligible for refugee assistance only during the ((eighteen)) twelve-month period beginning in the first month the ((individual)) person entered the United States.

((6) The rules in this section shall be effective April 1, 1982:))

**WSR 88-23-019  
EMERGENCY RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)  
[Order 2725—Filed November 7, 1988]**

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to refugee assistance, amending chapter 388-55 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this rule is necessary to reduce the duration of refugee cash and medical assistance from 18 months to 12 months effective October 1, 1988, per the Immigration and Nationality Act, 8 U.S.C. 1522 (a)(9) and to add a new category of immigrants, Amerasians, who qualify for refugee assistance per FY 88 Continuing Resolution, P.L. 100-202.

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

This rule is promulgated pursuant to RCW 43.20A-.550 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 7, 1988.

By Leslie F. James, Director  
Administrative Services

**AMENDATORY SECTION (Amending Order 2111, filed 6/13/84)**

WAC 388-55-010 COMMON ELIGIBILITY CONDITIONS. (1) ((Assistance)) The department shall ((be granted)) grant assistance to refugees within the provisions of P.L. 96-212, the Refugee Assistance Program.



(2) For the purpose of the refugee assistance program, the department defines a refugee ~~((is defined))~~ as a person who has fled from and cannot return to his or her country due to persecution or fear of persecution because of race, religion, or political opinion. Under this definition, the department shall include the following ~~((individuals shall be eligible to apply for assistance and/or services under the refugee assistance program))~~ persons as refugees:

(a) A person from Cambodia, Laos, or Vietnam ~~((receiving Indochinese refugee assistance because he or she was))~~ who:

(i) ~~((A person having))~~ Has parole status ~~((as indicated by an INS (Immigration and Naturalization Service) Form I-94.));~~ or

(ii) ~~((A person having))~~ Has voluntary departure status ~~((as indicated by Form I-94.));~~ or

(iii) ~~((A person having))~~ Has conditional entry status ~~((as indicated by Form I-94.));~~ or

(iv) ~~((A person))~~ Was admitted to the United States with permanent resident status on or after April 8, 1975 (the date the president designated Vietnamese and Cambodians to be refugees under the Migration and Refugee Assistance Act) ~~((; as indicated by Form I-151 or I-551.));~~ or

(v) ~~((A person having))~~ Has permanent resident status as a result of adjustment of status under P.L. 95-145 ~~((as indicated by Form I-151 or I-551)).~~

(b) A person from Cuba receiving assistance or services under the Cuban phase-down program, who entered the United States on or after October 1, 1978. Such persons ~~((must))~~ shall have:

(i) A registration card issued by the United States Cuban Refugee Center in Miami on or after October 1, 1978 ~~((;))~~; and

(ii) INS documentation sufficient to establish the person entered the United States on or after October 1, 1978, or verification with the United States Cuban Refugee Center of the ~~((refugee's))~~ person's date of entry.

(c) ~~((A person from Cambodia, Laos, or Vietnam having parole status:~~

(i) ~~Such persons must have a Form I-94 indicating the person has been paroled under Section 212 (d)(5) of the Immigration and Nationality Act (INA).~~

(ii) ~~If the Form I-94 was issued on or after June 1, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee.~~

(d) ~~A person from Cuba having been paroled as a refugee or asylee and entering the United States on or after October 1, 1978.~~

(i) ~~Such persons must have a Form I-94 indicating the person has been paroled under Section 212 (d)(5) of the INA.~~

(ii) ~~If the Form I-94 was issued on or after April 21, 1980, the form must clearly indicate the person has been paroled as a refugee or asylee.~~

(c) ~~An individual))~~ A person from any country ~~((other than Cambodia, Laos, Vietnam, or Cuba))~~ having parole status as a refugee or asylee ~~((as evidenced by a Form I-94 indicating the person has been paroled))~~ under Section 212 (d)(5) of the INA ~~((as a refugee or asylee.));~~

~~((f))~~ (d) ~~((An individual))~~ A person admitted from any country as a conditional entrant under Section 203 (a)(7) of the INA ~~((This must be indicated on the Form I-94.));~~

~~((g))~~ (e) ~~((An individual))~~ A person from any country admitted as a refugee under Section 207 of the INA ~~((This must be indicated on Form I-94.));~~

~~((h))~~ (f) ~~((An individual))~~ A person classified as an Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202;

(g) A person from any country having been granted asylum under Section 208 of the INA ~~((This must be indicated on Form I-94.));~~ and

~~((i))~~ (h) A person from any country previously holding one of the statuses identified in this section whose status has ~~((been))~~ changed to permanent resident alien.

(3) ~~((Refugee assistance cases))~~ The department shall transfer eligible ~~((for))~~ refugees to the AFDC and/or Medicaid programs ~~((shall be transferred to such programs))~~ retroactively effective October 1, 1977, or as of such date as the ~~((case))~~ refugees qualified for refugee assistance, whichever is later. ~~((a))~~ The department shall regard such refugees ~~((must meet AFDC or Medicaid eligibility criteria to be transferred. (b) A refugee cash assistance case being transferred to AFDC shall be regarded))~~ as ~~((a))~~ recipients rather than ~~((a))~~ new ~~((applicant so the))~~ applicants and shall disregard their income ~~((shall be disregarded))~~ accordingly.

(4) ~~((Applications from refugees not currently receiving refugee cash and/or medical assistance))~~ The department shall ~~((be determined))~~ determine eligibility for AFDC or Medicaid ~~((eligibility))~~ before determining eligibility for the refugee assistance program for applications from refugees not currently receiving refugee cash assistance and/or medical assistance.

(a) If the department determines the applicant is ~~((determined))~~ not eligible for AFDC, then the department shall determine eligibility ~~((shall then be determined))~~ under the refugee assistance program.

(b) If the department determines the applicant is ~~((determined))~~ not eligible for Medicaid, then the department shall determine eligibility ~~((shall be determined))~~ under the refugee assistance program.

(5) The department shall waive requirements of categorical relatedness of federal assistance programs ~~((are waived))~~ for ~~((refugees under the))~~ refugee assistance program.

(6) The department shall determine as not eligible for refugee assistance, refugees terminated from the AFDC program because of refusal to comply with eligibility requirements ~~((shall not be eligible for refugee assistance)).~~

(7) Except as specified in subsection (8) of this section, the department shall provide assistance to all ~~((types of refugee cases))~~ refugees, regardless of family composition, ~~((shall be provided))~~ at the AFDC monthly standards ~~((;)).~~ The department shall treat income and resources ~~((will be treated))~~ according to AFDC standards. The department shall not consider resources ~~((not~~

available)) which are unavailable, including property remaining in Vietnam, Laos, or Cambodia, ~~((shall not be considered))~~ in determining eligibility for financial assistance.

(8) Applicants for and recipients of refugee assistance ~~((shall))~~ are not ~~((be))~~ eligible for the thirty dollar plus one-third of the remainder exemption from earned income.

(9) The department shall treat the refugee family unit including United States citizen's children, by virtue of being born in this country, ~~((shall be treated))~~ as a single assistance unit under the refugee assistance program in accordance with the provisions of WAC 388-24-050.

(10) ~~((Persons))~~ Beginning October 1, 1988, the department shall consider refugees meeting the criteria in this section ~~((shall be))~~ as eligible for refugee assistance only during the ~~((eighteen))~~ twelve-month period beginning the first of the month the ~~((individual))~~ refugee entered the United States.

(11) The department shall not consider full-time students in an institution of higher education ~~((are not))~~ eligible for refugee assistance, unless participating in a department-approved job or language training program not to exceed twelve months.

(12) The department shall notify the voluntary agency (VOLAG) sponsoring the ~~((applicant shall be notified))~~ refugee whenever ~~((he or she makes application))~~ the refugee applies for assistance.

(13) ~~((Persons))~~ Refugees meeting the criteria in this section ~~((shall be))~~ are eligible for additional requirements for emergent situations as in chapter 388-29 WAC.

#### AMENDATORY SECTION (Amending Order 2111, filed 6/13/84)

WAC 388-55-020 WORK AND TRAINING ELIGIBILITY CONDITIONS. (1) The department requires all applicants for and recipients of a financial grant under the refugee assistance program and each member of the family group of which the applicants and recipients are a part ~~((are required))~~ to register for employment with the state employment service or other designated employment agency. Exemptions to employment registration are:

(a) ~~((An individual under))~~ A person sixteen ~~((; or under))~~ through eighteen years of age ~~((nineteen and))~~ attending secondary school or an equivalent level of vocational or technical training full time or any person under sixteen, regardless of school attendance; or

(b) A person ill, incapacitated, or over sixty-five years of age; or

(c) A person whose presence in the home is required because of illness or incapacity of another member of the household; or

(d) A mother or other caretaker caring for a child five years of age or under ~~((the age of six));~~ or

(e) A mother or other caretaker of a child, when the nonexempt father or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause; or

(f) ~~((An individual))~~ A person employed at least thirty hours per week; or

(g) A ~~((refugee))~~ person of any age while enrolled and participating in a CSO-approved employability training program intended to have a definite short-term (less than one year) employment objective.

(2) The department shall not exempt from registration or acceptance of employment a refugee solely because of inability to communicate in English ~~((does not justify exemption from registration or acceptance of employment)).~~

(3) For purposes of this section, training shall mean participation in any available and appropriate social service program providing job or language training as approved in the personal employment plan.

(4) Refusal of an employable adult refugee to register with the employment service without good cause ~~((shall result in the following actions. In addition,))~~ and/or refusal to accept, continue, or participate in a training or employment opportunity or referral, from any source ~~((; determined))~~ the department determines appropriate ~~((for the refugee by the CSO))~~ shall also result in the following ~~((actions))~~:

(a) ~~((An employable adult refugee applicant refusing a work or training opportunity or referral without good cause, as stated in this section within thirty days prior to application, shall be ineligible))~~ Ineligibility for refugee assistance for thirty days from the date of ~~((the))~~ refusal of work or training opportunity, for an applicant. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible ~~((;))~~;

(b) ~~((If an employable refugee recipient continues to refuse an offer of employment or training,))~~ Termination of assistance ~~((will be terminated))~~ the first of the following month after the date of ~~((his or her))~~ original refusal if an employable refugee recipient continues to refuse an offer of employment or training. The department shall allow the refugee ~~((shall be given))~~ at least ten days written notice of the termination of assistance and the reason therefore ~~((; This))~~;

(c) The sanction ~~((shall be))~~ for persons identified in subsection (4)(a) and (4)(b) is applied in the following manner:

(i) If the assistance unit includes other individuals, the grant ~~((shall be))~~ is reduced by the amount included on behalf of the refugee ~~((;))~~ for three months after the first occurrence and six months for the second and each subsequent occurrence;

(ii) If such individual is the only individual in the assistance unit, the ~~((grant))~~ department shall ~~((be terminated;))~~ terminate the grant for three months after the first occurrence and six months for the second and each subsequent occurrence;

(iii) The department shall notify the recipient's voluntary agency (VOLAG) ~~((shall be notified))~~ if action is taken according to subsection (4)(b)(i) or (ii) of this section, provided the provisions for safeguarding information in chapter 388-320 WAC are met ~~((;))~~; and

(iv) A decision by the refugee to accept employment or training, made at any time before the effective date of termination, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

~~((v)) An employable refugee shall be ineligible after the termination of assistance because of refusal to accept or continue employment or training as follows: For three months after the first occurrence and six months for the second and subsequent occurrences.))~~

AMENDATORY SECTION (Amending Order 1969, filed 6/16/83)

WAC 388-55-040 REFUGEE MEDICAL ASSISTANCE. (1) ~~((The))~~ A refugee ~~((recipient))~~ receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).

(2) The department shall determine the nonrecipient refugee eligibility for medical care ~~((for the nonrecipient refugee shall be determined))~~ as specified in chapter 388-83 WAC. The department shall base eligibility ~~((is based))~~ on medical and financial need only; requirements of categorical relatedness are waived.

(3) The department shall apply WAC 388-55-030(1) ~~((is applicable))~~ in determining the amount of participation in medical costs for refugee medical assistance recipients.

~~((3))~~ (4) The refugee financial assistance recipient ~~((becoming))~~ who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:

(a) In the case of a single individual assistance unit:

(i) The individual received assistance in at least three of the six months immediately preceding the month of ineligibility, and

(ii) He or she continues ~~((to be employed))~~ employment.

(b) In the case of a multiple individual assistance unit:

(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility, and

(ii) A member of the family continues ~~((to be employed))~~ employment.

~~((iii))~~ (5) Medical need ~~((shall))~~ is not ~~((be))~~ an eligibility factor for subsection (4)(a) or (4)(b) of this section.

~~((4))~~ (6) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.

~~((5))~~ (7) Persons meeting the criteria in this section ~~((shall be))~~ are eligible for refugee assistance only during the ~~((eighteen))~~ twelve-month period beginning in the first month the ~~((individual))~~ person entered the United States.

~~((6)) The rules in this section shall be effective April 1, 1982.))~~

WSR 88-23-020  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 2723—Filed November 7, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to ADATSA protective payee requirements, amending WAC 388-40-110.

This action is taken pursuant to Notice No. WSR 88-19-027 filed with the code reviser on September 12, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.50.010 which directs that the Department of Social and Health Services has authority to implement the provisions of chapter 74.50 RCW.

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

APPROVED AND ADOPTED November 2, 1988.

By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2635, filed 6/21/88)

WAC 388-40-110 ADATSA PROTECTIVE PAYEE REQUIREMENTS. (1) The department shall pay the assistance needs of recipients receiving outpatient treatment or shelter assistance in independent housing by protective payee or vendor payment. See WAC 388-33-455 for protective payee selection criteria.

(2) An ADATSA protective payee shall have the authority and responsibility to make decisions about the expenditure of outpatient treatment stipends or shelter assistance. Disbursement of funds shall be made first to assure the basic needs of shelter, utilities, food, clothing, and personal incidentals are met.

(a) The protective payee for a recipient in outpatient treatment shall encourage the recipient to participate in the decision-making process as a means of developing good money management, budgeting, and decision-making skills. The amount of control or latitude exercised shall depend upon the recipient's status in treatment and the judgment of the protective payee as to how responsible the recipient has become.

(b) The protective payee for a shelter assistance recipient shall first disburse a payment for shelter and utilities, such as a check directly to the landlord, mortgage company, utility company, etc.

(3) The protective payee may use his or her discretion on the method of disbursing to the recipient any cash balance remaining from the recipient's monthly assistance warrant. The protective payee has the authority to apportion any remaining funds to the recipient at regular intervals throughout the month.

(4) In the event the recipient and/or protective payee relationship is terminated for any reason, the protective payee shall return any remaining funds to the department.

(5) The department has legislative authority, through June 30, 1990, to establish and maintain an intensive protective payee pilot project. The project shall evaluate whether tighter control of the recipient's ADATSA funds by the protective payee can prevent the diversion of assistance for purchasing alcohol and drugs.

(a) The department shall limit project participation to ADATSA recipients in King, Snohomish, or Skagit Counties who choose shelter assistance in independent housing.

(b) The department shall choose all project participants by unbiased scientific sampling. Once an applicant/recipient is chosen to participate, the department shall assign a protective payee designated specifically for the pilot project. The recipient shall participate in the project for as long as he or she continues to reside in the project area, remains eligible for ADATSA, and wants shelter assistance in independent housing.

(i) The recipient has the right to request a change of protective payees within the project if dissatisfied with the department's selection of a particular protective payee. If the department determines good cause exists for the change, it shall reassign the recipient to another protective payee within the pilot project.

(ii) The recipient does not have the right to removal or exemption from the project in order to acquire a less restrictive protective payee.

(c) In addition to the responsibilities and authority set forth in subsections (2)(b) and (3) of this section, the project protective payees shall:

(i) Pay all vendors directly for goods or services provided to or for the recipient, including personal and incidental expenses; and

(ii) Make exceptions only where unusual circumstances prevent direct payment and the client is unlikely to divert the money to purchasing alcohol or drugs.

**WSR 88-23-021**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Order 2724—Filed November 7, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to new WAC 275-55-115 and 275-59-071, Transfer of a patient between state operated hospitals.

This action is taken pursuant to Notice No. WSR 88-19-065 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 71.05.560 which directs that the Department of Social and Health

Services has authority to implement the provisions of chapter 71.05 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 2, 1988.

By Leslie F. James, Director  
Administrative Services

NEW SECTION

WAC 275-55-115 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS. In some instances, it is appropriate for a patient currently residing in a state hospital to be transferred to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) The following criteria, if present, shall determine the appropriateness of a transfer:

(a) The patient's family lives within the receiving hospital's catchment area;

(b) The patient's primary home of residence is in the receiving hospital's catchment area;

(c) A particular service or need of the patient is better met at the receiving hospital; and

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area.

(2) The state hospital shall comply with the following procedure when transferring a patient:

(a) The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's:

(i) Transfer to another state hospital; and

(ii) Hearing if the patient is a court-ordered commitment.

(b) The sending facility, at the direction of the superintendent, shall contact the designated liaison at the receiving facility who shall obtain information necessary to make a decision relevant to the propriety of the transfer;

(c) The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;

(d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;

(e) The designated liaison at the receiving facility shall notify the liaison at the sending facility of the decision in writing;

(f) The sending facility is responsible for all transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility liaison; and

(g) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court.

(3) The state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer;

(iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;

(iv) Consultation with the patient advocacy agency; and

(v) Notification of the patient's attorney.

(4) The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:

(a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;

(b) If a transfer is proposed for a civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;

(c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;

(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication or medications for twenty-four hours prior to the hearing; and

(e) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68-.032 through 72.68.037.

#### NEW SECTION

**WAC 275-59-071 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS.** In some instances, it is appropriate for a patient currently residing in a state hospital to be transferred to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) The following criteria, if present, shall determine the appropriateness of a transfer:

(a) The patient's family lives within the receiving hospital's catchment area;

(b) The patient's primary home of residence is in the receiving hospital's catchment area;

(c) A particular service or need of the patient is better met at the receiving hospital; and

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area.

(2) The state hospital shall comply with the following procedure when transferring a patient:

(a) The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's:

(i) Transfer to another state hospital; and

(ii) Hearing if the patient is a court-ordered commitment.

(b) The sending facility, at the direction of the superintendent, shall contact the designated liaison at the receiving facility who shall obtain information necessary to make a decision relevant to the propriety of the transfer;

(c) The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;

(d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;

(e) The designated liaison at the receiving facility shall notify the liaison at the sending facility of the decision in writing;

(f) The sending facility is responsible for all transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility liaison; and

(g) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court.

(3) The state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer;

(iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;

(iv) Consultation with the patient advocacy agency; and

(v) Notification of the patient's attorney.

(4) The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:

(a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;

(b) If a transfer is proposed for a civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;

(c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary

treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;

(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication or medications for twenty-four hours prior to the hearing; and

(e) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68-.032 through 72.68.037.

**WSR 88-23-022**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Order 2721—Filed November 7, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Allocation of income—Institutionalized recipient, amending WAC 388-95-360.

This action is taken pursuant to Notice No. WSR 88-19-066 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 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 3, 1988.  
By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2005, filed 8/23/83)

WAC 388-95-360 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) All institutionalized ~~((recipients with))~~ clients shall retain a specified personal needs allowance.

(2) The AFDC or FIP-related ~~((individual))~~ client in a medical facility ~~((is))~~ shall be eligible to receive ~~((an amount as))~~ a cash assistance payment sufficient to bring the client's income up to the personal needs allowance.

(3) The department shall allow SSI-related ~~((recipients may))~~ clients to retain the current personal needs allowance plus wages received for work approved by the

department as part of a training or rehabilitative program designed to prepare the individual for a less restrictive placement~~((:))~~ when:

(a) The total ~~((amount of))~~ wages received plus the personal needs allowance ~~((may))~~ do not exceed the one-person medically needy income level~~((:-There are))~~; and

(b) No deductions are allowed for expenses of employment~~((:))~~; and

(c) The excess wages shall apply to the cost of care, when the total ~~((amount of))~~ wages received plus the initial personal needs allowance exceeds the one-person medically needy income level~~((,- the excess wages are applied to the cost of care))~~.

(4) In addition to the allocations in subsections (1) and (3) of this section, the department shall allow SSI-related ~~((individuals))~~ clients residing in a medical facility throughout a calendar month ~~((are entitled to))~~ the following allocations of income as applicable for:

(a) Maintenance needs of spouse not to exceed the one-person medically needy income level;

(b) Maintenance needs of family adjusted for number of family members living at home, but not to exceed the highest AFDC or FIP payment standard for a family of the same size ~~((under AFDC))~~;

(c) Amounts for incurred medical expenses not subject to third-party payment including, but not limited to:

(i) Health insurance premiums, co-insurance, or deductible charges;

(ii) Necessary medical care recognized under state law, but not covered under Medicaid;

(d) ((For a single person;)) Maintenance of the home ~~((where the individual has been certified by a physician to need institutional care for no more than six consecutive months. See WAC 388-95-380 (1)(a)(iv);))~~ of a single person:

(i) ((Income thus exempted must be used to retain the independent living situation of an individual with no dependents through payment of such requirements as rent or mortgages, real estate taxes, insurance, gas, electricity, oil, water or sewer necessary to maintain the home. Also see chapter 388-28 WAC;

(ii)) Up to one hundred eighty dollars per month ~~((may be exempted from the individual's actual income based on the verified actual cost to retain the home during six consecutive months)); and~~

((iii)) (ii) ((The)) Limited to not more than a six-month period ~~((begins on the first of the month following date of admission for Medicaid-eligible recipients or the date of eligibility for individuals changing from private to Medicaid, and ceases when the patient is discharged to an independent living arrangement or at the end of six months if the recipient has not been discharged)); and~~

(iii) A physician has certified the individual is likely to return to the home within that period; and

(iv) ((ESO)) Social service staff shall document initial need for the income exemption and review the individual's circumstances after ninety days. Also see chapter 388-28 WAC.

(5) The department shall use the remaining income ~~((remaining)), after allocations specified in subsections~~

(1), (2), (3), or (4) of this section, ~~((will be used))~~ to compute payment of the participation amount ~~((that income remaining after allocation of income))~~ at the department rate.

(6)(a) Effective July 1, 1988, SSI-related clients shall continue to receive total payment under 1611 (b)(1) of the Social Security Act (SSA) for the first three full calendar months of institutionalization in a public or Medicaid-approved medical institution or facility if:

(i) The stay in the institution or facility is not expected to exceed three months; and

(ii) The SSI-related clients plan to return to their former living arrangements.

(b) The department shall not consider this SSI payment when computing the participation amount.

**WSR 88-23-023**  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 2722—Filed November 7, 1988]

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

Amd WAC 388-99-010 Persons eligible for medically needy assistance.

Amd WAC 388-99-011 Continuation of eligibility for pregnant women.

This action is taken pursuant to Notice No. WSR 88-19-067 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 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 3, 1988.

By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2620, filed 4/15/88)

WAC 388-99-010 PERSONS ELIGIBLE FOR MEDICALLY NEEDY ASSISTANCE. The department shall determine as medically needy a resident of the state of Washington who meets the income and resource standards in WAC 388-99-020 and 388-99-035 and is:

(1) ~~((An individual who, but for income and/or resources, would be))~~ Categorically needy as defined under WAC 388-82-010~~((;))~~ but for income and/or resources;  
or

(2) The ineligible spouse of an SSI beneficiary ~~((receiving a state supplement payment for the ineligible spouse))~~ if:

(a) The ineligible spouse is ~~((related to the SSI program due to being))~~ aged, blind, or disabled; and

(b) The ~~((couple meets the income and resource requirements of this chapter when the))~~ total income of the SSI beneficiary is excluded, or

(3) A child under ~~((five))~~ seven years of age, born after September 30, 1983.

(4) A pregnant woman who ~~((does not meet))~~ the ~~((aid to families with dependent children and/or FIP))~~ department considers categorically needy but for income, resource, and/or deprivation requirements. For the purposes of this subsection, the department shall increase the number in the household by one before comparing:

(a) ~~((The period of eligibility includes the sixty-day period beginning with the last day of pregnancy to cover the post partum care, and~~

(b) The department shall increase the number in the household by one before comparing)) The pregnant woman's income to the medically needy income level in WAC 388-99-020; and

~~((c))~~ (b) ~~((The department shall increase the number in the household by one before comparing))~~ The pregnant woman's ~~((income))~~ resources to the resource level in WAC 388-99-035.

AMENDATORY SECTION (Amending Order 2430, filed 10/2/86)

WAC 388-99-011 CONTINUATION OF ELIGIBILITY FOR PREGNANT WOMEN. ~~((A))~~ The department shall continue Medicaid eligibility for a pregnant woman ~~((who was eligible for and received Medicaid))~~ through the end of the month in which the sixty-day period (beginning on the last day of pregnancy ~~((shall continue to be eligible for Medicaid-covered postpartum and pregnancy-related services for sixty days following that date)))~~ ends.

**WSR 88-23-024**  
RULES OF COURT  
STATE SUPREME COURT  
[November 4, 1988]

In Re:  
AMENDMENT OF ORDER  
NO. 25700-A-400  
ESTABLISHING TEMPORARY  
PROCEDURES FOR EXPERIMENTAL  
USE OF VIDEOTAPE EQUIPMENT  
TO RECORD COURT PROCEEDINGS  
IN THE SUPERIOR COURT OF  
JUDGE JOHN N. SKIMAS OF  
CLARK COUNTY

NO. 25700-A-422  
ORDER

1. SCOPE OF ORDER.

The provisions of this order shall apply to any appeal where videotape equipment has been used to record the court proceeding and shall supercede the provisions of Order No. 25700-A-400. This is a temporary order and terminates pursuant to Section 5(E) hereof.

## 2. RECORD OF TRIAL COURT PROCEEDINGS.

The Rules of Appellate Procedure (RAP) defining the report of proceedings as a typewritten verbatim report (RAP 9.1(b)) and the Rules pertaining to the transcription and statement of arrangements, content, and notice of partial report of proceedings and issues (RAP 9.2 (a)(b), and (c)) are not applicable to an appeal from a videotaped proceeding. Instead, the following procedures apply:

(A) Videotape Recordings. The official record of a videotaped trial court proceeding shall consist of two (2) videotape recordings, recorded simultaneously. One of these original tapes will serve as the record to be transmitted to the court of appeals.

(1) Custody of the Tapes. Both original videotaped copies of the record are to be retained by the trial court until the entire record on review, including the exhibits and clerk's papers, is ready for transmittal to the appellate court. At that time, the clerk is responsible for obtaining from the court one of the original videotaped copies or a court-certified copy of that portion pertaining to the court proceeding being appealed. The second videotaped recording shall be retained by the trial court pursuant to procedures outlined by the Administrator for the Courts.

(2) Identification of the Tapes. The trial court shall label each of the official videotape recordings according to a standard determined by the Office of the Administrator for the Courts.

(3) Duplication of the Tapes. The trial court shall arrange for the duplication of tapes for use by counsel in preparing an appeal. Each party is responsible for contacting the court and obtaining tapes. The court shall charge the requesting party \$10 for each duplicate videotape requested, except in cases where the requesting party has been declared indigent.

B. Exhibit List; Trial Log. The trial judge or a designee shall keep a written log that includes the case name and number and tape references to the following: Identification of direct, cross, redirect and recross examination of witnesses; offering and rulings on exhibits; motions; instructions of the court; instructions requested by parties; rulings of the court; and any other references that the court feels are appropriate. The tape references shall include the date, hour, minute and second as shown on the tape. The Office of the Administrator for the Courts shall provide a form with a suggested format for maintaining the log. A copy of the trial log shall be provided with each duplicated tape made for the parties. One copy shall remain with the court and one copy shall be transmitted to the appellate court with an original videotape of the proceedings.

C. Exhibits. By pre-trial order, the trial judge may require that at the time an exhibit is introduced into evidence, a photograph or photographs of the exhibit be submitted and included as part of the official record. The photograph(s) shall serve as part of the official record, and the exhibit itself may be returned for safekeeping to the custody of the party introducing the exhibit. The clerk shall not be required to certify the exhibit itself as part of the record on appeal, unless so ordered by the appellate court.

D. Depositions. In a court proceeding in which videotape equipment is being used to record the proceeding, the official record of a deposition admitted into evidence may be, in the trial judge's discretion, either the transcript of the deposition or a videotape recording of the deposition.

## 3. RECORD ON REVIEW.

The record on review shall consist of one copy of the original videotape recording of the proceedings, the trial log, clerk's papers and any exhibits. No transcript of court proceedings will be part of the record on appeal unless ordered by the trial court pursuant to RAP 9.5, ordered by the appellate court pursuant to RAP 9.10 or under Section 5(a) of this order, or included in the appendix of a brief as provided in Paragraph 4 of this order. Appellate rules included in Title 9 that are not inconsistent with this order are still applicable.

## 4. BRIEFS.

The provisions of RAP 10.1 - 10.8 pertaining to briefs shall apply to appeals taken pursuant to this order, as well as the following provisions:

A. Time for Filing Briefs. Because no report of proceedings is filed in the trial court, the brief of an appellant or petitioner should be filed with the appellate court within 45 days after the party seeking review has filed the designation of clerk's papers and exhibits.

B. Tape Reference. Each reference in a brief to a segment of the videotape recordings (hereinafter referred to as a tape reference) shall set forth in parentheses the word "TAPE," the number of the videotape, and the month, day, year, hour, minute, and second at which the reference begins as recorded on the videotape. For example: (TAPE No. 1, 10/27/86; 14:24:05)

C. Evidentiary Appendix. An appendix of the evidence (hereinafter referred to as evidentiary appendix) consisting of typewritten portions of the proceedings may be attached to a brief on appeal. An evidentiary appendix shall contain transcriptions of only those parts of the videotape recording that support the specific issues or contentions raised in a brief on appeal, or that relate to the question of whether an alleged error was properly preserved for appellate review. This limitation requires that only those portions of a witness's testimony that meet this criteria be transcribed.

(1) Organization of Appendix. Each evidentiary appendix shall include an index that lists each issue on appeal, identifies which portions of the appendix support each issue and includes the tape reference for each portion. Only that part of a witness's testimony that relates to the issue should be included. Every transcribed portion of the proceedings in the appendix must be listed under one of the issues. The index should also include an alphabetical list of witnesses whose testimony is transcribed in the appendix, listing the tape references with the pages of the appendix where each witness' testimony begins. The name of each witness should be included at the place in the appendix where the testimony of that witness begins.

(2) Purpose of Appendix; Sanctions. The purpose of this evidentiary appendix is to enable the appellate court to review the briefs in a coherent way. Inclusion of transcript unnecessary to the disposition of the case imposes



a burden on both the parties and the court and may subject counsel to sanctions as set forth below:

(a) The appellate court may deny costs to, or assess costs against, a party who has been responsible for the insertion of unnecessary material into an evidentiary appendix. Moreover, any counsel who so multiplies an appendix in any brief as to increase delay or costs unreasonably may be required by the court to satisfy personally such excess costs, and may be subject to the imposition of sanctions as set forth in RAP 18.9.

(b) The appellate court may strike any part or all of an evidentiary appendix, or brief to which it is attached, which has been determined by the appellate court to contain unnecessary material.

**5. FURTHER PROVISIONS.**

A. Transcription for Appellate Court. The appellate court may arrange to have transcribed any portion of the videotape recordings it determines is necessary for a decision in the case. The costs of transcriptions under this paragraph shall be certified by the Administrator for the Court, or a designee, and shall be paid by the parties to the appeal in such proportions as directed by the appellate court requesting the transcription.

B. Establishment of Local Procedures. The presiding judge of a superior court in which videotape equipment is used to record court proceedings may, by court order, establish further procedures relating to videotape recording of court proceedings, provided such procedures do not conflict with the provisions of this order, or any statute or court rule.

C. Effect of Order on Practice in Court of Appeals. Nothing in this order shall be construed to supersede the provisions of RAP 5.5.

D. Dissemination of this Order. Each judge using videotape equipment to record court proceedings, or a designee, shall provide a copy of this order to each attorney who handles a case in the judge's court. To ensure that each party seeking review is notified, a copy shall be included with the videotape and log given to the parties.

E. Termination. Authority extended under this rule will automatically terminate 12 months from date of adoption or December 31, 1989, whichever is later, except for cases under consideration on the termination date.

DATED at Olympia, Washington this 4th day of November, 1988.

Vernon R. Pearson

Robert F. Utter

James A. Andersen

Robert F. Brachtenbach

Keith M. Callow

Dore, J.

James M. Dolliver

Durham, J.

Smith, J.

Reviser's note: The spelling error and typographical error in the above material appeared in the original copy filed by the Supreme Court and appears herein pursuant to the requirements of RCW 34.08.040.

**WSR 88-23-025**  
**WITHDRAWAL OF PROPOSED RULES**  
**THE EVERGREEN STATE COLLEGE**  
 [Filed November 7, 1988]

Pursuant to RCW 28B.19.037 and WAC 1-12-033, The Evergreen State College wishes to withdraw the following proposed rules which were filed on November 2 under Notice No. WSR 88-22-081: New sections WAC 174-136-02002 The Evergreen State College policy on commercial activity—Introduction; 174-136-02003 Policy; 174-136-02004 Criteria; and 174-136-02005 Oversight and review.

Shawn T. Newman  
 College Legal

**WSR 88-23-026**  
**NOTICE OF PUBLIC MEETINGS**  
**SEATTLE COMMUNITY COLLEGES**  
 [Memorandum—November 4, 1988]

The board of trustees of Seattle Community College District has scheduled a joint dinner meeting with the Seattle Public School Board for 6:00 p.m., Monday, November 7, 1988, at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

**WSR 88-23-027**  
**NOTICE OF PUBLIC MEETINGS**  
**JOINT CENTER**  
**FOR HIGHER EDUCATION**  
 [Memorandum—November 3, 1988]

The Joint Center for Higher Education in Spokane will hold regular meetings at 9:30 a.m. on the second Wednesday of alternate months during 1989. The meetings will be held in the Main Center Room at the office of the Spokane Chamber of Commerce, West 1020 Riverside Avenue, Spokane, WA on the following dates in 1989:

- January 11, 1989
- March 8, 1989
- May 10, 1989
- June 14, 1989
- September 13, 1989
- November 8, 1989

**WSR 88-23-028**  
**EMERGENCY RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Order 1990—Filed November 8, 1988]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the application of restricted use pesticides in Benton County,

and portions of Franklin and Walla Walla counties, chapter 16-232 WAC.

I, C. Alan Pettibone, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is existing limited staff resources are not sufficient to address the public concern regarding the application of pesticides in Benton County. Provisions under this order will allow effective, efficient use of staff resources to provide for the safe application of pesticides while not restricting further use of pesticides. Data gathered under this order will be used to formulate a permanent order prior to the next growing season.

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

This rule is promulgated pursuant to chapters 17.21 and 15.58 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 8, 1988.

By C. Alan Pettibone  
Director

#### NEW SECTION

**WAC 16-232-405 AREA UNDER ORDER.** The area under order shall include:

(1) All lands lying within the boundaries of Benton County.

(2) Portions of Franklin and Walla Walla counties as follows:

Beginning at the Benton-Franklin County line in the vicinity of the northwest corner of Section 1, T10N, R28E; thence east approximately thirteen miles along section lines and a portion of Sagemore Road to the northeast corner of Section 1, T10N, R30E; thence south seven miles to the southeast corner of Section 1, T9N, R30E; thence east four miles along section lines and a portion of the Pasco-Kahlotus Road to the northeast corner of Section 10, T9N, R31E; thence approximately fourteen miles south across the Franklin-Walla Walla County line to the Columbia River; thence northwesterly along the Columbia River to the point of beginning.

(3) Within the area under order described in subsection (1) and (2) above are certain lands designated as Sub-area A which have the following descriptions:

(a) All lands lying south of a line beginning at the Yakima-Benton County line and the southwest corner of Section 19, T8N, R24E; thence east one mile along section lines to the southeast corner of Section 19, T8N, R24E; thence north one mile along section lines to the northeast corner of Section 19, T8N, R24E; thence east seven miles along section lines to the southeast corner of Section 17, T8N, R25E; thence north three miles along section lines to the northeast corner of Section 5, T8N,

R25E; thence east two miles along section lines to the southeast corner of Section 34, T9N, R25E; thence north one mile along section lines to the northeast corner of Section 34, T9N, R25E; thence east two miles along section lines to the southeast corner of Section 25, T9N, R25E; thence north one mile along section lines to the northeast corner of Section 25, T9N, R25E; thence east six miles along section lines to the southeast corner of Section 24, T9N, R26E; thence south two miles along section lines to the southwest corner of section 31, T9N, R27E; thence east five and one-half miles more or less along section lines to the K.I.D. Canal; thence southeasterly along the K.I.D. Canal to its confluence with Columbia River.

(b) All lands lying within a line beginning at the southwest corner of Section 18, T13N, R24E; thence east three miles along section lines to the southeast corner of Section 16, T13N, R24E; thence south one mile along section lines to the southwest corner of Section 22, T13N, R24E; thence east one-half mile to the Atomic Energy Commission west boundary line; thence easterly and southerly along the Atomic Energy Commission boundary line to the Yakima River; thence southerly along the Yakima River to the south boundary of Section 31, T10N, R27E; thence west eighteen and one-half miles more or less along section lines to the Yakima-Benton County line; thence north along Yakima-Benton County line to the point of origin.

#### NEW SECTION

**WAC 16-232-415 RESTRICTED USE PESTICIDES.** For purposes of WAC 16-232-405 through WAC 16-232-465, all pesticides are declared to be restricted use pesticides, except those labeled or used only for the following sites or functions:

- (1) Swimming pools and fountains
- (2) Disinfectants
- (3) Cooling tower or industrial system biocides
- (4) Pets or livestock
- (5) Lawns or home gardens (does not include turf farms)
- (6) Use within or around buildings or similar structures (does not include irrigation canals)
- (7) Wood or lumber treatment
- (8) Baits or repellants registered solely for vertebrate pest control
- (9) Seed treatments
- (10) Enclosed food processing systems
- (11) Air conditioners, humidifiers, and heating systems

#### NEW SECTION

**WAC 16-232-425 PERMITS.** (1) Application of restricted use pesticides as defined in WAC 16-232-415 is prohibited in Sub-area A designated in WAC 16-232-405(3): PROVIDED, That the department may issue written permits for designated applications.

(2) The department may make on-site monitoring of the application by a department representative a condition of any permit. A representative of the department

may revoke any such permit at any time, if the representative deems the situation at the application site unsuitable.

(3) No permit shall be issued pursuant to this rule to apply dicamba or phenoxy hormone-type herbicides, unless that permit is consistent with existing department regulations.

(4) Application of chlorsulfuron (such as: Glean, Telar) or metsulfuron methyl (such as: Finesse, Escort) to fallow land or to land during the time between harvest and emergence of the subsequent grain crop above the furrows is prohibited.

#### NEW SECTION

**WAC 16-232-435 RECORDKEEPING.** (1) No portion of this rule shall relieve any commercial applicator, public operator, private-commercial applicator, or demonstration and research applicator from recordkeeping requirements of WAC 16-228-190.

(2) Persons who apply restricted use pesticides as defined in WAC 16-232-415 shall keep records for each application within the area defined in WAC 16-232-405, which shall include the following information:

(a) Applicator's name, address and name of the individual making the application;

(b) Address or location of the land where the pesticide was applied, specifying township, range, and section: **PROVIDED**, That right-of-way application records may omit township, range and section.

(c) Year, month, day, and time the pesticide was applied;

(d) Trade name and/or common name of the pesticide applied, and/or EPA registration number for that product;

(e) Direction and estimated velocity of the wind and temperature at the time the pesticide was applied;

(f) Amount and concentration (pounds or gallons per acre and percentage of active ingredient and/or concentration per one hundred gallons) of the pesticide used;

(g) Specific crop or site to which the pesticide was applied.

(3) If an application of a restricted use pesticide as defined in WAC 16-232-415 is performed by a licensed commercial pesticide applicator within the area defined in WAC 16-232-405, the person in control of the treated land shall keep records which shall include the following information:

(a) Address or location of the land where the pesticide was applied, specifying township, range, and section: **PROVIDED**, That right-of-way application records may omit township, range and section;

(b) Year, month, day, and time the pesticide was applied;

(c) Name of the commercial applicator;

(4) All records required by this rule shall be completed and available to the department the same day the pesticide was applied.

(5) All records required by this rule shall be kept for a period of three years from the date of application of the pesticide to which such records refer. The department shall, upon request in writing, be furnished with a

copy of such records forthwith by the person required to keep the records.

#### NEW SECTION

**WAC 16-232-445 NOTICE OF INTENT.** (1) Application of restricted use pesticides as defined in WAC 16-232-415 is prohibited unless the department is notified of the intent to make the application prior to commencing the actual application. Notice of Intent is not required for application in Sub-area A made under permits as provided in WAC 16-232-425.

(2) Notice of Intent must be made by one of the following:

(a) telephone to the department's pesticide notice recorder;

(b) in person on forms provided by the department at the department's grain inspection office in Pasco;

(c) or under other conditions to be designated by the department.

(3) Notice of Intent shall include the following information:

(a) Name and telephone number of person filing the Notice of Intent.

(b) Applicator's name, address and name of the individual making the application;

(c) Address or location of the land where the pesticide is to be applied, specifying township, range, section: **PROVIDED**, That right-of-way application notices may omit township, range, and section;

(d) Year, month, day and time the pesticide is to be applied;

(e) Crop or site to be treated;

(f) Acreage or area to be treated;

(g) Trade name and/or common name of the pesticide to be applied, and/or EPA registration number for that pesticide.

(4) Application of restricted use pesticides shall not begin prior to the day and time provided in the Notice of Intent. If the application cannot be started or is not completed within twenty-four hours (24 hours) of the day and time stated in the original Notice of Intent, a new Notice of Intent must be made.

(5) Notice of Intent may be made by licensed commercial pesticide applicators on behalf of persons in control of lands to be treated.

(6) Providing the department with Notice of Intent does not replace any of the recordkeeping requirements of WAC 16-232-435, WAC 16-228-190 or other applicable rules;

(7) Nothing in the department's acceptance of a Notice of Intent shall be construed as permitting application of any pesticide in violation of its registered label or other applicable laws and rules.

#### NEW SECTION

**WAC 16-232-455 OTHER RULES.** Provisions of WAC 16-232-405 through WAC 16-232-465 shall take precedence over all existing, less restrictive rules of the department affecting the application of pesticides in Benton, Franklin or Walla Walla counties. No provision of WAC 16-232-405 through WAC 16-232-465 shall

be construed as relieving any requirement of existing rules except those in direct conflict.

#### NEW SECTION

WAC 16-232-465 **EFFECTIVE DATE.** The provisions of this order are effective immediately: **PROVIDED**, That the requirements for a permit for any pesticide application in the affected area shall remain in effect until November 15, 1988. After November 15, 1988, only applications to be made to the lands lying in Sub-area A will require a permit, while all other applications will require Notice of Intent.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-232-440 Area Under Order.
- WAC 16-232-450 Restricted Use Pesticides.
- WAC 16-232-460 Permits.
- WAC 16-232-470 Other rules.

### WSR 88-23-029

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 88-167—Filed November 8, 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 chum destined for the Nooksack-Samish region of origin. The emergency closure of Area 8D is due to unanticipated overharvest of the Tulalip Bay (8D) portion of the Stillaguamish-Snohomish non-Indian chum allocation. All other Puget Sound areas are closed to prevent overharvest of local salmon. 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 November 8, 1988.

By Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-47-928 **PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately 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 – Purse seines may fish from 5:00 AM to 8:00 PM Tuesday November 8, and from 5:00 AM to 8:00 PM Wednesday November 9, and from 5:00 AM to 8:00 PM Thursday November 10, and Gillnets using 6-inch minimum mesh may fish from 4:00 PM Tuesday November 8 to 8:00 AM Wednesday November 9, and from 4:00 PM Wednesday November 9 to 8:00 AM Thursday November 10, and from 4:00 PM Thursday November 10 to 8:00 AM Friday November 11.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-47-927 **PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-166)**

### WSR 88-23-030

#### PROPOSED RULES

#### UTILITIES AND TRANSPORTATION COMMISSION

[Filed November 8, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to accounts for common and contract carriers, auto transportation companies, and gas, electric and water utilities, WAC 480-12-250, 480-30-120, 480-90-031, 480-100-031 and 480-110-031. The proposed amendatory sections are shown below as Appendix A, Docket No. U-88-2474-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendments on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:00 a.m., Wednesday, December 28, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 80.01.040, 81.68.030(5) and 81.80.290.

The specific statute these rules are intended to implement is RCW 80.04.080, 80.04.090, 81.04.080, 81.04.090, 81.68.030(3), 81.80.130 and 81.80.140.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 23, 1988.

Dated: November 4, 1988

By: Paul Curl

Acting Secretary

### STATEMENT OF PURPOSE

In the matter of amending WAC 480-12-250, 480-30-120, 480-90-031, 480-100-031 and 480-110-031 relating to accounts for common and contract carriers, auto transportation companies, and gas, electric and water utilities.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040, 81.68.030(5) and 81.80.290 which direct that the commission has authority to implement the provisions of chapters 80.04, 81.68 and 81.80 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to modify (and ease) accounting and reporting procedures for common and contract carriers of property, for common carrier auto transportation (bus) companies, and for gas, electric and water companies.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040.

The rule change is not necessary as the result of federal law, or federal or state court action.

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

### APPENDIX "A"

#### AMENDATORY SECTION (Amending Order R-276, Cause No. TV-2092, filed 9/17/87)

WAC 480-12-250 ACCOUNTS—UNIFORM SYSTEM ADOPTED—REPORTS. (1) The "uniform system of accounts" adopted by the interstate commerce commission is hereby prescribed for the use of Class I and II common and contract carriers in the state of Washington operating under chapter 81.80 RCW. A "uniform system of accounts" is hereby prescribed for the use of Class III common and contract carriers in the state of Washington.

#### (2) Classification of carriers:

(a) For purposes of the accounting and reporting regulations, common and contract carriers of property shall be divided into the following three classes:

- Class I — Carriers having average annual gross operating revenues (including interstate and intrastate) of \$5,000,000 or more from operations as motor carriers of property.
- Class II — Carriers having average annual gross operating revenues (including interstate and intrastate) of \$1,000,000 but less than \$5,000,000 from operations as motor carriers of property.
- Class III — Carriers having average annual gross operating revenues (including interstate and intrastate) of \$1,000,000 or less from operations as motor carriers of property and all contract carriers.

(b) The class to which any carrier belongs shall be determined by the average of its annual gross operating revenues derived from motor carrier operations as a carrier of property for the past three calendar years.

(c) Any carrier may, at its option, adopt the methods of a group higher than the one in which it falls on the basis of its average annual gross operating revenues. Notice of such action shall be promptly filed with the commission.

(3) Each Class III common or contract carrier must secure from the commission a copy of "uniform system of accounts" applicable to its business and keep its accounts and other records in conformity therewith to the end that its records may be kept and the annual report required to be filed by it may be compiled in accordance therewith.

(4) For purposes of rendering annual reports, common and contract carriers shall secure from the commission the proper forms and make and file with the commission annual report as soon after the close of the calendar year as possible, but in no event later than April 1st of the succeeding year.

(5) ~~((All Class I and Class II common and contract carriers in the state of Washington shall file, in addition to the annual report referred to herein, quarterly reports on forms which they shall secure from the commission for that purpose. Each such report shall be submitted to the commission within 30 days after the close of the period which it covers:~~

~~((6)) Registered carriers operating exclusively in interstate or foreign commerce shall not be required to file annual or quarterly reports.~~

~~((7)) (6) Annual reports filed by carriers holding garbage and/or refuse collection certificates and common and/or contract carrier permits must comply with reporting requirements provided in WAC 480-70-230.~~

#### AMENDATORY SECTION (Amending Order R-215, Cause No. TC-1786, filed 7/11/84)

WAC 480-30-120 UNIFORM SYSTEM OF ACCOUNTS AND ANNUAL REPORTS. (1) ~~((The uniform system of accounts prescribed by the interstate commerce commission for motor carriers of passengers is hereby adopted and prescribed for the use of Class I auto transportation companies and excursion service companies in the state of Washington, operating under chapter 81.68 RCW.))~~ A uniform system of accounts is hereby adopted and prescribed for the use of Class ~~((H and Class HH))~~ I auto transportation companies and excursion service companies in the state of Washington operating under chapter 81.68 RCW. Said uniform system of accounts is entitled "uniform system of accounts for Class ~~((H))~~ I auto transportation companies operating under certificates ~~((and Appendix 'A' uniform system of accounts for Class HH auto transportation companies and excursion service companies))."~~

(2) The various auto transportation companies and excursion service companies shall ~~((be divided into three classes as per average yearly gross revenue according to the following schedule:))~~ all be classified as Class I.

- ~~((Class I. Those having average annual gross operating revenue of \$3,000,000 or over.~~
- Class H. Those having average annual gross operating revenue of \$200,000 or more but less than \$3,000,000.
- Class HH. Those having average annual gross operating revenue less than \$200,000.))

(3) Each auto transportation company and excursion service company must secure from the commission a copy of the "uniform system of accounts" adopted by subsection (1) (~~hereof~~) of this section, applicable to its classification, and keep its accounts and other records in conformity thereto to the end that the annual report required to be filed by subsections (4) and (5) of this section may be compiled in accordance therewith.

(4) At the close of each calendar year every auto transportation company and excursion service company must secure from the commission two copies of the form of annual report applicable to its business. The information called for by such annual report must be compiled in accordance with the instructions contained in the "uniform system of accounts" and these rules. One copy of such report must be filed with the commission as soon after the close of each calendar year as possible; but in no event later than April 1st of the succeeding year. Failure to file such report will be sufficient cause for the commission, in its discretion, to revoke a certificate.

(5) In the event that a certificate is transferred, or is cancelled for any cause, the annual report required by subsection (4) of this section must be filed immediately covering the period from the first of the year to the date on which the auto transportation company or excursion service company ceased operations.

Annual report blanks are designed to cover business transacted during the entire calendar year. Where operations are discontinued prior to the close of the calendar year as above provided, or where operation is started during the calendar year, annual report shall be rendered covering that portion of the calendar year during which the auto transportation company or excursion service company operated and shall show on the face thereof the exact period covered thereby.

(6) Each auto transportation company and excursion service company must keep trip reports showing complete statistics and these records must be kept on file in the general office of each company, in date or numerical order, for a period of three years, subject to inspection by the commission so that the commission can ascertain at any time the number of passengers and/or the amount of express transported and the revenue derived therefrom between any two points for any period desired.

**AMENDATORY SECTION** (Amending Order R-27, filed 7/15/71)

WAC 480-90-031 ACCOUNTING. (1) The "uniform system of accounts" applicable to Class A(~~;~~) and B(~~,-C, and D~~) utilities published by the (~~National Association of Regulatory Utility Commissioners (NARUC)~~) Federal Energy Regulatory Commission is hereby prescribed for use of gas utilities in the state of Washington.

(2) Gas utilities operating within this state shall be classed by revenue as follows:

CLASS	ANNUAL GROSS OPERATING REVENUE
<del>A</del>	<del>\$750,000 or more</del>
<del>B</del>	<del>\$250,000 to \$750,000</del>
<del>C</del>	<del>\$100,000 to \$250,000</del>
<del>D</del>	<del>less than \$100,000</del>
A	\$2,500,000 or more
B	less than \$2,500,000

(3) All gas utilities having multistate operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with geographic boundaries can be readily ascertained.

(4) Any change to the uniform system of accounts, as published by the NARUC will only be accomplished after due notice and order of this commission.

(5) The annual report (~~FPC~~) FERC Form 2 (~~Class A and B natural gas companies and FPC Form 2A - Class C and D natural gas companies~~) promulgated by the Federal (~~Power~~) Energy Regulatory Commission is hereby adopted for purposes of annually reporting to this commission by all (~~Class A, B, C, and D~~) gas companies.

All gas utilities having multistate operations shall report to this commission at least once each year, as a supplement to its annual report, the amount of property, revenues, expenses, taxes, depreciation, etc. utilized in or incurred from the furnishing of utility service in the state of Washington, on the basis of usage and without regard to geographic boundaries. Any cost allocations necessary in developing results of operations for the state of Washington separately shall be accomplished on an acceptable basis. Washington rate base and income statements shall be provided on the basis of the most recent commission order specifying those elements per books and adjusted. The

Washington results of operations shall be readily reconcilable to the total company results of operations.

(6) The results of operations reported by each gas utility in its annual report to the commission shall be reconciled with the results of operations shown on its books and records.

(7) Natural gas companies reporting over five million dollars in annual Washington revenues for the preceding year shall report Washington intrastate results of operations to the commission monthly.

(8) Any additional data required by this commission in the reporting requirements of gas utilities will only be accomplished after due notice and order of this commission.

~~((8))~~ (9) The annual budget of expenditures shall be submitted in accordance with chapter 480-140 WAC.

**AMENDATORY SECTION** (Amending Order R-29, filed 7/15/71)

WAC 480-100-031 ACCOUNTING. (1) The "uniform system of accounts" applicable to Class A(~~;~~) and B(~~,-C, and D~~) electric utilities published by the (~~National Association of Regulatory Utility Commissioners (NARUC)~~) Federal Energy Regulatory Commission is hereby prescribed for use of electric utilities in the state of Washington. References in this uniform system of accounts to a classification of electric utilities contrary to (~~paragraph 2 below~~) subsection (2) of this section are hereby deleted.

(2) Electric utilities operating within this state shall be classed by revenue as follows:

CLASS	ANNUAL GROSS OPERATING REVENUE
<del>A</del>	<del>\$750,000 or more</del>
<del>B</del>	<del>\$250,000 to \$750,000</del>
<del>C</del>	<del>\$100,000 to \$250,000</del>
<del>D</del>	<del>Less than \$100,000</del>
A	\$2,500,000 or more
B	less than \$2,500,000

(3) All electric utilities having multistate operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with geographic boundaries can be readily ascertained.

(4) Any deviation from the uniform system of accounts, as published by the NARUC, will only be accomplished after due notice and order of this commission.

(5) The annual report form (~~FPC~~) FERC Form No. 1 promulgated by the Federal (~~Power~~) Energy Regulatory Commission is hereby adopted for purposes of annually reporting to this commission by all (~~Class A and B~~) electric companies. All electric utilities having multistate operations shall report to this commission at least once each year, as a supplement to its annual report, the amount of property, revenues, expenses, taxes, depreciation, etc., utilized in or incurred from the furnishing of utility service in the state of Washington, on the basis of usage and without regard to geographic boundaries. Any cost allocations necessary in developing results of operations for the state of Washington separately shall be accomplished on an acceptable basis. Washington rate base and income statements shall be provided on the basis of the most recent commission order specifying those elements. The Washington results of operations shall be readily reconcilable to the total company results of operations.

~~((The annual report forms for Class C and D electric utilities shall be published by this commission:))~~

(6) The total company results of operations reported by each electric utility in its annual report to the commission shall agree with the results of operations shown on its books and records. (~~The Washington results of operations shall be readily reconcilable to the total company results of operations:))~~

(7) Electric companies reporting over five million dollars in annual Washington revenues for the preceding year shall report Washington intrastate results of operations to the commission monthly.

(8) Any additional data required by this commission in the reporting requirements of electric utilities in annual reports will only be accomplished after due notice and order of this commission.

~~((8))~~ (9) The annual budget of expenditures shall be submitted in accordance with chapter 480-140 WAC.

**AMENDATORY SECTION** (Amending Order R-30, filed 7/15/71)

WAC 480-110-031 ACCOUNTING. (1) The "uniform system of accounts" applicable to Class A, B, and C(~~-and D~~) water utilities

published by the National Association of Regulatory Utility Commissioners (NARUC) is hereby prescribed for use of water utilities in the state of Washington.

(2) Water utilities operating within this state shall be classed by revenue as follows:

CLASS	ANNUAL GROSS OPERATING REVENUE	
<del>(A)</del>	<del>\$100,000</del>	<del>or more</del>
<del>B</del>	<del>\$50,000</del>	<del>to \$100,000</del>
<del>C</del>	<del>\$25,000</del>	<del>to \$50,000</del>
<del>D</del>	<del>less than</del>	<del>\$25,000)</del>
<del>A</del>	<del>\$750,000</del>	<del>or more</del>
<del>B</del>	<del>\$150,000</del>	<del>to \$750,000</del>
<del>C</del>	<del>less than</del>	<del>\$150,000</del>

(3) Companies that desire more detailed accounting may adopt the accounts prescribed for a higher classification of water companies: PROVIDED, That the commission is notified promptly of such action. Such companies are required to comply with the more detailed reporting requirements contained in the rules respecting such higher classification.

(4) Any provisions contained in the uniform system of accounts adopted in ~~((paragraph)) subsection (1) ((above)) of this section~~ which is contrary to ~~((paragraphs)) subsections (2) and (3) ((above)) of this section~~ are hereby deleted.

(5) The annual report forms for all classes of water utilities shall be published by this commission and any change will only be accomplished after due notice and order of this commission.

(6) The results of operations reported by each water utility in its annual report to the commission shall agree with the results of operations shown on its books and records.

(7) Any additional data required of this commission in reporting requirements will only be accomplished after due notice and order of this commission.

(8) The annual budget of expenditures shall be submitted in accordance with chapter 480-140 WAC.

**WSR 88-23-031**  
**NOTICE OF PUBLIC MEETINGS**  
**OLYMPIC COLLEGE**  
 [Memorandum—November 3, 1988]

Consistent with RCW 42.30.075, the following information is included for your information from Olympic College board of trustees bylaws and standing orders as follows:

**Regular meetings:** One regular meeting of the board of trustees shall be held each month. This meeting shall be held on the fourth Tuesday of each month and begin at 7:30 p.m. in the Board Room, College Service Center, Olympic College, 16th and Chester, Bremerton, Washington, or at such other time and place as the board may direct from time to time and as published in the state register. The location of each meeting is available in the Office of the President, Olympic College, 16th and Chester, Bremerton, Washington. The chairman of the board, with the concurrence of a majority of the members of the board, may cancel any regular meeting. All such regular meetings will be conducted in conformance with the laws of the state of Washington governing such meetings.

The regular meeting date schedule for 1989, which needs to be published in the state register for Olympic College, is as follows:

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

**WSR 88-23-032**  
**ADOPTED RULES**  
**LIQUOR CONTROL BOARD**  
 [Order 269, Resolution No. 278—Filed November 8, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Managers required—Exceptions, WAC 314-12-090.

This action is taken pursuant to Notice No. WSR 88-20-028 filed with the code reviser on September 29, 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, 66.08.130 and 66.08.140.

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 8, 1988.

By L. H. Pedersen  
 Chairman

**AMENDATORY SECTION** (Amending Order 186, Resolution No. 195, filed 5/28/86)

**WAC 314-12-090 MANAGERS REQUIRED—EXCEPTIONS.** (1) All businesses licensed under chapter 66.24 RCW shall appoint a manager, such manager to be approved in writing by the board. Provided, however, that this requirement does not apply to those businesses in which the licensee is a sole proprietor or partnership and the sole proprietor, partner or partners are regularly available on the premises engaged in the management of the licensed business.

(2) No change shall be made in the management of any licensed business until written consent of the board has been obtained.

(3) The board may require that managers of nonretail premises be available at the licensed premises at hours registered with and approved by the board.

**WSR 88-23-033**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 88-168—Filed November 8, 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 to catch the non-Indian portion of the United States share of United States and Canadian chum stocks. Openings in Area 7B provide opportunity to harvest non-Indian allocation of chum destined for the Nooksack-Samish region of origin. Openings in Areas 10 and 11 provide opportunity to harvest non-Indian allocation of Puget Sound chum. Reduction from standard hours is necessary to ensure harvestable fish for additional fishing time in order to spread fisheries throughout the management period. The restriction in Area 10 is necessary to reduce harvest impacts on local chum 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 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 November 8, 1988.

By Judith Merchant  
 for Joseph R. Blum  
 Director

**NEW SECTION**

**WAC 220-47-929 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** *Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately 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 – Purse seines may fish from 6:00 AM to 2:00 PM Wednesday November 9, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM TO 11:59 PM Wednesday November 9.

- \* Area 7B – Purse seines may fish from 5:00 AM to 8:00 PM Tuesday November 8, and from 5:00 AM to 8:00 PM Wednesday November 9, and from 5:00 AM to 8:00 PM Thursday November 10, and Gillnets using 6-inch minimum mesh may fish from 4:00 PM Tuesday November 8 to 8:00 AM Wednesday November 9, and from 4:00 PM Wednesday November 9 to 8:00 AM Thursday November 10, and from 4:00 PM Thursday November 10 to 8:00 AM Friday November 11.
- \* Areas 10 and 11 – Purse seines using the 5-inch strip may fish from 6:00 AM to 2:00 PM Wednesday November 9, and Gill nets using 6-inch minimum mesh may fish from 4:00 PM TO 11:59 PM Wednesday November 9. This area 10 opening excludes those waters west of a line projected 178 degrees true from the light at the end of the Indianola Dock to the landfall on the south shore of Port Madison.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

**REPEALER**

*The following section of the Washington Administrative Code is repealed effective immediately:*

**WAC 220-47-928 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-167)**

**WSR 88-23-034**  
**ADOPTED RULES**  
**DEPARTMENT OF LICENSING**  
 [Order PM 766—Filed November 9, 1988]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to auctioneers, amending WAC 308-11-050 Surety bond or trust account required.

This action is taken pursuant to Notice No. WSR 88-15-081 filed with the code reviser on July 20, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.11.121 and 18.11.200 which directs that the Department of Licensing has authority to implement the provisions of RCW 18.11.200.

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 7, 1988.

By Mary Faulk  
Director

AMENDATORY SECTION (Amending Order PM 622, filed 10/22/86)

WAC 308-11-050 SURETY BOND OR TRUST ACCOUNT REQUIRED. (1) As required by chapter 18.11 RCW, the amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auctioneer license shall be five thousand dollars.

(2)(a) The amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auction company license shall be based upon the value of the gross sales during the previous calendar year according to the following scale:

GROSS SALES	BOND/SECURITY AMOUNT
\$ 0.00 to \$ 24,999.99	\$ 5,000.00
\$ 25,000.00 to \$ 49,999.99	\$10,000.00
\$ 50,000.00 to \$ 99,999.99	\$15,000.00
\$ 100,000.00 to \$499,999.99	\$20,000.00
\$ 500,000.00 & Above	\$25,000.00

~~(b) ((The department shall provide a financial certification affidavit form to all licensed auction companies by December 31 of each year. Auction companies shall complete and return that form by April 15 of the following year.))~~ All licensed auction companies shall annually on June 30, submit a financial certification affidavit on forms provided by the department. The information reported will form the basis for the department's approval of the auction company's bond or other security amount each year. A company whose sales increases have placed it in a higher category in the above scale will be required to increase its surety bond or security amount accordingly, and file the increased bond or proof of security ~~((with the department before April 15 accompanied))~~ with the financial certification affidavit form. A company whose sales have decreased may adjust its bond or security amount in accordance with the scale. New license applicants will be provided with financial certification affidavit forms for estimating the sales for the calendar year.

(3) Each licensee must maintain such a surety bond, or other security in lieu of a bond, in an active status at all times during the period of licensure.

(4)(a) No bond filed shall be approved unless it expressly provides that it will be effective for one year following the effective date of its cancellation or termination, whether because of expiration, suspension, or revocation of the license, or otherwise, as to any covered act or acts and omission or omissions of the licensee occurring on, or prior to, the effective date of cancellation or termination.

(b) No other security used in lieu of a bond shall satisfy the requirements of chapter 18.11 RCW, unless by the express terms of the security the security shall remain open and active for not less than one year following the effective date of its cancellation or termination,

whether because of the expiration, suspension or revocation, or otherwise, as to any covered act or acts or omission or omissions of the licensee occurring on, or prior to, the effective date of cancellation or termination.

(c) Subject to the requirement of ~~((subsection))~~ ~~((above))~~ of this subsection, each surety bond or other security used in lieu of a bond shall be deemed terminated upon the expiration or revocation of the license in connection with which the bond was issued, or the other security in lieu of a bond was created: PROVIDED, That for the purposes only of this section a license shall not be deemed expired, suspended, or revoked so long as the licensee may continue to act as an auctioneer pursuant to the provisions of chapter 34.04 RCW or any court order issued pursuant thereto.

**WSR 88-23-035**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING**

**(Board of Nursing)**

[Order PM 795—Filed November 9, 1988]

Be it resolved by the Washington State Board of Nursing, acting at Cavanaugh's River Inn, Spokane, Washington, that it does adopt the annexed rules relating to the amending of WAC 308-120-100, 308-120-161, 308-120-166, 308-120-168 and 308-120-180; and new WAC 308-120-610, 308-120-750, 308-120-760, 308-120-770 and 308-120-780.

This action is taken pursuant to Notice No. WSR 88-19-116 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 pursuant to RCW 18.88.080, 18.88.140, 18.130.175 and 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 October 28, 1988.

By Margaret Auld Bruya  
Chair

AMENDATORY SECTION (Amending Order PM 751, filed 7/28/88)

WAC 308-120-100 DEFINITIONS. (1) "Board" means the Washington state board of nursing.

(2) "School" means an educational unit charged with the responsibility of preparing persons to practice as registered nurses. Three types of basic schools of nursing are distinguished by the certificate awarded to the graduate. Schools of nursing within colleges and universities award the associate degree or baccalaureate degree. Schools of nursing sponsored by a hospital award a diploma.

(3) "Provisional approval" of schools of nursing is the approval given a new school of nursing based on its proposed program prior to the admission of its first class.

(4) "Full approval" of a school of nursing is the approval given a school of nursing that meets the requirements of the law and the rules and regulations of the board.

(5) "Conditional approval" of a school of nursing is the approval given a school of nursing that has failed to meet the requirements of the law and the rules and regulations of the board, and it specifies conditions that must be met within a designated time to rectify the failure.

(6) An "unapproved school of nursing" is a school of nursing that has been removed from the list of approved schools for failure to meet the requirements of the law and the rules and regulations of the board or a school that has never been approved by the board.

(7) "Extended learning sites" refers to any area external to the parent organization selected by faculty for student learning experiences.

(8) "Faculty" means persons who are responsible for the educational program of the school of nursing and who hold faculty appointment in the school.

(9) "Nursing student" is a person currently enrolled in an approved school of nursing.

(10) "Nursing aide" as that phrase is used in RCW 18.88.280 (the Professional Nurse Practice Act) is a nursing student who is employed for the purpose of giving help, assistance and support in the performance of those services which constitute the practice of registered nursing.

(a) "Direction and supervision" – the nursing aide may function only under the "direction and supervision" of the licensed registered nurse. She/he may never function as an independent practitioner or in a supervisory capacity, such as, e.g., head nurse, charge nurse, supervisor, administrator, or private duty nurse. She/he shall not perform duties or functions beyond her/his educational nursing preparation, as determined by the school in which she/he is enrolled. Supervision and direction shall include, but not be limited to, the following:

(i) A delegation of duties with regard to each individual patient, which duties shall be consistent with and shall not be greater than the abilities of the nursing aide, as indicated by her/his level of educational preparation;

(ii) An awareness of the activity of the nursing aide as it occurs; and

(iii) A continuing evaluation of the performance of the nursing aide, and reassignment consistent therewith.

(b) "Responsibilities – employer and nursing aide":

(i) Employer. It is the responsibility of the employer of such a nursing aide to obtain evidence of the aide's preparation from the school of nursing in which this student is enrolled.

(ii) Nursing aide. It is the responsibility of the nursing aide to accept only those assignments which are within the limits of her/his preparation as specified by her/his school of nursing.

(11) "Registered nurse" as used in these rules shall mean a nurse as defined by RCW 18.88.170.

(12) "Nurse administrator" is an individual who meets the qualifications contained in WAC 308-120-555 and who has been designated as the person primarily responsible for the direction of the program in nursing. Titles for this position may include, among others, dean, director, coordinator or chairperson.

(13) "Definition of terms appearing in RCW 18.88-.280" – the terms "direction and supervision," "auxiliary services," and "minor nursing services" are defined as follows:

(a) "Minor nursing services." The techniques and procedures used by the nursing profession are extremely difficult to categorize as major or minor nursing services. The important factor with which this law is concerned is the determination of which nursing person and at what level of preparation that person may perform said technique or procedure in relation to the condition of a given patient, and this kind of determination rests with the registered nurse.

(b) "Auxiliary services" are all those nursing services provided to patients by persons other than the registered nurse, the licensed practical nurse and the nursing student.

(c) "Direction and supervision" shall include, but not be limited to the following:

(i) Delegation of duties with regard to each individual patient, which duties shall be consistent with and shall not be greater than the abilities of the auxiliary personnel, as indicated by their level of education preparation.

(ii) An awareness of the activity of auxiliary personnel.

(iii) A continuing evaluation of the performance of the auxiliary personnel.

(iv) It is the responsibility of the auxiliary person to accept only those assignments which are within the limits of his or her preparation.

(14) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illnesses as defined by the board of health by rule.

(15) "Office on AIDS" means a 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.

**AMENDATORY SECTION** (Amending Order PL 387, filed 12/7/81)

WAC 308-120-161 QUALIFICATION/ELIGIBILITY TO WRITE THE LICENSING EXAMINATION. (1) Graduates from Washington state board approved schools of nursing holding a degree/diploma from such a school shall be eligible to write the examination provided all other requirements are met.

(2) Graduates from a nursing school approved by a board of nursing in another U.S. jurisdiction shall be eligible to write the examination provided that:

(a) The nursing school meets the minimum standards approved for state board school of nursing in Washington at the time of the applicant's graduation;

(b) Graduate holds a degree/diploma from the approved school of nursing;

(c) All other requirements ((are)) of the statute and regulations shall be met.

(3) An interim permit (WAC 308-120-170(2)) and a notice of eligibility for admission to the licensing examination may be issued to all new graduates from board approved schools of nursing after filing of a completed application, payment of the application fee, and official notification from the school certifying that the individual has successfully completed all requirements for the diploma/degree. The results of the licensing examination will not be released until the candidate's official transcript is on file with the board.

AMENDATORY SECTION (Amending Order PL 410, filed 11/3/82)

WAC 308-120-166 APPLICANTS PREVIOUSLY LICENSED IN A FOREIGN COUNTRY. (1) Applicants for licensure educated in a country outside the United States or its territories shall meet the following requirements for licensure:

(a) Satisfactory completion of a basic nursing education program approved in the country of original licensure.

(i) The nursing education program shall be equivalent to the minimum standards prevailing for state board approved schools of nursing in Washington at the time of graduation.

(ii) Any deficiencies in the nursing program (theory and clinical practice in medical, psychiatric, obstetric, surgical and pediatric nursing) shall be satisfactorily completed in a state board approved school of nursing.

(b) Satisfactory passage of the screening examination for foreign nurses. As of May 1, 1981, all applicants from countries outside the United States, and never before licensed in one of the United States jurisdictions shall have passed the commission on graduates of foreign nursing schools (CGFNS) qualifying examination.

(c) Applicants licensed under the laws of a country outside the United States or its territories shall be required to take the current series of the National Council of State Boards of Nursing Registered Nurse Examination (NCLEX) as provided in WAC 308-120-163: PROVIDED, That those persons meeting the requirements of WAC 308-120-168(2) are exempt from this requirement.

(d) All other requirements of the statute and regulation shall be met.

(2) Applicants for examination shall:

(a) File with the board of nursing a completed notarized license application with the required fee prior to May 1 for the July examination and prior to December 1 for the February examination.

(b) Request the school of nursing to submit an official transcript directly to the division of professional licensing.

(c) Applicants shall also file an examination application, along with the required fee directly with the testing service.

(d) 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 308-120-610.

(e) Request the licensing agency in the country of original license to submit evidence of licensure.

~~((f))~~ (f) Submit a notarized copy of the certificate issued by the CGFNS.

~~((g))~~ (g) If the applicant's original documents (education and licensing) are on file in another state or with the CGFNS, the applicant may request that the state board or the CGFNS send notarized copies in lieu of the originals.

AMENDATORY SECTION (Amending Order PL 370, filed 1/27/81)

WAC 308-120-168 LICENSURE BY INTERSTATE ENDORSEMENT. (1) A license to practice as a registered nurse in Washington may be issued without examination provided the applicant meets all of the following requirements:

(a) The applicant has graduated and holds a degree/diploma from a state board approved school of nursing preparing candidates for licensure as a registered nurse provided such nursing program is equivalent to the minimum nursing educational standards prevailing for state board approved schools of nursing in Washington at the time of the applicant's graduation.

(i) Applicants who were licensed prior to January 1, 1953 shall have scored at least 75% on the state board examination in the state of original licensure.

(ii) Applicants licensed after January 1, 1953 but before June 1, 1982 shall have passed the state board test pool examination for registered nurse licensure with a minimum standard score of 350 in each test.

(iii) Applicants licensed after July 1, 1982 shall have passed with a minimum standard score of 1600 for the total examination.

(b) The applicant holds a valid current license to practice as a registered nurse in another state or territory.

(c) The applicant complies with the education requirements of WAC 308-120-610.

(d) The application shall be completed and notarized, the fee must be filed with the application. The fee is not refundable. A notarized copy of a valid current license shall be filed with the application.

~~((d))~~ (e) Verification of licensure by examination shall be obtained from the state or territory of original licensure. Any fee for verification required by the state or territory of original license shall be paid by the applicant.

(2) Applicants from countries outside the United States who were granted a license in another U.S. jurisdiction or territory prior to December 31, 1971, and who were not required to pass the state board test pool examination shall meet the following requirements:

(a) The nursing education program shall meet the minimum approved standards prevailing for schools of nursing in Washington at the time of the applicant's graduation.

(b) The applicant holds a valid current license to practice as a registered nurse in another U.S. jurisdiction or territory.

(c) The applicant shall submit to the board:

(i) A complete notarized application. The nonrefundable fee must be filed with the application.

(ii) Verification of original licensure obtained in the U.S. jurisdiction or territory.

(iii) Notarized copies of educational preparation and licensure by examination submitted directly from the country of original licensure or from the state board or territory of original U.S. licensure.

(iv) Verification of current nursing practice for three years prior to application for Washington licensure.

(v) Evidence to show compliance with the education requirements of WAC 308-120-610.

(d) The applicant shall meet all requirements of chapter 18.88 RCW and regulations of the board.

#### AMENDATORY SECTION (Amending Order PM 751, filed 7/28/88)

##### WAC 308-120-180 RENEWAL OF LICENSES.

(1) The license renewal date shall coincide with the licensee's birthdate.

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

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

(2) Licensees may renew their licenses, at the current renewal fee rate.

(3) The late payment penalty provision will be applied as follows:

Before the expiration date of the individual's license, the director shall mail a notice for renewal of license to every person holding a current license. The licensee must return such notice along with current renewal fees prior to the expiration of said license. Failure of any licensee to receive such notice shall not relieve or exempt such licensee from the requirements of this section. Should the licensee fail to renew his or her license prior to the expiration date, then the individual is subject to the penalty fee. If the licensee fails to renew his or her license within one year from expiration thereof, such individual must apply for licensing under the statutory conditions then in force. If the licensee fails to renew the license within three years from the expiration date, the individual must also meet the requirements of WAC 308-120-185.

(4) Effective January 1, 1989, all persons making application for 1989 license renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-120-610. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirements.

#### NEW SECTION

WAC 308-120-610 AIDS EDUCATION AND TRAINING. (1) Acceptable education and training.

Effective January 1, 1989, the board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven 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.

(2) 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 (1) of this section.

(3) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before 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 education and training has taken place.

#### NEW SECTION

WAC 308-120-750 PHILOSOPHY GOVERNING VOLUNTARY SUBSTANCE ABUSE MONITORING PROGRAMS. The board recognizes the need to establish a means of proactively providing early recognition and treatment options for nurses whose competency may be impaired due to the abuse of drugs or alcohol. The board intends that such nurses be treated and their treatment monitored so that they can return to or continue to practice their profession in a way which safeguards the public. To accomplish this the board shall approve voluntary substance abuse monitoring programs and shall refer nurses impaired by substance abuse to approved programs as an alternative to instituting disciplinary proceedings as defined in RCW 18.130.160.

#### NEW SECTION

WAC 308-120-760 TERMS USED IN WAC 308-12-750 THROUGH 308-120-780. (1) "Approved substance abuse monitoring program" or "approved monitoring program" is a program the board has determined meets the requirements of the law and the criteria established by the board in WAC 308-120-770 which enters into a contract with nurses who have substance abuse problems regarding the required components of the nurse's recovery activity and oversees the nurse's compliance with these requirements. Substance abuse monitoring programs do not provide evaluation or treatment to participating nurses.

(2) "Contract" is a comprehensive, structured agreement between the recovering nurse and the approved monitoring program stipulating the nurse's consent to

comply with the monitoring program and its required components of the nurse's recovery activity.

(3) "Approved treatment facility" is a facility approved by the bureau of alcohol and substance abuse, department of social and health services according to RCW 70.96A.020(2) or 69.54.030 to provide concentrated alcoholism or drug treatment if located within Washington state. Drug and alcohol treatment programs located out-of-state must be equivalent to the standards required for approval under RCW 70.96A.020(2) or 69.54.030.

(4) "Substance abuse" means the impairment, as determined by the board, of a nurse's professional services by an addiction to, a dependency on, or the use of alcohol, legend drugs, or controlled substances.

(5) "Aftercare" is that period of time after intensive treatment that provides the nurse and the nurse's family with group or individual counseling sessions, discussions with other families, ongoing contact and participation in self-help groups and ongoing continued support of treatment program staff.

(6) "Nurse support group" is a group of nurses meeting regularly to support the recovery of its members. The group provides a confidential setting with a trained and experienced nurse facilitator in which nurses may safely discuss drug diversion, licensure issues, return to work and other professional issues related to recovery.

(7) "Twelve steps groups" are groups such as alcoholics anonymous, narcotics anonymous, and related organizations based on a philosophy of anonymity, belief in a power outside of oneself, peer group association, and self-help.

(8) "Random drug screens" are laboratory tests to detect the presence of drugs of abuse in body fluids which are performed at irregular intervals not known in advance by the person to be tested.

#### NEW SECTION

**WAC 308-120-770 APPROVAL OF SUBSTANCE ABUSE MONITORING PROGRAMS.** The board will approve the monitoring program(s) which will participate in the board's substance abuse monitoring program. A monitoring program approved by the board may be contracted with an entity outside the department but within the state, out-of-state, or a separate structure within the department.

(1) The approved monitoring program will not provide evaluation or treatment to the participating nurses.

(2) The approved monitoring program staff must have the qualifications and knowledge of both substance abuse and the practice of nursing as defined in this chapter to be able to evaluate:

- (a) Clinical laboratories;
- (b) Laboratory results;
- (c) Providers of substance abuse treatment, both individuals and facilities;
- (d) Nurses' support groups;
- (e) The nursing work environment; and
- (f) The ability of the nurse to practice with reasonable skill and safety.

(3) The approved monitoring program will enter into a contract with the nurse and the board to oversee the

nurse's compliance with the requirements of the program.

(4) The approved monitoring program may make exceptions to individual components of the contract on an individual basis.

(5) The approved monitoring program staff will determine, on an individual basis, whether a nurse will be prohibited from engaging in the practice of nursing for a period of time and restrictions, if any, on the nurse's access to controlled substances in the work place.

(6) The approved monitoring program shall maintain records on participants.

(7) The approved monitoring program will be responsible for providing feedback to the nurse as to whether treatment progress is acceptable.

(8) The approved monitoring program shall report to the board any nurse who fails to comply with the requirement of the monitoring program.

(9) The approved monitoring program shall provide the board with a statistical report on the program, including progress of participants, at least annually.

(10) The approved monitoring program shall receive from the board guidelines on treatment, monitoring, and limitations on the practice of nursing for those participating in the program.

#### NEW SECTION

**WAC 308-120-780 PARTICIPATION IN APPROVED SUBSTANCE ABUSE MONITORING PROGRAM.** (1) In lieu of disciplinary action, the nurse may accept board referral into the approved substance abuse monitoring program.

(a) The nurse shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The nurse shall enter into a contract with the board and the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The nurse will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The nurse will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber, as defined in RCW 69.41.030 and 69.50.101.

(iii) The nurse must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(v) The nurse will submit to random drug screening as specified by the approved monitoring program.

(vi) The nurse will attend nurses' support groups facilitated by a nurse and/or twelve step group meetings as specified by the contract.

(vii) The nurse will comply with specified employment conditions and restrictions as defined by the contract.

(viii) The nurse shall sign a waiver allowing the approved monitoring program to release information to the board if the nurse does not comply with the requirements of this contract.

(c) The nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment, and random drug screens.

(d) The nurse may be subject to disciplinary action under RCW 18.130.160 if the nurse does not consent to be referred to the approved monitoring program does not comply with specified employment restrictions, or does not successfully complete the program.

(2) A nurse who is not being investigated by the board or subject to current disciplinary action or currently being monitored by the board for substance abuse may voluntarily participate in the approved substance abuse monitoring program without being referred by the board. Such voluntary participants shall not be subject to disciplinary action under RCW 18.130.160 for their substance abuse, and shall not have their participation made known to the board if they meet the requirements of the approved monitoring program:

(a) The nurse shall undergo a complete physical and psychosocial evaluation before entering the approved monitoring program. This evaluation will be performed by health care professional(s) with expertise in chemical dependency. The person(s) performing the evaluation shall not also be the provider of the recommended treatment.

(b) The nurse shall enter into a contract with the approved substance abuse monitoring program to comply with the requirements of the program which shall include, but not be limited to:

(i) The nurse will undergo intensive substance abuse treatment in an approved treatment facility.

(ii) The nurse will agree to remain free of all mind-altering substances including alcohol except for medications prescribed by an authorized prescriber as defined in RCW 69.41.030 and 69.50.101.

(iii) The nurse must complete the prescribed aftercare program of the intensive treatment facility, which may include individual and/or group psychotherapy.

(iv) The nurse must cause the treatment counselor(s) to provide reports to the approved monitoring program at specified intervals. Reports shall include treatment prognosis and goals.

(v) The nurse will submit to random drug screening as specified by the approved monitoring program.

(vi) The nurse will attend nurses' support groups facilitated by a nurse and/or twelve step group meetings as specified by the contract.

(vii) The nurse will comply with employment conditions and restrictions as defined by the contract.

(viii) The nurse shall sign a waiver allowing the approved monitoring program to release information to the board if the nurse does not comply with the requirements of this contract.

(c) The nurse is responsible for paying the costs of the physical and psychosocial evaluation, substance abuse treatment and random drug screens.

(3) The treatment and pretreatment records of license holders referred to or voluntarily participating in approved monitoring programs shall be confidential, shall be exempt from RCW 42.17.250 through 42.17.450, and shall not be subject to discovery by subpoena or admissible as evidence except for monitoring records reported to the disciplinary authority for cause as defined in subsections (1) and (2) of this section. Records held by the board under this section shall be exempt from RCW 42.17.250 through 42.17.450 and shall not be subject to discovery by subpoena except by the license holder.

### WSR 88-23-036

#### ADOPTED RULES

#### DEPARTMENT OF LICENSING

#### (Board of Nursing)

[Order PM 796—Filed November 9, 1988]

Be it resolved by the Washington State Board of Nursing, acting at Cavanaugh's River Inn, Spokane, Washington, that it does adopt the annexed rules relating to the amending of WAC 308-121-030, 308-121-040, 308-121-050 and 308-121-060; new WAC 308-121-055 and 308-121-070; and repealing WAC 308-121-010 and 308-121-020.

This action is taken pursuant to Notice No. WSR 88-19-117 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 pursuant to RCW 18.52A-.040, 18.52B.070 and 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 October 28, 1988.

By Margaret Auld Bruya  
Chair

#### AMENDATORY SECTION (Amending Order PL-313, filed 9/11/79)

WAC 308-121-030 NURSING ASSISTANT TRAINING PROGRAM CURRICULUM. (1) Board approval of the curriculum as defined herein is required for all nursing assistant training programs.

(a) Evidence that the curriculum as defined herein is included in the nursing assistant training programs shall be submitted to the board (~~on forms provided by the board~~).

(b) (~~For programs conducted in schools and colleges beginning during the months of September, October, and November 1979, board approval may be obtained after the program has begun but in all cases shall be obtained prior to completion.~~

(~~+~~) Changes related to the curriculum shall be submitted to the board for approval thirty days prior to their implementation.

((~~d~~)) (c) Every two years the board shall review with the superintendent of public instruction and the state board for community college education the curricula of nursing assistant training programs conducted by publicly supported schools within the agencies' respective jurisdiction. Upon completion of the review, the board shall approve or disapprove each program.

(2) Curriculum requirements for nursing assistant training program:

(a) The minimum number of contact hours required is ((25)) 32 in classroom and 50 in clinical practice under the supervision of a registered nurse;

(b) Classroom instruction shall include but not be limited to content areas with minimum hours as listed and clinical practice shall focus on the objectives as listed. Exceptions shall be justified to and approved by the board; and

(c) Specific references shall be made to federal and state laws and regulations affecting nursing assistant practice in nursing homes.

(3) Classroom instruction shall stress total care of the resident and consist of:

(a) Role responsibility – 3 hours:

- (i) Ethical;
- (ii) Legal;
- (iii) Member of the health care team; and
- (iv) Resident's rights and responsibilities.

(b) Safety concepts – 4 hours:

- (i) Medical aseptic technique including isolation;
- (ii) Environment;
- (iii) Body mechanics;
- (iv) Transfer and ambulation;
- (v) Restraints and other protective devices;
- (vi) Fire and disaster; and
- (vii) Food service.

(c) Communications – 4 hours:

- (i) Psychosocial needs:
  - (A) Verbal and nonverbal communications;
  - (B) Modifications for the handicapped; and
  - (C) Overview of programs supporting treatments for mental and physical limitations;

- (ii) Medical and nursing terminology; and

- (iii) Recording and reporting.

(d) Hygiene and restorative nursing care – 5 hours:

- (i) Personal hygiene;
- (ii) Activities of daily living;
- (iii) Nutrition;
- (iv) Excretory system;
- (v) Bladder and bowel retraining; and
- (vi) Preventive maintenance and rehabilitative measures.

(e) Growth and development – 5 hours:

- (i) Basic needs;
- (ii) Developmental needs;
- (iii) Cultural factors;
- (iv) Process of aging including sexuality; and
- (v) Death and dying.

(f) Monitoring body functions – 4 hours:

- (i) Vital signs;

- (ii) Height and weight;

- (iii) Intake and output; and

- (iv) Specimen collection and testing.

(g) AIDS education and training – 7 hours:

- (i) Epidemiology;

- (ii) Pathophysiology;

- (iii) Infection control guidelines;

- (iv) Testing and counseling;

- (v) Legal and ethical issues;

- (vi) Medical records;

- (vii) Clinical manifestations and diagnosis;

- (viii) Treatment and disease management; and

- (ix) Psychosocial and special group issues.

(4) Objectives of the supervised clinical practice shall describe in measurable terms the competencies of the graduate which include the following:

(a) Incorporation of role responsibilities by:

- (i) Utilizing ethical/legal concepts in relation to self, health team members, residents and significant others;

- (ii) Maintaining confidentiality of information;

- (iii) Identifying administrative lines and reporting problems to the appropriate person;

- (iv) Identifying range and limitation of nursing assistant functions:

- (v) Accepting responsibility for own actions;

- (vi) Demonstrating promptness and dependability;

- (vii) Seeking assistance when unsure about appropriate action;

- (viii) Participating as a member of the health care team which includes the development and updating of resident care plans; and

- (ix) Utilizing the concept of the "Patient's bill of rights and responsibilities" in resident relationships.

(b) Demonstration of knowledge of safety concepts by:

- (i) Utilizing principles of medical asepsis and ((~~isolation~~)) infection control techniques;

- (ii) Providing adequate ventilation, warmth, light and quiet measures:

- (iii) Utilizing measures that relieve pain and/or promote rest and sleep;

- (iv) Maintaining equipment and resident space clean and orderly;

- (v) Identifying and utilizing measures for accident prevention;

- (vi) Applying principles of body mechanics to self;

- (vii) Applying principles of body mechanics in transfers and ambulation of residents;

- (viii) Demonstrating proper application and release of restraints and other protective devices and care of residents in protective devices;

- (ix) Demonstrating knowledge of fire and disaster procedures; and

- (x) Applying principles of health and sanitation in the service of food.

(c) Demonstration of appropriate communication skills by:

- (i) Listening and responding to verbal and nonverbal communication;

- (ii) Recognizing that one's own behavior influences resident's behavior;

- (iii) Seeking assistance in understanding resident's behavior;

(iv) Making adjustments for physical or mental limitations;

(v) Using terminology accepted in employing nursing home to record and report observations and pertinent information;

(vi) Recording and reporting observations, activities and communications accurately; and

(vii) Reading and documenting implementation of nursing orders.

(d) Demonstration of knowledge of hygiene and restorative nursing care by:

(i) Providing personal hygiene measures appropriately;

(ii) Utilizing measures that promote good skin care including the use of anti-pressure procedures and devices;

(iii) Carrying out preventive maintenance and rehabilitative measures such as therapeutic ambulation, exercise, range of motion and bed positioning in daily care;

(iv) Recognizing and allowing opportunity for self-care according to resident's capability;

(v) Assisting in the provision of adequate nutrition including fluid intake and progressive self feeding;

(vi) Identifying and monitoring special dietary needs;

(vii) Following correct procedures to aid adequate elimination from bladder and bowel;

(viii) Demonstrating an understanding of the concepts of bladder and bowel retraining; and

(ix) Making adjustments for physical or mental limitations.

(e) Demonstration of knowledge of growth and development concepts by:

(i) Identifying common basic human needs;

(ii) Assisting in the provision for religious needs;

(iii) Recognizing the resident's family as an influence on behavior and care;

(iv) Identifying developmental tasks of aging;

(v) Identifying cultural factors that may influence behavior;

(vi) Describing the body responses, including sexuality, in the normal life cycle;

(vii) Describing responses to loss, dying and death; and

(viii) Demonstrating knowledge of post-mortem care.

(f) Demonstration of accurate monitoring of body functions in:

(i) Taking vital signs, height and weight and measuring intake and output;

(ii) Collecting specimens such as sputum, urine, and stool, and testing where appropriate; and

(iii) Recognizing and reporting deviations from normal limits.

#### AMENDATORY SECTION (Amending Order PL-313, filed 9/11/79)

WAC 308-121-040 NURSING ASSISTANT TRAINING PROGRAMS CONDUCTED BY NURSING HOMES. (1) Board approval required for noncurriculum matters in nursing assistant training programs conducted by nursing homes.

(a) All nursing homes shall apply to the board for approval before conducting a training program leading to

certification. Application forms shall be provided by the board.

(b) Evidence that the requirements for the curriculum as defined in WAC 308-121-030 and the noncurriculum matters as defined herein have been met shall be submitted to the board on forms provided upon request at least ninety days prior to the first day of class.

(c) The nursing home shall be notified of the board action regarding approval or disapproval with deficiencies noted within sixty days of receipt of request for board approval

(d) Board approval must be obtained before the training program begins.

(e) Changes related to the following requirements in an approved program shall be submitted to the board for approval prior to their implementation.

(f) Every two years the board shall review the nursing assistant training programs conducted by nursing homes. Upon completion of the review, the board shall approve or disapprove each program.

(2) Requirements for noncurriculum matters for nursing assistant training programs conducted by nursing homes:

(a) Philosophy, objectives.

(i) The philosophy of the program shall be in writing and shall clearly indicate the belief of the nursing home about education, training and its responsibility to trainees.

(ii) The objectives of the program shall be clearly stated and shall identify in measurable terms the competencies of its trainees completing the program.

(b) Organization.

(i) The program shall be conducted by a licensed nursing home.

(ii) The nursing home conducting the training program shall have an organizational chart showing lines of authority and cooperative relationships of the program with administration, other departments and agencies.

(iii) Where clinical facilities are used outside the nursing home conducting the program, a letter of agreement identifying the responsibilities of the training program and the clinical facility signed by the program director and administrator respectively, shall be kept on file with the nursing home conducting the program.

(c) Facilities and resources.

(i) Physical facilities for teaching shall be provided to meet the needs of the program, the number of trainees and the instructional staff.

(ii) Resources for planned learning experiences shall provide quality and variety to meet the objectives of the program.

(iii) Clinical facilities used for trainees shall meet the requirements contained in WAC 248-14-240 and 248-14-260 as now existing or hereafter amended.

(d) Instructional staff.

(i) The program director shall be a registered nurse licensed by the state of Washington with a minimum of two years of nursing practice within the last five years.

(ii) All nurses on the instructional staff shall be currently licensed in the state of Washington.

(iii) The instructional staff nurses may delegate to other licensed nursing staff selected elements of clinical



practice, however, they shall be available on site for supervisory consultation.

(iv) Other instructional staff may include qualified specialists teaching in their area of expertise.

(v) Instructional staff responsibilities shall include:

(A) Creating and maintaining an environment conducive to teaching and learning;

(B) Assisting in the development and implementation of program policies and approved curriculum;

(C) Facilitating teaching and program evaluation and revision.

(vi) Instruction staff/trainee ratio shall have ten as the maximum number of trainees in the clinical practice area for which an instructor shall be responsible at any one time. Exceptions shall be justified to and approved by the board.

(e) Curriculum. The curriculum shall include but not be limited to the content and objectives as listed in WAC 308-121-030.

(f) Trainees.

(i) Requirements for admission:

(A) Trainees must be able to communicate in English.

(B) Trainees shall be registered as nursing assistants with the state of Washington under the provisions of chapter 18.52B RCW.

(ii) Requirements for completion: Trainees complete the program when the competencies as listed in WAC 308-121-030 are satisfactorily demonstrated to the instructional staff and verified by the program director.

(g) Records and reports.

~~((f))~~ The nursing home conducting the program shall provide for the safe maintenance of records for a ten-year period which include:

~~((A))~~ (i) Program director and instructional staff qualifications;

~~((B))~~ (ii) Course outline and schedule;

~~((C))~~ (iii) Dates of employment, enrollment, class attendance and completion of program;

~~((D))~~ (iv) Teaching methodology including the number of classroom hours and hours in supervised clinical practice;

~~((E))~~ (v) Evaluation tool for trainee performance based on the competencies defined in WAC 308-121-030;

~~((F))~~ (vi) Documentation of board approval of program; and

~~((G))~~ (vii) A copy of the ((certificate)) verification of completion.

~~((ii) A roster of nursing assistants issued certificates of completion verified by the program director shall be submitted to the board on forms provided by the board within thirty days of issuance:))~~

#### AMENDATORY SECTION (Amending Order PL-313, filed 9/11/79)

WAC 308-121-050 NURSING ASSISTANTS TRAINED IN PROGRAMS NOT SPECIFIED IN WAC 308-121-030 AND 308-121-040. (1) Any nursing assistant who has completed a nursing assistant

training program not specified in WAC 308-121-030 and 308-121-040 may be issued a ((certificate)) verification of completion by a nursing home when ~~((the following conditions are met:~~

~~((a))~~ the curriculum of the training program has been verified as comparable to the curriculum defined in WAC 308-121-030 by the nursing home staff development designee defined in WAC 248-14-245; and

~~((b)) The verification has been submitted to and approved by the board on forms provided by the board:))~~

(2) These programs may include but shall not be limited to:

(a) ~~((Programs conducted or in progress from June 7, 1979 to the effective date of this rule;~~

~~((b))~~ Basic nursing courses completed ~~((since 1976))~~ in schools of nursing approved pursuant to chapters 18.88 and 18.78 RCW;

~~((c))~~ (b) Programs conducted in other states; and

~~((d))~~ (c) Apprenticeship programs approved under chapter 49.04 RCW.

#### NEW SECTION

WAC 308-121-055 NURSING ASSISTANTS TRAINED IN APPROVED PROGRAMS. Any nursing assistant who has previously completed a nursing assistant program specified in WAC 308-121-030 and 308-121-040 must provide documentation of completion of the approved program and registration as a nursing assistant.

#### AMENDATORY SECTION (Amending Order PL-313, filed 9/11/79)

WAC 308-121-060 ISSUING ~~((CERTIFICATES))~~ VERIFICATION OF COMPLETION. (1) Any nursing assistant employed by a nursing home who has satisfactorily completed a nursing assistant training program or the equivalent as provided in these rules shall be issued a ((certificate)) verification of completion.

(2) A copy of the ((certificate)) verification of completion shall be maintained in the employing nursing home.

#### NEW SECTION

WAC 308-121-070 REGISTRATION OF NURSING ASSISTANTS. All nursing assistants employed by a nursing home after October 15, 1988, shall be registered with the department of licensing. All nursing assistants newly employed by a nursing home after October 15, 1988, shall be required to submit a registration form and fee to the department of licensing within three days of employment. A nursing assistant-registered may assist in the care of patients under the direction and supervision of a licensed registered nurse or licensed practical nurse, provided that a nursing home shall not assign a nursing assistant to provide resident care until the assistant has demonstrated skill necessary to perform assigned duties and responsibilities.

## WSR 88-23-037

## ADOPTED RULES

## DEPARTMENT OF LICENSING

[Order TL/RG 46—Filed November 9, 1988]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 308-56A-465 Certificate of title—Motor vehicles.  
Amd WAC 308-58-020 Reporting destroyed vehicles.

This action is taken pursuant to Notice No. WSR 88-19-113 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 director of the Department of Licensing as authorized in RCW 46.01.110.

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 7, 1988.

By Mary Faulk  
Director

AMENDATORY SECTION (Amending Order MV 142, filed 8/28/72)

WAC 308-58-020 METHOD OF REPORTING DESTRUCTION. An insurance company settling a claim for a destroyed vehicle will report such settlement by one of two methods:

(1) If the title comes into the insurer's possession in the course of a settlement with a first or third party claimant, the title will be forwarded to the department of ~~((motor vehicles))~~ licensing within ~~((ten))~~ five days. The insurer will type or print on the title, the name and address of the insurer, a notation "DESTROYED" or, in the event the vehicle is a total loss under the definitions contained in WAC 308-58-010, but in the opinion of the insurer may be repaired at a cost not to exceed sixty percent of its fair market value if repaired, a notation "TOTAL COST OF REPAIR LESS THAN SIXTY PERCENT," and the approximate date of destruction. The requested information will be placed on the title in such a manner as not to obscure any of the printed matter on the title itself. The title, with the information thereon, will be mailed to the Vehicle Records Section, Department of ~~((Motor Vehicles))~~ Licensing, Olympia, Washington 98504.

(2) If the destroyed vehicle and its title do not come into the insurer's possession, the insurer will report the fact of settlement within ~~((ten))~~ five days of settlement on a form to be supplied by the department of ~~((motor vehicles))~~ licensing. The report will include the following information:

- (a) Year, make, series and body style of vehicle;
- (b) License plate number, last year of registration and name of state in which registered;

(c) Registered and legal owner's name and address, if known;

(d) Cause of damage;

(e) Whether vehicle is repairable (A vehicle should be considered repairable only if its cost of repair would not exceed sixty percent of its fair market value if repaired.);

(f) Date of sale and amount of sale;

(g) Name and address of purchaser and whether he is the assured, private party, salvage buyer, auto wrecker or fragmentizer;

(h) Name and address of insurance company or adjuster;

(i) Date of report.

In an instance where an insurer does not obtain possession of the title, the registered owner will forward the title to the department of ~~((motor vehicles))~~ licensing within ~~((ten))~~ five days of the destruction of the vehicle. The title will be endorsed by the legal owner to release his interest, if the legal owner is not the same as the registered owner. The registered owner will print or type on the title the word "DESTROYED," the approximate date of destruction and sign the title. The license plates from the vehicle will be surrendered to any office of the department of ~~((motor vehicles))~~ licensing.

The title for a vehicle that has been destroyed, which title has not been surrendered to the department, shall be cancelled. Notice of this cancellation will be mailed to the legal owner of the vehicle by regular mail to his address as shown in the department's vehicle records. The legal owner will promptly return the cancelled title to the department.

AMENDATORY SECTION (Amending Order MV 208, filed 7/31/74)

WAC 308-56A-465 FLEETS. Any application for title by a registered owner having ~~((25))~~ fifteen or more vehicles registered in that name shall be identified as a "fleet" by placing this "fleet owner" identifier symbol on the application. The identifier symbol is issued by the department of ~~((motor vehicles))~~ licensing in Olympia.

## WSR 88-23-038

## ADOPTED RULES

## DEPARTMENT OF LICENSING

(Board of Examiners for Nursing Home Administrators)

[Order PM 791—Filed November 9, 1988]

Be it resolved by the Washington State Board of Examiners for Nursing Home Administrators, acting at Seattle, Washington, that it does adopt the annexed rules relating to the repealing of WAC 308-54-140; amending WAC 308-54-130 and 308-54-170; and new WAC 308-54-162.

This action is taken pursuant to Notice No. WSR 88-19-049 filed with the code reviser on September 14, 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 18.52.100(11) which directs that the Washington State

Board of Examiners for Nursing Home Administrators has authority to implement the provisions of chapter 18.52 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 27, 1988.

By Russell Akiyama  
Vice Chairman  
acting as Chairman

AMENDATORY SECTION (Amending Order PL 407, filed 10/6/82)

WAC 308-54-130 COURSES OF STUDY. A course of study provided to satisfy the continuing education requirement of licensed nursing home administrators must meet the following conditions before approval by the board ~~((can))~~ will be considered:

(1) ~~Such ((program shall qualify as an approved course of instruction as defined in WAC 308-54-140; and))~~ course of study must be registered before being offered;

(2) ~~Such ((program))~~ course of study shall consist of a minimum of ~~((three))~~ one hour~~((s))~~ of organized instruction with the exception of board-approved correspondence courses of study; ~~((and))~~

(3) ~~Such ((program))~~ course of study may include the following general subject areas or their equivalents, and must be oriented to the nursing home administrator and reasonably related to the administrator of nursing homes:

(a) Applicable standards of environmental health and safety

(b) Local health and safety regulations

(c) General administration

(d) Psychology of patient care

(e) Principles of medical care

(f) Personal and social care

(g) Therapeutic and supportive care and services in long-term care

(h) Departmental organization and management

(i) Community inter-relationships; ~~((and))~~

(4) ~~Such ((program))~~ course of study shall issue certificates of attendance or other evidence satisfactory to the board; and

(5) All courses of study for continuing education are subject to board approval.

AMENDATORY SECTION (Amending Order 348, filed 7/1/80)

WAC 308-54-170 TEMPORARY PERMITS. (1) Upon the director's receipt of the ~~((annual fee and the))~~ application and temporary permit fees, a temporary permit may be issued by the director under ~~((certain unusual circumstances))~~ the criteria, circumstances, and requirements, stated in this section, and without examination, for a period up to six months. ~~((No more than three consecutive permits shall be issued to one person.))~~

Such permits shall be subject to confirmation ~~((or))~~, rescission, or modification by order of the board upon review at the next board meeting. A person holding a temporary permit shall work closely with the representative of the board. A permit holder shall not be eligible for a subsequent permit and such permit shall terminate upon the holder being advised of the licensure examination results. A temporary permit shall be valid only for the specific facility for which it is issued and shall terminate upon the permit holder's departure from the facility unless otherwise approved by the board. An applicant shall meet all of the following criteria:

(a) Be currently licensed and in good standing as a nursing home administrator in another state.

(b) Have passed the national examination with an equivalent score of 75% or better. Applicants licensed prior to the existence of the national examination will be individually reviewed.

(c) The applicant is otherwise eligible for the licensure examination in this state and has met the requirements and applied for the next scheduled examination.

(d) Have a written agreement for consultation with a Washington state licensed nursing home administrator, which is subject to review by the board at its next regularly scheduled meeting.

(e) The foregoing provisions of (a) and (b) of this subsection shall not apply in the case of an administrator of a religious care facility described in RCW 18.51.170 and acting under a limited license described in RCW 18.52.070(3).

~~(2) ((A person holding a temporary permit shall work closely with the executive secretary of the board. This working relationship shall involve written arrangements for consultation by a licensed administrator, subject to review by the board at the next regularly scheduled meeting.))~~ The following circumstances will be considered for the issuance of a temporary permit:

(a) There is a specific vacancy due to the departure of the nursing home administrator from a facility which creates an undue hardship.

(b) Illness of the current nursing home administrator of the facility which prevents such person from performing his/her duties.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-54-140 APPROVAL OF COURSES OF STUDY.

NEW SECTION

WAC 308-54-162 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS.

(1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective January 1, 1989 persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

(3) Renewal of licenses. Effective with the renewal period beginning January 1, 1989 all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4). Persons whose 1989 license expires on or before March 31, 1989 will, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.

(4) AIDS education and training.

(a) Acceptable education and training. The director will accept education and training that is consistent with the model curriculum available from the Office on AIDS. Such education and training shall be a minimum of seven clock hours and shall include, but is not limited to, the following: etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective January 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The 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 88-23-039

#### NOTICE OF PUBLIC MEETINGS EDMONDS COMMUNITY COLLEGE

[Memorandum—November 9, 1988]

Thursday, November 17, 1988  
Lynnwood Hall, Room 424

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

#### WSR 88-23-040 PROPOSED RULES BOARD OF PHARMACY [Filed November 9, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning the practice of pharmacy and the distribution of drugs including:

Rep	WAC 360-16-250	Patient information required.
New	WAC 360-16-251	Patient information required.
New	WAC 360-36-500	Controlled substance reporting;

that the agency will at 10:00 a.m., Wednesday, November 16, 1988, in the Highline Community College Gold Room, South 240th and Pacific Highway South, Midway, Washington, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.64.005.

The specific statute these rules are intended to implement is RCW 18.64.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-19-075 filed with the code reviser's office on September 19, 1988.

Dated: November 8, 1988

By: John H. Keith

Assistant Attorney General

Board Counsel

#### WSR 88-23-041 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Institutions) [Filed November 9, 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 alcohol and drug treatment facilities, amending chapter 275-19 WAC;

that the agency will at 10:00 a.m., Tuesday, January 10, 1989, in the Auditorium, OB-2, 12th and Franklin, Olympia; and at 10:00 a.m., January 12, in the Criminal Justice Training Center, 2450 South 142nd Street, Room 602, Seattle; and at 10:00 a.m., January 18, at the Health Department, West 1101 College Avenue, Room 140 Auditorium, Spokane; and at 10:00 a.m., January 19, Region 2, DSHS Office, 1002 North 16th Avenue, 2nd Floor, Yakima; conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 20, 1989.

The authority under which these rules are proposed is RCW 69.54.040 and 70.96A.090.

The specific statute these rules are intended to implement is RCW 69.54.040 and 70.96A.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 10, 1989.

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 December 20, 1988. The meeting site is in a location which is barrier free.

Dated: November 9, 1988

By: Leslie F. James, Director  
Administrative Services

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Revision to chapter 275-19 WAC.

Purpose of the Rule or Rule Change: To update chapter 275-19 WAC to correspond to the changes in the chemical dependency field, to clarify obscure language and remove redundant administrative codes.

Reason(s) These Rules are Necessary: To implement ESHB 9999.

Statutory Authority: Chapters 69.54 and 70.96A RCW.

Summary of the Rule Change: Replace separate alcohol and drug abuse counselor requirements with a single chemical dependency counselor requirement; replace separate alcohol and drug treatment services with a single, combined alcohol and drug treatment services; and clarify the language of several sections and rearranging and combining some sections and removing duplication where possible to ease compliance and monitoring.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: David Curts, Program Manager, Bureau of Alcohol and Substance Abuse, phone 753-5866, mailstop OB-44W.

Person or Organization who Proposed These Rules: [No information supplied by agency.]

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

Reviser's note: The material contained in this filing will appear in the 88-24 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 88-23-042

NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF INFORMATION SERVICES  
(Information Services Board)  
[Memorandum—November 9, 1988]

The November 17, 1988, ISB meeting has been cancelled.

INFORMATION SERVICES BOARD TENTATIVE MEETING  
SCHEDULE FOR 1989

DATE	TIME	PLACE
January 26, 1989	1:30 p.m.	Olympia
March 23, 1989	1:30 p.m.	Olympia
May 25, 1989	1:30 p.m.	Olympia
July 27, 1989	1:30 p.m.	Olympia
September 28, 1989	1:30 p.m.	Olympia
November 16, 1989	1:30 p.m.	Olympia

WSR 88-23-043

PROPOSED RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION

[Filed November 10, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to alternate operator services, WAC 480-120-021, 480-120-041, 480-120-106 and 480-120-141. The proposed sections are shown below as Appendix A, Docket No. U-88-1882-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed sections on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:00 a.m., Wednesday, January 18, 1989, in the Commission's Hearing Room, Second Floor, 1300 South Evergreen Park Drive S.W., 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 80.01.040 and chapter 91, Laws of 1988.

The specific statute these rules are intended to implement is chapter 91, Laws of 1988.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 23, 1988.

Dated: November 10, 1988

By: Ernest Heller  
for Paul Curl  
Acting Secretary

#### STATEMENT OF PURPOSE

In the matter of amending WAC 480-120-021, 480-120-041, 480-120-106 and adopting WAC 480-120-141 relating to alternate operator services.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 and chapter 91, Laws of 1988, which direct that the commission has authority to implement the provisions of chapter 80.36 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to assure appropriate disclosure to consumers of the rates, fees, and charges for services provided by alternative operator service companies.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and chapter 91, Laws of 1988.

The rule change is not necessary as the result of federal law, or federal or state court action.

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

#### APPENDIX "A"

**AMENDATORY SECTION** (Amending Order R-250, Cause No. U-85-58, filed 5/12/86, effective 7/31/86)

**WAC 480-120-021 GLOSSARY.** Alternate operator services company - any corporation, company, partnership, or person providing a connection to intrastate or interstate long-distance or to local services from places including but not limited to, hotels, motels, hospitals, campuses, and customer-owned pay telephones. Alternate operator services companies are those with which a hotel, motel, etc., contracts to provide operator services to its clientele.

**Applicant** - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., applying to the utility for new service or reconnection of discontinued service.

**Automatic dialing-announcing device** - any automatic terminal equipment which incorporates the following features:

- (1)(a) Storage capability of numbers to be called; or
- (b) A random or sequential number generator that produces numbers to be called; and
- (c) An ability to dial a call; and
- (2) Has the capability, working alone or in conjunction with other equipment, of disseminating a prerecorded message to the number called.

**Base rate area or primary rate area** - the area or areas within an exchange area wherein mileage charges for primary exchange service do not apply.

**Central office** - a switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interoffice trunks. (More than one central office may be located in the same building or in the same exchange.)

**Commission** - the Washington utilities and transportation commission.

**Competitive telecommunications company** - a telecommunications company which is classified as such by the commission pursuant to RCW 80.36.320.

**Competitive telecommunications service** - a service which is classified as such by the commission pursuant to RCW 80.36.330.

**Customer** - user not classified as a subscriber.

**Exchange** - a unit established by a utility for communication service in a specific geographic area, which unit usually embraces a city, town or community and its environs. It usually consists of one or more central offices together with the associated plant used in furnishing communication service to the general public within that area.

**Exchange area** - the specific area served by, or purported to be served by an exchange.

**Farmer line** - outside plant telephone facilities owned and maintained by a subscriber or group of subscribers, which line is connected with the facilities of a telecommunications company for switching service. (Connection is usually made at the base rate area boundary.)

**Farmer station** - a telephone instrument installed and in use on a farmer line.

**Interexchange telecommunications company** - a telecommunications company, or division thereof, that does not provide basic local service.

**Outside plant** - the telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between the central office and subscribers' locations or between central offices.

**Station** - a telephone instrument installed for the use of a subscriber to provide toll and exchange service.

**Subscriber** - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., supplied with service by any utility.

**Toll station** - a telephone instrument connected for toll service only and to which message telephone toll rates apply for each call made therefrom.

**Utility** - any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any telephone plant within the state of Washington for the purpose of furnishing telephone service to the public for hire and subject to the jurisdiction of the commission.

**AMENDATORY SECTION** (Amending Order R-242, Cause No. U-85-56, filed 11/7/85)

**WAC 480-120-041 AVAILABILITY OF INFORMATION.** Each utility shall make known to applicants for service and to its subscribers such information as is needed to assist in obtaining adequate and efficient service.

Information relative to the rates, and rules and regulations (filed tariffs and/or price lists) of the telecommunications company shall be made available to the public upon request and at any of its listed business offices. In addition, each telecommunications company shall publish in its directory a consumer information guide which details the rights and responsibilities of a utility customer. Such guide shall describe processes for establishing credit and determining the need and amount for deposits, the procedure whereby a bill becomes delinquent, the steps which must be taken by the utility to disconnect service, and the right of the customer to pursue any dispute with the utility first by procedures within the utility and then to the commission by formal or informal complaint.

A copy of these rules (chapter 480-120 WAC) shall also be kept on file in each of the utility's listed business offices and made available to its subscribers or their representatives upon request.

**AMENDATORY SECTION** (Amending Order R-233, Cause No. U-85-35, filed 8/23/85)

**WAC 480-120-106 FORM OF BILLS.** Bills to subscribers shall be rendered regularly and clearly list all charges. Each bill shall indicate the date it becomes delinquent and notice of means by which a subscriber can contact the nearest business office of the utility.

The portion of a bill rendered by the local exchange company on behalf of itself and other companies shall clearly specify the provider of the service or its authorized billing agent, and a toll free telephone number the consumer can call to question that portion of the bill and, if appropriate, receive credit. Consumers requesting an address where they can write to question that portion of the bill shall be provided that information.

A local exchange company shall not provide billing and collection services for telecommunications service to any company not properly registered to provide service within the state of Washington, except to

a billing agent that certifies to the local exchange carrier that it will submit charges only on behalf of properly registered companies.

All bills for telephone service shall identify and set out separately any access or other charges imposed by order of or at the direction of the Federal Communications Commission. In addition, all bills for telephone service within jurisdictions where taxes are applicable will clearly delineate the amount, or the percentage rate at which said tax is computed, which represents municipal occupation, business and excise taxes that have been levied by a municipality against said utility, the effect of which is passed on as a part of the charge for telephone service.

Subscribers requesting by telephone, letter or office visit an itemized statement of all charges shall be furnished same. An itemized statement is meant to include separately, the total for exchange service, mileage charges, taxes, credits, miscellaneous or special services and toll charges, the latter showing at least date, place called and charge for each call. In itemizing the charges of information providers, the utility shall furnish the name, address, telephone number and toll free number, if any, of such providers. Any additional itemization shall be at a filed tariff charge.

Upon a showing of good cause, a subscriber may request to be allowed to pay by a certain date which is not the normally designated payment date. Good cause shall include, but not be limited to, adjustment of the payment schedule to parallel receipt of income. A utility may be exempted from this adjustment requirement by the commission.

**NEW SECTION**

**WAC 480-120-141 ALTERNATE OPERATOR SERVICES.** All telecommunications companies providing alternate operator services shall conform to this and all other rules relating to telecommunications companies not specifically waived by order of the commission. Alternate operator services companies (AOS) are those with which a hotel, motel, hospital, prison, campus, customer-owned pay telephone, etc., contracts to provide operator services to its clientele.

For purposes of this section the "consumer" means the party billed for the completion of an interstate/intrastate or local call. "Customer" means the hotel, motel, hospital, prison, campus, customer-owned pay telephone, etc., contracting with an AOS for service.

(1) An alternate operator services company shall require, as a part of the contract with its customer, that the customer:

(a) Post on the telephone instrument in plain view of anyone using the telephone, in eight point **Stymie Bold** type, the following notice:

**SERVICES ON THIS INSTRUMENT MAY BE PROVIDED AT RATES THAT ARE HIGHER THAN NORMAL. YOU HAVE THE RIGHT TO CONTACT THE OPERATOR FOR INFORMATION REGARDING CHARGES BEFORE PLACING YOUR CALL. INSTRUCTIONS FOR DIALING THROUGH THE LOCAL TELEPHONE COMPANY ARE ALSO AVAILABLE FROM THE OPERATOR**

(b) Post and maintain in legible condition on or near the telephone:

(i) The name of the alternate operator services company, as registered with the commission;

(ii) Dialing directions so that a consumer may reach the AOS operator so as to receive specific rate information; and

(iii) Dialing directions to allow the consumer to access all telecommunications providers available through the public network and to make it clear that the consumer has access to the other providers.

(2) The alternate operator services company shall:

(a) Identify the AOS company providing the service or its authorized billing agent at the beginning of every call, including those handled automatically; and

(b) Provide to the local exchange company such information as may be necessary for billing purposes, as well as an address and toll free telephone number for consumer inquiries.

(3) The alternate operator services company shall assure that consumers are not billed for calls which are not completed. For billing purposes, calls shall be itemized, identified, and rated from the point of

origination to the point of termination. No call shall be transferred to another carrier by an AOS which cannot or will not complete the call, unless the call can be billed in accordance with this subsection.

(4) For purposes of emergency calls, every alternate operator services company shall have the following capabilities:

(a) Automatic identification at the operator's console of the location from which the call is being made;

(b) Automatic identification at the operator's console of the correct telephone numbers of emergency service providers that serve the telephone location, including but not limited to, police, fire, ambulance, and poison control;

(c) Automatic ability at the operator's console of dialing the appropriate emergency service with a single keystroke;

(d) Ability of the operator to stay on the line with the emergency call until the emergency service is dispatched.

No charge shall be imposed on the caller from the telephone company or the alternate operator services company for the emergency call.

If the alternate operator services company does not possess these capabilities, all calls in which the caller dials zero (0) and no other digits within five seconds shall be routed directly to the local exchange company operator, or to an entity fully capable of complying with these requirements. AOS companies lacking sufficient facilities to provide such routing shall cease operations until such time as the requirements of this section are met.

(5) Consumer complaints and disputes shall be treated in accordance with WAC 480-120-101, Complaints and disputes.

(6) Charges billed to a credit card company (e.g., American Express or Visa) need not conform to the call detail requirements of this section. However, the AOS shall provide consumers with specific call detail in accordance with WAC 480-120-106 upon request.

**WSR 88-23-044**

**NOTICE OF PUBLIC MEETINGS  
EASTERN WASHINGTON UNIVERSITY**

[Memorandum—November 3, 1988]

Following is the meeting schedule of the EWU board of trustees for the 1989 calendar year.

All meetings are scheduled for Thursdays at 9:00 a.m.

January 26	Pence Union Building	Cheney
February 23	EWU Spokane Center	West 705 First
March 23	Pence Union Building	Cheney
April 27	EWU Spokane Center	West 705 First
May 25	Pence Union Building	Cheney
June 22	EWU Spokane Center	West 705 First
July 27	Pence Union Building	Cheney
September 28	EWU Spokane Center	West 705 First
October 26	Pence Union Building	Cheney
December 7	EWU Spokane Center	West 705 First

**WSR 88-23-045**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
(Hazardous Materials Advisory Committee)**

[Memorandum—November 8, 1988]

A Washington State Hazardous Materials Advisory Committee meeting will be held from 1:30 p.m. to 3:30 p.m. on December 8, 1988, at the Angle Lake Fire Station, 2929 South 200th, Seattle, Washington.

WSR 88-23-046  
ADOPTED RULES  
DEPARTMENT OF WILDLIFE  
(Wildlife Commission)  
[Order 320—Filed November 10, 1988]

Be it resolved by the State Wildlife Commission, acting at Aberdeen, Washington, that it does adopt the annexed rules relating to classification of game fish, amending WAC 232-12-019.

This action is taken pursuant to Notice No. WSR 88-19-125 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 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 28, 1988.

By Dr. James M. Walton  
Chairman, Wildlife Commission

AMENDATORY SECTION (Amending Order 218, filed 10/6/83)

WAC 232-12-019 CLASSIFICATION OF GAME FISH. As provided in RCW 77.12.020 and in addition to those species identified in RCW 77.08.020 the following species of the class Osteichthyes are classified as game fish:

Scientific Name	Common Name
Salvelinus confluentus	Bull Trout
Esox lucius	Northern Pike
<u>and hybrids involving genus Esox</u>	<u>Tiger Muskellunge</u>

WSR 88-23-047  
ADOPTED RULES  
DEPARTMENT OF WILDLIFE  
(Wildlife Commission)  
[Order 321—Filed November 10, 1988]

Be it resolved by the State Wildlife Commission, acting at the Nordic Inn, 1700 South Boone Street, Aberdeen, WA 98520, that it does adopt the annexed rules relating to 1988-89 upland game bird and migratory waterfowl seasons, amending WAC 232-28-412.

This action is taken pursuant to Notice No. WSR 88-19-124 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 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 28, 1988.

By Dr. James M. Walton  
Chairman, Wildlife Commission

AMENDATORY SECTION (Amending Order 318, filed 8/22/88)

WAC 232-28-412 1988-89 UPLAND GAME BIRD AND MIGRATORY WATERFOWL SEASONS.

Reviser's note: The text and accompanying pamphlet comprising the 1988-89 Upland game bird and migratory waterfowl seasons adopted 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 88-23-048  
EMERGENCY RULES  
DEPARTMENT OF FISHERIES  
[Order 88-169—Filed November 10, 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 chum destined for the Nooksack-Samish region of origin. Openings in Areas 8A, 10, 11, 12 and 12B provide opportunity to harvest non-Indian allocation of Puget Sound chum. The restrictions in Areas 8A and 10 are necessary to reduce harvest impacts on local chum stocks. The restriction in Area 12B is 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 November 10, 1988.

By Edward P. Manary  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-47-930 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday November 13 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 6-inch minimum mesh may fish from 3:00 PM Monday November 14 to 9:00 AM Tuesday November 15, and from 3:00 PM Tuesday November 15 to 9:00 AM Wednesday November 16, and from 3:00 PM Wednesday November 16 to 9:00 AM Thursday November 17, and from 3:00 PM Thursday November 17 to 9:00 AM Friday November 18, and Purse seines may fish from 5:00 AM to 8:00 PM Tuesday November 15, and from 5:00 AM to 8:00 PM Wednesday November 16, and from 5:00 AM to 8:00 PM Thursday November 17, and from 5:00 AM to 4:00 PM Friday November 18.
- \* Area 8A - Gill nets using 6-inch minimum mesh may fish from 6:00 AM to 12:00 Noon Monday November 14, and Purse seines using the 5-inch strip may fish from 12:00 Noon to 6:00 PM Monday November 14. 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.
- \* Areas 10 and 11 - Gill nets using 6-inch minimum mesh may fish from 6:00 AM to 12:00 Noon Monday November 14, and from 6:00 PM Monday November 14 to 9:00 AM Tuesday November 15, and from 3:00 PM Tuesday November 15 to 9:00 AM Wednesday November 16th, and Purse seines using the 5-inch strip may fish from 12:00 Noon to 6:00 PM Monday November 14, and from 5:00 AM to 8:00 PM Tuesday November 15, and from 5:00 AM to 8:00 PM Wednesday November 16. This area 10 opening excludes those waters west of a line projected 178 degrees true from: the light at

the end of the Indianola Dock to the landfall on the south shore of Port Madison.

- \* Areas 12 and 12B - Gill nets using 6-inch minimum mesh may fish from 6:00 AM to 12:00 Noon Monday November 14, and Purse seines using the 5-inch strip may fish from 12:00 Noon to 6:00 PM Monday November 14. 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, 8, 8D, 9, 9A, 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 12:01 AM Sunday November 13:

WAC 220-47-929 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-168)

WSR 88-23-049

ADOPTED RULES

DEPARTMENT OF LICENSING

[Order PM 790—Filed November 14, 1988]

I, Mary G. Faulk, director of the Department of Licensing, do promulgate and adopt at the Westwater Inn, Olympia, Washington, the annexed rules relating to the amending of WAC 308-128D-020, 308-128D-040 and 308-128D-060.

This action is taken pursuant to Notice No. WSR 88-18-084 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 18.44.320 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 Mary G. Faulk  
Director

AMENDATORY SECTION (Amending Order RE 122 [PM 763], filed 9/21/77 [9/9/88])

WAC 308-128D-020 REQUIRED RECORDS. Escrow agents shall be required to keep the following transaction records as a minimum; and all records except the reconciled bank statements, shall identify the transaction to which they pertain:

- (1) Trust account records.
- (a) Duplicate receipt book recording all receipts;

(b) Prenumbered checks (~~(with check register or check stubs)~~);

(c) Trust account receipt and disbursement records;

(d) Duplicate bank deposit slips, either validated by the bank or bearing the signature of the designated escrow officer and the date of actual deposit;

~~((d))~~ (e) Client's ledger containing an individual ledger sheet for each transaction(;

~~(e) Reconciled bank statements and cancelled checks for all bank accounts);~~ PROVIDED HOWEVER, That for computerized record systems, an individual ledger sheet need not be maintained in the transaction files until the closing of the transaction if the computer records demonstrate on a daily basis the status of the transaction funds.

(2) Other records.

(a) A transaction file shall be maintained to contain all agreements, contracts, documents, leases, escrow instructions, closing statements and correspondence for each transaction;

(b) Reconciled bank statements and cancelled checks for all bank accounts of the escrow agent.

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

**Reviser's note:** The unnecessary underscoring 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 RE 122, filed 9/21/77)

WAC 308-128D-040 AGREEMENTS AND CLOSINGS. The escrow agent shall be responsible for the effecting and closing of escrow agreements between the principal parties. The agent shall as a minimum:

(1) Prepare or accept an instrument of escrow instructions ((between)) among each principal and the agent based upon a written agreement signed by the principals. The escrow instructions shall not be modified except by written agreement signed by the principals and accepted by the agent.

(2) Require an addendum to the purchase agreement for any and all material changes in the terms of the transaction, including but not limited to, changes in the financing of the transaction.

(3) Provide the services and perform all acts pursuant to the escrow instructions.

~~((3))~~ (4) Provide a complete detailed closing statement as it applies to each principal at the time the transaction is closed. The agent shall retain a copy of all closing statements, even though funds are not handled by the agent, in the transaction file. The closing statements shall show:

(a) The date of closing.

(b) The total purchase price.

(c) An itemization of all adjustments, monies or things of value received or paid.

(d) To whom each item is debited and/or credited.

(e) Date each adjustment was made.

(f) Names of payees, makers and assignees of all notes paid, made or assumed.

(g) Pay the net proceeds of sale directly to the seller unless otherwise provided in writing by the seller or a court of competent jurisdiction.

(h) Obtain original signatures of the principals on either the preliminary or final closing statement and maintain a copy of the signed closing statement in the transaction file.

#### AMENDATORY SECTION (Amending Order RE 122, filed 9/21/77)

WAC 308-128D-060 DISBURSEMENT OF FUNDS. Disbursement of any money or other items in violation of the trust or before the happening of the conditions of the escrow agreement or escrow instructions is a violation of RCW 18.44.260(5). If the ownership of the funds is in dispute or is unclear based on the written agreement of the parties, the escrow agent may interplead the funds into a court of competent jurisdiction pursuant to chapter 4.08 RCW.

Funds and other items or documents must be paid and/or disbursed immediately upon closing of the transaction or as specifically agreed to in writing by the principals: PROVIDED, That disbursement of funds may be withheld to allow for checks to clear.

#### WSR 88-23-050

#### PROPOSED RULES

#### SPOKANE COMMUNITY COLLEGES

[Filed November 14, 1988]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Washington Community College District 17 intends to adopt, amend, or repeal rules concerning smoking;

that the institution will at 1:30 p.m., Tuesday, January 17, 1989, in the Board Room, North 2000 Greene Street, Spokane, WA 99207, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before January 10, 1989.

Dated: November 10, 1988

By: Terrance R. Brown  
Chief Executive Officer

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 28B.50.140. Amending chapter 132Q-04 WAC, Rules of student conduct and procedures of enforcement.

The purpose of amending chapter 132Q-04 WAC is to reflect changes in student conduct policies.

Statutory Authority: RCW 28B.50.140.

Person Responsible for Drafting, Implementation and Enforcement of this Rule: Terrance R. Brown, Chief

Executive Officer, Washington Community College District 17, The Community Colleges of Spokane, North 2000 Greene Street, Spokane, WA 99207.

These rules are not necessary as a result of federal laws, federal court decisions, or state court decisions.

**AMENDATORY SECTION** (Amending Order 74-1, filed 9/23/74)

WAC 132Q-04-035 SMOKING. Smoking in district or college facilities shall not be permitted (~~except in designated areas~~). Violation of this section shall be cause for disciplinary action.

**WSR 88-23-051**

**ADOPTED RULES**

**BELLEVUE COMMUNITY COLLEGE**

[Order 97, Resolution No. 182—Filed November 14, 1988]

Be it resolved by the board of trustees of Bellevue Community College, Community College District VIII, acting at 3000 Landerholm Circle S.E., Bellevue, WA 98007, that it does adopt the annexed rules relating to affirmative action policy of Community College District VIII, repealing WAC 132H-148-020 through 132H-148-100; and adopting WAC 132H-148-110.

This action is taken pursuant to Notice No. WSR 88-20-002 filed with the code reviser on [September 22, 1988]. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of Community College District VIII, Bellevue Community College, as authorized in RCW 28B.50.140.

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

APPROVED AND ADOPTED November 8, 1988.

By Richard S. White  
President

**REPEAL OF SECTIONS** (Repealing Order 3, filed 9/5/72 [9/19/72])

REPEAL WAC 132H-148-020 through WAC 132H-148-100.

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

**REPEAL OF SECTION** (Repealing Order 36, filed 10/7/75 [10/10/75])

REPEAL WAC 132H-148-040

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

**NEW [SECTION]**

WAC 132H-148-110 EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION POLICY. Bellevue Community College is an equal opportunity employer committed to providing equal opportunity

and nondiscrimination to applicants and employees without regard to race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of any sensory, mental or physical disability or whether a disabled or Vietnam era veteran. The College is equally committed to take affirmative action to increase the numbers of Asians, Blacks, Hispanics, Native Americans, women, and persons between the ages of 40 and 70, persons of disability and disabled and Vietnam era veterans in positions where it is determined they are underutilized. The College will make every effort to eliminate barriers to equal employment opportunity encountered by these protected group members and improve employment opportunities available to underutilized groups. The following are specific goals within the policy: (1) The College will recruit, hire, train and promote individuals in all job classifications solely upon their qualifications and ability or potential ability to do the job, and shall consider race, religion, color, national origin, sex, age, physical, mental or sensory disability or whether a disabled veteran or a veteran of the Vietnam era only when such is a bona fide occupational qualification.

(2) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, social and recreational programs will be administered without regard to race, religion, color, national origin, sex, age, physical or sensory disability, sexual preference or whether a disabled veteran or a veteran of the Vietnam era.

(3) Numerical goals will be set in areas where protected classes are determined to be underutilized. The College will make every good faith effort to meet these goals within the timetables set for them.

(4) The President is charged with the overall responsibility for assuring that the Equal Employment Opportunity/Affirmative Action Policy is administered effectively and is granted the authority to exercise the responsibility. It is incumbent upon each member of the Bellevue Community College faculty, administration, and staff to make a good faith effort in the execution of this policy.

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

**WSR 88-23-052**

**PROPOSED RULES**

**LIQUOR CONTROL BOARD**

[Filed November 14, 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 Beer labels—Certificate of label approval required—(~~Product samples and~~) Labels to be submitted (~~analysis fee~~), amending WAC 314-20-020; that the agency will at 9:30 a.m., Wednesday, December 28, 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 66.28.110 and 66.28.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 28, 1988.

Dated: November 10, 1988

By: L. H. Pedersen  
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-20-020 Beer labels—Certificate of label approval required—(~~Product samples and~~) Labels to be submitted (~~analysis fee~~).

Description of Purpose: To discontinue the requirement that beer [and] wine be analyzed by the board to meet minimum quality standards prior to its being approved for sale in the state.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.28.110 and 66.28.120.

Summary of Rule: The change, as proposed, would eliminate the requirement that the board, prior to approving beer products for sale in the state, perform a chemical analysis of the beer. The change would also eliminate the chemical analysis fee charge. The change adds language that the products must meet commercial standards.

Reasons Supporting Proposed Action: The board has determined that the current analysis procedure does not effectively protect public health or safety but largely measures aesthetic factors. As such it has been determined to replace the present system with a more effective health and safety random testing program similar to that used by the Federal Bureau of Alcohol, Tobacco and Firearms. The board plans to implement a quality control/market basket testing program in January 1989.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: M. Carter Mitchell, Public Information Officer/Legislative Liaison, phone (206) 753-6276; and Janice Lee Britt, Supervisor, Manufacturers, Importers and Wholesalers Division, phone (206) 753-6273; Capital Plaza Building, Olympia, Washington 98504.

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 for this rule amendment.

AMENDATORY SECTION (Amending Order 255, Resolution No. 264, filed 7/6/88)

WAC 314-20-020 BEER LABELS—CERTIFICATE OF LABEL APPROVAL REQUIRED(~~—LABELS AND PRODUCT SAMPLES TO BE SUBMITTED—ANALYSIS FEE~~). (1) Every

bottle or can containing beer intended for sale in the state of Washington shall bear a label in compliance with RCW 66.28.120. No beer shall be imported or sold within the state of Washington until the licensed brewery, or certificate of approval holder, shall have obtained from the board a certificate of label approval for such beer.

(2) A request for certificate of label approval must be submitted on forms prescribed by the board, together with the following:

(a) Two bottle labels or two photostatic copies of can flats of the brand and type of beer for which approval is requested, and a list of container sizes on which the label is to be used;

(b) (~~Two product samples of approximately twelve-ounce size, or one quart of finished beer for chemical analysis; the samples must have a label attached with identical information on it for which approval is requested;~~

(c) ~~Finished beer is the final finished product as bottled or packaged for sale. Draft keg beer will be submitted in suitable containers of approximately one quart size;~~

(d)) Each request for approval must clearly state whether the product is pasteurized, microfiltered, draft or bottle fermented;

(~~e~~) ~~Payment of a fee of \$ 32.00 for each chemical analysis;~~

(f)) (c) One copy of the federal certificate of label approval for such beer, issued by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.

(3) Any change in label or product which requires reissuance of federal certificate of label approval, must also be submitted to the board, in accordance with the foregoing provisions of this regulation.

(4) (~~If a change in product has been made, a sample of such beer must be submitted for analysis, as provided in subsection (2) of this section. No analysis fee is required if the application is for approval of a revised label only, where no change has been made in the content of a previously approved product.~~

(5)) No label shall be used that is misleading.

(~~6~~) (5) Every producer, importer, or wholesaler of beer shall, upon request of the board or its authorized representative, furnish without cost to the board, samples of any brand of beer upon its premises for the purpose of analysis in order to determine whether the beer conforms to (~~the analysis of that brand of beer approved originally by the board~~) commercial standards.

WSR 88-23-053

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed November 14, 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 Wine labels—Certificate of label approval required—(~~Product samples and~~) Labels to be submitted (~~analysis fee~~), amending WAC 314-24-040;

that the agency will at 9:30 a.m., Wednesday, December 28, 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 66.28.110 and 66.28.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 28, 1988.

Dated: November 10, 1988

By: L. H. Pedersen  
Chairman

## STATEMENT OF PURPOSE

Title: WAC 314-24-040 Wine labels—Certificate of label approval required—(~~Product samples and~~) Labels to be submitted (~~(analysis fee)~~).

Description of Purpose: To discontinue the requirement that wine be analyzed by the board to meet minimum quality standards prior to its being approved for sale in the state.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.28.110 and 66.28.120.

Summary of Rule: The change, as proposed would eliminate the requirement that the board, prior to approving wine products for sale in the state, perform a chemical analysis of the wine. The change would also eliminate the chemical analysis fee charge. The change would add language that the product must meet commercial standards and that the labels not be misleading.

Reasons Supporting Proposed Action: The board has determined that the current analysis procedure does not effectively protect public health or safety but largely measures aesthetic factors. As such it has been determined to replace the present system with a more effective health and safety random testing program similar to that used by the Federal Bureau of Alcohol, Tobacco and Firearms. The Washington wine industry has supported the label approval/registration process and the conducting of a quality control program consisting of product testing of wine in the marketplace. The board plans to implement a quality control/market basket testing program in January 1989.

Agency Personnel Involved: In addition to the board, the following agency personnel has responsibility for drafting, implementing and enforcing this rule amendment: M. Carter Mitchell, Public Information Officer/Legislative Liaison, phone (206) 753-6276; and Janice Lee Britt, Supervisor, Manufacturers, Importers and Wholesalers Division, phone (206) 753-6273; Capital Plaza Building, Olympia, Washington 98504.

Person or Organization Proposing the Rule Amendment: 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 for this rule amendment.

AMENDATORY SECTION (Amending Order 254, Resolution No. 263, filed 8/23/88)

WAC 314-24-040 WINE LABELS—CERTIFICATE OF LABEL APPROVAL REQUIRED—(~~PRODUCT SAMPLES AND~~) LABELS TO BE SUBMITTED(~~(ANALYSIS FEE)~~). No wine shall be imported or sold within the state of Washington until the certificate of approval holder, or domestic winery, or United States importer of foreign wine, shall have obtained from the board a certificate of label approval for such wine.

(1) A request for certificate of label approval must be submitted to the board on forms prescribed by the board, together with the following:

(a) Two labels of the brand and type for which approval is requested, and a list of the container sizes on which the label is to be used;

(b) (~~Two pint samples (or two containers of 375 milliliters each), or one four-fifths quart (or 750 milliliters), or one quart (or one liter) of the finished wine for chemical analysis with a label attached with~~

~~identical information on it for which approval is requested: PROVIDED, HOWEVER, That if such wine is available only in containers of larger capacity than one liter, such a sample may be submitted in such package size nearest in quantity to one liter;~~

~~(c) Finished wine is the final finished product as bottled or packaged for sale. Tank or barrel samples will not be accepted.~~

~~(d) Payment of a fee of \$15.00 for each chemical analysis; and~~

~~(e)) One copy of the federal certificate of label approval for such wine which has been issued by the Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.~~

(2) Any change in label or product which requires reissuance of federal approval under the provisions of 27 CFR Part 4, must also be submitted to the board in accordance with the foregoing provisions of this regulation.

(3) (~~If a change in product has been made, a sample of said wine must be submitted for analysis, as provided in subsection (1)(b) and (d) of this section. No fee is required if the application is for approval of a revised label only, where no change has been made in the content of a previously approved product.~~

(4) ~~The board may, upon written request, where rare vintage wines of limited quantity are concerned, issue a certificate of label approval based on the condition that such a wine has received federal label approval. In submitting such a request the applicant should furnish the board with a copy of the federal certificate of label approval and file certified information confirming that such wine is actually of rare vintage and of limited quantity.~~

(5) ~~Every producer, importer, bottler, or wholesaler of wine shall, upon request of the board or its authorized representative, furnish without cost to the board, samples of any brand of wine upon its premises for the purpose of analysis in order to determine whether the wine conforms to the (~~analysis of that brand of wine approved originally by the board~~) quality standards set by the board in WAC 314-24-060 and conforms with commercial standards.~~

~~(4) No label shall be used that is misleading.~~

WSR 88-23-054

ADOPTED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Order 88-25—Filed November 14, 1988]

I, Joseph A. Dear, director of the Director of Labor and Industries, do promulgate and adopt at the General Administration Building, Room 334, Olympia, Washington, the annexed rules relating to chapter 296-24 WAC, General safety and health standards, is amended: State-initiated housekeeping changes correct WAC references, numbering sequences and narrative. Amended sections are WAC 296-24-003, 296-24-24519, 296-24-31501, 296-24-31503, 296-24-31505, 296-24-33005, 296-24-51013 and 296-24-56513. Federal-initiated changes to be at least as effective as (ALAEA) Federal Registers Vol. 53, No. 70 dated April 12, 1988, and Vol. 53, No. 91 dated May 11, 1988, amend rules affecting safety testing or certification of certain workplace equipment and materials, deletion of specific testing laboratory names, a referenced definition of "Nationally Recognized Testing Laboratory," and determination of eligible testing organizations. Amended sections are WAC 296-24-23001, 296-24-24017, 296-24-24519, 296-24-31501, 296-24-33001, 296-24-37001, 296-24-40501, 296-24-47501, 296-24-47505, 296-24-47507, 296-24-47513, 296-24-51009, 296-24-55001, 296-24-58503, 296-24-68001, 296-24-82513, 296-24-82515, 296-24-82517, 296-24-82519 and 296-24-95601. Federal-initiated changes to be ALAEA Federal Register Vol. 53, No. 49 dated March 14, 1988, amend rules affecting presence sensing device initiation

of mechanical power presses. New sections are WAC 296-24-19517, 296-24-20699, 296-24-20700, 296-24-20710, 296-24-20720 and 296-24-20730. Amended sections are WAC 296-24-19501 and 296-24-19507; chapter 296-52 WAC, Safety standards for possession, handling and use of explosives, is amended: State-initiated changes are being made to comply with SSB 6530, effective June 9, 1988. New sections are WAC 296-52-419, 296-52-423 and 296-52-487. Amended sections are WAC 296-52-401, 296-52-421, 296-52-425, 296-52-429, 296-52-433, 296-52-437, 296-52-441, 296-52-445 and 296-52-449. There will be new compliance requirements as a result of this legislation; i.e., all license application fees are increased and applicants will also be required to pay up to \$20.00 for a criminal history record check. Federal-initiated change to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988, affecting deletion of specific testing laboratory names and amending a referenced definition of "Nationally Recognized Testing Laboratory" is being made. The amended section is WAC 296-52-489; chapter 296-54 WAC, Safety standards for logging operations, is amended: State-initiated housekeeping changes are being made to correct outdated or redundant narrative and illustrations. Amended sections are WAC 296-54-501, 296-54-559 and 296-54-605. Repealed sections are WAC 296-54-990, 296-54-99001, 296-54-99005, 296-54-99006, 296-54-99011 and 296-54-99012. Federal-initiated change is being made to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988. This change affects safety testing or certification of certain workplace equipment, deletion of specific laboratory names, and references a new definition of "Nationally Recognized Testing Laboratory." The amended section is WAC 296-54-45001; chapter 296-59 WAC, Safety standards for ski areas facilities and operations, is amended: State-initiated adoption of a nonmandatory appendix outlining alternative lock-out procedures for ski lifts and tows is being made. The new section is WAC 296-59-135; chapter 296-62 WAC, General occupational health standards, is amended. State-initiated changes repeal outdated sections which have been replaced, and correct a numbering sequence. The amended section is WAC 296-62-20009. The repealed sections are WAC 296-62-14601, 296-62-14605 and 296-62-14607. Federal-initiated changes to be identical to Federal Register Vol. 53, No. 66 dated April 6, 1988, add an excursion limit for ethylene oxide (EtO) of 5 parts of EtO per million parts of air averaged over a sampling period of 15 minutes. Where excursion limit is exceeded, employers will be obligated to reduce exposure through implementation of feasible engineering controls and work practices supplemented by the use of respirators where necessary. In addition, a written compliance program to achieve the excursion limit, monitoring procedures and training programs for employees will be required. The amended sections are WAC 296-62-07355, 296-62-07359, 296-62-07361, 296-62-07363, 296-62-07365, 296-62-07367, 296-62-07373 and 296-62-07379. OSHA has determined that additional costs of complying with the 5 ppm excursion limit are likely to be negligible for employers who are in compliance with

the existing 1 ppm PEL; chapter 296-78 WAC, Safety standards for sawmills and woodworking operations, is amended: Federal-initiated change to be ALAEA Federal Register Vol. 53, No. 70 dated April 12, 1988, affecting safety testing or certification of certain workplace equipment and materials, deletion of specific testing laboratory names, a referenced definition of "Nationally Recognized Testing Laboratory," and determination of eligible testing organizations is being made. The amended section is WAC 296-78-56505; chapter 296-99 WAC, Safety standards for grain handling facilities: Federal-initiated new standard is being adopted to regulate the grain handling industry identical to Federal Register Vol. 52, No. 251 dated December 31, 1987, and final rule corrections in Federal Register Vol. 53, No. 96 dated May 18, 1988. It establishes minimum compliance requirements for design, construction, operation, inspection and maintenance; as well as training, supervision, and recordkeeping. This new standard establishes safety rules for hazards currently not covered by any other standard; chapter 296-155 WAC, Safety standards for construction, is amended: Federal-initiated change ALAEA Federal Register Vol. 51, No. 133 dated July 11, 1986, is being made. This change incorporates a part of the National Electrical Code (NEC) adopted by OSHA in their rule. The amended sections are WAC 296-155-265, 296-155-270, 296-155-405 and 296-155-745; and chapter 296-306 WAC, Safety standards for agriculture, is amended: State-initiated housekeeping change to relocate a "Note" to the proper location is being made. The amended section is WAC 296-306-320;

This action is taken pursuant to Notice No. WSR 88-18-071 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 under the general rule-making authority of the Department of Labor and Industries as authorized in chapters 34.04 and 49.17 RCW and chapter 1-12 WAC.

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 14, 1988.

By Joseph A. Dear  
Director

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-003 SUBSECTIONS, SUBDIVISIONS, ITEMS, SUBITEMS, AND SEGMENTS. (1) That portion of section numeration appearing after the chapter designation appears in either a three digit or a five digit format (e.g. 296-24-330 and 296-24-33002). The final two digits of the section number are implied decimal extensions of the first three digits and represent a further division of the three digit enumeration.

(2) Sections of this chapter may be divided into subsections (1), (2), (3), etc., which may in turn be divided

into subdivisions (a), (b), (c), etc., which may be further divided into items (i), (ii), (iii), etc., which may be further divided into subitems (A), (B), (C), etc., which may be further divided into segments (~~((aa)), ((bb)), ((cc))~~) (I), (II), (III), etc., all according to the following hierarchy, e.g.

Sections	296-24-330 and 296-24-33002
Subsections	(1) (2)
Subdivisions	(a) (b)
Items	(i) (ii)
Subitems	(A) (B)
Segments	<del>((aa))</del> (I) <del>((bb))</del> (II)

**AMENDATORY SECTION** (Amending Order 85-09, filed 4/19/85)

**WAC 296-24-31503 GASEOUS HYDROGEN SYSTEMS. (1) Design.**

**(a) Containers.**

(i) Hydrogen containers shall comply with one of the following:

(A) Designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968.

(B) Designed, constructed, tested and maintained in accordance with U.S. Department of Transportation specifications and regulations.

(ii) Permanently installed containers shall be provided with substantial noncombustible supports on firm non-combustible foundations.

(iii) Each portable container shall be legibly marked with the name "hydrogen" in accordance with "marking compressed gas containers to identify the material contained" ANSI Z48.1-1954. Each manifolded hydrogen supply unit shall be legibly marked with the name hydrogen or a legend such as "this unit contains hydrogen."

**(b) Safety relief devices.**

(i) Hydrogen containers shall be equipped with safety relief devices as required by the ASME Boiler and Pressure Vessel Code, Section VIII Unfired Pressure Vessels, 1968 or the DOT specifications and regulations under which the container is fabricated.

(ii) Safety relief devices shall be arranged to discharge upward and unobstructed to the open air in such a manner as to prevent any impingement of escaping gas upon the container, adjacent structure of personnel. This requirement does not apply to DOT specification containers having an internal volume of 2 cubic feet or less.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

**(c) Piping, tubing, and fittings.**

(i) Piping, tubing, and fittings shall be suitable for hydrogen service and for the pressures and temperatures involved. Case iron pipe and fittings shall not be used.

(ii) Piping and tubing shall conform to Section 2—"Industrial Gas and Air Piping"—Code for Pressure Piping, ANSI B31.1-1967 with addenda B31.1-1969.

(iii) Joints in piping and tubing may be made by welding or brazing or by use of flanged, threaded, socket, or compression fittings. Gaskets and thread sealants shall be suitable for hydrogen service.

**(d) Equipment assembly.**

(i) Valves, gauges, regulators, and other accessories shall be suitable for hydrogen service.

(ii) Installation of hydrogen systems shall be supervised by personnel familiar with proper practices with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible, and shall be protected against physical damage and against tampering.

(iv) Cabinets or housings containing hydrogen control or operating equipment shall be adequately ventilated.

(v) Each mobile hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.

(vi) Mobile hydrogen supply units shall be electrically bonded to the system before discharging hydrogen.

(e) Marking. The hydrogen storage location shall be permanently placarded as follows: "HYDROGEN—FLAMMABLE GAS—NO SMOKING—NO OPEN FLAMES," or equivalent.

(f) Testing. After installations, all piping, tubing, and fittings shall be tested and proved hydrogen gas tight at maximum operating pressure.

**(2) Location.**

**(a) General.**

(i) The system shall be located so that it is readily accessible to delivery equipment and to authorized personnel.

(ii) Systems shall be located above ground.

(iii) Systems shall not be located beneath electric power lines.

(iv) Systems shall not be located close to flammable liquid piping or piping of other flammable gases.

(v) Systems near aboveground flammable liquid storage shall be located on ground higher than the flammable liquid storage except when dikes, diversion curbs, grading, or separating solid walls are used to prevent accumulation of flammable liquids under the system.

**(b) Specific requirements.**

(i) The location of a system, as determined by the maximum total contained volume of hydrogen, shall be in the order of preference as indicated by Roman numerals in Table H-1.

TABLE H-1

Nature of location	Size of hydrogen system		
	Less than 3,000 CF	3,000 CF to 15,000 CF	In excess of 15,000 CF
Outdoors	I	I	I
In a separate building	II	II	II
In a special room	III	III	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV	Not permitted.	Not permitted.

(ii) The minimum distance in feet from a hydrogen system of indicated capacity located outdoors, in separate buildings or in special rooms to any specified outdoor exposure shall be in accordance with Table H-2.

(iii) The distances in Table H-2 Items 1, 14, and 3 to 10 inclusive do not apply where protective structures such as adequate fire walls are located between the system and the exposure.

(iv) Hydrogen systems of less than 3,000 CF when located inside buildings and exposed to other occupancies shall be situated in the building so that the system will be as follows:

- (A) In an adequately ventilated area as in (3)(b)(ii) of this section.
- (B) Twenty feet from stored flammable materials or oxidizing gases.
- (C) Twenty-five feet from open flames, ordinary electrical equipment or other sources of ignition.
- (D) Twenty-five feet from concentrations of people.
- (E) Fifty feet from intakes of ventilation or air-conditioning equipment and air compressors.
- (F) Fifty feet from other flammable gas storage.
- (G) Protected against damage or injury due to falling objects or working activity in the area.
- (H) More than one system of 3,000 CF or less may be installed in the same room, provided the systems are separated by at least 50 feet. Each such system shall meet all of the requirements of this section.

(3) Design consideration at specific locations.

(a) Outdoor locations.

(i) Where protective walls or roofs are provided, they shall be constructed of noncombustible materials.

(ii) Where the enclosing sides adjoin each other, the area shall be properly ventilated.

(iii) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC ((296-25-95613)) 296-24-95613.

(b) Separate buildings.

(i) Separate buildings shall be built of at least non-combustible construction. Windows and doors shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Inlet and outlet openings shall each have minimum total area of one square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material, preferably single thickness, single strength glass; lightly fastened hatch covers; lightly fastened swinging doors in exterior walls opening outward; lightly fastened walls or roof designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition from open flames, electrical equipment, or heating equipment.

(v) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

(vi) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms.

(i) Floor, walls, and ceiling shall have a fire-resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be as provided in (3)(b)(iii) of this section.

(iv) There shall be no sources of ignition from open flames, electrical equipment or heating equipment.

(v) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

(vi) Heating, if provided, shall be by steam, hot water, or indirect means.

(4) Operating instructions. For installations which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(5) Maintenance.

(a) The equipment and functioning of each charged gaseous hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. The area within 15 feet of any hydrogen container shall be kept free of dry vegetation and combustible material.



TABLE H-2

Type of outdoor exposure	Size of hydrogen system		
	Less than 3,000 CF	3,000 to 15,000 CF	In excess of 15,000 CF
1. Building or structure —			
Wood frame construction*	10	25	50
Heavy timber, non-combustible or ordinary construction*	0	10	**25
Fire-resistive construction*	0	0	0
2. Wall openings —			
Not above any part of a system	10	10	10
Above any part of a system	25	25	25
3. Flammable liquids above ground —			
0 to 1,000 gallons	10	25	25
In excess of 1,000 gallons	25	50	50
4. Flammable liquids below ground—0 to 1,000 gallons —			
Tank	10	10	10
Vent or fill opening of tank	25	25	25
5. Flammable liquids below ground—in excess of 1,000 gallons —			
Tank	20	20	20
Vent or fill opening of tank	25	25	25
6. Flammable gas storage, either high pressure or low pressure —			
0 to 15,000 CF capacity	10	25	25
In excess of 15,000 CF capacity	25	50	50
7. Oxygen storage			
12,000 CF or less	Refer to NFPA No. 51, gas systems for welding and cutting (1969).		
More than 12,000 CF	Refer to NFPA No. 566, bulk oxygen systems at consumer sites (1969).		
8. Fast burning solids such as ordinary lumber, excelsior or paper	50	50	25
9. Slow burning solids such as heavy timber or coal	25	25	25
10. Open flames and other sources of ignition	25	25	50
11. Air compressor intakes or inlets to ventilating or air-condition equipment	50	50	50
12. Concentration of people***	25	50	50

TABLE H-2

Type of outdoor exposure	Size of hydrogen system		
	Less than 3,000 CF	3,000 to 15,000 CF	In excess of 15,000 CF
13. Public sidewalks	15	15	15
14. Line of adjoining property which may be built upon	5	5	5

\*Refer to NFPA No. 220 standard types of building construction for definitions of various types of construction. (1969 Ed.)  
 \*\*But not less than one-half the height of adjacent side wall of the structure.  
 \*\*\*In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

**AMENDATORY SECTION** (Amending Order 76-6, filed 3/1/76)

WAC 296-24-19501 DEFINITIONS. (1) "Antirepeat" means the part of the clutch/brake control system designed to limit the press to a single stroke if the tripping means is held operated. Antirepeat requires release of all tripping mechanisms before another stroke can be initiated. "Antirepeat" is also called single stroke reset or reset circuit.

(2) "Brake" means the mechanism used on a mechanical power press to stop and/or hold the crankshaft, either directly or through a gear train, when the clutch is disengaged.

(3) "Bolster plate" means the plate attached to the top of the bed of the press having drilled holes or T-slots for attaching the lower die or die shoe.

(4) "Clutch" means the coupling mechanism used on a mechanical power press to couple the flywheel to the crankshaft, either directly or through a gear train.

(5) "Full revolution clutch" means a type of clutch that, when tripped, cannot be disengaged until the crankshaft has completed a full revolution and the press slide a full stroke.

(6) "Part revolution clutch" means a type of clutch that can be disengaged at any point before the crankshaft has completed a full revolution and the press slide a full stroke.

(7) "Direct drive" means the type of driving arrangement wherein no clutch is used; coupling and decoupling of the driving torque is accomplished by energization and deenergization of a motor. Even though not employing a clutch, direct drives match the operational characteristics of "part revolution clutches" because the driving power may be disengaged during the stroke of the press.

(8) "Concurrent" means acting in conjunction, and is used to describe a situation wherein two or more controls exist in an operated condition at the same time.

(9) "Continuous" means uninterrupted multiple strokes of the slide without intervening stops (or other clutch control action) at the end of individual strokes.

(10) "Counterbalance" means the mechanism that is used to balance or support the weight of the connecting rods, slide, and slide attachments.

(11) "Device" means a press control or attachment that:

(a) Restrains the operator from inadvertently reaching into the point of operation, or

(b) Prevents normal press operation if the operator's hands are inadvertently within the point of operation, or

(c) Automatically withdraws the operator's hands if the operator's hands are inadvertently within the point of operation as the dies close, or

(d) Prevents the initiation of a stroke, or stops the stroke in progress, when there is an intrusion through the sensing field by any part of the operator's body or by any other object.

(12) "Presence sensing device" means a device designed, constructed and arranged to create a sensing field or area (~~(and deactivate the clutch control of the press when an operator's hand or any other parts of his body))~~ that signals the clutch/brake control to deactivate the clutch and activate the brake of the press when any part of the operator's body or a hand tool is within such field or area.

(13) "Gate or movable barrier device" means a movable barrier arranged to enclose the point of operation before the press stroke can be started.

(14) "Holdout or restraint device" means a mechanism, including attachments for operator's hands, that when anchored and adjusted prevent the operator's hands from entering the point of operation.

(15) "Pull-out device" means a mechanism attached to the operator's hands and connected to the upper die or slide of the press, that is designed, when properly adjusted, to withdraw the operator's hands as the dies close, if the operator's hands are inadvertently within the point of operation.

(16) "Sweep device" means a single or double arm (rod) attached to the upper die or slide of the press and designed to move the operator's hands to a safe position as the dies close, if the operator's hands are inadvertently within the point of operation.

(17) "Two hand control device" means a two hand trip that further requires concurrent pressure from both hands of the operator during a substantial part of the die-closing portion of the stroke of the press.

(18) "Die" means the tooling used in a press for cutting or forming material. An upper and a lower die make a complete set.

(19) "Die builder" means any person who builds dies for power presses.

(20) "Die set" means a tool holder held in alignment by guide posts and bushings and consisting of a lower shoe, an upper shoe or punch holder, and guide posts and bushings.

(21) "Die setter" means an individual who places or removes dies in or from mechanical power presses, and

who, as a part of his duties, makes the necessary adjustments to cause the tooling to function properly and safely.

(22) "Die setting" means the process of placing or removing dies in or from a mechanical power press, and the process of adjusting the dies, other tooling and safeguarding means to cause them to function properly and safely.

(23) "Die shoe" means a plate or block upon which a die holder is mounted. A die shoe functions primarily as a base for the complete die assembly, and, when used, is bolted or clamped to the bolster plate or the face of slide.

(24) "Ejector" means a mechanism for removing work or material from between the dies.

(25) "Face of slide" means the bottom surface of the slide to which the punch or upper die is generally attached.

(26) "Feeding" means the process of placing or removing material within or from the point of operation.

(27) "Automatic feeding" means feeding wherein the material or part being processed is placed within or removed from the point of operation by a method or means not requiring action by an operator on each stroke of the press.

(28) "Semiautomatic feeding" means feeding wherein the material or part being processed is placed within or removed from the point of operation by an auxiliary means controlled by operator on each stroke of the press.

(29) "Manual feeding" means feeding wherein the material or part being processed is handled by the operator on each stroke of the press.

(30) "Foot control" means the foot operated control mechanism designed to be used with a clutch or clutch/brake control system.

(31) "Foot pedal" means the foot operated lever designed to operate the mechanical linkage that trips a full revolution clutch.

(32) "Guard" means a barrier that prevents entry of the operator's hands or fingers into the point of operation.

(33) "Die enclosure guard" means an enclosure attached to the die shoe or stripper, or both, in a fixed position.

(34) "Fixed barrier guard" means a die space barrier attached to the press frame.

(35) "Interlocked press barrier guard" means a barrier attached to the press frame and interlocked so that the press stroke cannot be started normally unless the guard itself, or its hinged or movable sections, enclose the point of operation.

(36) "Adjustable barrier guard" means a barrier requiring adjustment for each job or die setup.

(37) "Guide post" means the pin attached to the upper or lower die shoe, operating within the bushing on the opposing die shoe, to maintain the alignment of the upper and lower dies.

(38) "Hand feeding tool" means any hand held tool designed for placing or removing material or parts to be processed within or from the point of operation.

(39) "Inch" means an intermittent motion imparted to the slide (on machines using part revolution clutches) by

momentary operation of the "inch" operating means. Operation of the "inch" operating means engages the driving clutch so that a small portion of one stroke or indefinite stroking can occur, depending upon the length of time the "inch" operating means is held operated. "Inch" is a function used by the die setter for setup of dies and tooling, but is not intended for use during production operations by the operator.

(40) "Jog" means an intermittent motion imparted to the slide by momentary operation of the drive motor, after the clutch is engaged with the flywheel at rest.

(41) "Knockout" means a mechanism for releasing material from either die.

(42) "Liftout" means the mechanism also known as knockout.

(43) "Operator's station" means the complete complement of controls used by or available to an operator on a given operation for stroking the press.

(44) "Pinch point" means any point other than the point of operation at which it is possible for a part of the body to be caught between the moving parts of a press or auxiliary equipment, or between moving and stationary parts of a press or auxiliary equipment or between the material and moving part or parts of the press or auxiliary equipment.

(45) "Point of operation" means the area of the press where material is actually positioned and work is being performed during any process such as shearing, punching, forming, or assembling.

(46) "Press" means a mechanically powered machine that shears, punches, forms or assembles metal or other material by means of cutting, shaping, or combination dies attached to slides. A press consists of a stationary bed or anvil, and a slide (or slides) having a controlled reciprocating motion toward and away from the bed surface, the slide being guided in a definite path by the frame of the press.

(47) "Repeat" means an unintended or unexpected successive stroke of the press resulting from a malfunction.

(48) "Safety block" means a prop that, when inserted between the upper and lower dies or between the bolster plate and the face of the slide, prevents the slide from falling of its own deadweight.

(49) "Single stroke" means one complete stroke of the slide, usually initiated from a full open (or up) position, followed by closing, (or down), and then a return to the full open position.

(50) "Single stroke mechanism" means an arrangement used on a full revolution clutch to limit the travel of the slide to one complete stroke at each engagement of the clutch.

(51) "Slide" means the main reciprocating press member. A slide is also called a ram, plunger, or platen.

(52) "Stop control" means an operator control designed to immediately deactivate the clutch control and activate the brake to stop slide motion.

(53) "Stripper" means a mechanism or die part for removing the parts or material from the punch.

(54) "Stroking selector" means the part of the clutch/brake control that determines the type of stroking

when the operating means is actuated. The stroking selector generally includes positions for "off" (clutch control), "inch," "single stroke," and "continuous" (when continuous is furnished).

(55) "Trip or (tripping)" means activation of the clutch to "run" the press.

(56) "Turnover bar" means a bar used in die setting to manually turn the crankshaft of the press.

(57) "Two-hand trip" means a clutch actuating means requiring the concurrent use of both hands of the operator to trip the press.

(58) "Unitized tooling" means a type of die in which the upper and lower members are incorporated into a self-contained unit so arranged as to hold the die members in alignment.

(59) "Control system" means sensors, manual input and mode selection elements, interlocking and decision-making circuitry, and output elements to the press operating mechanism.

(60) "Brake monitor" means a sensor designed, constructed, and arranged to monitor the effectiveness of the press braking system.

(61) "Presence sensing device initiation" means an operating mode of indirect manual initiation of a single stroke by a presence sensing device when it senses that work motions of the operator, related to feeding and/or removing parts, are completed and all parts of the operator's body or hand tools are safely clear of the point of operation.

(62) "Safety system" means the integrated total system, including the pertinent elements of the press, the controls, the safeguarding and any required supplemental safeguarding, and their interfaces with the operator, and the environment, designed, constructed, and arranged to operate together as a unit, such that a single failure or single operating error will not cause injury to personnel due to point of operation hazards.

(63) "Authorized person" means one to whom the authority and responsibility to perform a specific assignment has been given by the employer.

(64) "Certification" or "certify" means, in the case of design certification/validation, that the manufacturer has reviewed and tested the design and manufacture, and in the case of installation certification/validation and annual recertification/revalidation, that the employer has reviewed and tested the installation, and concludes in both cases that the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met. The certifications are made to the validation organization.

(65) "Validation" or "validate" means for PSDI safety systems that a WISHA recognized third-party validation organization:

(a) For design certification/validation has reviewed the manufacturer's certification that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 and the underlying tests and analyses performed by the manufacturer, has performed additional tests and analyses which may be required by WAC 296-24-19503 through 296-24-19515 and 296-24-20700, and concludes that the

requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met; and

(b) For installation certification/validation and annual recertification/revalidation has reviewed the employer's certification that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 and the underlying tests performed by the employer, has performed additional tests and analyses which may be required by WAC 296-24-19503 through 296-24-19515 and 296-24-20700, and concludes that the requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 have been met.

(66) "Certification/validation" and "certify/validate" means the combined process of certification and validation.

**AMENDATORY SECTION** (Amending Order 80-21, filed 11/13/80)

**WAC 296-24-19507 SAFEGUARDING THE POINT OF OPERATION.** (1) General requirements.

(a) It shall be the responsibility of the employer to provide and insure the usage of "point of operation guards" or properly applied and adjusted point of operation devices on every operation performed on a mechanical power press. See Table O-10.

(b) The requirement of ((subdivision)) (a) of this ((section)) subsection shall not apply when the point of operation opening is one-fourth inch or less. See Table O-10.

TABLE O-10

MAXIMUM OPENINGS UNDER GUARDS

Distance of Opening From Point of Operation Hazard (Inches)	Maximum Openings Under Guard (Inches)
1/2 to 1-1/2	1/4
1-1/2 to 2-1/2	3/8
2-1/2 to 3-1/2	1/2
3-1/2 to 5-1/2	5/8
5-1/2 to 6-1/2	3/4
6-1/2 to 7-1/2	7/8
7-1/2 to 12-1/2	1-1/4
12-1/2 to 15-1/2	1-1/2
15-1/2 to 17-1/2	1-7/8
17-1/2 to 31-1/2	2-1/8

MAXIMUM OPENINGS THROUGH GUARDS

Material	Guard Clearance From Hazard Point	Largest Mesh or Opening (Inches)
Woven Wire, Expanded Metal or Perforated Metal	From 2 to 4 4 to 15	1/2 2
Wood or Metal Strips (Crossed)	From 2 to 4 4 to 15	3/8 2
Wood or metal Strips (Not Crossed)	From 2 to 4 4 to 15	1/2 width of strip 1 width of strip

Note: The specifications for the materials used for filling barrier, point of operation guards is contained in Table O-12, WAC 296-24-20531. When plastic is used as filling, it shall be 1/4 inch thick (minimum).

(2) Point of operation guards.

(a) Every point of operation guard shall meet the following design, construction, application and adjustment requirements:

(i) It shall prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard;

(ii) It shall conform to the maximum permissible openings of Table O-10;

(iii) It shall, in itself, create no pinch point between the guard and moving machine parts;

(iv) It shall utilize fasteners not readily removable by operator, so as to minimize the possibility of misuse or removal of essential parts;

(v) It shall facilitate its inspection, and

(vi) It shall offer maximum visibility of the point of operation consistent with other requirements.

(b) A die enclosure guard shall be attached to the die shoe or stripper in a fixed position.

(c) A fixed barrier guard shall be attached securely to the frame of the pressor to the bolster plate.

(d) An interlocked press barrier guard shall be attached to the press frame or bolster and shall be interlocked with the press clutch control so that the clutch cannot be activated unless the guard itself, or the hinged or movable sections of the guard are in position to conform to the requirements of Table O-10.

(e) The hinged or movable sections of an interlocked press barrier guard shall not be used for manual feeding. The guard shall prevent opening of the interlocked section and reaching into the point of operation prior to die closure or prior to the cessation of slide motion. See ((subdivision 19507)) subsection (3)(b) of this section regarding manual feeding through interlocked press barrier devices.

(f) The adjustable barrier guard shall be securely attached to the press bed, bolster plate, or die shoe, and shall be adjusted and operated in conformity with Table O-10 and the requirements of this subsection. Adjustments shall be made only by authorized personnel whose qualifications include a knowledge of the provisions of Table O-10 and this subsection.

(g) A point of operation enclosure which does not meet the requirements of this subsection and Table O-10 shall be used only in conjunction with point of operation devices.

(3) Point of operation devices.

(a) Point of operation devices shall protect the operator by:

(i) Preventing and/or stopping normal stroking of the press if the operator's hands are inadvertently placed in the point of operation; or

(ii) Preventing the operator from inadvertently reaching into the point of operation or withdrawing his/her hands if they are inadvertently located in the point of operation, as the dies close; or

(iii) Preventing the operator from inadvertently reaching into the point of operation at all times; or

(iv) [Reserved.]

(v) Requiring application of both of the operator's hands to machine operating controls and locating such controls at such a safety distance from the point of operation that the slide completes the downward travel or stops before the operator can reach into the point of operation with his/her hands; or

(vi) Enclosing the point of operation before a press stroke can be initiated and maintaining this closed condition until the motion of the slide had ceased; or

(vii) Enclosing the point of operation before a press stroke can be initiated, so as to prevent an operator from reaching into the point of operation prior to die closure or prior to cessation of slide motion during the downward stroke.

(b) The gate or movable barrier device shall protect the operator as follows:

(i) A Type A gate or movable barrier device shall protect the operator in the manner specified in ((item)) (a)(vi) of this subsection.

(ii) A Type B gate or movable barrier device shall protect the operator in the manner specified in ((item)) (a)(vii) of this subsection.

(c) A presence sensing point of operation device shall protect the operator as provided in ((item)) (a)(i) of this subsection, and shall be interlocked into the control circuit to prevent or stop slide motion if the operator's hand or other part of his/her body is within the sensing field of the device during the downstroke of the press slide.

(i) The device may not be used on machines using full revolution clutches.

(ii) The device may not be used as a tripping means to initiate slide motion, except when used in total conformance with WAC 296-24-19517.

(iii) The device shall be constructed so that a failure within the system does not prevent the normal stopping action from being applied to the press when required,

but does prevent the initiation of a successive stroke until the failure is corrected. The failure shall be indicated by the system.

(iv) Muting (bypassing of the protective function) of such device, during the upstroke of the press slide, is permitted for the purpose of parts ejection, circuit checking, and feeding.

(v) The safety distance (Ds) from the sensing field to the point of operation shall be greater than the distance determined by the following formula:

$D_s = 63 \text{ inches/second} \times T_s$  where:

$D_s$  = minimum safety distance (inches);

63 inches/second = hand speed constant; and

$T_s$  = stopping time of the press measured at approximately 90° position of crankshaft rotation (seconds).

(vi) Guards shall be used to protect all areas of entry to the point of operation not protected by the presence sensing device.

(d) The pull-out device shall protect the operator as specified in ((~~item 19507-3~~))(a)(ii) of this ((~~section~~)) subsection and shall include attachments for each of the operator's hands.

(i) Attachments shall be connected to and operated only by the press slide or upper die.

(ii) Attachment shall be adjusted to prevent the operator from reaching into the point of operation or to withdraw the operator's hands from the point of operation before the dies close.

(iii) A separate pull-out device shall be provided for each operator if more than one operator is used on a press.

(iv) Each pull-out device in use shall be visually inspected and checked for proper adjustment at the start of each operator shift, following a new die set-up, and when operators are changed. Necessary maintenance or repair or both shall be performed and completed before the press is operated. Records of inspections and maintenance shall be kept in accordance with WAC 296-24-19511.

(e) The sweep device, shall protect the operator as specified in ((~~item 19507-3~~))(a)(ii) of this ((~~section~~)) subsection, by removing his/her hands safely to a safe position if they are inadvertently located in the point of operation, as the dies close or prior to tripping the clutch. Devices operating in this manner shall have a barrier, attached to the sweep arm in such a manner as to prevent the operator from reaching into the point of operation, past the trailing edge of the sweep arm on the downward stroke of the press. This device may not be used for point of operation safeguarding after December 31, 1976.

(i) The sweep device must be activated by the slide or by motion of a foot pedal triprod.

(ii) The sweep device must be designed, installed and operated so as to prevent the operator from reaching into the point of operation before the dies close.

(iii) The sweep device must be installed so that it will not itself create an impact or shear hazard between the sweep arm and the press tie rods, dies, or any other part of the press or barrier.

(iv) Partial enclosure conforming with ((~~this subdivision 19507-3~~))(e) of this subsection, as to the area of

entry which they protect, must be provided on both sides of the point of operation to prevent the operator from reaching around or behind the sweep device and into the point of operation after the dies start to close. Partial enclosures shall not themselves create a pinch point or shear hazard.

(f) A holdout or a restraint device shall protect the operator as specified in ~~((item 3))~~(a)(iii) of this ~~(section)~~ subsection and shall include attachments for each of the operator's hands. Such attachments shall be securely anchored and adjusted in such a way that the operator is restrained from reaching into the point of operation. A separate set of restraints shall be provided for each operator if more than one operator is required on a press.

(g) The two hand control device shall protect the operator as specified in ~~((item 19507-3))~~(a)(v) of this ~~(section)~~ subsection.

(i) When used in press operations requiring more than one operator, separate two hand controls shall be provided for each operator, and shall be designed to require concurrent application of all operators' controls to activate the slide. The removal of a hand from any control button shall cause the slide to stop.

(ii) Each two hand control shall meet the construction requirements of ~~((subdivision 19505))~~ WAC 296-24-19505 (7)(e) ~~((of this section))~~.

(iii) The safety distance (Ds) between each two hand control device and the point of operation shall be greater than the distance determined by the following formula:

$$D_s = 63 \text{ inches/second} \times T_s, \text{ where:}$$

$$D_s = \text{minimum safety distance (inches);}$$

$$63 \text{ inches/second} = \text{hand speed constant; and}$$

$$T_s = \text{stopping time of the press measured at approximately } 90^\circ \text{ position of crankshaft rotation (seconds).}$$

(iv) Two hand control shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(h) The two hand trip device shall protect the operator as specified in ~~((item 19507-3))~~(a)(v) of this ~~(section)~~ subsection.

(i) When used in press operations requiring more than one operator, separate two hand trips shall be provided for each operator, and shall be designed to require concurrent application of all operators' controls to activate the slide.

(ii) Each two hand trip shall meet the construction requirements of ~~((subsection 19505))~~ WAC 296-24-19505(6) ~~((of this section))~~.

(iii) The safety distance (Dm) between the two hand trip and the point of operation shall be greater than the distance determined by the following formula:

$$D_m = 63 \text{ inches/second} \times T_m, \text{ where:}$$

$$D_m = \text{minimum safety distance (inches);}$$

$$63 \text{ inches/second} = \text{hand speed constant; and}$$

$$T_m = \text{the maximum time the press takes for the die closure after it has been tripped (seconds). For full revolution clutch presses with only one engaging point } T_m \text{ is equal to the time necessary for one and one-half revolutions of the crankshaft. For full revolution clutch presses with more than one engaging point, } T_m \text{ shall be calculated as follows:}$$

$$T_m = \left\{ \begin{array}{l} 1 \\ - \\ 2 \end{array} + \frac{1}{\text{Number of engaging points per revolution}} \right\} \times \text{time necessary to complete one revolution of the crankshaft (seconds)}$$

(iv) Two hand trips shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(i) [Reserved.]

(4) Hand feeding tools. Hand feeding tools are intended for placing and removing materials in and from the press. Hand feeding tools are not a point of operation guard or protection device and shall not be used in lieu of the "guards" or devices required in this section.

(5) Additional requirements for safeguarding. Where the operator feeds or removes parts by placing one or both hands in the point of operation, and a two hand control, presence sensing device of Type B gate or movable barrier (on a part revolution clutch) is used for safeguarding:

(i) The employer shall use a control system and a brake monitor which comply with ~~((subsections 19505))~~ WAC 296-24-19505 (13) and (14) ~~((of this section))~~. This requirement shall be complied with by November 1, 1975;

(ii) The exception in ~~((item 19505))~~ WAC 296-24-19505 (7)(e)(iv) ~~((of this section))~~ for two hand controls manufactured and installed before August 31, 1971, is not applicable under this subsection ~~((19507(5)))~~;

(iii) The control of air clutch machines shall be designed to prevent a significant increase in the normal stopping time due to a failure within the operating valve mechanism, and to inhibit further operation if such failure does occur, where a part revolution clutch is employed. The exception in ~~((subdivision 19505))~~ WAC 296-24-19505 (7)(k) ~~((of this section))~~ for controls manufactured and installed before August 31, 1971, is not applicable under this subsection ~~((19507(5)))~~.

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

### NEW SECTION

WAC 296-24-19517 PRESENCE SENSING DEVICE INITIATION (PSDI). (1) General.

(a) The requirements of this section shall apply to all part revolution mechanical power presses used in the PSDI mode of operation.

(b) The relevant requirements of WAC 296-24-19503 through 296-24-19515 of this part also shall apply to all presses used in the PSDI mode of operation, whether or not cross referenced in this section. Such cross-referencing of specific requirements from WAC 296-24-19503 through 296-24-19515 of this part is intended only to enhance convenience and understanding in relating to the new provisions to the existing standard, and is not to be construed as limiting the applicability of other provisions in WAC 296-24-19503 through 296-24-19515 of this part.

(c) Full revolution mechanical power presses shall not be used in the PSDI mode of operation.

(d) Mechanical power presses with a configuration which would allow a person to enter, pass through, and become clear of the sensing field into the hazardous portion of the press shall not be used in the PSDI mode of operation.

(e) The PSDI mode of operation shall be used only for normal production operations. Die-setting and maintenance procedures shall comply with WAC 296-24-19503 through 296-24-19515 of this part, and shall not be done in the PSDI mode.

(2) Brake and clutch requirements.

(a) Presses with flexible steel band brakes or with mechanical linkage actuated brakes or clutches shall not be used in the PSDI mode.

(b) Brake systems on presses used in the PSDI mode shall have sufficient torque so that each average value of stopping times (Ts) for stops initiated at approximately forty-five degrees, sixty degrees, and ninety degrees, respectively, of crankshaft angular position, shall not be more than one hundred twenty-five percent of the average value of the stopping time at the top crankshaft position. Compliance with this requirement shall be determined by using the heaviest upper die to be used on the press, and operating at the fastest press speed if there is selection.

(c) Where brake engagement and clutch release is effected by spring action, such spring(s) shall operate in compression on a rod or within a hole or tube, and shall be of noninterleaving design.

(3) Pneumatic systems.

(a) Air valve and air pressure supply/control.

(i) The requirements of WAC 296-24-19505 (7)(m) and (n), (10), (12) and WAC 296-24-19507 (5)(c) of this part apply to the pneumatic systems of machines used in the PSDI mode.

(ii) The air supply for pneumatic clutch/brake control valves shall incorporate a filter, an air regulator, and, when necessary for proper operation, a lubricator.

(iii) The air pressure supply for clutch/brake valves on machines used in the PSDI mode shall be regulated to pressures less than or equal to the air pressure used when making the stop time measurements required by subsection (2)(b) of this section.

(b) Air counterbalance systems.

(i) Where presses that have slide counterbalance systems are used in the PSDI mode, the counterbalance system shall also meet the requirements of WAC 296-24-19505(9) of this part.

(ii) Counterbalances shall be adjusted in accordance with the press manufacturer's recommendations to assure correct counterbalancing of the slide attachment (upper die) weight for all operations performed on presses used in the PSDI mode. The adjustments shall be made before performing the stopping time measurements required by subsections (2)(b), (5)(c), and (9)(f) of this section.

(4) Flywheels and bearings. Presses whose designs incorporate flywheels running on journals on the crankshaft or back shaft, or bull gears running on journals

mounted on the crankshaft, shall be inspected, lubricated, and maintained as provided in subsection (10) of this section to reduce the possibility of unintended and uncontrolled press strokes caused by bearing seizure.

(5) Brake monitoring.

(a) Presses operated in the PSDI mode shall be equipped with a brake monitor that meets the requirements of subsections (3) and (14) of this section. In addition, the brake monitor shall be adjusted during installation certification to prevent successive stroking of the press if increases in stopping time cause an increase in the safety distance above that required by subsection (9)(f) of this section.

(b) Once the PSDI safety system has been certified/validated, adjustment of the brake monitor shall not be done without prior approval of the validation organization for both the brake monitor adjustment and the corresponding adjustment of the safety distance. The validation organization shall in its installation validation, state that in what circumstances, if any, the employer has advance approval for adjustment, when prior oral approval is appropriate and when prior approval must be in writing. The adjustment shall be done under the supervision of an authorized person whose qualifications include knowledge of safety distance requirements and experience with the brake system and its adjustment. When brake wear or other factors extend press stopping time beyond the limit permitted by the brake monitor, adjustment, repair, or maintenance shall be performed on the brake or other press system element that extends the stopping time.

(c) The brake monitor setting shall allow an increase of no more than ten percent of the longest stopping time for the press, or ten milliseconds, whichever is longer, measured at the top of the stroke.

(6) Cycle control and control systems.

(a) The control system on presses used in the PSDI mode shall meet the applicable requirements of WAC 296-24-19503(7), (8), and (13) and 296-24-19507(5) of this part.

(b) The control system shall incorporate a means of dynamically monitoring for decoupling of the rotary position indicating mechanism drive from the crankshaft. This monitor shall stop slide motion and prevent successive press strokes if decoupling occurs, or if the monitor itself fails.

(c) The mode selection means of WAC 296-24-19503 (7)(c) of this part shall have at least one position for selection of the PSDI mode. Where more than one interruption of the light sensing field is used in the initiation of a stroke, either the mode selection means must have one position for each function, or a separate selection means shall be provided which becomes operable when the PSDI mode is selected. Selection of PSDI mode and the number of interruptions/withdrawals of the light sensing field required to initiate a press cycle shall be by means capable of supervision by the employer.

(d) A PSDI set-up/reset means shall be provided which requires an overt action by the operator, in addition to PSDI mode selection, before operation of the press by means of PSDI can be started.

(e) An indicator visible to the operator and readily seen by the employer shall be provided which shall clearly indicate that the system is set-up for cycling in the PSDI mode.

(f) The control system shall incorporate a timer to deactivate PSDI when the press does not stroke within the period of time set by the timer. The timer shall be manually adjustable, to a maximum time of thirty seconds. For any timer setting greater than fifteen seconds, the adjustment shall be made by the use of a special tool available only to authorized persons. Following a deactivation of PSDI by the timer, the system shall make it necessary to reset the set-up/reset means in order to reactivate the PSDI mode.

(g) Reactivation of PSDI operation following deactivation of the PSDI mode from any other cause, such as activation of the red color stop control required by WAC 296-24-19503 (7)(b) of this part, interruption of the presence sensing field, opening of an interlock, or reselection of the number of sensing field interruptions/withdrawals required to cycle the press, shall require resetting of the set-up/reset means.

(h) The control system shall incorporate an automatic means to prevent initiation or continued operation in the PSDI mode unless the press drive motor is energized in the forward direction of crankshaft rotation.

(i) The control design shall preclude any movement of the slide caused by operation of power on, power off, or selector switches, or from checks for proper operations as required by this subsection.

(j) All components and subsystems of the control system shall be designed to operate together to provide total control system compliance with the requirements of this section.

(k) Where there is more than one operator of a press used for PSDI, each operator shall be protected by a separate, independently functioning, presence sensing device. The control system shall require that each sensing field be interrupted the selected number of times prior to initiating a stroke. Further, each operator shall be provided with a set-up/reset means that meets the requirements of this subsection, and which must be actuated to initiate operation of the press in the PSDI mode.

(l) The control system shall incorporate interlocks for supplemental guards, if used, which will prevent stroke initiation or will stop a stroke in progress if any supplemental guard fails or is deactivated.

(m) The control system shall perform checks for proper operation of all cycle control logic element switches and contacts at least once each cycle. Control elements shall be checked for correct status after power "on" and before the initial PSDI stroke.

(n) The control system shall have provisions for an "inch" operating means meeting the requirements of WAC 296-24-19503 (7)(b) of this part. Die-setting shall not be done in the PSDI mode. Production shall not be done in the "inch" mode.

(o) The control system shall permit only a single stroke per initiation command.

(p) Controls with internally stored programs (e.g., mechanical, electro-mechanical, or electronic) shall

meet the requirements of WAC 296-24-19505(13) of this part, and shall default to a predetermined safe condition in the event of any single failure within the system. Programmable controllers which meet the requirements for controls with internally stored programs stated above shall be permitted only if all logic elements affecting the safety system and point of operation safety are internally stored and protected in such a manner that they cannot be altered or manipulated by the user to an unsafe condition.

(7) Environmental requirements. Control components shall be selected, constructed, and connected together in such a way as to withstand expected operational and environmental stresses, at least including those outlined in WAC 296-24-20700. Such stresses shall not so affect the control system as to cause unsafe operation.

(8) Safety system.

(a) Mechanical power presses used in the PSDI mode shall be operated under the control of a safety system which, in addition to meeting the applicable requirements of WAC 296-24-19505(13) and 296-24-19507(5) and other applicable provisions of this part, shall function such that a single failure or single operating error shall not cause injury to personnel from point of operation hazards.

(b) The safety system shall be designed, constructed, and arranged as an integral total system, including all elements of the press, the controls, the safeguarding and any required supplemental safeguarding, and their interfaces with the operator and that part of the environment which has effect on the protection against point of operation hazards.

(9) Safeguarding the point of operation.

(a) The point of operation of presses operated in the PSDI mode shall be safeguarded in accordance with the requirements of WAC 296-24-19507 of this part, except that the safety distance requirements of (f) of this subsection shall be used for PSDI operation.

(b) PSDI shall be implemented only by use of light curtain (photo-electric) presence sensing devices which meet the requirements of WAC 296-24-19507 (3)(c)(iii) of this part unless the requirements of (c) of this subsection have been met.

(c) Alternatives to photo-electric light curtains may be used for PSDI when the employer can demonstrate, through tests and analysis by the employer or the manufacturer, that the alternative is as safe as the photo-electric light curtain, that the alternative meets the conditions of this section, has the same long-term reliability as light curtains and can be integrated into the entire safety system as provided for in this section. Prior to use, both the employer and manufacturer must certify that these requirements and all the other applicable requirements of this section are met and these certifications must be validated by an OSHA-recognized third-party validation organization to meet these additional requirements and all the other applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part. Three months prior to the operation of any alternative system, the employer must notify the OSHA Directorate of Safety Standards Programs of the name of the system to be installed, the manufacturer



and the OSHA-recognized third-party validation organization immediately. Upon request, the employer must make available to that office all tests and analyses for OSHA review.

(d) Individual sensing fields of presence sensing devices used to initiate strokes in the PSDI mode shall cover only one side of the press.

(e) Light curtains used for PSDI operation shall have minimum object sensitivity not to exceed one and one-fourth inches (31.75 mm). Where light curtain object sensitivity is user-adjustable, either discretely or continuously, design features shall limit the minimum object sensitivity adjustment not to exceed one and one-fourth inches (31.75 mm). Blanking of the sensing field is not permitted.

(f) The safety distance (Ds) from the sensing field of the presence sensing device to the point of operation shall be greater than or equal to the distance determined by the formula:

$$D_s = H_s(T_s + T_p + T_r + 2T_m) + D_p$$

Where:

Ds = Minimum safety distance.

Hs = Hand speed constant of sixty-three inches per second (1.6 m/s).

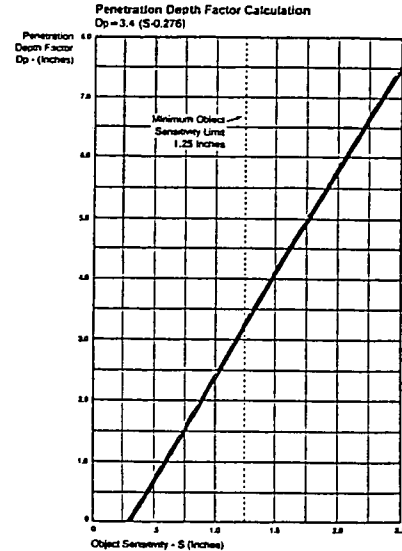
Ts = Longest press stopping time, in seconds, computed by taking averages of multiple measurements at each of three positions (forty-five degrees, sixty degrees, and ninety degrees) of crankshaft angular position; the longest of the three averages is the stopping time to use. (Ts is defined as the sum of the kinetic energy dissipation time plus the pneumatic/magnetic/hydraulic reaction time of the clutch/brake operating mechanism(s).)

Tp = Longest presence sensing device response time, in seconds.

Tr = Longest response time, in seconds, of all interposing control elements between the presence sensing device and the clutch/brake operating mechanism(s).

Tm = Increase in the press stopping time at the top of the stroke, in seconds, allowed by the brake monitor for brake wear. The time increase allowed shall be limited to no more than ten percent of the longest press stopping time measured at the top of the stroke, or ten milliseconds, whichever is longer.

Dp = Penetration depth factor, required to provide for possible penetration through the presence sensing field by fingers or hand before detection occurs. The penetration depth factor shall be determined from Graph A-1 using the minimum object sensitivity size.



(g) The presence sensing device location shall either be set at each tool change and set-up to provide at least the minimum safety distance, or fixed in location to provide a safety distance greater than or equal to the minimum safety distance for all tooling set-ups which are to be used on that press.

(h) Where presence sensing device location is adjustable, adjustment shall require the use of a special tool available only to authorized persons.

(i) Supplemental safeguarding shall be used to protect all areas of access to the point of operation which are unprotected by the PSDI presence sensing device. Such supplemental safeguarding shall consist of either additional light curtain (photo-electric) presence sensing devices or other types of guards which meet the requirements of WAC 296-24-19507 and 296-24-19515 of this part.

(A) Presence sensing devices used as supplemental safeguarding shall not initiate a press stroke, and shall conform to the requirements of WAC 296-24-19507 (3)(c) and other applicable provisions of this part, except that the safety distance shall comply with (f) of this subsection.

(B) Guards used as supplemental safeguarding shall conform to the design, construction and application requirements of WAC 296-24-19507(2) of this part, and shall be interlocked with the press control to prevent press PSDI operation if the guard fails, is removed, or is out of position.

(j) Barriers shall be fixed to the press frame or bolster to prevent personnel from passing completely through the sensing field, where safety distance or press configuration is such that personnel could pass through the PSDI presence sensing field and assume a position where the point of operation could be accessed without detection by the PSDI presence sensing device. As an alternative, supplemental presence sensing devices used only in the safeguard mode may be provided. If used, these devices shall be located so as to detect all operator locations and positions not detected by the PSDI sensing

field, and shall prevent stroking or stop a stroke in process when any supplemental sensing field(s) are interrupted.

(k) Hand tools. Where tools are used for feeding, removal of scrap, lubrication of parts, or removal of parts that stick on the die in PSDI operations:

(i) The minimum diameter of the tool handle extension shall be greater than the minimum object sensitivity of the presence sensing device(s) used to initiate press strokes; or

(ii) The length of the hand tool shall be such as to ensure that the operator's hand will be detected for any safety distance required by the press set-ups.

(10) Inspection and maintenance.

(a) Any press equipped with presence sensing devices for use in PSDI, or for supplemental safeguarding on presses used in the PSDI mode, shall be equipped with a test rod of diameter specified by the presence sensing device manufacturer to represent the minimum object sensitivity of the sensing field. Instructions for use of the test rod shall be noted on a label affixed to the presence sensing device.

(b) The following checks shall be made at the beginning of each shift and whenever a die change is made.

(i) A check shall be performed using the test rod according to the presence sensing device manufacturer's instructions to determine that the presence sensing device used for PSDI is operational.

(ii) The safety distance shall be checked for compliance with this section.

(iii) A check shall be made to determine that all supplemental safeguarding is in place. Where presence sensing devices are used for supplemental safeguarding, a check for proper operation shall be performed using a test rod according to the presence sensing device manufacturer's instructions.

(iv) A check shall be made to assure that the barriers and/or supplemental presence sensing devices required by this section are operating properly.

(v) A system or visual check shall be made to verify correct counterbalance adjustment for die weight according to the press manufacturer's instructions, when a press is equipped with a slide counterbalance system.

(c) When presses used in the PSDI mode have flywheel or bullgear running on crankshaft mounted journals and bearings, or a flywheel mounted on back shaft journals and bearings, periodic inspections following the press manufacturer's recommendations shall be made to ascertain that bearings are in good working order, and that automatic lubrication systems for these bearings (if automatic lubrication is provided) are supplying proper lubrication. On presses with provision for manual lubrication of flywheel or bullgear bearings, lubrication shall be provided according to the press manufacturer's recommendations.

(d) Periodic inspections of clutch and brake mechanisms shall be performed to assure they are in proper operating condition. The press manufacturer's recommendations shall be followed.

(e) When any check of the press, including those performed in accordance with the requirements of (b), (c),

or (d) of this subsection, reveals a condition of noncompliance, improper adjustment, or failure, the press shall not be operated until the condition has been corrected by adjustment, replacement, or repair.

(f) It shall be the responsibility of the employer to ensure the competence of personnel caring for, inspecting, and maintaining power presses equipped for PSDI operation, through initial and periodic training.

(11) Safety system certification/validation.

(a) Prior to the initial use of any mechanical press in the PSDI mode, two sets of certification and validation are required:

(i) The design of the safety system required for the use of a press in the PSDI mode shall be certified and validated prior to installation. The manufacturer's certification shall be validated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part.

(ii) After a press has been equipped with a safety system whose design has been certified and validated in accordance with this section, the safety system installation shall be certified by the employer, and then shall be validated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part.

(b) At least annually thereafter, the safety system on a mechanical power press used in the PSDI mode shall be recertified by the employer and revalidated by an OSHA-recognized third-party validation organization to meet all applicable requirements of WAC 296-24-19503 through 296-24-19515 and 296-24-20700 of this part. Any press whose safety system has not been recertified and revalidated within the preceding twelve months shall be removed from service in the PSDI mode until the safety system is recertified and revalidated.

(c) A label shall be affixed to the press as part of each installation certification/validation and the most recent recertification/revalidation. The label shall indicate the press serial number, the minimum safety distance (Ds) required by subsection (9)(f) of this section, the fulfillment of design certification/validation, the employer's signed certification, the identification of the OSHA-recognized third-party validation organization, its signed validation, and the date the certification/validation and recertification/revalidation are issued.

(d) Records of the installation certification and validation and the most recent recertification and revalidation shall be maintained for each safety system equipped press by the employer as long as the press is in use. The records shall include the manufacture and model number of each component and subsystem, the calculations of the safety distance as required by subsection (9)(f) of this section, and the stopping time measurements required by subsection (2)(b) of this section. The most recent records shall be made available to OSHA upon request.

(e) The employer shall notify the OSHA-recognized third-party validation organization within five days whenever a component or a subsystem of the safety system fails or modifications are made which may affect the

safety of the system. The failure of a critical component shall necessitate the removal of the safety system from service until it is recertified and revalidated, except recertification by the employer without revalidation is permitted when a noncritical component or subsystem is replaced by one of the same manufacture and design as the original, or determined by the third-party validation organization to be equivalent by similarity analysis, as set forth in WAC 296-24-20700.

(f) The employer shall notify the OSHA-recognized third-party validation organization within five days of the occurrence of any point of operation injury while a press is used in the PSDI mode. This is in addition to the report of injury required by WAC 296-24-19515 of this part; however, a copy of that report may be used for this purpose.

(12) Die setting and work set-up.

(a) Die setting on presses used in the PSDI mode shall be performed in accordance with WAC 296-24-19509.

(b) The PSDI mode shall not be used for die setting or set-up. An alternative manual cycle initiation and control means shall be supplied for use in die setting which meets the requirements of WAC 296-24-19505(7).

(c) Following a die change, the safety distance, the proper application of supplemental safeguarding, and the slide counterbalance adjustment (if the press is equipped with a counterbalance) shall be checked and maintained by authorized persons whose qualifications include knowledge of the safety distance, supplemental safeguarding requirements, and the manufacturer's specifications for counterbalance adjustment. Adjustment of the location of the PSDI presence sensing device shall require use of a special tool available only to the authorized persons.

(13) Operator training.

(a) The operator training required by WAC 296-24-19513(2) shall be provided to the employee before the employee initially operates the press and as needed to maintain competence, but not less than annually thereafter. It shall include instruction relative to the following items for presses used in the PSDI mode.

(i) The manufacturer's recommended test procedures for checking operation of the presence sensing device. This shall include the use of the test rod required by subsection (10)(a) of this section.

(ii) The safety distance required.

(iii) The operation, function, and performance of the PSDI mode.

(iv) The requirements for handtools that may be used in the PSDI mode.

(v) The severe consequences that can result if the operator attempts to circumvent or by-pass any of the safeguard or operating functions of the PSDI system.

(b) The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification record shall be prepared at the completion of training and shall be maintained on file for the duration of the employee's employment. The certification record

shall be made available upon request to the Assistant Secretary for Occupational Safety and Health.

#### NEW SECTION

WAC 296-24-20699 APPENDICES A THROUGH D ARE ADDED TO PART C OF CHAPTER 296-24 WAC, TO DESCRIBE THE FEDERAL PROCEDURES FOR THIRD-PARTY VALIDATION AND CERTIFICATION OF PRESENCE SENSING DEVICES ON MECHANICAL POWER PRESSES.

#### NEW SECTION

WAC 296-24-20700 APPENDIX A TO WAC 296-24-195. Mandatory requirements for certification/validation of safety systems for presence sensing device initiation of mechanical power presses.

(1) Purpose. The purpose of the certification/validation of safety systems for presence sensing device initiation (PSDI) of mechanical power presses is to ensure that the safety systems are designed, installed, and maintained in accordance with all applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(2) General.

(a) The certification/validation process shall utilize an independent third-party validation organization recognized by OSHA in accordance with the requirements specified in WAC 296-24-20720 Appendix C.

(b) While the employer is responsible for assuring that the certification/validation requirements in WAC 296-24-19517(11) are fulfilled, the design certification of PSDI safety systems may be initiated by manufacturers, employers, and/or their representatives. The term "manufacturers" refers to the manufacturer of any of the components of the safety system. An employer who assembles a PSDI safety system would be a manufacturer as well as employer for purposes of this standard and Appendix.

(c) The certification/validation process includes two stages. For design certification, in the first stage, the manufacturer (which can be an employer) certifies that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, based on appropriate design criteria and tests. In the second stage, the OSHA-recognized third-party validation organization validates that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the manufacturer's certification by reviewing the manufacturer's design and test data and performing any additional reviews required by this standard or which it believes appropriate.

(d) For installation certification/validation and annual recertification/revalidation, in the first stage the employer certifies or recertifies that the employer is installing or utilizing a PSDI safety system validated as meeting the design requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A by an OSHA-recognized third-party validation organization and that the installation, operation and maintenance

meet the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. In the second stage, the OSHA-recognized third-party validation organization validates or revalidates that the PSDI safety system installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the employer's certification, by reviewing that the PSDI safety system has been certified; the employer's certification, designs and tests, if any; the installation, operation, maintenance and training; and by performing any additional tests and reviews which the validation organization believes is necessary.

(3) Summary. The certification/validation of safety systems of PSDI shall consider the press, controls, safeguards, operator, and environment as an integrated system which shall comply with all of the requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A. The certification/validation process shall verify that the safety system complies with the OSHA safety requirements as follows:

(a) Design certification/validation.

(i) The major parts, components, and subsystems used shall be defined by part number or serial number, as appropriate, and by manufacturer to establish the configuration of the system.

(ii) The identified parts, components, and subsystems shall be certified by the manufacturer to be able to withstand the functional and operational environments of the PSDI safety system.

(iii) The total system design shall be certified by the manufacturer as complying with all requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(iv) The third-party validation organization shall validate the manufacturer's certification under (a)(i) and (ii) of this subsection.

(b) Installation certification/validation.

(i) The employer shall certify that the PSDI safety system has been design certified and validated, that the installation meets the operational and environmental requirements specified by the manufacturer, that the installation drawings are accurate, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. (The operational and installation requirements of the PSDI safety system may vary for different applications.)

(ii) The third-party validation organization shall validate the employer's certifications that the PSDI safety system is design certified and validated, that the installation meets the installation and environmental requirements specified by the manufacturer, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(c) Recertification/revalidation.

(i) The PSDI safety system shall remain under certification/validation for the shorter of one year or until the system hardware is changed, modified or refurbished, or operating conditions are changed (including environmental, application or facility changes), or a failure of a critical component has occurred.

(ii) Annually, or after a change specified in (c)(i) of this subsection, the employer shall inspect and recertify

the installation as meeting the requirements set forth under subsection (3)(b) of this section, Installation certification/validation.

(iii) The third-party validation organization, annually or after a change specified in (c)(i) of this subsection, shall validate the employer's certification that the requirements of subsection (b) of this section, Installation certification/validation have been met.

Note: Such changes in operational conditions as die changes of press relocations not involving disassembly or revision to the safety system would not require recertification/revalidation.

(4) Certification/validation requirements.

(a) General design certification/validation requirements.

(i) Certification/validation program requirements. The manufacturer shall certify and the OSHA-recognized third-party validation organization shall validate that:

(A) The design of components, subsystems, software, and assemblies meets OSHA performance requirements and are ready for the intended use; and

(B) The performance of combined subsystems meets OSHA's operational requirements.

(ii) Certification/validation program level of risk evaluation requirements. The manufacturer shall evaluate and certify, and the OSHA-recognized third-party validation organization shall validate, the design and operation of the safety system by determining conformance with the following:

(A) The safety system shall have the ability to sustain a single failure or a single operating error and not cause injury to personnel from point of operation hazards. Acceptable design features shall demonstrate, in the following order or precedence, that:

(I) No single failure points may cause injury; or

(II) Redundancy, and comparison and/or diagnostic checking, exist for the critical items that may cause injury, and the electrical, electronic, electromechanical and mechanical parts and components are selected so that they can withstand operational and external environments. The safety factor and/or derated percentage shall be specifically noted and complied with.

(B) The manufacturer shall design, evaluate, test and certify, and the third-party validation organization shall evaluate and validate, that the PSDI safety system meets appropriate requirements in the following areas.

(I) Environmental limits

- Temperature
- Relative humidity
- Vibration
- Fluid compatibility with other materials

(II) Design limits

- Power requirements
- Power transient tolerances
- Compatibility of materials used
- Material stress tolerances and limits
- Stability to long term power fluctuations
- Sensitivity to signal acquisition
- Repeatability of measured parameter without inadvertent initiation of a press stroke
- Operational life of components in cycles, hours, or both

– Electromagnetic tolerance to:

- Specific operational wave lengths; and
- Externally generated wave lengths
- New design certification/validation. Design certification/validation for a new safety system, i.e., a new design or new integration of specifically identified components and subsystems, would entail a single certification/validation which would be applicable to all identical safety systems. It would not be necessary to repeat the tests on individual safety systems of the same manufacture or design. Nor would it be necessary to repeat these tests in the case of modifications where determined by the manufacturer and validated by the third-party validation organization to be equivalent by similarity analysis. Minor modifications not affecting the safety of the system may be made by the manufacturer without revalidation.

(III) Substantial modifications would require testing as a new safety system, as deemed necessary by the validation organization.

(b) Additional detailed design certification/validation requirements.

(i) General. The manufacturer or the manufacturer's representative shall certify to and submit to an OSHA-recognized third-party validation organization the documentation necessary to demonstrate that the PSDI safety system design is in full compliance with the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, as applicable, by means of analysis, tests, or combination of both, establishing that the following additional certification/validation requirements are fulfilled.

(ii) Reaction times. For the purpose of demonstrating compliance with the reaction time required by WAC 296-24-19517, the tests shall use the following definitions and requirements:

(A) "Reaction time" means the time, in seconds, it takes the signal, required to activate/deactivate the system, to travel through the system, measured from the time of signal initiation to the time the function being measured is completed.

(B) "Full stop" or "no movement of the slide or ram" means when the crankshaft rotation has slowed to two or less revolutions per minute, just before stopping completely.

(C) "Function completion" means for, electrical, electromechanical and electronic devices, when the circuit produces a change of state in the output element of the device.

(D) When the change of state is motion, the measurement shall be made at the completion of the motion.

(E) The generation of the test signal introduced into the system for measuring reaction time shall be such that the initiation time can be established with an error of less than 0.5 percent of the reaction time measured.

(F) The instrument used to measure reaction time shall be calibrated to be accurate to within 0.001 second.

(iii) Compliance with WAC 296-24-19517 (2)(b).

(A) For compliance with these requirements, the average value of the stopping time,  $T_s$ , shall be the arithmetic mean of at least twenty-five stops for each stop angle initiation measured with the brake and/or clutch

unused, fifty percent worn, and ninety percent worn. The recommendations of the brake system manufacturer shall be used to simulate or estimate the brake wear. The manufacturer's recommended minimum lining depth shall be identified and documented, and an evaluation made that the minimum depth will not be exceeded before the next (annual) recertification/revalidation. A correlation of the brake and/or clutch degradation based on the above tests and/or estimates shall be made and documented. The results shall document the conditions under which the brake and/or clutch will and will not comply with the requirement. Based upon this determination, a scale shall be developed to indicate the allowable ten percent of the stopping time at the top of the stroke for slide or ram overtravel due to brake wear. The scale shall be marked to indicate that brake adjustment and/or replacement is required. The explanation and use of the scale shall be documented.

(B) The test specification and procedure shall be submitted to the validation organization for review and validation prior to the test. The validation organization representative shall witness at least one set of tests.

(iv) Compliance with WAC 296-24-19517 (5)(c) and (9)(f). Each reaction time required to calculate the safety distance, including the brake monitor setting, shall be documented in separate reaction time tests. These tests shall specify the acceptable tolerance band sufficient to assure that tolerance build-up will not render the safety distance unsafe.

(I) Integrated test of the press fully equipped to operate in the PSDI mode shall be conducted to establish the total system reaction time.

(II) Brakes which are the adjustable type shall be adjusted properly before the test.

(v) Compliance with WAC 296-24-19517 (2)(c).

(A) Prior to conducting the brake system test required by WAC 296-24-19517 (2)(b), a visual check shall be made of the springs. The visual check shall include a determination that the spring housing or rod does not show damage sufficient to degrade the structural integrity of the unit, and the spring does not show any tendency to interleave.

(B) Any detected broken or unserviceable springs shall be replaced before the test is conducted. The test shall be considered successful if the stopping time remains within that which is determined by WAC 296-24-19517 (9)(f) for the safety distance setting. If the increase in press stopping time exceeds the brake monitor setting limit defined in WAC 296-24-19517 (5)(c), the test shall be considered unsuccessful, and the cause of the excessive stopping time shall be investigated. It shall be ascertained that the springs have not been broken and that they are functioning properly.

(vi) Compliance with WAC 296-24-19517(7).

(A) Tests which are conducted by the manufacturers of electrical components to establish stress, life, temperature and loading limits must be tests which are in compliance with the provisions of the National Electrical Code.

(B) Electrical and/or electronic cards or boards assembled with discreet components shall be considered a subsystem and shall require separate testing that the

subsystems do not degrade in any of the following conditions:

(I) Ambient temperature variation from  $-20^{\circ}\text{C}$  to  $+50^{\circ}\text{C}$ .

(II) Ambient relative humidity of ninety-nine percent.

(III) Vibration of 45G for one millisecond per stroke when the item is to be mounted on the press frame.

(IV) Electromagnetic interference at the same wavelengths used for the radiation sensing field, at the power line frequency fundamental and harmonics, and also from autogenous radiation due to system switching.

(V) Electrical power supply variations of NZ15 percent.

(C) The manufacturer shall specify the test requirements and procedures from existing consensus tests in compliance with the provisions of the National Electrical Code.

(D) Tests designed by the manufacturer shall be made available upon request to the validation organization. The validation organization representative shall witness at least one set of each of these tests.

(vii) Compliance with WAC 296-24-19517 (9)(d).

(A) The manufacturer shall design a test to demonstrate that the prescribed minimum object sensitivity of the presence sensing device is met.

(B) The test specifications and procedures shall be made available upon request to the validation organization.

(viii) Compliance with WAC 296-24-19517 (9)(k).

(A) The manufacturer shall design a test(s) to establish the hand tool extension diameter allowed for variations in minimum object sensitivity response.

(B) The test(s) shall document the range of object diameter sizes which will produce both single and double break conditions.

(C) The test(s) specifications and procedures shall be made available upon request to the validation organization.

(ix) Integrated tests certification/validation.

(A) The manufacturer shall design a set of integrated tests to demonstrate compliance with the following requirements:

WAC 296-24-19517 (6)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o).

(B) The integrated test specifications and procedures shall be made available to the validation organization.

(x) Analysis. The manufacturer shall submit to the validation organization the technical analysis such as hazard analysis, failure mode and effect analysis, stress analysis, component and material selection analysis, fluid compatibility, and/or other analyses which may be necessary to demonstrate compliance with the following requirements:

WAC 296-24-19517 (8)(a) and (b); (2)(b) and (c); (3)(a)(i) and (iv) and (b); (5)(a), (b) and (c); (6)(a), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p); (7)(a) and (b); (9)(d), (f), (i), (j) and (k); (10)(a) and (b).

(xi) Types of tests acceptable for certification/validation.

(A) Test results obtained from development testing may be used to certify/validate the design.

(B) The test results shall provide the engineering data necessary to establish confidence that the hardware and software will meet specifications, the manufacturing process has adequate quality control and the data acquired was used to establish processes, procedures, and test levels supporting subsequent hardware design, production, installation and maintenance.

(xii) Validation for design certification/validation. If, after review of all documentation, tests, analyses, manufacturer's certifications, and any additional tests which the third-party validation organization believes are necessary, the third-party validation organization determines that the PSDI safety system is in full compliance with the applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, it shall validate the manufacturer's certification that it so meets the stated requirements.

(c) Installation certification/validation requirements.

(i) The employer shall evaluate and test the PSDI system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall certify that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A have been met and that the installation is proper.

(ii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation tests, documentation and representations. If it so determines, it shall validate the employer's certification that the PSDI safety system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(d) Recertification/revalidation requirements.

(i) A PSDI safety system which has received installation certification/validation shall undergo recertification/revalidation the earlier of:

(A) Each time the systems hardware is significantly changed, modified, or refurbished;

(B) Each time the operational conditions are significantly changed (including environmental, application or facility changes, but excluding such changes as die changes or press relocations not involving revision to the safety system);

(C) When a failure of a significant component has occurred or a change has been made which may affect safety; or

(D) When one year has elapsed since the installation certification/validation or the last recertification/revalidation.

(ii) Conduct or recertification/revalidation. The employer shall evaluate and test the PSDI safety system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall recertify that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A are being met. The documentation shall include, but not be limited to, the following items:

(A) Demonstration of a thorough inspection of the entire press and PSDI safety system to ascertain that the installation, components and safeguarding have not been

changed, modified or tampered with since the installation certification/validation or last recertification/revalidation was made.

(B) Demonstrations that such adjustments as may be needed (such as to the brake monitor setting) have been accomplished with proper changes made in the records and on such notices as are located on the press and safety system.

(C) Demonstration that review has been made of the reports covering the design certification/validation, the installation certification/validation, and all recertification/revalidation, in order to detect any degradation to an unsafe condition, and that necessary changes have been made to restore the safety system to previous certification/validation levels.

(iii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation, tests, documentation and representations. If it so determines, it shall revalidate the employer's recertification that the PSDI system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

#### NEW SECTION

WAC 296-24-20710 APPENDIX B TO WAC 296-24-195. Nonmandatory guidelines for certification/validation of safety systems for presence sensing device initiation of mechanical power presses.

(1) Objectives. This Appendix provides employers, manufacturers, and their representatives, with nonmandatory guidelines for use in developing certification documents. Employers and manufacturers are encouraged to recommend other approaches if there is a potential for improving safety and reducing cost. The guidelines apply to certification/validation activity from design evaluation through the completion of the installation test and the annual recertification/revalidation tests.

(2) General guidelines.

(a) The certification/validation process should confirm that hazards identified by hazard analysis, (HA), failure mode effect analyses (FMEA), and other system analyses have been eliminated by design or reduced to an acceptable level through the use of appropriate design features, safety devices, warning devices, or special procedures. The certification/validation process should also confirm that residual hazards identified by operational analysis are addressed by warning, labeling safety instructions or other appropriate means.

(b) The objective of the certification/validation program is to demonstrate and document that the system satisfies specification and operational requirements for safe operations.

(3) Quality control. The safety attributes of a certified/validated PSDI safety system are more likely to be maintained if the quality of the system and its parts, components and subsystem is consistently controlled. Each manufacturer supplying parts, components, subsystems, and assemblies needs to maintain the quality of the product, and each employer needs to maintain the system in a nondegraded condition.

(4) Analysis guidelines.

(a) Certification/validation of hardware design below the system level should be accomplished by test and/or analysis.

(b) Analytical methods may be used in lieu of, in combination with, or in support of tests to satisfy specification requirements.

(c) Analyses may be used for certification/validation when existing data are available or when test is not feasible.

(d) Similarity analysis may be used in lieu of tests where it can be shown that the article is similar in design, manufacturing process, and quality control to another article that was previously certified/validated in accordance with equivalent or more stringent criteria. If previous design, history and application are considered to be similar, but not equal to or more exacting than earlier experiences, the additional or partial certification/validation tests should concentrate on the areas of changed or increased requirements.

(5) Analysis reports.

(a) The analysis reports should identify:

(i) The basis for the analysis;

(ii) The hardware or software items analyzed;

(iii) Conclusions;

(iv) Safety factors; and

(v) Limit of the analysis.

The assumptions made during the analysis should be clearly stated and a description of the effects of these assumptions on the conclusions and limits should be included.

(b) Certification/validation by similarity analysis reports should identify, in addition to the above, application of the part, component or subsystem for which certification/validation is being sought as well as data from previous usage establishing adequacy of the item. Similarity analysis should not be accepted when the internal and external stresses on the item being certified/validated are not defined.

(c) Usage experience should also include failure data supporting adequacy of the design.

#### NEW SECTION

WAC 296-24-20720 APPENDIX C TO WAC 296-24-195. Mandatory requirements for OSHA recognition of third-party validation organizations for the PSDI standard.

(1) This Appendix prescribes mandatory requirements and procedures for OSHA recognition of third-party validation organizations to validate employer and manufacturer certifications that their equipment and practices meet the requirements of the PSDI standard. The scope of the Appendix includes the three categories of certification/validation required by the PSDI standard: Design certification/validation, installation certification/validation, and annual recertification/revalidation. If further detailing of these provisions will assist the validation organization or OSHA in this activity, this detailing will be done through appropriate OSHA program directives.

(2) Procedure for OSHA recognition of validation organizations.

(a) Applications.

(i) Eligibility.

(A) Any person or organization considering itself capable of conducting a PSDI-related third-party validation function may apply for OSHA recognition.

(B) However, in determining eligibility for a foreign-based third-party validation organization, OSHA shall take into consideration whether there is reciprocity of treatment by the foreign government after consultation with relevant United States government agencies.

(ii) Content of application.

(A) The application shall identify the scope of the validation activity for which the applicant wishes to be recognized, based on one of the following alternatives:

(I) Design certification/validation, installation certification/validation, and annual recertification/revalidation;

(II) Design certification/validation only; or

(III) Installation/certification/validation and annual recertification/revalidation.

(B) The application shall provide information demonstrating that it and any validating laboratory utilized meet the qualifications set forth in subsection (3) of this section.

(C) The applicant shall provide information demonstrating that it and any validating laboratory utilized meet the program requirements set forth in subsection (4) of this section.

(D) The applicant shall identify the test methods it or the validating laboratory will use to test or judge the components and operations of the PSDI safety system required to be tested by the PSDI standard and WAC 296-24-20700, Appendix A, and shall specify the reasons the test methods are appropriate.

(E) The applicant may include whatever enclosures, attachments, or exhibits the applicant deems appropriate. The application need not be submitted on a federal form.

(F) The applicant shall certify that the information submitted is accurate.

(iii) Filing office location. The application shall be filed with: PSDI Certification/Validation Program, Office of Variance Determination, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3653, 200 Constitution Avenue, N.W., Washington, DC 20210.

(iv) Amendments and withdrawals.

(A) An application may be revised by an applicant at any time prior to the completion of the final staff recommendation.

(B) An application may be withdrawn by an applicant, without prejudice, at any time prior to the final decision by the assistant secretary in (b)(viii)(B)(IV) of this subsection.

(b) Review and decision process.

(i) Acceptance and field inspection. All applications submitted will be accepted by OSHA, and their receipt acknowledged in writing. After receipt of an application, OSHA may request additional information if it believes information relevant to the requirements for recognition have been omitted. OSHA may inspect the facilities of

the third-party validation organization and any validating laboratory, and while there shall review any additional documentation underlying the application. A report shall be made of each field inspection.

(ii) Requirements for recognition. The requirements for OSHA recognition of a third-party validation organization for the PSDI standard are that the program has fulfilled the requirements of subsection (3) of this section for qualifications and of subsection (4) of this section for program requirements, and the program has identified appropriate test and analysis methods to meet the requirements of the PSDI standard and WAC 296-24-20700, Appendix A.

(iii) Preliminary approval. If, after review of the application, any additional information, and the inspection report, the applicant and any validating laboratory appear to have met the requirements for recognition, a written recommendation shall be submitted by the responsible OSHA personnel to the assistant secretary to approve the application with a supporting explanation.

(iv) Preliminary disapproval. If, after review of the application, additional information, and inspection report, the applicant does not appear to have met the requirements for recognition, the director of the PSDI certification/validation program shall notify the applicant in writing, listing the specific requirements of this Appendix which the applicant has not met, and the reasons.

(v) Revision of application. After receipt of a notification of preliminary disapproval, the applicant may submit a revised application for further review by OSHA pursuant to (b) of this subsection or may request that the original application be submitted to the assistant secretary with a statement of reasons supplied by the applicant as to why the application should be approved.

(vi) Preliminary decision by assistant secretary.

(A) The assistant secretary, or a special designee for this purpose, will make a preliminary decision whether the applicant has met the requirements for recognition based on the completed application file and the written staff recommendation, as well as the statement of reasons by the applicant if there is a recommendation of disapproval.

(B) This preliminary decision will be sent to the applicant and subsequently published in the federal register.

(vii) Public review and comment period.

(A) The federal register notice of preliminary decision will provide a period of not less than sixty calendar days for the written comments on the applicant's fulfillment of the requirements for recognition. The application, supporting documents, staff recommendation, statement of applicant's reasons, and any comments received, will be available for public inspection in the OSHA docket office.

(B) If the preliminary decision is in favor of recognition, a member of the public, or if the preliminary decision is against recognition, the applicant may request a public hearing by the close of the comment period, if it supplies detailed reasons and evidence challenging the basis of the assistant secretary's preliminary decision and



justifying the need for a public hearing to bring out evidence which could not be effectively supplied through written submissions.

(viii) Final decision by assistant secretary.

(A) Without hearing. If there are no valid requests for a hearing, based on the application, supporting documents, staff recommendation, evidence and public comment, the assistant secretary shall issue the final decision (including reasons) of the Department of Labor on whether the applicant has demonstrated by a preponderance of the evidence that it meets the requirements for recognition.

(B) After hearing. If there is a valid request for a hearing pursuant to (b)(vii)(B) of this subsection, the following procedures will be used:

(I) The assistant secretary will issue a notice of hearing before an administrative law judge of the Department of Labor pursuant to the rules specified in 29 CFR Part 1905, Subpart C.

(II) After the hearing, pursuant to Subpart C, the administrative law judge shall issue a decision (including reasons) based on the application, the supporting documentation, the staff recommendation, the public comments and the evidence submitted during the hearing (the record), stating whether it has been demonstrated, based on a preponderance of evidence, that the applicant meets the requirements for recognition. If no exceptions are filed, this is the final decision of the Department of Labor.

(III) Upon issuance of the decision, any party to the hearing may file exceptions within twenty days pursuant to Subpart C. If exceptions are filed, the administrative law judge shall forward the decision, exceptions and record to the assistant secretary for the final decision on the application.

(IV) The assistant secretary shall review the record, the decision by the administrative law judge, and the exceptions. Based on this, the assistant secretary shall issue the final decision (including reasons) of the Department of Labor stating whether the applicant has demonstrated by a preponderance of evidence that it meets the requirements for recognition.

(ix) Publication. A notification of the final decision shall be published in the federal register.

(c) Terms and conditions of recognition, renewal and revocation.

(i) The following terms and conditions shall be part of every recognition:

(A) The recognition of any validation organization will be evidenced by a letter of recognition from OSHA. The letter will provide the specific details of the scope of the OSHA recognition as well as any conditions imposed by OSHA, including any federal monitoring requirements.

(B) The recognition of each validation organization will be valid for five years, unless terminated before or renewed after the expiration of the period. The dates of the period of recognition will be stated in the recognition letter.

(C) The recognized validation organization shall continue to satisfy all the requirements of this Appendix

and the letter of recognition during the period of recognition.

(ii) A recognized validation organization may change a test method of the PSDI safety system certification/validation program by notifying the assistant secretary of the change, certifying that the revised method will be at least as effective as the prior method, and providing the supporting data upon which its conclusions are based.

(iii) A recognized validation organization may renew its recognition by filing a renewal request at the address in (a)(iii) of this subsection, not less than one hundred eighty calendar days, nor more than one year, before the expiration date of its current recognition. When a recognized validation organization has filed such a renewal request, its current recognition will not expire until a final decision has been made on the request. The renewal request will be processed in accordance with (b) of this subsection, except that a reinspection is not required but may be performed by OSHA. A hearing will be granted to an objecting member of the public if evidence of failure to meet the requirements of this Appendix is supplied to OSHA.

(iv) A recognized validation organization may apply to OSHA for an expansion of its current recognition to cover other categories of PSDI certification/validation in addition to those included in the current recognition. The application for expansion will be acted upon and processed by OSHA in accordance with (b) of this subsection, subject to the possible reinspection exception. If the validation organization has been recognized for more than one year, meets the requirements for expansion of recognition, and there is no evidence that the recognized validation organization has not been following the requirements of this Appendix and the letter of recognition, an expansion will normally be granted. A hearing will be granted to an objecting member of the public only if evidence of failure to meet the requirements of this Appendix is supplied to OSHA.

(v) A recognized validation organization may voluntarily terminate its recognition, either in its entirety or with respect to any area covered in its recognition, by giving written notice to OSHA at any time. The written notice shall indicate the termination date. A validation organization may not terminate its installation certification and recertification validation functions earlier than either one year from the date of the written notice, or the date on which another recognized validation organization is able to perform the validation of installation certification and recertification.

(vi) OSHA may revoke its recognition of a validation organization if its program either has failed to continue to satisfy the requirements of this Appendix or its letter of recognition, has not been performing the validation functions required by the PSDI standard and WAC 296-24-20700, Appendix A, or has misrepresented itself in its applications. Before proposing to revoke recognition, the agency will notify the recognized validation organization of the basis of the proposed revocation and will allow rebuttal or correction of the alleged deficiencies. If the deficiencies are not corrected, OSHA may revoke recognition, effective in sixty days, unless the

validation organization requests a hearing within that time.

(vii) If a hearing is requested, it shall be held before an administrative law judge of the Department of Labor pursuant to the rules specified in 29 CFR Part 1905, Subpart C.

(viii) The parties shall be OSHA and the recognized validation organization. The decision shall be made pursuant to the procedures specified in (b)(viii)(B)(II) through (IV) of this subsection except that the burden of proof shall be on OSHA to demonstrate by a preponderance of the evidence that the recognition should be revoked because the validation organization either is not meeting the requirements for recognition, has not been performing the validation functions required by the PSDI standard and WAC 296-24-20700, Appendix A, or has misrepresented itself in its applications.

(d) Provisions of OSHA recognition. Each recognized third-party validation organization and its validating laboratories shall:

(i) Allow OSHA to conduct unscheduled reviews or on-site audits of it or the validating laboratories on matters relevant to PSDI, and cooperate in the conduct of these reviews and audits;

(ii) Agree to terms and conditions established by OSHA in the grant of recognition on matters such as exchange of data, submission of accident reports, and assistance in studies for improving PSDI or the certification/validation process.

(3) Qualifications. The third-party validation organization, the validating laboratory, and the employees of each shall meet the requirements set forth in this section of this Appendix.

(a) Experience of validation organization.

(i) The third-party validation organization shall have legal authority to perform certification/validation activities.

(ii) The validation organization shall demonstrate competence and experience in either power press design, manufacture or use, or testing, quality control or certification/validation of equipment comparable to power presses and associated control systems.

(iii) The validation organization shall demonstrate a capability for selecting, reviewing, and/or validating appropriate standards and test methods to be used for validating the certification of PSDI safety systems, as well as for reviewing judgments on the safety of PSDI safety systems and their conformance with the requirements of this section.

(iv) The validating organization may utilize the competence, experience, and capability of its employees to demonstrate this competence, experience, and capability.

(b) Independence of validation organization.

(i) The validation organization shall demonstrate that:

(A) It is financially capable to conduct the work;

(B) It is free of direct influence or control by manufacturers, suppliers, vendors, representatives of employers and employees, and employer or employee organizations; and

(C) Its employees are secure from discharge resulting from pressures from manufacturers, suppliers, vendors, employers or employee representatives.

(ii) A validation organization may be considered independent even if it has ties with manufacturers, employers or employee representatives if these ties are with at least two of these three groups; it has a board of directors (or equivalent leadership responsible for the certification/validation activities) which includes representatives of the three groups; and it has a binding commitment of funding for a period of three years or more.

(c) Validating laboratory. The validation organization's laboratory (which organizationally may be a part of the third-party validation organization):

(i) Shall have legal authority to perform the validation of certification;

(ii) Shall be free of operational control and influence of manufacturers, suppliers, vendors, employers or employee representatives that would impair its integrity of performance; and

(iii) Shall not engage in the design, manufacture, sale, promotion, or use of the certified equipment.

(d) Facilities and equipment. The validation organization's validating laboratory shall have available all testing facilities and necessary test and inspection equipment relevant to the validation of the certification of PSDI safety systems, installations and operations.

(e) Personnel. The validation organization and the validating laboratory shall be adequately staffed by personnel who are qualified by technical training and/or experience to conduct the validation of the certification of PSDI safety systems.

(i) The validation organization shall assign overall responsibility for the validation of PSDI certification to an administrative director. Minimum requirements for this position are a Bachelor's degree and five years professional experience, at least one of which shall have been in responsible charge of a function in the areas of power press design or manufacture or a broad range of power press use, or in the areas of testing, quality control, or certification/validation of equipment comparable to power presses or their associated control systems.

(ii) The validating laboratory, if a separate organization from the validation organization, shall assign technical responsibility for the validation of PSDI certification to a technical director. Minimum requirements for this position are a Bachelor's degree in a technical field and five years of professional experience, at least one of which shall have been in responsible charge of a function in the area of testing, quality control or certification/validation of equipment comparable to power presses or their associated control systems.

(iii) If the validation organization and the validating laboratory are the same organization, the administrative and technical responsibilities may be combined in a single position, with minimum requirements as described in (e)(i) and (ii) of this subsection for the combined position.

(iv) The validation organization and validating laboratory shall have adequate administrative and technical staffs to conduct the validation of the certification of PSDI safety systems.

(f) Certification/validation mark or logo.

(i) The validation organization or the validating laboratory shall own a registered certification/validation mark or logo.

(ii) The mark or logo shall be suitable for incorporation into the label required by WAC 296-24-19517 (11)(c) of this part.

(4) Program requirements.

(a) Test and certification/validation procedures.

(i) The validation organization and/or validating laboratory shall have established written procedures for test and certification/validation of PSDI safety systems. The procedures shall be based on pertinent OSHA standards and test methods, or other publicly available standards and test methods generally recognized as appropriate in the field, such as national consensus standards or published standards of professional societies or trade associations.

(ii) The written procedures for test and certification/validation of PSDI systems, and the standards and test methods on which they are based, shall be reproducible and be available to OSHA and to the public upon request.

(b) Test reports.

(i) A test report shall be prepared for each PSDI safety system that is tested. The test report shall be signed by a technical staff representative and the technical director.

(ii) The test report shall include the following:

(A) Name of manufacturer and catalog or model number of each subsystem or major component.

(B) Identification and description of test methods or procedures used. (This may be through reference to published sources which describe the test methods or procedures used.)

(C) Results of all tests performed.

(D) All safety distance calculations.

(iii) A copy of the test report shall be maintained on file at the validation organization and/or validating laboratory, and shall be available to OSHA upon request.

(c) Certification/validation reports.

(i) A certification/validation report shall be prepared for each PSDI safety system for which the certification is validated. The certification/validation report shall be signed by the administrative director and the technical director.

(ii) The certification/validation report shall include the following:

(A) Name of manufacturer and catalog or model number of each subsystem or major component.

(B) Results of all tests which serve as the basis for the certification.

(C) All safety distance calculations.

(D) Statement that the safety system conforms with all requirements of the PSDI standard and WAC 296-24-20700, Appendix A.

(iii) A copy of the certification/validation report shall be maintained on file at the validation organization and/or validating laboratory, and shall be available to the public upon request.

(iv) A copy of the certification/validation report shall be submitted to OSHA within thirty days of its completion.

(d) Publications system. The validation organization shall make available upon request a list of PSDI safety systems which have been certified/validated by the program.

(e) Follow-up activities.

(i) The validation organization or validating laboratory shall have a follow-up system for inspecting or testing manufacturer's production of design certified/validated PSDI safety system components and subassemblies where deemed appropriate by the validation organization.

(ii) The validation organization shall notify the appropriate product manufacturer(s) of any reports from employers of point of operation injuries which occur while a press is operated in a PSDI mode.

(f) Records. The validation organization or validating laboratory shall maintain a record of each certification/validation of a PSDI safety system, including manufacturer and/or employer certification documentation, test and working data, test report, certification/validation report, any follow-up inspections or testing, and reports of equipment failures, any reports of accidents involving the equipment, and any other pertinent information. These records shall be available for inspection by OSHA and OSHA state plan offices.

(g) Dispute resolution procedures.

(i) The validation organization shall have a reasonable written procedure for acknowledging and processing appeals or complaints from program participants (manufacturers, producers, suppliers, vendors, and employers) as well as other interested parties (employees or their representatives, safety personnel, government agencies, etc.), concerning certification or validation.

(ii) The validation organization may charge any complainant the reasonable charge for repeating tests needed for the resolution of disputes.

#### NEW SECTION

WAC 296-24-20730 APPENDIX D TO WAC 296-24-195. Nonmandatory supplementary information.

(1) This Appendix provides nonmandatory supplementary information and guidelines to assist in the understanding and use of WAC 296-24-19517 to allow presence sensing device initiation (PSDI) of mechanical power presses. Although this Appendix as such is not mandatory, it references sections and requirements which are made mandatory by other parts of the PSDI standard and appendices.

(2) General. OSHA intends that PSDI continue to be prohibited where present state-of-the-art technology will not allow it to be done safely. Only part revolution type mechanical power presses are approved for PSDI. Similarly, only presses with a configuration such that a person's body cannot completely enter the bed area are approved for PSDI.

(3) Brake and clutch.

(a) Flexible steel band brakes do not possess a long-term reliability against structural failure as compared to other types of brakes, and therefore are not acceptable on presses used in the PSDI mode of operation.

(b) Fast and consistent stopping times are important to safety for the PSDI mode of operation. Consistency of

braking action is enhanced by high brake torque. The requirement in WAC 296-24-19517 (2)(b) defines a high torque capability which should ensure fast and consistent stopping times.

(c) Brake design parameters important to PSDI are high torque, low moment of inertia, low air volume (if pneumatic) mechanisms, noninterleaving engagement springs, and structural integrity which is enhanced by over-design. The requirement in WAC 296-24-19517 (2)(c) reduces the possibility of significantly increased stopping time if a spring breaks.

(d) As an added precaution to the requirements in WAC 296-24-19517 (2)(c), brake adjustment locking means should be secured. Where brake springs are externally accessible, lock nuts or other means may be provided to reduce the possibility of backing off of the compression nut which holds the springs in place.

(4) Pneumatic systems. Elevated clutch/brake air pressure results in longer stopping time. The requirement in WAC 296-24-19517 (3)(a)(iii) is intended to prevent degradation in stopping speed from higher air pressure. Higher pressures may be permitted, however, to increase clutch torque to free "jammed" dies, provided positive measures are provided to prevent the higher pressure at other times.

(5) Flywheels and bearings. Lubrication of bearings is considered the single greatest deterrent to their failure. The manufacturer's recommended procedures for maintenance and inspection should be closely followed.

(6) Brake monitoring.

(a) The approval of brake monitor adjustments, as required in WAC 296-24-19517 (5)(b), is not considered a recertification, and does not necessarily involve an on-site inspection by a representative of the validation organization. It is expected that the brake monitor adjustment normally could be evaluated on the basis of the effect on the safety system certification/validation documentation retained by the validation organization.

(b) Use of a brake monitor does not eliminate the need for periodic brake inspection and maintenance to reduce the possibility of catastrophic failures.

(7) Cycle control and control systems.

(a) The PSDI set-up/reset means required by WAC 296-24-19517 (6)(d) may be initiated by the actuation of a special momentary pushbutton or by the actuation of a special momentary pushbutton and the initiation of a first stroke with two hand controls.

(b) It would normally be preferable to limit the adjustment of the time required in WAC 296-24-19517 (6)(b) to a maximum of fifteen seconds. However, where an operator must do many operations outside the press, such as lubricating, trimming, deburring, etc., a longer interval up to thirty seconds is permitted.

(c) When a press is equipped for PSDI operation, it is recommended that the presence sensing device be active as a guarding device in other production modes. This should enhance the reliability of the device and ensure that it remains operable.

(d) An acceptable method for interlocking supplemental guards as required by WAC 296-24-19517 (6)(h) would be to incorporate the supplemental guard

and the PSDI presence sensing device into a hinged arrangement in which the alignment of the presence sensing device serves, in effect, as the interlock. If the supplemental guards are moved, the presence sensing device would become misaligned and the press control would be deactivated. No extra microswitches or interlocking sensors would be required.

(e) WAC 296-24-19517 (6)(a) of the standard requires that the control system have provisions for an "inch" operating means; that die-setting not be done in the PSDI mode; and that production not be done in the "inch" mode. It should be noted that the sensing device would be by-passed in the "inch" mode. For that reason, the prohibitions against die-setting in the PSDI mode, and against production in the "inch" mode are cited to emphasize that "inch" operation is of reduced safety and is not compatible with PSDI or other production modes.

(8) Environmental requirements. It is the intent of WAC 296-24-19517(7) that control components be provided with inherent design protection against operating stresses and environmental factors affecting safety and reliability.

(9) Safety system.

(a) The safety system provision continues the concept of WAC 296-24-19505(13) that the probability of two independent failures in the length of time required to make one press cycle is so remote as to be a negligible risk factor in the total array of equipment and human factors. The emphasis is on an integrated total system including all elements affecting point of operation safety.

(b) It should be noted that this does not require redundancy for press components such as structural elements, clutch/brake mechanisms, plates, etc., for which adequate reliability may be achieved by proper design, maintenance, and inspection.

(10) Safeguarding the point of operation.

(a) The intent of WAC 296-24-19517 (9)(c) is to prohibit use of mirrors to "bend" a single light curtain sensing field around corners to cover more than one side of a press. This prohibition is needed to increase the reliability of the presence sensing device in initiating a stroke only when the desired work motion has been completed.

(b) "Object sensitivity" describes the capability of a presence sensing device to detect an object in the sensing field, expressed as the linear measurement of the smallest interruption which can be detected at any point in the field. Minimum object sensitivity describes the largest acceptable size of the interruption in the sensing field. A minimum object sensitivity of one and one-fourth inches (31.75 mm) means that a one and one-fourth inch (31.75 mm) diameter object will be continuously detected at all locations in the sensing field.

(c) In deriving the safety distance required in WAC 296-24-19517 (9)(f), all stopping time measurements should be made with clutch/brake air pressure regulated to the press manufacturer's recommended value for full clutch torque capability. The stopping time measurements should be made with the heaviest upper die that is planned for use in the press. If the press has a slide

counterbalance system, it is important that the counterbalance be adjusted correctly for upper die weight according to the manufacturer's instructions. While the brake monitor setting is based on the stopping time it actually measures, i.e., the normal stopping time at the top of the stroke, it is important that the safety distance be computed from the longest stopping time measured at any of the indicated three downstroke stopping positions listed in the explanation of Ts. The use in the formula of twice the stopping time increase, Tm, allowed by the brake monitor for brake wear allows for greater increases in the downstroke stopping time than occur in normal stopping time at the top of the stroke.

(11) Inspection and maintenance. [Reserved]

(12) Safety system certification/validation. Mandatory requirements for certification/validation of the PSDI safety system are provided in WAC 296-24-20700, Appendix A, and 296-24-20720, Appendix C to this standard. Nonmandatory supplementary information and guidelines relating to certification/validation of the PSDI safety system are provided in WAC 296-24-20710, Appendix B to this standard.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order 74-27, filed 5/7/74)

WAC 296-24-23001 DEFINITION. These definitions are applicable to all sections of this chapter containing WAC 296-24-230 in the section number. As used in those sections, the term, "approved truck" or "approved industrial truck" means a truck that is listed or approved for fire safety purposes for the intended use by a nationally recognized testing laboratory, ((e.g. Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp.)) using nationally recognized testing standards. Refer to WAC 296-24-58501(19) for definition of listed, and to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

**AMENDATORY SECTION** (Amending Order 73-5, filed 5/9/73)

WAC 296-24-24017 OTHER REQUIREMENTS.

(1) Rail clamps. Rail clamps shall not be used as a means of restraining tipping of a locomotive crane.

(2) Ballast or counterweight. Cranes shall not be operated without the full amount of any ballast or counterweight in place as specified by the maker, but truck cranes that have dropped the ballast or counterweight may be operated temporarily with special care and only for light loads without full ballast or counterweight in place. The ballast or counterweight in place specified by the manufacturer shall not be exceeded.

(3) Cabs.

(a) Necessary clothing and personal belongings shall be stored in such a manner as to not interfere with access or operation.

(b) Tools, oil cans, waste, extra fuses, and other necessary articles shall be stored in the tool box, and shall not be permitted to lie loose in or about the cab.

(4) Refueling.

(a) Refueling with small portable containers shall be done with ((Underwriter's Laboratories or Factory Mutual Laboratories approved, or equivalent;)) an approved safety type can equipped with an automatic closing cap and flame arrester. Refer to WAC 296-24-58501(19) for definition of approved.

(b) Machines shall not be refueled with the engine running.

(5) Fire extinguishers.

(a) A carbon dioxide, dry chemical, or equivalent fire extinguisher shall be kept in the cab or vicinity of the crane.

(b) Operating and maintenance personnel shall be made familiar with the use and care of the fire extinguishers provided.

(6) Swinging locomotive cranes. A locomotive crane shall not be swung into a position where railway cars on an adjacent track might strike it, until it has been ascertained that cars are not being moved on the adjacent track and proper flag protection has been established.

**AMENDATORY SECTION** (Amending Order 79-9, filed 7/31/79)

WAC 296-24-24519 OTHER REQUIREMENTS.

(1) Guards.

(a) Exposed moving parts, such as gears, ropes, set-screws, projecting keys, chains, chain sprockets, and reciprocating components, which constitute a hazard under normal operating conditions shall be guarded.

(b) Guards shall be securely fastened.

(c) Each guard shall be capable of supporting without permanent distortion, the weight of a ((200)) two hundred-pound person unless the guard is located where it is impossible for a person to step on it.

(2) Hooks.

(a) Hooks shall meet the manufacturer's recommendations and shall not be overloaded.

(b) Safety latch type hooks shall be used or the hooks shall be moused.

(3) Fire extinguishers.

(a) A carbon dioxide, dry chemical, or equivalent fire extinguisher shall be kept in the immediate vicinity of the derrick.

(b) Operating and maintenance personnel shall be familiar with the use and care of the fire extinguishers provided.

(4) Refueling.

(a) Refueling with portable containers shall be done with ((Underwriters' Laboratory, Inc. (UL), or Factory Mutual Laboratories approved, or equivalent;)) approved safety type containers equipped with automatic closing spout and flame arrester. Refer to WAC 296-24-58501(19) for definition of approved.

(b) Machines shall not be refueled with the engine running.

(5) Operating near electric powerlines.

(a) Except where the electrical distribution and transmission lines have been deenergized and visibility grounded at point of work or where insulating barriers not a part of or an attachment to the derrick have been

erected to prevent physical contact with the lines, derricks shall be operated proximate to, under, over, by, or near powerlines only in accordance with the following:

(i) For lines rated 50 kv. or below minimum clearance between the lines and any part of the derrick or load shall be ~~((10))~~ ten feet.

(ii) For lines rated over 50 kv. minimum clearance between lines and any part of the derrick or load shall be ~~((10))~~ ten feet plus 0.4 inch for each 1 kv. over 50 kv., or use twice the length of the line insulator, but never less than ~~((10))~~ ten feet.

(b) Cage-type boom guards, insulating links, or proximity warning devices may be used on derricks, but the use of such devices shall not operate to alter the requirements of ~~((5))~~(a) of this ~~((section))~~ subsection.

(c) Before the commencement of operations near electrical lines, the owners of the lines or their authorized representatives shall be notified and provided with pertinent information. The owner's cooperation shall be requested.

(d) Any overhead wire shall be considered to be an energized line until the owner of the line or their authorized representatives state that it is deenergized.

(6) Cab or operating enclosure.

(a) Necessary clothing and personnel belongings shall be stored in such a manner as to not interfere with access or operation.

(b) Tools, oilcans, waste, extra fuses, and other necessary articles shall be stored in the toolbox, and shall not be permitted to lie loose in or about the cab or operating enclosure.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-31501 GENERAL. (1) Definitions as used in this section.

(a) Gaseous hydrogen system is one in which the hydrogen is delivered, stored and discharged in the gaseous form to consumer's piping. The system includes stationary or movable containers, pressure regulators, safety relief devices, manifolds, interconnecting piping and controls. The system terminates at the point where hydrogen at service pressure first enters the consumer's distribution piping.

(b) Approved—Means unless otherwise indicated, listed or approved by ~~((the following))~~ a nationally recognized testing ~~((laboratories: Underwriters Laboratories, Inc., and Factory Mutual Engineering Corp))~~ laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(c) Listed—See "approved."

(d) ASME—American Society of Mechanical Engineers.

(e) DOT specifications—Regulations of the department of transportation published in 49 CFR Chapter I.

(f) DOT regulations—See WAC 296-24-315.

(2) Scope.

(a) Gaseous hydrogen systems.

(i) WAC 296-24-31503 applies to the installation of gaseous hydrogen systems on consumer premises where the hydrogen supply to the consumer premises originates

outside the consumer premises and is delivered by mobile equipment.

(ii) WAC 296-24-31503 does not apply to gaseous hydrogen systems having a total hydrogen content of less than ~~((400))~~ four hundred cubic feet, nor to hydrogen manufacturing plants or other establishments operated by the hydrogen supplier or his agent for the purpose of storing hydrogen and refilling portable containers, trailers, mobile supply trucks, or tank cars.

(b) Liquefied hydrogen systems.

(i) WAC 296-24-31505 applies to the installation of liquefied hydrogen systems on consumer premises.

(ii) WAC 296-24-31505 does not apply to liquefied hydrogen portable containers of less than ~~((150))~~ one hundred fifty liters (39.63 gallons) capacity; nor to liquefied hydrogen manufacturing plants or other establishments operated by the hydrogen supplier or his agent for the sole purpose of storing liquefied hydrogen and refilling portable containers, trailers, mobile supply trucks or tank cars.

#### AMENDATORY SECTION (Amending Order 82-10, filed 3/30/82)

WAC 296-24-33001 DEFINITIONS. The following definitions are applicable to all sections of this chapter which include WAC 296-24-330 in the section number.

(1) Aerosol shall mean a material which is dispensed from its container as a mist, spray, or foam by a propellant under pressure.

(2) Atmospheric tank shall mean a storage tank which has been designed to operate at pressures from atmospheric through 0.5 p.s.i.g.

(3) Automotive service station shall mean that portion of property where flammable or combustible liquids used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles and shall include any facilities available for the sale and service of tires, batteries, and accessories, and for minor automotive maintenance work. Major automotive repairs, painting, body and fender work are excluded.

(4) Basement shall mean a story of a building or structure having one-half or more of its height below ground level and to which access for fire fighting purposes is unduly restricted.

(5) Boiling point shall mean the boiling point of a liquid at a pressure of 14.7 pounds per square inch absolute (p.s.i.a.) (760 mm.). Where an accurate boiling point is unavailable for the material in question, or for mixtures which do not have a constant boiling point, for purposes of this section the ~~((10))~~ ten percent point of a distillation performed in accordance with the Standard Method of Test for Distillation of Petroleum Products, ASTM D-86-62, may be used as the boiling point of the liquid.

(6) Boilover shall mean the expulsion of crude oil (or certain other liquids) from a burning tank. The light fractions of the crude oil burnoff producing a heat wave in the residue, which on reaching a water strata may result in the expulsion of a portion of the contents of the tank in the form of froth.

(7) Bulk plant shall mean that portion of a property where flammable or combustible liquids are received by

tank vessel, pipelines, tank car, or tank vehicle, and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, or container.

(8) Chemical plant shall mean a large integrated plant or that portion of such a plant other than a refinery or distillery where flammable or combustible liquids are produced by chemical reactions or used in chemical reactions.

(9) Closed container shall mean a container as herein defined, so sealed by means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

(10) Crude petroleum shall mean hydrocarbon mixtures that have a flash point below 150°F and which have not been processed in a refinery.

(11) Distillery shall mean a plant or that portion of a plant where flammable or combustible liquids produced by fermentation are concentrated, and where the concentrated products may also be mixed, stored, or packaged.

(12) Fire area shall mean an area of a building separated from the remainder of the building by construction having a fire resistance of at least ((+)) one hour and having all communicating openings properly protected by an assembly having a fire resistance rating of at least ((+)) one hour.

(13) Fire resistance or fire resistive construction shall mean construction to resist the spread of fire.

(14) Flammable aerosol shall mean an aerosol which is required to be labeled "Flammable" under the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261). For the purposes of WAC 296-24-33009, such aerosols are considered Class IA liquids.

(15) "Flashpoint" means the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid, and shall be determined as follows:

(a) For a liquid which has a viscosity of less than 45 SUS at 100°F (37.8°C), does not contain suspended solids, and does not have a tendency to form a surface film while under test, the procedure specified in the Standard Method of Test for Flashpoint by Tag Closed Tester (ASTM D-56-70) shall be used.

(b) For a liquid which has a viscosity of 45 SUS or more at 100°F (37.8°C), or contains suspended solids, or has a tendency to form a surface film while under test, the Standard Method of Test for Flashpoint by Pensky-Martens Closed Tester (ASTM D-93-71) shall be used, except that the methods specified in Note 1 to section 1.1 of ASTM D-93-71 may be used for the respective materials specified in the note.

(c) For a liquid that is a mixture of compounds that have different volatilities and flashpoints, its flashpoint shall be determined by using the procedure specified in ((+5)) (a) or (b) of this ((section)) subsection on the liquid in the form it is shipped. If the flashpoint, as determined by this test, is 100°F (37.8°C) or higher, an additional flashpoint determination shall be run on a sample of the liquid evaporated to ((90)) ninety percent

of its original volume, and the lower value of the two tests shall be considered the flashpoint of the material.

(d) Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified in this section.

(16) Hotel shall mean buildings or groups of buildings under the same management in which there are sleeping accommodations for hire primarily used by transients who are lodged with or without meals including but not limited to inns, clubs, motels, and apartment hotels.

(17) Institutional occupancy shall mean the occupancy or use of a building or structure or any portion thereof by persons harbored or detained to receive medical, charitable or other care or treatment, or by persons involuntarily detained.

(18) Liquid shall mean, for the purpose of these standards, any material which has a fluidity greater than that of 300 penetration asphalt when tested in accordance with ASTM Test for Penetration for Bituminous Materials, D-5-65. When not otherwise identified, the term liquid shall include both flammable and combustible liquids.

(19) "Combustible liquid" means any liquid having a flashpoint at or above 100°F((-)) (37.8°C). Combustible liquids shall be divided into two classes as follows:

(a) "Class II liquids" shall include those with flashpoints at or above 100°F (37.8°C) and below 140°F (60°C), except any mixture having components with flashpoints of 200°F (93.3°C) or higher, the volume of which make up ((99)) ninety-nine percent or more of the total volume of the mixture.

(b) "Class III liquids" shall include those with flashpoints at or above 140°F((-)) (60°C). Class III liquids are subdivided into two subclasses:

(i) "Class IIIA liquids" shall include those with flashpoints at or above 140°F (60°C) and below 200°F (93.3°C) except any mixture having components with flashpoints of 200°F (93.3°C) or higher, the total volume of which make up ((99)) ninety-nine percent or more of the total volume of the mixture.

(ii) "Class IIIB liquids" shall include those with flashpoints at or above 200°F((-)) (93.3°C). This section does not cover Class IIIB liquids. Where the term "Class III liquids" is used in this section, it shall mean only Class IIIA liquids.

(c) When a combustible liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it shall be handled in accordance with the requirements for the next lower class of liquids.

(20) "Flammable liquid" means any liquid having a flashpoint below 100°F(;) (37.8°C), except any mixture having components with flashpoints of 100°F(;) (37.8°C), or higher, the total of which make up ((99)) ninety-nine percent or more of the total volume of the mixture. Flammable liquids shall be known as Class I liquids. Class I liquids are divided into three classes as follows:

(a) Class IA shall include liquids having flashpoints below 73°F (22.8°C) and having a boiling point below 100°F((-)) (37.8°C).

(b) Class IB shall include liquids having flashpoints below 73°F (22.8°C) and having a boiling point at or above 100°F(;-) (37.8°C).

(c) Class IC shall include liquids having flashpoints at or above 73°F (22.8°C) and below 100°F(;-) (37.8°C).

(21) Unstable (reactive) liquid shall mean a liquid which in the pure state or as commercially produced or transported will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure, or temperature.

(22) Low-pressure tank shall mean a storage tank which has been designed to operate at pressures above 0.5 p.s.i.g. but not more than 15 p.s.i.g.

(23) Marine service station shall mean that portion of a property where flammable or combustible liquids used as fuels are stored and dispensed from fixed equipment on shore, piers, wharves, or floating docks into the fuel tanks or self-propelled craft, and shall include all facilities used in connection therewith.

(24) Mercantile occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the displaying, selling, or buying of goods, wares, or merchandise.

(25) Office occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the transaction of business, or the rendering or receiving of professional services.

(26) Portable tank shall mean a closed container having a liquid capacity over ~~((60-U.S.))~~ sixty United States gallons and not intended for fixed installation.

(27) Pressure vessel shall mean a storage tank or vessel which has been designed to operate at pressures above 15 p.s.i.g.

(28) Protection for exposure shall mean adequate fire protection for structures on property adjacent to tanks, where there are employees of the establishment.

(29) Refinery shall mean a plant in which flammable or combustible liquids are produced on a commercial scale from crude petroleum, natural gasoline, or other hydrocarbon sources.

(30) Safety can shall mean an approved container, of not more than ~~((5))~~ five gallons capacity, having a spring-closing lid and spout cover and so designed that it will safely relieve internal pressure when subjected to fire exposure.

(31) Vapor pressure shall mean the pressure, measured in pounds per square inch (absolute) exerted by a volatile liquid as determined by the "Standard Method of Test for Vapor Pressure of Petroleum Products (Reid Method)," American Society for Testing and Materials ASTM D323-68.

(32) Ventilation as specified in these standards is for the prevention of fire and explosion. It is considered adequate if it is sufficient to prevent accumulation of significant quantities of vapor-air mixtures in concentration over one-fourth of the lower flammable limit.

(33) Storage: Flammable or combustible liquids shall be stored in a tank or in a container that complies with WAC 296-24-33009(2).

(34) Barrel shall mean a volume of ~~((42-U.S.))~~ forty-two United States gallons.

(35) Container shall mean any can, barrel, or drum.

(36) Approved unless otherwise indicated, approved, or listed by ~~((at least one of the following nationally recognized testing laboratories: Underwriters Laboratories, Inc., Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(37) Listed see ~~(("approved" in WAC 296-24-33001))~~ subsection (36) of this section.

(38) "SUS" means Saybolt Universal Seconds as determined by the Standard Method of Test for Saybolt Viscosity (ASTM D-88-56), and may be determined by use of the SUS conversion tables specified in ASTM Method D2161-66 following determination of viscosity in accordance with the procedures specified in the Standard Method of Test for Viscosity of Transparent and Opaque Liquids (ASTM D445-65).

(39) "Viscous" means a viscosity of 45 SUS or more.

Note: The volatility of liquids is increased when artificially heated to temperatures equal to or higher than their flashpoints. When so heated Class II and III liquids shall be subject to the applicable requirements for Class I or II liquids. These standards may also be applied to high flashpoint liquids when so heated even though these same liquids when not heated are outside of its scope.

#### AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-37001 DEFINITIONS. (1) Aerated solid powders. Aerated powders shall mean any powdered material used as a coating material which shall be fluidized within a container by passing air uniformly from below. It is common practice to fluidize such materials to form a fluidized powder bed and then dip the part to be coated into the bed in a manner similar to that used in liquid dipping. Such beds are also used as sources for powder spray operations.

(2) Spraying area. Any area in which dangerous quantities of flammable vapors or mists, or combustible residues, dusts, or deposits are present due to the operation of spraying processes.

(3) Spray booth. A power-ventilated structure provided to enclose or accommodate a spraying operation to confine and limit the escape of spray, vapor, and residue, and to safely conduct or direct them to an exhaust system.

(4) Waterwash spray booth. A spray booth equipped with a water washing system designed to minimize dusts or residues entering exhaust ducts and to permit the recovery of overspray finishing material.

(5) Dry spray booth. A spray booth not equipped with a water washing system as described in subsection (4) of this section. A dry spray booth may be equipped with (a) distribution or baffle plates to promote an even flow of air through the booth or cause the deposit of overspray before it enters the exhaust duct; or (b) overspray dry filters to minimize dusts; or (c) overspray dry filters to minimize dusts or residues entering exhaust ducts; or (d) overspray dry filter rolls designed to minimize dusts or residues entering exhaust ducts; or (e) where dry



powders are being sprayed, with powder collection systems so arranged in the exhaust to capture oversprayed material.

(6) Fluidized bed. A container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material through which the preheated object to be coated is immersed and transported.

(7) Electrostatic fluidized bed. A container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material which is electrically charged with a charge opposite to the charge of the object to be coated; such object is transported through the container immediately above the charged and aerated materials in order to be coated.

(8) Approved. Shall mean approved and listed by ~~((the following nationally recognized testing laboratories: Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(9) Listed. See "approved" in ~~((WAC 296-24-3700+))~~ subsection (8) of this section.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-40501 DEFINITIONS. (1) Dip tank. Shall mean a tank, vat, or container of flammable or combustible liquid in which articles or materials are immersed for the purpose of coating, finishing, treating, or similar processes.

(2) Vapor area. Shall mean any area containing dangerous quantities of flammable vapors in the vicinity of dip tanks, their drainboards or associated drying, conveying, or other equipment during operation or shutdown periods.

(3) Approved. Unless otherwise indicated, approval or listing by ~~((at least one of the following nationally recognized testing laboratories: Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(4) Listed. See "approved" in subsection (3) of this section.

#### AMENDATORY SECTION (Amending Order 85-09, filed 4/19/85)

WAC 296-24-47505 BASIC RULES. (1) Odorizing gases.

(a) All liquefied petroleum gases shall be effectively odorized by an approved agent of such character as to indicate positively, by distinct odor, the presence of gas down to concentration in air of not over one-fifth the lower limit of flammability. Odorization, however, is not required if harmful in the use of further processing of the liquefied petroleum gas, or if odorization will serve no useful purpose as a warning agent in such use or further processing.

(b) The odorization requirement of ~~((+))~~(a) of this ~~((section))~~ subsection shall be considered to be met by

the use of 1.0 pounds of ethyl mercaptan, 1.0 pounds of thiophane or 1.4 pounds of amyl mercaptan per ~~((+0,000))~~ ten thousand gallons of LP-gas. However, this listing of odorants and quantities shall not exclude the use of other odorants that meet the odorization requirements of ~~((+))~~(a) of this ~~((section))~~ subsection.

(2) Approval of equipment and systems.

(a) Each system utilizing DOT containers in accordance with 49 CFR Part 178 shall have its container valves, connectors, manifold valve assemblies, and regulators approved.

(b) Each system for domestic or commercial use utilizing containers of ~~((2,000))~~ two thousand gallons or less water capacity, other than those constructed in accordance with 49 CFR Part 178, shall consist of a container assembly and one or more regulators, and may include other parts. The system as a unit or the container assembly as a unit, and the regulator or regulators, shall be individually listed.

(c) In systems utilizing containers of over ~~((2,000))~~ two thousand gallons water capacity, each regulator, container, valve, excess flow valve, gaging device, and relief valve installed on or at the container, shall have its correctness as to design, construction, and performance determined by listing by ~~((Underwriters Laboratories, Inc., or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(d) The provisions of subsection (3)(a) of this section shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the standard for the Storage and Handling of Liquefied Petroleum Gases NFPA No. 58 in effect at the time of fabrication.

(e) Containers used with systems embodied in ~~((WAC 296-24-47505;))~~ this section and WAC 296-24-47509 (3)(c) and 296-24-47513, shall be constructed, tested, and stamped in accordance with DOT specifications effective at the date of their manufacture.

(3) Requirements for construction and original test of containers.

(a) Containers used with systems embodied in WAC 296-24-47509, 296-24-47513 through 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) and 296-24-47515 (2)(a), shall be designed, constructed, and tested in accordance with the Rules for Construction of Unfired Pressure Vessels, section VIII, Division 1, American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, 1968 edition.

(b) Containers constructed according to the 1949 and earlier editions of the ASME Code do not have to comply with U-2 through U-10 and U-19 thereof. Containers constructed according to U-70 in the 1949 and earlier editions do not meet the requirements of this section.

(c) Containers designed, constructed, and tested prior to July 1, 1961, according to the Code for Unfired Pressure Vessels for Petroleum Liquids and Gases, 1951 edition with 1954 Addenda, of the American Petroleum Institute and the American Society of Mechanical Engineers shall be considered in conformance. Containers constructed according to API-ASME Code do not have

to comply with section I or with appendix to section I. W-601 to W-606 inclusive in the 1943 and earlier editions do not apply.

(4) Welding of containers.

(a) Welding to the shell, head, or any other part of the container subject to internal pressure, shall be done in compliance with the code under which the tank was fabricated. Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the tank manufacturer.

(b) Where repair or modification involving welding of DOT containers is required, the container shall be returned to a qualified manufacturer making containers of the same type, and the repair or modification made in compliance with DOT regulations.

(5) Markings on container.

(a) Each container covered in subsection (3)(a) of this section except as provided in subsection (2)(d) of this section shall be marked as specified in the following:

(i) With a marking identifying compliance with, and other markings required by, the rules of the reference under which the container is constructed; or with the stamp and other markings required by the laws, rules or regulations as administered by the state of Washington, department of labor and industries pertaining to such containers.

(ii) With notation as to whether the container is designed for underground or aboveground installation or both. If intended for both and different style hoods are provided, the marking shall indicate the proper hood for each type of installation.

(iii) With the name and address of the supplier of the container, or with the trade name of the container.

(iv) With the water capacity of the container in pounds or gallons, ((U.S.)) United States standard.

(v) With the pressure in p.s.i.g., for which the container is designed.

(vi) With the wording "This container shall not contain a product having a vapor pressure in excess of— p.s.i.g. at 100°F," see WAC 296-24-47509, Table H-31.

(vii) With the tare weight in pounds or other identified unit of weight for containers with a water capacity of ((300)) three hundred pounds or less.

(viii) With marking indicating the maximum level to which the container may be filled with liquid at temperatures between 20°F and 130°F, except on containers provided with fixed maximum level indicators or which are filled by weighing. Markings shall be increments of not more than 20°F. This marking may be located on the liquid level gaging device.

(ix) With the outside surface area in square feet.

(b) Markings specified shall be on a metal nameplate attached to the container and located in such a manner as to remain visible after the container is installed.

(c) When LP-gas and one or more other gases are stored or used in the same area, the containers shall be marked to identify their content. Marking shall be in compliance with American National Standard Z48.1-1954, "Method of Marking Portable Compressed Gas Containers to Identify the Material Contained."

(6) Location of containers and regulating equipment.

(a) Containers, and first stage regulating equipment if used, shall be located outside of buildings, except under one or more of the following:

(i) In buildings used exclusively for container charging, vaporization pressure reduction, gas mixing, gas manufacturing, or distribution.

(ii) When portable use is necessary and in accordance with WAC 296-24-47507(5).

(iii) LP-gas fueled stationary or portable engines in accordance with WAC 296-24-47511 (11) or (12).

(iv) LP-gas fueled industrial trucks used in accordance with WAC 296-24-47511(13).

(v) LP-gas fueled vehicles garaged in accordance with WAC 296-24-47511(14).

(vi) Containers awaiting use or resale when stored in accordance with WAC 296-24-47513.

(b) Each individual container shall be located with respect to the nearest important building or group of buildings or line of adjoining property which may be built on in accordance with Table H-23.

TABLE H-23

Water capacity per container	Minimum distances		
	Under-ground	Above-ground	Between above-ground containers
Less than 125 gals <sup>1</sup>	10 feet	None	None
125 to 250 gallons	10 feet	10 feet	None.
251 to 500 gallons	10 feet	10 feet	3 feet.
501 to 2,000 gallons	25 feet <sup>2</sup>	25 feet <sup>2</sup>	3 feet.
2,001 to 30,000 gallons	50 feet	50 feet	5 feet.
30,001 to 70,000 gallons	50 feet	75 feet	1/4 of sum of diameters of adjacent containers.
70,001 to 90,000 gallons	50 feet	100 feet	ers.

<sup>1</sup>If the aggregate water capacity of a multi(=)container installation at a consumer site is ((50+)) five hundred one gallons or greater, the minimum distance shall comply with the appropriate portion of this table, applying the aggregate capacity rather than the capacity per container. If more than one installation is made, each installation shall be separated from another installation by at least ((25)) twenty-five feet. Do not apply the MINIMUM DISTANCES BETWEEN ABOVE-GROUND CONTAINERS to such installations.

<sup>2</sup>Note: The above distance requirements may be reduced to not less than ((+0)) ten feet for a single container of ((+200)) one thousand two hundred gallons water capacity or less, providing such a container is at least ((25)) twenty-five feet from any other LP-gas container of more than ((+25)) one hundred twenty-five gallons water capacity.

(c) Containers installed for use shall not be stacked one above the other.

(d) In industrial installations involving containers of ~~((180,000))~~ one hundred eighty thousand gallons aggregate water capacity or more, where serious mutual exposures between the container and adjacent properties prevail, firewalls or other means of special protection designed and constructed in accordance with good engineering practices are required.

(e) In the case of buildings devoted exclusively to gas manufacturing and distributing operations, the distances required by Table H-23 may be reduced provided that in no case shall containers of water capacity exceeding ~~((500))~~ five hundred gallons be located closer than ~~((10))~~ ten feet to such gas manufacturing and distributing buildings.

(f) Readily ignitable material such as weeds and long dry grass shall be removed within ~~((10))~~ ten feet of any container.

(g) The minimum separation between liquefied petroleum gas containers and flammable liquid tanks shall be ~~((20))~~ twenty feet, and the minimum separation between a container and the centerline of the dike shall be ~~((10))~~ ten feet. The foregoing provision shall not apply when LP-gas containers of ~~((125))~~ one hundred twenty-five gallons or less capacity are installed adjacent to Class III flammable liquid tanks of ~~((275))~~ two hundred seventy-five gallons or less capacity.

(h) Suitable means shall be taken to prevent the accumulation of flammable liquids under adjacent liquefied petroleum gas containers, such as by diking, diversion curbs, or grading.

(i) When dikes are used with flammable liquid tanks, no liquefied petroleum gas containers shall be located within the diked area.

(7) Container valves and container accessories.

(a) Valves, fittings, and accessories connected directly to the container including primary shutoff valves, shall have a rated working pressure of at least 250 p.s.i.g. and shall be of material and design suitable for LP-gas service. Cast iron shall not be used for container valves, fittings, and accessories. This does not prohibit the use of container valves made of malleable or nodular iron.

(b) Connections to containers, except safety relief connections, liquid level gaging devices, and plugged openings, shall have shutoff valves located as close to the container as practicable.

(c) Excess flow valves, where required shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections or line including valves, fittings, etc., being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices which are so constructed that outward flow of container contents shall not exceed that passed by a No. 54 drill size opening, need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connection is made, need not be equipped with shutoff or excess flow valves if such openings are restricted to not larger than No. 54 drill size opening.

(f) Except as provided in WAC 296-24-47507 (5)(a)(ii), excess flow and back pressure check valves

where required by this section shall be located inside of the container or at a point outside where the line enters the container; in the latter case, installation shall be made in such manner that any undue strain beyond the excess flow or back pressure check valve will not cause breakage between the container and such valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) Containers of more than ~~((30))~~ thirty gallons water capacity and less than ~~((2,000))~~ two thousand gallons water capacity, filled on a volumetric basis, and manufactured after December 1, 1963, shall be equipped for filling into the vapor space.

(8) Piping—Including pipe, tubing, and fittings.

(a) Pipe, except as provided in WAC 296-24-47511 (6)(a) and 296-24-47515 (10)(c) shall be wrought iron or steel (black or galvanized), brass, copper, or aluminum alloy. Aluminum alloy pipe shall be at least Schedule 40 in accordance with the specifications for Aluminum Alloy Pipe, American National Standards Institute ~~((ANSI))~~ ANSI H38.7-1969 (ASTM, B241-1969), except that the use of alloy 5456 is prohibited and shall be suitably marked at each end of each length indicating compliance with American National Standard Institute specifications. Aluminum alloy pipe shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by such liquids as water (except rain water), detergents, sewage, or leaking from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum nominal pipe size for aluminum pipe shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy pipe shall not be installed within ~~((6))~~ six inches of the ground.

(i) Vapor piping with operating pressures not exceeding 125 p.s.i.g. shall be suitable for a working pressure of at least 125 p.s.i.g. Pipe shall be at least Schedule 40 ASTM A-53-69, Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal.

(ii) Vapor piping with operating pressures over 125 p.s.i.g. and all liquid piping shall be suitable for a working pressure of at least 250 p.s.i.g. Pipe shall be at least Schedule 80 if joints are threaded or threaded and back welded. At least Schedule 40 (ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal) shall be used if joints are welded, or welded and flanged.

(b) Tubing shall be seamless and of copper, brass, steel, or aluminum alloy. Copper tubing shall be of Type K or L or equivalent as covered in the Specification for Seamless Copper Water Tube, ANSI H23.1-1970 (ASTM B88-1969). Aluminum alloy tubing shall be of Type A or B or equivalent as covered in Specification ASTM B210-1968 and shall be suitably marked every ~~((18))~~ eighteen inches indicating compliance with ASTM specifications. The minimum nominal wall thickness of copper tubing and aluminum alloy tubing shall be as specified in Table H-24 and Table H-25.

TABLE H-24  
WALL THICKNESS OF COPPER TUBING<sup>1</sup>

Note: The standard size by which tube is designated is ((+7/8)) one-eighth-inch smaller than its nominal outside diameter.

Standard size (inches)	Nominal O.D. (inches)	Nominal wall thickness (inches)	
		Type K	Type L
1/4	0.375	0.035	0.030
3/8	0.500	0.049	0.035
1/2	0.625	0.049	0.040
5/8	0.750	0.049	0.042
3/4	0.875	0.065	0.045
1	1.125	0.065	0.050
1 1/4	1.375	0.065	0.055
1 1/2	1.625	0.072	0.060
2	2.125	0.083	0.070

<sup>1</sup>Based on data in Specification for Seamless Copper Water Tubing, ANSI H23.1-1970 (ASTM B-88-69).

TABLE H-25  
WALL THICKNESS OF ALUMINUM ALLOY TUBING<sup>1</sup>

Outside diameter (inches)	Nominal wall thickness (inches)	
	Type A	Type B
3/8	0.035	0.049
1/2	0.035	0.049
5/8	0.042	0.049
3/4	0.049	0.058

<sup>1</sup>Based on data in Standard Specification for Aluminum-Alloy Drawn Seamless Coiled Tubes for Special Purpose Applications, ASTM B210-68.

Aluminum alloy tubing shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by liquids such as water (except rain-water), detergents, sewage, or leakage from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum outside diameter for aluminum alloy tubing shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy tubing shall not be installed within ((6)) six inches of the ground.

(c) In systems where the gas in liquid form without pressure reduction enters the building, only heavy walled seamless brass or copper tubing with an internal diameter not greater than three thirty-seconds inch, and a wall thickness of not less than three sixty-fourths inch

shall be used. This requirement shall not apply to research and experimental laboratories, buildings, or separate fire divisions of buildings used exclusively for housing internal combustion engines, and to commercial gas plants or bulk stations where containers are charged, nor to industrial vaporizer buildings, nor to buildings, structures, or equipment under construction or undergoing major renovation.

(d) Pipe joints may be screwed, flanged, welded, soldered, or brazed with a material having a melting point exceeding 1,000°F. Joints on seamless copper, brass, steel, or aluminum alloy gas tubing shall be made by means of approved gas tubing fittings, or soldered or brazed with a material having a melting point exceeding 1,000°F.

(e) For operating pressures of 125 p.s.i.g. or less, fittings shall be designed for a pressure of at least 125 p.s.i.g. For operating pressures above 125 p.s.i.g., fittings shall be designed for a minimum of 250 p.s.i.g.

(f) The use of threaded cast iron pipe fittings such as ells, tees, crosses, couplings, and unions is prohibited. Aluminum alloy fittings shall be used with aluminum alloy pipe and tubing. Insulated fittings shall be used where aluminum alloy pipe or tubing connects with a dissimilar metal.

(g) Strainers, regulators, meters, compressors, pumps, etc., are not to be considered as pipe fittings. This does not prohibit the use of malleable, nodular, or higher strength gray iron for such equipment.

(h) All materials such as valve seats, packing, gaskets, diaphragms, etc., shall be of such quality as to be resistant to the action of liquefied petroleum gas under the service conditions to which they are subjected.

(i) All piping, tubing, or hose shall be tested after assembly and proved free from leaks at not less than normal operating pressures. After installation, piping and tubing of all domestic and commercial systems shall be tested and proved free of leaks using a manometer or equivalent device that will indicate a drop in pressure. Test shall not be made with a flame.

(j) Provision shall be made to compensate for expansion, contraction, jarring, and vibration, and for settling. This may be accomplished by flexible connections.

(k) Piping outside buildings may be buried, above ground, or both, but shall be well supported and protected against physical damage. Where soil conditions warrant, all piping shall be protected against corrosion. Where condensation may occur, the piping shall be pitched back to the container, or suitable means shall be provided for revaporization of the condensate.

(9) Hose specifications.

(a) Hose shall be fabricated of materials that are resistant to the action of LP-gas in the liquid and vapor phases. If wire braid is used for reinforcing the hose, it shall be of corrosion-resistant material such as stainless steel.

(b) Hose subject to container pressure shall be marked "LP-gas" or "LPG" at not greater than ((+0)) ten-foot intervals.

(c) Hose subject to container pressure shall be designed for a bursting pressure of not less than 1,250 p.s.i.g.

(d) Hose subject to container pressure shall have its correctness as to design construction and performance determined by being listed (see WAC 296-24-47501(15)).

(e) Hose connections subject to container pressure shall be capable of withstanding, without leakage, a test pressure of not less than 500 p.s.i.g.

(f) Hose and hose connections on the low-pressure side of the regulator or reducing valve shall be designed for a bursting pressure of not less than 125 p.s.i.g. or five times the set pressure of the relief devices protecting that portion of the system, whichever is higher.

(g) Hose may be used on the low-pressure side of regulators to connect to other than domestic and commercial gas appliances under the following conditions:

(i) The appliances connected with hose shall be portable and need a flexible connection.

(ii) For use inside buildings the hose shall be of minimum practical length, but shall not exceed ((6)) six feet except as provided in WAC 296-24-47507 (5)(a)(vii) and shall not extend from one room to another, nor pass through any walls, partitions, ceilings, or floors. Such hose shall not be concealed from view or used in a concealed location. For use outside of buildings, the hose may exceed this length but shall be kept as short as practical.

(iii) The hose shall be approved and shall not be used where it is likely to be subjected to temperatures above 125°F. The hose shall be securely connected to the appliance and the use of rubber slip ends shall not be permitted.

(iv) The shutoff valve for an appliance connected by hose shall be in the metal pipe or tubing and not at the appliance end of the hose. When shutoff valves are installed close to each other, precautions shall be taken to prevent operation of the wrong valve.

(v) Hose used for connecting to wall outlets shall be protected from physical damage.

(10) Safety devices.

(a) Every container except those constructed in accordance with DOT specifications and every vaporizer (except motor fuel vaporizers and except vaporizers described in subsection (11)(b)(iii) of this section and WAC 296-24-47509 (4)(e)(i)) whether heated by artificial means or not, shall be provided with one or more safety relief valves of spring-loaded or equivalent type. These valves shall be arranged to afford free vent to the outer air with discharge not less than ((5)) five feet horizontally away from any opening into the building which is below such discharge. The rate of discharge shall be in accordance with the requirements of ((+0))(b) ((of this section)) or ((+0)(c)) (d) of this ((section)) subsection in the case of vaporizers.

(b) Minimum required rate of discharge in cubic feet per minute of air at ((+20)) one hundred twenty percent of the maximum permitted start to discharge pressure for safety relief valves to be used on containers other than those constructed in accordance with DOT specification shall be as follows:

Surface area (sq. ft.)	Flow rate CFM air
20 or less	626
25	751
30	872
35	990
40	1,100
45	1,220
50	1,330
55	1,430
60	1,540
65	1,640
70	1,750
75	1,850
80	1,950
85	2,050
90	2,150
95	2,240
100	2,340
105	2,440
110	2,530
115	2,630
120	2,720
125	2,810
130	2,900
135	2,990
140	3,080
145	3,170
150	3,260
155	3,350
160	3,440
165	3,530
170	3,620
175	3,700
180	3,790
185	3,880
190	3,960
195	4,050
200	4,130
210	4,300
220	4,470
230	4,630
240	4,800
250	4,960
260	5,130
270	5,290
280	5,450
290	5,610
300	5,760
310	5,920
320	6,080
330	6,230
340	6,390
350	6,540
360	6,690
370	6,840
380	7,000
390	7,150
400	7,300
450	8,040

Surface area (sq. ft.)	Flow rate CFM air
500	8,760
550	9,470
600	10,170
650	10,860
700	11,550
750	12,220
800	12,880
850	13,540
900	14,190
950	14,830
1,000	15,470
1,050	16,100
1,100	16,720
1,150	17,350
1,200	17,960
1,250	18,570
1,300	19,180
1,350	19,780
1,400	20,380
1,450	20,980
1,500	21,570
1,550	22,160
1,600	22,740
1,650	23,320
1,700	23,900
1,750	24,470
1,800	25,050
1,850	25,620
1,900	26,180
1,950	26,750
2,000	27,310

Surface area = total outside surface area of container in square feet.

(c) When the surface area is not stamped on the nameplate or when the marking is not legible, the area can be calculated by using one of the following formulas:

((+)) (i) Cylindrical container with hemispherical heads:

$$\text{Area} = \text{Overall length} \times \text{outside diameter} \times 3.1416.$$

((+)) (ii) Cylindrical container with other than hemispherical heads:

$$\text{Area} = (\text{Overall length} + 0.3 \text{ outside diameter}) \times \text{outside diameter} \times 3.1416.$$

Note: This formula is not exact, but will give results within the limits of practical accuracy for the sole purpose of sizing relief valves.

((+)) (iii) Spherical container:

$$\text{Area} = \text{Outside diameter squared} \times 3.1416.$$

Flow rate-CFM air = Required flow capacity in cubic feet per minute of air at standard conditions, 60°F and atmospheric pressure (14.7 p.s.i.a.).

The rate of discharge may be interpolated for intermediate values of surface area. For containers with total outside surface area greater than ((2,000)) two thousand square feet, the required flow rate can be ((calculate [calculated])) calculated using the formula, flow rate-CFM air =  $53.632 A^{0.82}$ .

A = Total outside surface area of the container in square feet.

Valves not marked "air" have flow rate marking in cubic feet per minute of liquefied petroleum gas. These can be converted to ratings in cubic feet per minute of air by multiplying the liquefied petroleum gas ratings by factors listed below. Air flow ratings can be converted to ratings in cubic feet per minute of liquefied petroleum gas by dividing the air ratings by the factors listed below.

AIR CONVERSION FACTORS

Container type	100	125	150	175	200
Air conversion factor	1.162	1.142	1.113	1.078	1.010

((+)) (d) Minimum required rate of discharge for safety relief valves for liquefied petroleum gas vaporizers (steam heated, water heated, and direct fired).

The minimum required rate of discharge for safety relief valves shall be determined as follows:

(i) Obtain the total surface area by adding the surface area of vaporizer shell in square feet directly in contact with LP-gas and the heat exchanged surface area in square feet directly in contact with LP-gas.

(ii) Obtain the minimum required rate of discharge in cubic feet of air per minute, at 60°F and 14.7 p.s.i.a. from ((+)) (b) of this ((section)) subsection, for this total surface area.

((+)) (e) Container and vaporizer safety relief valves shall be set to start-to-discharge, with relation to the design pressure of the container, in accordance with Table H-26.

TABLE H-26

Containers	Minimum (percent)	Maximum (percent)
ASME Code; Par. U-68, U-69—1949 and earlier editions	110	125
ASME Code; Par. U-200, U-201—1949 edition	88	100
ASME Code—1950, 1952, 1956, 1959, 1962, 1965 and 1968 (Division I) editions	88	100

TABLE H-26

Containers	Minimum (percent)	Maximum (percent)
API—ASME Code— all editions . . . . .	88	100
DOT—As pre- scribed in 49 CFR Chapter I—		

<sup>1</sup>Manufacturers of safety relief valves are allowed a plus tolerance not exceeding ~~(+10)~~ ten percent of the set pressure marked on the valve.

~~((c))~~ (f) Safety relief devices used with systems employing containers other than those constructed according to DOT specifications shall be so constructed as to discharge at not less than the rates shown in ~~((+10))~~(b) of this ~~((section))~~ subsection, before the pressure is in excess of ~~((+20))~~ one hundred twenty percent of the maximum (not including the ~~((+10))~~ ten percent referred to in ~~((+10)(d))~~ (e) of this ~~((section))~~ subsection permitted start to discharge pressure setting of the device.

~~((f))~~ (g) In certain locations sufficiently sustained high temperatures prevail which require the use of a lower vapor pressure product to be stored or the use of a higher designed pressure vessel in order to prevent the safety valves opening as the result of these temperatures. As an alternative the tanks may be protected by cooling devices such as by spraying, by shading, or other effective means.

~~((g))~~ (h) Safety relief valves shall be arranged so that the possibility of tampering will be minimized. If pressure setting or adjustment is external, the relief valves shall be provided with approved means for sealing adjustment.

~~((h))~~ (i) Shutoff valves shall not be installed between the safety relief devices and the container, or the equipment or piping to which the safety relief device is connected except that a shutoff valve may be used where the arrangement of this valve is such that full required capacity flow through the safety relief device is always afforded.

~~((i))~~ (j) Safety relief valves shall have direct communication with the vapor space of the container at all times.

~~((j))~~ (k) Each container safety relief valve used with systems covered by WAC 296-24-47509, 296-24-47511, 296-24-47515 and 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) shall be plainly and permanently marked with the following: "Container type" of the pressure vessel on which the valve is designed to be installed; the pressure in p.s.i.g. at which the valve is set to discharge; the actual rate of discharge of the valve in cubic feet per minute of air at 60°F and 14.7 p.s.i.a.; and the manufacturer's name and catalog number, for example: T200-250-4050 AIR—indicating that the valve is suitable for use on a Type 200 container, that it is set to start to discharge at 250 p.s.i.g.; and that its rate of discharge is ~~((4,050))~~ four thousand fifty

cubic feet per minute of air as determined in ~~((+10))~~(b) of this ~~((section))~~ subsection.

~~((k))~~ (l) Safety relief valve assemblies, including their connections, shall be of sufficient size so as to provide the rate of flow required for the container on which they are installed.

~~((l))~~ (m) A hydrostatic relief valve shall be installed between each pair of shutoff valves on liquefied petroleum gas liquid piping so as to relieve into a safe atmosphere. The start-to-discharge pressure setting of such relief valves shall not be in excess of 500 p.s.i.g. The minimum setting on relief valves installed in piping connected to other than DOT containers shall not be lower than ~~((+40))~~ one hundred forty percent of the container relief valve setting and in piping connected to DOT containers not lower than 400 p.s.i.g. Such a relief valve should not be installed in the pump discharge piping if the same protection can be provided by installing the relief valve in the suction piping. The start-to-discharge pressure setting of such a relief valve, if installed on the discharge side of a pump, shall be greater than the maximum pressure permitted by the recirculation device in the system.

~~((m))~~ (n) The discharge from any safety relief device shall not terminate in or beneath any building, except relief devices covered by subsection (6)(a)(i) ((to)) through (vi) of this section, or WAC 296-24-47507 (4)(a) or (5).

~~((n))~~ (o) Container safety relief devices and regulator relief vents shall be located not less than five feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(11) Vaporizer and housing.

(a) Indirect fired vaporizers utilizing steam, water, or other heating medium shall be constructed and installed as follows:

(i) Vaporizers shall be constructed in accordance with the requirements of subsection (3)(a) ((to)) through (c) of this section and shall be permanently marked as follows:

(A) With the code marking signifying the specifications to which the vaporizer is constructed.

(B) With the allowable working pressure and temperature for which the vaporizer is designed.

(C) With the sum of the outside surface area and the inside heat exchange surface area expressed in square feet.

(D) With the name or symbol of the manufacturer.

(ii) Vaporizers having an inside diameter of ~~((6))~~ six inches or less exempted by the ASME Unfired Pressure Vessel Code, Section VIII of the ASME Boiler and Pressure Vessel Code—1968 shall have a design pressure not less than 250 p.s.i.g. and need not be permanently marked.

(iii) Heating or cooling coils shall not be installed inside a storage container.

(iv) Vaporizers may be installed in buildings, rooms, sheds, or lean-tos used exclusively for gas manufacturing or distribution, or in other structures of light, non-combustible construction or equivalent, well ventilated near the floor line and roof.

When vaporizing and/or mixing equipment is located in a structure or building not used exclusively for gas manufacturing or distribution, either attached to or within such a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipe or conduit passing through it. Such structure or room shall be provided with adequate ventilation and shall have a roof or at least one exterior wall of lightweight construction.

(v) Vaporizers shall have, at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)((~~(c)~~))(d) of this section, except as provided in WAC 296-24-47509 (4)(e)(i).

(vi) The heating medium lines into and leaving the vaporizer shall be provided with suitable means for preventing the flow of gas into the heat systems in the event of tube rupture in the vaporizer. Vaporizers shall be provided with suitable automatic means to prevent liquid passing through the vaporizers to the gas discharge piping.

(vii) The device that supplies the necessary heat for producing steam, hot water, or other heating medium may be installed in a building, compartment, room, or lean-to which shall be ventilated near the floorline and roof to the outside. The device location shall be separated from all compartments or rooms containing liquefied petroleum gas vaporizers, pumps, and central gas mixing devices by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. This requirement does not apply to the domestic water heaters which may supply heat for a vaporizer in a domestic system.

(viii) Gas-fired heating systems supplying heat exclusively for vaporization purposes shall be equipped with automatic safety devices to shut off the flow of gas to main burners, if the pilot light should fail.

(ix) Vaporizers may be an integral part of a fuel storage container directly connected to the liquid section or gas section or both.

(x) Vaporizers shall not be equipped with fusible plugs.

(xi) Vaporizer houses shall not have unprotected drains to sewers or sump pits.

(b) Atmospheric vaporizers employing heat from the ground or surrounding air shall be installed as follows:

(i) Buried underground, or

(ii) Located inside the building close to a point at which pipe enters the building provided the capacity of the unit does not exceed ~~((1))~~ one quart.

(iii) Vaporizers of less than ~~((1))~~ one quart capacity heated by the ground or surrounding air, need not be equipped with safety relief valves provided that adequate tests demonstrate that the assembly is safe without safety relief valves.

(c) Direct gas-fired vaporizers shall be constructed, marked, and installed as follows:

(i) In accordance with the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code—1968 that are applicable to the maximum working conditions for which the vaporizer is designed.

(ii) With the name of the manufacturer; rated BTU input to the burner; the area of the heat exchange surface in square feet; the outside surface of the vaporizer in square feet; and the maximum vaporizing capacity in gallons per hour.

(iii) Vaporizers may be connected to the liquid section or the gas section of the storage container, or both; but in any case there shall be at the container a manually operated valve in each connection to permit completely shutting off when desired, of all flow of gas or liquid from container to vaporizer.

(iv) Vaporizers with capacity not exceeding ~~((35))~~ thirty-five gallons per hour shall be located at least ~~((5))~~ five feet from container shutoff valves. Vaporizers having capacity of more than ~~((35))~~ thirty-five gallons but not exceeding ~~((100))~~ one hundred gallons per hour shall be located at least ~~((10))~~ ten feet from the container shutoff valves. Vaporizers having a capacity greater than ~~((100))~~ one hundred gallons per hour shall be located at least ~~((15))~~ fifteen feet from container shutoff valves.

(v) Vaporizers may be installed in buildings, rooms, housings, sheds, or lean-tos used exclusively for vaporizing or mixing of liquefied petroleum gas. Vaporizing housing structures shall be of noncombustible construction, well ventilated near the floorline and the highest point of the roof. When vaporizer and/or mixing equipment is located in a structure or room attached to or within a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least ~~((100))~~ one hundred pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. Such structure or room shall be provided with adequate ventilation, and shall have a roof or at least one exterior wall of lightweight construction.

(vi) Vaporizers shall have at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)((~~(c)~~))(d) of this section. The relief valve shall be so located as not to be subjected to temperatures in excess of 140°F.

(vii) Vaporizers shall be provided with suitable automatic means to prevent liquid passing from the vaporizer to the gas discharge piping of the vaporizer.

(viii) Vaporizers shall be provided with means for manually turning off the gas to the main burner and pilot.

(ix) Vaporizers shall be equipped with automatic safety devices to shut off the flow of gas to main burners if the pilot light should fail. When the flow through the pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(x) Pressure regulating and pressure reducing equipment if located within ~~((10))~~ ten feet of a direct fired vaporizer shall be separated from the open flame by a



substantially airtight noncombustible partition or partitions.

(xi) Except as provided in ~~((+1+))~~(c)(v)(;) of this ~~(section)~~ subsection, the following minimum distances shall be maintained between direct fired vaporizers and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for vaporizers having a capacity of ~~((+5))~~ fifteen gallons per hour or less vaporizing capacity.

(B) Twenty-five feet for vaporizers having a vaporizing capacity of ~~((+6))~~ sixteen to ~~((+00))~~ one hundred gallons per hour.

(C) Fifty feet for vaporizers having a vaporizing capacity exceeding ~~((+00))~~ one hundred gallons per hour.

(xii) Direct fired vaporizers shall not raise the product pressure above the design pressure of the vaporizer equipment nor shall they raise the product pressure within the storage container above the pressure shown in the second column of Table H-31. (See WAC 296-24-47509.)

(xiii) Vaporizers shall not be provided with fusible plugs.

(xiv) Vaporizers shall not have unprotected drains to sewers or sump pits.

(d) Direct gas-fired tank heaters, shall be constructed and installed as follows:

(i) Direct gas-fired tank heaters, and tanks to which they are applied, shall only be installed above ground.

(ii) Tank heaters shall be permanently marked with the name of the manufacturer, the rated B.T.U. input to the burner, and the maximum vaporizing capacity in gallons per hour.

Note: Tank heaters may be an integral part of a fuel storage container directly connected to the container liquid section, or vapor section, or both.

(iii) Tank heaters shall be provided with a means for manually turning off the gas to the main burner and pilot.

(iv) Tank heaters shall be equipped with an automatic safety device to shut off the flow of gas to main burners, if the pilot light should fail. When flow through pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(v) Pressure regulating and pressure reducing equipment if located within ~~((+0))~~ ten feet of a direct fired tank heater shall be separated from the open flame by a substantially airtight noncombustible partition.

(vi) The following minimum distances shall be maintained between a storage tank heated by a direct fired tank heater and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for storage containers of less than ~~((500))~~ five hundred gallons water capacity.

(B) Twenty-five feet for storage containers of ~~((500))~~ five hundred to ~~((+200))~~ one thousand two hundred gallons water capacity.

(C) Fifty feet for storage containers of over ~~((+200))~~ one thousand two hundred gallons water capacity.

(vii) No direct fired tank heater shall raise the product pressure within the storage container over ~~((75))~~ seventy-five percent of the pressure set out in the second column of Table H-31. (See WAC 296-24-47509.)

(e) The vaporizer section of vaporizer-burners used for dehydrators or dryers shall be located outside of buildings; they shall be constructed and installed as follows:

(i) Vaporizer-burners shall have a minimum design pressure of 250 p.s.i.g. with a factor of safety of five.

(ii) Manually operated positive shutoff valves shall be located at the containers to shut off all flow to the vaporizer-burners.

(iii) Minimum distances between storage containers and vaporizer-burners shall be as follows:

Water capacity per container (gallons)	Minimum distances (feet)
Less than 501	10
501 to 2,000	25
Over 2,000	50

(iv) The vaporizer section of vaporizer-burners shall be protected by a hydrostatic relief valve. The relief valve shall be located so as not to be subjected to temperatures in excess of 140°F. The start-to-discharge pressure setting shall be such as to protect the components involved, but not less than 250 p.s.i.g. The discharge shall be directed upward and away from component parts of the equipment and away from operating personnel.

(v) Vaporizer-burners shall be provided with means for manually turning off the gas to the main burner and pilot.

(vi) Vaporizer-burners shall be equipped with automatic safety devices to shut off the flow of gas to the main burner and pilot in the event the pilot is extinguished.

(vii) Pressure regulating and control equipment shall be located or protected so that the temperatures surrounding this equipment shall not exceed 140°F except that equipment components may be used at higher temperatures if designed to withstand such temperatures.

(viii) Pressure regulating and control equipment when located downstream of the vaporizer shall be designed to withstand the maximum discharge temperature of the vapor.

(ix) The vaporizer section of vaporizer-burners shall not be provided with fusible plugs.

(x) Vaporizer coils or jackets shall be made of ferrous metal or high temperature alloys.

(xi) Equipment utilizing vaporizer-burners shall be equipped with automatic shutoff devices upstream and downstream of the vaporizer section connected so as to operate in the event of excessive temperature, flame failure, and, if applicable, insufficient airflow.

(12) Filling densities.

(a) The "filling density" is defined as the percent ratio of the weight of the gas in a container to the weight of water the container will hold at 60°F. All containers shall be filled according to the filling densities shown in Table H-27.

TABLE H-27  
MAXIMUM PERMITTED FILLING DENSITY

Specific gravity at 60°F (15.6°C)	Above ground containers		Under-ground containers, all capacities
	0 to 1,200 U.S. gals. (1,000 imp. gal. total water cap.	Over 1,200 U.S. gals. (1,000 imp. gals. 4,550 liters) total water cap.	
	Percent	Percent	Percent
0.496-0.503	41	44	45
.504-.510	42	45	46
.511-.519	43	46	47
.520-.527	44	47	48
.528-.536	45	48	49
.537-.544	46	49	50
.545-.552	47	50	51
.553-.560	48	51	52
.561-.568	49	52	53
.569-.576	50	53	54
.577-.584	51	54	55
.585-.592	52	55	56
.593-.600	53	56	57

(b) Except as provided in ~~((+2))~~(c) of this ~~((section))~~ subsection, any container including mobile cargo tanks and portable tank containers regardless of size or construction, shipped under DOT jurisdiction or constructed in accordance with 49 CFR Chapter I specifications shall be charged according to 49 CFR Chapter I requirements.

(c) Portable containers not subject to DOT jurisdiction (such as, but not limited to, motor fuel containers on industrial and lift trucks, and farm tractors covered in subsection (5) of this section, or containers recharged at the installation) may be filled either by weight, or by volume using a fixed length dip tube gaging device.

(13) LP-gas in buildings.

(a) Vapor shall be piped into buildings at pressures in excess of 20 p.s.i.g. only if the buildings or separate areas thereof,

(i) Are constructed in accordance with this section;

(ii) Are used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard;

(iii) Buildings, structures, or equipment under construction or undergoing major renovation.

(b) Liquid may be permitted in buildings as follows:

(i) Buildings, or separate areas of buildings, used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or

equipment and processes using such gas and having similar hazard; and when such buildings, or separate areas thereof are constructed in accordance with this section.

(ii) Buildings, structures, or equipment under construction or undergoing major renovation provided the temporary piping meets the following conditions:

(A) Liquid piping inside the building shall conform to the requirements of subsection (8) of this section, and shall not exceed three-fourths iron pipe size. Copper tubing with an outside diameter of three-fourths inch or less may be used provided it conforms to Type K of Specifications for Seamless Water Tube, ANSI H23.1-1970 (ASTM B88-1969) (see WAC 296-24-47505 Table H-24). All such piping shall be protected against construction hazards. Liquid piping inside buildings shall be kept to a minimum. Such piping shall be securely fastened to walls or other surfaces so as to provide adequate protection from breakage and so located as to subject the liquid line to lowest ambient temperatures.

(B) A shutoff valve shall be installed in each intermediate branch line where it takes off the main line and shall be readily accessible. A shutoff valve shall also be placed at the appliance end of the intermediate branch line. Such shutoff valve shall be upstream of any flexible connector used with the appliance.

(C) Suitable excess flow valves shall be installed in the container outlet line supplying liquid LP-gas to the building. A suitable excess flow valve shall be installed immediately downstream of each shutoff valve. Suitable excess flow valves shall be installed where piping size is reduced and shall be sized for the reduced size piping.

(D) Hydrostatic relief valves shall be installed in accordance with subsection (10)~~((+))~~(m) of this section.

(E) The use of hose to carry liquid between the container and the building or at any point in the liquid line, except at the appliance connector, shall be prohibited.

(F) Where flexible connectors are necessary for appliance installation, such connectors shall be as short as practicable and shall comply with subsection (8)(b) or (9) of this section.

(G) Release of fuel when any section of piping or appliances is disconnected shall be minimized by either of the following methods:

~~((+a))~~ (I) Using an approved automatic quick-closing coupling (a type closing in both directions when coupled in the fuel line), or

~~((+b))~~ (II) Closing the valve nearest to the appliance and allowing the appliance to operate until the fuel in the line is consumed.

~~((+c))~~ (III) Portable containers shall not be taken into buildings except as provided in subsection (6)(a) of this section.

(14) Transfer of liquids. The employer shall assure that:

(a) At least one attendant shall remain close to the transfer connection from the time the connections are first made until they are finally disconnected, during the transfer of the product.

(b) Containers shall be filled or used only upon authorization of the owner.

(c) Containers manufactured in accordance with specifications of 49 CFR Part 178 and authorized by 49

CFR Chapter 1 as a "single trip" or "nonrefillable container" shall not be refilled or reused in LP-gas service.

(d) Gas or liquid shall not be vented to the atmosphere to assist in transferring contents of one container to another, except as provided in WAC 296-24-47511(5)(d) and except that this shall not preclude the use of listed pump utilizing LP-gas in the vapor phase as a source of energy and venting such gas to the atmosphere at a rate not to exceed that from a No. 31 drill size opening and provided that such venting and liquid transfer shall be located not less than ~~((50))~~ fifty feet from the nearest important building.

(e) Filling of fuel containers for industrial trucks or motor vehicles from industrial bulk storage containers shall be performed not less than ~~((10))~~ ten feet from the nearest important masonry-walled building or not less than ~~((25))~~ twenty-five feet from the nearest important building or other construction and, in any event, not less than ~~((25))~~ twenty-five feet from any building opening.

(f) Filling of portable containers, containers mounted on skids, fuel containers on farm tractors, or similar applications, from storage containers used in domestic or commercial service, shall be performed not less than ~~((50))~~ fifty feet from the nearest important building.

(g) The filling connection and the vent from the liquid level gages in containers, filled at point of installation, shall not be less than ~~((10))~~ ten feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(h) Fuel supply containers shall be gaged and charged only in the open air or in buildings especially provided for that purpose.

(i) The maximum vapor pressure of the product at 100°F which may be transferred into a container shall be in accordance with WAC 296-24-47509(2) and 296-24-47511(3). (For DOT containers use DOT requirements.)

(j) Marketers and users shall exercise precaution to assure that only those gases for which the system is designed, examined, and listed, are employed in its operation, particularly with regard to pressures.

(k) Pumps or compressors shall be designed for use with LP-gas. When compressors are used they shall normally take suction from the vapor space of the container being filled and discharge to the vapor space of the container being emptied.

(l) Pumping systems, when equipped with a positive displacement pump, shall include a recirculating device which shall limit the differential pressure on the pump under normal operating conditions to the maximum differential pressure rating of the pump. The discharge of the pumping system shall be protected so that pressure does not exceed 350 p.s.i.g. If a recirculation system discharges into the supply tank and contains a manual shutoff valve, an adequate secondary safety recirculation system shall be incorporated which shall have no means of rendering it inoperative. Manual shutoff valves in recirculation systems shall be kept open except during an emergency or when repairs are being made to the system.

(m) When necessary, unloading piping or hoses shall be provided with suitable bleeder valves for relieving pressure before disconnection.

(n) Agricultural air moving equipment, including crop dryers, shall be shut down when supply containers are being filled unless the air intakes and sources of ignition on the equipment are located ~~((50))~~ fifty feet or more from the container.

(o) Agricultural equipment employing open flames or equipment with integral containers, such as flame cultivators, weed burners, and, in addition, tractors, shall be shut down during refueling.

(15) Tank car or transport truck loading or unloading points and operations.

(a) The track of tank car siding shall be relatively level.

(b) A "tank car connected" sign, as covered by DOT rules, shall be installed at the active end or ends of the siding while the tank car is connected.

(c) While cars are on side track for loading or unloading, the wheels at both ends shall be blocked on the rails.

(d) The employer shall insure that an employee is in attendance at all times while the tank car, cars, or trucks are being loaded or unloaded.

(e) A backflow check valve, excess-flow valve, or a shutoff valve with means of remote closing, to protect against uncontrolled discharge of LP-gas from storage tank piping shall be installed close to the point where the liquid piping and hose or swing joint pipe is connected.

(f) Except as provided in ~~((15))~~(g) of this ~~((section))~~ subsection, when the size (diameter) of the loading or unloading hoses and/or piping is reduced below the size of the tank car or transport truck loading or unloading connections, the adaptors to which lines are attached shall be equipped with either a backflow check valve, a properly sized excess flow valve, or shutoff valve with means of remote closing, to protect against uncontrolled discharge from the tank car or transport truck.

(g) The requirement of ~~((15))~~(f) of this ~~((section))~~ subsection shall not apply if the tank car or transport is equipped with a quick-closing internal valve that can be remotely closed.

(h) The tank car or transport truck loading or unloading point shall be located with due consideration to the following:

(i) Proximity to railroads and highway traffic.

(ii) The distance of such unloading or loading point from adjacent property.

(iii) With respect to buildings on installer's property.

(iv) Nature of occupancy.

(v) Topography.

(vi) Type of construction of buildings.

(vii) Number of tank cars or transport trucks that may be safely loaded or unloaded at one time.

(viii) Frequency of loading or unloading.

(i) Where practical, the distance of the unloading or loading point shall conform to the distances in subsection (6)(b) of this section.

(16) Instructions. Personnel performing installation, removal, operation, and maintenance work shall be properly trained in such function.

(17) Electrical equipment and other sources of ignition.

(a) Electrical equipment and wiring shall be of a type specified by and shall be installed in accordance with WAC 296-24-956 through 296-24-960, for ordinary locations except that fixed electrical equipment in classified areas shall comply with subsection (18) of this section.

(b) Open flames or other sources of ignition shall not be permitted in vaporizer rooms (except those housing direct-fired vaporizers), pumphouses, container charging rooms or other similar locations. Direct-fired vaporizers shall not be permitted in pumphouses or container charging rooms.

Note: Liquefied petroleum gas storage containers do not require lightning protection. Since liquefied petroleum gas is contained in a closed system of piping and equipment, the system need not be electrically conductive or electrically bonded for protection against static electricity (see NFPA No. 77-1972-1973, Recommended Practice for Static Electricity).

(c) Open flames (except as provided for in ~~((17))~~(b) of this ~~(section)~~ subsection), cutting or welding, portable electric tools, and extension lights capable of igniting LP-gas, shall not be permitted within classified areas specified in Table H-28 ~~((see WAC 296-24-47505))~~ of this section unless the LP-gas facilities have been freed of all liquid and vapor, or special precautions observed under carefully controlled conditions.

(18) Fixed electrical equipment in classified areas. Fixed electrical equipment and wiring installed within classified areas shall comply with Table H-28 ~~((see WAC 296-24-47505))~~ of this section and shall be installed in accordance with WAC 296-24-956 through 296-24-960. This provision does not apply to fixed electrical equipment at residential or commercial installations of LP-gas systems or to systems covered by WAC 296-24-47511 or 296-24-47515.

(19) Liquid-level gaging device.

(a) Each container manufactured after December 31, 1965, and filled on a volumetric basis shall be equipped with a fixed liquid-level gage to indicate the maximum permitted filling level as provided in ~~((19))~~(e) of this ~~(section)~~ subsection. Each container manufactured after December 31, 1969, shall have permanently attached to the container adjacent to the fixed level gage a marking showing the percentage full that will be shown by that gage. When a variable liquid-level gage is also provided, the fixed liquid-level gage will also serve as a means for checking the variable gage. These gages shall be used in charging containers as required in subsection (12) of this section.

(b) All variable gaging devices shall be arranged so that the maximum liquid level for butane, for a ~~((50-50))~~ fifty-fifty mixture of butane and propane, and for propane, to which the container may be charged is readily determinable. The markings indicating the various liquid levels from empty to full shall be on the system nameplate or gaging device or part may be on the system nameplate and part on the gaging device. Dials of

magnetic or rotary gages shall show whether they are for cylindrical or spherical containers and whether for aboveground or underground service. The dials of gages intended for use only on aboveground containers of over ~~((1,200))~~ one thousand two hundred gallons water capacity shall be so marked.

(c) Gaging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be designed so that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with excess flow valve.

(d) Gaging devices shall have a design working pressure of at least 250 p.s.i.g.

(e) Length of tube or position of fixed liquid-level gage shall be designed to indicate the maximum level to which the container may be filled for the product contained. This level shall be based on the volume of the product at 40°F at its maximum permitted filling density for aboveground containers and at 50°F for underground containers. The employer shall calculate the filling point for which the fixed liquid level gage shall be designed according to the method in this subsection.

TABLE H-28

Part	Location	Extent of classified area <sup>1</sup>	Equipment shall be suitable for National Electrical Code, Class 1, Group D <sup>2</sup>
A	Storage containers other than DOT cylinders.	Within 15 feet in all directions from connections, except connections otherwise covered in Table H-28.	Division 2.
B	Tank vehicle and tank car loading and unloading.	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade. (See Figure H-1.)	Division 2.
C	Gage vent openings other than those on DOT cylinders.	Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge.	Division 2.

TABLE H-28

Part	Location	Extent of classified area <sup>1</sup>	Equipment shall be suitable for National Electrical Code, Class 1, Group D <sup>2</sup>
D	Relief valve discharge other than those on DOT cylinders.	Within direct path of discharge.	Division 1. NOTE—Fixed electrical equipment should preferably not be installed.
		Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge except within the direct path of discharge.	Division 2.
E	Pumps, compressors, gas-air mixers and vaporizers other than direct fired.	Indoors without ventilation	Entire room and any adjacent room not separated by a gastight partition. Division 1.
			Within 15 feet of the exterior side of any exterior wall or roof that is not vaportight or within 15 feet of any exterior opening. Division 2.
		Indoors with adequate ventilation. <sup>4</sup>	Entire room and any adjacent room not separated by a gastight partition. Division 2.
		Outdoors in open air at or abovegrade.	Within 15 feet ((n)) in all directions from this equipment and within the cylindrical volume between the horizontal equator of the sphere and grade. See Figure H-1. Division 2.
		F	Service station dispensing units.

TABLE H-28

Part	Location	Extent of classified area <sup>1</sup>	Equipment shall be suitable for National Electrical Code, Class 1, Group D <sup>2</sup>
D		Up to 18 inches abovegrade within 20 ft. horizontally from any edge of enclosure.	Division 2.
		NOTE: For pits within this area, see Part F of this table.	
G	Pits or trenches containing or located beneath LP-gas valves, pumps, compressors, regulators, and similar equipment.	Without mechanical ventilation.	Entire pit or trench — Division 1.
			Entire room and any adjacent room not separated by a gastight partition. Division 2.
			Within 15 feet in all directions from pit or trench when located outdoors. Division 2.
		With adequate mechanical ventilation.	Entire pit or trench — Division 2.
			Entire room and any adjacent room not separated by a gastight partition. Division 2.
H	Special buildings or rooms for storage of portable containers.	Within 15 feet in all directions from pit or trench when located outdoors.	Division 2.
		Entire room —	Division 2.
I	Pipelines and connections containing operational bleeds, drips, vents or drains.	Within 5 ft. in all directions from point of discharge.	Division 1.
		Beyond 5 ft. from point of discharge, same as Part E of this table.	
J	Container filling: Indoors without ventilation.	Entire room —	Division 1.
		Indoors with adequate ventilation. <sup>4</sup>	Within 5 feet in all directions from connections regularly made or disconnected for product transfer. Division 1.

TABLE H-28

Part	Location	Extent of classified area <sup>1</sup>	Equipment shall be suitable for National Electrical Code, Class 1, Group D <sup>2</sup>
		Beyond 5 feet and entire room	Division 2.
Outdoors in open air		Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Fig. H-1.)	Division 2.

<sup>1</sup>The classified area shall not extend beyond an unpierced wall, roof, or solid vaportight partition.

<sup>2</sup>See chapter 296-46 WAC, and WAC 296-24-956 through 296-24-960.

<sup>3</sup>When classifying extent of hazardous area, consideration shall be given to possible variations in the spotting of tank cars and tank vehicles at the unloading points and the effect these variations of actual spotting point may have on the point of connection.

<sup>4</sup>Ventilation, either natural or mechanical, is considered adequate when the concentration of the gas in a gas-air mixture does not exceed ((25)) twenty-five percent of the lower flammable limit under normal operating conditions.

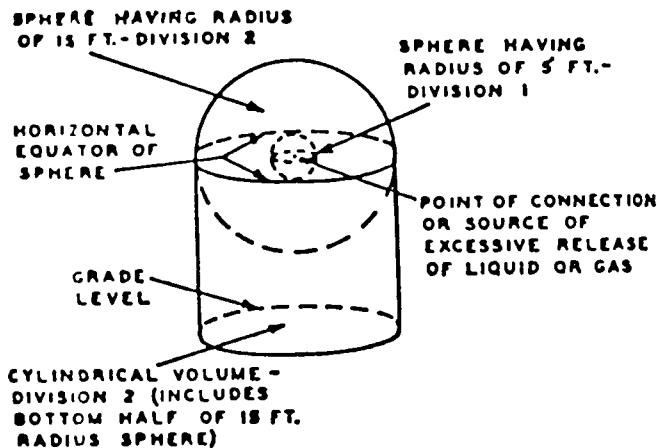


Figure H-1

Note: It is impossible to set out in a table the length of a fixed dip tube for various capacity tanks because of the varying tank diameters and lengths and because the tank may be installed either in a vertical or horizontal position. Knowing the maximum permitted filling volume in gallons, however, the length of the fixed tube can be determined by the use of a strapping table obtained from the container manufacturer. The length of the fixed tube should be such that when its lower end touches the surface of the liquid in the container, the contents of the container will be the maximum permitted volume as determined by the following formula:

$$\frac{\text{Water capacity (gals.) of container}^* \times \text{filling density}^{**}}{\text{Specific gravity of LP-gas}^* \times \text{volume correction factor}^{***} \times 100} = \frac{\text{Maximum volume of LP-gas}}{\text{of LP-gas}}$$

\*Measure at 60°F.

\*\*From (((+2(a)))) subsection (12)(a) of this section "filling densities."

\*\*\*For aboveground containers the liquid temperature is assumed to be 40°F and for underground containers the liquid temperature is assumed to be 50°F. To correct the liquid volumes at these temperatures to 60°F(=) the following factors shall be used.

(i) Formula for determining maximum volume of liquefied petroleum gas for which a fixed length of dip tube shall be set:

TABLE H-29  
VOLUME CORRECTION FACTORS

Specific gravity	Aboveground	Underground
0.500	1.033	1.017
.510	1.031	1.016
.520	1.029	1.015
.530	1.028	1.014
.540	1.026	1.013
.550	1.025	1.013
.560	1.024	1.012
.570	1.023	1.011
.580	1.021	1.011
.590	1.020	1.010

(ii) The maximum volume of LP-gas which can be placed in a container when determining the length of the dip tube expressed as a percentage of total water content of the container is calculated by the following formula.

(iii) The maximum weight of LP-gas which may be placed in a container for determining the length of a fixed dip tube is determined by multiplying the maximum volume of liquefied petroleum gas obtained by the formula in (((+9))) (e)(i) of this ((section)) subsection by the pounds of liquefied petroleum gas in a gallon at 40°F for aboveground and at 50°F for underground containers. For example, typical pounds per gallon are specified below:

Example: Assume a ((+00)) one hundred-gallon total water capacity tank for aboveground storage of propane having a specific gravity of 0.510 of 60°F.

$$\frac{100 \text{ (gals.)} \times 42 \text{ (filling density from (12)(a) of this ((section)) subsection)}}{0.510 \times 1.031 \text{ (correction factor from Table H-29)} \times 100} = \frac{4200}{52.6}$$

$\frac{4200}{52.6} = 79.8$  gallons propane, the maximum amount permitted to be placed in a 100-gallon total water capacity aboveground container equipped with a fixed dip tube.

$$\frac{\text{Maximum volume of LP-gas (from formula in ((19))((e)(i) of this ((section)) subsection))} \times 100}{\text{Total water content of container in gallons.}} = \text{Maximum percent of LP-gas}$$

	Aboveground, pounds per gallon	Underground, pounds per gallon
Propane . . . . .	4.37	4.31
N Butane . . . . .	4.97	4.92

(f) Fixed liquid-level gages used on containers other than DOT containers shall be stamped on the exterior of the gage with the letters "DT" followed by the vertical distance (expressed in inches and carried out to one decimal place) from the top of container to the end of the dip tube or to the centerline of the gage when it is located at the maximum permitted filling level. For portable containers that may be filled in the horizontal and/or vertical position the letters "DT" shall be followed by "V" with the vertical distance from the top of the container to the end of the dip tube for vertical filling and with "H" followed by the proper distance for horizontal filling. For DOT containers the stamping shall be placed both on the exterior of the gage and on the container. On aboveground or cargo containers where the gages are positioned at specific levels, the marking may be specified in percent of total tank contents and the marking shall be stamped on the container.

(g) Gage glasses of the columnar type shall be restricted to charging plants where the fuel is withdrawn in the liquid phase only. They shall be equipped with valves having metallic handwheels, with excess flow valves, and with extra-heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun. Gage glasses of the columnar type are prohibited on tank trucks, and on motor fuel tanks, and on containers used in domestic, commercial, and industrial installations.

(h) Gaging devices of the float, or equivalent type which do not require flow for their operation and having connections extending to a point outside the container do not have to be equipped with excess flow valves provided the piping and fittings are adequately designed to withstand the container pressure and are properly protected against physical damage and breakage.

(20) Requirements for appliances.

(a) Except as provided in ((20)) (b) of this ((section)) subsection, new commercial and industrial gas consuming appliances shall be approved.

(b) Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-gas and is in good condition may be used with LP-gas only after it is properly converted, adapted, and tested for performance with LP-gas before the appliance is placed in use.

(c) Unattended heaters used inside buildings for the purpose of animal or poultry production or care shall be equipped with an approved automatic device designed to shut off the flow of gas to the main burners, and pilot if used, in the event of flame extinguishment.

(d) All commercial, industrial, and agricultural appliances or equipment shall be installed in accordance with the requirements of these standards and in accordance with the following:

(i) Domestic and commercial appliances—NFPA 54-1969, Standard for the Installation of Gas Appliances and Gas Piping.

(ii) Industrial appliances—NFPA 54A-1969, Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises.

(iii) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines—NFPA 37-1970.

(iv) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment, NFPA 96-1970.

**AMENDATORY SECTION** (Amending Order 73-5, filed 5/9/73)

WAC 296-24-47507 CYLINDER SYSTEMS. (1) Application. This section applies specifically to systems utilizing containers constructed in accordance with DOT specifications. All requirements of WAC 296-24-47505 apply to this section unless otherwise noted in WAC 296-24-47505.

(2) Marking of containers.

(a) Containers shall be marked in accordance with DOT regulations. Additional markings not in conflict with DOT regulations may be used.

(b) Except as provided in ((2)) (c) of this ((section)) subsection each container shall be marked with its water capacity in pounds or other identified unit of weight.

(c) If a container is filled and maintained only by the owner or his representative and if the water capacity of each container is identified by a code, compliance with ((2)) (b) of this ((section)) subsection is not required.

(d) Each container shall be marked with its tare weight in pounds or other identified unit of weight including all permanently attached fittings but not the cap.

(3) Description of a system. A system shall include the container base or bracket, containers, container valves, connectors, manifold valve assembly, regulators, and relief valves.

(4) Containers and regulating equipment installed outside of buildings or structures.

(a) Containers shall not be buried below ground. However, this shall not prohibit the installation in a

compartment or recess below grade level, such as a niche in a slope or terrace wall which is used for no other purpose, providing that the container and regulating equipment are not in contact with the ground and the compartment or recess is drained and ventilated horizontally to the outside air from its lowest level, with the outlet at least ~~((3))~~ three feet away from any building opening which is below the level of such outlet.

Except as provided in WAC 296-24-47505 (10)~~((m))~~(n), the discharge from safety relief devices shall be located not less than ~~((3))~~ three feet horizontally away from any building opening which is below the level of such discharge and shall not terminate beneath any building unless such space is well ventilated to the outside and is not enclosed on more than two sides.

(b) Containers shall be set upon firm foundation or otherwise firmly secured; the possible effect on the outlet piping of settling shall be guarded against by a flexible connection or special fitting.

(5) Containers and equipment used inside of buildings or structures.

(a) When operational requirements make portable use of containers necessary and their location outside of buildings or structures is impracticable, containers and equipment are permitted to be used inside of buildings or structures in accordance with ~~((5))~~(a)(i) through (xii) of this ~~((section))~~ subsection, and, in addition, such other provisions of this section as are applicable to the particular use or occupancy.

(i) Containers in use shall mean connected for use.

(ii) Systems utilizing containers having a water capacity greater than ~~((2-1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) shall be equipped with excess flow valves. Such excess flow valves shall be either integral with the container valves or in the connections to the container valve outlets. In either case, an excess flow valve shall be installed in such a manner that any undue strain beyond the excess flow valve will not cause breakage between the container and the excess flow valve. The installation of excess flow valves shall take into account the type of valve protection provided.

(iii) Regulators, if used, shall be either directly connected to the container valves or to manifolds connected to the container valves. The regulator shall be suitable for use with LP-gas. Manifolds and fittings connecting containers to pressure regulator inlets shall be designed for at least 250 p.s.i.g. service pressure.

(iv) Valves on containers having a water capacity greater than ~~((50))~~ fifty pounds (nominal ~~((20))~~ twenty pounds LP-gas capacity) shall be protected while in use.

(v) Containers shall be marked in accordance with WAC 296-24-47505 (5)(c) and subsection (2) of this section.

(vi) Pipe or tubing shall conform to WAC 296-24-47505(8) except that aluminum pipe or tubing shall not be used.

(vii) Hose shall be designed for a working pressure of at least 250 p.s.i.g. Hose and hose connections shall have

their correctness as to design, construction and performance determined by listing by ~~((Underwriters Laboratories, Inc., or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory.

(A) The hose length may exceed the length specified in WAC 296-24-47505 (9)(g)(ii), but shall be as short as practicable. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(B) Hose shall be long enough to permit compliance with spacing provisions of this section without kinking or straining or causing hose to be so close to a burner as to be damaged by heat.

(viii) Portable heaters, including salamanders, shall be equipped with an approved automatic device to shut off the flow of gas to the main burner, and pilot if used, in the event of flame extinguishment. Such heaters having inputs above 50,000 B.t.u. manufactured on or after May 17, 1967, and such heaters having inputs above 100,000 B.t.u. manufactured before May 17, 1967, shall be equipped with either:

(A) A pilot which must be lighted and proved before the main burner can be turned on; or

(B) An electric ignition system. The provisions of ~~((5))~~ (a)(viii) of this ~~((section))~~ subsection do not apply to tar kettle burners, torches, melting pots, nor do they apply to portable heaters under 7,500 B.t.u.h. input when used with containers having a maximum water capacity of ~~((2-1/2))~~ two and one-half pounds. Container valves, connectors, regulators, manifolds, piping, and tubing shall not be used as structural supports for heaters.

(ix) Containers, regulating equipment, manifolds, pipe, tubing, and hose shall be located so as to minimize exposure to abnormally high temperatures (such as may result from exposure to convection or radiation from heating equipment or installation in confined spaces), physical damage, or tampering by unauthorized persons.

(x) Heat producing equipment shall be located and used so as to minimize the possibility of ignition of combustibles.

(xi) Containers having water capacity greater than ~~((2-1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) connected for use, shall stand on a firm and substantially level surface and, when necessary, shall be secured in an upright position.

(xii) Containers, including the valve protective devices, shall be installed so as to minimize the probability of impingement of discharge of safety relief devices upon containers.

(b) Containers having a maximum water capacity of ~~((2-1/2))~~ two and one-half pounds (nominal ~~((+))~~ one pound LP-gas capacity) are permitted to be used inside of buildings as part of approved self-contained hand torch assemblies or similar appliances.

(c) Containers having a maximum water capacity of ~~((12))~~ twelve pounds (nominal ~~((5))~~ five pounds LP-gas capacity) are permitted to be used temporarily inside of buildings for public exhibition or demonstration purposes, including use for classroom demonstrations.



(d) When buildings frequented by the public are open to the public, containers are permitted to be used for repair or minor renovation as follows:

(i) The maximum water capacity of individual containers shall be ~~((50))~~ fifty pounds (nominal ~~((20))~~ twenty pounds LP-gas capacity).

(ii) The number of LP-gas containers shall not exceed the number of workmen assigned to using the LP-gas.

(iii) Containers having a water capacity of greater than ~~((2-1/2))~~ two and one-half pounds (nominal ~~((1))~~ one pound LP-gas capacity shall not be left unattended in such buildings.

(e) When buildings frequented by the public are not open to the public, containers are permitted to be used for repair or minor renovations, as follows:

The provisions of ~~((5))~~(f) of this ~~((section))~~ subsection shall apply except that containers having a water capacity greater than ~~((2-1/2))~~ two and one-half pounds (nominal ~~((1))~~ one pound LP-gas capacity) shall not be left unattended in such buildings.

(f) Containers are permitted to be used in buildings or structures under construction or undergoing major renovation when such buildings or structures are not occupied by the public, as follows:

(i) The maximum water capacity of individual containers shall be ~~((245))~~ two hundred forty-five pounds (nominal ~~((100))~~ one hundred pounds LP-gas capacity).

(ii) For temporary heating such as curing concrete, drying plaster and similar applications, heaters (other than integral heater-container units) shall be located at least ~~((6))~~ six feet from any LP-gas container. This shall not prohibit the use of heaters specifically designed for attachment to the container or to a supporting standard, provided they are designed and installed so as to prevent direct or radiant heat application from the heater onto the container. Blower and radiant type heater shall not be directed toward any LP-gas container within ~~((20))~~ twenty feet.

(iii) If two or more heater-container units, of either the integral or nonintegral type, are located in an unpartitioned area on the same floor, the container or containers of each unit shall be separated from the container or containers of any other unit by at least ~~((20))~~ twenty feet.

(iv) When heaters are connected to containers for use in an unpartitioned area on the same floor, the total water capacity of containers manifolded together for connection to a heater or heaters shall not be greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity). Such manifolds shall be separated by at least ~~((20))~~ twenty feet.

(v) On floors on which heaters are not connected for use, containers are permitted to be manifolded together for connection to a heater or heaters on another floor, provided:

(A) The total water capacity of containers connected to any one manifold is not greater than ~~((2,450))~~ two thousand four hundred fifty pounds (nominal ~~((1,000))~~ one thousand pounds LP-gas capacity) and;

(B) Where more than one manifold having a total water capacity greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity) are located in the same unpartitioned area, they shall be separated by at least ~~((50))~~ fifty feet.

(vi) Storage of containers awaiting use shall be in accordance with WAC 296-24-47513.

(g) Containers are permitted to be used in industrial occupancies for processing, research, or experimental purposes as follows:

(i) The maximum water capacity of individual containers shall be ~~((245))~~ two hundred forty-five pounds (nominal ~~((100))~~ one hundred pounds LP-gas capacity).

(ii) Containers connected to a manifold shall have a total water capacity not greater than ~~((735))~~ seven hundred thirty-five pounds (nominal ~~((300))~~ three hundred pounds LP-gas capacity) and not more than one such manifold may be located in the same room unless separated at least ~~((20))~~ twenty feet from a similar unit.

(iii) The amount of LP-gas in containers for research and experimental use shall be limited to the smallest practical quantity.

(h) Containers are permitted to be used in industrial occupancies with essentially noncombustible contents where portable equipment for space heating is essential and where a permanent heating installation is not practical, as follows:

~~((1))~~ Containers and heaters shall comply with and be used in accordance with ~~((5))~~(f) of this ~~((section))~~ subsection.

(i) Containers are permitted to be used in buildings for temporary emergency heating purposes, if necessary to prevent damage to the buildings or contents, when the permanent heating system is temporarily out of service, as follows:

(i) Containers and heaters shall comply with and be used in accordance with ~~((5))~~(f) of this ~~((section))~~ subsection.

(ii) The temporary heating equipment shall not be left unattended.

(j) Containers are permitted to be used temporarily in buildings for training purposes related in installation and use of LP-gas systems, as follows:

(i) The maximum water capacity of individual containers shall be ~~((245))~~ two hundred forty-five pounds (nominal ~~((100))~~ one hundred pounds LP-gas capacity), but the maximum quantity of LP-gas that may be placed in each container shall be ~~((20))~~ twenty pounds.

(ii) If more than one such container is located in the same room, the containers shall be separated by at least ~~((20))~~ twenty feet.

(iii) Containers shall be removed from the building when the training class has terminated.

(6) Container valves and accessories.

(a) Valves in the assembly of multiple container systems shall be arranged so that replacement of containers can be made without shutting off the flow of gas in the system.

Note: This provision is not to be construed as requiring an automatic changeover device.

(b) Regulators and low-pressure relief devices shall be rigidly attached to the cylinder valves, cylinders, supporting standards, the building walls or otherwise rigidly secured and shall be so installed or protected that the elements (sleet, snow, or ice) will not affect their operation.

(c) Valves and connections to the containers shall be protected while in transit, in storage, and while being moved into final utilization, as follows:

(i) By setting into the recess of the container to prevent the possibility of their being struck if the container is dropped upon a flat surface, or

(ii) By ventilated cap or collar, fastened to the container capable of withstanding a blow from any direction equivalent to that of a ~~((30))~~ thirty-pound weight dropped ~~((4))~~ four feet. Construction must be such that a blow will not be transmitted to the valve or other connection.

(d) When containers are not connected to the system, the outlet valves shall be kept tightly closed or plugged, even though containers are considered empty.

(e) Containers having a water capacity in excess of ~~((50))~~ fifty pounds (approximately ~~((21))~~ twenty-one pounds LP-gas capacity), recharged at the installation, shall be provided with excess flow or backflow check valves to prevent the discharge of container contents in case of failure of the filling or equalizing connection.

(7) Safety devices.

(a) Containers shall be provided with safety devices as required by DOT regulations.

(b) A final stage regulator of an LP-gas system (excluding any appliance regulator) shall be equipped on the low-pressure side with a relief valve which is set to start to discharge within the limits specified in Table H-30.

TABLE H-30

Regulator delivery pressure	Relief valve start to discharge pressure setting (percent of regulator deliver pressure)	
	Minimum	Maximum
1 p.s.i.g. or less	200	300
Above 1 p.s.i.g. but not over 3 p.s.i.g.	140	200
Above 3 p.s.i.g.	125	200

(c) When a regulator or pressure relief valve is used inside a building for other than purposes specified in WAC 296-24-47505 (6)(a)(i) through (vi), the relief valve and the space above the regulator and relief valve diaphragms shall be vented to the outside air with the discharge outlet located not less than ~~((3))~~ three feet horizontally away from any building opening which is below such discharge. These provisions do not apply to

individual appliance regulators when protection is otherwise provided nor to subsection (5) of this section and WAC 296-24-47505 ~~(10)((m))~~(n). In buildings devoted exclusively to gas distribution purposes, the space above the diaphragm need not be vented to the outside.

(8) Reinstallation of containers. Containers shall not be reinstalled unless they are requalified in accordance with DOT regulations.

~~((a))~~ Permissible product. A product shall not be placed in a container marked with a service pressure less than four-fifths of the maximum vapor pressure of product at 130°F.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-47513 STORAGE OF CONTAINERS AWAITING USE OR RESALE. (1) Application. This ~~((paragraph))~~ section shall apply to the storage of portable containers not in excess of ~~((1,000))~~ one thousand pounds water capacity, filled or partially filled, at user location but not connected for use, or in storage for resale by dealers or resellers. This section shall not apply to containers stored at charging plants or at plants devoted primarily to the storage and distribution of LP-gas or other petroleum products.

(2) General.

(a) Containers in storage shall be located so as to minimize exposure to excessive temperature rise, physical damage, or tampering by unauthorized persons.

(b) Containers when stored inside shall not be located near exits, stairways, or in areas normally used or intended for the safe exit of people.

(c) Container valves shall be protected while in storage as follows:

(i) By setting into recess of container to prevent the possibility of their being struck if the container is dropped upon a flat surface, or

(ii) By ventilated cap or collar, fastened to container capable of withstanding blow from any direction equivalent to that of a ~~((30))~~ thirty-pound weight dropped ~~((4))~~ four feet. Construction must be such that a blow will not be transmitted to a valve or other connection.

(d) The outlet valves of containers in storage shall be closed.

(e) Empty containers which have been in LP-gas service should preferably be stored in the open. When stored inside, they shall be considered as full containers for the purpose of determining the maximum quantity of LP-gas permitted by this section.

(3) Storage within buildings frequented by the public.

(a) DOT specification containers having a maximum individual water capacity of ~~((2 1/2))~~ two and one-half pounds, used with completely self-contained hand torches and similar applications, are permitted to be stored or displayed in a building frequented by the public. The display of such containers shall be limited to a total of ~~((24))~~ twenty-four units of each brand and size. The total quantity on display and in storage shall not exceed ~~((200))~~ two hundred pounds LP-gas.

(b) Storage as provided in subsection (5) of this section shall not be permitted within or attached to such a building.

(4) Storage within buildings not frequented by the public (such as industrial buildings).

(a) The quantity of LP-gas stored shall not exceed ~~((300))~~ three hundred pounds (approximately ~~((2,550))~~ two thousand five hundred fifty cubic feet in vapor form) except as provided in subsection (5) of this section.

(b) Containers carried as a part of service equipment on highway mobile vehicles are not to be considered in the total storage capacity in ~~((4))~~(a) of this ~~((section))~~ subsection provided such vehicles are stored in private garages, and are limited to one container per vehicle with an LP-gas capacity of not more than ~~((100))~~ one hundred pounds. All container valves shall be closed.

(5) Storage within special buildings or rooms.

(a) The quantity of LP-gas stored in special buildings or rooms shall not exceed ~~((10,000))~~ ten thousand pounds.

(b) The walls, floors, and ceilings of container storage rooms that are within or adjacent to other parts of the building shall be constructed of material having at least a ~~((2))~~ two-hour fire resistance rating.

(c) A portion of the exterior walls or roof having an area not less than ~~((10))~~ ten percent of that of the combined area of the enclosing walls and roof shall be of explosion relieving construction.

(d) Each opening from such storage rooms to other parts of the building shall be protected by a ~~((1+1/2))~~ one and one-half-hour "(B)" fire door listed by ~~((Underwriters Laboratories Inc))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(e) Such rooms shall have no open flames for heating or lighting.

(f) Such rooms shall be adequately ventilated both top and bottom to the outside only. The openings from such vents shall be at least ~~((5))~~ five feet away from any other opening into any building.

(g) The floors of such rooms shall not be below ground level. Any space below the floor shall be of solid fill or properly ventilated to the open air.

(h) Such storage rooms shall not be located adjoining the line of property occupied by schools, churches, hospitals, athletic fields or other points of public gathering.

(i) Fixed electrical equipment shall be installed in accordance with WAC 296-24-47505(18).

(6) Storage outside of buildings.

(a) Storage outside of buildings, for containers awaiting use or resale, shall be located in accordance with Table H-33 with respect to ~~((;))~~:

(i) The nearest important building or group of buildings;

(ii) The line of adjoining property which may be built upon;

(iii) Busy thoroughfares;

(vi) The line of adjoining property occupied by schools, churches, hospitals, athletic fields, or other points of public gathering.

TABLE H-33

Quantity of LP-Gas Stored:	Distance
500 pounds or less _____	0
501 to 2,500 pounds _____	0*
2,501 to 6,000 pounds _____	10 feet
6,001 to 10,000 pounds _____	20 feet
Over 10,000 pounds _____	25 feet

\*Container or containers shall be at least ~~((10))~~ ten feet from any building on adjoining property, any sidewalk, or any of the exposures described in ~~((6))~~(a)(iii) or (iv) of this ~~((section))~~ subsection.

(b) Containers shall be in a suitable enclosure or otherwise protected against tampering.

(7) Fire protection. Storage locations other than supply depots separated and located apart from dealer, reseller, or user establishments shall be provided with at least one approved portable fire extinguisher having a minimum rating of 8-B, C.

AMENDATORY SECTION (Amending Order 80-21, filed 11/13/80)

WAC 296-24-51009 BASIC RULES. This section applies to all sections of this chapter which include WAC 296-24-510 in the section number unless otherwise noted.

(1) Approval of equipment and systems. Each appurtenance shall be approved in accordance with ~~((1))~~(a), (b), (c), and (d) of this ~~((section))~~ subsection.

(a) It was installed before February 8, 1973 and was approved and tested, and installed in accordance with either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(b) It is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory(~~((, such as, but not limited to, Underwriters Laboratories Inc. and Factory Mutual Research Corporation))~~); or

(c) It is a type which no nationally recognized testing laboratory does, or will undertake to ~~((;))~~ accept, certify, list, label, or determine to be safe; and such equipment is inspected or tested by any federal, state, municipal, or other local authority responsible for enforcing occupational safety provisions of a federal, state, municipal or other local law, code, or regulation pertaining to the storage, handling, transport, and use of anhydrous ammonia, and found to be in compliance with either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(d) It is a custom-designed and custom-built unit, which no nationally recognized testing laboratory, or federal, state, municipal or local authority responsible for the enforcement of a federal, state, municipal, or local law, code or regulation pertaining to the storage, transportation and use of anhydrous ammonia is willing

to undertake to accept, certify, list, label or determine to be safe, and the employer has on file a document attesting to its safe condition following the conduct of appropriate tests. The document shall be signed by a registered professional engineer or other person having special training or experience sufficient to permit him/her to form an opinion as to safety of the unit involved. The document shall set forth the test bases, test data and results, and also the qualifications of the certifying person.

(e) For the purposes of this section the word "listed" means that equipment is of a kind mentioned in a list which is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner. "Labeled" means there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment, and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner. "Certified" means it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and it bears a label, tag, or other record of certification.

(f) For purposes of this section, refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) Requirements for construction, original test and requalification of not-refrigerated containers.

(a) Containers used with systems covered in ((~~subsections~~)) WAC 296-24-51011 and 296-24-51017 through 296-24-51021 ((~~of this section~~)) shall be constructed and tested in accordance with the code except that construction under Table UW-12 at a basic joint efficiency of under ((~~80~~)) eighty percent is not authorized.

((~~†~~)) Containers built according to the code do not have to comply with paragraphs UG-125 to UG-128, inclusive, and paragraphs UG-132 and UG-133 of the code.

(b) Containers exceeding ((~~36~~)) thirty-six inches in diameter or ((~~250~~)) two hundred fifty gallons water capacity shall be constructed to comply with one or more of the following:

(i) Containers shall be stress relieved after fabrication in accordance with the code, or

(ii) Cold-formed heads, when used, shall be stress relieved or,

(iii) Hot-formed heads shall be used.

(c) Welding to the shell, head, or any other part of the container subject to internal pressure shall be done in compliance with WAC 296-24-51005(5). Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the container manufacturer.

(d) Containers used with systems covered by ((~~WAC 296-24-51009~~)) subsection (3)(b)(iv) of this section shall be constructed and tested in accordance with the DOT specifications.

(e) The provisions of ((~~2~~))(a) of this ((~~section~~)) subsection shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the 1949, 1950, 1952, 1956, 1959, 1962, 1965 and 1968 editions of the Unfired Pressure Vessel Code of the ASME or any revisions thereof in effect at the time of fabrication.

(3) Markings on nonrefrigerated containers and systems other than DOT containers.

(a) System nameplates, when required, shall be permanently attached to the system so as to be readily accessible for inspection and shall include markings as prescribed in ((~~3~~))(b) of this ((~~section~~)) subsection.

(b) Each container or system covered in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be marked as specified in the following:

(i) With a marking identifying compliance with the rules of the code under which the container is constructed.

(ii) With a notation on the container and system nameplate when the system is designed for underground installation.

(iii) With the name and address of the supplier of the container or the trade name of the container and with the date of fabrication.

(iv) With the water capacity of the container in pounds at 60°F or gallons, ((~~U.S.~~)) United States standard.

(v) With the design pressure in pounds per square inch gage.

(vi) With the wall thickness of the shell and heads.

(vii) With marking indicating the maximum level to which the container may be filled with liquid anhydrous ammonia at temperatures between 20°F and 100°F except on containers provided with fixed maximum level indicators, such as fixed length dip tubes, or containers that are filled by weight. Markings shall be in increments of not more than 20°F.

(viii) With the outside surface area in square feet.

(ix) With minimum temperature in Fahrenheit for which the container is designed.

(x) Marking specified on container shall be on the container itself or on a nameplate permanently affixed thereto.

(c) All main operating valves on permanently installed containers having a capacity of over three thousand water gallons shall be identified to show whether the valve is in liquid or vapor service. The recommended method of identification may be legend or color code as specified in (c)(i) and (ii) ((~~as follows~~)) of this subsection:

(i) Legend: The legend LIQUID (OR LIQUID VALVE), VAPOR (OR VAPOR VALVE), as appropriate, shall be placed on or within twelve inches of the valve by means of a stencil tag, or decal.

(ii) Color code: Liquid valves shall be painted orange and vapor valves shall be painted yellow. The legend ORANGE-LIQUID, YELLOW-VAPOR shall be displayed in one or more conspicuous places at each permanent storage location. The legend shall have letters at least two inches high and shall be placed against a contrasting

background. This is in accordance with American National Standard A13.1 "Schemes for Identification of Piping Systems"—1956, Page 5.

(4) Marking refrigerated containers. (See WAC 296-24-51013(3). Marking refrigerated containers.)

(5) Location of containers.

(a) Consideration shall be given to the physiological effects of ammonia as well as to adjacent fire hazards in selecting the location for a storage container. Containers shall be located outside of buildings or in buildings or sections thereof especially approved for this purpose.

(b) Containers shall be located at least ~~((50))~~ fifty feet from a dug well or other sources of potable water supply, unless the container is a part of a water treatment installation.

(c) The location of permanent storage containers shall be outside densely populated areas.

(d) Container locations shall comply with the following table:

Minimum Distances (feet)  
from Container to:

Nominal Capacity of Container	Line of Adjoining Property Which may be Built upon, Highways & Mainline of Railroad	Place of Public Assembly	Institution Occupancy
Over 500 to 2,000	25	150	250
Over 2,000 to 30,000	50	300	500
Over 30,000 to 100,000	50	450	750
Over 100,000	50	600	1,000

(e) Storage areas shall be kept free of readily ignitable materials such as waste, weeds and long dry grass.

(6) Container appurtenances.

(a) All appurtenances shall be designed for not less than the maximum working pressure of that portion of the system on which they are installed. All appurtenances shall be fabricated from materials proved suitable for anhydrous ammonia service.

(b) All connections to containers except safety relief devices, gaging devices, or those fitted with a No. 54 drill size orifice shall have ~~((shut-off))~~ shutoff valves located as close to the container as practicable.

(c) Excess flow valves where required by these standards shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections and line including valves and fittings being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices that require bleeding of the product to the atmosphere and which are so constructed that outward flow will not exceed that passed by a No. 54 drill size opening need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connections are made need not be equipped with excess flow valves if such openings are not larger than No. 54 drill size.

(f) Excess flow and back pressure check valves where required by these standards shall be located inside of the container or at a point outside as close as practicable to

where the line enters the container. In the latter case, installation shall be made in such manner that any undue stress beyond the excess flow or back pressure check valve will not cause breakage between the container and the valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) ~~((Shut-off))~~ Shutoff valves provided with an excess flow valve shall be designed for proper installation in a container connection so that the excess flow valve will close should the shutoff valve break.

(i) All excess flow valves shall be plainly and permanently marked with the name or ~~((trade-mark))~~ trade-mark of the manufacturer, the catalog number, and the rated capacity.

(7) Piping, tubing and fittings.

(a) All piping, tubing and fittings shall be made of material suitable for anhydrous ammonia service.

(b) All piping, tubing and fittings shall be designed for a pressure not less than the maximum pressure to which they may be subjected in service.

(c) All piping shall be well supported and provision shall be made for expansion and contraction. All refrigeration system piping shall conform to the Refrigeration Piping Code (ANSI B31.5 1966 addenda B31.1a-1968), a section of the American Standard Code for Pressure Piping, as it applies to ammonia.

(d) Piping used on nonrefrigerated systems shall be at least ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal. Such pipe shall be at least Schedule 40 when joints are welded, or welded and flanged. Such pipe shall be at least Schedule 80 when joints are threaded. Brass, copper, or galvanized steel pipe or tubing shall not be used.

(e) All metal flexible connections for permanent installations shall have a minimum working pressure of 250 ~~((psig))~~ p.s.i.g. (safety factor of 4). For temporary installations, hose meeting the requirement of ~~((WAC 296-24-51009))~~ subsection (8) of this section may be used.

(f) Cast iron fittings shall not be used but this shall not prohibit the use of fittings made specially for ammonia service of malleable or nodular iron such as Specification ASTM A47 or ASTM A395.

(g) Provisions shall be made for expansion, contraction, jarring, vibration, and for settling.

(h) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automobiles or trucks, or any other undue strain that may be placed upon the piping.

(i) Joint compounds shall be resistant to ammonia.

(j) After assembly, all piping and tubing shall be tested and proved to be free from leaks at a pressure not less than the normal operating pressure of the system.

(8) Hose specification.

(a) Hose used in ammonia service and subject to container pressure shall conform to the joint Rubber Manufacturers Association and the Fertilizer Institute "Hose Specifications for Anhydrous Ammonia" (see Appendix B).

(b) Hose subject to container pressure shall be designed for a minimum working pressure of 350 ((psig)) p.s.i.g. and a minimum burst pressure of 1750 ((psig)) p.s.i.g. Hose assemblies, when made up, shall be capable of withstanding a test pressure of 500 ((psig)) p.s.i.g.

(c) Hose and hose connections located on the low pressure side of flow control or pressure reducing valves on devices discharging to atmospheric pressure shall be designed for the maximum low side working pressure. All connections shall be designed, constructed, and installed so that there will be no leakage when connected.

(d) Where liquid transfer hose is not drained of liquid upon completion of transfer operations, such hose shall be equipped with an approved ((shut-off)) shutoff valve at the discharge end. Provision shall be made to prevent excessive hydrostatic pressure in the hose. (See ((WAC 296-24-51009)) subsection (9)(j) of this section.)

(e) On all hose one-half inch O.D. and larger, used for the transfer of anhydrous ammonia liquid or vapor, there shall be etched, cast, or impressed at five-foot intervals the following information:

"Anhydrous Ammonia"

xxx ((psig)) p.s.i.g. (Maximum working pressure)

Manufacturer's Name or Trademark

Year of Manufacture

(9) Safety relief devices.

(a) Every container used in systems covered by WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be provided with one or more safety relief valves of the spring-loaded or equivalent type. The discharge from safety relief valves shall be vented away from the container, upward and unobstructed to the atmosphere. All safety relief valve discharge openings shall have suitable raincaps that will allow free discharge of the vapor and prevent the entrance of water. Provision shall be made for draining condensate which may accumulate. The rate of the discharge shall be in accordance with the provisions of Appendix A.

(b) Container safety relief valves shall be set to start-to-discharge as follows, with relations to the design pressure of the container.

Containers	Minimum	Maximum*
ASME U-68, U-69	110%	125%
ASME U-200, U-201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968 or 1971	95%	100%
API-ASME	95%	100%
U.S. Coast Guard		
(As required by USCG regulations)		
DOT		
(As required by DOT regulations)		

\*Note: A relief valve manufacturer's tolerance of plus ((+20%)) ten percent is permitted.

(c) Safety relief devices used in systems covered by WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be constructed to discharge at not less than the rates required in ((subsection (9)))(a) of this subsection before the pressure is in excess of ((+20%)) one hundred twenty percent (not including the ((+0%)) ten percent tolerance referred to in ((subsection

(9)))(b) of this subsection) of the maximum permitted start-to-discharge pressure setting of the device.

(d) Safety relief valves shall be so arranged that the possibility of tampering will be minimized. If the pressure setting adjustment is external, the relief valves shall be provided with means for sealing the adjustment.

(e) ((Shut-off)) Shutoff valves shall not be installed between the safety relief valves and the containers or systems described in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021, except that a ((shut-off)) shutoff valve may be used where the arrangement of this valve is such as always to afford required capacity flow through the relief valves.

Note: The above exception is made to cover such cases as a threeway valve installed under two safety relief valves, each of which has the required rate of discharge and is so installed as to allow either of the safety relief valves to be closed off, but does not allow both safety valves to be closed off at the same time. Another exception to this may be where two separate relief valves are installed with individual ((shut-off)) shutoff valves. In this case, the two ((shut-off)) shutoff valve stems shall be mechanically interconnected in a manner which will allow full required flow of one safety relief valve at all times. Still another exception is a safety relief valve manifold which allows one valve of two, three, four or more to be closed off and the remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

(f) Safety relief valves shall have direct communication with the vapor space of the container.

(g) Each safety relief valve used with systems described in WAC 296-24-51011, 296-24-51017, 296-24-51019 and 296-24-51021 shall be plainly and permanently marked as follows:

(i) With the letters "AA" or the symbol "NH3."

(ii) The pressure in pounds per square inch gage ((psig)) p.s.i.g.) at which the valve is set to start-to-discharge.

(iii) The rate of discharge of the valve in cubic feet per minute of air at 60°F and atmospheric pressure (14.7 ((psia)) p.s.i.a.).

(iv) The manufacturer's name and catalog number.

For example, a safety relief valve marked AA-250-4200 (air) would mean that this valve is suitable for use on an anhydrous ammonia container; that it is set to start-to-discharge at 250 ((psig)) p.s.i.g.; and that its rate of discharge (see ((WAC 296-24-51009)) subsection (8)(a) ((to)) through (c) of this section) is ((4200)) four thousand two hundred cubic feet per minute of air.

(h) The flow capacity of the safety relief valve shall not be restricted by any connection to it on either the upstream or downstream side.

(i) The manufacturer or supplier of a safety relief valve manifold shall publish complete data showing the flow rating through the combined assembly of the manifold with safety relief valves installed. The manifold flow rating shall be determined by testing the manifold with all but one valve discharging. If one or more openings have restrictions not present in the remaining openings, the restricted opening or openings or those having the lowest flow shall be used to establish the flow rate marked on the manifold nameplate. The marking shall be similar to that required in ((subsection (9)))(g) of this subsection for individual valves.

(j) A hydrostatic relief valve shall be installed between each pair of valves in the liquid ammonia piping or hose where liquid may be trapped so as to relieve into the atmosphere at a safe location.

(k) Discharge from safety relief devices shall not terminate in or beneath any building.

(10) Safety. See CGA Pamphlet G-2, TFI Operational Safety Manual M-2 and MCA Safety Data Sheet SD-8 (see Appendix C for availability).

(a) Personnel required to handle ammonia shall be trained in safe operating practices and the proper action to take in the event of emergencies. Personnel shall be instructed to use the equipment listed in ~~((subsection (10)))~~(c) of this subsection in the event of an emergency. (Rev. 1-22-76)

(b) If a leak occurs in an ammonia system, the personnel trained for and designated to act in such emergencies shall:

(i) See that persons not required to deal with an emergency are evacuated from the contaminated area.

(ii) Put on a suitable gas mask.

(iii) Wear gauntlet type plastic or rubber gloves and wear plastic or rubber suits in heavily contaminated atmospheres.

(iv) Shut off the appropriate valves.

(c) All storage systems shall have on hand, as a minimum, the following equipment for emergency and rescue purposes:

\*~~(i)~~ One full face gas mask with anhydrous ammonia refill canisters.

\*\*~~(ii)~~ One pair of protective gloves.

\*\*~~(iii)~~ One pair of protective boots.

\*\*~~(iv)~~ One protective slicker and/or protective pants and jacket.

~~(v)~~ Easily accessible shower and/or at least ~~((50))~~ fifty gallons of clean water in an open top container.

~~((iv))~~ ~~(v)~~ Tight fitting vented goggles or one full face shield.

\*An ammonia canister is effective for short periods of time in light concentrations of ammonia vapor, generally ~~((15))~~ fifteen minutes in concentrations of ~~((3%))~~ three percent and will not protect breathing in heavier concentrations. If ammonia vapors are detected when mask is applied the concentration is too high for safety. The life of a canister in service is controlled by the percentage of vapors to which it is exposed. Canisters must not be opened until ready for use and should be discarded after use. Unopened canisters may be guaranteed for as long as three years. All should be dated when received because of this limited life. In addition to this protection, an independently supplied air mask of the type used by fire departments may be used for severe emergencies.

\*\*Gloves, boots, slickers, jackets and pants shall be made of rubber or other material impervious to ammonia.

(d) Where several persons are usually present, additional safety equipment may be desirable.

(e) Each tank motor vehicle transporting anhydrous ammonia, except farm applicator vehicles, shall carry a container of at least five gallons of water and shall be equipped with a full face gas mask, a pair of tight-fitting goggles or one full face shield. The driver shall be instructed in their use and the proper action to take to provide for his/her safety.

(f) If a leak occurs in transportation equipment and it is not practical to stop the leak, the driver should move

the vehicle to an isolated location away from populated communities or heavily traveled highways.

(g) If liquid ammonia contacts the skin or eyes, the affected area should be promptly and thoroughly flushed with water. Do not use neutralizing solutions or ointments on affected areas. A physician shall treat all cases of eye exposure to liquid ammonia.

(11) Filling densities. (See WAC 296-24-51005(9).)

(a) The filling densities for nonrefrigerated containers shall not exceed the following:

	Aboveground	Underground
(i) Uninsulated	56%*	58%
(ii) Insulated	57%	
(iii) DOT containers shall be filled in accordance with DOT regulations.		

\*This corresponds to 82% by volume at -28°F, 85% by volume at 5°F, 87.5% by volume at 30°F, and 90.6% by volume at 60°F.

(b) The filling density for refrigerated storage tanks temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety relief valve.

(c) If containers are to be filled according to liquid level by any gaging method other than a fixed length dip tube gage, each container should have a thermometer well so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container corrected to a 60°F basis.

(12) Transfer of liquids.

(a) Anhydrous ammonia shall always be at a temperature suitable for the material of construction and design of the receiving containers. Ordinary steels are not suitable for refrigerated ammonia. See Appendix R of API Standard 620 "Recommended Rules for Design and Construction of Large Welded Low-Pressure Storage Tanks" for materials for low temperature service.

(b) At least one attendant shall supervise the transfer of liquids from the time the connections are first made until they are finally disconnected.

(c) Flammable gases or gases which will react with ammonia (such as air) shall not be used to unload tank cars or transport trucks.

(d) Containers shall be charged or used only upon authorization of the owner.

(e) Containers shall be gaged and charged only in the open atmosphere or in buildings approved for that purpose.

(f) Pumps used for transferring ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Pumps shall be designed for at least 250 ~~((psig))~~ p.s.i.g. working pressure.

(ii) Positive displacement pumps shall have installed, off the discharge port, a constant differential relief valve discharging into the suction port of the pump through a line of sufficient size to carry the full capacity of the pump at relief valve setting, which setting and installation shall be according to pump manufacturer's recommendations.

(iii) On the discharge side of the pump, before the relief valve line, there shall be installed a pressure gage graduated from 0 to 400 ((psig)) p.s.i.g.

(iv) Plant piping shall contain shutoff valves located as close as practical to pump connections.

(g) Compressors used for transferring or refrigerating ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Compressors, except those used for refrigeration, shall be designed for at least 250 ((psig)) p.s.i.g. working pressure. Crank cases of compressors not designed to withstand system pressure shall be protected with a suitable safety relief valve.

(ii) Plant piping shall contain shutoff valves located as close as practical to compressor connections.

(iii) A safety relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shutoff valve.

(iv) Compressors shall have pressure gages at suction and discharge graduated to at least one and one-half times the maximum pressure that can be developed.

(v) Adequate means, such as drainable liquid trap, may be provided on the compressor suction to minimize the entry of liquid into the compressor.

(vi) Where necessary to prevent contamination, an oil separator shall be provided on the discharge side of the compressor.

(h) Loading and unloading systems shall be protected by suitable devices to prevent emptying of the storage container or the container being loaded or unloaded in the event of severance of the hose. Backflow check valves or properly sized excess flow valves shall be installed where necessary to provide such protection. In the event that such valves are not practical, remotely operated shutoff valves may be installed.

(i) Meters used for the measurement of liquid anhydrous ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Liquid meters shall be designed for a minimum working pressure of 250 ((psig)) p.s.i.g.

(ii) The metering system shall incorporate devices that will prevent the inadvertent measurement of vapor.

(13) Tank car unloading points and operations.

(a) Provisions for unloading tank cars shall conform to the regulations of the department of transportation.

(b) Unloading operations shall be performed by reliable persons properly instructed and made responsible for careful compliance with all applicable procedures.

(c) Caution signs shall be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding and shall be left up until after car is unloaded and disconnected from discharge connections. Signs shall be of metal or other suitable material, at least ((±2)) twelve by ((±5)) fifteen inches in size and bear the words "STOP—Tank car connected" or "STOP—Men at work" the word "STOP," being in letters at least ((4)) four inches high and the other words in letters at least ((2)) two inches high. The letters shall be white on a blue background.

(d) The track of a tank car siding shall be substantially level.

(e) Brakes shall be set and wheels blocked on all cars being unloaded.

(f) Tank cars of anhydrous ammonia shall be unloaded only at approved locations meeting the requirements of ((WAC 296-24-51009)) subsections (9)(c) and (12)(h) of this section.

(14) Liquid level gaging device.

(a) Each container except those filled by weight shall be equipped with an approved liquid level gaging device.

(b) All gaging devices shall be arranged so that the maximum liquid level to which the container is filled is readily determined. (See ((WAC 296-24-51009)) subsection (4)(b)(vii) of this section.)

(c) Gaging devices that require bleeding of the product to the atmosphere such as the rotary tube, fixed tube, and slip tube devices, shall be designed so that the maximum opening of the bleed valve is not larger than No. 54 drill size unless provided with an excess flow valve. (This requirement does not apply to farm vehicles used for the application of ammonia as covered in WAC 296-24-51021.)

(d) Gaging devices shall have a design pressure equal to or greater than the design pressure of the container on which they are installed.

(e) Fixed liquid level gages shall be so designed that the maximum volume of the container filled by liquid shall not exceed ((85%)) eighty-five percent of its water capacity. The coupling into which the fixed liquid level gage is threaded must be placed at the ((85%)) eighty-five percent level of the container. If located elsewhere, the dip tube of this gage must be installed in such a manner that it cannot be readily removed.

Note: This does not apply to refrigerated storage.

(f) Gage glasses of the columnar type shall be restricted to stationary storage installation. They shall be equipped with shutoff valves having metallic handwheels, with excess-flow valves, and with extra heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun.

(15) Painting of containers. Aboveground uninsulated containers should have a reflective surface maintained in good condition. White is recommended for painted surfaces, but other light reflecting colors are acceptable.

(16) Electrical equipment and wiring.

(a) Electrical equipment and wiring for use in ammonia installations shall be general purpose or weather resistant as appropriate.

(b) Where concentrations of ammonia in air in excess of ((16%)) sixteen percent by volume are likely to be encountered, electrical equipment and wiring shall be of a type specified by and be installed in accordance with National Electrical Code, NFPA 70 (ANSI-C1), for Class I, Group D locations.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-55001 DEFINITIONS. (1) Means of egress. A means of egress is a continuous and unobstructed way of exit travel from any point in a building



or structure to a public way and consists of three separate and distinct parts: The way of exit access, the exit, and the way of exit discharge. A means of egress comprises the vertical and horizontal ways of travel and shall include intervening room spaces, doorways, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts, and yards.

(2) Exit access. Exit access is that portion of a means of egress which leads to an entrance to an exit.

(3) Exit. Exit is that portion of a means of egress which is separated from all other spaces of the building or structure by construction or equipment as required in these standards to provide a protected way of travel to the exit of discharge.

(4) Exit discharge. Exit discharge is that portion of a means of egress between the termination of an exit and a public way.

(5) Low hazard contents. Low hazard contents shall be classified as those of such low combustibility that no self-propagating fire therein can occur and that consequently the only probable danger requiring the use of emergency exits will be from panic, fumes, or smoke, or fire from some external source.

(6) High-hazard contents. High-hazard contents shall be classified as those which are liable to burn with extreme rapidity or from which poisonous fumes or explosions are to be feared in the event of fire.

(7) Ordinary hazard contents. Ordinary hazard contents shall be classified as those which are liable to burn with moderate rapidity and to give off a considerable volume of smoke but from which neither poisonous fumes nor explosions are to be feared in case of fire.

(8) Approved. For the purposes of ~~(these standards)~~ WAC 296-24-550 through 296-24-56701, Part G-1, WAC 296-24-585 through 296-24-58517, Part G-2, and WAC 296-24-590 through 296-24-63599, Part G-3, approved shall mean listed or approved equipment by a nationally recognized testing laboratory. Refer to WAC 296-24-58501(19) for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(9) Emergency action plan. A plan for a workplace, or parts thereof, describing what procedures the employer and employees must take to ensure employee safety from fire or other emergencies.

(10) Emergency escape route. The route that employees are directed to follow in the event they are required to evacuate the workplace or seek a designated refuge area.

#### AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-24-58503 SCOPE, APPLICATION AND DEFINITIONS APPLICABLE. (1) Scope. This ((subpart)) section contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of this chapter ((296-24 WAC)).

(2) Application. This ((subpart)) section applies to all employments except for maritime, construction, and agriculture.

(3) Definitions applicable to this ((subpart)) section.

(a) "After-flame," means the time a test specimen continues to flame after the flame source has been removed.

(b) "Aqueous film forming foam (AFFF)," means a fluorinated surfactant with a foam stabilizer which is diluted with water to act as a temporary barrier to exclude air from mixing with the fuel vapor by developing an aqueous film on the fuel surface of some hydrocarbons which is capable of suppressing the generation of fuel vapors.

(c) "Approved," means acceptable to the director under the following criteria:

(i) If it is accepted, or certified, or listed, or labeled or otherwise determined to be safe by a nationally recognized testing laboratory (~~(such as, but not limited to, Underwriters' Laboratories, Inc. or the Factory Mutual System)~~); or

(ii) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency and found in compliance with the provisions of the applicable National Fire Protection Association Fire Code; or

(iii) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director; and

(iv) For the purposes of (c) of this subsection:

(A) Equipment is listed if it is of a kind mentioned in a list which is published by a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and which states that such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner;

(B) Equipment is labeled if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner;

(C) Equipment is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes; ~~((and))~~

(D) Equipment is certified if it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and if it bears a label, tag, or other record of certification; and

(E) Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(d) "Automatic fire detection device," means a device designed to automatically detect the presence of fire by

heat, flame, light, smoke or other products of combustion.

(e) "Buddy-breathing device," means an accessory to self-contained breathing apparatus which permits a second person to share the same air supply as that of the wearer of the apparatus.

(f) "Carbon dioxide," means a colorless, odorless, electrically nonconductive inert gas (chemical formula CO<sub>2</sub>) that is a medium for extinguishing fires by reducing the concentration of oxygen or fuel vapor in the air to the point where combustion is impossible.

(g) "Class A fire," means a fire involving ordinary combustible materials such as paper, wood, cloth, and some rubber and plastic materials.

(h) "Class B fire," means a fire involving flammable or combustible liquids, flammable gases, greases and similar materials, and some rubber and plastic materials.

(i) "Class C fire," means a fire involving energized electrical equipment where safety to the employee requires the use of electrically nonconductive extinguishing media.

(j) "Class D fire," means a fire involving combustible metals such as magnesium, titanium, zirconium, sodium, lithium and potassium.

(k) "Dry chemical," means an extinguishing agent composed of very small particles of chemicals such as, but not limited to, sodium bicarbonate, potassium bicarbonate, urea-based potassium bicarbonate, potassium chloride, or monoammonium phosphate supplemented by special treatment to provide resistance to packing and moisture absorption (caking) as well as to provide proper flow capabilities. Dry chemical does not include dry powders.

(l) "Dry powder," means a compound used to extinguish or control Class D fires.

(m) "Education," means the process of imparting knowledge or skill through systematic instruction. It does not require formal classroom instruction.

(n) "Enclosed structure," means a structure with a roof or ceiling and at least two walls which may present fire hazards to employees, such as accumulations of smoke, toxic gases and heat similar to those found in buildings.

(o) "Extinguisher classification," means the letter classification given an extinguisher to designate the class or classes of fire on which an extinguisher will be effective.

(p) "Extinguisher rating," means the numerical rating given to an extinguisher which indicates the extinguishing potential of the unit based on standardized tests developed by Underwriters' Laboratories, Inc.

(q) "Fire brigade," (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.

(r) "Fixed extinguishing system," means a permanently installed system that either extinguishes or controls a fire at the location of the system.

(s) "Flame resistance," is the property of materials, or combinations of component materials, to retard ignition and restrict the spread of flame.

(t) "Foam," means a stable aggregation of small bubbles which flow freely over a burning liquid surface and form a coherent blanket which seals combustible vapors and thereby extinguishes the fire.

(u) "Gaseous agent," is a fire extinguishing agent which is in the gaseous state at normal room temperature and pressure. It has low viscosity, can expand or contract with changes in pressure and temperature, and has the ability to diffuse readily and to distribute itself uniformly throughout an enclosure.

(v) "Halon 1211," means a colorless, faintly sweet smelling, electrically nonconductive liquefied gas (chemical formula CBrClF<sub>2</sub>) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromochlorodifluoromethane.

(w) "Halon 1301," means a colorless, odorless, electrically nonconductive gas (chemical formula CBrF<sub>3</sub>) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromotrifluoromethane.

(x) "Helmet," is a head protective device consisting of a rigid shell, energy absorption system and chin strap intended to be worn to provide protection for the head or portions thereof, against impact, flying or falling objects, electric shock, penetration, heat and flame.

(y) "Incipient stage fire," means a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

(z) "Inspection," means a visual check of fire protection systems and equipment to ensure that they are in place, charged, and ready for use in the event of a fire.

(aa) "Interior structural fire fighting," means the physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage.

(bb) "Lining," means a material permanently attached to the inside of the outer shell of a garment for the purpose of thermal protection and padding.

(cc) "Local application system," means a fixed fire suppression system which has a supply of extinguishing agent, with nozzles arranged to automatically discharge extinguishing agent directly on the burning material to extinguish or control a fire.

(dd) "Maintenance," means the performance of services on fire protection equipment and systems to assure that they will perform as expected in the event of a fire. Maintenance differs from inspection in that maintenance requires the checking of internal fitting, devices and agent supplies.

(ee) "Multipurpose dry chemical," means a dry chemical which is approved for use on Class A, Class B and Class C fires.

(ff) "Outer shell," is the exterior layer of material on the fire coat and protective trousers which forms the outermost barrier between the fire fighter and the environment. It is attached to the vapor barrier and liner and is usually constructed with a storm flap, suitable closures, and pockets.

(gg) "Positive-pressure breathing apparatus," means self-contained breathing apparatus in which the pressure in the breathing zone is positive in relation to the immediate environment during inhalation and exhalation.

(hh) "PredischARGE employee alarm," means an alarm which will sound at a set time prior to actual discharge of an extinguishing system so that employees may evacuate the discharge area prior to system discharge.

(ii) "Quick disconnect valve," means a device which starts the flow of air by inserting of the hose (which leads from the facepiece) into the regulator of self-contained breathing apparatus, and stops the flow of air by disconnection of the hose from the regulator.

(jj) "Sprinkler alarm," means an approved device installed so that any waterflow from a sprinkler system equal to or greater than that from single automatic sprinkler will result in an audible alarm signal on the premises.

(kk) "Sprinkler system," means a system of piping designed in accordance with fire protection engineering standards and installed to control or extinguish fires. The system includes an adequate and reliable water supply, and a network of specially sized piping and sprinklers which are interconnected. The system also includes a control valve and a device for actuating an alarm when the system is in operation.

(ll) "Standpipe systems:"

(i) "Class I standpipe system," means a two and one-half-inch (6.3 cm) hose connection for use by fire departments and those trained in handling heavy fire streams.

(ii) "Class II standpipe system," means a one and one-half-inch (3.8 cm) hose system which provides a means for the control or extinguishment of incipient stage fires.

(iii) "Class III standpipe system," means a combined system of hose which is for the use of employees trained in the use of hose operations and which is capable of furnishing effective water discharge during the more advanced stages of fire (beyond the incipient stage) in the interior of workplaces. Hose outlets are available for both one and one-half-inch (3.8 cm) and two and one-half-inch (6.3 cm) hose.

(iv) "Small hose system," means a system of hose ranging in diameter from five-eighths-inch (1.6 cm) up to one and one-half-inch (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

(mm) "Total flooding system," means a fixed suppression system which is arranged to automatically discharge a predetermined concentration of agent into an enclosed space for the purpose of fire extinguishment or control.

(nn) "Training," means the process of making proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of assigned duties.

(oo) "Vapor barrier," means that material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-68001 DEFINITIONS. (1) "Welder" and "welding operator" mean any operator of electric or gas welding and cutting equipment.

(2) "Approved" means listed or approved by a nationally recognized testing laboratory (~~(, such as Factory Mutual Engineering Corp., or Underwriters' Laboratories, Inc).~~). Refer to WAC 296-24-58501(19) for definitions of listed and approved, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(3) All other welding terms are used in accordance with American Welding Society-Terms and Definitions-A3.0-1969.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-82513 MASONS' ADJUSTABLE MULTIPLE-POINT SUSPENSION SCAFFOLDS.

(1) The scaffold shall be capable of sustaining a working load of ~~((50))~~ fifty pounds per square foot and shall not be loaded in excess of that figure.

(2) The scaffold shall be provided with hoisting machines that meet the requirements of ~~((Underwriters' Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of a nationally recognized testing laboratory.

(3) The platform shall be supported by wire ropes in conformity with WAC 296-24-82503(22), suspended from overhead outrigger beams.

(4) The scaffold outrigger beams shall consist of structural metal securely fastened or anchored to the frame or floor system of the building or structure.

(5) Each outrigger beam shall be equivalent in strength to at least a standard ~~((7))~~ seven-inch, 15.3-pound steel I-beam, be at least ~~((+5))~~ fifteen feet long, and shall not project more than ~~((6))~~ six feet ~~((6))~~ six inches beyond the bearing point.

(6) Where the overhang exceeds ~~((6))~~ six feet ~~((6))~~ six inches, outrigger beams shall be composed of stronger beams or multiple beams and be installed in accordance with approved designs and instructions.

(7) If channel iron outrigger beams are used in place of I-beams, they shall be securely fastened together with the flanges turned out.

(8) All outrigger beams shall be set and maintained with their webs in a vertical position.

(9) A stop bolt shall be placed at each end of every outrigger beam.

(10) The outrigger beam shall rest on suitable wood-bearing blocks.

(11) All parts of the scaffold such as bolts, nuts, fittings, clamps, wire rope, and outrigger beams and their fastenings, shall be maintained in sound and good working condition and shall be inspected before each installation and periodically thereafter.

(12) The free end of the suspension wire ropes shall be equipped with proper size thimbles and be secured by splicing or other equivalent means. The running ends shall be securely attached to the hoisting drum and at

least four turns of rope shall at all times remain on the drum.

(13) Where a single outrigger beam is used, the steel shackles or clevises with which the wire ropes are attached to the outrigger beams shall be placed directly over the hoisting drums.

(14) The scaffold platform shall be equivalent in strength to at least ((2)) two-inch planking. (For maximum planking spans see WAC 296-24-82503(22)).

(15) Guardrails not less than ((2x4)) two by four inches or the equivalent and not less than ((36)) thirty-six inches or more than ((42)) forty-two inches high, with a mid-rail, when required, of ((1x4)) one-inch by four-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more than ((8)) eight feet above the ground or floor. Toeboards shall be a minimum of ((4)) four inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(16) Overhead protection shall be provided on the scaffold, not more than ((9)) nine feet above the platform, consisting of ((2)) two-inch planking or material of equivalent strength laid tight, when men are at work on the scaffold and an overhead hazard exists.

(17) Each scaffold shall be installed or relocated in accordance with designs and instructions, of a registered professional engineer, and supervised by a competent, designated person to comply with the requirements of this section.

#### AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-24-82515 TWO-POINT SUSPENSION SCAFFOLDS (SWINGING SCAFFOLDS). (1) Two-point suspension scaffold platforms shall be not less than ((20)) twenty inches nor more than ((36)) thirty-six inches wide overall. The platform shall be securely fastened to the hangers by U-bolts or by other equivalent means.

(2) The hangers of two-point suspension scaffolds shall be made of wrought iron, mild steel, or other equivalent material having a cross-sectional area capable of sustaining four times the maximum intended load, and shall be designed with a support for guardrail, intermediate rail, and toeboard.

(3) When hoisting machines are used on two-point suspension scaffolds, such machines shall be of a design tested and approved by ((Underwriters Laboratories or Factory Mutual Engineering Corp)) a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(4) The rope irons or hooks shall be of wrought iron, mild steel, or other equivalent material of proper size and design, securely installed and anchored. Tiebacks of ((3/4)) three-fourths-inch manila rope or the equivalent shall serve as a secondary means of anchorage, installed at right angles to the face of the building whenever possible and secured to a structurally sound portion of the building.

(5) Guardrails not less than ((2x4)) two by four inches or the equivalent and not less than ((36)) thirty-six inches or more than ((42)) forty-two inches high, with a mid-rail, when required, of ((1x4)) one-inch by four-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more than ((10)) ten feet above the ground or floor. Toeboards shall be a minimum of ((4)) four inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(6) Two-point suspension scaffolds shall be suspended by wire or fiber ropes. Wire and fiber ropes shall conform to WAC 296-24-82503(22).

(7) The blocks for fiber ropes shall be of standard ((6)) six-inch size, consisting of at least one double and one single block. The sheaves of all blocks shall fit the size of rope used.

(8) All wire ropes, fiber ropes, slings, hangers, platforms, and other supporting parts shall be inspected before every installation. Periodic inspections shall be made while the scaffold is in use.

(9) On suspension scaffolds designed for a working load of ((500)) five hundred pounds, no more than two men shall be permitted to work at one time. On suspension scaffolds with a working load of ((750)) seven hundred fifty pounds, no more than three men shall be permitted to work at one time. Each workman shall be protected by a safety lifeline attached to a lifeline. The lifeline shall be securely attached to substantial members of the structure (not scaffold), or to securely rigged lines, which will safely suspend the workman in case of a fall.

(10) Where acid solutions are used, fiber ropes are not permitted unless acid-proof.

(11) Two-point suspension scaffolds shall be securely lashed to the building or structure to prevent them from swaying. Window cleaners' anchors shall not be used for this purpose.

(12) The platform of every two-point suspension scaffold shall be one of the following types:

(a) The side stringer of ladder-type platforms shall be clear straight-grained spruce or materials of equivalent strength and durability. The rungs shall be of straight-grained oak, ash, or hickory, at least ((1+7/8)) one and one-eighths-inch in diameter, with seven-eighths inch tenons mortised into the side stringers at least seven-eighths inch. The stringers shall be tied together with the tie rods not less than one-quarter inch in diameter, passing through the stringers and riveted up tight against washers on both ends. The flooring strips shall be spaced not more than five-eighths inch apart except at the side rails where the space may be ((1)) one inch. Ladder-type platforms shall be constructed in accordance with Table D-17.

(b) Plank-type platforms shall be composed of not less than nominal ((2x8)) two-inch by eight-inch unspliced planks, properly cleated together on the underside starting ((6)) six inches from each end; intervals in between shall not exceed ((4)) four feet. The plank-type platform shall not extend beyond the hangers more than ((18)) eighteen inches. A bar or other effective means

shall be securely fastened to the platform at each end to prevent its slipping off the hanger. The span between hangers for plank-type platforms shall not exceed ~~((+0))~~ ten feet.

(c) Beam platforms shall have side stringers of lumber not less than ~~((2 x 6))~~ two by six inches set on edge. The span between hangers shall not exceed ~~((+2))~~ twelve feet when beam platforms are used. The flooring shall be supported on ~~((2 and 6))~~ two-inch and six-inch cross-beams, laid flat and set into the upper edge of the stringers with a snug fit, at intervals of not more than ~~((4))~~ four feet, securely nailed in place. The flooring shall be of ~~((1 x 6))~~ one-inch by six-inch material properly nailed. Floorboards shall not be spaced more than one-half inch apart. (See Table D-17.)

TABLE D-17  
SCHEDULE FOR LADDER-TYPE PLATFORMS

	Length of platform (feet)				
	12	14 & 16	18 & 20	22 & 24	28 & 30
Side stringers, minimum cross section (finished sizes):					
At ends (in.)	1 3/4 x2 3/4	1 3/4 x2 3/4	1 3/4 x3	1 3/4 x3	1 3/4 x3 1/2
At middle (in.)	1 3/4 x3 3/4	1 3/4 x3 3/4	1 3/4 x4	1 3/4 x4 1/4	1 3/4 x5
Reinforcing strip (minimum)	A 1/8x7/8-in. steel reinforcing strip or its equivalent shall be attached to the side or underside, full length.				
Rungs	Rungs shall be 1 1/8-in. minimum diameter with at least 7/8-in. diameter tenons, and the maximum spacing shall be 12 in. center to center.				
Tie rods:					
Number (minimum)	3	4	4	5	6
Diameter (minimum)	1/4 in.	1/4 in.	1/4 in.	1/4 in.	1/4 in.
Flooring, minimum finished size (in.)	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4	1/2 x2 3/4

**AMENDATORY SECTION** (Amending Order 87-24, filed 11/30/87)

WAC 296-24-95601 DEFINITIONS APPLICABLE TO WAC 296-24-956 THROUGH 296-24-95615. Unless the context indicates otherwise, words used in this section shall have the meaning given.

(1) Acceptable. An installation or equipment is acceptable to the director of labor and industries, and approved within the meaning of this section:

(a) If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory ~~((, such as, but not limited to, Underwriters' Laboratories, Inc. and Factory Mutual Engineering Corp))~~; or

(b) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if

it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

(c) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(2) Accepted. An installation is "accepted" if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

(3) Accessible. (As applied to wiring methods.) Capable of being removed or exposed without damaging the building structure of finish, or not permanently closed in by the structure or finish of the building. (See "concealed" and "exposed.")

(4) Accessible. (As applied to equipment.) Admitting close approach; not guarded by locked doors, elevation, or other effective means. (See "readily accessible.")

(5) Ampacity. Current-carrying capacity of electric conductors expressed in amperes.

(6) Appliances. Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which is installed or connected as a unit to perform one or more functions such as clothes washing, air conditioning, food mixing, deep frying, etc.

(7) Approved. Acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of "acceptable" indicates what is acceptable to the director and therefore approved within the meaning of this section.

(8) Approved for the purpose. Approved for a specific purpose, environment, or application described in a particular standard requirement.

Suitability of equipment or materials for a specific purpose, environment or application may be determined by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation as part of its listing and labeling program. (See "labeled" or "listed.")

(9) Armored cable. Type AC armored cable is a fabricated assembly of insulated conductors in a flexible metallic enclosure.

(10) Askarel. A generic term for a group of nonflammable synthetic chlorinated hydrocarbons used as electrical insulating media. Askarels of various compositional types are used. Under arcing conditions the gases produced, while consisting predominantly of noncombustible hydrogen chloride, can include varying amounts of combustible gases depending upon the askarel type.

(11) Attachment plug (plug cap) (cap). A device which, by insertion in a receptacle, establishes connection between the conductors of the attached flexible cord

and the conductors connected permanently to the receptacle.

(12) Automatic. Self-acting, operating by its own mechanism when actuated by some impersonal influence, as, for example, a change in current strength, pressure, temperature, or mechanical configuration.

(13) Bare conductor, see "conductor."

(14) Bonding. The permanent joining of metallic parts to form an electrically conductive path which will assure electrical continuity and the capacity to conduct safely any current likely to be imposed.

(15) Bonding jumper. A reliable conductor to assure the required electrical conductivity between metal parts required to be electrically connected.

(16) Branch circuit. The circuit conductors between the final overcurrent device protecting the circuit and the outlet(s).

(17) Building. A structure which stands alone or which is cut off from adjoining structures by fire walls with all openings therein protected by approved fire doors.

(18) Cabinet. An enclosure designed either for surface or flush mounting, and provided with a frame, mat, or trim in which a swinging door or doors are or may be hung.

(19) Cable tray system. A cable tray system is a unit or assembly of units or sections, and associated fittings, made of metal or other noncombustible materials forming a rigid structural system used to support cables. Cable tray systems include ladders, troughs, channels, solid bottom trays, and other similar structures.

(20) Cablebus. Cablebus is an approved assembly of insulated conductors with fittings and conductor terminations in a completely enclosed, ventilated, protective metal housing.

(21) Center pivot irrigation machine. A center pivot irrigation machine is a multimotored irrigation machine which revolves around a central pivot and employs alignment switches or similar devices to control individual motors.

(22) Certified. Equipment is "certified" if it (a) has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or (b) is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and (c) it bears a label, tag, or other record of certification.

(23) Circuit breaker.

(a) (600 volts nominal, or less.) A device designed to open and close a circuit by nonautomatic means and to open the circuit automatically on a predetermined overcurrent without injury to itself when properly applied within its rating.

(b) (Over 600 volts, nominal.) A switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit.

(24) Class I locations. Class I locations are those in which flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or

ignitable mixtures. Class I locations include the following:

(a) Class I, Division 1. A Class I, Division 1 location is a location:

(i) In which hazardous concentrations of flammable gases or vapors may exist under normal operating conditions; or

(ii) In which hazardous concentrations of such gases or vapors may exist frequently because of repair or maintenance operations or because of leakage; or

(iii) In which breakdown or faulty operation of equipment or processes might release hazardous concentrations of flammable gases or vapors, and might also cause simultaneous failure of electric equipment.

Note: This classification usually includes locations where volatile flammable liquids or liquefied flammable gases are transferred from one container to another; interiors of spray booths and areas in the vicinity of spraying and painting operations where volatile flammable solvents are used; locations containing open tanks or vats of volatile flammable liquids; drying rooms or compartments for the evaporation of flammable solvents; locations containing fat and oil extraction equipment using volatile flammable solvents; portions of cleaning and dyeing plants where flammable liquids are used; gas generator rooms and other portions of gas manufacturing plants where flammable gas may escape; inadequately ventilated pump rooms for flammable gas or for volatile flammable liquids; the interiors of refrigerators and freezers in which volatile flammable materials are stored in open, lightly stoppered, or easily ruptured containers; and all other locations where ignitable concentrations of flammable vapors or gases are likely to occur in the course of normal operations.

(b) Class I, Division 2. A Class I, Division 2 location is a location:

(i) In which volatile flammable liquids or flammable gases are handled, processed, or used, but in which the hazardous liquids, vapors, or gases will normally be confined within closed containers or closed systems from which they can escape only in case of accidental rupture or breakdown of such containers or systems, or in case of abnormal operation of equipment; or

(ii) In which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation, and which might become hazardous through failure or abnormal operations of the ventilating equipment; or

(iii) That is adjacent to a Class I, Division 1 location, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clean air, and effective safeguards against ventilation failure are provided.

Note: This classification usually includes locations where volatile flammable liquids or flammable gases or vapors are used, but which would become hazardous only in case of an accident or of some unusual operating condition. The quantity of flammable material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or fires are all factors that merit consideration in determining the classification and extent of each location.

Piping without valves, checks, meters, and similar devices would not ordinarily introduce a hazardous condition even though used for flammable liquids or gases. Locations used for the storage of flammable liquids or a

liquefied or compressed gases in sealed containers would not normally be considered hazardous unless also subject to other hazardous conditions.

Electrical conduits and their associated enclosures separated from process fluids by a single seal or barrier are classed as a Division 2 location if the outside of the conduit and enclosures is a nonhazardous location.

(25) Class II locations. Class II locations are those that are hazardous because of the presence of combustible dust. Class II locations include the following:

(a) Class II, Division 1. A Class II, Division 1 location is a location:

(i) In which combustible dust is or may be in suspension in the air under normal operating conditions, in quantities sufficient to produce explosives or ignitable mixtures; or

(ii) Where mechanical failure or abnormal operation of machinery or equipment might cause such explosive or ignitable mixtures to be produced, and might also provide a source of ignition through simultaneous failure of electric equipment, operation of protection devices, or from other causes; or

(iii) In which combustible dusts of an electrically conductive nature may be present.

Note: This classification may include areas of grain handling and processing plants, starch plants, sugar-pulverizing plants, malting plants, hay-grinding plants, coal pulverizing plants, areas where metal dusts and powders are produced or processed, and other similar locations which contain dust producing machinery and equipment (except where the equipment is dust-tight or vented to the outside). These areas would have combustible dust in the air, under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures. Combustible dusts which are electrically nonconductive include dusts produced in the handling and processing of grain and grain products, pulverized sugar and cocoa, dried egg and milk powders, pulverized spices, starch and pastes, potato and woodflour, oil meal from beans and seed, dried hay, and other organic materials which may produce combustible dusts when processed or handled. Dusts containing magnesium or aluminum are particularly hazardous and the use of extreme caution is necessary to avoid ignition and explosion.

(b) Class II, Division 2. A Class II, Division 2 location is a location in which:

(i) Combustible dust will not normally be in suspension in the air in quantities sufficient to produce explosive or ignitable mixtures; and dust accumulations are normally insufficient to interfere with the normal operation of electrical equipment or other apparatus; or

(ii) Dust may be in suspension in the air as a result of infrequent malfunctioning of handling or processing equipment, and dust accumulations resulting therefrom may be ignitable by abnormal operation or failure of electrical equipment or other apparatus.

Note: This classification includes locations where dangerous concentrations of suspended dust would not be likely but where dust accumulations might form on or in the vicinity of electric equipment. These areas may contain equipment from which appreciable quantities of dust would escape under abnormal operating conditions or be adjacent to a Class II Division 1 location, as described above, into which an explosive or ignitable concentration of dust may be put into suspension under abnormal operating conditions.

(26) Class III locations. Class III locations are those that are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings are not likely to be in suspension in the air in quantities sufficient to produce ignitable mixtures. Class III locations include the following:

(a) Class III, Division 1. A Class III, Division 1 location is a location in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.

Note: Such locations usually include some parts of rayon, cotton, and other textile mills; combustible fiber manufacturing and processing plants; cotton gins and cottonseed mills; flax-processing plants; clothing manufacturing plants; woodworking plants, and establishments; and industries involving similar hazardous processes or conditions.

Easily ignitable fibers and flyings include rayon, cotton (including cotton linters and cotton waste), sisal or henequen, istle, jute, hemp, tow, cocoa fiber, oakum, baled waste kapok, Spanish moss, excelsior, and other materials of similar nature.

(b) Class III, Division 2. A Class III, Division 2 location is a location in which easily ignitable fibers are stored or handled, except in process of manufacture.

(27) Collector ring. A collector ring is an assembly of slip rings for transferring electrical energy from a stationary to a rotating member.

(28) Concealed. Rendered inaccessible by the structure or finish of the building. Wires in concealed raceways are considered concealed, even though they may become accessible by withdrawing them. (See "accessible. (As applied to wiring methods.))")

(29) Conductor.

(a) Bare. A conductor having no covering or electrical insulation whatsoever.

(b) Covered. A conductor encased within material of composition or thickness that is not recognized as electrical insulation.

(c) Insulated. A conductor encased within material of composition and thickness that is recognized as electrical insulation.

(30) Conduit body. A separate portion of a conduit or tubing system that provides access through a removable cover(s) to the interior of the system at a junction of two or more sections of the system or at a terminal point of the system. Boxes such as FS and FD or larger cast or sheet metal boxes are not classified as conduit bodies.

(31) Controller. A device or group of devices that serves to govern, in some predetermined manner, the electric power delivered to the apparatus to which it is connected.

(32) Cooking unit, counter-mounted. A cooking appliance designed for mounting in or on a counter and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "oven, wall-mounted.")

(33) Covered conductor. See "conductor."

(34) Cutout. (Over 600 volts, nominal.) An assembly of a fuse support with either a fuseholder, fuse carrier, or disconnecting blade. The fuseholder or fuse carrier may include a conducting element (fuse link), or may

act as the disconnecting blade by the inclusion of a nonfusible member.

(35) Cutout box. An enclosure designed for surface mounting and having swinging doors or covers secured directly to and telescoping with the walls of the box proper. (See "cabinet.")

(36) Damp location. See "location."

(37) Dead front. Without live parts exposed to a person on the operating side of the equipment.

(38) Device. A unit of an electrical system which is intended to carry but not utilize electric energy.

(39) Dielectric heating. Dielectric heating is the heating of a nominally insulating material due to its own dielectric losses when the material is placed in a varying electric field.

(40) Disconnecting means. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

(41) Disconnecting (or isolating) switch. (Over 600 volts, nominal.) A mechanical switching device used for isolating a circuit or equipment from a source of power.

(42) Dry location. See "location."

(43) Electric sign. A fixed, stationary, or portable self-contained, electrically illuminated utilization equipment with words or symbols designed to convey information or attract attention.

(44) Enclosed. Surrounded by a case, housing, fence or walls which will prevent persons from accidentally contacting energized parts.

(45) Enclosure. The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts, or to protect the equipment from physical damage.

(46) Equipment. A general term including material, fittings, devices, appliances, fixtures, apparatus, and the like, used as a part of, or in connection with, an electrical installation.

(47) Equipment grounding conductor. See "grounding conductor, equipment."

(48) Explosion-proof apparatus. Apparatus enclosed in a case that is capable of withstanding an explosion of a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

(49) Exposed. (As applied to live parts.) Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts not suitably guarded, isolated, or insulated. (See "accessible" and "concealed.")

(50) Exposed. (As applied to wiring methods.) On or attached to the surface or behind panels designed to allow access. (See "accessible. (As applied to wiring methods.)")

(51) Exposed. (For the purpose of WAC 296-24-95615(5), communications systems.) Where the circuit is in such a position that in case of failure of supports or insulation, contact with another circuit may result.

(52) Externally operable. Capable of being operated without exposing the operator to contact with live parts.

(53) Feeder. All circuit conductors between the service equipment, or the generator switchboard of an isolated plant, and the final branch-circuit overcurrent device.

(54) Fitting. An accessory such as a locknut, bushing, or other part of a wiring system that is intended primarily to perform a mechanical rather than an electrical function.

(55) Fuse. (Over 600 volts, nominal.) An overcurrent protective device with a circuit opening fusible part that is heated and severed by the passage of overcurrent through it. A fuse comprises all the parts that form a unit capable of performing the prescribed functions. It may or may not be the complete device necessary to connect it into an electrical circuit.

(56) Ground. A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and the earth, or to some conducting body that serves in place of the earth.

(57) Grounded. Connected to earth or to some conducting body that serves in place of the earth.

(58) Grounded, effectively. (Over 600 volts, nominal.) Permanently connected to earth through a ground connection of sufficiently low impedance and having sufficient ampacity that ground fault current which may occur cannot build up to voltages dangerous to personnel.

(59) Grounded conductor. A system or circuit conductor that is intentionally grounded.

(60) Grounding conductor. A conductor used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

(61) Grounding conductor, equipment. The conductor used to connect the noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

(62) Grounding electrode conductor. The conductor used to connect the grounding electrode to the equipment grounding conductor and/or to the grounded conductor of the circuit at the service equipment or at the source of a separately derived system.

(63) Ground-fault circuit-interrupter. A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

(64) Guarded. Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of approach to a point of danger or contact by persons or objects.

(65) Health care facilities. Buildings or portions of buildings and mobile homes that contain, but are not limited to, hospitals, nursing homes, extended care facilities, clinics, and medical and dental offices, whether fixed or mobile.

(66) Heating equipment. For the purposes of WAC 296-24-95611(7), the term "heating equipment" includes any equipment used for heating purposes if heat is generated by induction or dielectric methods.



(67) Hoistway. Any shaftway, hatchway, well hole, or other vertical opening or space in which an elevator or dumbwaiter is designed to operate.

(68) Identified. Identified, as used in reference to a conductor or its terminal, means that such conductor or terminal can be readily recognized as grounded.

(69) Induction heating. Induction heating is the heating of a nominally conductive material due to its own I<sup>2</sup>R losses when the material is placed in a varying electromagnetic field.

(70) Insulated conductor. See "conductor."

(71) Interrupter switch. (Over 600 volts, nominal.) A switch capable of making, carrying, and interrupting specified currents.

(72) Irrigation machine. An irrigation machine is an electrically driven or controlled machine, with one or more motors, not hand portable, and used primarily to transport and distribute water for agricultural purposes.

(73) Isolated. Not readily accessible to persons unless special means for access are used.

(74) Isolated power system. A system comprising an isolating transformer or its equivalent, a line isolation monitor, and its ungrounded circuit conductors.

(75) Labeled. Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which, (a) makes periodic inspections of the production of such equipment, and (b) whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

(76) Lighting outlet. An outlet intended for the direct connection of a lampholder, a lighting fixture, or a pendant cord terminating in a lampholder.

(77) Listed. Equipment is "listed" if it is of a kind mentioned in a list which, (a) is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and (b) states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner.

(78) Location.

(a) Damp location. Partially protected locations under canopies, marquees, roofed open porches, and like locations, and interior locations subject to moderate degrees of moisture, such as some basements, some barns, and some cold-storage warehouses.

(b) Dry location. A location not normally subject to dampness or wetness. A location classified as dry may be temporarily subject to dampness or wetness, as in the case of a building under construction.

(c) Wet location. Installations underground or in concrete slabs or masonry in direct contact with the earth, and locations subject to saturation with water or other liquids, such as vehicle-washing areas, and locations exposed to weather and unprotected.

(79) Medium voltage cable. Type MV medium voltage cable is a single or multiconductor solid dielectric insulated cable rated 2000 volts or higher.

(80) Metal-clad cable. Type MC cable is a factory assembly of one or more conductors, each individually insulated and enclosed in a metallic sheath of interlocking tape, or a smooth or corrugated tube.

(81) Mineral-insulated metal-sheathed cable. Type MI mineral-insulated metal-sheathed cable is a factory assembly of one or more conductors insulated with a highly compressed refractory mineral insulation and enclosed in a liquidtight and gastight continuous copper sheath.

(82) Mobile x-ray. X-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

(83) Nonmetallic-sheathed cable. Nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors having an outer sheath of moisture resistant, flame-retardant, nonmetallic material. Non-metallic sheathed cable is manufactured in the following types:

(a) Type NM. The overall covering has a flame-retardant and moisture-resistant finish.

(b) Type NMC. The overall covering is flame-retardant, moisture-resistant, fungus-resistant, and corrosion-resistant.

(84) Oil (filled) cutout. (Over 600 volts, nominal.) A cutout in which all or part of the fuse support and its fuse link or disconnecting blade are mounted in oil with complete immersion of the contacts and the fusible portion of the conducting element (fuse link), so that arc interruption by severing of the fuse link or by opening of the contacts will occur under oil.

(85) Open wiring on insulators. Open wiring on insulators is an exposed wiring method using cleats, knobs, tubes, and flexible tubing for the protection and support of single insulated conductors run in or on buildings, and not concealed by the building structure.

(86) Outlet. A point on the wiring system at which current is taken to supply utilization equipment.

(87) Outline lighting. An arrangement of incandescent lamps or electric discharge tubing to outline or call attention to certain features such as the shape of a building or the decoration of a window.

(88) Oven, wall-mounted. An oven for cooking purposes designed for mounting in or on a wall or other surface and consisting of one or more heating elements, internal wiring, and built-in or separately mountable controls. (See "cooking unit, counter-mounted.")

(89) Overcurrent. Any current in excess of the rated current of equipment or the ampacity of a conductor. It may result from overload (see definition), short circuit, or ground fault. A current in excess of rating may be accommodated by certain equipment and conductors for a given set of conditions. Hence the rules for overcurrent protection are specific for particular situations.

(90) Overload. Operation of equipment in excess of normal, full load rating, or of a conductor in excess of rated ampacity which, when it persists for a sufficient length of time, would cause damage or dangerous overheating. A fault, such as a short circuit or ground fault, is not an overload. (See "overcurrent.")

(91) Panelboard. A single panel or group of panel units designed for assembly in the form of a single panel; including buses, automatic overcurrent devices, and with or without switches for the control of light, heat, or power circuits; designed to be placed in a cabinet or

cutout box placed in or against a wall or partition and accessible only from the front. (See "switchboard.")

(92) Permanently installed decorative fountains and reflection pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage and are served by electrical circuits of any nature. These units are primarily constructed for their aesthetic value and not intended for swimming or wading.

(93) Permanently installed swimming pools, wading and therapeutic pools. Those that are constructed in the ground, on the ground, or in a building in such a manner that the pool cannot be readily disassembled for storage whether or not served by electrical circuits of any nature.

(94) Portable x-ray. X-ray equipment designed to be hand-carried.

(95) Power and control tray cable. Type TC power and control tray cable is a factory assembly of two or more insulated conductors, with or without associated bare or covered grounding conductors under a nonmetallic sheath, approved for installation in cable trays, in raceways, or where supported by a messenger wire.

(96) Power fuse. (Over 600 volts, nominal.) See "fuse."

(97) Power-limited tray cable. Type PLTC nonmetallic-sheathed power limited tray cable is a factory assembly of two or more insulated conductors under a nonmetallic jacket.

(98) Power outlet. An enclosed assembly which may include receptacles, circuit breakers, fuseholders, fused switches, buses and watt-hour meter mounting means; intended to supply and control power to mobile homes, recreational vehicles or boats, or to serve as a means for distributing power required to operate mobile or temporarily installed equipment.

(99) Premises wiring system. That interior and exterior wiring, including power, lighting, control, and signal circuit wiring together with all of its associated hardware, fittings, and wiring devices, both permanently and temporarily installed, which extends from the load end of the service drop, or load end of the service lateral conductors to the outlet(s). Such wiring does not include wiring internal to appliances, fixtures, motors, controllers, motor control centers, and similar equipment.

(100) Qualified person. One familiar with the construction and operation of the equipment and the hazards involved.

(101) Raceway. A channel designed expressly for holding wires, cables, or busbars, with additional functions as permitted in this subpart. Raceways may be of metal or insulating material, and the term includes rigid metal conduit, rigid nonmetallic conduit, intermediate metal conduit, liquidtight flexible metal conduit, flexible metallic tubing, flexible metal conduit, electrical metallic tubing, underfloor raceways, cellular concrete floor raceways, cellular metal floor raceways, surface raceways, wireways, and busways.

(102) Readily accessible. Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to

climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See "accessible.")

(103) Receptacle. A receptacle is a contact device installed at the outlet for the connection of a single attachment plug. A single receptacle is a single contact device with no other contact device on the same yoke. A multiple receptacle is a single device containing two or more receptacles.

(104) Receptacle outlet. An outlet where one or more receptacles are installed.

(105) Remote-control circuit. Any electric circuit that controls any other circuit through a relay or an equivalent device.

(106) Sealable equipment. Equipment enclosed in a case or cabinet that is provided with a means of sealing or locking so that live parts cannot be made accessible without opening the enclosure. The equipment may or may not be operable without opening the enclosure.

(107) Separately derived system. A premises wiring system whose power is derived from generator, transformer, or converter winding and has no direct electrical connection, including a solidly connected grounded circuit conductor, to supply conductors originating in another system.

(108) Service. The conductors and equipment for delivering energy from the electricity supply system to the wiring system of the premises served.

(109) Service cable. Service conductors made up in the form of a cable.

(110) Service conductors. The supply conductors that extend from the street main or from transformers to the service equipment of the premises supplied.

(111) Service drop. The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting to the service-entrance conductors at the building or other structure.

(112) Service-entrance cable. Service-entrance cable is a single conductor or multiconductor assembly provided with or without an overall covering, primarily used for services and of the following types:

(a) Type SE, having a flame-retardant, moisture-resistant covering, but not required to have inherent protection against mechanical abuse.

(b) Type USE, recognized for underground use, having a moisture-resistant covering, but not required to have a flame-retardant covering or inherent protection against mechanical abuse. Single-conductor cables having an insulation specifically approved for the purpose do not require an outer covering.

(113) Service-entrance conductors, overhead system. The service conductors between the terminals of the service equipment and a point usually outside the building, clear of building walls, where joined by tap or splice to the service drop.

(114) Service entrance conductors, underground system. The service conductors between the terminals of the service equipment and the point of connection to the service lateral. Where service equipment is located outside the building walls, there may be no service-entrance conductors, or they may be entirely outside the building.

(115) Service equipment. The necessary equipment, usually consisting of a circuit breaker or switch and fuses, and their accessories, located near the point of entrance of supply conductors to a building or other structure, or an otherwise defined area, and intended to constitute the main control and means of cutoff of the supply.

(116) Service raceway. The raceway that encloses the service-entrance conductors.

(117) Shielded nonmetallic-sheathed cable. Type SNM, shielded nonmetallic-sheathed cable is a factory assembly of two or more insulated conductors in an extruded core of moisture-resistant, flame-resistant nonmetallic material, covered with an overlapping spiral metal tape and wire shield and jacketed with an extruded moisture-resistant, flame-resistant, oil-resistant, corrosion-resistant, fungus-resistant, and sunlight-resistant nonmetallic material.

(118) Show window. Any window used or designed to be used for the display of goods or advertising material, whether it is fully or partly enclosed or entirely open at the rear and whether or not it has a platform raised higher than the street floor level.

(119) Sign. See "electric sign."

(120) Signaling circuit. Any electric circuit that energizes signaling equipment.

(121) Special permission. The written consent of the authority having jurisdiction.

(122) Storable swimming or wading pool. A pool with a maximum dimension of ((+5)) fifteen feet and a maximum wall height of ((3)) three feet and is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

(123) Switchboard. A large single panel, frame, or assembly of panels which have switches, buses, instruments, overcurrent and other protective devices mounted on the face or back or both. Switchboards are generally accessible from the rear as well as from the front and are not intended to be installed in cabinets. (See "panelboard.")

(124) Switches.

(a) General-use switch. A switch intended for use in general distribution and branch circuits. It is rated in amperes, and it is capable of interrupting its rated current at its rated voltage.

(b) General-use snap switch. A form of general-use switch so constructed that it can be installed in flush device boxes or on outlet box covers, or otherwise used in conjunction with wiring systems recognized by this subpart.

(c) Isolating switch. A switch intended for isolating an electric circuit from the source of power. It has no interrupting rating, and it is intended to be operated only after the circuit has been opened by some other means.

(d) Motor-circuit switch. A switch, rated in horsepower, capable of interrupting the maximum operating overload current of a motor of the same horsepower rating as the switch at the rated voltage.

(125) Switching devices. (Over 600 volts, nominal.) Devices designed to close and/or open one or more electric circuits. Included in this category are circuit breakers, cutouts, disconnecting (or isolating) switches, disconnecting means, interrupter switches, and oil (filled) cutouts.

(126) Transportable x-ray. X-ray equipment installed in a vehicle or that may readily be disassembled for transport in a vehicle.

(127) Utilization equipment. Utilization equipment means equipment which utilizes electric energy for mechanical, chemical, heating, lighting, or similar useful purpose.

(128) Utilization system. A utilization system is a system which provides electric power and light for employee workplaces, and includes the premises wiring system and utilization equipment.

(129) Ventilated. Provided with a means to permit circulation of air sufficient to remove an excess of heat, fumes, or vapors.

(130) Volatile flammable liquid. A flammable liquid having a flash point below 38 degrees C (100 degrees F) or whose temperature is above its flash point.

(131) Voltage (of a circuit). The greatest root-mean-square (effective) difference of potential between any two conductors of the circuit concerned.

(132) Voltage, nominal. A nominal value assigned to a circuit or system for the purpose of conveniently designating its voltage class (as 120/240, 480Y/277, 600, etc.). The actual voltage at which a circuit operates can vary from the nominal within a range that permits satisfactory operation of equipment.

(133) Voltage to ground. For grounded circuits, the voltage between the given conductor and that point or conductor of the circuit that is grounded; for ungrounded circuits, the greatest voltage between the given conductor and any other conductor of the circuit.

(134) Watertight. So constructed that moisture will not enter the enclosure.

(135) Weatherproof. So constructed or protected that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

(136) Wet location. See "location."

(137) Wireways. Wireways are sheet-metal troughs with hinged or removable covers for housing and protecting electric wires and cable and in which conductors are laid in place after the wireway has been installed as a complete system.

#### AMENDATORY SECTION (Amending Order 85-09, filed 4/19/85)

#### WAC 296-24-31505 LIQUEFIED HYDROGEN SYSTEMS. (1) Design.

(a) Containers.

(i) Hydrogen containers shall comply with the following: Storage containers shall be designed, constructed, and tested in accordance with appropriate requirements of the ASME Boiler and Pressure Vessel Code, Section

VIII—Unfired Pressure Vessels (1968) or applicable provisions of API Standard 620, Recommended Rules for Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Second Edition (June 1963) and Appendix R (April 1965).

(ii) Portable containers shall be designed, constructed and tested in accordance with DOT specifications and regulations.

(b) Supports. Permanently installed containers shall be provided with substantial noncombustible supports securely anchored on firm noncombustible foundations. Steel supports in excess of 18 inches in height shall be protected with a protective coating having a 2-hour fire-resistance rating.

(c) Marking. Each container shall be legibly marked to indicate "LIQUEFIED HYDROGEN—FLAMMABLE GAS."

(d) Safety relief devices.

(i) Stationary liquefied hydrogen containers shall be equipped with safety relief devices sized in accordance with CGA Pamphlet S-1-1966, Part 3, Safety Relief Device Standards for Compressed Gas Storage Containers.

(A) Portable liquefied hydrogen containers complying with the U.S. Department of Transportation regulations shall be equipped with safety relief devices as required in the U.S. Department of Transportation specifications and regulations. Safety relief devices shall be sized in accordance with the requirements of CGA Pamphlet S-1-1966, Safety Relief Device Standards, Part 1, Compressed Gas Cylinders and Part 2, Cargo and Portable Tank Containers.

(ii) Safety relief devices shall be arranged to discharge unobstructed to the outdoors and in such a manner as to prevent impingement of escaping liquid or gas upon the container, adjacent structures or personnel. See (2)(a)(vi) of this section for venting of safety relief devices in special locations.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(iv) Safety relief devices shall be provided in piping wherever liquefied hydrogen could be trapped between closures

(e) Piping, tubing, and fittings.

(i) Piping, tubing, and fittings and gasket and thread sealants shall be suitable for hydrogen service at the pressures and temperatures involved. Consideration shall be given to the thermal expansion and contraction of piping systems when exposed to temperature fluctuations of ambient to liquefied hydrogen temperatures.

(ii) Gaseous hydrogen piping and tubing (above—20°F) shall conform to the applicable sections of Pressure Piping Section 2—Industrial Gas and Air Piping, ANSI B31.1-1967 with addenda B31.1-1969. Design of liquefied hydrogen or cold (-20°F or below) gas piping shall use Petroleum Refinery Piping ANSI B31.3-1966 or Refrigeration Piping ANSI B31.5-1966 with addenda B31.5a-1968 as a guide.

(iii) Joints in piping and tubing shall preferably be made by welding or brazing; flanged, threaded, socket, or suitable compression fittings may be used.

(iv) Means shall be provided to minimize exposure of personnel to piping operating at low temperatures and to prevent air condensate from contacting piping, structural members, and surfaces not suitable for cryogenic temperatures. Only those insulating materials which are rated nonburning in accordance with ASTM Procedures D1692-68 may be used. Other protective means may be used to protect personnel. The insulation shall be designed to have a vapor-tight seal in the outer covering to prevent the condensation of air and subsequent oxygen enrichment within the insulation. The insulation material and outside shield shall also be of adequate design to prevent attrition of the insulation due to normal operating conditions.

(v) Uninsulated piping and equipment which operate at liquefied-hydrogen temperature shall not be installed above asphalt surfaces or other combustible materials in order to prevent contact of liquid air with such materials. Drip pans may be installed under uninsulated piping and equipment to retain and vaporize condensed liquid air.

(f) Equipment assembly.

(i) Valves, gauges, regulators, and other accessories shall be suitable for liquefied hydrogen service and for the pressures and temperatures involved.

(ii) Installation of liquefied hydrogen systems shall be supervised by personnel familiar with proper practices and with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible and shall be protected against physical damage and against tampering. A shutoff valve shall be located in liquid product withdrawal lines as close to the container as practical. On containers of over 2,000 gallons capacity, this shutoff valve shall be of the remote control type with no connections, flanges, or other appurtenances (other than a welded manual shutoff valve) allowed in the piping between the shutoff valve and its connection to the inner container.

(iv) Cabinets or housings containing hydrogen control equipment shall be ventilated to prevent any accumulation of hydrogen gas.

(g) Testing.

(i) After installation, all field-erected piping shall be tested and proved hydrogen gas-tight at operating pressure and temperature.

(ii) Containers if out of service in excess of 1 year shall be inspected and tested as outlined in (1) of this section. The safety relief devices shall be checked to determine if they are operable and properly set.

(h) Liquefied hydrogen vaporizers.

(i) The vaporizer shall be anchored and its connecting piping shall be sufficiently flexible to provide for the effect of expansion and contraction due to temperature changes.

(ii) The vaporizer and its piping shall be adequately protected on the hydrogen and heating media sections with safety relief devices.

(iii) Heat used in a liquefied hydrogen vaporizer shall be indirectly supplied utilizing media such as air, steam, water, or water solutions.

(iv) A low temperature shutoff switch shall be provided in the vaporizer discharge piping to prevent flow of liquefied hydrogen in the event of the loss of the heat source.

(i) Electrical systems.

(i) Electrical wiring and equipment located within 3 feet of a point where connections are regularly made and disconnected, shall meet the requirements of WAC 296-24-956 through 296-24-960 for Class I, Division 1 locations.

(ii) Except as provided in (1) of this section, electrical wiring, and equipment located within 25 feet of a point where connections are regularly made and disconnected or within 25 feet of a liquid hydrogen storage container, shall meet the requirements of WAC 296-24-956 through 296-24-960 for Class I, Division 2 locations. When equipment approved for Class I, environments is not commercially available, the equipment may be:

(A) Purged or ventilated in accordance with NFPA No. 496-1967, Standard for Purged Enclosures for Electrical Equipment in Hazardous Locations,

(B) Intrinsically safe, or

(C) Approved for Class I, Group C atmospheres. This requirement does not apply to electrical equipment which is installed on mobile supply trucks or tank cars from which the storage container is filled.

(j) Bonding and grounding. The liquefied hydrogen container and associated piping shall be electrically bonded and grounded.

(2) Location of liquefied hydrogen storage.

(a) General requirements.

(i) The storage containers shall be located so that they are readily accessible to mobile supply equipment at ground level and to authorized personnel.

(ii) The containers shall not be exposed by electric power lines, flammable liquid lines, flammable gas lines, or lines carrying oxidizing materials.

(iii) When locating liquefied hydrogen storage containers near above-ground flammable liquid storage or liquid oxygen storage, ((it is advisable to)) locate the liquefied hydrogen container on ground higher than flammable liquid storage or liquid oxygen storage.

(iv) Where it is necessary to locate the liquefied hydrogen container on ground that is level with or lower than adjacent flammable liquid storage or liquid oxygen storage, suitable protective means shall be taken (such as by diking, diversion, curbs, grading), with respect to the adjacent flammable liquid storage or liquid oxygen storage, to prevent accumulation of liquids within 50 feet of the liquefied hydrogen container.

(v) Storage sites shall be fenced and posted to prevent entrance by unauthorized personnel. Sites shall also be placarded as follows: "Liquefied hydrogen—Flammable gas—No smoking—No open flames."

(vi) If liquefied hydrogen is located in (as specified in Table H-3) a separate building, in a special room, or inside buildings when not in a special room and exposed to other occupancies, containers shall have the safety relief devices vented unobstructed to the outdoors at a minimum elevation of 25 feet above grade to a safe location as required in (1)(d)(ii) of this section.

(b) Specific requirements.

(i) The location of liquefied hydrogen storage, as determined by the maximum total quantity of liquefied hydrogen, shall be in the order of preference as indicated by Roman numerals in the following Table H-3.

TABLE H-3

MAXIMUM TOTAL QUANTITY OF LIQUEFIED HYDROGEN STORAGE PERMITTED

Nature of location	Size of hydrogen storage (capacity in gallons)			
	39.63 (150 liters) to 50	51 to 300	301 to 600	In excess of 600
Outdoors	I	I	I	I
In a separate building	II	II	II	Not permitted.
In a special room	III	III	Not permitted	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV	Not permitted	Not permitted	Not permitted.

Note: This table does not apply to the storage in dewars of the type generally used in laboratories for experimental purposes.

(ii) The minimum distance in feet from liquefied hydrogen systems of indicated storage capacity located outdoors, in a separate building, or in a special room to any specified exposure shall be in accordance with Table H-4.

TABLE H-4

MINIMUM DISTANCE (FEET) FROM LIQUEFIED HYDROGEN SYSTEMS TO EXPOSURE

Type of exposure	Liquefied hydrogen storage (capacity in gallons)		
	39.63 (150 liters) to 3,500	3,501 to 15,000	15,001 to 30,000
1. Fire-resistive building and fire walls*	5	5	5
2. Noncombustible building*	25	50	75
3. Other buildings*	50	75	100
4. Wall openings, air-compressor intakes, inlets for air-conditioning or ventilating equipment -	75	75	75
5. Flammable liquids (above ground and vent or fill openings if below ground) (see 513 and 514)	50	75	100

TABLE H-4  
MINIMUM DISTANCE (FEET) FROM LIQUEFIED  
HYDROGEN SYSTEMS TO EXPOSURE

Type of exposure	Liquefied hydrogen storage (capacity in gallons)		
	39.63 (150 liters) to 3,500	3,501 to 15,000	15,001 to 30,000
6. Between stationary liquefied hydrogen containers—	5	5	5
7. Flammable gas storage—	50	75	100
8. Liquid oxygen storage and other oxidizers (see 513 and 514) —	100	100	100
9. Combustible solids —	50	75	100
10. Open flames, smoking, and welding —	50	50	50
11. Concentrations of people** —	75	75	75
12. Public ways, railroads, and property lines —	25	50	75

\*Refer to standard types of building construction, NFPA No. 220-1969 for definitions of various types of construction.

\*\*In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

Note 1: The distance in Nos. 2, 3, 5, 7, 9, and 12 in Table H-4 may be reduced where protective structures, such as firewalls equal to height of top of the container, to safeguard the liquefied hydrogen storage system, are located between the liquefied hydrogen storage installation and the exposure.

Note 2: Where protective structures are provided, ventilation and confinement of product should be considered. The 5-foot distance in Nos. 1 and 6 facilitates maintenance and enhances ventilation.

(c) Handling of liquefied hydrogen inside buildings other than separate buildings and special rooms. Portable liquefied hydrogen containers of 50 gallons or less capacity as permitted in Table H-3 and in compliance with (2)(a)(vi) of this section when housed inside buildings not located in a special room and exposed to other occupancies shall comply with the following minimum requirements:

(i) Be located 20 feet from flammable liquids and readily combustible materials such as excelsior or paper.  
 (ii) Be located 25 feet from ordinary electrical equipment and other sources of ignition including process or analytical equipment.

(iii) Be located 25 feet from concentrations of people.  
 (iv) Be located 50 feet from intakes of ventilation and air-conditioning equipment or intakes of compressors.

(v) Be located 50 feet from storage of other flammable-gases or storage of oxidizing gases.

(vi) Containers shall be protected against damage or injury due to falling objects or work activity in the area.

(vii) Containers shall be firmly secured and stored in an upright position.

(viii) Welding or cutting operations, and smoking shall be prohibited while hydrogen is in the room.

(ix) The area shall be adequately ventilated. Safety relief devices on the containers shall be vented directly

outdoors or to a suitable hood. See (1)(d)(ii) of this section and (2)(a)(vi) of this section.

(3) Design considerations at specific locations.

(a) Outdoor locations.

(i) Outdoor location shall mean outside of any building or structure, and includes locations under a weather shelter or canopy provided such locations are not enclosed by more than two walls set at right angles and are provided with vent-space between the walls and vented roof or canopy.

(ii) Roadways and yard surfaces located below liquefied hydrogen piping, from which liquid air may drop, shall be constructed of noncombustible materials.

(iii) If protective walls are provided, they shall be constructed of noncombustible materials and in accordance with the provisions of (3)(a)(i) of this section as applicable.

(iv) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section.

(v) Adequate lighting shall be provided for nighttime transfer operation.

(b) Separate buildings.

(i) Separate buildings shall be of light noncombustible construction on a substantial frame. Walls and roofs shall be lightly fastened and designed to relieve at a maximum internal pressure of 25 pounds per square foot. Windows shall be of shatterproof glass or plastic in metal frames. Doors shall be located in such a manner that they will be readily accessible to personnel in an emergency.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor level in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Both the inlet and outlet vent openings shall have a minimum total area of 1 square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) There shall be no sources of ignition.

(iv) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section except that the provisions of (1)(i)(ii) of this section shall apply to all electrical wiring and equipment in the separate building.

(v) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms.

(i) Floors, walls, and ceilings shall have a fire resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and doors shall be located in such a manner that they will be accessible in an emergency. Windows shall be of shatterproof glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the

following: Walls of light noncombustible material; lightly fastened hatch covers; lightly fastened swinging doors opening outward in exterior walls; lightly fastened walls or roofs designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition.

(v) Electrical wiring and equipment shall comply with (1)(i)(i) and (ii) of this section except that the provisions of (1)(i)(ii) of this section shall apply to all electrical wiring and equipment in the special room.

(vi) Heating, if provided, shall be steam, hot water, or by other indirect means.

(4) Operating instructions.

(a) Written instructions. For installation which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(b) Attendant. A qualified person shall be in attendance at all times while the mobile hydrogen supply unit is being unloaded.

(c) Security. Each mobile liquefied hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.

(d) Grounding. The mobile liquefied hydrogen supply unit shall be grounded for static electricity.

(5) Maintenance.

(a) The equipment and functioning of each charged liquefied hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. Weeds or similar combustibles shall not be permitted within 25 feet of any liquified hydrogen equipment.

#### AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-33005 TANK STORAGE. (1) Design and construction of tanks.

(a) Materials.

(i) Tanks shall be built of steel except as provided in (1)(a)(ii) through (v) of this section.

(ii) Tanks may be built of materials other than steel for installation underground or if required by the properties of the liquid stored. Tanks located above ground or inside buildings shall be of noncombustible construction.

(iii) Tanks built of materials other than steel shall be designed to specifications embodying principles recognized as good engineering design for the material used.

(iv) Unlined concrete tanks may be used for storing flammable or combustible liquids having a gravity of 40°API or heavier. Concrete tanks with special lining may be used for other services provided the design is in accordance with sound engineering practice.

(v) Tanks may have combustible or noncombustible linings.

(vi) Special engineering consideration shall be required if the specific gravity of the liquid to be stored exceeds that of water or if the tanks are designed to contain flammable or combustible liquids at a liquid temperature below 0°F.

(b) Fabrication.

(i) Tanks may be of any shape or type consistent with sound engineering design.

(ii) Metal tanks shall be welded, riveted, and caulked, brazed, or bolted, or constructed by use of a combination of these methods. Filler metal used in brazing shall be nonferrous metal or an alloy having a melting point above 1000°F and below that of the metal joined.

(c) Atmospheric tanks.

(i) Atmospheric tanks shall be built in accordance with acceptable good standards of design. Atmospheric tanks may be built in accordance with:

(A) Underwriters' Laboratories, Inc., Subjects No. 142, Standard for Steel Aboveground Tanks for Flammable and Combustible Liquids, 1968; No. 58, Standards for Steel Underground Tanks for Flammable and COMBUSTIBLE Liquids, Fifth Edition, December 1961; or No. 80, Standard for Steel Inside Tanks for Oil-Burner Fuel, September 1963.

(B) American Petroleum Institute Standards No. 12A, Specification for Oil Storage Tanks with Riveted Shells, Seventh Edition, September 1951, or No. 650, Welded Steel Tanks for Oil Storage, Third Edition, 1966.

(C) American Petroleum Institute Standards No. 12B, Specification for Bolted Production Tanks, Eleventh Edition, May 1958, and Supplement 1, March 1962; No. 12D, Specification for Large Welded Production Tanks, Seventh Edition, August 1957; or No. 12F, Specification for Small Welded Production Tanks, Fifth Edition, March 1961. Tanks built in accordance with these standards shall be used only as production tanks for storage of crude petroleum in oil-producing areas.

(ii) Tanks designed for underground service not exceeding 2,500 gallons capacity may be used aboveground.

(iii) Low-pressure tanks and pressure vessels may be used as atmospheric tanks.

(iv) Atmospheric tanks shall not be used for the storage of a flammable or combustible liquid at a temperature at or above its boiling point.

(d) Low pressure tanks.

(i) The normal operating pressure of the tank shall not exceed the design pressure of the tank.

(ii) Low-pressure tanks shall be built in accordance with acceptable standards of design. Low-pressure tanks may be built in accordance with:

(A) American Petroleum Institute Standard No. 620, Recommended Rules for the Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Third Edition, 1966.

(B) The principles of the Code for Unfired Pressure Vessels, Section VIII of the ASME Boiler and Pressure Vessels Code, 1968.

(iii) Atmospheric tanks built according to the Underwriters' Laboratories, Inc., requirements in (1)(c)(i) of this section may be used for operating pressures not exceeding 1 p.s.i.g. and shall be limited to 2.5 p.s.i.g. under emergency venting conditions. Pressure vessels may be used as low-pressure tanks.

(e) Pressure vessels.

(i) The normal operating pressure of the vessel shall not exceed the design pressure of the vessel.

(ii) Pressure vessels shall be built in accordance with the Code for Unfired Pressure Vessels, Section VIII of the ASME Boiler and Pressure Vessel Code, 1968.

(f) Provisions for internal corrosion. When tanks are not designed in accordance with the American Petroleum Institute, American Society of Mechanical Engineers, or the Underwriters' Laboratories, Inc.'s standards, or if corrosion is anticipated beyond that provided for in the design formulas used, additional metal thickness or suitable protective coatings or linings shall be provided to compensate for the corrosion loss expected during the design life of the tank.

(2) Installation of outside aboveground tanks.

(a) Location with respect to property lines and public ways.

(i) Every aboveground tank for the storage of flammable or combustible liquids, except those liquids with boil-over characteristics and unstable liquids, operating at pressures not in excess of 2.5 p.s.i.g. and equipped with emergency venting which will not permit pressures to exceed 2.5 p.s.i.g. shall be located in accordance with Table H-5.

(ii) Every aboveground tank for the storage of flammable or combustible liquids, except those liquids with boil-over characteristics and unstable flammable or combustible liquids, operating at pressures exceeding 2.5 p.s.i.g. or equipped with emergency venting which will permit pressures to exceed 2.5 p.s.i.g. shall be located in accordance with Table H-6.

TABLE H-5

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building and shall be not less than 5 feet.
Floating roof	Protection for exposures.	1/2 times diameter of tank but need not exceed 90 ft.	1/6 times diameter of tank but need not exceed 30 ft.
	None	Diameter of tank but need not exceed 175 ft.	1/6 times diameter of tank but need not exceed 30 ft.
Vertical with weak roof to shell seam	Approved foam or inerting system on the tank.	1/2 times diameter of tank but need not exceed 90 ft. and shall not be less than 5 ft.	1/6 times diameter of tank but need not exceed 30 ft.
	Protection for exposures.	Diameter of tank but, need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.
	None	2 times diameter of tank but need not exceed 350 ft.	1/3 times diameter of tank but need not exceed 60 ft.
Horizontal and vertical, with emergency relief venting to limit pressures to 2.5 p.s.i.g.	Approved inerting system on the tank or approved foam system on vertical tanks.	1/2 times Table H-9 but shall not be less than 5 ft.	1/2 times Table H-9.

TABLE H-5

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building and shall be not less than 5 feet.
	Protection for exposures.	Table H-9	Table H-9
	None	2 times table	Table H-9

TABLE H-6

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Any type	Protection for exposures.	1 1/2 times Table H-9 but shall not be less than 25 ft.	1 1/2 times Table H-9 but shall not be less than 25 ft.
	None	3 times Table H-9 but shall not be less than 50 ft.	1 1/2 times Table H-9 but shall not be less than 25 ft.

(iii) Every aboveground tank for the storage of flammable or combustible liquids with boil-over characteristics shall be located in accordance with Table H-7.

TABLE H-7

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Floating roof	Protection for exposures.	Diameter of tank but need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.
	None	2 times diameter of tank but need not exceed 350 ft.	1/3 times diameter of tank but need not exceed 60 ft.
Fixed roof	Approved foam or inerting system.	Diameter of tank but need not exceed 175 ft.	1/3 times diameter of tank but need not exceed 60 ft.
	Protection for exposures.	2 times diameter of tank but need not exceed 350 ft.	2/3 times diameter of tank but need not exceed 120 ft.
	None	4 times diameter of tank but need not exceed 350 ft.	2/3 times diameter of tank but need not exceed 120 ft.

(iv) Every aboveground tank for the storage of unstable liquids shall be located in accordance with Table H-8.



TABLE H-8

Type of tank	Protection	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
Horizontal and vertical tanks with emergency venting to permit pressure not in excess of 2.5 p.s.i.g.	Tank protected with any of the following: Approved water spray, approved inerting, approved insulation and refrigeration, approved barricade.	See Table H-9, but the distance may be not less than 25 ft.	Not less than 25 ft.
	Protection for exposures.	2 1/2 times Table H-9 but not less than 50 ft.	Not less than 50 ft.
	None	5 times Table H-9 but not less than 100 ft.	Not less than 100 ft.
Horizontal and vertical tanks with emergency relief venting to permit pressure over 2.5 p.s.i.g.	Tank protected with any one of the following: Approved water spray, approved inerting, approved insulation and refrigeration, approved barricade.	2 times Table H-9 but not less than 50 ft.	Not less than 50 ft.
	Protection for exposures.	4 times Table H-9 but not less than 100 ft.	Not less than 100 ft.
	None	8 times Table H-9 but not less than 150 ft.	Not less than 150 ft.

(v) Reference minimum distances for use in Tables H-5 to H-8 inclusive.

TABLE H-9

Capacity tank gallons	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
275 or less	5	5
276 to 750	10	5
751 to 12,000	15	5
12,001 to 30,000	20	5
30,001 to 50,000	30	10
50,001 to 100,000	50	15
100,001 to 500,000	80	25
500,001 to 1,000,000	100	35
1,000,001 to 2,000,000	135	45

TABLE H-9

Capacity tank gallons	Minimum distance in feet from property line which may be built upon, including the opposite side of a public way.	Minimum distance in feet from nearest side of any public way or from nearest important building.
2,000,001 to 3,000,000	165	55
3,000,001 or more	175	60

(vi) Where end failure or horizontal pressure tanks and vessels may expose property, the tank shall be placed with the longitudinal axis parallel to the nearest important exposure.

(b) Spacing (shell-to-shell) between aboveground tanks.

(i) The distance between any two flammable or combustible liquid storage tanks shall not be less than 3 feet.

(ii) Except as provided in (2)(b)(iii) of this section, the distance between any two adjacent tanks shall not be less than one-sixth the sum of their diameters. When the diameter of one tank is less than one-half the diameter of the adjacent tank, the distance between the two tanks shall not be less than one-half the diameter of the smaller tank.

(iii) Where crude petroleum in conjunction with production facilities are located in noncongested areas and have capacities not exceeding 126,000 gallons (3,000 barrels), the distance between such tanks shall not be less than 3 feet.

(iv) Where unstable flammable or combustible liquids are stored, the distance between such tanks shall not be less than one-half the sum of their diameters.

(v) When tanks are compacted in three or more rows or in an irregular pattern, greater spacing or other means shall be provided so that inside tanks are accessible for firefighting purposes.

(vi) The minimum separation between a liquefied petroleum gas container and a flammable or combustible liquid storage tank shall be 20 feet, except in the case of flammable or combustible liquid tanks operating at pressures exceeding 2.5 p.s.i.g. or equipped with emergency venting which will permit pressures to exceed 2.5 p.s.i.g. in which case the provisions of (2)(b)(i) and (ii) of this section shall apply. Suitable means shall be taken to prevent the accumulation of flammable or combustible liquids under adjacent liquefied petroleum gas containers such as by diversion curbs or grading. When flammable or combustible liquid storage tanks are within a diked area, the liquefied petroleum gas containers shall be outside the diked area and at least 10 feet away from the centerline of the wall of the diked area. The foregoing provisions shall not apply when liquefied petroleum gas containers of 125 gallons or less capacity are installed adjacent to fuel oil supply tanks of 550 gallons or less capacity.

(c) Location of outside aboveground tanks with respect to important buildings on same property. Every

outside aboveground tank shall be separated from important buildings on the same property by distances not less than those specified in (2)(a)(i), (ii), (iii) and (iv) of this section, whichever is applicable. The appropriate distance column in Tables H-5, H-6, H-7, H-8, or H-9, that shall be used shall be the one reading: "Minimum distance in feet from nearest side of any public way or from nearest important building."

(d) Normal venting for aboveground tanks. (i) Atmospheric storage tanks shall be adequately vented to prevent the development of vacuum or pressure sufficient to distort the roof of a cone roof tank or exceed the design pressure in the case of other atmospheric tanks, as a result of filling or emptying, and atmospheric temperature changes.

(ii) Normal vents shall be sized either in accordance with: (A) The American Petroleum Institute Standard 2000 (1968), Venting Atmospheric and Low-Pressure Storage Tanks; or (B), other accepted standard; or (C) shall be at least as large as the filling or withdrawal connection, whichever is larger but in no case less than 1 1/4 inch nominal inside diameter.

(iii) Low-pressure tanks and pressure vessels shall be adequately vented to prevent development of pressure or vacuum, as a result of filling or emptying and atmospheric temperature changes, from exceeding the design pressure of the tank or vessel. Protection shall also be provided to prevent over-pressure from any pump discharging into the tank or vessel when the pump discharge pressure can exceed the design pressure of the tank or vessel.

(iv) If any tank or pressure vessel has more than one fill or withdrawal connection and simultaneous filling or withdrawal can be made, the vent size shall be based on the maximum anticipated simultaneous flow.

(v) Unless the vent is designed to limit the internal pressure 2.5 p.s.i. or less, the outlet of vents and vent drains shall be arranged to discharge in such a manner as to prevent localized overheating of any part of the tank in the event vapors from such vents are ignited.

(vi) Tanks and pressure vessels storing Class IA liquids shall be equipped with venting devices which shall be normally closed except when venting to pressures or vacuum conditions. Tanks and pressure vessels storing Class IB and IC liquids shall be equipped with venting devices which shall be normally closed except when venting under pressure or vacuum conditions, or with approved flame arresters.

Exemption: Tanks of 3,000 bbls. capacity or less containing crude petroleum in crude-producing areas; and, outside aboveground atmospheric tanks under 1,000 gallons capacity containing other than Class IA flammable liquids may have open vents. (See (2)(f)(ii) of this section.)

(vii) Flame arresters or venting devices required in (2)(e)(vi) of this section may be omitted for Class IB and IC liquids where conditions are such that their use may, in case of obstruction, result in tank damage.

(e) Emergency relief venting for fire exposure for aboveground tanks.

(i) Every aboveground storage tank shall have some form of construction or device that will relieve excessive internal pressure caused by exposure fires.

(ii) In a vertical tank the construction referred to in (2)(e)(i) of this section may take the form of a floating roof, lifter roof, a weak roof-to-shell seam, or other approved pressure relieving construction. The weak roof-to-shell seam shall be constructed to fail preferential to any other seam.

(iii) Where entire dependence for emergency relief is placed upon pressure relieving devices, the total venting capacity of both normal and emergency vents shall be enough to prevent rupture of the shell or bottom of the tank if vertical, or of the shell or heads if horizontal. If unstable liquids are stored, the effects of heat or gas resulting from polymerization, decomposition, condensation, or self-reactivity shall be taken into account. The total capacity of both normal and emergency venting devices shall be not less than that derived from Table H-10 except as provided in (2)(e)(v) and (vi) of this section. Such device may be a self-closing manhole cover, or one using long bolts that permit the cover to lift under internal pressure, or an additional or larger relief valve or valves. The wetted area of the tank shall be calculated on the basis of 55 percent of the total exposed area of a sphere or spheroid, 75 percent of the total exposed area of a horizontal tank and the first 30 feet above grade of the exposed shell area of a vertical tank.

TABLE 10  
WETTED AREA VERSUS CUBIC FEET  
FREE AIR PER HOUR  
(14.7 psia and 60°F)

Square feet	CFH	Square feet	CFH	Square feet	CFH
20	21,100	200	211,000	1,000	524,000
30	31,600	250	239,000	1,200	557,000
40	42,100	300	265,000	1,400	587,000
50	52,700	350	288,000	1,600	614,000
60	63,200	400	312,000	1,800	639,000
70	73,700	500	354,000	2,000	662,000
80	84,200	600	392,000	2,400	704,000
90	94,800	700	428,000	2,800	742,000
100	105,000	800	462,000	and	
120	126,000	900	493,000	over	
140	147,000	1,000	524,000		
160	168,000				
180	190,000				
200	211,000				

(iv) For tanks and storage vessels designed for pressure over 1 p.s.i.g., the total rate of venting shall be determined in accordance with Table H-10, except that when the exposed wetted area of the surface is greater than 2,800 square feet, the total rate of venting shall be calculated by the following formula:

$$CFH = 1,107A^{0.82}$$

Where:

CFH = Venting requirement, in cubic feet of free air per hour.

A = Exposed wetted surface, in square feet.

Note: The foregoing formula is based on Q = 21,000A<sup>0.82</sup>.

(v) The total emergency relief venting capacity for any specific stable liquid may be determined by the following formula:

Cubic feet of free air per hour = V

$$V = \frac{1337}{L M}$$

V = Cubic feet of free air per hour from Table H-10.

L = Latent heat of vaporization of specific liquid in B.t.u. per pound.

M = Molecular weight of specific liquids.

(vi) The required airflow rate of (2)(e)(iii) or (v) of this section may be multiplied by the appropriate factor listed in the following schedule when protection is provided as indicated. Only one factor may be used for any one tank.

0.5 for drainage in accordance with (2)(g)(ii) of this section for tanks over 200 square feet of wetted area.

0.3 for approved water spray.

0.3 for approved insulation.

0.15 for approved water spray with approved insulation.

(vii) The outlet of all vents and vent drains on tanks equipped with emergency venting to permit pressures exceeding 2.5 p.s.i.g. shall be arranged to discharge in such a way as to prevent localized overheating of any part of the tank, in the event vapors from such vents are ignited.

(viii) Each commercial tank venting device shall have stamped on it the opening pressure, the pressure at which the valve reaches the full open position, and the flow capacity at the latter pressure, expressed in cubic feet per hour of air at 60°F and at a pressure of 14.7 p.s.i.a.

(ix) The flow capacity of tank venting devices 12 inches and smaller in nominal pipe size shall be determined by actual test of each type and size of vent. These flow tests may be conducted by the manufacturer if certified by a qualified impartial observer, or may be conducted by an outside agency. The flow capacity of tank venting devices larger than 12 inches nominal pipe size, including manhole covers with long bolts or equivalent, may be calculated provided that the opening pressure is actually measured, the rating pressure and corresponding free orifice area are stated, the word "calculated" appears on the nameplate, and the computation is based on a flow coefficient of 0.5 applied to the rated orifice area.

(f) Vent piping for aboveground tanks.

(i) Vent piping shall be constructed in accordance with WAC 296-24-33007 of this section.

(ii) Where vent pipe outlets for tanks storing Class I liquids are adjacent to buildings or public ways, they shall be located so that the vapors are released at a safe point outside of buildings and not less than 12 feet above the adjacent ground level. In order to aid their dispersion, vapors shall be discharged upward or horizontally

away from closely adjacent walls. Vent outlets shall be located so that flammable vapors will not be trapped by eaves or other obstructions and shall be at least five feet from building openings.

(iii) When tank vent piping is manifolded, pipe sizes shall be such as to discharge within the pressure limitations of the system, the vapors they may be required to handle when manifolded tanks are subject to the same fire exposure.

(g) Drainage, dikes, and walls for aboveground tanks.

(i) Drainage and diked areas. The area surrounding a tank or a group of tanks shall be provided with drainage as in (2)(g)(ii) of this section, or shall be diked as provided in (2)(g)(iii), to prevent accidental discharge of liquid from endangering adjoining property or reaching waterways.

(ii) Drainage. Where protection of adjoining property or waterways is by means of a natural or manmade drainage system, such systems shall comply with the following:

(A) A slope of not less than 1 percent away from the tank toward the drainage system shall be provided.

(B) The drainage system shall terminate in vacant land or other area or in an impounding basin having a capacity not smaller than that of the largest tank served. This termination area and the route of the drainage system shall be so located that, if the flammable or combustible liquids in the drainage system are ignited, the fire will not seriously expose tanks or adjoining property.

(C) The drainage system, including automatic drainage pumps, shall not discharge to adjoining property, natural water courses, public sewers, or public drains unless the discharge of flammable or combustible liquids would not constitute a hazard, or the system is so designed that it will not permit flammable or combustible liquids to be released.

(iii) Diked areas. Where protection of adjoining property or waterways is accomplished by retaining the liquid around the tank by means of a dike, the volume of the diked area shall comply with the following requirements:

(A) Except as provided in (2)(g)(iii)(B) of this section, the volumetric capacity of the diked area shall not be less than the greatest amount of liquid that can be released from the largest tank within the diked area, assuming a full tank. The capacity of the diked area enclosing more than one tank shall be calculated by deducting the volume of the tanks other than the largest tank below the height of the dike.

(B) For a tank or group of tanks with fixed roofs containing crude petroleum with boilover characteristics, the volumetric capacity of the diked area shall be not less than the capacity of the largest tank served by the enclosure, assuming a full tank. The capacity of the diked enclosure shall be calculated by deducting the volume below the height of the dike of all tanks within the enclosure.

(C) Walls of the diked area shall be of earth, steel, concrete or solid masonry designed to be liquidtight and to withstand a full hydrostatic head. Earthen walls 3 feet or more in height shall have a flat section at the top not less than 2 feet wide. The slope of an earthen wall shall

be consistent with the angle of repose of the material of which the wall is constructed.

(D) The walls of the diked area shall be restricted to an average height of 6 feet above interior grade.

(E) Where provision is made for draining water from diked areas, drainage shall be provided at a uniform slope of not less than 1 percent away from tanks toward a sump, drainbox, or other safe means of disposal located at the greatest practical distance from the tank. Such drains shall normally be controlled in a manner so as to prevent flammable or combustible liquids from entering natural water courses, public sewers, or public drains, if their presence would constitute a hazard. Control of drainage shall be accessible under fire conditions.

(F) No loose combustible material, empty or full drum or barrel, shall be permitted within the diked area.

(G) Each diked area containing two or more tanks shall be subdivided preferably by drainage channels or at least by intermediate curbs in order to prevent spills from endangering adjacent tanks within the diked area as follows:

~~((aa))~~ (I) When storing normally stable liquids in vertical cone roof tanks constructed with weak roof-to-shell seam or approved floating roof tanks or when storing crude petroleum in producing areas in any type of tank, one subdivision for each tank in excess of 10,000 bbls. and one subdivision for each group of tanks (no tank exceeding 10,000 bbls. capacity) having an aggregate capacity not exceeding 15,000 bbls.

~~((bb))~~ (II) When storing normally stable flammable or combustible liquids in tanks not covered in ~~((aa) of this section)~~ (g)(iii)(G)(I) of this subsection, one subdivision for each tank in excess of 100,000 gallons (2,500 bbls.) and one subdivision for each group of tanks (no tank exceeding 100,000 gallons capacity) having an aggregate capacity not exceeding 150,000 gallons (3,570 bbls.).

~~((cc))~~ (III) When storing unstable liquids in any type of tank, one subdivision for each tank except that tanks installed in accordance with the drainage requirements of NFPA 15-1969, Standard for Water Spray Fixed Systems for Fire Protection shall require no additional subdivision.

~~((dd))~~ (IV) The drainage channels or intermediate curbs shall be located between tanks so as to take full advantage of the available space with due regard for the individual tank capacities. Intermediate curbs, where used, shall be not less than 18 inches in height.

(h) Tank openings other than vents for aboveground tanks.

(i) Connections for all tank openings shall be vapor-tight and liquid tight. Vents are covered in (2)(d) through (f) of this section.

(ii) Each connection to an aboveground tank through which liquid can normally flow shall be provided with an internal or an external valve located as close as practical to the shell of the tank. Such valves, when external, and their connections to the tank shall be of steel except when the chemical characteristics of the liquid stored are incompatible with steel. When materials other than

steel are necessary, they shall be suitable for the pressures, structural stresses, and temperatures involved, including fire exposures.

(iii) Each connection below the liquid level through which liquid does not normally flow shall be provided with a liquid tight closure. This may be a valve, plug, or blind, or a combination of these.

(iv) Openings for gaging shall be provided with a vapor tight cap or cover.

(v) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity. A fill pipe entering the top of a tank shall terminate within 6 inches of the bottom of the tank and shall be installed to avoid excessive vibration.

(vi) Filling and emptying connections which are made and broken shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. Such connection shall be closed and liquidtight when not in use. The connection shall be properly identified.

(3) Installation of underground tanks.

(a) Location. Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks or tanks under buildings shall be so located with respect to existing building foundations and supports that the loads carried by the latter cannot be transmitted to the tank. The distance from any part of a tank storing Class I liquids to the nearest wall of any basement or pit shall be not less than 1 foot, and to any property line that may be built upon, not less than 3 feet. The distance from any part of a tank storing Class II or Class III liquids to the nearest wall of any basement, pit or property line shall not be less than 1 foot.

(b) Depth and cover. Underground tanks shall be set on firm foundations and surrounded with at least 6 inches of noncorrosive, inert materials such as clean sand, earth, or gravel well tamped in place. The tank shall be placed in the hole with care since dropping or rolling the tank into the hole can break a weld, puncture or damage the tank, or scrape off the protective coating of coated tanks. Tanks shall be covered with a minimum of 2 feet of earth or shall be covered with not less than 1 foot of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches thick. When underground tanks are, or are likely to be, subject to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet of earth cover, or 18 inches of well-tamped earth, plus 6 inches of reinforced concrete or 8 inches of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot horizontally beyond the outline of the tank in all directions.

(c) Corrosion protection. Corrosion protection for the tank and its piping shall be provided by one or more of the following methods:

- (i) Use of protective coatings or wrappings;
  - (ii) Cathodic protection; or,
  - (iii) Corrosion resistant materials of construction.
- (d) Vents.

(i) Location and arrangement of vents for Class I liquids. Vent pipes from tanks storing Class I liquids shall be so located that the discharge point is outside of buildings, higher than the fill pipe opening, and not less than 12 feet above the adjacent ground level. Vent pipes shall discharge only upward in order to disperse vapors. Vent pipes 2 inches or less in nominal inside diameter shall not be obstructed by devices that will cause excessive back pressure. Vent pipe outlets shall be so located that flammable vapors will not enter building openings, or be trapped under eaves or other obstructions. If the vent pipe is less than 10 feet in length, or greater than 2 inches in nominal inside diameter, the outlet shall be provided with a vacuum and pressure relief device or there shall be an approved flame arrester located in the vent line at the outlet or within the approved distance from the outlet.

(ii) Size of vents. Each tank shall be vented through piping adequate in size to prevent blow-back of vapor or liquid at the fill opening while the tank is being filled. Vent pipes shall be not less than 1 1/4 inch nominal inside diameter.

TABLE H-11  
VENT LINE DIAMETERS

Maximum flow GPM	Pipe length*		
	50 feet	100 feet	200 feet
	Inches	Inches	Inches
100	1 1/4	1 1/4	1 1/4
200	1 1/4	1 1/4	1 1/4
300	1 1/4	1 1/4	1 1/2
400	1 1/4	1 1/2	2
500	1 1/2	1 1/2	2
600	1 1/2	2	2
700	2	2	2
800	2	2	3
900	2	2	3
1,000	2	2	3

\*Vent lines of 50 ft., 100 ft., and 200 ft. of pipe plus 7 ells.

(iii) Location and arrangement of vents for Class II or Class III liquids. Vent pipes from tanks storing Class II or Class III flammable liquids shall terminate outside of the building and higher than the fill pipe opening. Vent outlets shall be above normal snow level. They may be fitted with return bends, coarse screens or other devices to minimize ingress of foreign material.

(iv) Vent piping shall be constructed in accordance with WAC 296-24-33007. Vent pipes shall be so laid as to drain toward the tank without sags or traps in which liquid can collect. They shall be located so that they will not be subjected to physical damage. The tank end of the vent pipe shall enter the tank through the top.

(v) When tank vent piping is manifolded, pipe sizes shall be such as to discharge, within the pressure limitations of the system, the vapors they may be required to handle when manifolded tanks are filled simultaneously.

(e) Tank openings other than vents.

(i) Connections for all tank openings shall be vapor or liquid tight.

(ii) Openings for manual gaging, if independent of the fill pipe, shall be provided with a liquid-tight cap or cover. If inside a building, each such opening shall be protected against liquid overflow and possible vapor release by means of a spring loaded check valve or other approved device.

(iii) Fill and discharge lines shall enter tanks only through the top. Fill lines shall be sloped toward the tank.

(iv) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity by terminating within 6 inches of the bottom of the tank.

(v) Filling and emptying connections which are made and broken shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. Such connection shall be closed and liquid-tight when not in use. The connection shall be properly identified.

(4) Installation of tanks inside of buildings.

(a) Location. Tanks shall not be permitted inside of buildings except as provided in WAC 296-24-33011 and 296-24-33015 through 296-24-33019.

(b) Vents. Vents for tanks inside of buildings shall be as provided in (2)(d), (e), (f)(ii) and (3)(d) of this section, except that emergency venting by the use of weak roof seams on tanks shall not be permitted. Vents shall discharge vapors outside the buildings.

(c) Vent piping. Vent piping shall be constructed in accordance with WAC 296-24-33007.

(d) Tank openings other than vents.

(i) Connections for all tank openings shall be vapor or liquidtight. Vents are covered in (4)(b) of this section.

(ii) Each connection to a tank inside of buildings through which liquid can normally flow shall be provided with an internal or an external valve located as close as practical to the shell of the tank. Such valves, when external, and their connections to the tank shall be of steel except when the chemical characteristics of the liquid stored are incompatible with steel. When materials other than steel are necessary, they shall be suitable for the pressures, structural stresses, and temperatures involved, including fire exposures.

(iii) Flammable or combustible liquid tanks located inside of buildings, except in one-story buildings designed and protected for flammable or combustible liquid storage, shall be provided with an automatic-closing heat-actuated valve on each withdrawal connection below the liquid level, except for connections used for emergency disposal, to prevent continued flow in the event of fire in the vicinity of the tank. This function may be incorporated in the valve required in (4)(d)(ii) of this section, and if a separate valve, shall be located adjacent to the valve required in (4)(d)(ii) of this section.

(iv) Openings for manual gaging, if independent of the fill pipe (see (4)(d)(vi) of this section), shall be provided with a vaportight cap or cover. Each such opening shall be protected against liquid overflow and possible

vapor release by means of a spring loaded check valve or other approved device.

(v) For Class IB and Class IC liquids other than crude oils, gasolines, and asphalts, the fill pipe shall be so designed and installed as to minimize the possibility of generating static electricity by terminating within 6 inches of the bottom of the tank.

(vi) The fill pipe inside of the tank shall be installed to avoid excessive vibration of the pipe.

(vii) The inlet of the fill pipe shall be located outside of buildings at a location free from any source of ignition and not less than 5 feet away from any building opening. The inlet of the fill pipe shall be closed and liquidtight when not in use. The fill connection shall be properly identified.

(viii) Tanks inside buildings shall be equipped with a device, or other means shall be provided, to prevent overflow into the building.

(5) Supports, foundations, and anchorage for all tank locations.

(a) General. Tank supports shall be installed on firm foundations. Tank supports shall be of concrete, masonry, or protected steel. Single wood timber supports (not cribbing) laid horizontally may be used for outside aboveground tanks if not more than 12 inches high at their lowest point.

(b) Fire resistance. Steel supports or exposed piling shall be protected by materials having a fire resistance rating of not less than 2 hours, except that steel saddles need not be protected if less than 12 inches high at their lowest point. Water spray protection or its equivalent may be used in lieu of fire-resistive materials to protect supports.

(c) Spheres. The design of the supporting structure for tanks such as spheres shall receive special engineering consideration.

(d) Load distribution. Every tank shall be so supported as to prevent the excessive concentration of loads on the supporting portion of the shell.

(e) Foundations. Tanks shall rest on the ground or on foundations made of concrete, masonry, piling, or steel. Tank foundations shall be designed to minimize the possibility of uneven settling of the tank and to minimize corrosion in any part of the tank resting on the foundation.

(f) Flood areas. Where a tank is located in an area that may be subjected to flooding, the applicable precautions outlined in (5)(f) of this section shall be observed.

(i) No aboveground vertical storage tank containing a flammable or combustible liquid shall be located so that the allowable liquid level within the tank is below the established maximum flood stage, unless the tank is provided with a guiding structure such as described in (5)(f)(xiii), (xiv) and (xv) of this section.

(ii) Independent water supply facilities shall be provided at locations where there is no ample and dependable public water supply available for loading partially empty tanks with water.

(iii) In addition to the preceding requirements, each tank so located that more than 70 percent, but less than 100 percent, of its allowable liquid storage capacity will

be submerged at the established maximum flood stage, shall be safeguarded by one of the following methods: Tank shall be raised, or its height shall be increased, until its top extends above the maximum flood stage a distance equivalent to 30 percent or more of its allowable liquid storage capacity: PROVIDED, HOWEVER, That the submerged part of the tank shall not exceed two and one-half times the diameter. Or, as an alternative to the foregoing, adequate noncombustible structural guides, designed to permit the tank to float vertically without loss of product, shall be provided.

(iv) Each horizontal tank so located that more than 70 percent of its storage capacity will be submerged at the established flood stage, shall be anchored, attached to a foundation of concrete or of steel and concrete, of sufficient weight to provide adequate load for the tank when filled with flammable or combustible liquid and submerged by flood waters to the established flood stage, or adequately secured by other means.

(v) Spherical and spheroidal tanks shall be protected by applicable methods as specified for either vertical or horizontal tanks.

(vi) At locations where there is no ample and dependable water supply, or where filling of underground tanks with liquid is impracticable because of the character of their contents, their use, or for other reasons, each tank shall be safeguarded against movement when empty and submerged by high ground water or flood waters by anchoring, weighting with concrete or other approved solid loading material, or securing by other means. Each such tank shall be so constructed and installed that it will safely resist external pressures due to high ground water or flood waters.

(vii) At locations where there is an ample and dependable water supply available, underground tanks containing flammable or combustible liquids, so installed that more than 70 percent of their storage capacity will be submerged at the maximum flood stage, shall be so anchored, weighted, or secured by other means, as to prevent movement of such tanks when filled with flammable or combustible liquids, and submerged by flood waters to the established flood stage.

(viii) Pipe connections below the allowable liquid level in a tank shall be provided with valves or cocks located as closely as practicable to the tank shell. Such valves and their connections to tanks shall be of steel or other material suitable for use with the liquid being stored. Cast iron shall not be used.

(ix) At locations where an independent water supply is required, it shall be entirely independent of public power and water supply. Independent source of water shall be available when flood waters reach a level not less than 10 feet below the bottom of the lowest tank on a property.

(x) The self-contained power and pumping unit shall be so located or so designed that pumping into tanks may be carried on continuously throughout the rise in flood waters from a level 10 feet below the lowest tank to the level of the potential flood stage.

(xi) Capacity of the pumping unit shall be such that the rate of rise of water in all tanks shall be equivalent

to the established potential average rate of rise of flood waters at any stage.

(xii) Each independent pumping unit shall be tested periodically to insure that it is in satisfactory operating condition.

(xiii) Structural guides for holding floating tanks above their foundations shall be so designed that there will be no resistance to the free rise of a tank, and shall be constructed of noncombustible material.

(xiv) The strength of the structure shall be adequate to resist lateral movement of a tank subject to a horizontal force in any direction equivalent to not less than 25 pounds per square foot acting on the projected vertical cross-sectional area of the tank.

(xv) Where tanks are situated on exposed points or bends in a shoreline where swift currents in flood waters will be present, the structures shall be designed to withstand a unit force of not less than 50 pounds per square foot.

(xvi) The filling of a tank to be protected by water loading shall be started as soon as flood waters reach a dangerous flood stage. The rate of filling shall be at least equal to the rate of rise of the floodwaters (or the established average potential rate of rise).

(xvii) Sufficient fuel to operate the water pumps shall be available at all times to insure adequate power to fill all tankage with water.

(xviii) All valves on connecting pipelines shall be closed and locked in closed position when water loading has been completed.

(xix) Where structural guides are provided for the protection of floating tanks, all rigid connections between tanks and pipelines shall be disconnected and blanked off or banded before the floodwaters reach the bottom of the tank, unless control valves and their connections to the tank are of a type designed to prevent breakage between the valve and the tank shell.

(xx) All valves attached to tanks other than those used in connection with water loading operations shall be closed and locked.

(xxi) If a tank is equipped with a swing line, the swing pipe shall be raised to and secured at its highest position.

(xxii) Inspections. The director or his designated representative shall make periodic inspections of all plants where the storage of flammable or combustible liquids is such as to require compliance with the foregoing requirements, in order to assure the following:

(A) That all flammable or combustible liquid storage tanks are in compliance with these requirements and so maintained.

(B) That detailed printed instructions of what to do in flood emergencies are properly posted.

(C) That station operators and other employees depended upon to carry out such instructions are thoroughly informed as to the location and operation of such valves and other equipment necessary to effect these requirements.

(g) Earthquake areas. In areas subject to earthquakes, the tank supports and connections shall be designed to resist damage as a result of such shocks.

(6) Sources of ignition. In locations where flammable vapors may be present, precautions shall be taken to

prevent ignition by eliminating or controlling sources of ignition. Sources of ignition may include open flames, lightning, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, and mechanical), spontaneous ignition, chemical and physical-chemical reactions, and radiant heat.

(7) Testing.

(a) General. All tanks, whether shop built or field erected, shall be strength tested before they are placed in service in accordance with the applicable sections of the code under which they were built. The American Society of Mechanical Engineers (ASME) code stamp, American Petroleum Institute (API) monogram, or the label of the Underwriters' Laboratories, Inc., on a tank shall be evidence of compliance with this strength test. Tanks not marked in accordance with the above codes shall be strength tested before they are placed in service in accordance with good engineering principles and reference shall be made to the sections on testing in the codes listed in (l)(c)(i), (d)(ii) or (e)(ii) of this section.

(b) Strength. When the vertical length of the fill and vent pipes is such that when filled with liquid the static head imposed upon the bottom of the tank exceeds 10 pounds per square inch, the tank and related piping shall be tested hydrostatically to a pressure equal to the static head thus imposed.

(c) Tightness. In addition to the strength test called for in (7)(a) and (b), all tanks and connections shall be tested for tightness. Except for underground tanks, this tightness test shall be made at operating pressure with air, inert gas, or water prior to placing the tank in service. In the case of field-erected tanks the strength test may be considered to be the test for tank tightness. Underground tanks and piping, before being covered, enclosed, or placed in use, shall be tested for tightness hydrostatically, or with air pressure at not less than 3 pounds per square inch and not more than 5 pounds per square inch.

(d) Repairs. All leaks or deformations shall be corrected in an acceptable manner before the tank is placed in service. Mechanical caulking is not permitted for correcting leaks in welded tanks except pinhole leaks in the roof.

(e) Derated operations. Tanks to be operated at pressures below their design pressure may be tested by the applicable provisions of (7)(a) or (b) based upon the pressure developed under full emergency venting of the tank.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-56513 EXTERIOR WAYS OF EXIT ACCESS. (1) Access to an exit may be by means of any exterior balcony, porch, gallery, or roof that conforms to the requirements of this section.

(2) Exterior ways of exit access shall have smooth, solid floors, substantially level, and shall have guards on the unenclosed sides.

(3) Where accumulation of snow or ice is likely because of the climate, the exterior way of exit access shall be protected by a roof, unless it serves as the sole normal means of access to the rooms or spaces served, in which

case it may be assumed that snow and ice will be regularly removed in the course of normal occupancy.

(4) A permanent, reasonably straight path of travel shall be maintained over the required exterior way of exit access. There shall be no obstruction by railings, barriers, or gates that divide the open space into sections appurtenant to individual rooms, apartments, or other uses. Where the director or his/her duly authorized representative finds the required path of travel to be obstructed by furniture or other movable objects, he/she may require that they be fastened out of the way or he/she may require that railings or other permanent barriers be installed to protect the path of travel against encroachment.

(5) An exterior way of exit access shall be so arranged that there are no dead ends in excess of 20 feet. Any unenclosed exit served by an exterior way of exit access shall be so located that no part of the exit extends past a vertical plane 20 feet and one-half the required width of the exit from the end of and at right angles to the way of exit access.

(6) Any gallery, balcony, bridge, porch or other exterior exit access that projects beyond the outside wall of the building shall comply with the requirements of this section as to width and arrangement.

#### AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73)

WAC 296-24-47501 DEFINITIONS. (1) API-ASME container. A container constructed in accordance with the requirements of WAC 296-24-47505 (3)(a).

(2) ASME container. A container constructed in accordance with the requirements of WAC 296-24-47505 (3)(a).

(3) Container assembly. An assembly consisting essentially of the container and fittings for all container openings, including shutoff valves, excess flow valves, liquid-level gaging devices, safety relief devices, and protective housing.

(4) Containers. All vessels, such as tanks, cylinders, or drums, used for transportation or storing liquefied petroleum gases.

(5) DOT. Department of transportation.

(6) DOT container. A container constructed in accordance with the applicable requirements of 49 CFR chapter 1.

(7) "Liquefied petroleum gases." "LPG" and "LP-gas." Any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal butane or iso-butane), and butylenes.

(8) Movable fuel storage tenders or farm carts. Containers not in excess of 1,200 gallons water capacity, equipped with wheels to be towed from one location of usage to another. They are basically nonhighway vehicles, but may occasionally be moved over public roads or highways. They are used as a fuel supply for farm tractors, construction machinery and similar equipment.

(9) P.S.I.G. Pounds per square inch gauge.

(10) P.S.I.A. Pounds per square inch absolute.

(11) Systems. An assembly of equipment consisting essentially of the container or containers, major devices

such as vaporizers, safety relief valves, excess flow valves, regulators, and piping connecting such parts.

(12) Vaporizer-burner. An integral vaporizer-burner unit, dependent upon the heat generated by the burner as the source of heat to vaporize the liquid used for dehydrators or dryers.

(13) Ventilation, adequate. When specified for the prevention of fire during normal operation, ventilation shall be considered adequate when the concentration of the gas in a gas-air mixture does not exceed 25 percent of the lower flammable limit.

(14) Approved. Unless otherwise indicated, listing or approval by ~~((the following))~~ a nationally recognized testing ~~((laboratories: Underwriters Laboratories, Inc.; Factual Mutual Engineering Corp))~~ laboratory. Refer to 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(15) Listed. See "approved" in WAC 296-24-47501(14).

(16) DOT specifications. Regulations of the department of transportation published in 49 CFR chapter I.

(17) DOT regulations. See WAC 296-24-47501(16).

(18) DOT requirements. See WAC 296-24-47501(16).

(19) DOT cylinders. Cylinders meeting the requirements of 49 CFR chapter I.

#### AMENDATORY SECTION (Amending Order 79-9, filed 7/31/79)

WAC 296-24-82517 STONE SETTERS' ADJUSTABLE MULTIPLE-POINT SUSPENSION SCAFFOLDS. (1) The scaffold shall be capable of sustaining a working load of 25 pounds per square foot and shall not be overloaded. Scaffolds shall not be used for storage of stone or other heavy materials.

(2) The hoisting machine and its supports shall be of a type tested and listed by ~~((Underwriters Laboratories or Factory Mutual Engineering Corp))~~ a nationally recognized testing laboratory. Refer to WAC 296-24-95601(77) for definition of listed, and 29 CFR 1910.7 for nationally recognized testing laboratory.

(3) The platform shall be securely fastened to the hangers by U-bolts or other equivalent means.

(4) The scaffold unit shall be suspended from metal outriggers, iron brackets, wire rope slings, or iron hooks which will safely support the maximum intended load.

(5) Outriggers when used shall be set with their webs in a vertical position, securely anchored to the building or structure and provided with stop bolts at each end.

(6) The scaffold shall be supported by wire rope conforming with WAC 296-24-82503(22), suspended from overhead supports.

(7) The free ends of the suspension wire ropes shall be equipped with proper size thimbles, secured by splicing or other equivalent means. The running ends shall be securely attached to the hoisting drum and at least four turns of rope shall remain on the drum at all times.

(8) Guardrails not less than 2 by 4 inches or the equivalent and not less than 36 inches or more than 42 inches high, with a mid-rail, when required, of 1- by 4-inch nominal lumber or equivalent, and toeboards, shall be installed at all open sides on all scaffolds more



than 10 feet above the ground or floor. Toeboards shall be a minimum of 4 inches nominal lumber in height. Wire mesh shall be installed in accordance with WAC 296-24-82503(17).

(9) When two or more scaffolds are used on a building or structure they shall not be bridged one to the other but shall be maintained at even height with platforms butting closely.

(10) Each scaffold shall be installed or relocated in accordance with designs and instructions of a registered professional engineer, and such installation or relocation shall be supervised by a competent designated person to comply with requirements of this section.

**AMENDATORY SECTION** (Amending Order 73-5, filed 5/9/73)

WAC 296-24-82519 SINGLE-POINT ADJUSTABLE SUSPENSION SCAFFOLDS. (1) The scaffolding, including power units or manually operated winches, shall be of a type tested and listed by (~~Underwriters' Laboratories or Factory Mutual Engineering Corp~~) a nationally recognized testing laboratory. Refer to WAC 296-24-95601(77) for definition of listed, and 29 CFR 1910.7 for nationally recognized testing laboratory.

(2) The power units may be either electrically or air motor driven.

(3) All power-operated gears and brakes shall be enclosed.

(4) In addition to the normal operating brake, all-power driven units must have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(5) Guards, mid-rails, and toeboards shall completely enclose the cage or basket. Guardrails shall be no less than 2 by 4 inches nominal lumber or the equivalent installed no less than 36 inches nor more than 42 inches above the platform. Mid-rails shall be 1 by 6 inches nominal lumber or the equivalent, installed equidistant between the guardrail and the platform. Toeboards shall be a minimum of 4 inches nominal lumber in height.

(6) The hoisting machines, cables, and equipment shall be regularly serviced and inspected after each installation and every 30 days thereafter.

(7) The units may be combined to form a two-point suspension scaffold. Such scaffold shall comply with WAC 296-24-82515.

(8) The supporting cable shall be straight for its entire length, and the operator shall not sway the basket and fix the cable to any intermediate points to change his original path of travel.

(9) Equipment shall be maintained and used in accordance with the manufacturers' instructions.

(10) Suspension methods shall conform to applicable provisions of WAC 296-24-82515 and 296-24-82517.

**AMENDATORY SECTION** (Amending Order 80-21, filed 11/13/80)

WAC 296-24-51013 REFRIGERATED STORAGE. This section applies specifically to systems utilizing tanks for the storage of anhydrous ammonia under refrigerated conditions. All basic rules of WAC 296-24-

51009 apply to this section unless inconsistent with the requirements of this section.

(1) Design of tanks.

(a) Tanks may be designed for any storage pressure desired as determined by economical design of the refrigerated system.

(b) The design temperature shall be the minimum temperature to which the container will be refrigerated and shall be so designated.

(c) Containers with a design pressure exceeding 15 p.s.i.g. shall be constructed in accordance with WAC 296-24-51009(2) and the material shall be selected from those listed in API Standards 620, 4th edition 1970, Recommended Rules for Design and Construction of Large, Welded Low-Pressure Storage Tanks, Tables 2.02, R.2.1, R.2.2, R.2.3 or R.2.4.

(d) Tanks with a design pressure of 15 (~~psig~~) p.s.i.g. and less shall be constructed in accordance with the general requirements of API Standard 620, 4th edition, 1970, including Appendix R.

(e) When austenitic steels or nonferrous materials are used, the ASME Code shall be used as a guide in selection of materials for use at the design temperature.

(f) The filling density for refrigerated storage containers shall be such that the container will not be liquid full at a liquid temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety-relief valve. (New 1-22-76)

(2) Installation of storage tanks.

(a) Tanks shall be supported on suitable noncombustible foundations designed to accommodate the type of tank being used.

(b) Adequate protection against flotation or other water damage shall be provided wherever high flood water might occur.

(c) Tanks for product storage at less than 32°F shall be supported in such a way, or heat shall be supplied, to prevent the effects of freezing and consequent frost heaving.

(d) The area surrounding a refrigerated tank or group of tanks shall be provided with drainage, or shall be diked to prevent accidental discharge of liquid from spreading to uncontrolled areas.

(e) When drainage is employed, a slope of not less than one percent shall be provided. The drainage system shall terminate in an impounding basin having a capacity as large as the largest tank served.

(f) Provision shall be made for drainage of rain water from the diked or impounding area. Such drainage shall not permit the release of ammonia.

(g) When a dike surrounding the tank is employed, the capacity of the diked enclosure shall be as large as the largest tank served.

(h) The walls of a diked enclosure or the wall of an impounding basin used in a drainage system shall be of earth, steel or concrete designed to be liquid tight and to withstand the hydrostatic pressure and the temperature. Earth walls shall have a flat top at least 2 feet wide. The slope shall be stable and consistent with the angle of repose of the earth used.

(i) The ground in an impounding basin or within a diked enclosure, should be graded so that small spills, or

the early part of a large spill, will accumulate at one side or corner contacting a relatively small area of ground and exposing a relatively small surface area for heat gain. Shallow channels in the ground surface or low curbs of earth can help guide the liquid to these low areas without contacting a large ground area.

(3) Marking refrigerated containers.

((+)) (a) Each refrigerated container shall be marked with a nameplate on the outer covering in an accessible place as specified in the following:

((+)) (a) With the name and address of the builder and the date of fabrication.

((+)) (b) With the maximum volume or weight of the product whichever is most meaningful to user.

((+)) (c) With the design pressure.

((+)) (d) With the minimum temperature in degrees Fahrenheit for which the container was designed.

((+)) (e) With the maximum allowable water level to which the container may be filled for the test purposes.

((+)) (f) With the density of the product in pounds per cubic foot for which the container was designed.

((+)) (g) With the maximum level to which the container may be filled with liquid anhydrous ammonia.

(4) Tank valves, fill pipes and discharge pipes.

(a) Shut-off valves shall be:

(i) Provided for all connections except those with a No. 54 drill size restriction, plugs, safety valves, thermometer wells, and

(ii) Located as close to the tank as practicable.

(b) When operating conditions make it advisable, a check valve shall be installed on the fill connection and a remotely operated shut-off valve on other connections located below the maximum liquid level.

(5) Safety relief devices.

(a) Safety relief valves shall be set to start-to-discharge at a pressure not in excess of the design pressure of the tank and shall have a total relieving capacity sufficient to prevent a maximum pressure in a tank of more than ((+20%)) one hundred twenty percent of the design pressure.

(b) The total relieving capacity shall be the larger requirement of ((WAC 296-24-51013-5)) (b)(i) or (ii) of this subsection.

(i) Possible refrigeration system upset such as (A) cooling water failure, (B) power failure, (C) instrument air or instrument failure, (D) mechanical failure of any equipment, (E) excessive pumping rates, (F) changing atmospheric conditions.

(ii) Either one of the following formulas for fire exposure, ((+)) (A) for valve manufacturers who use weight of vapors to be relieved as basis for classifying valves:

$$W = \frac{34,500 F A^{0.82}}{L}$$

or ((+)) (B) for valve manufacturers that classify valves on the basis of air flow:

$$Q_a = \frac{633,000 F A^{0.82}}{L C} \sqrt{\frac{Z T}{M}}$$

Where

W = weight of vapors to be relieved in pounds/hour at relieving conditions;

Q<sub>a</sub> = air flow in cubic feet per minute at standard conditions (60F and 14.7 psi);

F = fireproofing credit. Use F = 1.0 except when an approved fireproofing material of recommended thickness is used, then use F = 0.2.

A = total surface area in square feet up to 25 feet above grade or to the equator of a sphere, whichever is greater;

Z = compressibility factor of ammonia at relieving conditions (if not known, use Z = 1.0);

T = temperature in degrees R (460 + temperature in degrees F of gas at relieving conditions);

M = molecular weight = 17 for ammonia;

L = latent heat of ammonia at relieving conditions;

C = constant based on relation of specific heats. (C may be obtained from the following table.)

(If K is not known use C = 315.)

K	C	K	C	K	C
1.00	315	1.26	343	1.52	366
1.02	318	1.28	345	1.54	368
1.04	320	1.30	347	1.56	369
1.06	322	1.32	349	1.58	371
1.08	324	1.34	351	1.60	372
1.10	327	1.36	352	1.62	374
1.12	329	1.38	354	1.64	376
1.14	331	1.40	356	1.66	377
1.16	333	1.42	358	1.68	379
1.18	335	1.44	359	1.70	380
1.20	337	1.46	361	2.00	400
1.22	339	1.48	363	2.20	412
1.24	341	1.50	364		

Where K = C<sub>p</sub>/C<sub>v</sub> at atmospheric conditions and

C<sub>p</sub> = specific heat of vapor at constant pressure.

C<sub>v</sub> = specific heat of vapor at constant volume.

(c) Shut-off valves of adequate flow capacity may be provided and used to facilitate inspection and repair of safety relief valves. When a shut-off valve is provided it shall be so arranged that it can be locked or sealed open, and it shall not be closed except by an authorized person who shall remain stationed there while the valve remains closed, and who shall again lock or seal the valve open when leaving the station.

(d) Safety relief devices shall comply with the following:

(i) If stacks are used they shall be suitably designed to prevent obstruction by rain, snow, ice or condensate. The outlet size shall not be smaller than the nominal size of the safety relief valve outlet connection.

(ii) Discharge lines may be used if desired. Multiple safety relief valves on the same storage unit may be run into a common discharge header. The discharge line and header shall be designed to accommodate the maximum flow and a back pressure not exceeding ~~((+10%))~~ ten percent of the design pressure of the storage container. This back pressure shall be included in the ((+20%)) one hundred twenty percent total maximum pressure given in ((WAC 296-24-51013(5)))(a) of this subsection. No other container or system shall exhaust into this discharge line or header. The vent lines shall be installed to prevent accumulation of liquid in the lines.

(e) Atmospheric storage shall be provided with vacuum breakers. Ammonia gas may be used to provide a pad.

(6) Protection of container appurtenances. Refrigerated storage containers shall comply with the provisions of WAC 296-24-51011(7).

(7) Reinstallation of containers. Containers of such size as to require field fabrication shall, when moved and reinstalled, be reconstructed and reinspected in complete accordance with the code under which they were constructed. The containers shall be subjected to a pressure retest, and if rerating is necessary, it shall be done in accordance with the applicable code pressures.

(8) Damage from vehicles. Precaution shall be taken to avoid any damage by trucks, tractors, or other vehicles.

(9) Refrigeration load and equipment.

(a) The total refrigeration load shall be computed as the sum of the following:

(i) Load imposed by heat flow into the container caused by the temperature differential between the ambient temperature and the design storage temperature.

(ii) Load imposed by heat flow into the tank caused by maximum sun radiation.

(iii) Maximum load imposed by filling the tank with ammonia warmer than the design storage temperature.

(b) More than one storage tank may be handled by the same refrigeration system.

(c) Compressors. (See also WAC 296-24-51009 (12)(g).)

(i) A minimum of two compressors shall be provided, either of which ~~((if))~~ is of sufficient size to handle the loads listed in ~~((WAC 296-24-51013(9)))(a)(i) and (ii) of this subsection.~~ Where more than two compressors are provided, minimum standby equipment equal to the largest normally operating equipment shall be installed. Compressors required for ~~((WAC 296-24-51013(9)))(a)(iii) of this subsection~~ may be used as standby equipment for compressors required in ~~((WAC 296-24-51013(9)))(a)(i) and (ii) of this subsection.~~

(ii) Compressors shall be sized to operate with a suction pressure at least ~~((+10%))~~ ten percent below the minimum setting of the safety relief valve(s) on the

storage tank and shall withstand a suction pressure at least equal to ~~((+20%))~~ one hundred twenty percent of the design pressure of the tank. Discharge pressure will be governed by condensing conditions.

(d) Compressor drives.

(i) Each compressor shall have its individual driving unit.

(ii) Any standard drive consistent with good design may be used.

(iii) An emergency source of power of sufficient capacity to handle the loads listed in ~~((WAC 296-24-51013(9)))(a)(i) and (ii) of this subsection~~ shall be provided, unless facilities are provided to safely dispose of vented vapors while the refrigeration system is not operating.

(e) Automatic control equipment.

(i) The refrigeration system shall be arranged with suitable controls to govern the compressor operation in accordance with the load as evidenced by the pressure in the container(s).

(ii) An emergency alarm system shall be installed to function in the event the pressure in the container(s) rises to the maximum or falls to the minimum allowable operating pressure.

(iii) An emergency alarm and shut-off shall be located in the condenser system to respond to excess discharge pressure caused by failure of the cooling medium.

(iv) All automatic controls shall be installed in a manner to preclude operation of alternate compressors unless the controls will function with the alternate compressors.

(f) Separators.

(i) An entrainment separator of suitable size and design pressure shall be installed in the compressor suction line. The separator shall be equipped with a drain and gaging device.

(ii) An oil separator of suitable size shall be installed in the compressor discharge line. It shall be designed for at least 250 ~~((psig))~~ p.s.i.g. and shall be equipped with a gaging device and drain valve.

(g) Condensers. The condenser system may be cooled by air or water or both. The condenser shall be designed for at least 250 ~~((psig))~~ p.s.i.g. Provision shall be made for purging noncondensibles either manually or automatically.

(h) Receiver and liquid drain. A receiver shall be provided which is equipped with an automatic float valve to discharge the liquid ammonia to storage or with a high pressure liquid drain trap of suitable capacity. The receiver shall be designed for at least 250 ~~((psig))~~ p.s.i.g. operating pressure and be equipped with the necessary connections, safety relief valves and gaging device.

(i) Insulation. Refrigerated containers and pipe lines which are insulated shall be covered with a material of suitable quality and thickness for the temperatures encountered. Insulation shall be suitably supported and protected against the weather. Weatherproofing shall be of a type which will not support flame propagation.

(10) Safety equipment. All refrigerated storage plants shall have on hand the minimum safety equipment required under WAC 296-24-51009 (10)(c).

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

~~WAC 296-52-401 SCOPE AND APPLICATION. ((The subject code shall apply to all persons in the state of Washington and shall be known as the "Safety standards for the possession and handling of explosives," hereinafter called the "explosives code." The department of labor and industries, through the division of industrial safety and health, shall enforce the entire code, particularly all items affecting persons covered under Title 51 RCW, the transportation and storage of explosives not exempted under RCW 70.74.191, and the licensing required under this code.~~

~~Other law enforcement agencies, city, municipal, county, Washington state, other states and federal are obliged, under their own laws, codes, and ordinances, to enforce specific aspects of the possession and handling of explosives (RCW 70.74.201):~~

~~The division of industrial safety and health shall cooperate with all other law enforcement agencies in carrying out the intent of the explosives code and the Explosives Act:)) (1) This chapter is adopted pursuant to the State Explosives Act, RCW 70.74.020, in accordance with chapter 34.04 RCW, the Administrative Procedure Act, and chapter 49.17 RCW, the Washington Industrial Safety and Health Act.~~

~~(2) This chapter shall be identified as chapter 296-52 WAC, "safety standards for possession, handling and use of explosives" and hereafter be called the "explosive code."~~

~~(3) This chapter shall apply to:~~

~~(a) All aspects of manufacture, possession, storage, selling, purchase, transportation, and the use of explosives or blasting agents as defined in this chapter.~~

~~(b) Any person, partnership, company, corporation, or other entity, including governmental agencies, except:~~

~~(i) Storage, handling, and use of (noncommercial) military explosives while under the control of the United States Government and/or United States Military authorities.~~

~~(ii) Those instances and actions identified by RCW 70.74.191, "Exemptions."~~

~~(4) The enforcing authority of this chapter, the department of labor and industries, recognizes the obligation of other law enforcement agencies to enforce specific aspects or sections of chapter 70.74 RCW, the State Explosives Act, under local ordinance and with joint and shared authority as granted by RCW 70.74.201. The division of industrial safety and health shall cooperate with all other law enforcement agencies in carrying out the intent of the explosive code and the State Explosives Act.~~

~~(5) In all activities governed by the State Explosives Act, chapter 70.74 RCW, the director shall administer this chapter with the full resources of the division of industrial safety and health, (WISHA). Where materials classified by this chapter as explosives or blasting agents may be found or where the director has reasonable cause to expect they exist, administration of this chapter shall include the right of entry for inspection purposes into any location, facility, or equipment at any such times as~~

the director or his designated representative deems appropriate and to issue penalty sanctions for all instances found not to be in compliance with the requirements of this chapter.

PART B—EXPLOSIVES LICENSINGNEW SECTION

WAC 296-52-419 BASIC LEGAL OBLIGATIONS. (1) It is unlawful for any person to manufacture, purchase, sell, use, or store any explosive without having a validly issued license from the department of labor and industries which license has not been revoked or suspended. Violation of this section is a gross misdemeanor.

(2) Upon notice from the department of labor and industries or any law enforcement agency having jurisdiction, a person manufacturing, purchasing, selling, using, or storing any explosives without a license shall immediately surrender any and all such explosives to the department or to the respective law enforcement agency.

(3) At any time that the director of labor and industries requests the surrender of explosives from any person pursuant to subsection (2) of this section, the director may in addition request the attorney general to make application to the superior court of the county in which the unlawful practice exists for a temporary restraining order or such other relief as appears to be appropriate under the circumstances.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-421 LICENSES—INFORMATION VERIFICATION. (1) Any information request by the department, in order to verify statements in an application or in order to facilitate a department inquiry, shall be supplied prior to the issuance or renewal of a license.

(2) The director of labor and industries shall require, as a condition precedent to the original issuance or renewal of any explosive license, fingerprinting and criminal history record information checks of every applicant.

(a) In the case of a corporation, fingerprinting and criminal history record information checks shall be required for the management officials directly responsible for the operations where the explosives are used if such persons have not previously had their fingerprints recorded with the department of labor and industries.

(b) In the case of a partnership, fingerprinting and criminal history record information checks shall be required of all general partners.

(c) Such fingerprints as are required by the department of labor and industries shall be submitted on forms provided by the department to the identification section of the Washington state patrol and to the identification division of the Federal Bureau of Investigation in order that these agencies may search their records for prior convictions of the individuals fingerprinted.

(d) The Washington state patrol shall provide to the director of labor and industries such criminal record information as the director may request.

(e) The applicant shall give full cooperation to the department of labor and industries and shall assist the department of labor and industries in all aspects of fingerprinting and criminal history record information check.

(f) The applicant may be required to pay a fee not to exceed twenty dollars to the agency that performs the fingerprinting and criminal history process.

(3) The director of labor and industries shall not issue a license to manufacture, purchase, store, use, or deal with explosives to:

(a) Any persons under twenty-one years of age;

(b) Any person whose license is suspended or whose license has been revoked, except as provided in WAC 296-52-423;

(c) Any person who has been convicted in this state or elsewhere of a violent offense as defined in RCW 9.94A.030, perjury, false swearing, or bomb threats or a crime involving a schedule I or II controlled substance, or any other drug or alcohol related offenses, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency.

Exception: The director of labor and industries may issue a license if the person suffering a drug or alcohol related dependency is participating in or has completed an alcohol or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The director of labor and industries shall require the applicant to provide proof of such participation and control.

(d) Any person who has previously been adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease and who has not at the time of application been restored to competency.

Note: See also WAC 296-52-425 and 296-52-433.

## NEW SECTION

WAC 296-52-423 REVOKING OR SUSPENDING LICENSES. (1) The department of labor and industries shall revoke and not renew the license of any person holding a manufacturer, dealer, purchaser, user, or storage license upon conviction of any of the following offenses, which conviction has become final:

(a) A violent offense as defined in RCW 9.94A.030;

(b) A crime involving perjury or false swearing, including the making of a false affidavit or statement under oath to the department of labor and industries in an application or report made pursuant to this title;

(c) A crime involving bomb threats;

(d) A crime involving a schedule I or II controlled substance, or any other drug or alcohol related offense, unless such other drug or alcohol related offense does not reflect a drug or alcohol dependency.

Conditional exception: The department of labor and industries may issue a conditional renewal of the license to any convicted person suffering a drug or alcohol dependency who is participating in an alcoholism or drug recovery program acceptable to the department of labor and industries and has established control of their alcohol or drug dependency. The department of labor and industries shall require the applicant to provide proof of such participation and control.

(e) A crime relating to possession, use, transfer, or sale of explosives under this chapter or any other chapter of the Revised Code of Washington.

(2) The department of labor and industries shall revoke the license of any person adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease. The director shall not renew the license until the person has been restored to competency.

(3) The department of labor and industries is authorized to suspend, for a period of time not to exceed six months, the license of any person who has violated this chapter or the rules promulgated pursuant to this chapter.

(4) The department of labor and industries may revoke the license of any person who has repeatedly violated this chapter or the rules promulgated pursuant to this chapter, or who has twice had his or her license suspended under this chapter.

(5) Upon receipt of notification by the department of labor and industries of revocation or suspension, a licensee must surrender immediately to the department any or all such licenses revoked or suspended.

## AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-425 DEALER'S LICENSE. (RCW 70.74.130 and 70.74.230, apply.)

(1) The application for a dealer's license to buy explosives for the sole purpose of resale shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.

(2) Original license applications and/or application for renewal shall be completed on forms available from the department and shall comply with all requirements of WAC 296-52-421. The license fee shall be twenty-five dollars.

(3) The license shall be renewed annually, no later than the expiration date.

~~((3))~~ (4) When an order for explosives is placed in person, by telephone, or in writing by a purchaser, the seller shall request proper authorization and identification from the purchaser and shall record the purchaser's license number.

~~((4))~~ (5) A dealer shall not distribute explosive materials to a company or individual on the order of a person who does not appear on the up to date list of representatives or agents and if the person does appear on the list, the dealer shall verify the identity of such person.

~~((5))~~ (6)(a) A dealer's record of all explosives purchased and sold as defined in RCW 70.74.010, shall be kept on file and a copy transmitted not later than the tenth of every month to the department.

(b) The purchaser's name and license number shall be stated on dealer's record, and the name of the person authorized by the purchaser to physically receive the explosives.

~~((6))~~ (c) The dealer shall ascertain the identity of the individual who receives the explosives from a picture-type identification card, such as a driver's license. The recipient shall sign a receipt, documenting the explosives received and said receipt shall be retained by the

dealer for not less than one year from the date of purchase.

(7) Any package, cask, or can containing any explosive, nitroglycerin, dynamite, or powder that is put up for sale, or is delivered to any warehouseman, dock, depot, or common carrier shall be properly labeled thereon to indicate its explosive classification.

~~((7))~~ (8) If the explosives are delivered by the dealer or dealer's authorized agent to an explosives magazine, the license number of said magazine and the legal signature of the recipient, properly authorized and identified, shall be obtained.

~~((8))~~ (9) No person shall sell, display, or expose for sale any explosive or blasting agent on any highway, street, sidewalk, public way, or public place.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-429 LICENSE FOR MANUFACTURING. RCW 70.74.110, applies.

(1) No person, partnership, firm, company or corporation shall manufacture explosives or blasting agents or use any process involving explosives as a component part in the manufacture of any device, article or product without first obtaining a manufacturer's license from the department of labor and industries.

(2) The application for license for manufacturing explosives and/or blasting agents shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia. The license fee for either an original license or a renewal shall be twenty-five dollars.

~~((2))~~ The license shall be renewed annually, no later than the expiration date.

~~(3) A copy of the plan of the plant submitted with said application and approved by the department shall be kept in the plant open to inspection by the department.~~

~~(4) The manufacturing of explosives is covered by chapter 296-50 WAC.)~~ (3) The application for original license or renewal shall be completed on forms available from the department and shall provide the following information:

(a) Location of place of manufacture or processing;

(b) Kind of explosives manufactured, processed, or used;

(c) The distance that such explosives manufacturing building is located or intended to be located from the other factory buildings, magazines, inhabited buildings, railroads, highways, and public utility transmission systems;

(d) The name and address of the applicant;

(e) The reason for desiring to manufacture explosives;

(f) The applicant's citizenship, if the applicant is an individual;

(g) If the applicant is a partnership, the names and addresses of the partners and their citizenship;

(h) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof, and their citizenship; and

(i) Such other pertinent information as the director of labor and industries shall require to effectuate the purpose of this chapter.

(4) Each application for license shall be accompanied by a site plan of the proposed or existing manufacturing facilities. The plan shall show:

(a) The distance each manufacturing building is located from other buildings on the premises where people are employed, from other occupied buildings on adjoining property, from buildings where customers are served, from public highways and utility transmission systems.

(b) The site plan shall demonstrate compliance with all applicable requirements of chapter 70.74 RCW, the State Explosives Act as it exists at the time of this adoption or is hereafter amended; with applicable requirements of chapter 296-50 WAC, Safety standards—manufacture of explosives; with the separation/location requirements of this chapter.

(c) The site plan shall identify and describe all natural or artificial barricades which are utilized to influence minimum permissible separation distances.

(d) The site plan shall identify the nature of and kind of work carried on in each building.

(e) The site plan shall specify the maximum amount and kind of explosives or blasting agents which will be permitted in each building or magazine at any one time.

(5) The application for license shall comply with all requirements of WAC 296-52-421.

(6) Upon receipt of a completed application meeting all requirements of this section, the department will schedule an inspection of the premises at the earliest time possible.

(7) The department will issue a license to the applicant(s) provided that:

(a) The required inspection confirms that the site plan is accurate and the facilities comply with applicable regulations of the department;

(b) The applicant(s) or operating superintendent and employees are sufficiently trained and experienced in the manufacture of explosives.

(8) A license to manufacture explosives and/or blasting agents shall be valid for not more than one year from the date of issue unless suspended or revoked by the department.

(9) A copy of the site plan and manufacturer's license shall be posted in the main office of each manufacturing plant.

(a) The site plan shall be maintained to reflect current status of manufacturing facilities, occupancy changes, etc.

(b) The department shall be notified when significant change occurs in the site plan. If the change is of such nature or magnitude as to make compliance with all requirements of this chapter questionable, the license holder shall consult with the department before changing the operations.

(10) Specific applicable requirements for the manufacture of explosives and blasting agents are codified and distributed in chapter 296-50 WAC, Safety standards—manufacture of explosives.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-433 PURCHASER'S LICENSE. RCW 70.74.135, applies.

~~(1) ((The application for a purchaser's license shall be made by a legal person, including public agencies, to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.~~

~~Application forms may be obtained at all department district offices, and from explosives dealers.~~

~~Purchaser will be required to verify they have a user (blaster) with a valid license, which will be confirmed and approved by the department.~~

~~The department will grant a purchaser's license after all legal requirements have been fulfilled.~~

~~The license is valid for one year from date of issuance.~~

~~(2)) No person, firm, partnership, or corporation and including public agencies, shall be permitted to purchase explosives or blasting agents without a valid license as issued by the department of labor and industries.~~

~~(2) Applicants desiring to purchase explosives or blasting agents, except hand loader components as defined in this chapter, shall make application for license to the department of labor and industries. Application forms may be obtained at all department district offices, and from explosives dealers.~~

~~(3) Applicants shall comply with all requirements of WAC 296-52-421 and shall have a current user (blaster) license issued by the department. The purchaser's license fee shall be five dollars.~~

~~(4) Applicants shall be required to furnish at least the following information:~~

~~(a) The location where explosives are to be used;~~

~~(b) The kind and amount of explosives to be used;~~

~~(c) The name and address of the applicant;~~

~~(d) The reason for desiring to use explosives;~~

~~(e) The citizenship of the applicant, if the applicant is an individual;~~

~~(f) If the applicant is a partnership, the names and addresses of the partners and their citizenship;~~

~~(g) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship;~~

~~(h) Documented proof of ownership of a licensed storage magazine or a signed authorization to use another person's licensed magazine; or the purchaser shall sign a statement certifying that the explosives will not be stored.~~

~~(i) Such other pertinent information as the director of the department of labor and industries shall require to effectuate the purposes of this chapter.~~

~~(5) The department will grant a purchaser's license after all legal requirements have been fulfilled.~~

~~(6) The license is valid for one year from date of issuance.~~

~~(7) Purchaser shall, prior to ordering explosive materials, furnish the dealer a current list of the representatives or agents authorized to order explosive materials on their behalf showing the name, address, drivers license number or valid identification and date and place of~~

birth. A copy of the list shall be submitted with the purchaser's application. The dealer and the department lists shall be updated as changes occur.

~~((3)) (8) The individual who physically receives the purchased explosives shall prove to the satisfaction of the dealer that he, personally, is the purchaser, or the person authorized by the purchaser to receive said purchased explosives. Such authorization procedure shall be approved by the department. Said receiver of explosives shall identify himself properly and shall sign the dealer's record with his legal signature.~~

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-437 USER'S (BLASTER'S) LICENSE. RCW 70.74.020, applies.

~~(1) No person, firm, partnership, or corporation shall use, blast, or dispose of explosives and/or blasting agents unless in possession of a valid user's (blaster's) license issued by the department of labor and industries.~~

~~(2) The application for a user's (blaster's) license to use, blast or dispose explosives and blasting agents shall be made to Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.~~

~~(a) Application forms may be obtained at all department district offices, and from explosives dealers.~~

~~(b) The license is valid for one year from date of issuance. The license fee shall be five dollars.~~

~~(c) Applicants shall comply with all requirements of WAC 296-52-421.~~

~~(d) User (blaster) may be required to verify name of licensed purchaser, which will be confirmed and approved by the department.~~

~~((2)) (3) In addition to the submission of the application form, all new applicants, all applicants requesting change in classification of their license, and all applicants who have not renewed their user (blaster) license within sixty days of expiration will be required to submit a resume of successful blasting experience, properly witnessed, and to pass a written examination prepared and administered by the department.~~

~~((3)) (4) User (blaster) qualifications:~~

~~(a) A user (blaster) shall be able to understand and give written and oral orders.~~

~~(b) A user (blaster) shall be in good physical condition and not be addicted to narcotics, intoxicants, or similar types of drugs. This rule does not apply to persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others.~~

~~(c) A user (blaster) shall be qualified by reason of training, knowledge, and experience, in the field of transporting, storing, handling, and use of explosives, and have a working knowledge of state and local laws and regulations which pertain to explosives.~~

~~(d) User (blaster) shall be required to furnish satisfactory evidence of competency in handling explosives and performing in a safe manner the type of blasting that will be required.~~

~~(e) The user (blaster) shall be knowledgeable and competent in the use of each type of blasting method used.~~

~~((4))~~ (5) The department will issue a user's license card which shall state the limitations imposed on the licensee and shall be presented by the user to authorized persons, upon request, together with valid personal identification.

~~((5))~~ (6) A "hand loader" as defined in RCW 70.74.010, does not require a user's license.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-441 STORAGE MAGAZINE LICENSE REQUIREMENTS. RCW 70.74.120, applies.

~~(1)((a) A separate application shall be made for each and every magazine.~~

~~(b) The application for a license to operate a permanent or portable storage magazine for explosives shall be made by the person responsible for the storage of the explosives, to the Department of Labor and Industries, Division of Industrial Safety and Health, Olympia.~~

~~(c) The exact location of the storage magazine shall be shown on the application, as well as, the kind and maximum quantity of explosives stored, and the distance to nearby structures and other magazines.~~

~~(2) A license fee shall be paid for one year, as shown in WAC 296-52-449. The fee will be collected or billed upon receipt of application.~~

~~(3) The said license shall be renewed annually, no later than the expiration date.~~

~~(4)) All explosives or blasting agents as defined in this chapter shall be kept or stored in magazines licensed by the department and which comply with the construction, location, and security requirements established by this chapter.~~

~~(2) Any person engaged in keeping or storing explosives or blasting agents shall make application to the department for an operating license for each storage magazine before engaging in the activity of keeping or storing explosives or blasting agents. Applications shall be made to the Department of Labor and Industries, Division of Industrial Safety and Health, Olympia, WA 98504.~~

~~(3) License applicants shall meet the requirements of WAC 296-52-421.~~

~~(4) License applicants or the officers, agents, or employees of the applicant shall demonstrate sufficient experience in the handling of explosives, including the storage requirements for the different types of explosives or blasting agents to be stored.~~

~~(5) Each application shall include the following information:~~

~~(a) The name and address of the applicant;~~  
~~(b) The reason for desiring to store or possess explosives;~~

~~(c) The citizenship of the applicant if the applicant is an individual;~~

~~(d) If the applicant is a partnership, the names and addresses of the partners and their citizenship;~~

~~(e) If the applicant is an association or corporation, the names and addresses of the officers and directors thereof and their citizenship;~~

(f) The location of the magazine, if then existing, or in case of a new magazine, the proposed location of such magazine;

(g) The kind of explosives that are kept or stored or possessed or intended to be kept or stored or possessed and the maximum quantity that is intended to be kept or stored or possessed thereat;

(h) The distance that such magazine is located or intended to be located from other magazines, inhabited buildings, explosives manufacturing buildings, railroads, highways, and public utility transmission systems;

(i) And such other pertinent information as the director of the department of labor and industries shall require to effectuate the purpose of this chapter.

(6) A license number shall be permanently affixed on the inside and outside of each storage magazine. This license number will stay with each magazine during its life.

~~((5))~~ (7) The unlawful entry into an explosives magazine or an actual or suspected theft of explosives shall be reported immediately to the department and to the local law enforcement agency.

~~((6))~~ (8) If the magazine is used or leased by a person other than the owner, such other person shall then be responsible for the safe operation of the magazine, and for obtaining of the license.

When the responsibility for a magazine is transferred from one person to another, the transferor shall immediately notify the department, stating the magazine license number. The transferee shall execute a new application and pay the fee for one year, based on WAC 296-52-449.

~~((7))~~ (9) When a magazine is moved, altered or destroyed, the responsible person shall notify the department stating the magazine license number. When a magazine is altered, the alterations made shall be stated.

The moving of a magazine on a job site within a reasonable distance from its original location stated on the application is permitted without notifying the department; provided, that the new location complies with the Explosives Act and Explosives Code, and that the magazine can be quickly located for an inspection.

(10) Licenses will be issued pursuant to the procedures identified in WAC 296-52-445. The license fees are published in WAC 296-52-449.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-445 ~~((ANNUAL))~~ LICENSES AND INSPECTIONS. RCW 70.74.150, applies.

~~((The department of labor and industries shall make, or cause to be made, at least one inspection during every year, of each licensed explosives plant or magazine.))~~ (1) Upon receipt of a completed application for license, the department will schedule the necessary inspection or examination at the earliest available and mutually agreeable date.

(2) Explosives manufacturing plants and all Class 2, 3, 4, or 5 magazines shall be inspected before being placed in operation or service and at annual intervals



thereafter. New licenses or renewal licenses shall be issued for a period not to exceed one year. Class 1 magazines may be inspected and licensed for a period not to exceed two years.

(3) Each explosives license shall identify the operating limits for that license.

(4) Each license shall be valid until the specified expiration date or until suspended or revoked by the department.

(5) Any change in the conditions around a manufacturing plant or magazine shall be promptly identified to the department if such change could influence compliance with all requirements of this chapter. Such change(s) could include but are not limited to examples such as: Construction of occupied buildings, public utilities transmission systems, roads or railroads nearer said manufacturing plant or magazine.

**AMENDATORY SECTION** (Amending Order 86-24, filed 5/6/86)

**WAC 296-52-449 STORAGE MAGAZINE LICENSE FEES.** RCW 70.74.140, applies.

The annual license fee for operating each magazine has been established by the department and shall be as shown in the following table:

Maximum weight (pounds) of explosives permitted in each magazine	Maximum number of blasting caps permitted in each magazine	Annual fee (dollars) for each magazine
(200	133,000	5.00
600	400,000	10.00
1,000	667,000	15.00
2,000	1,330,000	20.00
4,000	2,670,000	25.00
6,000	4,000,000	30.00
8,000	5,230,000	35.00
10,000	6,670,000	40.00
20,000	13,330,000	45.00
Max. 300,000	Max. 20,000,000	50.00))
200	133,000	10.00
1,000	667,000	25.00
5,000	3,335,000	35.00
10,000	6,670,000	45.00
50,000	33,350,000	60.00
Max. 300,000	Max. 200,000,000	75.00

Any permanent magazine licensed for two years shall pay twice the license fee shown.

**PART D—EXPLOSIVES STORAGE**

**NEW SECTION**

**WAC 296-52-487 LOW EXPLOSIVES.** Magazines which are restricted to the storage of only Class C (low explosives) as defined in this chapter, or classified as low explosives by the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, may be located in accordance with Table H-24.

TABLE H-24

Table of distances for storage of low explosives

Pounds	From			
	From inhabited building distance (feet)	public railroad and highway distance (feet)	From above ground magazine (feet)	
Over	Not over			
0	1,000	75	75	50
1,000	5,000	115	115	75
5,000	10,000	150	150	100
10,000	20,000	190	190	125
20,000	30,000	215	215	145
30,000	40,000	235	235	155
40,000	50,000	250	250	165
50,000	60,000	260	260	175
60,000	70,000	270	270	185
70,000	80,000	280	280	190
80,000	90,000	295	295	195
90,000	100,000	300	300	200
100,000	200,000	375	375	250
200,000	300,000	450	450	300

**AMENDATORY SECTION** (Amending Order 86-24, filed 5/6/86)

**WAC 296-52-489 TRANSPORTATION.** (1) The transportation of explosives by vehicle on public highways shall be administered by the United States Department of Transportation, CFR 49-1978, Parts 100 through 199, and the Washington state patrol under RCW 46.48.170. The following sections cover the transportation of explosives on the job site.

(a) No employee shall be allowed to smoke, carry matches or any other flame-producing device, or carry any firearms or loaded cartridges while in or near a motor vehicle transporting explosives; or drive, load, or unload such vehicle in a careless or reckless manner.

(b) Explosives shall not be carried on any vehicle while vehicle is being used to transport workers other than driver and two persons.

(c) Explosives shall be transferred from the disabled vehicle to another, only when proper and qualified supervision is provided.

(2) Transportation vehicles. Vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and be in good mechanical condition. If vehicles do not have a closed body, the body shall be covered with a flameproof and moisture-proof tarpaulin or other effective protection against moisture and sparks. All vehicles used for the transportation of explosives shall have tight floors and any exposed spark-producing metal on the inside of the body shall be covered with wood or other nonsparking materials to prevent

contact with packages of explosives. Packages of explosives shall not be loaded above the sides of an open-body vehicle.

(3) Vehicles shall be placarded and displayed as specified by the United States Department of Transportation, CFR 49-1981, Parts 100 through 199.

(4)(a) Each motor vehicle used for transporting explosives shall be equipped with a minimum of two extinguishers, each having a rating of at least 10-BC.

(i) Only extinguishers listed or approved by (~~Underwriters Laboratories, Inc., or the Factor Mutual Engineering Corp.~~) a nationally recognized testing laboratory shall be deemed suitable for use on explosives-carrying vehicles. Refer to WAC 296-24-58501(19) for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

(ii) Extinguishers shall be filled and ready for immediate use and readily available. Extinguishers shall be examined periodically by a competent person.

(b) A motor vehicle used for transporting explosives shall be given the following inspection to determine that it is in proper condition for safe transportation of explosives:

(i) Fire extinguishers shall be filled and in working order.

(ii) All electrical wiring shall be completely protected and securely fastened to prevent short-circuiting.

(iii) Chassis, motor, pan, and underside of body shall be reasonably clean and free of excess oil and grease.

(iv) Fuel tank and feedline shall be secure and have no leaks.

(v) Brakes, lights, horn, windshield wipers, and steering apparatus shall function properly.

(vi) Tires shall be checked for proper inflation and defects.

(vii) The vehicle shall be in proper condition in every other respect and acceptable for handling explosives.

(5) Operation of transportation vehicles.

(a) Vehicles transporting explosives shall only be driven by and be in the charge of a licensed driver who is not less than twenty-one years of age, physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs. This rule does not apply to persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others. They shall be familiar with the traffic regulations, state laws, and the provisions of this section.

(b) Except under emergency conditions, no vehicle transporting explosives shall be parked before reaching its destination, even though attended.

(c) Every motor vehicle transporting any quantity of Class A or Class B explosives shall, at all times, be attended by a driver or other attendant of the motor carrier. This attendant shall have been made aware of the class of the explosive material in the vehicle and of its inherent dangers, and shall have been instructed in the measures and procedures to be followed in order to protect the public from those dangers. He shall have been made familiar with the vehicle he is assigned, and shall

be trained, supplied with the necessary means, and authorized to move the vehicle when required.

(i) For the purpose of this subdivision, a motor vehicle shall be deemed "attended" only when the driver or other attendant is physically on or in the vehicle, or has the vehicle within his field of vision and can reach it quickly and without any kind of interference; "attended" also means that the driver or attendant is awake, alert, and not engaged in other duties or activities which may divert his attention from the vehicle.

(ii) However, an explosive-laden vehicle may be left unattended if parked within a securely fenced or walled area properly barricaded with all gates or entrances locked where parking of such vehicle is otherwise permissible, or at a magazine site established solely for the purpose of storing explosives.

(d) No spark-producing metal, spark-producing tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing materials, or corrosive compounds shall be carried in the body of any motor truck and/or vehicle transporting explosives, unless the loading of such dangerous articles and the explosives comply with U.S. Department of Transportation regulations.

(e) Vehicles transporting explosives shall avoid congested areas and heavy traffic.

(f) Delivery shall only be made to authorized persons and into authorized magazines of authorized temporary storage or handling area.

(6) Transporting of explosives and blasting caps or electric blasting caps in the same vehicle. Blasting caps, blasting caps with safety fuse, blasting caps with metal clad mild detonating fuse and/or electric blasting caps may be transported in the same vehicle with other explosives, provided the following condition is complied with:

The top, lid or door, sides and bottom of each container must be of laminate construction consisting of A/C grade or better exterior plywood, solid hardwood, asbestos board or sheetrock and sheet metal. In order of arrangement, from inside to outside, the laminate must consist of the following with the minimum thickness of each lamination as indicated: 1/4-inch plywood, 1-inch solid hardwood, 1/2-inch plywood, 1/2-inch sheetrock or 1/4-inch asbestos board, and 22-gauge sheet metal constructed inside to outside in that order.

(7) When primers are made up at a central primer house for use in high speed tunneling, the following shall apply:

(a) Only enough primers shall be made up for one day's usage.

(b) The primers shall be placed in separate containers or bins, categorized by degree of delay in such a manner so as to prevent them from physical impact.

(c) Explosives carried in the same magazine shall be separated by 1/4-inch steel, covered on each side by four inches of hardwood planking, or equivalent.

(d) Only a state approved powder car or vehicle shall be used underground.

(e) The number of primers for one round will be removed from the state approved car or vehicle at the face or heading after the drilling has been completed and the

holes readied for loading. After loading the charge, the powder car or vehicle will be withdrawn from the tunnel.

(f) Wires on electric caps shall be kept shunted until wired to the bus wires.

(g) The powder car or vehicle shall be inspected daily for lights, brakes and external damage to electrical circuitry. The electrical system shall be checked weekly to detect any failures that may constitute an electrical hazard and a written record of such inspection shall be kept on file for the duration of the job.

(8) When explosives are carried to the blasting site from the main storage magazines by the blaster or helper:

(a) Special insulated containers shall be used for this purpose, either boxes or bags, one container for explosives and one for detonators.

(b) Detonators or explosives shall never be carried in pockets of clothing.

#### AMENDATORY SECTION (Amending Order 76-7, filed 3/1/76)

##### WAC 296-54-45001 PULPWOOD LOGGING.

###### (1) Application.

(a) General. This section applies to pulpwood logging operations including, but not limited to the operations of felling, limbing, marking, bucking, loading, skidding, prehauling and other operations associated with the preparation and movement of pulpwood timber from the stump to the point of delivery. The provisions of this section do not apply to logging operations relating to sawlogs, veneer bolts, poles, piling and other forest products.

(b) Standards incorporated by reference. Standards covering issues of occupational safety and health which are of general application without regard to any specific industry are incorporated by reference in subsections of this section and made applicable to pulpwood logging.

###### (2) Definitions applicable to this section.

(a) "Arch" means an extension to rear section of a vehicle used in skidding used to raise the forward part of a load clear of the ground.

(b) "Back cut" means the final cut in a felling operation made on the opposite side from the undercut.

(c) "Backfill" means excavated material used to build up a road higher than the original level.

(d) "Ballistic nylon" means a fabric of high tensile properties designed to provide protection from lacerations.

(e) "Borrow" means road construction material which is taken to another location for use. The source area is called "borrow pit."

(f) "Buck" means the process of severing a tree into sections (logs or bolts).

(g) "Choker" means a length of wire rope or chain with a loop or noose at one end used to secure trees or sections of trees for skidding.

(h) "Debark" means the action of removing bark from trees or sections of trees. Debark generally denotes mechanical means as opposed to manual peeling. Synonyms are "bark" and "barking."

(i) "Fairlead" means an arrangement of horizontal, and sometimes vertical, rollers usually mounted at the

end of an arch to allow free play of wire rope during winching.

(j) "Fell" means the process of severing a tree from the stump so that it drops to the ground. Note that "fell" and "feller" are used in this standard. The terms "fall" and "faller" are commonly used in the Western United States and they have the same meaning as "fell" and "feller."

(k) "Grade" means the slope of a surface such as a roadway. Also, the elevation of a real or planned surface or structure. (See slope.)

(l) "Guarded" means protected by a cover, shield, rail, or other device, or by location, so as to reduce the probability of injury.

(m) "Guyline" means a line used to stay or support spar trees, booms, etc.

(n) "Landing" means any area where wood is concentrated. It is also called "yard," "deck," "brow."

(o) "Lodged tree" means a tree that has not fallen to the ground after being partly or wholly separated from its stump or otherwise displaced from its natural position.

(p) "Pickaroon" means a device with a head similar to an axe but with a point rather than a blade mounted on the end of a handle which is used to assist in the lifting and placement of bolts of wood.

(q) "Prehaul" means the hauling of forest products by off-the-road vehicles, nonhighway transport, or other movement prior to highway or rail movement, where the pulpwood travels clear of the ground. The term "forward" has the same meaning.

(r) "Pulpwood" means portions of a tree cut into short (normally 4 ft.) lengths to facilitate hand handling. It is intended to be used in the making of pulp rather than any lumber or veneer type finished product.

(s) "Riprap" means rock, metal stripping, or wooden timbers used to contain and stabilize earth embankments and fills.

(t) "Root wad" means the ball of roots which extends above ground level when a tree is pushed over by wind or other means.

###### (3) Additional definitions.

(a) "Skid" means the movement of bolts, logs, or trees by pulling or towing across the terrain. It may be accomplished by a stationary machine, a moving vehicle, or animal. The term is also called "yarding." The definitive feature is contact between the terrain and the product during movement.

(b) "Slope" is a term of measurement in percent and means the increase in height over the distance measured. An increase of 1 foot over a distance of 5 feet is expressed as a 20 percent slope (see grade).

(c) "Snag" means any dead standing tree or portion thereof remaining standing.

(d) "Spring pole" means a section of tree, sapling, limb, etc., which is, by virtue of its arrangement with relation to other material, under tension.

(e) "Undercut" means a notch cut in a tree to guide the tree in felling.

(f) "Widow maker" means an overhanging limb or section of tree which could become dislodged and drop to the ground (see also "lodged tree").

(g) "Wood hook" and "pulp hook" mean a device to be held in one hand which is fitted with a pointed section. The device is used to assist in the manual piling and handling of bolts of wood (see Pickaroon).

(4) General requirements.

(a) Clothing, personal protective devices, and first aid.

(i) Gloves shall be provided for use when working with wire rope in any form.

(ii) The employer shall ensure that employees exposed to the danger of foot injury due to falling or rolling pulpwood shall wear foot protection which equals or exceeds the crushing and impact specifications of ANSI Z41.1-1967.

(iii) Safety helmets of approved design in accordance with American National Standard for Safety Requirements for Industrial Head Protection, Z89.1-1969 shall be provided and worn.

(iv) Eye or face protection in accordance with American National Standard for Practice for Occupational and Educational Eye and Face Protection, Z87.1-1968 shall be provided and used where chips and sawdust or flying particles are present.

(v) Dust masks in accordance with American National Standard Practices for Respiratory Protection, Z88.2-1969 shall be provided and used where exposure exceeds the limits specified in the general occupational health standards, chapter 296-62 WAC.

(vi) Protection against the effects of noise exposure shall be provided and used when the sound levels exceed those shown in WAC 296-62-09011, Table 7, of the general occupational health standards, when measured on the A scale of a standard sound level meter at slow response.

(vii) First-aid kits in compliance with the requirements of the general safety and health standards, WAC 296-24-065, shall be provided at the work site and on all transport vehicles. In all areas where poisonous snakes may exist, snake bite kits shall be a part of the regular first-aid equipment. First-aid kits shall be regularly inspected and replenished.

(b) Handtools.

(i) The employer shall be responsible for the condition of tools when furnished by him and the user shall inspect any tool prior to using it to determine that it is in proper operating condition. Defective tools shall be removed from service.

(ii) Handles shall be sound, straight and tight fitting.

(iii) Driven tools shall be dressed to remove any mushrooming.

(iv) Cutting tools shall be kept sharp and properly shaped.

(v) Wood hooks and pickaroons of good grade steel shall be used.

(vi) Tools shall be used for purposes for which they were designed.

(vii) Hand tools shall be sheathed or boxed if transported in a vehicle with personnel. If not contained in a box, the sheathed tools shall be fastened to the vehicle.

(viii) Proper storage facilities shall be provided for hand tools. Tools shall be stored in the provided location at all times when not in use.

(c) Environmental conditions.

(i) All work shall terminate and employees moved to a place of safety during electrical storms and periods of high winds or when other unusual weather conditions are dangerous to personnel.

(ii) Dead, broken, or rotted limbs or trees that are a hazard (widow makers) shall be felled or otherwise removed before commencing logging operations, building roads, trails or landing, in their vicinity.

(d) Work areas.

(i) All persons shall be instructed to work within the vocal range of other workers unless a procedure has been established for periodically checking their location and welfare.

(ii) All persons shall be accounted for at the end of each work day.

(iii) An approved (~~((Underwriters' Laboratories or Factory Mutual Engineering Corp.))~~) fire extinguisher shall be provided at locations where machines are operating and/or on each vehicle. Refer to WAC 296-24-58501(19) for definition of approved.

(iv) Fuel shall be stored only in approved (~~((Underwriters' Laboratories or Factory Mutual Engineering Corp.))~~) well-marked containers located for safe access for fueling vehicles and equipment and at a safe distance from all fire hazards. Refer to WAC 296-24-58501(19) for definition of approved. The provisions of the general safety and health standards, WAC 296-24-330 through 296-24-33019, shall be applied in the storage and use of flammable fuel.

(e) Chain saw operations.

(i) Chain saw operators shall be instructed to inspect saws daily to assure that all handles and guards are in place and tight, that all controls function properly and that the muffler is operative. Defective equipment shall not be used.

(ii) Chain saw operators shall be instructed to follow manufacturer's instructions as to operation and adjustment.

(iii) Chain saw operators shall be instructed to fuel the saw only in safe areas and not under conditions conducive to fire such as near persons smoking, hot engine, etc.

(iv) Chain saw operators shall be instructed to hold the saw with both hands during operation.

(v) Chain saw operators shall be instructed to start the saw at least 10 feet away from fueling area.

(vi) Chain saw operators shall be instructed to start the saw only on the ground or when otherwise firmly supported.

(vii) Chain saw operators shall be instructed to be certain of footing and to clear away brush which might interfere before starting to cut.

(viii) Chain saw operators shall be instructed not to use engine fuel for starting fires or as a cleaning solvent.

(ix) Chain saw operators shall be instructed to shut off the saw when carrying it for a distance greater than from tree to tree or in hazardous conditions such as slippery surfaces or heavy underbrush. If the operator is carrying a running saw, the saw shall be at idle speed.

(x) Chain saw operators shall be instructed to carry the saw in a manner to prevent contact with the chain and muffler.

(xi) Chain saw operators shall be instructed not to use the saw to cut directly overhead or at a distance that would require the operator to relinquish a safe grip on the saw.

(xii) Supervision shall be adequately maintained to assure that the instructions required by this chapter are followed.

(f) Stationary and mobile equipment operation.

(i) Equipment operators shall be instructed as to the manufacturers' recommendations for equipment operation, maintenance, safe practices, and site operating procedures.

(ii) Equipment shall be kept free of flammable material.

(iii) Equipment shall be kept free of any material which might contribute to slipping and falling.

(iv) Engine of equipment shall be shut down during fueling, servicing, and repairs except where operation is required for adjustment.

(v) The operator shall inspect the equipment he will be operating at the start of each shift for evidence of failure or incipient failure. Equipment found to have defects which might affect the operating safety shall not be used.

(vi) The equipment operator shall walk completely around machine and assure that no obstacles or personnel are in the area before startup.

(vii) The equipment operator shall start and operate equipment only from the operator's station or from safe area recommended by the manufacturer.

(viii) A seat belt shall be provided on mobile equipment.

(ix) The equipment operator shall check all controls for proper function and response before starting working cycle.

(x) The equipment operator shall ground or secure all movable elements when not in use.

(xi) The foreman shall advise the equipment operator of the load capacity, operating speed and stability limitations of the equipment.

(xii) The equipment operator shall maintain adequate distance from other equipment and personnel.

(xiii) Where signalmen are used, the equipment operator shall operate the equipment only on signal from the designated signalman and only when signal is distinct and clearly understood.

(xiv) The equipment operator shall not operate movable elements (boom, grapple, load, etc.) close to or over personnel.

(xv) The equipment operator shall signal his intention before operation when personnel are in or near the working area.

(xvi) The equipment operator shall dismount and stand clear for all loading and unloading of his mobile vehicle by other mobile equipment. The dismounted operator shall be visible to loader operator.

(xvii) The equipment operator shall operate equipment in a manner that will not place undue shock loads on wire rope.

(xviii) The equipment operator shall not permit riders or observers on the machine unless approved seating and protection is provided.

(xix) The equipment operator shall shut down the engine when the equipment is stopped, apply brake locks and ground moving elements before he dismounts.

(xx) The equipment operator shall when any equipment is transported from one job location to another, transport it on a vehicle of sufficient rated capacity and the equipment shall be properly secured during transit.

(xxi) When any equipment is being moved or operated in the vicinity of an electric distribution line a minimum clearance of ten feet shall be maintained between the electric distribution line and all elements of the machine.

(g) Explosives. Only trained and experienced personnel shall handle or use explosives. Usage shall comply with the requirements of chapter 296-52 WAC and chapter 70.74 RCW.

(5) Equipment protective devices—Stationary and mobile equipment.

(a) Operator's manual. There shall be an operator's manual or operating instructions with each machine. It will describe operation, maintenance, and safe practices.

(b) On all mobile equipment specified in WAC 296-54-216, rollover protective structures (ROPS) shall be installed and maintained in accordance with the provisions of that section. On equipment requiring ROPS, the provisions of WAC 296-54-210, 296-54-215, 296-54-217 and 296-54-218 shall also apply.

(c) Equipment on which ROPS are not required shall be equipped with the following operator protective devices:

(i) Protective canopy. A protective canopy shall be provided for the operator of mobile equipment. It shall be so constructed as to protect the operator from injury due to falling trees or limbs, saplings or branches which might enter the compartment side areas, and snapping winch lines or other objects.

(A) The canopy shall be of adequate size so as not to impair the operator's movements.

(B) The canopy framework shall consist of at least two arches, either transverse or longitudinal. If transverse, one arch shall be installed behind the operator and one immediately in front of the operator. They shall be joined at the top by at least two longitudinal braces. There shall be two braces which shall act as deflecting guards extending from the leading edge of the forward arch to the front part of the frame of the tractor. If longitudinal arches are used, they shall be extended from behind the operator to the front part of the frame and each arch shall have an intermediate support located immediately ahead of the operator so that ingress or egress is not impeded. Regardless of the type of construction used, the fabrication and method of connecting to the tractor shall be of such design as to develop a strength equivalent to the upright members.

(C) The overhead covering shall be solid material and extend the full width of the canopy.

(D) The lower portion of cab shall be completely enclosed with solid material, except at entrances, to prevent the operator from being injured from obstacles entering the cab.

(E) The upper rear portion of cab shall be fully enclosed with open mesh material with openings of such a size as to reject the entrance of an object larger than

1 3/4 inch in diameter. It shall provide maximum rearward visibility.

(F) Open mesh shall be extended forward as far as possible from the rear corners of the cab sides so as to give the maximum protection against obstacles, branches, etc., entering the cab area.

(G) Deflectors shall also be installed ahead of the operator to deflect whipping saplings and branches. These shall be located so as to not impede ingress or egress from the compartment.

(H) The entrance opening of the canopy shall be not less than 52 inches in vertical height.

(I) Where glass is used it shall be safety glass. An approved substitute may be used.

(aa) An additional metal screen shall be used where glass alone is not adequate operator protection.

(bb) Provision shall be made to clean glass to assure adequate visibility.

(ii) Guards. Guards shall be provided for exposed moving elements such as shafts, pulleys, belts, conveyors and gears in accordance with WAC 296-24-205 through 296-24-20527 and American National Standard Safety Code for Conveyors, Cableways, and Related Equipment, B20.1-1957. Guards shall be in place at all times machine is in operation.

(iii) Mufflers. Mufflers provided by the manufacturer or their equivalent shall be in place at all times the machine is in operation.

(iv) Guylines. Guylines shall be arranged in such manner that stresses will be imposed on not less than two guylines. Stumps used for anchoring guylines shall be carefully chosen as to position and strength. They shall be tied back if necessary. Standing trees shall not be used for this purpose.

(v) Stability and reliability. Crane and loader stability and boom reliability shall be in accordance with American National Standard Safety Code for Cranes, Derricks and Hoists Overhead and Gantry Cranes, B30.2.0-1967, and American National Standard Safety Code for Cranes, Derricks and Hoists—Crawler, Locomotive, and Truck Cranes, B30.5-1968.

(6) Pulpwood harvesting.

(a) Felling, general.

(i) Work areas shall be assigned such that a tree cannot fall into an adjacent work area. The recommended distance between workers is twice the height of trees being felled.

(ii) When trees may fall into public roads a flagman shall be assigned to direct traffic.

(iii) Workers shall not approach a feller closer than twice the height of trees being felled until the feller has acknowledged the signal of approach.

(iv) Lodged trees shall be pulled to the ground at first opportunity with mechanical equipment or animal.

(v) Workers shall not work under a lodged tree.

(vi) Special precautions shall be taken to prevent felling trees into powerlines.

(vii) If a tree does make contact with a powerline the power company shall be notified immediately and all personnel shall remain clear of the area until power company personnel advises that conditions are safe.

(b) Manual felling.

(i) The feller shall plan a retreat path and clear the path as necessary before cut is started.

(ii) The feller shall appraise situation for dead limbs, the lean of tree to be cut, wind conditions, location of other trees and other hazards and exercise proper precautions before cut is started.

(iii) Undercuts shall be about one-third the diameter of the tree to guide tree and reduce possibility of splitting. (Local practice where small diameter trees are felled without being undercut is acceptable if the direction of fall is controlled by the practice.)

(iv) Back or felling cut shall be parallel to the inner edge of the undercut and approximately two inches higher than the undercut.

(v) The saw shall be shut off before feller starts his retreat.

(vi) On terrain where trees are likely to slide or roll fellers shall fell trees from the uphill side and arrange to keep uphill from previously felled trees.

(c) Bucking.

(i) Bucking on slopes shall be from the uphill side unless the log has been securely blocked to prevent rolling or swinging.

(ii) Spring poles and trees under stress shall be cut so that employee is clear when the tension is released. (This is accomplished by cutting under the bend.)

(iii) Trees piled for bucking shall be piled in an orderly parallel manner that minimizes hazard to employees.

(d) Limbing. Spring poles and limbs under stress shall be cut in such a manner that the employee is clear when tension is released.

(e) Mechanical debarking and delimiting. Guarding shall be provided so as to protect employees from flying chunks, logs, chips, bark, limbs, and other material and to prevent the worker from contacting moving parts.

(f) Skidding and prehauling, general.

(i) Only a designated, trained operator shall operate a skid or prehaul machine.

(ii) Choker setters shall work on uphill side of log.

(iii) No passenger personnel shall ride on a prehaul vehicle, logs, pallets, skid pans or other load unless adequate seating and protection is provided except on animal powered wagons.

(iv) Chokers shall be positioned near the end of the log or tree length to allow turning of the prehaul vehicle, to prevent the penetration of the operator station and to reduce possibility of striking the wheel or track.

(v) During winching, the equipment shall be positioned so that the winch line is in alignment with the long axis of the prehaul machine.

(vi) A stuck or inoperative vehicle shall be towed. A loaded pallet shall not be pushed.

(vii) Stakes shall not be added to permit a load beyond the rated capacity of pallets and trailers.

(viii) The operator shall be instructed to be observant and cautious of height of load and vehicle when traveling under trees, limbs, and other overhead obstructions.

(g) Skidding and prehauling equipment requirements.

(i) Arches, fairleads, drawbars, hitches and bumpers or fenders shall be designed and constructed to allow a

minimum radius vehicle turn without the load contacting a rear tire or the rear of a track assembly.

(ii) Towed equipment such as skid pans, pallets and trailers shall be attached in such a manner as to allow a full 90° turn, prevent overrunning of the towed vehicle, and assure control of the towed equipment.

(iii) Animal towed equipment shall be equipped with a hand brake within reach of the driver.

(iv) Prehaulers shall have a means for securely retaining pallets or pulpwood.

(v) Prehaulers shall have a means of securely retaining loader for transport when so equipped.

(vi) Provision shall be made to securely fasten and to protect all tools and material on the carrier.

(h) Personnel transport.

(i) The driver shall be licensed as required by the Washington state department of motor vehicles.

(ii) Explosives or flammable liquids shall not be transported on crew vehicles except as specifically provided for in WAC 296-54-160.

(iii) Seats shall be securely fastened.

(i) Off highway truck transport. Truck drivers shall be instructed to stop their vehicles, dismount, check and tighten loose load binders, either just before or immediately after leaving a private road to enter a public road.

(j) Manual loading.

(i) The carrier shall be positioned to provide a safe working clearance between carrier and pile.

(ii) Proper lifting techniques shall be used, i.e., straight back and bend knees.

(iii) The stick shall be placed in the carrier in such manner that it is or will be properly secured.

(iv) Manual handling shall be limited to a weight consistent with correct lifting practices and individual lifting capacity.

(k) Machine loading.

(i) Piles shall be located to provide a safe work area.

(ii) Only the machine operator and slingman where used, shall be in the work area.

(iii) The load shall be positioned for balance and to prevent slippage or loss. Slings shall be placed to secure and balance the load.

(l) Storage. Piles shall be located and constructed in a manner to provide safe working area around them.

(m) Banding and piling bundles.

(i) Steel bands used in the making of bundles shall have a 5 to 1 safety factor for the weight of the bundles and shall be free of any visible defect which might detract from their designed strength.

(ii) Bands shall be placed when bundle is close to ground.

(iii) No part of the body shall be under the bundle at any time. Bundles shall be placed on runners. Bundles may be double stacked with top end bundle one half or more back from the lower rank end bundle.

(n) Chipping (in-woods locations).

(i) Access covers or doors shall not be opened until the drum or disk is at a complete stop.

(ii) Infeed and discharge ports shall be designed to prevent contact by personnel with disc, knives, or blower blades.

(o) Roads and trails, general.

(i) Roads shall be maintained and hazardous conditions corrected.

(ii) Where vision is limited warnings shall be posted.

(iii) Curve radii shall be the maximum consistent with terrain.

(iv) When night work is necessary, lighting shall be provided in accordance with WAC 296-54-280.

(v) Local road standards and maximum weight of traffic expected shall be used as guides for materials, construction features and drainage.

(p) Road and trail pioneering and earthwork.

(i) Banks at the borrow area shall be sloped to prevent slides.

(ii) Backfill shall be firmly compacted.

(iii) Roadside banks shall be sloped or stabilized to prevent slides.

(iv) Overhanging banks, large rocks and debris shall be removed or secured.

(v) Where riprap is used the material and design shall assure containment of material.

(vi) Trees or snags which may fall into the road shall be felled.

(q) Road and trail drainage.

(i) Drainage shall be provided to prevent washouts and landslides.

(ii) Culverts shall be of adequate strength and of a size to handle maximum runoff.

(iii) Where necessary, ditches and banks shall be stabilized by vegetation, riprap, or other adequate means.

(r) Road and trail surfacing. Road surface shall be properly compacted, graded and crowned.

(s) Bridges.

(i) Bridges shall be constructed in accordance with the provisions of WAC 296-54-150.

(ii) Bridges shall be decked and curbed.

#### AMENDATORY SECTION (Amending Order 79-14, filed 9/21/79)

WAC 296-54-501 SCOPE AND APPLICATION. The requirements of this chapter augment those requirements of the general safety standards promulgated by the department of labor and industries, division of industrial safety and health, applicable to this industry, and apply to all persons, firms, corporations or others engaged in logging operations that come within the jurisdiction of the department of labor and industries. The requirements herein contained do not apply to log handling at sawmills, plywood mills, pulp mills or other manufacturing operations governed by their own specific safety standards.

The safety requirements herein contained are not to be construed to imply that other safe work practices, procedures or methods should not be employed where such methods, means or practices may be required to prevent accidents. Both employers and employees have a duty to do whatever is reasonable and practical to avoid causing accidents. These requirements are minimum safety requirements and shall augment other safety standards developed by the department which are of a general nature and apply to all industrial operations such as those contained in the general safety standards, chapter 296-24 WAC; occupational health standards,

chapter 296-62 WAC; and precautionary labeling of containers of hazardous materials, chapter 296-64 WAC, or others which may be applicable. Regulations adopted by the department concerning certain types of equipment or conditions, such as metal and nonmetallic mines, quarries, pits and crushing operations, chapter 296-61 WAC, and possession, handling and use of explosives, chapter 296-52 WAC shall be complied with when applicable.

Some of the factors involving safe practices are use of good judgment, and the avoidance of taking chances. Accidents can be avoided in many instances by everyone conscientiously applying their knowledge of safety.

Copies of all society of automotive engineers reports (SAE) referred to in these standards are on file in all district offices of the division of industrial safety and health of the department of labor and industries, and may be reviewed by any interested person. Individuals desiring to obtain copies of such material shall arrange to do so directly from the publishers or from other sources. The division of industrial safety and health will not assume the responsibility of acquiring such material for uses other than its own needs.

Note: Safety standards for pulpwood logging are contained in a separate edition titled "Safety standards for pulpwood logging," WAC ((296-54-450)) 296-54-45001.

#### AMENDATORY SECTION (Amending Order 81-3, filed 2/10/81)

WAC 296-54-559 YARDING—HELICOPTERS AND HELICOPTER CRANES. (1) Helicopters and helicopter cranes shall comply with any applicable regulations of the Federal Aviation Administration.

(2) Prior to each day's operation, a briefing shall be conducted. This briefing shall set forth the plan of operation for the pilot and ground personnel.

(3) A take-off path from the log pickup point shall be established, and shall be made known to all workers in that area before the first turn of logs is moved.

(4) The helicopter flight path to and from the drop zone shall be designated and no equipment or personnel (other than flight personnel necessary to assist landing and take-off) will occupy these areas during helicopter arrival or departure.

(5) The approach to the landing shall be clear and long enough to prevent tree tops from being pulled into the landing.

(6) The helicopter shall not pass over an area in which cutters are working at a height which would cause the rotor wash to inhibit a cutter's ability to safely control a tree or dislodge limbs.

(7) Drop zones shall be twice the nominal length of logs to be landed.

(8) The drop zone shall be no less than one hundred twenty-five feet from the loading or decking area.

(9) Separate areas shall be designated for landing logs and fueling the helicopter(s).

(10) The yarding helicopter shall be equipped with a siren to warn workers of any hazardous situation.

(11) Workers shall remain in the clear as chokers are being delivered, and under no circumstances will workers

move under the helicopter that is delivering the chokers or take hold of the chokers before they have been released by the helicopter.

(12) Log pickup shall be arranged in a manner that the hook up crew will not work on slopes below felled and bucked timber.

(13) If the load must be lightened, the hook shall be placed on the ground on the uphill side of the turn before the hooker approaches to release the excess logs.

(14) Landing crew shall be in the clear before logs are dropped.

(15) One end of all the logs in the turn shall be touching the ground and lowered to an angle of not more than 45° from the horizontal before the chokers are released.

(16) Logs shall be laid on the ground and the helicopter will be completely free of the choker(s) before workers approach the logs.

(17) If the load will not release from the hook, the load and the hook shall be on the ground before workers approach to release the hook manually.

(18) Loads shall be properly slung. Tag lines shall be of a length that will not permit their being drawn up into rotors. Pressed sleeve, ((swedged)) swaged eyes, or equivalent means shall be used for all freely suspended loads to prevent hand splices from spinning open or cable clamps from loosening.

(19) All electrically operated cargo hooks shall have the electrical activating device so designed and installed as to prevent inadvertent operation. In addition, these cargo hooks shall be equipped with an emergency mechanical control for releasing the load. The hooks shall be tested prior to each day's operation to determine that the release functions properly, both electrically and mechanically.

(20)(a) Personal protective equipment for employees receiving the load shall consist of complete eye protection and hard hats secured by chinstraps, and high visibility vests or outer garments.

(b) Loose-fitting clothing likely to flap in the downwash, and thus be snagged on hoist line, shall not be worn.

(21) Every practical precaution shall be taken to provide for the protection of employees from flying objects in the rotor downwash. All loose gear within one hundred feet of the place of lifting of the load, depositing the load, and all other areas susceptible to rotor downwash shall be secured or removed.

(22) Good housekeeping shall be maintained in all helicopter loading and unloading areas.

(23) The helicopter operator shall be responsible for size, weight, and manner in which loads are connected to the helicopter. If, for any reason, the helicopter operator believes the lift cannot be made safely, the lift shall not be made.

(24) Employees shall not perform work under hovering craft except for that limited period of time necessary to guide, secure, hook and unhook loads. Regardless of whether the hooking or unhooking of a load takes place on the ground or other location in an elevated work position in structural members, a safe means of access and egress, to include an unprogrammed emergency escape



route or routes, shall be provided for the employees hooking or unhooking loads.

(25) Static charge on the suspended load shall be dissipated with a grounding device before ground personnel touch the suspended load, or protective rubber gloves shall be worn by all ground personnel touching the suspended load.

(26) The weight of an external load shall not exceed the manufacturer's rating.

(27) Hoist wires or other gear, except for pulling lines or conductors that are allowed to "pay out" from a container or roll off a reel, shall not be attached to any fixed ground structure, or allowed to foul on any fixed structure.

(28) When visibility is reduced by dust or other conditions, ground personnel shall exercise special caution to keep clear of main and stabilizing rotors. Precautions shall also be taken by the employer to eliminate as far as practical reduced visibility.

(29) Signal systems between aircrew and ground personnel shall be understood and checked in advance of hoisting the load. This applies to either radio or hand signal systems. Hand signals shall be as shown in Figure 6.

(30) No unauthorized person shall be allowed to approach within fifty feet of the helicopter when the rotor blades are turning.

(31) Whenever approaching or leaving a helicopter with blades rotating, all employees shall remain in full view of the pilot and keep in a crouched position. Employees shall avoid the area from the cockpit or cabin rearward unless authorized by the helicopter operator to work there.

(32) Sufficient ground personnel shall be provided, when required, for safe helicopter loading and unloading operations.

(33) There shall be constant reliable communication between the pilot, and a designated employee of the ground crew who acts as a signalperson during the period of loading and unloading. This signalperson shall be distinctly recognizable from other ground personnel.

(34) Open fires shall not be permitted in an area that could result in such fires being spread by the rotor downwash.

(35) Under no circumstances shall the refueling of any type helicopter with either aviation gasoline or Jet B (Turbine) type fuel be permitted while the engines are running.

(36) Helicopters using Jet A (Turbine-Kerosene) type fuel may be refueled with engines running provided the following criteria is met:

(a) No unauthorized persons shall be allowed within fifty feet of the refueling operation or fueling equipment.

(b) A minimum of one thirty-pound fire extinguisher, or a combination of same, good for class A, B and C fires, shall be provided within one hundred feet on the upwind side of the refueling operation.

(c) All fueling personnel shall be thoroughly trained in the refueling operation and in the use of the available fire extinguishing equipment they may be expected to utilize.

(d) There shall be no smoking, open flames, exposed flame heaters, flare pots or open flame lights within fifty feet of the refueling area or fueling equipment. All entrances to the refueling area shall be posted with "NO SMOKING" signs.

(e) Due to the numerous causes of static electricity, it shall be considered present at all times. Prior to starting refueling operations, the fueling equipment and the helicopter shall be grounded and the fueling nozzle shall be electrically bonded to the helicopter. The use of conductive hose shall not be accepted to accomplish this bonding. All grounding and bonding connections shall be electrically and mechanically firm, to clean unpainted metal parts.

(f) To control spills, fuel shall be pumped either by hand or power. Pouring or gravity flow shall not be permitted. Self-closing nozzles or deadman controls shall be used and shall not be blocked open. Nozzles shall not be dragged along the ground.

(g) In case of a spill, the fueling operation shall be immediately stopped until such time as the person-in-charge determines that it is safe to resume the refueling operation.

(h) When ambient temperatures have been in the 100 degree F. range for an extended period of time, all refueling of helicopters with the engines running shall be suspended until such time as conditions become suitable to resume refueling with the engines running.





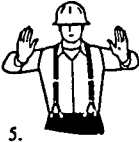





(37) Helicopters with their engines stopped being refueled with aviation gasoline or Jet B (Turbine) type fuel, shall also comply with subsection (36)(a) through (g) of this section.

(38) Hook on persons in logging operations shall wear contrasting colored hard hats, with chinstraps, and high visibility vests or outer garments to enable the helicopter operator to readily identify their location.

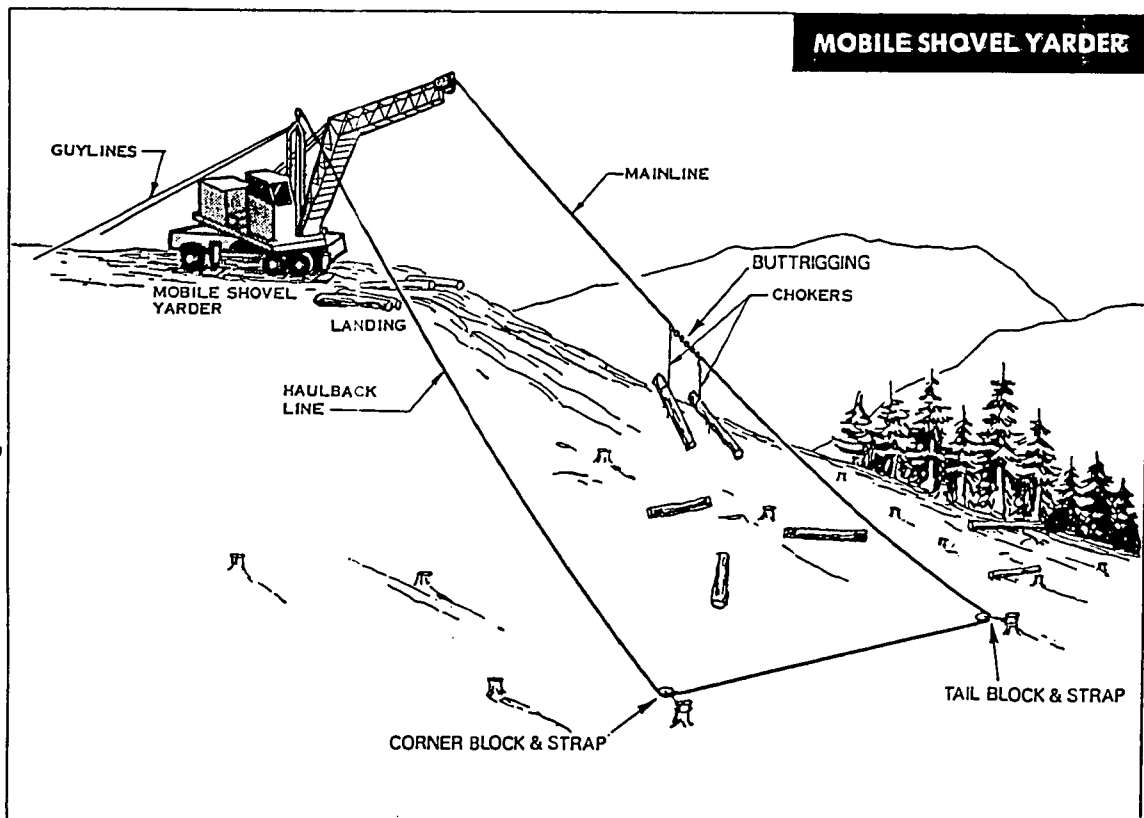
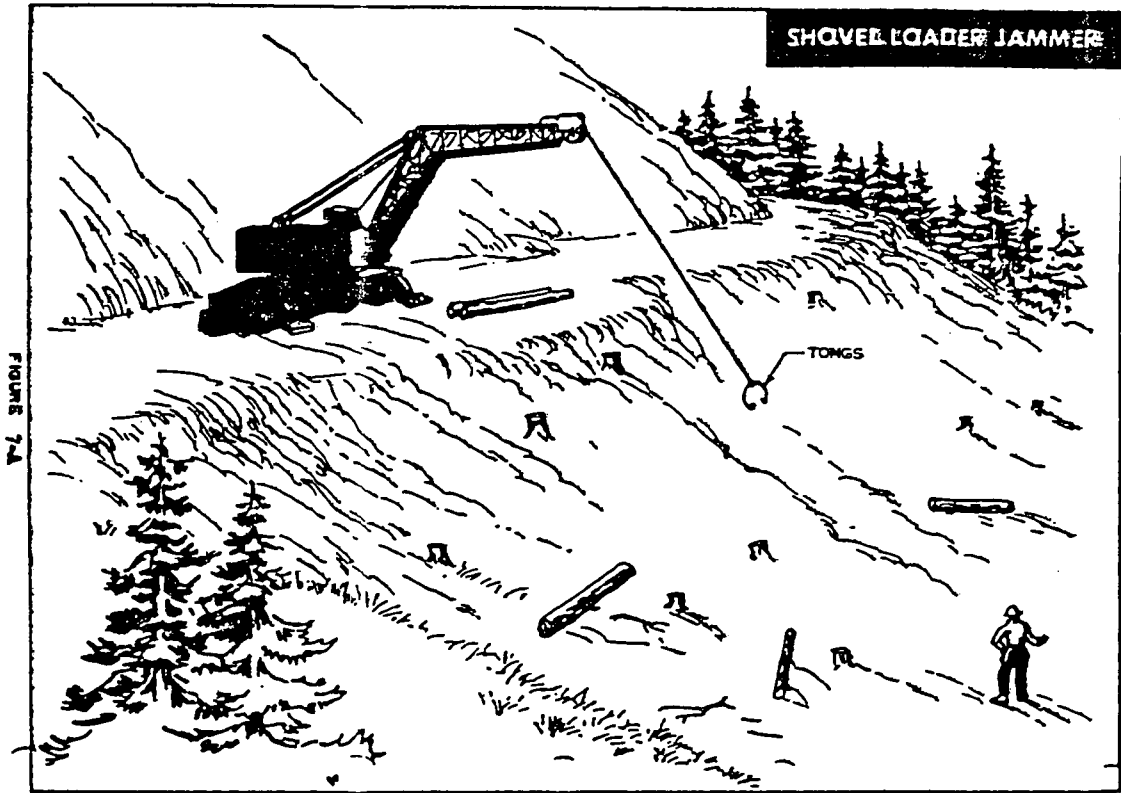
(39) Riding the load or hook of a helicopter is prohibited except in the case of an emergency with the proper safety gear.

See Figures No. 7-Q through 7-U, for illustrations of whistle signals used on various cable logging systems.

HELICOPTER HAND SIGNALS

 <p>1. Takeoff. Right hand behind back; left hand pointing up.</p>	 <p>2. Land. Arms crossed in front of body and pointing downward.</p>	 <p>3. Hold-Hover. The signal "Hold" is executed by placing arms over head with clenched fists.</p>
 <p>4. Move Forward. Combination of arm and hand movement in a collecting motion, pulling toward body.</p>	 <p>5. Move Rearward. Hands above arm, palms out, using a shoving motion.</p>	 <p>6. Release Sling Load. Left arm held down away from body. Right arm slashes down across body.</p>
 <p>7. Move Right. Left arm extended horizontally; right arm sweeps upward to position over head.</p>		 <p>8. Move Left. Right arm extended horizontally; left arm sweeps upward to position over head.</p>
 <p>9. Move Upward. Arms extended, palms up; arms sweeping up.</p>	 <p>10. Move Downward. Arms extended, palms down; arms sweeping down.</p>	

Note: See Figures No. 7-A through 7-P, for illustrations of various types of cable logging systems.



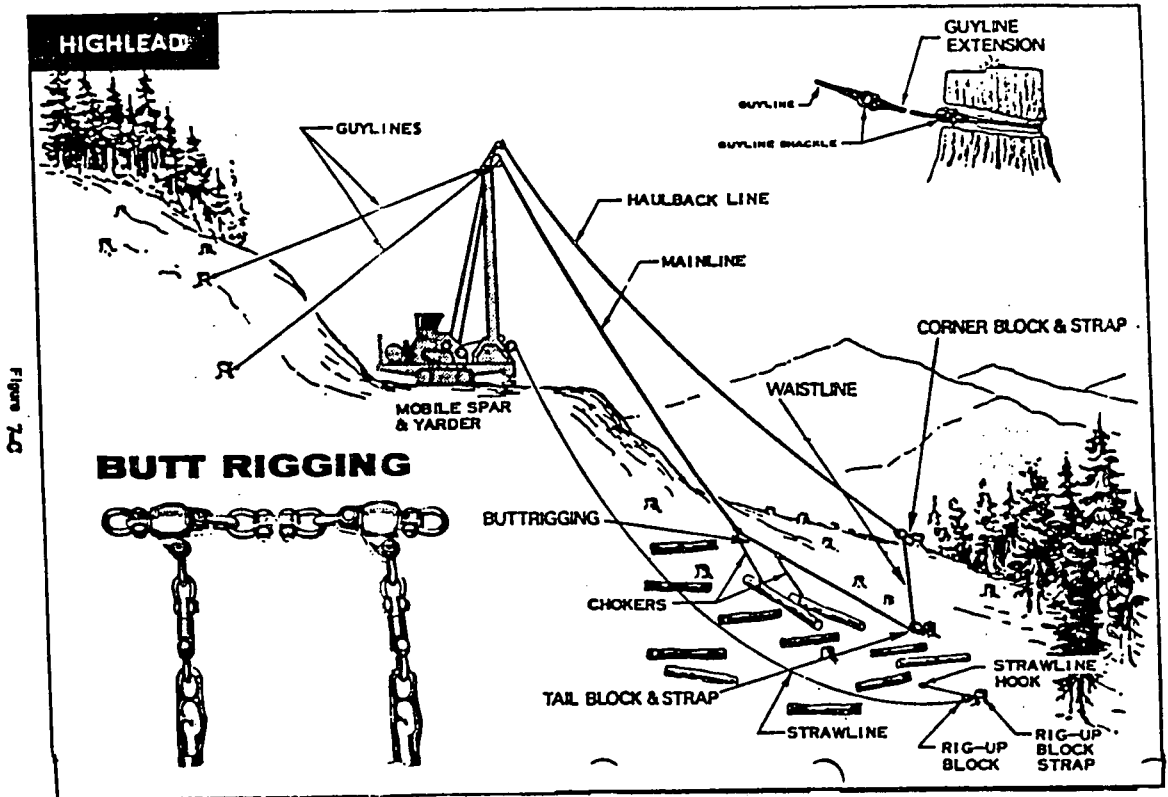


Figure 7-B

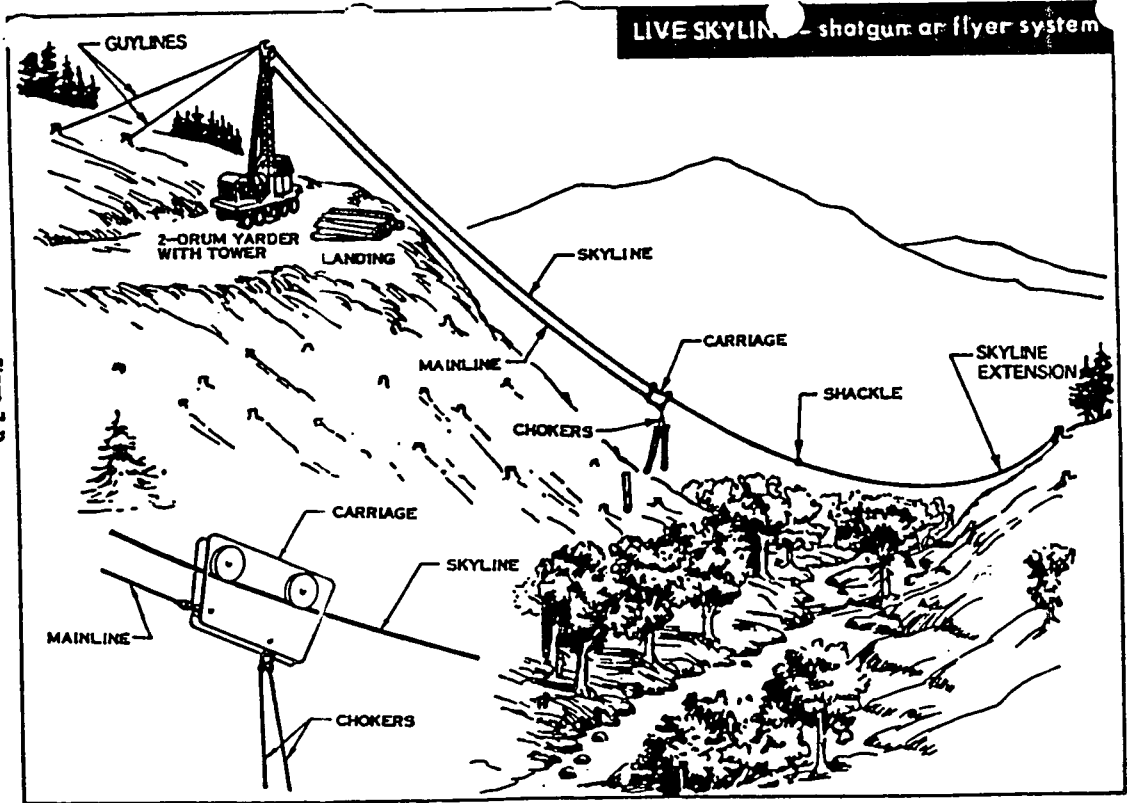


Figure 7-C

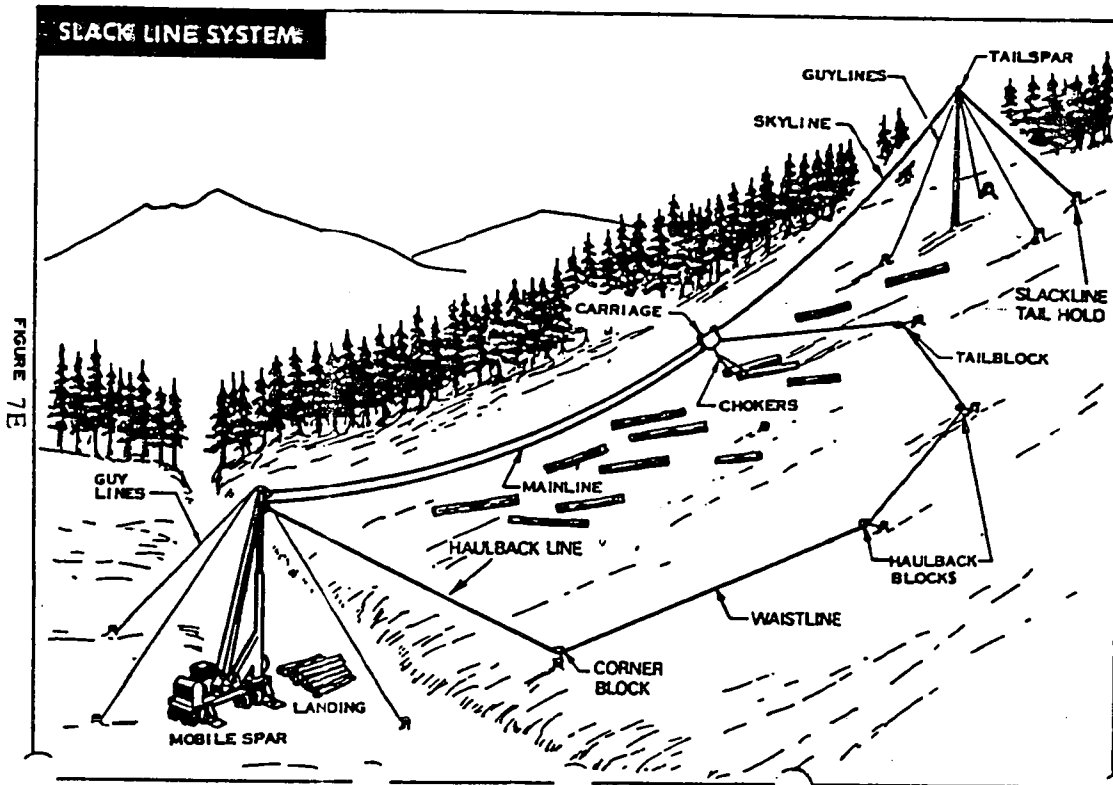


FIGURE 7E

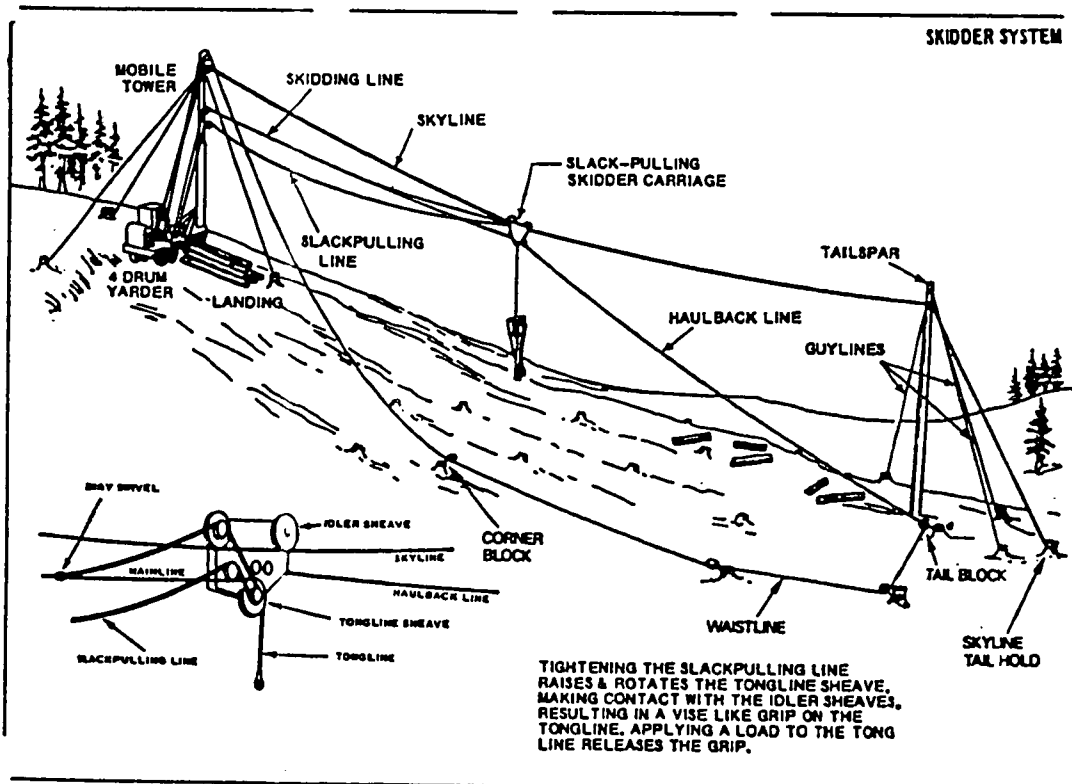
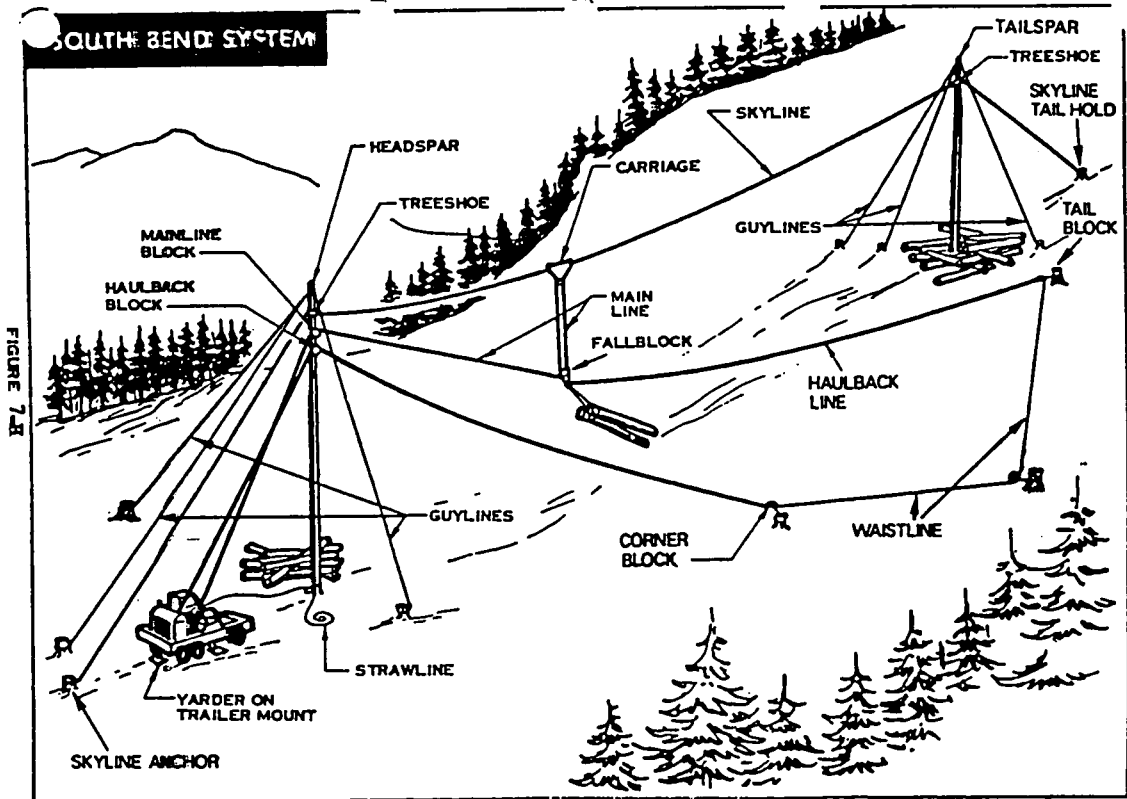
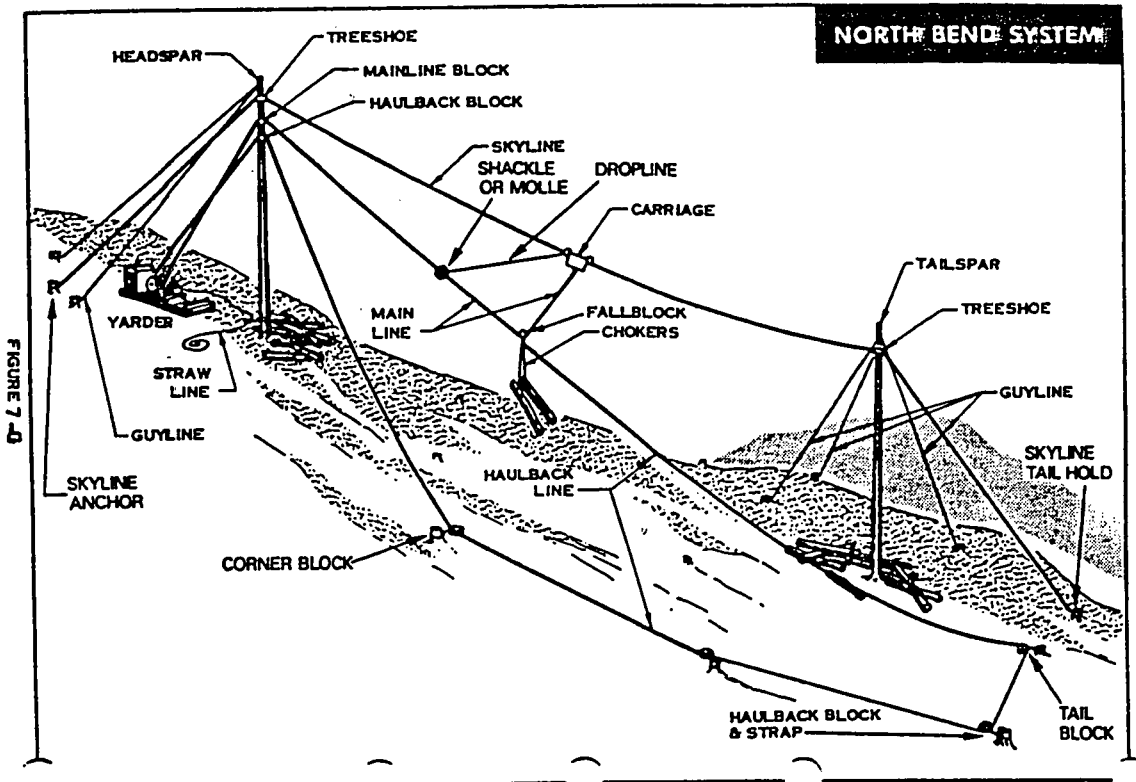


Figure 7F)



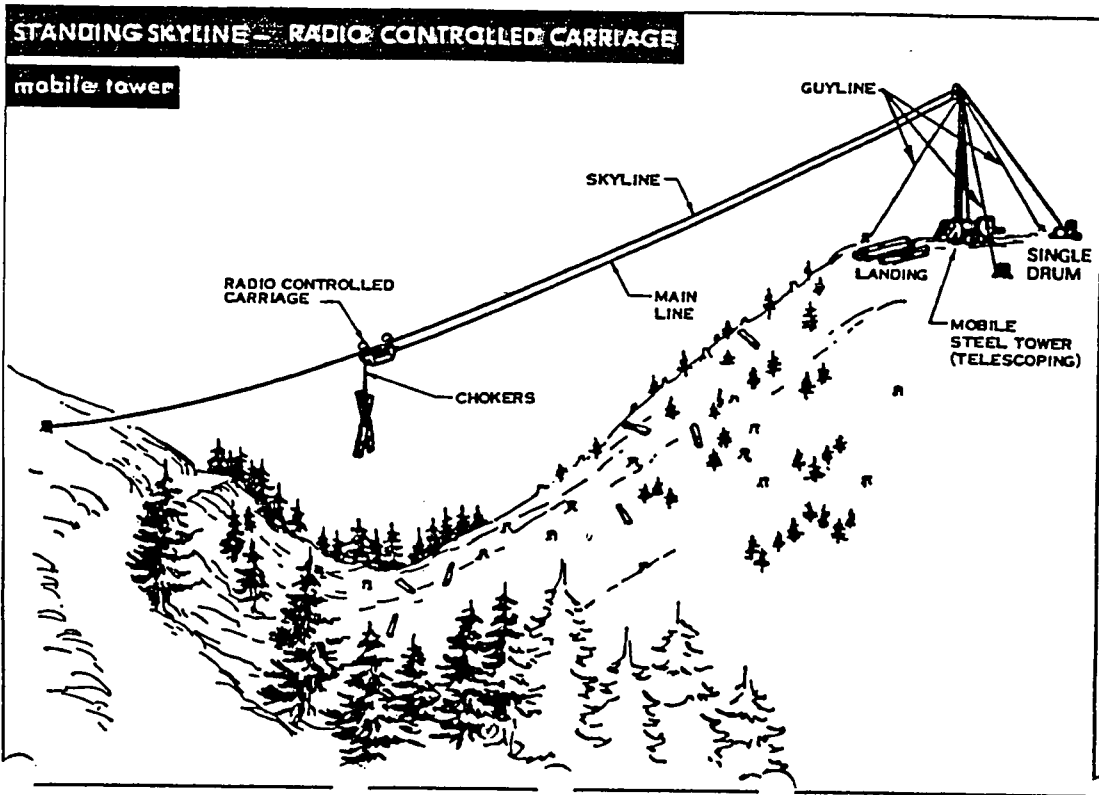


Figure 7I

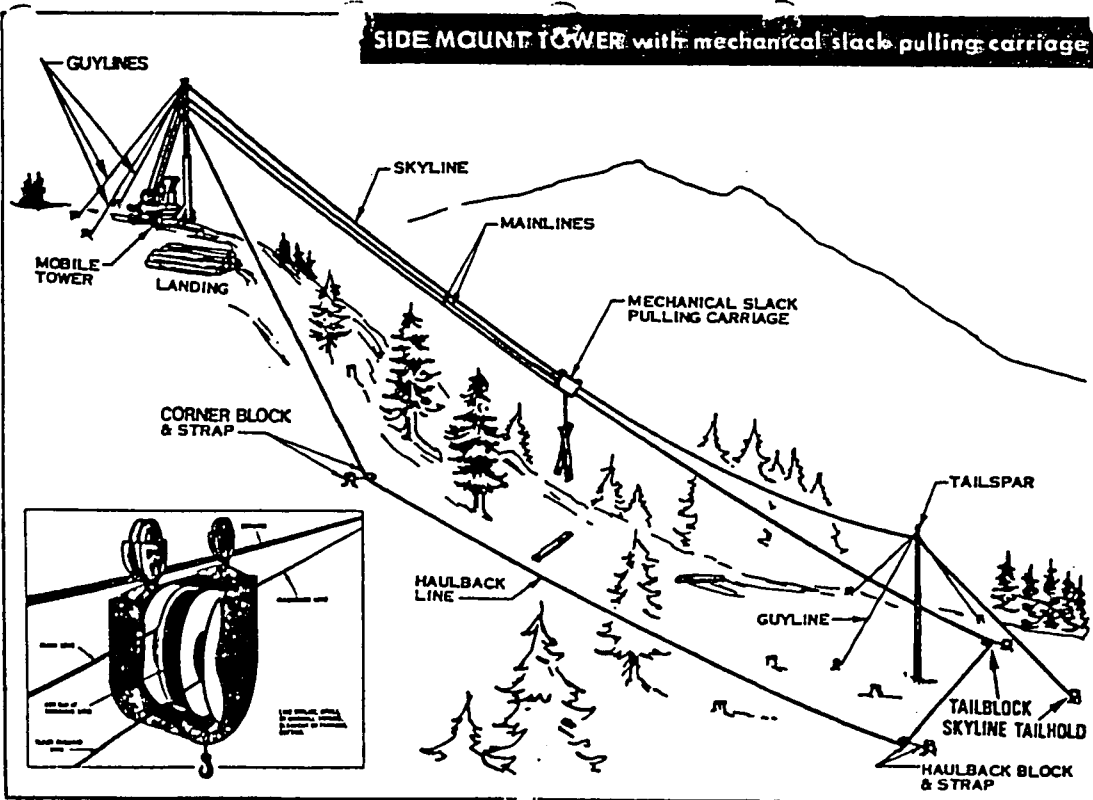


Figure 7J

PARTIAL CUTTING WITH RUNNING SKYLINE

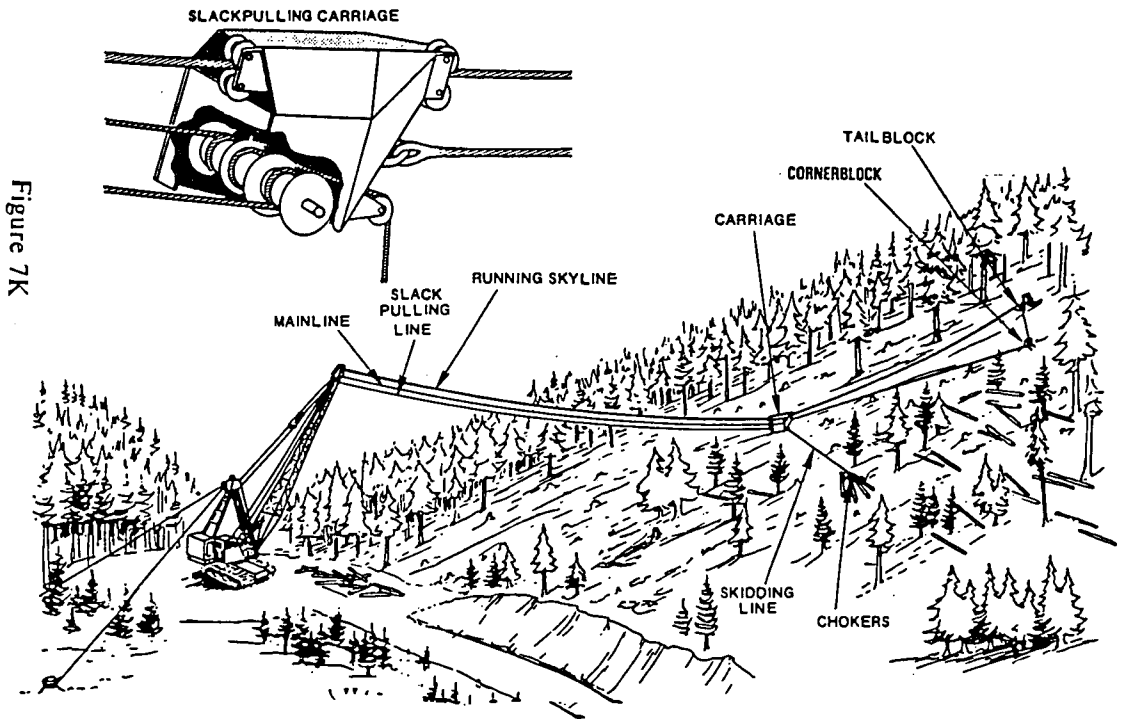


Figure 7K

RUNNING SKYLINE with chokers (GRABINSKI)

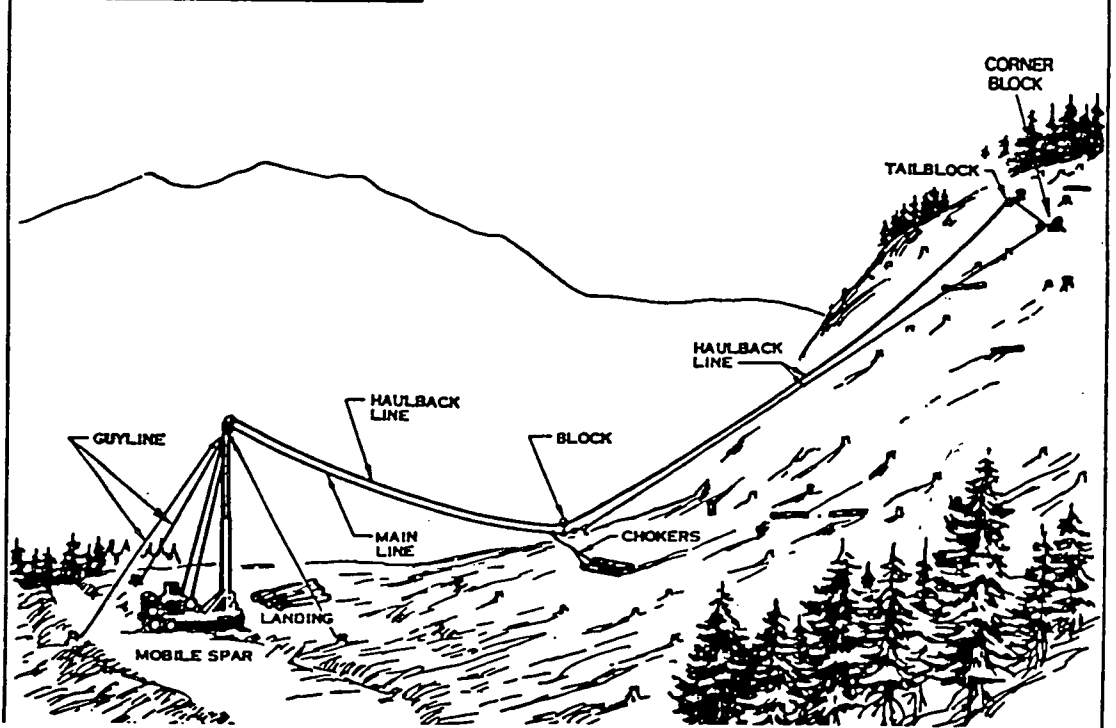


Figure 7L)



**RUNNING SKYLINE with mechanical grapple**

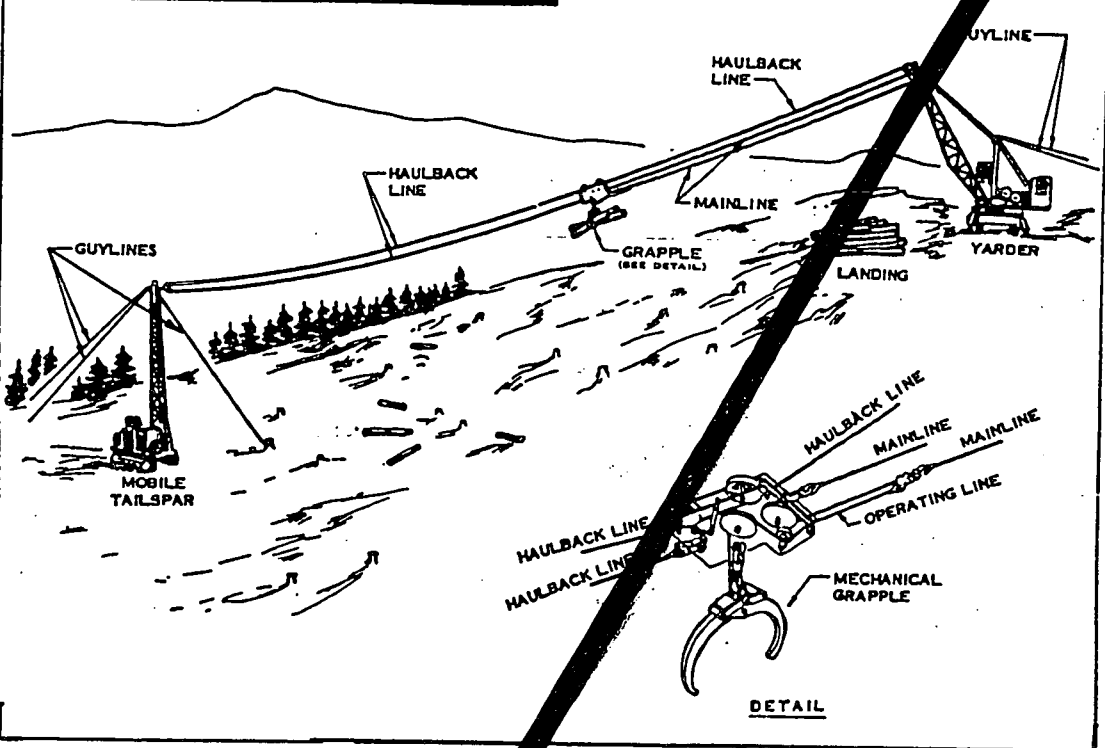


Figure 7M

**RUNNING SKYLINE with mechanical grapple**

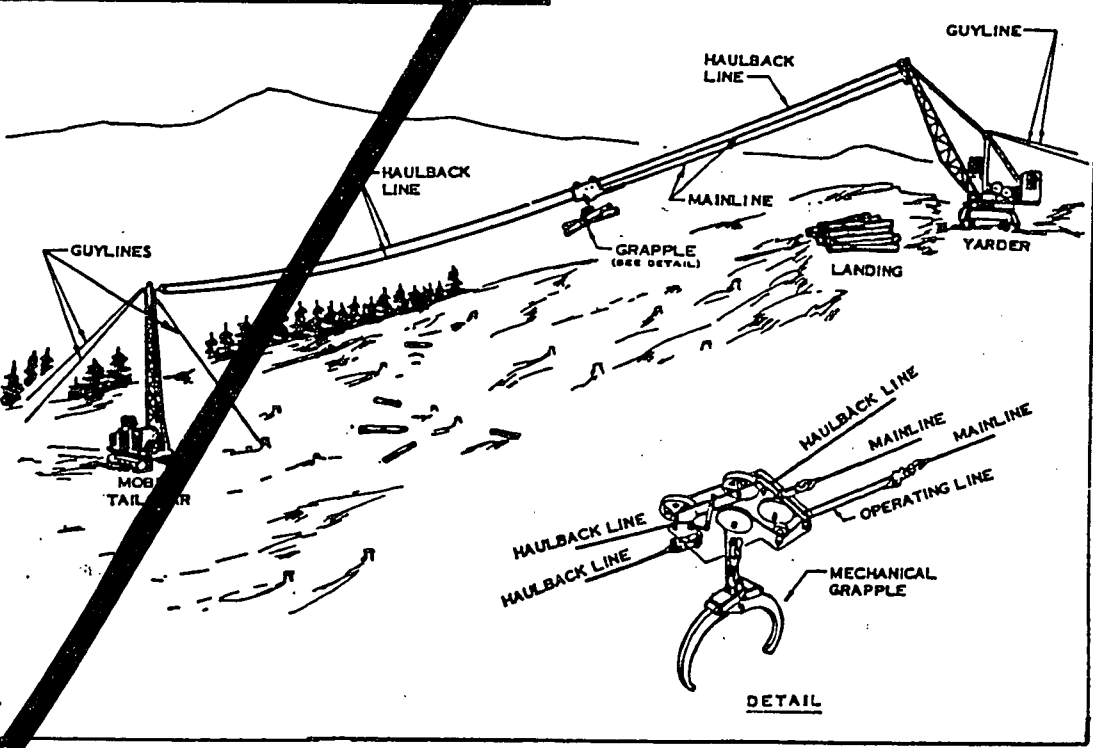
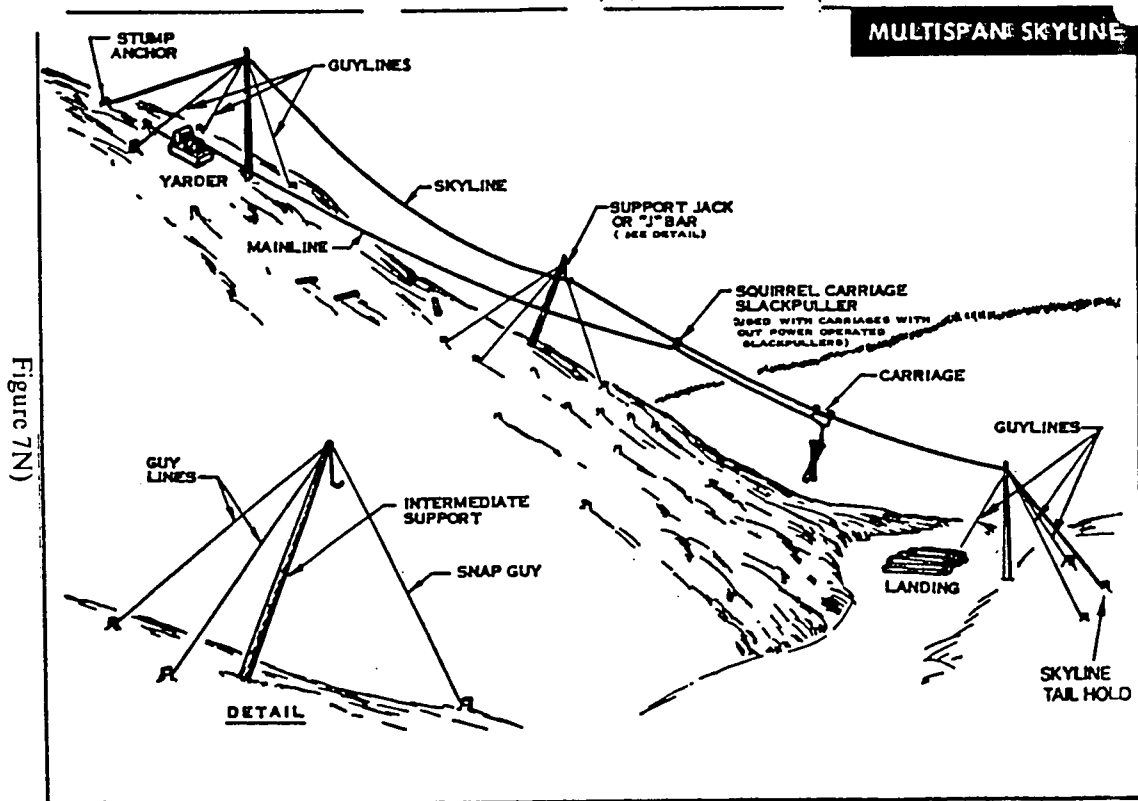
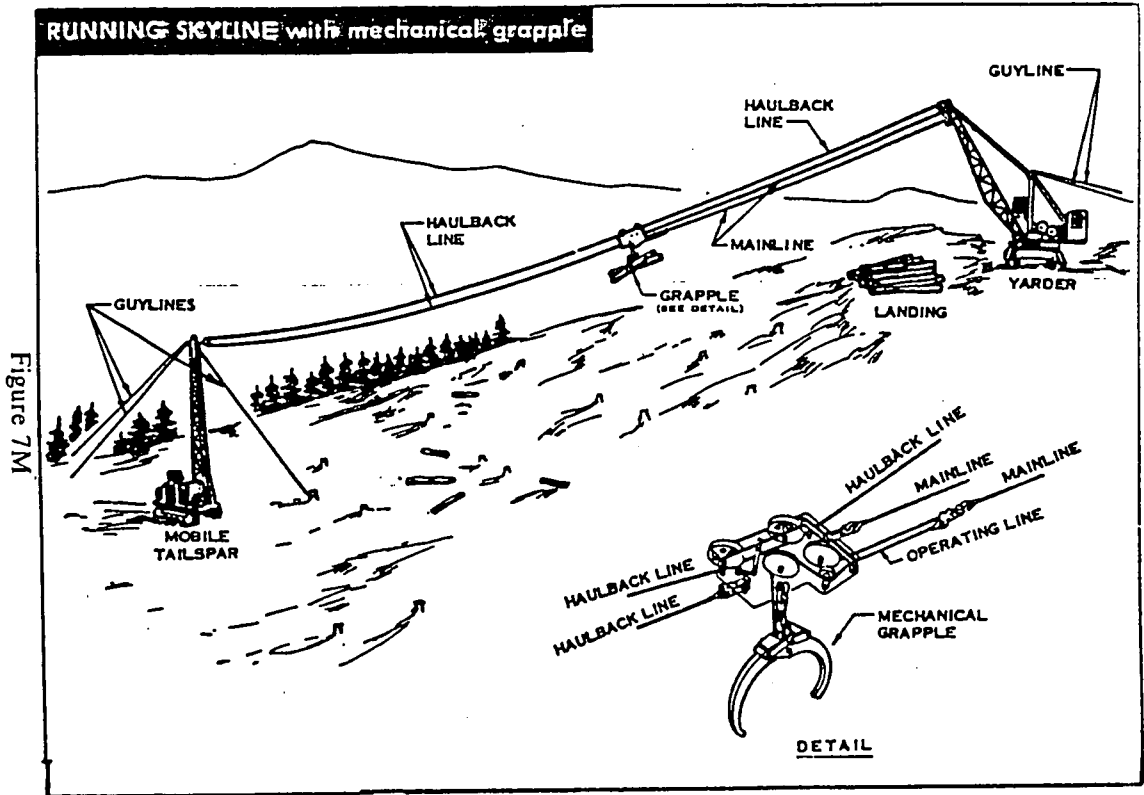
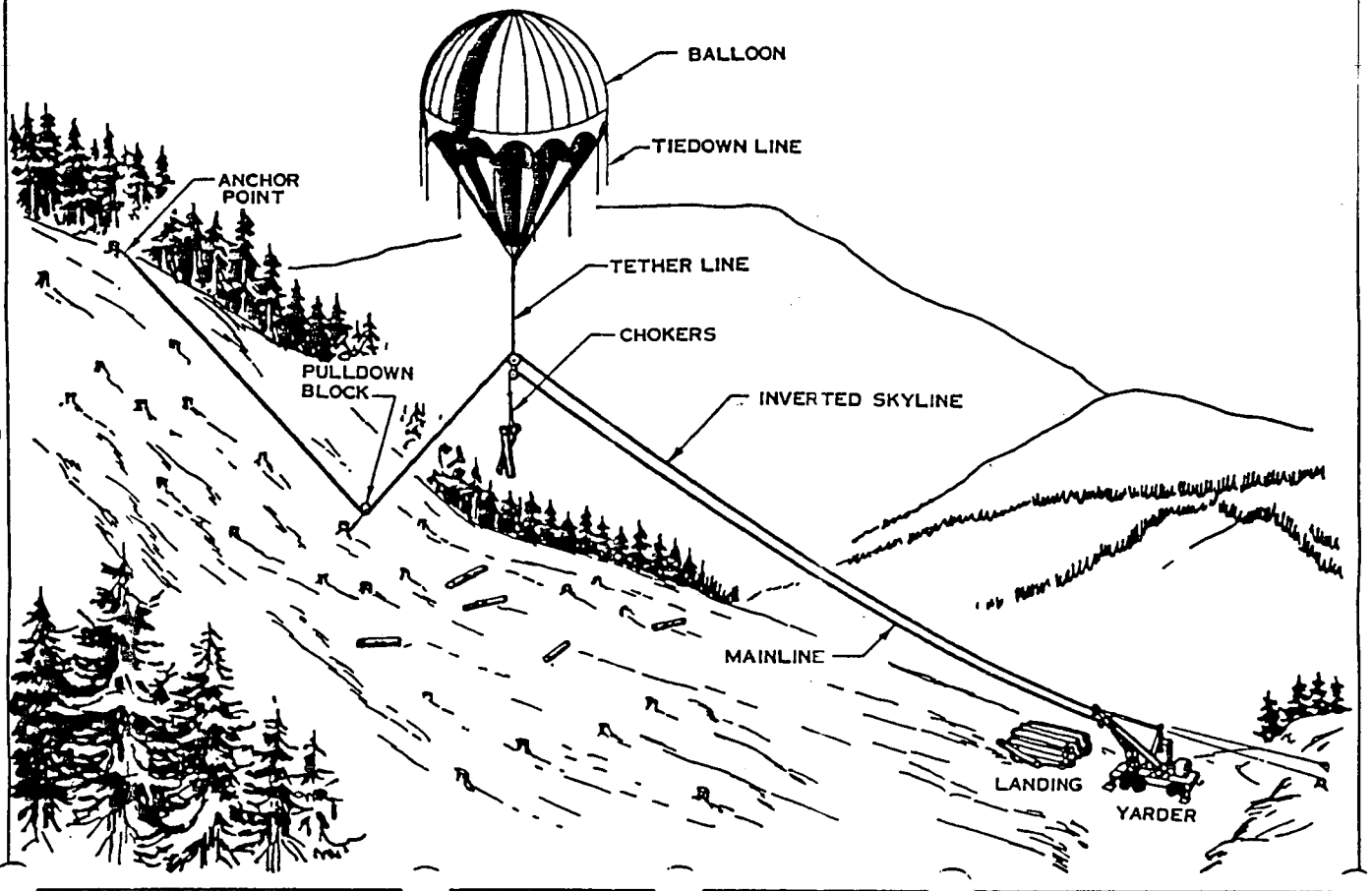


Figure 7M



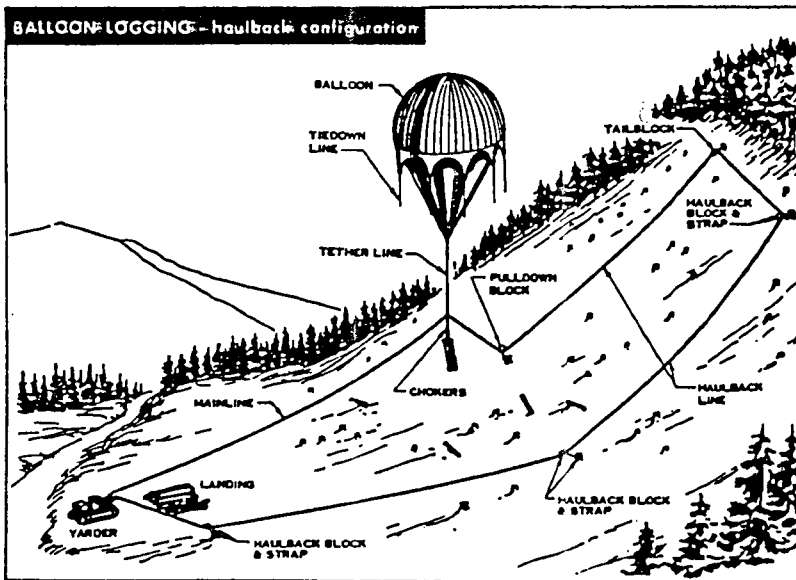
**BALLOON LOGGING - inverted skyline configuration**

FIGURE 7-D



**BALLOON LOGGING - haulback configuration**

Figure 7-P



**HIGH LEAD LOGGING WHISTLE SIGNALS**  
 - Means longer spacing between signals.

1 short .....	Stop all lines.
3 short-3 short .....	Ahead slow on mainline.
3 short .....	Ahead on mainline.
2 short .....	Ahead on haulback.
2 short-2 short .....	Ahead slow on haulback.
3 short-1 short .....	Ahead on strawline.
3 short-1 short-3 short ..	Ahead slow on strawline.
4 short or more .....	Slack mainline.
2 short-4 short .....	Slack haulback.
3 short-1 short-4 short ..	Slack strawline.
3 short-2 short .....	Standing tight line.
1 short-1 short .....	Tight line while lines are running, or break if running tight.
3 short .....	When rigging is in: Strawline back on haulback.
3 short / plus "X" number of shorts.....	When rigging is in: Indicates number of sections of strawline back on rigging.
3 short-1 short-2 short ..	Strawline back on rigging.
1 short .....	When rigging is in: Chaser inspect and repair rigging.
2 short .....	When rigging is in: No chokers back.
2 short-1 short / plus "X" number of shorts ..	Number of chokers back.
2 short-4 short .....	When rigging is in: Slack haulback-hold all lines until 2 short blown.
3 medium.....	Hooker.
3 medium-4 short .....	Hooker and his crew.
5 long .....	Climber.
4 long .....	Foreman.
1 long-1 short .....	Start or stop work.
7 long-2 short .....	Man injured, call transportation and stretcher.
1 long-1 short repeated ..	Fire.
<b>Grabinski system</b>	
2 short-1 short .....	Slack mainline and haulback together.
2 long .....	Take off or put on rider block.

Figure 7-Q

**SKIDDER WHISTLE SIGNALS**  
 - Means longer spacing between signals.

1 short .....	Stops moving carriage-stops or goes ahead on slack puller, as case may be, if carriage is stopped.
2 short .....	Go ahead on skidding line holding carriage.
1 short-2 short .....	Pick up skidding line, easy.
2 short-1 short .....	Shake up carriage to clear choker.
2 short-2 short .....	Ahead on receding line.

3 short .....	Ahead on carriage, holding at present level, using interlock.
3 short-3 short .....	Ahead easy on skidding line.
2 short-2 short-2 short ..	Slack skyline, cable down.
2 short-2 short-2 short-1 short .....	Pick up skyline, cable up.
2 short-2 short-4 short ..	Slack receding line.
2 short-4 short .....	Slack skidding line.
2 short-2 short-1 short ..	Tighten all lines.
1 short-4 short .....	Slack off slack puller.
1 short-2 short .....	Pick up slack puller when slack.
2 short-2 short / plus "X" number of shorts ..	When carriage is in: Number of chokers wanted.
2 short-2 short-1 long ..	Bull choker.
1 short .....	When carriage is in: Inspect butt rigging.
2 short-4 short / 1 short	For each additional ten feet of tong line.
1 long / plus "X" number of shorts.....	Number of coils of strawline wanted.
5 medium.....	Tail or second rigger.
5 medium-4 short .....	Tail or second rigger and his crew.
2 medium.....	Skidder head rigger.
3 medium-4 short .....	Hooker and his crew.
2 long .....	Ahead on transfer.
2 long-4 short .....	Slack transfer
1 short-3 short .....	Ahead on carriage with slack puller line.
1 long .....	Ahead on strawline.
1 long-4 short .....	Slack strawline.
1 long-3 short .....	Ahead easy on strawline.
5 long .....	Climber.
4 long .....	Foreman.
1 long-1 short .....	Start or stop work.
7 long-2 short .....	Man injured, call transportation and stretcher.
1 long-1 short repeated ..	Fire.

Figure 7-R

**SLACKLINE WHISTLE SIGNALS**  
 - Means longer spacing between signals.

2 short-2 short-2 short-1 short .....	First cable up when road has been changed and tail hold made fast.
2 short-2 short-2 short ..	Drop skyline.
1 short .....	Stop any moving line.
1 long .....	When logging, slack skyline.
2 short .....	Ahead on skyline.
1 long-2 short .....	Ahead easy on skyline.
3 short .....	Ahead on skidding line, holding haulback.

3 short-3 short . . . . .	Ahead easy on skidding line with slack haulback.
4 short . . . . .	Slack skidding line.
2 short-2 short / 2 short -2 short . . . . .	Ahead easy on haulback with slack skidding line.
2 short-2 short . . . . .	Ahead on haulback.
2 short-2 short-4 short . . . . .	Slack haulback.
2 short / 3 short . . . . .	Pick up skyline and skid.
2 short / 2 short-2 short . . . . .	Pick up skyline and skin.
3 short-1 short . . . . .	When carriage is in: Strawline back on haulback.
3 short-1 short-2 short . . . . .	When carriage is in: Strawline back on carriage.
3 short-1 short . . . . .	When strawline is out: Ahead on strawline.
3 short-2 short . . . . .	Tight line.
3 short-1 short-4 short . . . . .	Slack strawline.
3 short-1 short-3 short . . . . .	Pull easy on strawline.
2 long . . . . .	Ahead on transfer.
2 long-4 short . . . . .	Slack transfer.
2 long-2 short-2 short . . . . .	When carriage is in: Transfer back on carriage.
1 long / plus "X" number of shorts . . . . .	When carriage is in: Number of coils.
2 short-2 short-1 short / plus "X" number of shorts . . . . .	When carriage is in: Number of chokers.
1 short . . . . .	When carriage is in: Inspect rigging, repair and send back.
2 short-2 short-4 short . . . . .	When carriage is in: Slack haulback and hold all lines until 1 short is blown-then send back.
3 short-3 short . . . . .	When carriage is in: Send back powder.
5 medium . . . . .	Tail rigger.
5 medium-4 short . . . . .	Tail rigger and his crew.
3 medium . . . . .	Head hooker.
3 medium-4 short . . . . .	Second hooker and his crew.
5 long . . . . .	Climber.
4 long . . . . .	Foreman.
1 long-1 short . . . . .	Start or stop work.
7 long-2 short . . . . .	Man injured, call transportation and stretcher.
1 long-1 short repeated . . . . .	Fire.

Figure 7-S

**RUNNING SKYLINE WHISTLE SIGNALS**  
- Means longer spacing between signals

1 short . . . . .	Stop all moving lines
2 short . . . . .	Skin carriage back
2 short-1 short . . . . .	Slack haulback
2 short-2 short . . . . .	Skin carriage easy
2 short-3 short . . . . .	Standing tight line
1 short-2 short . . . . .	Ahead on drop line

4 short . . . . .	Slack drop line
1 short-4 short . . . . .	Slack both mainlines
1 short-1 short . . . . .	Stop drop line going up and move carriage forward
3 short . . . . .	Move carriage forward
3 short-3 short . . . . .	Move carriage forward easy
3 short-1 short . . . . .	When strawline is out: Ahead on strawline
3 short-1 short-4 short . . . . .	Slack strawline
3 short . . . . .	When carriage is in: Strawline
3 short-X short . . . . .	When carriage is in: Number sections
3 short-1 short-2 short . . . . .	When carriage is in: Strawline back on carriage
2 short-X short . . . . .	When carriage is in: Number of chokers
4 short . . . . .	When carriage is in: Inspect rigging, repair and send back
1 short . . . . .	When carriage is in: Hold all lines until 2 shorts, then send back
3 medium . . . . .	Head hooker
3 medium-4 short . . . . .	Hooker and his crew
4 long . . . . .	Foreman
1 long-1 short . . . . .	Start or stop work
7 long-2 short . . . . .	Man injured; call transportation and stretcher
1 long-1 short (repeated) . . . . .	Fire
3 short-1 long . . . . .	Acknowledged by engineer to signify hazardous turn

Figure 7-T

**TENSION SYSTEM SIGNALS**

4 . . . . .	Release tension
1 short . . . . .	Stop carriage and start unspooling tong line
1 short . . . . .	Stop tong line
1 short . . . . .	Resume unspooling tong line
1 short . . . . .	Will stop any moving line or slack tong line when carriage is stopped
2 short-2 short . . . . .	Go into interlock and go back
2 short-4 short . . . . .	Slack haulback and let carriage down

**After turn is set**

2 short . . . . .	Go ahead on tong line
2 short-3 short . . . . .	Go ahead easy on tong line
3 short . . . . .	Go into interlock and take carriage to landing
3 short-3 short . . . . .	Ahead on carriage easy
1 short-2 short . . . . .	Increase tension on tong line when carriage is going in

short-1 short . . . . . Decrease tension on tong line when carriage is going in

Figure 7-U

**AMENDATORY SECTION** (Amending Order 79-14, filed 9/21/79)

WAC 296-54-605 RADIO SYSTEMS USED FOR VOICE COMMUNICATION, ACTIVATION OF AUDIBLE SIGNALS, OR EQUIPMENT. (1) Every employer who uses a radio signaling or control system (voice or functions) shall comply with or exceed the minimum requirements specified in this section.

(2) A valid operating permit shall be obtained by the owner from the division of industrial safety and health, department of labor and industries, prior to putting into use any radio signaling or control system (voice or functions) intended to be used in conjunction with any type of cable logging operation. Permits will be issued only for systems licensed for such use and using those carrier frequencies as authorized by the Federal Communications Commission. In addition, permits will be granted only when tone or function frequencies are compatible with other radio systems in use and when in compliance with all other applicable requirements contained in this safety standard.

(3) The division of industrial safety and health reserves the right to designate the use of radio frequencies for certain purposes or functions, for example, certain frequencies may be used for voice transmission of instruction, others for tone coded functions, or activation of signaling devices. No single tone sets shall be permitted for logging purposes. The division may also designate which tone frequencies may be used for the activation of a signaling device or for control of equipment on certain federal communication assigned carrier frequencies.

(4) A list of tone frequencies which may be used with any Federal Communications Commission assigned carrier frequencies will be made available by the division of industrial safety and health to any interested person, firm, or corporation upon request.

(5) The division of industrial safety and health shall assign the area or areas in which a radio signaling system may be used and shall so mark on the permit. Radio signaling systems shall not be used in any area other than indicated on the permit. (See Figure ((+6)) 10 for map of areas.)

(6) The person or firm name on the permit shall be the same as the person or firm operating the radio signaling system except for loaner or rental sets. A person or firm using a loaner or rental set shall be responsible for the radio signal system as if they were the owner of the set. The application for a permit to use a radio signaling system shall contain the following information:

- (a) Name and address of applicant.
- (b) The radio frequencies of the radio signaling device in MHz.
- (c) The tone frequency or frequencies of the radio signaling system used to activate a horn, whistle, or control equipment in Hz. The security gate, or pulse tone, shall be shown first.

- (d) The name of the manufacturer of the radio signaling system.
- (e) The serial number of the receiving unit.
- (f) The state assigned area or location in which the unit will operate.
- (g) Indicate type of signaling used.
- (h) From whom the system was purchased or acquired, and the date of acquisition of the system.
- (i) Intended use and function of system.

~~((Note: See sample Form No. 157, "application for permit to operate radio signal system in designated area," Figure 10 following this section.))~~

(7) The permit granted by the department shall be attached to the case of the receiver of the radio signaling system for which it is granted.

~~((Note: See sample S.F. Form No. 158, "permit to operate multi-tone radio signal system in designated area," Figure 11 following this section.))~~

(8) Each radio receiver shall have its radio carrier frequency in MHz and tone frequency(s) in Hz indicated on the outside case of the receiver. The manufacturer's name and serial number shall also be permanently indicated on the outside of the case. When the duration or width of the tone frequencies performs a function, the one duration/width shall also be permanently indicated on the outside of the receiver case. Each transmitter shall be identified with its receiver. Two or more receivers in operation simultaneously on the same tone frequency shall be prohibited.

(9) It shall be the responsibility of the owner of any radio signaling system to notify the division of industrial safety and health, department of labor and industries, immediately, if the signal system is:

- (a) Permanently retired (in what manner and date retired).
- (b) Sold (submit name and address of purchaser and date sold).
- (c) Removed from the state (name of state to which moved and date moved).
- (d) Stolen (date).

(10) Two operable transmitters shall be carried by separate individuals at the point where chokers are being set at all times when transmitters are being used for tone signaling by persons around the live rigging in the choker setting area. Only one radio transmitter shall be required if in the possession of a signalperson who has no other duties and remains in an area where there are no hazards created by the moving rigging or logs. If the total crew consists of a yarder operator and one person in the rigging, only one transmitter is required provided a positive system is instituted and used to check on the well-being of the person in the rigging.

(11) When interference, overlap, fadeout, or blackout of radio signals is encountered, the use of the device shall be discontinued immediately. The use of the device shall not be resumed until the source of trouble has been detected and corrected.

(12) All radio signaling systems put into use for the first time after the effective date of these safety standards, shall meet or exceed the minimum performance specifications contained in WAC 296-54-607 of these

safety standards, and, when altered or repaired, shall continue to meet such specifications.

(13) At least one make and model of each signaling system shall be tested and certified that it meets or exceeds the minimum requirements for performance as specified in WAC 296-54-607. A copy of such performance report shall be signed by the person or persons who tested the unit or components and shall be sent to the Division of Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504.

(14) Radio equipment shall not be used without displaying a permit as required by this standard. The permit shall be prominently displayed on the outside case of the receiver of the unit or, for radio controlled carriages, on the transmitter in the yarder.

(15) Adjustments, repairs, or alterations of radio signaling devices shall be done only by or under the immediate supervision and responsibility of a person holding a first-class or second-class commercial radio operator's license, either radio-telephone or radio-telegraph, issued

by the Federal Communications Commission. Persons who do not possess the technical ability or do not have the proper equipment to cause the signaling systems to function within required tolerances shall not attempt to repair, alter, or adjust such systems.

(16) Radio frequencies assigned to systems for which voice communications may be used to give signals to the yarder operator, shall not be the same frequencies as those assigned for whistle signals used in skyline, highlead, slackline, or cable skidder systems.

(17) When hazardous interference is created by moving a voice communication system into an area where a system is already in use on the same frequency, use of the newly-moved system shall be immediately discontinued until the problem of interference has been corrected.

(18) Before moving any unit from one assigned geographical area to another (see area map, Figure ((+2)) 10 following this section), a new permit shall be applied for and secured from the Division of Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504.

Form No. 157.

5-71

STATE OF WASHINGTON

DEPARTMENT OF LABOR AND INDUSTRIES

DIVISION OF SAFETY

APPLICATION FOR PERMIT TO OPERATE RADIO SIGNAL SYSTEM IN DESIGNATED AREA

Radio Carrier Frequency..... Serial No.....

Tone Coding Frequency..... Hz..... Name of Manufacturer of Signal System.....

Firm Name..... Address..... By.....

Intended Function of Unit: Voice communication  Whistle signal  Control Equipment

Area in which Unit will be Operated:..... 1  ..... 2  ..... 3  (Area map included in Safety Standards for Logging Operations)

Type of Tone: Sequential  Simultaneous  If other specify type.....

System to be Used For: Grapple  Highlead, <sup>Skyline,</sup> Slackline, Skidder  Balloon

System Purchased or Acquired From.....

Date System Purchased or Acquired: Day..... Month..... Year.....

Mail Permit to.....

Date Application Mailed to Division of Safety ...../...../..... Day Mo. Year

Date Permit Issued ...../...../..... Day Mo. Year DIV. OF SAFETY USE ONLY



Figure No. 10

STATE OF WASHINGTON  
DEPT. OF LABOR & INDUSTRIES DIV. OF SAFETY

PERMIT #

TO OPERATE MULTI-TONE RADIO SIGNAL SYSTEM  
IN DESIGNATED AREA.

Model ..... Serial .....

Carrier Frequency ..... MHz

Tones ..... Hz

AREA

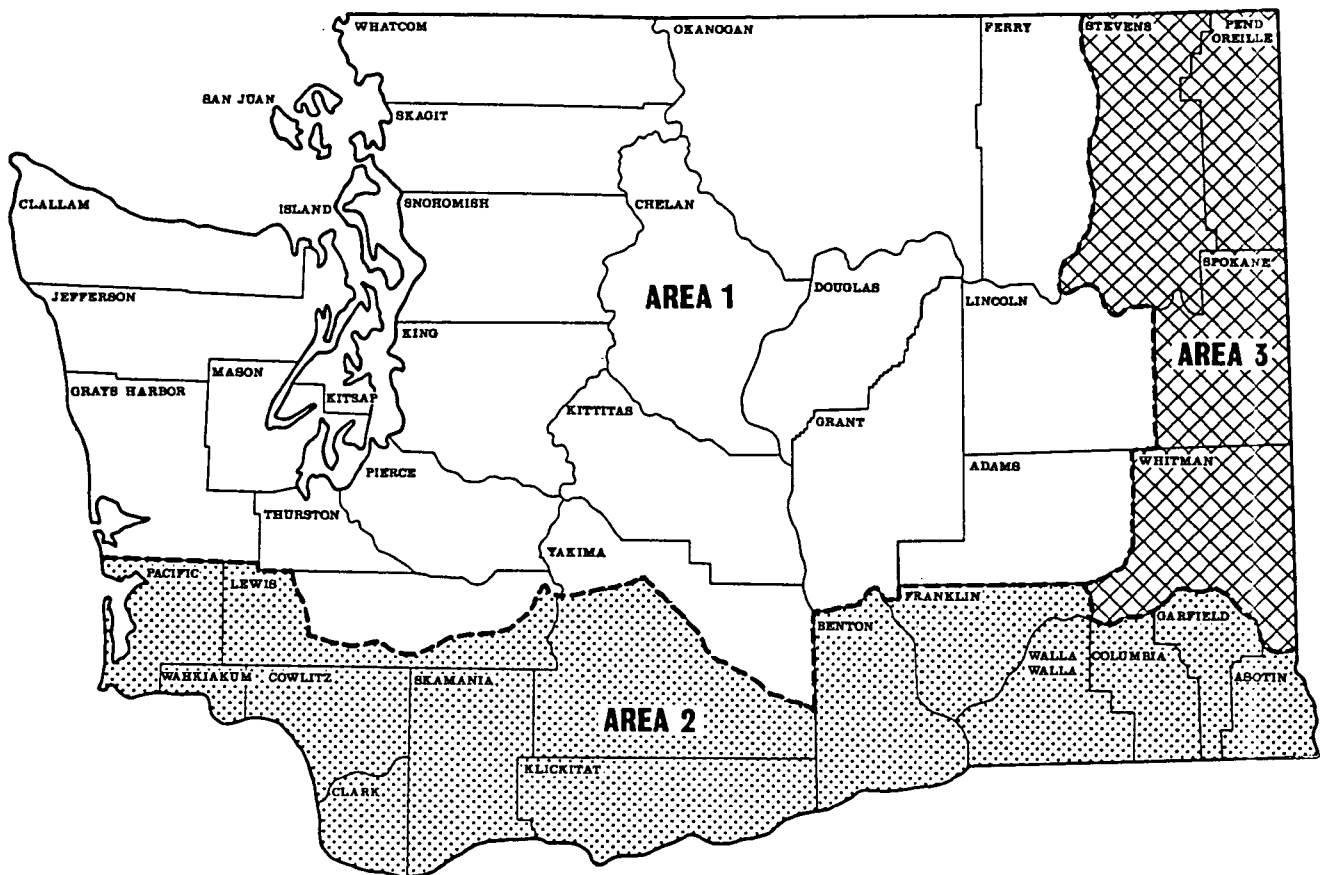
Firm Name .....

Issued by .....

S. F. No. 158-12-71-25C. 38416.



AREAS FOR USE OF RADIO SIGNALING SYSTEMS FOR LOGGING OPERATIONS



State of Washington  
 Department of Labor and Industries  
 Division of Industrial Safety and Health

A permit issued by the division of industrial safety and health shall be attached to the outside of the receiver which shall indicate the area in which the radio signaling equipment may ((by)) be used.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-54-990 MAP.
- WAC 296-54-99001 APPENDIX I—FIGURE 1—RIGGING UP, WRAPPING A GUYLINE.
- WAC 296-54-99005 APPENDIX I—FIGURE 5—STANDARD SIGNALS FOR TRACTOR LOGGING.
- WAC 296-54-99006 APPENDIX I—FIGURE 6—STANDARD SIGNALS FOR LOADING LOGS.
- WAC 296-54-99011 APPENDIX I—FIGURE 11—PLACEMENT AND NUMBER OF BINDERS.
- WAC 296-54-99012 APPENDIX I—FIGURE 12—STANDARD SIGNALS FOR HIGH LEAD LOGGING.

**NEW SECTION**

WAC 296-59-135 APPENDIX 1—NONMANDATORY ALTERNATIVE LOCK-OUT PROCEDURE FOR SKI LIFTS AND TOWS. (1) To ensure the safety of all personnel engaged in lift maintenance activities, we insist that the following procedure be strictly adhered to.

(a) Criteria.

(i) Equipment shall be deactivated and locked or tagged out before an employee is placed in a position where there is a hazard created by exposure to the components of ski lift or tows, equipment and/or systems.

(ii) This procedure relies on positive communication to indicate when lock-out safety is assured. At any time this crew is working at a location remote from the control station, this procedure shall be used by only one work crew whose members are working in close proximity to one another.

(iii) The operator and all potentially exposed employees shall have a positive means of communication at all times. If anyone loses the communication means, it shall

be restored before exposure can occur or lock-out or tag-out can be broken.

(iv) Other radio transmissions breaking in or overriding the communications between control operator and remote work crew, if not controlled, can be a problem. There are considerations that should be followed:

(A) The first preferred method is to provide an isolated radio channel for communications between operator and remote work crew.

(B) If an isolated radio frequency is not possible, the entire area crew should be trained to recognize the radio conversation characteristics of this type of work to be notified when the work is in progress and be required to restrict use of their radios.

(v) All personnel working under this procedure shall be thoroughly trained in the specific procedures to be followed and their individual requirements. The ski lift or tow controls shall be under control of a fully qualified operator at all times.

(vi) Signs shall be posted in motor rooms on the control panel or the master disconnect stating "men working on lifts".

(vii) The control operator shall not leave the close proximity of the control station unless the master disconnect is thrown to the off position and padlocked.

(viii) The "standby drive" shall be locked out of service in such a manner that precludes the operation of the lift by jumping ignition, throwing a clutch, or hooking up a coupling, etc., whenever work is being performed on the equipment or system.

Methods for securing "standby drive" may be, but are not limited to the following:

(A) Removal to secure a location or locking up "standby" drive coupling chain, belts, etc.;

(B) Denying access to the standby motor by locking motor room door.

(ix) When the crew is working at either terminal in proximity of bullwheels, shafts, guideage, gears, belts, chains, etc., the master disconnect shall be thrown to the off position and padlocked.

(b) Work chair.

(i) Prior to crew loading on work chair, controls and communications shall be thoroughly checked to confirm that they are in good working condition.

(ii) The operator and work crew shall discuss and determine the safe speed for that particular lift. At no time shall the work chair travel around either terminal bullwheel except at a very slow speed.

(iii) Employees riding in the work chair shall face the direction of travel when chair is in motion.

(iv) Employees in work chair shall pay special attention to ensure that equipment or tools, etc., will not be entangled on towers, ramps, or terminals as work chair passes by.

(v) Safety belts are required and there is a designated device on each work chair to hook onto. At no time will it be allowed to hook onto the tower or tower equipment while in the work chair, or hook onto a moving part of the lift if standing on the tower.

(c) Operator and controls.

(i) Manual reset stop switches are required on all lifts. The operator shall check and confirm that the lift cannot

be started from any control location when the stop switch is depressed. The operator will leave the stop switch depressed until remote crew directs that they are ready to move.

(ii) Communications between operator and remote work crew will be on name basis. This is especially important if there are other radio communications or other crews working on other lifts.

(2) Summation.

(a) If all these rules are adhered to, the operator can use the control circuit stop switch for repetitive type maintenance on towers. If the remote crew is to be at the location for some time, it is recommended that the operator throw the master disconnect switch to the off position and padlock it.

(b) A padlock on the disconnect switch is required when anybody is working on either terminal.

#### AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07355 SCOPE AND APPLICATION. (1) WAC 296-62-07355 through 296-62-07389 applies to all occupational exposures to ethylene oxide (EtO), Chemical Abstracts Service Registry No. 75-21-8, except as provided in subsection (2) of this section.

(2) WAC 296-62-07355 through 296-62-07389 does not apply to the processing, use, or handling of products containing EtO where objective data are reasonably relied upon that demonstrate that the product is not capable of releasing EtO in airborne concentrations at or above the action level, and may not reasonably be foreseen to release EtO in excess of the excursion limit, under the expected conditions of processing, use, or handling that will cause the greatest possible release.

(3) Where products containing EtO are exempted under subsection (2) of this section, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in WAC 296-62-07375(1).

#### AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07359 PERMISSIBLE EXPOSURE LIMITS (PEL). (1) Eight-hour time-weighted average (TWA). The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of one part EtO per million parts of air (1 ppm) as an eight-hour time-weighted average. (Eight-hour TWA.)

(2) Excursion limit. The employer shall ensure that no employee is exposed to an airborne concentration of EtO in excess of five parts of EtO per million parts of air (5 ppm) as averaged over a sampling period of fifteen minutes.

#### AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07361 EXPOSURE MONITORING. (1) General.

(a) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the eight-hour TWA and fifteen-minute short-term exposures of each employee.

(b) Representative eight-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift for each job classification in each work area. Representative fifteen-minute short-term employee exposures shall be determined on the basis of one or more samples representing fifteen-minute exposures associated with operations that are most likely to produce exposures above the excursion limit for each shift for each job classification in each work area.

(c) Where the employer can document that exposure levels are equivalent for similar operations in different work shifts, the employer need only determine representative employee exposure for that operation during one shift.

(2) Initial monitoring.

(a) Each employer who has a workplace or work operation covered by WAC 296-62-07355 through 296-62-07389, except as provided in WAC 296-62-07355(2) or ~~((296-62-07361(2)))~~(b) of this subsection, shall perform initial monitoring to determine accurately the airborne concentrations of EtO to which employees may be exposed.

(b) Where the employer has monitored after June 15, 1983, and the monitoring satisfies all other requirements of WAC 296-62-07355 through 296-62-07389, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(c) Where the employer has previously monitored for the excursion limit and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection.

(3) Monitoring frequency (periodic monitoring).

(a) If the monitoring required by subsection (2) of this section reveals employee exposure at or above the action level but at or below the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every six months.

(b) If the monitoring required by subsection (2)(a) of this section reveals employee exposure above the eight-hour TWA, the employer shall repeat such monitoring for each such employee at least every three months.

(c) The employer may alter the monitoring schedule from quarterly to semiannually for any employee for whom two consecutive measurements taken at least seven days apart indicate that the employee's exposure has decreased to or below the eight-hour TWA.

(d) If the monitoring required by subsection (2)(a) of this section reveals employee exposure above the fifteen-minute excursion limit, the employer shall repeat such monitoring for each such employee at least every three months, and more often as necessary to evaluate the employee's short-term exposures.

(4) Termination of monitoring.

(a) If the initial monitoring required by subsection (2)(a) of this section reveals employee exposure to be below the action level, the employer may discontinue

~~((the))~~ TWA monitoring for those employees whose exposures are represented by the initial monitoring.

(b) If the periodic monitoring required by subsection (3) of this section reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are below the action level, the employer may discontinue ~~((the))~~ TWA monitoring for those employees whose exposures are represented by such monitoring.

(c) If the initial monitoring required by subsection (2)(a) of this section reveals the employee exposure to be at or below the excursion limit, the employer may discontinue excursion limit monitoring for those employees whose exposures are represented by the initial monitoring.

(d) If the periodic monitoring required by subsection (3) of this section reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are at or below the excursion limit, the employer may discontinue excursion limit monitoring for those employees whose exposures are represented by such monitoring.

(5) Additional monitoring. Notwithstanding the provisions of subsection (4) of this section, the employer shall institute the exposure monitoring required under subsections (2)(a) and (3) of this section whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to EtO or when the employer has any reason to suspect that a change may result in new or additional exposures.

(6) Accuracy of monitoring.

(a) Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus twenty-five percent for airborne concentrations of EtO at the 1 ppm TWA and to within plus or minus thirty-five percent for airborne concentrations of EtO at the action level of 0.5 ppm.

(b) Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus thirty-five percent for airborne concentrations of EtO at the excursion limit.

(7) Employee notification of monitoring results.

(a) The employer shall, within fifteen working days after the receipt of the results of any monitoring performed under WAC 296-62-07355 through 296-62-07389, notify the affected employee of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(b) The written notification required by (a) of this subsection shall contain the corrective action being taken by the employer to reduce employee exposure to or below the ~~((PEL))~~ TWA and/or excursion limit, wherever monitoring results indicated that the ~~((PEL))~~ TWA and/or excursion limit has been exceeded.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07363 REGULATED AREAS. (1) The employer shall establish a regulated area wherever occupational exposures to airborne concentrations of

EtO may exceed the TWA or wherever the EtO concentration exceeds or can reasonably be expected to exceed the excursion limit.

(2) Access to regulated areas shall be limited to authorized persons.

(3) Regulated areas shall be demarcated in any manner that minimizes the number of employees within the regulated area.

**AMENDATORY SECTION** (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07365 **METHODS OF COMPLIANCE.** (1) Engineering controls and work practices.

(a) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the TWA and to or below the excursion limit, except to the extent that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the TWA and to or below the excursion limit, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07367.

(c) Engineering controls are generally infeasible for the following operations: Collection of quality assurance sampling from sterilized materials removal of biological indicators from sterilized materials: Loading and unloading of tank cars; changing of ethylene oxide tanks on sterilizers; and vessel cleaning. For these operations, engineering controls are required only where the director demonstrates that such controls are feasible.

(2) Compliance program.

(a) Where the TWA or excursion limit is exceeded, the employer shall establish and implement a written program to reduce employee exposure to or below the TWA and to or below the excursion limit by means of engineering and work practice controls, as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under WAC 296-62-07355 through 296-62-07389.

(b) The compliance program shall include a schedule for periodic leak detection surveys and a written plan for emergency situations, as specified in WAC 296-62-07369 (1)(a).

(c) Written plans for a program required in this subsection shall be developed and furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every twelve months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(d) The employer shall not implement a schedule of employee rotation as a means of compliance with the TWA or excursion limit.

**AMENDATORY SECTION** (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07367 **RESPIRATORY PROTECTION AND PERSONAL PROTECTIVE EQUIPMENT.** (1) General. The employer shall provide respirators, and ensure that they are used, where required by WAC 296-62-07355 through 296-62-07389. Respirators shall be used in the following circumstances.

(a) During the interval necessary to install or implement feasible engineering and work practice controls;

(b) In work operations, such as maintenance and repair activities, vessel cleaning, or other activities for which engineering and work practice controls are not feasible;

(c) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the TWA or excursion limit; and

(d) In emergencies.

(2) Respirator selection.

(a) Where respirators are required under WAC 296-62-07355 through 296-62-07389, the employer shall select and provide, at no cost to the employee, the appropriate respirator as specified in Table 1, and shall ensure that the employee uses the respirator provided.

(b) The employer shall select respirators from among those jointly approved as being acceptable for protection against EtO by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(3) Respirator program. Where respiratory protection is required by WAC 296-62-07355 through 296-62-07389, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(4) Protective clothing and equipment. Where eye or skin contact with liquid EtO or EtO solutions may occur, the employer shall select and provide, at no cost to the employee, appropriate protective clothing or other equipment in accordance with WAC 296-24-07501 and 296-24-07801 and to protect any area of the body that may come in contact with liquid EtO or EtO in solution, and shall ensure that the employee wears the protective clothing and equipment provided.

**AMENDATORY SECTION** (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07373 **COMMUNICATION OF ETO HAZARDS TO EMPLOYEES.** (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER  
ETHYLENE OXIDE  
CANCER HAZARD AND REPRODUCTIVE HAZARD  
AUTHORIZED PERSONNEL ONLY  
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE  
REQUIRED  
TO BE WORN IN THIS AREA

(b) The employer shall ensure that precautionary labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level or whose contents may reasonably be foreseen to cause employee exposure above the excursion limit, and that the labels remain affixed when the containers of EtO leave the workplace. For the purpose((s)) of this subsection, reaction vessels, storage tanks, and pipes or piping systems are not considered to be containers. The labels shall comply with the requirements of WAC 296-62-05411 of WISHA's hazard communication standard, and shall include the following legend:

(i)

**DANGER**

**CONTAINS ETHYLENE OXIDE**

**CANCER HAZARD AND REPRODUCTIVE HAZARD; and**

(ii) A warning statement against breathing airborne concentrations of EtO.

(c) The labeling requirements under WAC 296-62-07355 through 296-62-07389 do not apply where EtO is used as a pesticide, as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when it is labeled pursuant to that act and regulations issued under that act by the Environmental Protection Agency.

(2) Material safety data sheets. Employers who are manufacturers or importers of EtO shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413 of the hazard communication standard.

(3) Information and training.

(a) The employer shall provide employees who are potentially exposed to EtO at or above the action level or above the excursion limit with information and training on EtO at the time of initial assignment and at least annually thereafter.

(b) Employees shall be informed of the following:

(i) The requirements of WAC 296-62-07353 through 296-62-07389 with an explanation of its contents, including Appendices A and B;

(ii) Any operations in their work area where EtO is present;

(iii) The location and availability of the written EtO final rule; and

(iv) The medical surveillance program required by WAC 296-62-07371 with an explanation of the information in Appendix C.

(c) Employee training shall include at least:

(i) Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

(ii) The physical and health hazards of EtO;

(iii) The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

(iv) The details of the hazard communication program developed by the employer, including an explanation of

the labeling system and how employees can obtain and use the appropriate hazard information.

**AMENDATORY SECTION** (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07379 DATES. (1) Effective date.

(a) WAC 296-62-07355 through 296-62-07389 shall become effective thirty days after filing with the code reviser.

(b) The requirements in the amended subsections in this section which pertain only to or are triggered by the excursion limit shall become effective December 30, 1988.

(2) Start-up dates.

(a) The requirements of WAC 296-62-07359 through 296-62-07377, including feasible work practice controls but not including engineering controls specified in WAC 296-62-07365(1), shall be complied with within one hundred eighty days after the effective date of WAC 296-62-07355 through 296-62-07389.

(b) Engineering controls specified by WAC 296-62-07365(1) shall be implemented within one year after the effective date of WAC 296-62-07355 through 296-62-07389.

(c) Compliance with the excursion limit requirements in this section shall be by March 30, 1989, except that implementation of engineering controls specified for compliance with excursion limit shall be by June 30, 1989.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-14601 APPENDIX A—REQUIREMENTS FOR CLASSIFICATION AND RESPIRATORY USE OF WORKERS EXPOSED TO COTTON DUST IN GINS.

WAC 296-62-14605 APPENDIX C—SPIROMETRY PREDICTION TABLES FOR NORMAL MALES AND FEMALES.

WAC 296-62-14607 APPENDIX D—PULMONARY FUNCTION STANDARDS FOR COTTON DUST STANDARD.

**AMENDATORY SECTION** (Amending Order 86-28, filed 7/25/86)

WAC 296-62-20009 METHODS OF COMPLIANCE. The employer shall control employee exposure to coke oven emissions by the use of engineering controls, work practices and respiratory protection as follows:

(1) Priority of compliance methods.

(a) Existing coke oven batteries.

(i) The employer shall institute the engineering and work practice controls listed in subsections (2), (3) and (4) of this section in existing coke oven batteries at the earliest possible time, but not later than January 20, 1980, except to the extent that the employer can establish that such controls are not feasible. In determining the earliest possible time for institution of engineering

and work practice controls, the requirement, effective August 27, 1971, to implement feasible administrative or engineering controls to reduce exposures to coal tar pitch volatiles, shall be considered. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) The engineering and work practice controls required under subsections (2), (3) and (4) of this section are minimum requirements generally applicable to all existing coke oven batteries. If, after implementing all controls required by subsections (2), (3) and (4) of this section, or after January 20, 1980, whichever is sooner, employee exposures still exceed the permissible exposure limit, employers shall implement any other engineering and work practice controls necessary to reduce exposure to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Whenever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(b) New or rehabilitated coke oven batteries.

(i) The employer shall institute the best available engineering and work practice controls on all new or rehabilitated coke oven batteries to reduce and maintain employee exposures at or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) If, after implementing all the engineering and work practice controls required by (b)(i) of this subsection, employee exposures still exceed the permissible exposure limit, the employer shall implement any other engineering and work practice controls necessary to reduce exposure to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(c) Beehive ovens.

(i) The employer shall institute engineering and work practice controls on all beehive ovens at the earliest possible time to reduce and maintain employee exposures at or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible. In determining the earliest possible time for institution of engineering and work practice controls, the requirement, effective August 27, 1971, to implement feasible administrative or engineering controls to reduce exposures to coal tar pitch volatiles, shall be considered. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(ii) If, after implementing all engineering and work practice controls required by (c)(i) of this subsection, employee exposures still exceed the permissible exposure limit, the employer shall implement any other engineering and work practice controls necessary to reduce exposures to or below the permissible exposure limit except to the extent that the employer can establish that such controls are not feasible. Whenever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of WAC 296-62-20011.

(2) Engineering controls.

(a) Charging. The employer shall equip and operate existing coke oven batteries with all of the following engineering controls to control coke oven emissions during charging operations:

(i) One of the following methods of charging:

(A) Stage charging as described in subsection (3)(a)(ii) of this section; or

(B) Sequential charging as described in subsection (3)(a)(ii) of this section except that subsection (3)(a)(ii) and (3)(d) of this section does not apply to sequential charging; or

(C) Pipeline charging or other forms of enclosed charging in accordance with (a) of this subsection, except (a)(ii), (iv), (v), (vi) and (viii) of this subsection do not apply.

(ii) Drafting from two or more points in the oven being charged, through the use of double collector mains, or a fixed or moveable jumper pipe system to another oven, to effectively remove the gases from the oven to the collector mains;

(iii) Aspiration systems designed and operated to provide sufficient negative pressure and flow volume to effectively move the gases evolved during charging into the collector mains, including sufficient steam pressure, and steam jets of sufficient diameter;

(iv) Mechanical volumetric controls on each larry car hopper to provide the proper amount of coal to be charged through each charging hole so that the tunnel

head will be sufficient to permit the gases to move from the oven into the collector mains;

(v) Devices to facilitate the rapid and continuous flow of coal into the oven being charged, such as stainless steel liners, coal vibrators or pneumatic shells;

(vi) Individually operated larry car drop sleeves and slide gates designed and maintained so that the gases are effectively removed from the oven into the collector mains;

(vii) Mechanized gooseneck and standpipe cleaners;

(viii) Air seals on the pusher machine leveler bars to control air infiltration during charging; and

(ix) Roof carbon cutters or a compressed air system or both on the pusher machine rams to remove roof carbon.

(b) Coking. The employer shall equip and operate existing coke oven batteries with all of the following engineering controls to control coke oven emissions during coking operations:

(i) A pressure control system on each battery to obtain uniform collector main pressure;

(ii) Ready access to door repair facilities capable of prompt and efficient repair of doors, door sealing edges and all door parts;

(iii) An adequate number of spare doors available for replacement purposes;

(iv) Chuck door gaskets to control chuck door emissions until such door is repaired, or replaced; and

(v) Heat shields on door machines.

(3) Work practice controls.

(a) Charging. The employer shall operate existing coke oven batteries with all of the following work practices to control coke oven emissions during the charging operation:

(i) Establishment and implementation of a detailed, written inspection and cleaning procedure for each battery consisting of at least the following elements:

(A) Prompt and effective repair or replacement of all engineering controls;

(B) Inspection and cleaning of goosenecks and standpipes prior to each charge to a specified minimum diameter sufficient to effectively move the evolved gases from the oven to the collector mains;

(C) Inspection for roof carbon build-up prior to each charge and removal of roof carbon as necessary to provide an adequate gas channel so that the gases are effectively moved from the oven into the collector mains;

(D) Inspection of the steam aspiration system prior to each charge so that sufficient pressure and volume is maintained to effectively move the gases from the oven to the collector mains;

(E) Inspection of steam nozzles and liquor sprays prior to each charge and cleaning as necessary so that the steam nozzles and liquor sprays are clean;

(F) Inspection of standpipe caps prior to each charge and cleaning and luting or both as necessary so that the gases are effectively moved from the oven to the collector mains; and

(G) Inspection of charging holes and lids for cracks, warpage and other defects prior to each charge and removal of carbon to prevent emissions, and application of

luting material to standpipe and charging hole lids where necessary to obtain a proper seal.

(ii) Establishment and implementation of a detailed written charging procedure, designed and operated to eliminate emissions during charging for each battery, consisting of at least the following elements:

(A) Larry car hoppers filled with coal to a predetermined level in accordance with the mechanical volumetric controls required under subsection (2)(a)(iv) of this section so as to maintain a sufficient gas passage in the oven to be charged;

(B) The larry car aligned over the oven to be charged, so that the drop sleeves fit tightly over the charging holes; and

(C) The oven charged in accordance with the following sequence of requirements:

((~~aa~~)) (I) The aspiration system turned on;

((~~bb~~)) (II) Coal charged through the outermost hoppers, either individually or together, depending on the capacity of the aspiration system to collect the gases involved;

((~~cc~~)) (III) The charging holes used under (a)(ii) and (b) of this subsection relidded or otherwise sealed off to prevent leakage of coke oven emissions;

((~~dd~~)) (IV) If four hoppers are used, the third hopper discharged and relidded or otherwise sealed off to prevent leakage of coke oven emissions;

((~~ee~~)) (V) The final hopper discharged until the gas channel at the top of the oven is blocked and then the chuck door opened and the coal leveled;

((~~ff~~)) (VI) When the coal from the final hopper is discharged and the leveling operation complete, the charging hole relidded or otherwise sealed off to prevent leakage of coke oven emissions; and

((~~gg~~)) (VII) The aspiration system turned off only after the charging holes have been closed.

((~~hh~~)) (VIII) Establishment and implementation of a detailed written charging procedure, designed and operated to eliminate emissions during charging of each pipeline or enclosed charged battery.

(b) Coking. The employer shall operate existing coke oven batteries pursuant to a detailed written procedure established and implemented for the control of coke oven emissions during coking, consisting of at least the following elements:

(i) Checking oven back pressure controls to maintain uniform pressure conditions in the collecting main;

(ii) Repair, replacement and adjustment of oven doors and check doors and replacement of door jambs so as to provide a continuous metal-to-metal fit;

(iii) Cleaning of oven doors, chuck doors and door jambs each coking cycle so as to provide an effective seal;

(iv) An inspection system and corrective action program to control door emissions to the maximum extent possible; and

(v) Luting of doors that are sealed by luting each coking cycle and reluting, replacing or adjusting as necessary to control leakage.

(c) Pushing. The employer shall operate existing coke oven batteries with the following work practices to control coke oven emissions during pushing operations:

(i) Coke and coal spillage quenched as soon as practicable and not shoveled into a heated oven; and

(ii) A detailed written procedure for each battery established and implemented for the control of emissions during pushing consisting of the following elements:

(A) Dampening off the ovens and removal of charging hole lids to effectively control coke oven emissions during the push;

(B) Heating of the coal charge uniformly for a sufficient period so as to obtain proper coking including preventing green pushes;

(C) Prevention of green pushes to the maximum extent possible;

(D) Inspection, adjustment and correction of heating flue temperatures and defective flues at least weekly and after any green push, so as to prevent green pushes;

(E) Cleaning of heating flues and related equipment to prevent green pushes, at least weekly and after any green push.

(d) Maintenance and repair. The employer shall operate existing coke oven batteries pursuant to a detailed written procedure of maintenance and repair established and implemented for the effective control of coke oven emissions consisting of the following elements:

(i) Regular inspection of all controls, including goose-necks, standpipes, standpipe caps, charging hole lids and castings, jumper pipes and air seals for cracks, misalignment or other defects and prompt implementation of the necessary repairs as soon as possible;

(ii) Maintaining the regulated area in a neat, orderly condition free of coal and coke spillage and debris;

(iii) Regular inspection of the damper system, aspiration system and collector main for cracks or leakage, and prompt implementation of the necessary repairs;

(iv) Regular inspection of the heating system and prompt implementation of the necessary repairs;

(v) Prevention of miscellaneous fugitive topside emissions;

(vi) Regular inspection and patching of over brickwork;

(vii) Maintenance of battery equipment and controls in good working order;

(viii) Maintenance and repair of coke oven doors, chuck doors, door jambs and seals; and

(ix) Repairs instituted and completed as soon as possible, including temporary repair measures instituted and completed where necessary, including but not limited to:

(A) Prevention of miscellaneous fugitive topside emissions; and

(B) Chuck door gaskets, which shall be installed prior to the start of the next coking cycle.

(4) Filtered air.

(a) The employer shall provide positive-pressure, temperature controlled filtered air for larry car, pusher machine, door machine, and quench car cabs.

(b) The employer shall provide standby pulpits on the battery topside, at the wharf, and at the screening station, equipped with positive-pressure, temperature controlled filtered air.

(5) Emergencies. Whenever an emergency occurs, the next coking cycle may not begin until the cause of the

emergency is determined and corrected, unless the employer can establish that it is necessary to initiate the next coking cycle in order to determine the cause of the emergency.

(6) Compliance program.

(a) Each employer shall establish and implement a written program to reduce exposures solely by means of the engineering and work practice controls specified in subsections (2) through (4) of this section.

(b) The written program shall include at least the following:

(i) A description of each coke oven operation by battery, including work force and operating crew, coking time, operating procedures and maintenance practices;

(ii) Engineering plans and other studies used to determine the controls for the coke battery;

(iii) A report of the technology considered in meeting the permissible exposure limit;

(iv) Monitoring data obtained in accordance with WAC 296-62-20007.

(v) A detailed schedule for the implementation of the engineering and work practice controls specified in subsections (2) through (4) of this section; and

(vi) Other relevant information.

(c) If, after implementing all controls required by subsections (2) through (4) of this section, or after January 20, 1980, whichever is sooner, or after completion of a new or rehabilitated battery the permissible exposure limit is still exceeded, the employer shall develop a detailed written program and schedule for the implementation of any additional engineering controls and work practices necessary to reduce exposure to or below the permissible exposure limit.

(d) Written plans for such programs shall be submitted, upon request, to the director, and shall be available at the worksite for examination and copying by the director, and the authorized employee representative. The plans required under this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(7) Training in compliance procedures. The employer shall incorporate all written procedures and schedules required under this section in the education and training program required under WAC 296-62-20019 and, where appropriate, post in the regulated area.

#### AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-56505 BOATS AND MECHANICAL DEVICES ON WATERS. (1) Prior to starting the boat motor, any spilled fuel shall be removed and vapors shall be exhausted from any area in which they may accumulate.

(2) The bilge area shall be kept clean and oil, grease, fuel, or highly combustible materials shall not be allowed to accumulate.

(3) Adequate ventilation equipment shall be provided and used for the bilge area to prevent the accumulation of toxic or explosive gases or vapors.

(4) Adequate ventilation equipment shall be provided and used for the cabin area on enclosed cabin-type boats to prevent an accumulation of harmful gases or vapors.



(5) Deck and cabin lighting shall be provided and used where necessary to provide safe levels of illumination aboard boats. Boats operated during the period from sunset to sunrise, or in conditions of restricted visibility, shall display navigation lights as required by the United States Coast Guard. Searchlights or floodlights shall be provided to facilitate safe navigation and to illuminate working or boarding areas adjacent to the craft.

(6) On craft used by workers wearing calked shoes, all areas where the operator or workers must stand or walk shall be made of or be covered with wood or other suitable matting or nonslip material and such covering shall be maintained in good condition.

(7) Each boat shall be provided with a fire extinguisher and life ring with at least fifty feet of one-fourth inch line attached. On log broncs, boom-scooters, or other small boomboats where all occupants are required to wear life saving devices and a life ring would present a tripping hazard, the life ring may be omitted.

(8)(a) Along docks, walkways, or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with at least ninety feet of one-fourth inch line attached, shall be provided. The life rings shall be spaced at intervals not to exceed two hundred feet and shall be kept in easily visible and readily accessible locations.

(b) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with at least ninety feet of line attached, shall be provided in the immediate vicinity of the work assigned.

(c) When work is assigned over water where the vertical drop from the accidental fall would exceed fifty feet, special arrangements shall be made with and approved by the department of labor and industries prior to such assignment.

(d) Lines attached to life rings on fixed locations shall be at least ninety feet in length, at least one-fourth inch in diameter, and have a minimum breaking strength of five hundred pounds. Similar lines attached to life rings on boats shall be at least fifty feet in length.

(e) Life rings must be United States Coast Guard approved thirty-inch size.

(f) Life rings and attached lines shall be maintained to retain at least seventy-five percent of their designed buoyancy and strength.

(g) Log broncs, boom-scooters, and boomboats shall not be loaded with personnel or equipment so as to adversely affect their stability or seaworthiness.

(h) Boats shall not be operated at an excessive speed or handled recklessly.

(i) Boat fuel shall be transported and stored in approved containers ((Underwriters Laboratories, Inc.)). Refer to WAC 296-24-58501(19) for definition of approved.

#### Chapter 296-99 WAC SAFETY STANDARDS FOR GRAIN HANDLING FACILITIES

#### WAC

296-99-010	Scope.
296-99-015	Application.
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296-99-040	Entry into bins, silos, and tanks.
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296-99-055	Grate openings.
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296-99-065	Preventive maintenance.
296-99-070	Grain stream processing equipment.
296-99-075	Emergency escape.
296-99-080	Continuous-flow bulk raw grain dryers.
296-99-085	Inside bucket elevators.
296-99-090	Appendix A, grain handling facilities.
296-99-093	Appendix B, grain handling facilities.
296-99-095	Appendix C, grain handling facilities.

#### NEW SECTION

WAC 296-99-010 SCOPE. This section contains requirements for the control of grain dust fires and explosions, and certain other safety hazards associated with grain handling facilities. It applies in addition to all other relevant provisions of chapters 296-24 and 296-62 WAC (or chapter 296-56 WAC at marine terminals).

#### NEW SECTION

WAC 296-99-015 APPLICATION. (1) WAC 296-99-010 through 296-99-070 apply to grain elevators, feed mills, flour mills, rice mills, dust pelletizing plants, dry corn mills, soybean flaking operations, and the dry grinding operations of soycake.

(2) WAC 296-99-075, 296-99-080, and 296-99-085 apply only to grain elevators.

#### NEW SECTION

WAC 296-99-020 DEFINITIONS. (1) "Choked leg" means a condition of material buildup in the bucket elevator that results in the stoppage of material flow and bucket movement. A bucket elevator is not considered choked that has the up-leg partially or fully loaded and has the boot and discharge cleared allowing bucket movement.

(2) "Fugitive grain dust" means combustible dust particles, emitted from the stock handling system, of such size as will pass through a U.S. Standard 40 mesh sieve (425 microns or less).

(3) "Grain elevator" means a facility engaged in the receipt, handling, storage, and shipment of bulk raw agricultural commodities such as corn, wheat, oats, barley, sunflower seeds, and soybeans.

(4) "Hot work" means work involving electric or gas welding, cutting, brazing, or similar flame producing operations.

(5) "Inside bucket elevator" means a bucket elevator that has the boot and more than twenty percent of the total leg height (above grade or ground level) inside the

grain elevator structure. Bucket elevators with leg casings that are inside (and pass through the roofs) of rail or truck dump sheds with the remainder of the leg outside of the grain elevator structure, are not considered inside bucket elevators.

(6) "Jogging" means repeated starting and stopping of drive motors in an attempt to clear choked legs.

(7) "Lagging" means a covering on drive pulleys used to increase the coefficient of friction between the pulley and the belt.

(8) "Permit" means the written certification by the employer authorizing employees to perform identified work operations subject to specified precautions.

#### NEW SECTION

**WAC 296-99-025 EMERGENCY ACTION PLAN.** The employer shall develop and implement an emergency action plan meeting the requirements contained in WAC 296-24-567.

#### NEW SECTION

**WAC 296-99-030 TRAINING.** (1) The employer shall provide training to employees at least annually and when changes in job assignment will expose them to new hazards. Current employees, and new employees prior to starting work, shall be trained in at least the following:

(a) General safety precautions associated with the facility, including recognition and preventive measures for the hazards related to dust accumulations and common ignition sources such as smoking; and

(b) Specific procedures and safety practices applicable to their job tasks including but not limited to, cleaning procedures for grinding equipment, clearing procedures for choked legs, housekeeping procedures, hot work procedures, preventive maintenance procedures, and lock-out/tag-out procedures.

(2) Employees assigned special tasks, such as bin entry and handling of flammable or toxic substances, shall be provided training to perform these tasks safely.

#### NEW SECTION

**WAC 296-99-035 HOT WORK PERMIT.** (1) The employer shall issue a permit for all hot work, with the following exceptions:

(a) Where the employer or the employer's representative (who would otherwise authorize the permit) is present while the hot work is being performed;

(b) In welding shops authorized by the employer;

(c) In hot work areas authorized by the employer which are located outside of the grain handling structure.

(2) The permit shall certify that the requirements contained in WAC 296-24-695 have been implemented prior to beginning the hot work operations. The permit shall be kept on file until completion of the hot work operations.

#### NEW SECTION

**WAC 296-99-040 ENTRY INTO BINS, SILOS, AND TANKS.** This paragraph applies to employees entering bins, silos, or tanks. It does not apply to employees entering flat storage buildings or tanks where the diameter of such structures is greater than the height, unless entry is made from the top of the structure.

The following actions shall be taken before employees enter bins, silos, or tanks:

(1) The employer shall issue a permit for entering bins, silos, or tanks unless the employer or the employer's representative (who would otherwise authorize the permit) is present during the entire operation. The permit shall certify that the precautions contained in this section have been implemented prior to employees entering bins, silos, or tanks. The permit shall be kept on file until completion of the entry operations.

(2) All mechanical, electrical, hydraulic, and pneumatic equipment which present a danger to employees inside bins, silos, or tanks shall be disconnected, locked-out and tagged, blocked-off, or prevented from operating by other means or methods.

(3) The atmosphere within a bin, silo, or tank shall be tested for the presence of combustible gases, vapors, and toxic agents when the employer has reason to believe they may be present. Additionally, the atmosphere within a bin, silo, or tank shall be tested for oxygen content unless there is continuous natural air movement or continuous forced-air ventilation before and during the period employees are inside. If the oxygen level is less than nineteen and one-half percent, or if combustible gas or vapor is detected in excess of ten percent of the lower flammable limit, or if toxic agents are present in excess of the ceiling values listed in WAC 296-62-07515, or if toxic agents are present in concentrations that will cause health effects which prevent employees from effecting self-rescue or communication to obtain assistance, the following provisions apply.

(a) Ventilation shall be provided until the unsafe condition or conditions are eliminated, and the ventilation shall be continued as long as there is a possibility of recurrence of the unsafe condition while the bin, silo, or tank is occupied by employees.

(b) If toxicity or oxygen deficiency cannot be eliminated by ventilation, employees entering the bin, silo, or tank shall wear an appropriate respirator. Respirator use shall be in accordance with the requirements of WAC 296-62-071 through 296-62-07121.

(4) When entering bins, silos, or tanks from the top, employees shall wear a body harness with lifeline, or use a boatswain's chair that meets the requirements of Part J-1 of chapter 296-24 WAC.

(5) An observer, equipped to provide assistance, shall be stationed outside the bin, silo, or tank being entered by an employee. Communications (visual, voice, or signal line) shall be maintained between the observer and employee entering the bin, silo, or tank.

(6) The employer shall provide equipment for rescue operations which is specifically suited for the bin, silo, or tank being entered.

(7) The employee acting as observer shall be trained in rescue procedures, including notification methods for obtaining additional assistance.

(8) Employees shall not enter bins, silos, or tanks underneath a bridging condition, or where a buildup of grain products on the sides could fall and bury them.

#### NEW SECTION

WAC 296-99-045 CONTRACTORS. (1) The employer shall inform contractors performing work at the grain handling facility of known potential fire and explosion hazards related to the contractor's work and work area. The employer shall also inform contractors of the applicable safety rules of the facility.

(2) The employer shall explain the applicable provisions of the emergency action plan to contractors.

#### NEW SECTION

WAC 296-99-050 HOUSEKEEPING. (1) The employer shall develop and implement a written housekeeping program that establishes the frequency and method(s) determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces.

(2) In addition, the housekeeping program for grain elevators shall address fugitive grain dust accumulations at priority housekeeping areas.

(a) Priority housekeeping areas shall include at least the following:

(i) Floor areas within thirty-five feet (10.7 m) of inside bucket elevators;

(ii) Floors of enclosed areas containing grinding equipment;

(iii) Floors of enclosed areas containing grain dryers located inside the facility.

(b) The employer shall immediately remove any fugitive grain dust accumulations whenever they exceed one-eighth inch (.32 cm) at priority housekeeping areas, pursuant to the housekeeping program, or shall demonstrate and assure, through the development and implementation of the housekeeping program, that equivalent protection is provided.

(3) The use of compressed air to blow dust from ledges, walls, and other areas shall only be permitted when all machinery that presents an ignition source in the area is shut-down, and all other known potential ignition sources in the area are removed or controlled.

(4) Grain and product spills shall not be considered fugitive grain dust accumulations. However, the housekeeping program shall address the procedures for removing such spills from the work area.

#### NEW SECTION

WAC 296-99-055 GRATE OPENINGS. (1) Receiving-pit feed openings, such as truck or railcar receiving-pits, shall be covered by grates.

(2) The width of openings in the grates shall be a maximum of two and one-half inches (6.35 cm).

#### NEW SECTION

WAC 296-99-060 FILTER COLLECTORS. (1) Not later than March 30, 1989, all fabric dust filter collectors which are a part of a pneumatic dust collection system shall be equipped with a monitoring device that will indicate a pressure drop across the surface of the filter.

(2) Filter collectors installed after March 30, 1988, shall be:

(a) Located outside the facility; or

(b) Located in an area inside the facility protected by an explosion suppression system; or

(c) Located in an area inside the facility that is separated from other areas of the facility by construction having at least a one hour fire-resistance rating, and which is adjacent to an exterior wall and vented to the outside. The vent and ductwork shall be designed to resist rupture due to deflagration.

#### NEW SECTION

WAC 296-99-065 PREVENTIVE MAINTENANCE. (1) The employer shall implement preventive maintenance procedures consisting of:

(a) Regularly scheduled inspections of at least the mechanical and safety control equipment associated with dryers, grain stream processing equipment, dust collection equipment including filter collectors, and bucket elevators;

(b) Lubrication and other appropriate maintenance in accordance with manufacturers' recommendations, or as determined necessary by prior operating records.

(2) The employer shall promptly correct dust collection systems which are malfunctioning or which are operating below designed efficiency. Additionally, the employer shall promptly correct, or remove from service, overheated bearings and slipping or misaligned belts associated with inside bucket elevators.

(3) A certification record shall be maintained of each inspection, performed in accordance with this section, containing the date of the inspection, the name of the person who performed the inspection and the serial number, or other identifier, of the equipment specified in subsection (1)(a) of this section that was inspected.

(4) The employer shall implement procedures for the use of tags and locks which will prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury. Such locks and tags shall be removed in accordance with established procedures only by the employee installing them or, if unavailable, by his or her supervisor.

#### NEW SECTION

WAC 296-99-070 GRAIN STREAM PROCESSING EQUIPMENT. The employer shall equip grain stream processing equipment (such as hammer mills, grinders, and pulverizers) with an effective means of removing ferrous material from the incoming grain stream.

**NEW SECTION**

**WAC 296-99-075 EMERGENCY ESCAPE.** (1) The employer shall provide at least two means of emergency escape from galleries (bin decks).

(2) The employer shall provide at least one means of emergency escape in tunnels of existing grain elevators. Tunnels in grain elevators constructed after the effective date of this standard shall be provided with at least two means of emergency escape.

**NEW SECTION**

**WAC 296-99-080 CONTINUOUS-FLOW BULK RAW GRAIN DRYERS.** (1) Not later than April 1, 1991, all direct-heat grain dryers shall be equipped with automatic controls that:

(a) Will shut-off the fuel supply in case of power or flame failure or interruption of air movement through the exhaust fan; and

(b) Will stop the grain from being fed into the dryer if excessive temperature occurs in the exhaust of the drying section.

(2) Direct-heat grain dryers installed after March 30, 1988, shall be:

(a) Located outside the grain elevator; or

(b) Located in an area inside the grain elevator protected by a fire or explosion suppression system; or

(c) Located in an area inside the grain elevator which is separated from other areas of the facility by construction having at least a one hour fire-resistance rating.

**NEW SECTION**

**WAC 296-99-085 INSIDE BUCKET ELEVATORS.** (1) Bucket elevators shall not be jogged to free a choked leg.

(2) All belts and lagging purchased after March 30, 1988, shall be conductive. Such belts shall have a surface electrical resistance not to exceed 300 megohms.

(3) Not later than April 1, 1991, all bucket elevators shall be equipped with a means of access to the head pulley section to allow inspection of the head pulley, lagging, belt, and discharge throat of the elevator head. The boot section shall also be provided with a means of access for clean-out of the boot and for inspection of the boot, pulley, and belt.

(4) Not later than April 1, 1991, the employer shall:

(a) Mount bearings externally to the leg casing; or

(b) Provide vibration monitoring, temperature monitoring, or other means to monitor the condition of those bearings mounted inside or partially-inside the leg casing.

(5) Not later than April 1, 1991, the employer shall equip bucket elevators with a motion detection device which will shut-down the bucket elevator when the belt speed is reduced by no more than twenty percent of the normal operating speed.

(6) Not later than April 1, 1991, the employer shall:

(a) Equip bucket elevators with a belt alignment monitoring device which will initiate an alarm to employees when the belt is not tracking properly; or

(b) Provide a means to keep the belt tracking properly, such as a system that provides constant alignment adjustment of belts.

(7) Subsections (5) and (6) of this section do not apply to grain elevators having a permanent storage capacity of less than one million bushels, provided that daily visual inspection is made of bucket movement and tracking of the belt.

(8) Subsections (4), (5), and (6) of this section do not apply to the following:

(a) Bucket elevators which are equipped with an operational fire and explosion suppression system capable of protecting at least the head and boot section of the bucket elevator; or

(b) Bucket elevators which are equipped with pneumatic or other dust control systems or methods that keep the dust concentration inside the bucket elevator at least twenty-five percent below the lower explosive limit at all times during operations.

Note: The following appendices to this chapter serve as nonmandatory guidelines to assist employers and employees in complying with the requirements of this section, as well as to provide other helpful information.

No additional burdens are imposed through these appendices.

**NEW SECTION**

**WAC 296-99-090 APPENDIX A, GRAIN HANDLING FACILITIES.**

Note: Examples presented in this appendix may not be the only means of achieving the performance goals in the standard.

(1) Scope and application. The provisions of this standard apply in addition to any other applicable requirements of chapters 296-24 and 296-62 WAC (or chapter 296-56 WAC at marine terminals). The standard contains requirements for new and existing grain handling facilities. The standard does not apply to seed plants which handle and prepare seeds for planting of future crops, nor to on-farm storage or feed lots.

(2) Emergency action plan.

(a) The standard requires the employer to develop and implement an emergency action plan. The emergency action plan WAC 296-24-567 covers those designated actions employers and employees are to take to ensure employee safety from fire and other emergencies. The plan specifies certain minimum elements which are to be addressed. These elements include the establishment of an employee alarm system, the development of evacuation procedures, and training employees in those actions they are to take during an emergency.

(b) The standard does not specify a particular method for notifying employees of an emergency. Public announcement systems, air horns, steam whistles, a standard fire alarm system, or other types of employee alarm may be used. However, employers should be aware that employees in a grain facility may have difficulty hearing an emergency alarm, or distinguishing an emergency alarm from other audible signals at the facility, or both. Therefore, it is important that the type of employee alarm used be distinguishable and distinct.

(c) The use of floor plans or workplace maps which clearly show the emergency escape routes should be included in the emergency action plan; color coding will aid employees in determining their route assignments. The employer should designate a safe area, outside the facility, where employees can congregate after evacuation, and implement procedures to account for all employees after emergency evacuation has been completed.

(d) It is also recommended that employers seek the assistance of the local fire department for the purpose of preplanning for emergencies. Preplanning is encouraged to facilitate coordination and cooperation between facility personnel and those who may be called upon for assistance during an emergency. It is important for emergency service units to be aware of the usual work locations of employees at the facility.

### (3) Training.

(a) It is important that employees be trained in the recognition and prevention of hazards associated with grain facilities, especially those hazards associated with their own work tasks. Employees should understand the factors which are necessary to produce a fire or explosion, i.e., fuel (such as grain dust), oxygen, ignition source, and (in the case of explosions) confinement. Employees should be made aware that any efforts they make to keep these factors from occurring simultaneously will be an important step in reducing the potential for fires and explosions.

(b) The standard provides flexibility for the employer to design a training program which fulfills the needs of a facility. The type, amount, and frequency of training will need to reflect the tasks that employees are expected to perform. Although training is to be provided to employees at least annually, it is recommended that safety meetings or discussions and drills be conducted at more frequent intervals.

(c) The training program should include those topics applicable to the particular facility, as well as topics such as: Hot work procedures; lock-out/tag-out procedures; bin entry procedures; bin cleaning procedures; grain dust explosions; fire prevention; procedures for handling "hot grain"; housekeeping procedures, including methods and frequency of dust removal; pesticide and fumigant usage; proper use and maintenance of personal protective equipment; and, preventive maintenance. The types of work clothing should also be considered in the program at least to caution against using polyester clothing that easily melts and increases the severity of burns, as compared to wool or fire retardant cotton.

(d) In implementing the training program, it is recommended that the employer utilize films, slide-tape presentations, pamphlets, and other information which can be obtained from such sources as the Grain Elevator and Processing Society, the Cooperative Extension Service of the United States Department of Agriculture, Kansas State University's Extension Grain Science and Industry, and other state agriculture schools, industry associations, union organizations, and insurance groups.

### (4) Hot work permit.

(a) The implementation of a permit system for hot work is intended to assure that employers maintain control over operations involving hot work and to assure that employees are aware of and utilize appropriate safeguards when conducting these activities.

(b) Precautions for hot work operations are specified in WAC 296-24-695, and include such safeguards as relocating the hot work operation to a safe location if possible, relocating or covering combustible material in the vicinity, providing fire extinguishers, and provisions for establishing a fire watch. Permits are not required for hot work operations conducted in the presence of the employer or the employer's authorized representative who would otherwise issue the permit, or in an employer authorized welding shop or when work is conducted outside and away from the facility.

(c) It should be noted that the permit is not a record, but is an authorization of the employer certifying that certain safety precautions have been implemented prior to the beginning of work operations.

### (5) Entry into bins, silos, and tanks.

(a) In order to assure that employers maintain control over employee entry into bins, silos, and tanks, WISHA is requiring that the employer issue a permit for entry into bins, silos, and tanks unless the employer (or the employer's representative who would otherwise authorize the permit) is present at the entry and during the entire operation.

(b) Employees should have a thorough understanding of the hazards associated with entry into bins, silos, and tanks. Employees are not to be permitted to enter these spaces from the bottom when grain or other agricultural products are hung up or sticking to the sides which might fall and injure or kill an employee. Employees should be made aware that the atmosphere in bins, silos, and tanks can be oxygen deficient or toxic. Employees should be trained in the proper methods of testing the atmosphere, as well as in the appropriate procedures to be taken if the atmosphere is found to be oxygen deficient or toxic. When a fumigant has been recently applied in these areas and entry must be made, aeration fans should be running continuously to assure a safe atmosphere for those inside. Periodic monitoring of toxic levels should be done by direct reading instruments to measure the levels, and, if there is an increase in these readings, appropriate actions should be promptly taken.

(c) Employees have been buried and suffocated in grain or other agricultural products because they sank into the material. Therefore, it is suggested that employees not be permitted to walk or stand on the grain or other grain product where the depth is greater than waist high. In this regard, employees must use a full body harness or boatswain's chair with a lifeline when entering from the top. A winch system with mechanical advantage (either powered or manual) would allow better control of the employee than just using a hand held hoist line, and such a system would allow the observer to remove the employee easily without having to enter the space.

(d) It is important that employees be trained in the proper selection and use of any personal protective equipment which is to be worn. Equally important is the

training of employees in the planned emergency rescue procedures. Employers should carefully read WAC 296-62-07115 and assure that their procedures follow these requirements. The employee acting as observer is to be equipped to provide assistance and is to know procedures for obtaining additional assistance. The observer should not enter a space until adequate assistance is available. It is recommended that an employee trained in CPR be readily available to provide assistance to those employees entering bins, silos, or tanks.

(6) Contractors.

(a) These provisions of the standard are intended to ensure that outside contractors are cognizant of the hazards associated with grain handling facilities, particularly in relation to the work they are to perform for the employer. Also, in the event of an emergency, contractors should be able to take appropriate action as a part of the overall facility emergency action plan. Contractors should also be aware of the employer's permit systems. Contractors should develop specified procedures for performing hot work and for entry into bins, silos, and tanks and these activities should be coordinated with the employer. Contractors are responsible for informing their own employees.

(b) This coordination will help to ensure that employers know what work is being performed at the facility by contractors; where it is being performed; and, that it is being performed in a manner that will not endanger employees.

(7) Housekeeping.

(a) The housekeeping program is to be designed to keep dust accumulations and emissions under control inside grain facilities. The housekeeping program, which is to be written, is to specify the frequency and method(s) used to best reduce dust accumulations.

(b) Ship, barge, and rail loadout and receiving areas which are located outside the facility need not be addressed in the housekeeping program. Additionally, truck dumps which are open on two or more sides need not be addressed by the housekeeping program. Other truck dumps should be addressed in the housekeeping program to provide for regular cleaning during periods of receiving grain or agricultural products. The housekeeping program should provide coverage for all workspaces in the facility and include walls, beams, etc., especially in relation to the extent that dust could accumulate.

(i) Dust accumulations.

(A) Almost all facilities will require some level of manual housekeeping. Manual housekeeping methods, such as vacuuming or sweeping with soft bristle brooms, should be used which will minimize the possibility of layered dust being suspended in the air when it is being removed.

(B) The housekeeping program should include a contingency plan to respond to situations where dust accumulates rapidly due to a failure of a dust enclosure hood, an unexpected breakdown of the dust control system, a dust-tight connection inadvertently knocked open, etc.

(C) The housekeeping program should also specify the manner of handling spills. Grain spills are not considered to be dust accumulations.

(D) A fully enclosed horizontal belt conveying system where the return belt is inside the enclosure should have inspection access such as sliding panels or doors to permit checking of equipment, checking for dust accumulations and facilitate cleaning if needed.

(ii) Dust emissions.

(A) Employers should analyze the entire stock handling system to determine the location of dust emissions and effective methods to control or to eliminate them. The employer should make sure that holes in spouting, casings of bucket elevators, pneumatic conveying pipes, screw augers, or drag conveyor casings, are patched or otherwise properly repaired to prevent leakage. Minimizing free falls of grain or grain products by using choke feeding techniques, and utilization of dust-tight enclosures at transfer points, can be effective in reducing dust emissions.

(B) Each housekeeping program should specify the schedules and control measures which will be used to control dust emitted from the stock handling system. The housekeeping program should address the schedules to be used for cleaning dust accumulations from motors, critical bearings and other potential ignition sources in the working areas. Also, the areas around bucket elevator legs, milling machinery and similar equipment should be given priority in the cleaning schedule. The method of disposal of the dust which is swept or vacuumed should also be planned.

(C) Dust may accumulate in somewhat inaccessible areas, such as those areas where ladders or scaffolds might be necessary to reach them. The employer may want to consider the use of compressed air and long lances to blow down these areas frequently. The employer may also want to consider the periodic use of water and hoses to wash down these areas. If these methods are used, they are to be specified in the housekeeping program along with the appropriate safety precautions, including the use of personal protective equipment such as eyewear and dust respirators.

(D) Several methods have been effective in controlling dust emissions. A frequently used method of controlling dust emissions is a pneumatic dust collection system. However, the installation of a poorly designed pneumatic dust collection system has fostered a false sense of security and has often led to an inappropriate reduction in manual housekeeping. Therefore, it is imperative that the system be designed properly and installed by a competent contractor. Those employers who have a pneumatic dust control system that is not working according to expectations should request the engineering design firm, or the manufacturer of the filter and related equipment, to conduct an evaluation of the system to determine the corrections necessary for proper operation of the system. If the design firm or manufacturer of the equipment is not known, employers should contact their trade association for recommendations of competent designers of pneumatic dust control systems who could provide assistance.

(E) When installing a new or upgraded pneumatic control system, the employer should insist on an acceptance test period of thirty to forty-five days of operation to ensure that the system is operating as intended and designed. The employer should also obtain maintenance, testing, and inspection information from the manufacturer to ensure that the system will continue to operate as designed.

(F) Aspiration of the leg, as part of a pneumatic dust collection system, is another effective method of controlling dust emissions. Aspiration of the leg consists of a flow of air across the entire boot, which entrains the liberated dust and carries it up the up-leg to take-off points. With proper aspiration, dust concentrations in the leg can be lowered below the lower explosive limit. Where a prototype leg installation has been instrumented and shown to be effective in keeping the dust level twenty-five percent below the lower explosive limit during normal operations for the various products handled, then other legs of similar size, capacity and products being handled which have the same design criteria for the air aspiration would be acceptable to OSHA, provided the prototype test report is available on site.

(G) Another method of controlling dust emissions is enclosing the conveying system, pressurizing the general work area, and providing a lower pressure inside the enclosed conveying system. Although this method is effective in controlling dust emissions from the conveying system, adequate access to the inside of the enclosure is necessary to facilitate frequent removal of dust accumulations. This is also necessary for those systems called "self-cleaning."

(H) The use of edible oil sprayed on or into a moving stream of grain is another method which has been used to control dust emissions. Tests performed using this method have shown that the oil treatment can reduce dust emissions. Repeated handling of the grain may necessitate additional oil treatment to prevent liberation of dust. However, before using this method, operators of grain handling facilities should be aware that the Food and Drug Administration must approve the specific oil treatment used on products for food and feed.

(I) As a part of the housekeeping program, grain elevators are required to address accumulations of dust at priority areas using the action level. The standard specifies a maximum accumulation of one-eighth inch dust, measurable by a ruler or other measuring device, anywhere within a priority area as the upper limit at which time employers must initiate action to remove the accumulations using designated means or methods. Any accumulation in excess of this amount and where no action has been initiated to implement cleaning would constitute a violation of the standard, unless the employer can demonstrate equivalent protection. Employers should make every effort to minimize dust accumulations on exposed surfaces since dust is the fuel for a fire or explosion, and it is recognized that a one-eighth inch dust accumulation is more than enough to fuel such occurrences.

(8) Filter collectors.

(a) Proper sizing of filter collectors for the pneumatic dust control system they serve is very important for the

overall effectiveness of the system. The air to cloth ratio of the system should be in accordance with the manufacturer's recommendations. If higher ratios are used, they can result in more maintenance on the filter, shorter bag or sock life, increased differential pressure resulting in higher energy costs, and an increase in operational problems.

(b) A photohelic gauge, magnehelic gauge, or manometer, may be used to indicate the pressure rise across the inlet and outlet of the filter. When the pressure exceeds the design value for the filter, the air volume will start to drop, and maintenance will be required. Any of these three monitoring devices is acceptable as meeting WAC 296-99-060(1).

(c) The employer should establish a level or target reading on the instrument which is consistent with the manufacturer's recommendations that will indicate when the filter should be serviced. This target reading on the instrument and the accompanying procedures should be in the preventive maintenance program. These efforts would minimize the blinding of the filter and the subsequent failure of the pneumatic dust control system.

(d) There are other instruments that the employer may want to consider using to monitor the operation of the filter. One instrument is a zero motion switch for detecting a failure of motion by the rotary discharge valve on the hopper. If the rotary discharge valve stops turning, the dust released by the bag or sock will accumulate in the filter hopper until the filter becomes clogged. Another instrument is a level indicator which is installed in the hopper of the filter to detect the buildup of dust that would otherwise cause the filter hopper to be plugged. The installation of these instruments should be in accordance with manufacturer's recommendations.

(e) All of these monitoring devices and instruments are to be capable of being read at an accessible location and checked as frequently as specified in the preventive maintenance program.

(f) Filter collectors on portable vacuum cleaners, and those used where fans are not part of the system, are not covered by requirements of WAC 296-99-060.

(9) Preventive maintenance.

(a) The control of dust and the control of ignition sources are the most effective means for reducing explosion hazards. Preventive maintenance is related to ignition sources in the same manner as housekeeping is related to dust control and should be treated as a major function in a facility. Equipment such as critical bearings, belts, buckets, pulleys, and milling machinery are potential ignition sources, and periodic inspection and lubrication of such equipment through a scheduled preventive maintenance program is an effective method for keeping equipment functioning properly and safely. The use of vibration detection methods, heat-sensitive tape or other heat detection methods that can be seen by the inspector or maintenance person will allow for a quick, accurate, and consistent evaluation of bearings and will help in the implementation of the program.

(b) The standard does not require a specific frequency for preventive maintenance. The employer is permitted flexibility in determining the appropriate interval for

maintenance provided that the effectiveness of the maintenance program can be demonstrated. Scheduling of preventive maintenance should be based on manufacturer's recommendations for effective operation, as well as from the employer's previous experience with the equipment. However, the employer's schedule for preventive maintenance should be frequent enough to allow for both prompt identification and correction of any problems concerning the failure or malfunction of the mechanical and safety control equipment associated with bucket elevators, dryers, filter collectors, and magnets. The pressure-drop monitoring device for a filter collector, and the condition of the lagging on the head pulley, are examples of items that require regularly scheduled inspections. A system of identifying the date, the equipment inspected and the maintenance performed, if any, will assist employers in continually refining their preventive maintenance schedules and identifying equipment problem areas. Open work orders where repair work or replacement is to be done at a designated future date as scheduled, would be an indication of an effective preventive maintenance program.

(c) It is imperative that the prearranged schedule of maintenance be adhered to regardless of other facility constraints. The employer should give priority to the maintenance or repair work associated with safety control equipment, such as that on dryers, magnets, alarm and shut-down systems on bucket elevators, bearings on bucket elevators, and the filter collectors in the dust control system. Benefits of a strict preventive maintenance program can be a reduction of unplanned downtime, improved equipment performance, planned use of resources, more efficient operations, and, most importantly, safer operations.

(d) The standard also requires the employer to develop and implement procedures consisting of locking-out and tagging equipment to prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury. All employees who have responsibility for repairing or servicing equipment, as well as those who operate the equipment, are to be familiar with the employer's lock and tag procedures. A lock is to be used as the positive means to prevent operation of the disconnected equipment. Tags are to be used to inform employees why equipment is locked out. Tags are to meet requirements in WAC 296-24-14001. Locks and tags may only be removed by employees that placed them, or by their supervisor, to ensure the safety of the operation.

(10) Grain stream processing equipment. The standard requires an effective means of removing ferrous material from grain streams so that such material does not enter equipment such as hammer mills, grinders, and pulverizers. Large foreign objects, such as stones, should have been removed at the receiving pit. Introduction of foreign objects and ferrous material into such equipment can produce sparks which can create an explosion hazard. Acceptable means for removal of ferrous materials include the use of permanent or electromagnets. Means used to separate foreign objects and ferrous material should be cleaned regularly and kept in good repair as

part of the preventive maintenance program in order to maximize their effectiveness.

(11) Emergency escape. The standard specifies that at least two means of escape must be provided from galleries (bin decks). Means of emergency escape may include any available means of egress, consisting of three components, exit access, exit, and exit discharge as defined in WAC 296-24-55001, the use of controlled descent devices with landing velocities not to exceed fifteen ft./sec., or emergency escape ladders from galleries. Importantly, the means of emergency escape are to be addressed in the facility emergency action plan. Employees are to know the location of the nearest means of emergency escape and the action they must take during an emergency.

(12) Dryers. Liquefied petroleum gas-fired dryers should have the vaporizers installed at least ten feet from the dryer. The gas piping system should be protected from mechanical damage. The employer should establish procedures for locating and repairing leaks when there is a strong odor of gas or other signs of a leak.

(13) Inside bucket elevators.

(a) Hazards associated with inside bucket elevator legs are the source of many grain elevator fires and explosions. Therefore, to mitigate these hazards, the standard requires the implementation of special safety precautions and procedures, as well as the installation of safety control devices. The standard provides for a phase-in period for many of the requirements to provide the employer time for planning the implementation of the requirements. Additionally, for elevators with a permanent storage capacity of less than one million bushels, daily visual inspection of belt alignment and bucket movement can be substituted for alignment monitoring devices and motion detection devices.

(b) The standard requires that belts (purchased after the effective date of the standard) have surface electrical resistance not to exceed 300 megohms. Test methods available regarding electrical resistance of belts are: The American Society for Testing and Materials D257-76, "Standard Test Methods for D-C Resistance or Conductance of Insulating Materials"; and, the International Standards Organization's No. 284, "Conveyor Belts—Electrical Conductivity—Specification and Method of Test." When an employer has a written certification from the manufacturer that a belt has been tested using one of the above test methods, and meets the 300 megohm criteria, the belt is acceptable as meeting this standard. When using conductive belts, the employer should make certain that the head pulley and shaft are grounded through the drive motor ground or by some other equally effective means. When V-type drive belts are used to transmit power to the head pulley assembly from the motor drive shaft, it will be necessary to provide electrical continuity from the head pulley assembly to ground, e.g., motor grounds.

(c) Employers should also consider purchasing new belts that are flame retardant or fire resistive. A flame resistance test for belts is contained in 30 CFR 18.65.



**NEW SECTION**

WAC 296-99-093 APPENDIX B, GRAIN HANDLING FACILITIES. National consensus standards.

The following table contains a cross-reference listing of current national consensus standards which provide information that may be of assistance to grain handling operations. Employers who comply with provisions in these national consensus standards that provide equal or greater protection than those in this chapter will be considered in compliance with the corresponding requirements in this chapter.

Subject	National consensus standards
Grain elevators and facilities handling bulk raw agricultural commodities . . . . .	ANSI/NFPA 61B
Feed mills . . . . .	ANSI/NFPA 61C
Facilities handling agricultural commodities for human consumption . . . . .	ANSI/NFPA 61D
Pneumatic conveying systems for agricultural commodities . . . . .	ANSI/NFPA 66
Guide for explosion venting . . . . .	ANSI/NFPA 68
Explosion prevention systems . . . . .	ANSI/NFPA 69
Dust removal and exhaust systems . . . . .	ANSI/NFPA 91

**NEW SECTION**

WAC 296-99-095 APPENDIX C, GRAIN HANDLING FACILITIES. References for further information.

The following references provide information which can be helpful in understanding the requirements contained in various provisions of the standard, as well as provide other helpful information.

(1) Accident Prevention Manual for Industrial Operations; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.

(2) Practical Guide to Elevator Design; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(3) Dust Control for Grain Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(4) Prevention of Grain Elevator and Mill Explosions; National Academy of Sciences, Washington, DC. (Available from National Technical Information Service, Springfield, Virginia 22151.)

(5) Standard for the Prevention of Fires and Explosions in Grain Elevators and Facilities Handling Bulk Raw Agricultural Commodities, NFPA 61B; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(6) Standard for the Prevention of Fire and Dust Explosions in Feed Mills, NFPA 61C; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(7) Standard for the Prevention of Fire and Dust Explosions in the Milling of Agricultural Commodities for Human Consumption, NFPA 61D; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(8) Standard for Pneumatic Conveying Systems for Handling Feed, Flour, Grain and Other Agricultural Dusts, NFPA 66; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(9) Guide for Explosion Venting, NFPA 68; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(10) Standard on Explosion Prevention Systems, NFPA 69; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(11) Safety-Operations Plans; United States Department of Agriculture, Washington, DC 20250.

(12) Inplant Fire Prevention Control Programs; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(13) Guidelines for Terminal Elevators; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(14) Standards for Preventing the Horizontal and Vertical Spread of Fires in Grain Handling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(15) Belt Conveyors for Bulk Materials, Part I and Part II, Data Sheet 570, Revision A; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.

(16) Suggestions for Precautions and Safety Practices in Welding and Cutting; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(17) Food Bins and Tanks, Data Sheet 524; National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611.

(18) Pneumatic Dust Control in Grain Elevators; National Academy of Sciences, Washington, DC. (Available from National Technical Information Service, Springfield, Virginia 22151.)

(19) Dust Control Analysis and Layout Procedures for Grain Storage and Processing Plants; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(20) Standard for the Installation of Blower and Exhaust Systems for Dust, Stock and Vapor Removal, NFPA 91; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(21) Standards for the Installation of Direct Heat Grain Dryers in Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(22) Guidelines for Lubrication and Bearing Maintenance; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(23) Organized Maintenance in Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(24) Safe and Efficient Elevator Legs for Grain and Milling Properties; Mill Mutual Fire Prevention Bureau, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(25) Explosion Venting and Suppression of Bucket Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(26) Lightning Protection Code, NFPA 78; National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

(27) Occupational Safety in Grain Elevators, DHHS (NIOSH) Publication No. 83-126; National Institute for Occupational Safety and Health, Morgantown, West Virginia 26505.

(28) Retrofitting and Constructing Grain Elevators; National Grain and Feed Association, P.O. Box 28328, Washington, DC 20005.

(29) Grain Industry Safety and Health Center-Training Series. (Preventing grain dust explosions, operations maintenance safety, transportation safety, occupational safety and health); Grain Elevator and Processing Society, P.O. Box 15026, Commerce Station, Minneapolis, Minnesota 55415-0026.

(30) Suggestions for Organized Maintenance; The Mill Mutuals Loss Control Department, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(31) Safety-The First Step to Success; The Mill Mutuals Loss Control Department, 1 Pierce Place, Suite 1260 West, Itasca, Illinois 60143-1269.

(32) Emergency Plan Notebook; Schoeff, Robert W. and James L. Balding, Kansas State University, Cooperative Extension Service, Extension Grain Science and Industry, Shellenberger Hall, Manhattan, Kansas 66506.

**AMENDATORY SECTION** (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-265 FIRE PREVENTION. (1) Ignition hazards. (a) Electrical wiring and equipment for light, heat, or power purposes shall be installed in compliance with ~~((the requirements of the National Electrical Code, NFPA 70-1971, ANSI C1-1971 (Rev. of 1968), and))~~ the requirements of Part I of this ~~((chapter))~~ standard.

(b) Internal combustion engine powered equipment shall be so located that exhausts are well away from combustible materials. When exhausts are piped to outside the building under construction, a clearance of at least 6 inches shall be maintained between such piping and combustible material.

(c) Smoking shall be prohibited at or in the vicinity of operations which constitute a fire hazard, and shall be conspicuously posted: "No smoking or open flame."

(d) Portable battery powered lighting equipment, used in connection with the storage, handling, or use of flammable gases or liquids, shall be of the type approved for the hazardous locations.

(e) The nozzle of air, inert gas, and steam lines or hoses, when used in the cleaning or ventilation of tanks and vessels that contain hazardous concentrations of flammable gases or vapors, shall be bonded to the tank or vessel shell. Bonding devices shall not be attached or detached in hazardous concentrations of flammable gases or vapors.

(f) Workers shall not take open lights or open flames near or in an open sewer manhole, gas main, conduit or

other similar place until the absence of explosive or harmful gases has been assured. Open lights or flames shall not be carried into areas and enclosures where flammable vapors or exposed low flash point solvents exist. Only approved and suitable protected lights shall be used.

(2) Temporary buildings. (a) No temporary building shall be erected where it will adversely affect any means of exit.

(b) Temporary buildings, when located within another building or structure, shall be of either noncombustible construction or of combustible construction having a fire resistance of not less than 1 hour.

(c) Temporary buildings, located other than inside another building and not used for the storage, handling, or use of flammable or combustible liquids, flammable gases, explosives, or blasting agents, or similar hazardous occupancies, shall be located at a distance of not less than 10 feet from another building or structure. Groups of temporary buildings, not exceeding 2,000 square feet in aggregate, shall, for the purpose of this part, be considered a single temporary building.

(3) Open yard storage. (a) Combustible materials shall be piled with due regard to the stability of piles and in no case higher than 20 feet.

(b) Driveways between and around combustible storage piles shall be at least 15 feet wide and maintained free from accumulation of rubbish, equipment, or other articles or materials. Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is produced.

(c) The entire storage site shall be kept free from accumulation of unnecessary combustible materials. Weeds and grass shall be kept down and a regular procedure provided for the periodic cleanup of the entire area.

(d) When there is a danger of an underground fire, that land shall not be used for combustible or flammable storage.

(e) Method of piling shall be solid wherever possible and in orderly and regular piles. No combustible material shall be stored outdoors within 10 feet of a building or structure.

(f) Portable fire extinguishing equipment, suitable for the fire hazard involved, shall be provided at convenient, conspicuously accessible locations in the yard area. Portable fire extinguishers, rated not less than 2A, shall be placed so that maximum travel distance to the nearest unit shall not exceed 100 feet.

(4) Indoor storage. (a) Storage shall not obstruct, or adversely affect, means of exit.

(b) All materials shall be stored, handled, and piled with due regard to their fire characteristics.

(c) Noncompatible materials, which may create a fire hazard, shall be segregated by a barrier having a fire resistance of at least 1 hour.

(d) Material shall be piled to minimize the spread of fire internally and to permit convenient access for fire-fighting. Stable piling shall be maintained at all times. Aisle space shall be maintained to safely accommodate the widest vehicle that may be used within the building for fire-fighting purposes.

(e) Clearance of at least 36 inches shall be maintained between the top level of the stored material and the sprinkler deflectors.

(f) Clearance shall be maintained around lights and heating units to prevent ignition of combustible materials.

(g) A clearance of 24 inches shall be maintained around the path of travel of fire doors unless a barricade is provided, in which case no clearance is needed. Material shall not be stored within 36 inches of a fire door opening.

**AMENDATORY SECTION** (Amending Order 86-14, filed 1/21/86)

**WAC 296-155-270 FLAMMABLE AND COMBUSTIBLE LIQUIDS.** (1) General requirements. (a) Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids. Approved metal safety cans shall be used for the handling and use of flammable liquids in quantities greater than one gallon, except that this shall not apply to those flammable liquid materials which are highly viscid highly (extremely hard to pour), which may be used and handled in original shipping containers. For quantities of one gallon or less, only the original container or approved metal safety cans shall be used for storage, use, and handling of flammable liquids.

(b) Flammable or combustible liquids shall not be stored in areas used for exits, stairways, or normally used for the safe passage of people.

(c) Flammable and combustible liquid containers shall be legibly marked to indicate their contents. Each storage container for flammable or combustible liquids, with a capacity of 50 gallons or more, shall have the contents of the container identified by a sign of clearly visible contrasting colors with letters at least 3 inches high, painted on the container at the discharge valve and at the fill point.

(d) Gasoline shall not be used as a solvent or a cleaning agent.

(2) Indoor storage of flammable and combustible liquids. (a) No more than 25 gallons of flammable or combustible liquids shall be stored in a room outside of an approved storage cabinet. For storage of liquid petroleum gas, see WAC 296-155-275.

(b) Quantities of flammable and combustible liquid in excess of 25 gallons shall be stored in an acceptable or approved cabinet meeting the following requirements:

(i) Acceptable wooden storage cabinets shall be constructed in the following manner, or equivalent: The bottom, sides, and top shall be constructed of an exterior grade of plywood at least 1 inch in thickness, which shall not break down or delaminate under standard fire test conditions. All joints shall be rabbeted and shall be fastened in two directions with flathead wood screws, when more than one door is used, there shall be a rabbeted overlap of not less than 1 inch. Steel hinges shall be mounted in such a manner as to not lose their holding capacity due to loosening or burning out of the screws when subjected to fire. Such cabinets shall be painted inside and out with fire retardant paint.

(ii) Approved metal storage cabinets will be acceptable.

(iii) Cabinets shall be labeled in conspicuous lettering, "Flammable—Keep fire away."

(c) Not more than 60 gallons of flammable or 120 gallons of combustible liquids shall be stored in any one storage cabinet. Not more than three such cabinets may be located in a single storage area. Quantities in excess of this shall be stored in an inside storage room.

(d) (i) Inside storage room shall be constructed to meet the required fire-resistive rating for their use. Such construction shall comply with the test specifications set forth in Standard Methods of Fire Test of Building Construction and Material, NFPA 251-1972.

(ii) Where an automatic extinguishing system is provided, the system shall be designed and installed in an approved manner. Openings to other rooms or buildings shall be provided with noncombustible liquid-tight raised sills or ramps at least 4 inches in height, or the floor in the storage area shall be at least 4 inches below the surrounding floor. Openings shall be provided with approved self-closing fire doors. The room shall be liquid-tight where the walls join the floor. A permissible alternate to the sill or ramp is an open-grated trench, inside of the room, which drains to a safe location. Where other portions of the building or other buildings are exposed, windows shall be protected as set forth in the Standard for Fire Doors and Windows, NFPA No. 80-1983, for Class E or F openings. Wood of at least 1-inch nominal thickness may be used for shelving, racks, dunnage, scuffboards, floor overlay and similar installations.

(iii) Materials which will react with water and create a fire hazard shall not be stored in the same room with flammable or combustible liquids.

(iv) Storage in inside storage rooms shall comply with Table D-2 following:

TABLE D-2

Fire protection provided	Fire resistance	Maximum size	Total allowable quantities gals./sq. ft./floor area
Yes	2 hrs.	500 sq. ft.	10
No	2 hrs.	500 sq. ft.	4
Yes	1 hr.	150 sq. ft.	5
No	1 hr.	150 sq. ft.	2

Note: Fire protection system shall be sprinkler, water spray, carbon dioxide or other system approved by a nationally recognized testing laboratory for this purpose.

(v) Electrical wiring and equipment located in inside storage rooms shall be approved for Class 1, Division 1, hazardous locations. For definition of Class 1, Division 1, hazardous locations, see WAC ((296-155-455)) 296-155-456.

(vi) Every inside storage room shall be provided with either a gravity or a mechanical exhausting system. Such system shall commence not more than 12 inches above the floor and be designed to provide for a complete change of air within the room at least 6 times per hour. If a mechanical exhausting system is used, it shall be controlled by a switch located outside of the door. The ventilating equipment and any lighting fixtures shall be operated by the same switch. An electric pilot light shall be installed adjacent to the switch if flammable liquids are dispensed within the room. Where gravity ventilation is provided, the fresh air intake, as well as the exhausting outlet from the room, shall be on the exterior of the building in which the room is located.

(vii) In every inside storage room there shall be maintained one clear aisle at least 3 feet wide. Containers over 30 gallons capacity shall not be stacked one upon the other.

(viii) Flammable and combustible liquids in excess of that permitted in inside storage rooms shall be stored outside of buildings in accordance with subsection (3) of this section.

(3) Storage outside buildings. (a) Storage of containers (not more than 60 gallons each) shall not exceed 1,100 gallons in any one pile or area. Piles or groups of containers shall be separated by a 5-foot clearance. Piles or groups of containers shall not be nearer than 20 feet to a building.

(b) Within 200 feet of each pile of containers, there shall be a 12-foot-wide access way to permit approach of fire control apparatus.

(c) The storage area shall be graded in a manner to divert possible spills away from buildings or other exposures, or shall be surrounded by a curb or earth dike at least 12 inches high. When curbs or dikes are used, provisions shall be made for draining off accumulations of ground or rain water, or spills of flammable or combustible liquids. Drains shall terminate at a safe location and shall be accessible to operation under fire conditions.

(d) Outdoor portable tank storage. (i) Portable tanks shall not be nearer than 20 feet from any building. Two or more portable tanks, grouped together, having a combined capacity in excess of 2,200 gallons, shall be separated by a 5-foot-clear area. Individual portable tanks exceeding 1,100 gallons shall be separated by a 5-foot-clear area.

(ii) Within 200 feet of each portable tank, there shall be a 12-foot-wide access way to permit approach of fire control apparatus.

(e) Storage areas shall be kept free of weeds, debris, and other combustible material not necessary to the storage.

(f) Portable tanks, not exceeding 660 gallons, shall be provided with emergency venting and other devices, as required by chapters III and IV of NFPA 30-1972, The Flammable and Combustible Liquids Code.

(g) Portable tanks, in excess of 660 gallons, shall have emergency venting and other devices, as required by chapters II and III of the Flammable and Combustible Liquids Code, NFPA 30-1972.

(4) Fire control for flammable or combustible liquid storage. (a) At least one portable fire extinguisher, having a rating of not less than 20-B units, shall be located outside of, but not more than 10 feet from, the door opening into any room used for storage of more than 60 gallons of flammable or combustible liquids.

(b) At least one portable fire extinguisher having a rating of not less than 20-B units shall be located not less than 25 feet, nor more than 75 feet, from any flammable liquid storage area located outside.

(c) When sprinklers are provided, they shall be installed in accordance with the Standard for the Installation of Sprinkler Systems, NFPA 13-1972.

(d) At least one portable fire extinguisher having a rating of not less than 20-B:C units shall be provided on all tank trucks or other vehicles used for transporting and/or dispensing flammable or combustible liquids.

(5) Dispensing liquids. (a) Areas in which flammable or combustible liquids are transferred at the same time, in quantities greater than 5 gallons from one tank or container to another tank or container, shall be separated from other operations by 25-foot distance or by construction having a fire-resistance of at least 1 hour. Drainage or other means shall be provided to control spills. Adequate natural or mechanical ventilation shall be provided to maintain the concentration of flammable vapor at or below 10 percent of the lower flammable limit.

(b) Transfer flammable liquids from one container to another shall be done only when containers are electrically interconnected (bonded).

(c) Flammable or combustible liquids shall be drawn from or transferred into vessels, containers, or tanks within a building or outside only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container, or portable tanks, by gravity or pump, through an approved self-closing valve. Transferring by means of air pressure on the container or portable tank is prohibited.

(d) The dispensing units shall be protected against collision damage.

(e) Dispensing devices and nozzles for flammable liquids shall be of an approved type, as required by WAC 296-24-33015.

(6) Handling liquids at point of final use. (a) Flammable liquids shall be kept in closed containers when not actually in use.

(b) Leakage or spillage of flammable or combustible liquids shall be disposed of promptly and safely.

(c) Flammable liquids shall be used only where there are no open flames or other sources of ignition within 50 feet of the operation, unless conditions warrant greater clearance.

(7) Service and refueling areas. (a) Flammable or combustible liquids shall be stored in approved closed containers, in tanks located underground, or in above-ground portable tanks.

(b) The tank trucks shall comply with the requirements covered in the Standard for Tank Vehicles for Flammable and Combustible Liquids, NFPA No. 385-1977.

(c) The dispensing hose shall be an approved type.

(d) The dispensing nozzle shall be an approved automatic-closing type.

(e) Underground tanks shall not be abandoned.

(f) Clearly identified and easily accessible switch(es) shall be provided at a location remote from dispensing devices to shut off the power to all dispensing devices in the event of an emergency.

(g)(i) Heating equipment of an approved type may be installed in the lubrication or service area where there is no dispensing or transferring of flammable liquids, provided the bottom of the heating unit is at least 18 inches above the floor and is protected from physical damage.

(ii) Heating equipment installed in lubrication or service areas, where flammable liquids are dispensed, shall be of an approved type for garages, and shall be installed at least 8 feet above the floor.

(h) There shall be no smoking or open flames in the areas used for fueling, servicing fuel systems for internal combustion engines, receiving or dispensing of flammable or combustible liquids.

(i) Conspicuous and legible signs prohibiting smoking shall be posted.

(j) The motor of any equipment being fueled shall be shut off during the fueling operation.

(k) Each service or fueling area shall be provided with at least one fire extinguisher having a rating of not less than 20BC located so that an extinguisher will be within 75 feet of each pump, dispenser, underground fill pipe opening, and lubrication or service area.

#### AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-405 ARC WELDING AND CUTTING. (1) Manual electrode holders. (a) Only manual electrode holders which are specifically designed for arc welding and cutting, and are of a capacity capable of safely handling the maximum rated current required by the electrodes, shall be used.

(b) Any current-carrying parts passing through the portion of the holder which the arc welder or cutter grips in his hand, and the outer surfaces of the jaws of the holder, shall be fully insulated against the maximum voltage encountered to ground.

(2) Welding cables and connectors. (a) All arc welding and cutting cables shall be of the completely insulated, flexible type, capable of handling the maximum current requirements of the work in progress, taking into account the duty cycle under which the arc welder or cutter is working.

(b) Only cable free from repair or splices for a minimum distance of 10 feet from the cable end to which the electrode holder is connected shall be used, except that cables with standard insulated connectors or with splices whose insulating quality is equal to that of the cable are permitted.

(c) When it becomes necessary to connect or splice lengths of cable one to another, substantial insulated connectors of a capacity at least equivalent to that of the cable shall be used. If connections are effected by means of cable lugs, they shall be securely fastened together to give good electrical contact, and the exposed metal parts of the lugs shall be completely insulated.

(d) Cables in need of repair shall not be used. When a cable, other than the cable lead referred to in subdivision (b) of this subsection, becomes worn to the extent of exposing bare conductors, the portion thus exposed shall be protected by means of rubber and friction tape or other equivalent insulation.

(3) Ground returns and machine grounding. (a) A ground return cable shall have a safe current carrying capacity equal to or exceeding the specified maximum output capacity of the arc welding or cutting unit which it services. When a single ground return cable services more than one unit, its safe current-carrying capacity shall equal or exceed the total specified maximum output capacities of all the units which it services.

(b) Pipelines containing gases or flammable liquids, or conduits containing electrical circuits, shall not be used as a ground return. For welding on natural gas pipelines, the technical portions of regulations issued by the Department of Transportation, Office of Pipeline Safety, Minimum Federal Safety Standards for Gas Pipelines shall apply. (49 CFR Part 192, Subpart C.)

(c) When a structure or pipeline is employed as a ground return circuit, it shall be determined that the required electrical contact exist at all joints. The generation of an arc, sparks, or heat at any point shall cause rejection of the structures as a ground circuit.

(d) When a structure or pipeline is continuously employed as a ground return circuit, all joints shall be bonded, and periodic inspections shall be conducted to ensure that no condition of electrolysis or fire hazard exists by virtue of such use.

(e) The frames of all arc welding and cutting machines shall be grounded either through a third wire in the cable containing the circuit conductor or through a separate wire which is grounded at the source of the current. Grounding circuits, other than by means of the structure, shall be checked to ensure that the circuit between the ground and the grounded power conductor has resistance low enough to permit sufficient current to flow to cause the fuse or circuit breaker to interrupt the current.

(f) All ground connections shall be inspected to ensure that they are mechanically strong and electrically adequate for the required current.

(4) Operating instructions. Employers shall instruct employees in the safe means of arc welding and cutting as follows:

(a) When electrode holders are to be left unattended, the electrodes shall be removed and the holders shall be so placed or protected that they cannot make electrical contact with employees or conducting objects.

(b) Hot electrode holders shall not be dipped in water; to do so may expose the arc welder or cutter to electric shock.

(c) When the arc welder or cutter has occasion to leave his work or to stop work for any appreciable length of time, or when the arc welding or cutting machine is to be moved, the power supply switch to the equipment shall be opened.

(d) Any faulty or defective equipment shall be reported to the supervisor.

(e) (~~Other requirements, as outlined in Article 630, National Electrical Code, NFPA 70-1984, ANSI C2-1984, Electric Welders, shall be followed when applicable~~) See WAC 296-155-452 for additional requirements.

(5) Shielding. Whenever practical, all arc welding and cutting operations shall be shielded by noncombustible or flameproof screens which will protect employees and other persons working in the vicinity from the direct rays of the arc.

(6) Employee protection. Where welding or cutting operations are being performed in areas where it is possible for molten slag to contact other employees, those employees shall be protected from being burned by providing overhead protection, barricading the impact area, or other effective means.

**AMENDATORY SECTION** (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-745 COMPRESSED AIR. (1) General provisions. (a) There shall be present, at all times, at least one competent person designated by and representing the employer, who shall be familiar with this part in all respects and responsible for full compliance with these and other applicable parts.

(b) Every employee shall be instructed in the rules and regulations which concern his safety or the safety of others.

(2) Medical attendance, examination, and regulations. (a) There shall be retained one or more licensed physicians familiar with and experienced in the physical requirements and the medical aspects of compressed air work and the treatment of decompression illness. He shall be available at all times while work is in progress in order to provide medical supervision of employees employed in compressed air work. He shall himself be physically qualified and be willing to enter a pressurized environment.

(b) No employee shall be permitted to enter a compressed air environment until he has been examined by the physician and reported by him to be physically qualified to engage in such work.

(c) In the event an employee is absent from work for 10 days, or is absent due to sickness or injury, he shall not resume work until he is reexamined by the physician, and his physical condition reported, as provided in this subsection, to be such as to permit him to work in compressed air.

(d) After an employee has been employed continuously in compressed air for a period designated by the physician, but not to exceed 1 year, he shall be reexamined by the physician to determine if he is still physically qualified to engage in compressed air work.

(e) Such physician shall at all times keep a complete and full record of examinations made by him. The physician shall also keep an accurate record of any decompression illness or other illness or injury incapacitating any employee for work, and of all loss of life that occurs in the operation of a tunnel, caisson, or other compartment in which compressed air is used.

(f) Records shall be available for the inspection by the director or his representatives, and a copy thereof shall

be forwarded to the division within 48 hours following the occurrence of the accident, death, injury, or decompression illness. It shall state as fully as possible the cause of said death or decompression illness, and the place where the injured or sick employee was taken, and such other relative information as may be required by the director.

(g) A fully equipped first-aid station shall be provided at each tunnel project regardless of the number of persons employed. An ambulance or transportation suitable for a litter case shall be at each project.

(h) Where tunnels are being excavated from portals more than 5 road miles apart, a first-aid station and transportation facilities shall be provided at each portal.

(i) A medical lock shall be established and maintained in immediate working order whenever air pressure in the working chamber is increased above the normal atmosphere.

(j) The medical lock shall:

(i) Have at least 6 feet of clear headroom at the center, and be subdivided into not less than two compartments;

(ii) Be readily accessible to employees working under compressed air;

(iii) Be kept ready for immediate use for at least 5 hours subsequent to the emergence of any employee from the working chamber;

(iv) Be properly heated, lighted and ventilated;

(v) Be maintained in a sanitary condition;

(vi) Have a nonshatterable port through which the occupant(s) may be kept under constant observation;

(vii) Be designed for a working pressure of 75 p.s.i.g.;

(viii) Be equipped with internal controls which may be overridden by external controls;

(ix) Be provided with air pressure gauges to show the air pressure within each compartment to observers inside and outside the medical lock;

(x) Be equipped with a manual type sprinkler system that can be activated inside the lock or by the outside lock tender;

(xi) Be provided with oxygen lines and fittings leading into external tanks. The lines shall be fitted with check valves to prevent reverse flow. The oxygen system inside the chamber shall be of a closed circuit design and be so designed as to automatically shut off the oxygen supply whenever the fire system is activated.

(xii) Be in constant charge of an attendant under the direct control of the retained physician. The attendant shall be trained in the use of the lock and suitably instructed regarding steps to be taken in the treatment of employee exhibiting symptoms compatible with a diagnosis of decompression illness;

(xiii) Be adjacent to an adequate emergency medical facility;

(xiv) The medical facility shall be equipped with demand-type oxygen inhalation equipment approved by the U.S. Bureau of Mines;

(xv) Be capable of being maintained at a temperature, in use, not to exceed 90°F. nor be less than 70°F.; and

(xvi) Be provided with sources of air, free of oil and carbon monoxide, for normal and emergency use, which

are capable of raising the air pressure in the lock from 0 to 75 p.s.i.g. in 5 minutes.

(k) Identification badges shall be furnished to all employees, indicating that the wearer is a compressed air worker. A permanent record shall be kept of all identification badges issued. The badge shall give the employee's name, address of the medical lock, the telephone number of the licensed physician for the compressed air project, and contain instructions that in case of emergency of unknown or doubtful cause or illness, the wearer shall be rushed to the medical lock. The badge shall be worn at all times—off the job, as well as on the job.

(3) Telephone and signal communication. ~~((f))~~ Effective and reliable means of communication, such as bells, whistles, or telephones, shall be maintained at all times between all the following locations;

- ~~((f))~~ (a) The working chamber face;
- ~~((f))~~ (b) The working chamber side of the man lock near the door;
- ~~((f))~~ (c) The interior of the man lock;
- ~~((f))~~ (d) Lock attendant's station;
- ~~((f))~~ (e) The compressor plant;
- ~~((f))~~ (f) The first-aid station;
- ~~((f))~~ (g) The emergency lock (if one is required); and
- ~~((f))~~ (h) The special decompression chamber (if one is required).

(4) Signs and records. (a) The time of decompression shall be posted in each man lock as follows:

TIME OF DECOMPRESSION FOR THIS LOCK

..... pounds to ..... pounds  
 in ..... minutes.  
 ..... pounds to ..... pounds  
 in ..... minutes.

(Signed by) .....  
 (Superintendent)

This form shall be posted in the man lock at all times.

(b) Any code of signals used shall be conspicuously posted near workplace entrances and such other locations as may be necessary to bring them to the attention of all employees concerned.

(c) For each 8-hour shift, a record of employees employed under air pressure shall be kept by an employee who shall remain outside the lock near the entrance. This record shall show the period each employee spends in the air chamber and the time taken from decompression. A copy shall be submitted to the appointed physician after each shift.

(5) Compression. (a) Every employee going under air pressure for the first time shall be instructed on how to avoid excessive discomfort.

(b) During the compression of employees, the pressure shall not be increased to more than 3 p.s.i.g. within the first minute. The pressure shall be held at 3 p.s.i.g. and again at 7 p.s.i.g. sufficiently long to determine if any employees are experiencing discomfort.

(c) After the first minute the pressure shall be raised uniformly and at a rate not to exceed 10 p.s.i. per minute.

(d) If any employee complains of discomfort, the pressure shall be held to determine if the symptoms are relieved. If, after 5 minutes the discomfort does not disappear, the lock attendant shall gradually reduce the pressure until the employee signals that the discomfort has ceased. If he does not indicate that the discomfort has disappeared, the lock attendant shall reduce the pressure to atmospheric and the employee shall be released from the lock.

(e) No employee shall be subjected to pressure exceeding 50 pounds per square inch except in an emergency.

(6) Decompression. (a) Decompression to normal condition shall be in accordance with the decompression tables in Appendix A of this part.

(b) In the event it is necessary for an employee to be in compressed air more than once in a 24-hour period, the appointed physician shall be responsible for the establishment of methods and procedures of decompression applicable to repetitive exposures.

(c) If decanting is necessary, the appointed physician shall establish procedures before any employee is permitted to be decompressed by decanting methods. The period of time that the employees spend at atmospheric pressure between the decompression following the shift and recompression shall not exceed 5 minutes.

(7) Man locks and special decompression chambers.

(a) Man locks. (i) Except in emergency, no employees employed in compressed air shall be permitted to pass from the working chamber to atmospheric pressure until after decompression, in accordance with the procedures in this part.

(ii) The lock attendant in charge of a man lock shall be under the direct supervision of the appointed physician. He shall be stationed at the lock controls on the free air side during the period of compression and decompression and shall remain at the lock control station whenever there are persons in the working chamber or in the man lock.

(iii) Except where air pressure in the working chamber is below 12 p.s.i.g., each man lock shall be equipped with automatic controls which, through taped programs, cams, or similar apparatus, shall automatically regulate decompressions. It shall also be equipped with manual controls to permit the lock attendant to override the automatic mechanism in the event of an emergency, as provided in item (viii) of this subdivision.

(iv) A manual control, which can be used in the event of an emergency, shall be placed inside the man lock.

(v) A clock, thermometer, and continuous recording pressure gauge with a 4-hour graph shall be installed outside of each man lock and shall be changed prior to each shift's decompression. The chart shall be of sufficient size to register a legible record of variations in pressure within the man lock and shall be visible to the lock attendant. A copy of each graph shall be submitted to the appointed physician after each shift. In addition, a pressure gauge, clock, and thermometer shall also be installed in each man lock. Additional fittings shall be provided so that the test gauges may be attached whenever necessary

(vi) Except where air pressure is below 12 p.s.i.g. and there is no danger of rapid flooding, all caissons having a working area greater than 150 square feet, and each bulkhead in tunnels of 14 feet or more in diameter, or equivalent area, shall have at least two locks in perfect working condition, one of which shall be used exclusively as a man lock, the other, as a materials lock.

(vii) Where only a combination man-and-materials lock is required, this single lock shall be of sufficient capacity to hold the employees constituting two successive shifts.

(viii) Emergency locks shall be large enough to hold an entire heading shift and a limit maintained of 12 p.s.i.g. There shall be a chamber available for oxygen decompression therapy to 28 p.s.i.g.

(ix) The man lock shall be large enough so that those using it are not compelled to be in a cramped position and shall not have less than 5 feet clear head room at the center and a minimum of 30 cubic feet of air space per occupant.

(x) Locks on caissons shall be so located that the bottom door shall be not less than 3 feet above the water level surrounding the caisson on the outside. (The water level, where it is affected by tides, is construed to mean high tide.)

(xi) In addition to the pressure gauge in the locks, an accurate pressure gauge shall be maintained on the outer and inner side of each bulkhead. These gauges shall be accessible at all times and shall be kept in accurate working order.

(xii) Man locks shall have an observation port at least 4 inches in diameter located in such a position that all occupants of the man lock may be observed from the working chamber and from the free air side of the lock.

(xiii) Adequate ventilation in the lock shall be provided.

(xiv) Man locks shall be maintained at a minimum temperature of 70°F.

(xv) When locks are not in use and employees are in the working chamber, lock doors shall be kept open to the working chamber, where practicable.

(xvi) Provision shall be made to allow for rescue parties to enter the tunnel if the working force is disabled.

(xvii) A special decompression chamber of sufficient size to accommodate the entire force of employees being decompressed at the end of a shift shall be provided whenever the regularly established working period requires total time of decompression exceeding 75 minutes.

(b) Special decompression chamber. (i) The headroom in the special decompression chamber shall be not less than a minimum 7 feet and the cubical content shall provide at least 50 cubic feet of airspace for each employee. For each occupant, there shall be provided 4 square feet of free walking area and 3 square feet of seating space, exclusive of area required for lavatory and toilet facilities. The rated capacity shall be based on the stated minimum space per employee and shall be posted at the chamber entrance. The posted capacity shall not be exceeded, except in case of emergency.

(ii) Each special decompression chamber shall be equipped with the following:

(A) A clock or clocks suitably placed so that the attendant and the chamber occupants can readily ascertain the time;

(B) Pressure gauges which will indicate to the attendants and to the chamber occupants the pressure in the chamber;

(C) Valves to enable the attendant to control the supply and discharge of compressed air into and from the chamber.

(D) Valves and pipes, in connection with the air supply and exhaust, arranged so that the chamber pressure can be controlled from within and without;

(E) Effective means of oral intercommunication between the attendant, occupants of the chamber, and the air compressor plant; and

(F) An observation port at the entrance to permit observation of the chamber occupants.

(iii) Seating facilities in special decompression chambers shall be so arranged as to permit a normal sitting posture without cramping. Seating space, not less than 18 inches by 24 inches wide, shall be provided per occupant.

(iv) Adequate toilet and washing facilities, in a screened or enclosed recess, shall be provided. Toilet bowls shall have a built-in protector on the rim so that an air space is created when the seat lid is closed.

(v) Fresh and pure drinking water shall be available. This may be accomplished by either piping water into the special decompression chamber and providing drinking fountains, or by providing individual canteens, or by some other sanitary means. Community drinking vessels are prohibited.

(vi) No refuse or discarded material of any kind shall be permitted to accumulate, and the chamber shall be kept clean.

(vii) Unless the special decompression chamber is serving as the man lock to atmospheric pressure, the special decompression chamber shall be situated, where practicable, adjacent to the man lock on the atmospheric pressure side of the bulkhead. A passageway shall be provided, connecting the special chamber with the man lock, to permit employees in the process of decompression to move from the man lock to the special chamber without a reduction in the ambient pressure from that designated for the next stage of decompression. The passageway shall be so arranged as to not interfere with the normal operation of the man lock, nor with the release of the occupants of the special chamber to atmospheric pressure upon the completion of the decompression procedure.

(8) Compressor plant and air supply. (a) At all times there shall be a thoroughly experienced, competent, and reliable person on duty at the air control valves as a gauge tender who shall regulate the pressure in the working areas. During tunneling operations, one gauge tender may regulate the pressure in not more than two headings: Provided; That the gauges and controls are all in one location. In caisson work, there shall be a gauge tender for each caisson.

(b) The low air compressor plant shall be of sufficient capacity to not only permit the work to be done safely,



but shall also provide a margin to meet emergencies and repairs.

(c) Low air compressor units shall have at least two independent and separate sources of power supply and each shall be capable of operating the entire low air plant and its accessory systems.

(d) The capacity, arrangement, and number of compressors shall be sufficient to maintain the necessary pressure without overloading the equipment and to assure maintenance of such pressure in the working chamber during periods of breakdown, repair, or emergency.

(e) Switching from one independent source of power supply to the other shall be done periodically to ensure that workability of the apparatus in an emergency.

(f) Duplicate low-pressure air feedlines and regulating valves shall be provided between the source of air supply and a point beyond the locks with one of the lines extending to within 100 feet of the working face.

(g) All high-pressure and low-pressure air supply lines shall be equipped with check valves.

(h) Low-pressure air shall be regulated automatically. In addition, manually operated valves shall be provided for emergency conditions.

(i) The air intakes for all air compressors shall be located at a place where fumes, exhaust gases, and other air contaminants will be at a minimum.

(j) Gauges indicating the pressure in the working chamber shall be installed in the compressor building, the lock attendant's station, and at the employer's field office.

(9) Ventilation and air quality. (a) Exhaust valves and exhaust pipes shall be provided and operated so that the working chamber shall be well ventilated, and there shall be no pockets of dead air. Outlets may be required at intermediate points along the main low-pressure air supply line to the heading to eliminate such pockets of dead air. The quantity of ventilation air shall be not less than 30 cubic feet per minute.

(b) The air in the workplace shall be analyzed by the employer not less than once each shift, and records of such tests shall be kept on file at the place where the work is in progress. The test results shall be within the threshold limit values specified in part B of this chapter, for hazardous gases, and within 10 percent of the lower explosive limit of flammable gases. If these limits are not met, immediate action to correct the situation shall be taken by the employer.

(c) The temperature of all working chambers which are subjected to air pressure shall, by means of after-coolers or other suitable devices, be maintained at a temperature not to exceed 85°F.

(d) Forced ventilation shall be provided during decompression. During the entire decompression period, forced ventilation through chemical or mechanical air purifying devices that will ensure a source of fresh air shall be provided.

(e) Whenever heat-producing machines (moles, shields) are used in compressed air tunnel operations, a positive means of removing the heat build-up at the heading shall be provided.

(10) Electricity. (a) All lighting in compressed-air chambers shall be by electricity exclusively, and two independent electric-lighting systems with independent sources of supply shall be used. The emergency source shall be arranged to become automatically operative in the event of failure of the regularly used source.

(b) The minimum intensity of light on any walkway, ladder, stairway, or working level shall be not less than 10 foot-candles, and in all workplaces the lighting shall at all times be such as to enable employees to see clearly.

(c) All electrical equipment, and wiring for light and power circuits, shall comply with requirements of ~~((the National Electrical Code, ANSI C1-1971 (Rev. of 1968)))~~ Part I, of this standard, for use in damp, hazardous, high temperature, and compressed air environments.

(d) External parts of lighting fixtures and all other electrical equipment, when within 8 feet of the floor, shall be constructed of noncombustible, nonabsorptive, insulating materials, except that metal may be used if it is effectively grounded.

(e) Portable lamps shall be equipped with noncombustible, nonabsorptive, insulating sockets, approved handles, basket guards, and approved cords.

(f) The use of worn or defective portable and pendant conductors is prohibited.

(11) Sanitation. (a) Sanitary, heated, lighted, and ventilated dressing rooms and drying rooms shall be provided for all employees engaged in compressed air work. Such rooms shall contain suitable benches and lockers. Bathing accommodations (showers at the ratio of one to 10 employees per shift), equipped with running hot and cold water, and suitable and adequate toilet accommodations, shall be provided. One toilet for each 15 employees, or fractional part thereof, shall be provided.

(b) When the toilet bowl is shut by a cover, there should be an air space so that the bowl or bucket does not implode when pressure is increased.

(c) All parts of caissons and other working compartments shall be kept in a sanitary condition.

(12) Fire prevention and protection. (a) Firefighting equipment shall be available at all times and shall be maintained in working condition.

(b) While welding or flame-cutting is being done in compressed air, a firewatch with a fire hose or approved extinguisher shall stand by until such operation is completed.

(c) Shafts and caissons containing flammable material of any kind, either above or below ground, shall be provided with a waterline and a fire hose connected thereto, so arranged that all points of the shaft or caisson are within reach of the hose stream.

(d) Fire hose shall be at least 1 1/2 inches in nominal diameter; the water pressure shall at all times be adequate for efficient operation of the type of nozzle used; and the water supply shall be such as to ensure an uninterrupted flow. Fire hose, when not in use, shall be located or guarded to prevent injury thereto.

(e) The power house, compressor house, and all buildings housing ventilating equipment, shall be provided with at least one hose connection in the waterline, with a

fire hose connected thereto. A fire hose shall be maintained within reach of structures of wood over or near shafts.

(f) Tunnels shall be provided with a 2-inch minimum diameter waterline extending into the working chamber and to within 100 feet of the working face. Such line shall have hose outlets with 100 feet of fire hose attached and maintained as follows: One at the working face; one immediately inside of the bulkhead of the working chamber; and one immediately outside such bulkhead. In addition, hose outlets shall be provided at 200-foot intervals throughout the length of the tunnel, and 100 feet of fire hose shall be attached to the outlet nearest to any location where flammable material is being kept or stored or where any flame is being used.

(g) In addition to fire hose protection required by this part, on every floor of every building not under compressed air, but used in connection with the compressed air work, there shall be provided at least one approved fire extinguisher of the proper type for the hazards involved. At least two approved fire extinguishers shall be provided in the working chamber as follows: One at the working face and one immediately inside the bulkhead (pressure side). Extinguishers in the working chamber shall use water as the primary extinguishing agent and shall not use any extinguishing agent which could be harmful to the employees in the working chamber. The fire extinguisher shall be protected from damage.

(h) Highly combustible materials shall not be used or stored in the working chamber. Wood, paper, and similar combustible material shall not be used in the working chamber in quantities which could cause a fire hazard. The compressor building shall be constructed of noncombustible material.

(i) Man locks shall be equipped with a manual type fire extinguisher system that can be activated inside the man lock and also by the outside lock attendant. In addition, a fire hose and portable fire extinguisher shall be provided inside and outside the man lock. The portable fire extinguisher shall be the dry chemical type.

(j) Equipment, fixtures, and furniture in man locks and special decompression chambers shall be constructed of noncombustible materials. Bedding, etc., shall be chemically treated so as to be fire resistant.

(k) Head frames shall be constructed of structural steel or open frame-work fireproofed timber. Head houses and other temporary surface buildings or structures within 100 feet of the shaft, caisson, or tunnel opening shall be built of fire-resistant materials.

(l) No oil, gasoline, or other combustible materials shall be stored within 100 feet of any shaft, caisson, or tunnel opening, except that oils may be stored in suitable tanks in isolated fireproof buildings, provided such buildings are not less than 50 feet from any shaft, caisson, or tunnel opening, or any building directly connected thereto.

(m) Positive means shall be taken to prevent leaking flammable liquids from flowing into the areas specifically mentioned in the preceding subdivision.

(n) All explosives used in connection with compressed air work shall be selected, stored, transported, and used as specified in part T of this chapter.

(13) Bulkheads and safety screens. (a) Intermediate bulkheads with locks, or intermediate safety screens or both, are required where there is danger of rapid flooding.

(b) In tunnels 16 feet or more in diameter, hanging walkways shall be provided from the face to the man lock as high in the tunnel as practicable, with at least 6 feet of head room. Walkways shall be constructed of noncombustible material. Standard railings shall be securely installed throughout the length of all walkways on open sides in accordance with part K of this chapter. Where walkways are ramped under safety screens, the walkway surface shall be skidproofed by cleats or by equivalent means.

(c) Bulkheads used to contain compressed air shall be tested, where practicable, to prove their ability to resist the highest air pressure which may be expected to be used.

#### AMENDATORY SECTION (Amending Order 86-46, filed 4/22/87)

WAC 296-306-320 FIELD SANITATION—REQUIREMENTS. Agricultural employers shall provide the following for employees engaged in hand-labor operations in the field, without cost to the employee:

(1) Orientation: Orientation shall be given verbally to all employees in a manner readily understandable by each employee and shall include:

(a) Potable water: The location(s) of potable water supplies;

(b) Nonpotable water: Identification of all nonpotable water at the worksite and prohibition of the use of nonpotable water with an explanation of the possible consequences of using nonpotable water;

(c) Handwashing facilities: The location(s) of handwashing facilities with an explanation of when they should be used and the consequences of nonuse; and

(d) Toilet facilities: The location(s) of toilet facilities with an explanation of the necessity to use them and to keep them sanitary as well as the possible consequences of nonuse.

(2) Potable drinking water.

(a) The water shall be provided and shall be placed in locations readily accessible to all employees.

(b) Potable water dispensers shall be designed, constructed, and serviced so that sanitary conditions are maintained. They shall be capable of being closed and shall be equipped with a tap.

(c) Open containers such as barrels, pails, or tanks for drinking water from which water must be dipped or poured, whether or not they are fitted with a cover, are prohibited.

(d) Marking: Any container used to distribute drinking water shall be clearly marked, in English and with appropriate international symbol as to the nature of its contents.

(e) Use: Any container used to distribute drinking water shall not be used for any other purpose.

(f) The water shall be suitably cool and in sufficient amounts, taking into account the air temperature, humidity, and the nature of the work performed, to meet employees' needs.

Note: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, workers may require up to three gallons of water per day.

(g) The use of common drinking cups or dippers is prohibited. Water shall be dispensed in single-use drinking cups, personal containers, or by water fountains. Single-use drinking cups mean a container of any type or size whether disposable or not, and may include personal containers so long as the option to use a personal container is exercised by the employee, not the employer. (~~NOTE: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, workers may require up to three gallons of water per day.~~)

(h) Employees shall not be permitted to drink from irrigation ditches, creeks or rivers. Potable water shall meet the standards for drinking purposes by the state or local authority having jurisdiction or water that meets the quality standards prescribed by the local health department in accordance with the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141.

(3) Handwashing facilities.

(a) One handwashing facility, providing a tap with an adequate supply of water, soap, single-use hand towels and either a basin or other suitable container for washing shall be provided for each thirty employees or fraction thereof, except as stated in (h)(ii) of this subsection.

Note: Nonpotable water shall not be used for washing any portion of the person, except as specifically permitted by the health authorities having jurisdiction.

(b) Running water: Each facility shall be provided with running water.

(c) Soap: Each facility shall be provided with a dispenser containing handsoap or a similar cleansing agent.

(d) Towels: Each facility shall be provided with individual single-use hand towels.

(e) Cleanliness: Facilities shall be maintained in a clean and sanitary condition in accordance with appropriate public health sanitation practices.

(f) Waste: Waste receptacles shall be provided. Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to toilet facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities within one-quarter mile, or where facilities are otherwise inaccessible, suitable immediate transportation shall be provided within five minutes transportation time, to facilities meeting the requirements of this subsection. Under exceptional and compelling circumstances, such as adverse weather, temperatures below freezing, or isolated terrain, longer transportation times may be used.

(4) Toilet facilities.

(a) One toilet facility shall be provided for each thirty employees or fraction thereof, except as stated in (h)(ii) of this subsection.

(b) Each employer shall ensure, at the beginning of each day, that the toilets are inspected. If any toilet facility fails to meet the requirements of this section, immediate corrective action shall be taken. Inspections shall be documented and the record shall be maintained at the work site for at least seventy-two hours.

(c) Toilet facilities shall have doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

(d) Cleanliness: Facilities shall be maintained in a clean, sanitary, and functional condition and in accordance with the appropriate public health sanitation practices.

(e) Toilets shall be supplied with toilet paper.

(f) Waste: Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to hand washing facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities within one-quarter mile, or where facilities are otherwise inaccessible, suitable immediate transportation shall be provided within five minutes transportation time, to facilities meeting the requirements of this subsection. Under exceptional and compelling circumstances, such as adverse weather, temperature below freezing, or isolated terrain, longer transportation times may be used.

**WSR 88-23-055**

**ADOPTED RULES**

**DEPARTMENT OF REVENUE**

[Order FT-88-3—Filed November 15, 1988]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to taxation of forest land and timber, amending WAC 458-40-540.

This action is taken pursuant to Notice No. WSR 88-20-055 filed with the code reviser on October 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 84.33.120 and 84.33.130 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 15, 1988.

By Gordon S. Gienty  
Assessment Advisor 3  
Forest Tax Division

**AMENDATORY SECTION** (Amending Order FT-87-3, filed 11/4/87)

WAC 458-40-540 PROPERTY TAX, FOREST LAND—FOREST LAND VALUES—~~((+1988))~~ 1989. The true and fair values, per acre, for each grade of forest land for the ~~((+1988))~~ 1989 assessment year are determined to be as follows:

~~((+1988))~~ 1989  
WASHINGTON FOREST LAND VALUES

LAND GRADE	OPERABILITY CLASS	VALUE PER ACRE
1	1	\$126
	2	121
	3	117
	4	85
2	1	106
	2	102
	3	98
	4	71
3	1	83
	2	80
	3	78
	4	60
4	1	63
	2	61
	3	60
	4	47
5	1	46
	2	42
	3	41
	4	27
6	1	23
	2	22
	3	22
	4	21
7	1	11
	2	11
	3	10
	4	10
8		1

**WSR 88-23-056**  
**ADOPTED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Order 1991—Filed November 15, 1988]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 16-694-001 Adoption of license fees pursuant to chapter 20.01 RCW.
- New WAC 16-694-010 Clarification of proof of payment requirement pursuant to RCW 20.01.370.

This action is taken pursuant to Notice No. WSR 88-20-068 filed with the code reviser on October 5, 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 20.01.404 [20.01.040] and 20.01.370 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 15, 1988.  
By Michael V. Schwisow  
Deputy Director

Chapter 16-694 WAC  
**AGRICULTURAL PRODUCTS—COMMISSION MERCHANTS, DEALERS, BROKERS, BUYERS, AGENTS—LICENSE FEES**

- WAC  
16-694-001 License fees.  
16-694-010 Proof of payment.

**AMENDATORY SECTION** (Amending Order 1949, filed 8/21/87)

WAC 16-694-001 LICENSE FEES. The license fee for any person who wishes to act as a commission merchant, dealer, broker, cash buyer, agent or boom loader shall be as follows:

- (1) Commission merchant, ~~((one hundred eighty))~~ two hundred fifty dollars;
- (2) Dealer, ~~((one hundred eighty))~~ two hundred fifty dollars;
- (3) Limited dealer, one hundred ~~((twenty-five))~~ seventy-five dollars;
- (4) Broker, one hundred ~~((twenty-five))~~ seventy-five dollars;
- (5) Cash buyer, ~~((fifty))~~ seventy dollars;
- (6) Agent, ~~((twenty))~~ twenty-five dollars;
- (7) Boom loader, ten dollars.

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

**NEW SECTION**

WAC 16-694-010 PROOF OF PAYMENT. As provided by RCW 20.01.370, commission merchants shall furnish consignors with proof of payments received on behalf of the consignors. The proof of payment to be furnished shall mean a listing of payments received by the commission merchant on behalf of any consignor whether through an individual accounting or a pool arrangement. Commission merchants shall maintain records of all sales invoices and payments received on behalf of consignors and these will be available on request to the consignors.

**WSR 88-23-057**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Physical Therapy)**  
 [Filed November 15, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Physical Therapy intends to adopt, amend, or repeal rules concerning the definition of physical therapy;

that the agency will at 9:00 a.m., Tuesday, January 24, 1989, in the West Coast Hotel, Cascade Room, 18220 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 18.74.023(3).

The specific statute these rules are intended to implement is SSB 6218 codified as RCW 18.74.010(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 24, 1987 [1989].

Dated: November 10, 1988

By: Linda M. Moran  
 Assistant Attorney General

#### STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Physical Therapy.

Purpose: To further define the practice of physical therapy.

Statutory Authority: RCW 18.74.023(3).

Summary of the Proposed Rules: WAC 308-42-010(9), definition of spinal manipulation or manipulative mobilization.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Yvonne Braeme, Program Manager, Professional Programs Management Division, Department of Licensing, P.O. Box 9012, 1300 Quince Street S.E., Olympia, WA 98504, phone (206) 753-3095 comm or 234-3095 scan.

Proponents of the Proposed Rule: The State of Washington Board of Physical Therapy.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or of federal or state court action.

Small Business Impact Statement: Not required for this statement.

#### AMENDATORY SECTION (Amending Order PL 471, filed 6/19/84)

WAC 308-42-010 DEFINITIONS. For the purposes of administering chapter 18.74 RCW, the following terms are to be construed as set forth herein:

(1) The "performance of tests of neuromuscular function" includes the performance of electroneuromyographic examinations.

(2) "Consultation" means a communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(3) "Supervisor" shall mean the licensed physical therapist.

(4) "Physical therapist assistant" shall mean an individual who shall have received an associate degree as a physical therapist assistant from an approved school, or a graduate of an approved school of physical therapy who has not been licensed to practice physical therapy in Washington state.

(5) "Physical therapist aide" shall mean an individual who shall have received on-the-job training from a physical therapist.

(6) "Immediate supervision" shall mean the supervisor is in audible or visual range of the patient and the person treating the patient.

(7) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the patient has been examined by the physical therapist at such time as acceptable physical therapy practice requires, consistent with the delegated health care task.

(8) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral instructions for treatment of the patient and the patient has been examined by the physical therapist at such time as acceptable health care practice requires, and consistent with the particular delegated health care task.

(9) "Spinal manipulation" or "manipulative mobilization" are defined as movement beyond the normal physiological range of motion with a thrusting force.

#### WSR 88-23-058

#### ADOPTED RULES

#### BOARD OF PHARMACY

[Order 221—Filed November 15, 1988]

Be it resolved by the Washington State Board of Pharmacy, acting at Tacoma, Washington, that it does adopt the annexed rules relating to:

New	WAC 360-12-160	AIDS prevention and information education requirements.
New	WAC 360-16-094	Prescription transfers.
Amd	WAC 360-16-096	Prescription record requirements.

This action is taken pursuant to Notice No. WSR 88-19-075 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 under the general rule-making authority of the Washington State Board of Pharmacy as authorized in RCW 18.64.005.

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 Dr. Lloyd Young  
 Vice-Chair

#### NEW SECTION

WAC 360-12-160 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS.

(1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of human immunodeficiency virus-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 chapter 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 AIDS education requirements of subsection (4) of this section, or shall certify that they will comply with the AIDS education requirement no later than December 31, 1989.

(3) 1989 renewal of licenses. Effective with the renewal period beginning February 1, 1989, all persons making application for licensure renewal in 1989 shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4) of this section. Pharmacists may submit compliance documentation with their renewal or at any time prior to December 31, 1989. Approved AIDS education may be counted towards a pharmacist's continuing education requirement.

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that covers the required subjects and otherwise qualifies for continuing education credit. Such education and training shall be a minimum of seven clock hours (.7 CE units) and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal economic and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(b) Implementation. Effective February 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include the one-time requirement of 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 (a) of this subsection.

(c) Documentation. The licensee shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

#### NEW SECTION

WAC 360-16-094 PRESCRIPTION TRANSFERS. The transfer of original prescription information for a noncontrolled substance legend drug for the purpose of refill dispensing is permissible between pharmacies subject to the following requirements:

(1) The transfer is communicated directly between two licensed pharmacists and the transferring pharmacist records the following information:

(a) Record in the patient medication record system that a copy has been issued.

(b) Record in the patient medication record system the name and address of the pharmacy to which it was transferred and the name of the pharmacist receiving the prescription information.

(2) The pharmacist receiving the transferred prescription information shall reduce to writing the following:

(a) Write the word "TRANSFER" on the face of the transferred prescription.

(b) Provide all information required to be on the prescription - patient's name and address; doctor's name and address, and also include:

(i) Date of issuance of original prescription.

(ii) Number of valid refills remaining and date of last refill.

(iii) The pharmacy's name, address, and original prescription number from which the prescription information was transferred.

(iv) Name of transferor pharmacist.

(c) Both the original and transferred prescription must be maintained as if they were original prescriptions.

(d) A transferred prescription may not be refilled after one year from the date the original was issued.

(e) The above subsections apply to the transfer of prescription information for noncontrolled substances. The transfer of controlled substance prescription information must conform to the requirements of 21 CFR 1306.26.

(3) When a prescription is transferred, no further refills shall be issued by the transferring pharmacy.

(4) If two or more pharmacies utilize a common electronic database for prescription recordkeeping, prescriptions may be refilled at any of these pharmacies as long as there is provided an audit trail which documents the location of each filling and provisions are made to assure that the number of authorized refills are not exceeded.

#### AMENDATORY SECTION (Amending Order 131, filed 2/4/77)

WAC 360-16-096 PRESCRIPTION RECORD REQUIREMENTS. (1) Records for the original prescription and refill records shall be maintained on the filled prescription or in a separate record book or patient medication record. Such records must be maintained for a period of at least five years and shall be made available for inspection to representatives of the board of pharmacy: PROVIDED, That after two years a complete and accurate copy of the original and refill records may be maintained on microfilm, electromagnetic tape, or other board-approved record storage and retrieval system.

(2) The pharmacist shall be required to insure that the following information be recorded:

(a) Original prescription—At the time of dispensing, a serial number, date of dispensing, and the initials of the responsible pharmacist shall be placed on the face of the prescription. The patient's address must be readily available to the pharmacist, either from the face of the prescription, a record book, patient medication record, or hospital or clinic record.

(b) Refill prescription authorization—Refills for prescription for legend drugs must be authorized by the prescriber prior to the dispensing of the refill prescription.

(c) Refill prescription—At the time of dispensing, the date of refilling, quantity of the drug (if other than original), the name of authorizing person (if other than original), and the initials of the responsible pharmacist shall be recorded on the back side of the prescription, or in a separate record book or patient medication record.

(d) Prescription refill limitations—No prescription may be refilled for a period longer than one year from the date of the original prescription. "PRN" prescriptions shall expire at the end of one year. Expired prescriptions require authorization before filling. If granted a new prescription shall be written and placed in the files.

(e) Prescription copies—Prescription copies and prescription labels presented for filling must be considered as informational only, and may not be used as the sole document. The prescriber shall be contacted for complete information and authorization. If granted, a new prescription shall be written and placed on file. Copies of prescriptions must be clearly identified as such on the face of the prescription. The transfer of original prescription information is permitted if the provisions of WAC 360-16-094 are met.

(f) Emergency refills—If the prescriber is not available and in the professional judgment of the pharmacist an emergency need for the medication has been demonstrated, the pharmacist may dispense enough medication to last until a prescriber can be contacted – but not to exceed 72 hours' supply. The prescriber shall be promptly notified of the emergency refill.

#### WSR 88-23-059

##### ADOPTED RULES

#### DEPARTMENT OF LICENSING (Examining Board of Psychology)

[Order PM 798—Filed November 15, 1988]

Be it resolved by the Examining Board of Psychology, acting at Kirkland, Washington, that it does adopt the annexed rules relating to new sections WAC 308-122-005, 308-122-006 and 308-122-280; and amending WAC 308-122-350.

This action is taken pursuant to Notice No. WSR 88-19-115 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 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 November 12, 1988.

By Kathleen Worsley, Ph.D.  
Chairperson

#### NEW SECTION

WAC 308-122-005 DEFINITIONS. (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.

#### NEW SECTION

WAC 308-122-006 APPLICATIONS FOR LICENSURE. Effective January 1, 1989, persons applying for licensure or certification shall submit, in addition to the other requirements, evidence to show compliance with the educational requirements of WAC 308-122-280.

#### NEW SECTION

WAC 308-122-280 AIDS EDUCATION AND TRAINING. (1) Acceptable education and training. Such education and training shall be consistent with the model curriculum available from the office on AIDS and with the standards set forth in WAC 308-122-520(1), shall be a minimum of seven clock hours, and shall include, but not be 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.

(2) Implementation. Effective January 1, 1989, the requirement for licensure or certification application, renewal, or reinstatement of any license or certification on lapsed, 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 (1) of this section.

(3) Documentation. The licensee shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987, and before 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.

#### AMENDATORY SECTION (Amending Order PL 227, filed 11/5/75)

WAC 308-122-350 PSYCHOLOGISTS—RENEWAL OF LICENSES. (1) The annual license renewal date for psychologists is hereby changed to coincide with the licensee's birthdate. Individuals making application for initial license and examination, provided they meet all such requirements, will be issued a license, to expire on their next birth anniversary date.

(2) After the initial conversion to a staggered system, licensees may renew their licenses, at the annual renewal

fee rate, for one year, from birth anniversary date to the next birth anniversary date.

(3) On a one time basis beginning January 1, 1989, all persons making application for licensure or certification renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-122-280. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.

### WSR 88-23-060

#### ADOPTED RULES

### CHIROPRACTIC EXAMINING BOARD

[Order PM 799—Filed November 15, 1988]

Be it resolved by the state of Washington Chiropractic Examining Board acting at Seattle, Washington, that it does adopt the annexed rules relating to AIDS prevention and information education requirements, WAC 114-12-200.

This action is taken pursuant to Notice No. WSR 88-18-079 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 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 October 13, 1988.

By Steven R. Bartusch, D. C.  
Chair

### NEW SECTION

#### WAC 114-12-200 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS.

##### (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the Department of Social and Health Services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Application for licensure. Effective January 1, 1989 persons applying for licensure shall submit, in addition to the other requirements, evidence to show compliance with the educational requirements of subsection (4) or shall certify that the required education will be obtained prior to the applicant's first license renewal.

(3) Renewal of licenses. Effective for the renewal period beginning June 1, 1989 through May 31, 1990 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).

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the Office on AIDS. Such education and training shall be a minimum of four clock hours and may 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. Education may be obtained by formal lecture, video program or home study programs.

(b) Implementation. Effective June 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee shall:

(i) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(ii) Keep records for two years documenting compliance and description of the education;

(iii) Be prepared to validate, through submission of these records, that the required education has been obtained.

### WSR 88-23-061

#### EXECUTIVE ORDER

### OFFICE OF THE GOVERNOR

[EO 88-08]

#### ADVISORY COUNCIL FOR ADVANCED TECHNOLOGY IN SCHOOLS

WHEREAS, there exists a need to encourage the development and dissemination of advanced technology in the K-12 School System; and

WHEREAS, It is appropriate to create an advisory council to help establish and make recommendations on the creation of a 21st Century Institute for Advanced Technology in Schools; and

WHEREAS, this advisory council would make its recommendations to the Governor and the Governor's Task Force on Schools for the 21st Century;

NOW, THEREFORE, I, Booth Gardner, Governor of the state of Washington, by virtue of the authority vested in me, create the ADVISORY COUNCIL FOR ADVANCED TECHNOLOGY IN SCHOOLS, to be composed of 16 members including persons with expertise and experience in business, higher education and K-12 education.



The mission of the Council will be to review and make recommendations to the Governor and the Governor's Task Force for Schools for the 21st Century on a design and plan for creation of an Institute for Advanced Technology in Schools.

The Plan should be developed on the basis of establishing an Institute that is operated and funded as a public/private partnership to encourage the development and dissemination of advanced technology in the schools. The Institute is envisioned as a way to bring experts in business, higher education and technology together with teachers and students to present the latest in technological advances and training.

The Institute should provide access to advanced technology, training and transformation strategies to assist school managers and teachers in improving accountability and the cost effectiveness of resource allocation, and to maximize the performance of students in learning about and through new technological developments.

The institute should be structured to provide initiation, coordination and networking of current and future efforts by various school and business entities in our state and other states in the application of advanced technology including television, VCR (video tape), computer, CD ROM (Compact Disc - Read Only Memory), video disc, telecommunications and audio communication, and other technological advances.

The Council report should make recommendations on funding for the Institute, its location and any appropriate companion initiatives such as pilot school advanced technology grants (PSATG) to schools, administrators, teachers and students.

The Council should also make recommendations on how the Institute could avoid the perception of a widening gap of technological access for everyday classroom activity. The goal is to provide fair and equal access to opportunity so our youth can compete in a world where they will need a mastery of basic skills and knowledge complemented by a combination of analytical and critical thinking abilities.

The preliminary report will be due to the Governor by December 15, 1988. The final report will be due to the Governor by June 1, 1989. The Advisory Council will expire on June 30, 1989.

IN WITNESS WHERE-  
OF, I have hereunto set my  
hand and caused the seal of  
the State of Washington to  
be affixed at Olympia this  
14TH day of November,  
A.D., Nineteen Hundred  
and Eighty-Eight.

Booth Gardner

\_\_\_\_\_  
Governor of Washington

BY THE GOVERNOR:

Ralph Munro

\_\_\_\_\_  
Secretary of State

**WSR 88-23-062**

**ADOPTED RULES**

**DEPARTMENT OF REVENUE**

[Order PT 88-12—Filed November 15, 1988]

I, William R. Wilkerson, Director of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to new sections WAC 458-30-200 through 458-30-355; and amending WAC 458-30-510 through 458-30-580.

This action is taken pursuant to Notice Nos. WSR 88-13-034 and 88-17-118 filed with the code reviser on June 8, 1988, and 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 pursuant to chapter 84.34 RCW and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 84.08.010(2) and 84.34.141 which directs that the Department of Revenue has authority to implement the provisions of chapter 84.34 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 14, 1988.

By Linda L. Lethlean  
Program Manager

**NEW SECTION**

**WAC 458-30-200 DEFINITIONS.** The terms listed in this section are intended to act in concert with each other as appropriate, and with other definitions as they appear in the several sections of this chapter. When a term appears in a section, reference is to be made to the definition listed within this section, or the section that defines the term.

(1) "Act" means the Open Space Taxation Act, chapter 84.34 RCW.

(2) "Additional tax" means such tax and interest that will be collected when land that is classified according to

the provisions of the act is withdrawn or removed from such classification.

(3) "Affidavit" means the real estate excise tax affidavit required by chapter 82.45 RCW and chapter 458-61 WAC.

(4) "Agreement" means an open space taxation agreement, executed between an owner and the granting authority approving the classification of land according to the act. The term also includes an approved application for the farm and agricultural land classification.

(5) "Applicant" means the owner who submits an application for classification of land according to the act.

(6) "Application" means an application for classification of land according to the act.

(7) "Approval" means a determination by the granting authority or assessor that the land qualifies for classification under the act.

(8) "Aquaculture" means the growing and harvesting, for commercial agricultural purposes, of marine or fresh water flora or fauna in a soil or water medium.

(9) "Assessor" means the county assessor or such agency or person who is authorized to act on behalf of the assessor.

(10) "Assessment year" means the year when the property is listed and valued by the assessor and precedes the year when the tax is due and payable.

(11) "Classified land" means a parcel(s) of land that has been approved by the appropriate granting authority for taxation under the act.

(12) "Commercial agricultural purposes" means use on a continuous and regular basis, prior to and subsequent to application for classification, which use demonstrates an intent of an owner or lessee to obtain through lawful means, a monetary profit from cash income received by:

(a) Raising, harvesting, and selling lawful crops;

(b) Feeding, breeding, managing, and selling of livestock, poultry, fur-bearing animals, or honey bees, or products thereof;

(c) Dairying or selling of dairy products;

(d) Animal husbandry;

(e) Aquaculture;

(f) Horticulture; or

(g) Participation in a government-funded crop reduction or acreage set-aside program.

(13) "Conjunction" means a parcel of land on which appurtenances may be located; such parcel may be separate from or contiguous with farm and agricultural land and which does not qualify for classification by itself, but is an integral part in such use of the land for commercial agricultural purposes in association with the land.

(14) "Contiguous" means land that adjoins other land when such lands are held by the same ownership. A parcel of land divided by a public road, railroad, public right of way, or waterway, shall be considered contiguous.

(15) "County financial authority" and "financial authority" mean the county treasurer or any other agency or person charged with the responsibility for billing and collecting property taxes.

(16) "County legislative authority" means the county commission, council, or other county legislative body.

(17) "County recording authority" means the county auditor or any agency or person charged with the recording of documents.

(18) "Current" and "currently" mean the date on which property is to be listed and valued by the assessor.

(19) "Current use value" means the taxable value of a parcel of land placed on the assessment rolls that is classified according to the provisions of the act without regard to its highest and best use.

(20) "Department" means the department of revenue.

(21) "Farm woodlot" means a land area that is five acres or more but less than twenty acres not used for commercial agricultural purposes and which is contained within a parcel of classified farm and agricultural land. However, in no case shall the farm woodlot exceed fifty percent of a parcel of land classified under the act. A farm woodlot may be converted to commercial agricultural purposes at any time. Farm woodlots shall be valued at their current use value.

(22) "Granting authority" means the appropriate agency or official who acts on an application for classification according to the act.

(23) "Gross income" means cash income derived from commercial agricultural purposes, including payments received from the United States Department of Agriculture for participation in any crop reduction or acreage set-aside program when payments are based on the productive capacity of the land. The term shall not include the following:

(a) The value of the owner's or lessee's own consumption of any of the products that are produced;

(b) Cash income from leases, or use of the land for other than commercial agricultural purposes; or

(c) Payments for soil conservation programs.

(24) "Net cash rental" means the earning or productive capacity less those production costs customarily or typically paid by the owner.

(25) "Owner" means the person(s) having a fee interest in a parcel of land, except when the land is subject to a real estate contract; the vendee when the land is subject to a real estate contract; or both spouses when a marital community is the owner.

(26) "Parcel of land" means a property identified as such on the assessment roll. However, for purposes of the act and this chapter, a parcel shall not include any land area not owned by the applicant, including but not limited to public roads and rights of way, railroads, and waterways.

(27) "Penalty" means the amount that is added to the additional tax when classified land is removed or withdrawn by the assessor according to the act.

(28) "Planning authority" means the local government agency empowered by the appropriate legislative authority to develop policies and proposals relating to land use.

(29) "Primary use" means the existing use of a parcel or parcels of land such that in considering the characteristic use of that land, a conflicting or nonrelated use is limited or excluded.

(30) "Qualification of land" means the approval of classification of land by the granting authority.

(31) "Rating system" means a public benefit rating system adopted for the open space classification according to RCW 84.34.055.

(32) "Tax year" means the year when a property tax is due and payable.

(33) "Transfer" means a change of ownership without an exchange of valuable consideration.

(34) "True and fair value" is the value of a parcel of land placed on the assessment rolls at its highest and best use without regard to its current use value.

#### NEW SECTION

WAC 458-30-205 DEPARTMENT OF REVENUE—DUTIES. The department shall maintain general administrative authority to assure that the act and this chapter are effectively and equitably applied throughout the state. The department shall, upon request, provide all reasonable assistance to assessors relating to administration of the act and this chapter.

The department shall design all application and other administrative forms necessary under the act and this chapter for the assessor to prepare and provide to applicants for classification, except those forms necessary for the rating system. The department shall provide the guidelines and necessary training to assessors and county boards of equalization for administration of the act and this chapter. Members of the advisory committee and members of any granting authority may attend the training sessions provided by this section.

The department, by order, shall annually issue by December 31, a five-year average of wheat and barley prices for use in the assessment year following the year when the order was issued.

#### NEW SECTION

WAC 458-30-210 CLASSIFIED LANDS. Land classified under the act shall be placed under one of three classifications defined as:

(1) "Open space land" means:

(a) Any parcel(s) of land so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or

(b) Any parcel(s) of land, whereby preservation in its present use would:

(i) Conserve and enhance natural or scenic resources; or

(ii) Protect streams or water supply; or

(iii) Promote conservation of soils, wetlands, beaches, or tidal marshes; or

(iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, natural reservations or sanctuaries, or other open spaces; or

(v) Enhance public recreation opportunities; or

(vi) Preserve historic sites; or

(vii) Retain in its natural state, tracts of land of not less than five acres in size situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.

(2) "Farm and agricultural land" means either:

(a) A parcel of land twenty acres or more in size or contiguous parcels of land which, when taken together are twenty or more acres in size, the primary use of which is commercial agricultural purposes; or

(b) Any parcel of land or contiguous parcels of land which, when taken together are five acres or more in size, but less than twenty acres in size, the primary use of which is commercial agricultural purposes, and which produced a gross income that averaged one hundred dollars or more in cash per acre per year for three of the five calendar years preceding the date of application for classification; or

(c) Any parcel of land or contiguous parcels of land which, when taken together are less than five acres in size, the primary use of which is commercial agricultural purposes, and which produced a gross income of one thousand dollars or more in cash per year for three of the five calendar years preceding the date of application for classification.

(d) Farm and agricultural lands also include:

(i) Farm woodlots that are five acres or more in size but less than twenty acres in size;

(ii) Land on which appurtenances necessary for commercial agricultural purposes exist in conjunction with the lands producing such products; and

(iii) Any noncontiguous parcel of land from one to five acres in size, otherwise constituting an integral part of the commercial agricultural purpose of the parcel classified under the act.

A parcel of land enrolled in the farm and agricultural land classification that is twenty acres or more in size, including a homesite, shall be exempt from the gross income requirements imposed on smaller parcels.

(3) "Timber land" means:

(a) A parcel of land five acres or more in size or contiguous parcels of land which, when taken together are five or more acres in size, devoted primarily to the growth and commercial harvest of forest crops;

(b) Not listed on the assessment roll as classified or designated forest land according to chapter 84.33 RCW; and

(c) Does not include the land on which nonforest crops or any improvements to the land are sited.

#### NEW SECTION

WAC 458-30-215 APPLICATION PROCESS. The assessor and the county legislative authority shall make available application forms for classification and shall supply them upon request. The assessor and the county legislative authority shall provide the appropriate forms, prepare informational materials and provide reasonable assistance to an owner who submits an application for classification of land according to the act. Should the county legislative authority adopt a rating system for the open space classification, it shall prepare the appropriate forms and provide informational materials and assistance to prospective applicants.

The applicant shall be the owner of the land described on the application.

In the event a parcel is conveyed while approval of a timely filed application is pending, the purchaser or transferee shall, upon written request to the granting

authority, be given the same consideration as if that party was the original applicant. However, except for the application fee, the granting authority shall require the purchaser or transferee to satisfy all requirements that otherwise would have been required in accordance with the original application.

Application for classification as farm and agricultural land shall be made to the assessor, who shall be the granting authority.

Application for classification as open space or timber land shall be made to the county legislative authority. If the parcel(s) of land is in an unincorporated area, the county legislative authority shall be the granting authority. If the parcel(s) of land is in an incorporated area, the application shall be forwarded to the city or town legislative authority. In such situations, a joint county/city legislative authority consisting of three members from each legislative authority, acting as the granting authority, shall act on the application. Application for classification of land according to the act shall be made from January 1 through December 31 for classification and assessment to begin on January 1 in the year following application.

An owner who submits an application for classification of land as open space and timber land need file only one application. However, the applicant shall provide a legal description of the parcel of land that is acceptable to the assessor and the granting authority, who shall determine the appropriate classification according to the provisions of the act and this chapter. The assessor may segregate the parcels as necessary.

If the land described in the application for classification is in more than one county, the owner shall file a separate application with each granting authority.

If application for classification is denied, a reapplication covering the same parcel of land, or a portion thereof, may not be submitted to the granting authority until three hundred sixty-five days have elapsed from the date the initial application was received.

#### NEW SECTION

WAC 458-30-220 APPLICATION FEE. A fee, not to exceed thirty dollars, for processing the application, may be established by the city or county legislative authority. Such fee shall accompany each application. If any agreement is to be recorded, the cost of such recording shall come from the fee. The fee shall be made payable to the county financial authority, who shall forward a portion of the fee to any city in which the parcel of land for which classification is sought is located. The portion of the fee forwarded to the city shall be equivalent to that portion of the parcel that lies within its boundary.

If the application is denied, the fee shall be returned to the applicant. The application fee shall not be returned if the owner withdraws the application prior to approval. The fee will not be refunded if the owner does not sign and return the agreement within twenty-five days after receiving it from the granting authority.

#### NEW SECTION

WAC 458-30-225 ASSESSOR TO RESPOND TO FARM AND AGRICULTURAL CLASSIFICATION APPLICATIONS. The assessor shall act on each application for classification as farm and agricultural land with due regard to all relevant evidence, and may approve the application in whole or in part.

Except as provided by the act and this chapter, the assessor cannot impose conditions or restrictions regarding approval of an application for classification as farm and agricultural land. The assessor shall consider the relevant zoning and, if the zoning ordinance prohibits the farm and agricultural activity for which classification is being sought, deny the application. Prospective use of the land shall not be relevant evidence in acting upon an application.

The assessor may, at any time, require applicants to provide data regarding the use of such land, including the productivity of typical crops, sales receipts, federal income tax returns including schedules documenting farm income, other related income and expense data and any other information relevant to the application. Failure to provide the information requested pursuant to this section shall be cause to deny an application.

If no written determination is provided to the applicant prior to May 1 of the year following receipt of the application, the application shall be considered approved. However, the assessor may review the classification at any time after the classification has been granted.

#### NEW SECTION

WAC 458-30-230 LEGISLATIVE AUTHORITY TO ACT ON OPEN SPACE AND TIMBER LAND APPLICATIONS. An application for classification of a parcel(s) of land as open space or timber land shall be filed with the granting authority and processed as follows:

(1) If a comprehensive plan has been enacted, it shall be treated in the same manner as a proposed amendment to that plan; and

(2) If a comprehensive plan has not been enacted, a public hearing on the application shall be conducted. Notice of such hearing shall be announced once by publication in a newspaper of general circulation in the city or county no less than ten days before the hearing. The owner shall be notified in writing of the hearing.

The granting authority shall either approve or disapprove the application within six months after it has been received. If approved, valuation of the land at its current use value shall begin on January 1 of the year following the year the application was filed. However, any application approved on or after July 1 of any year shall cause the land to be listed on the assessment roll at its current use value on January 1 of the following assessment year.

Any conditions imposed in the agreement shall be in consideration of the benefits to the general public and shall not exceed the duration of the agreement.

The granting authority shall keep a record of each application, agreement, and records relating to each agreement.

NEW SECTION

**WAC 458-30-235 GRANTING AUTHORITY RESPONSE.** (1) The granting authority may approve all or part of an application. An applicant may withdraw the application if part of it is rejected. The granting authority may not require the owner of classified timber land to grant an easement.

(2) In determining whether an application for classification as open space or timber land should be approved, the granting authority shall take cognizance of the benefits to the general welfare of preserving the current use of the parcel(s) of land described in the application, and shall consider the following:

(a) The revenue impact that will result from granting the application; and

(b) Whether preservation of the land in its current use will:

(i) Conserve or enhance natural or scenic resources; or  
(ii) Protect streams, stream corridors, wetlands, natural shorelines, and aquifers; or

(iii) Protect soil resources and critical wildlife and native plant habitat; or

(iv) Promote conservation principles by example or by offering educational opportunities; or

(v) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces; or

(vi) Enhance recreation opportunities; or

(vii) Preserve historic and archaeological sites; or

(viii) Affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of such land.

(3) In addition to the foregoing, the granting authority shall consider:

(a) The existence of any mining claim or mining lease on the land, and if so, whether it will seriously interfere with the considerations stated in subsection (2) of this section. If the granting authority determines serious interference will occur, it may deny the application in whole, or in part. If a mining claim or mining lease is obtained after the land is classified, the same determination must be made in deciding whether serious interference will occur; and

(b) The zoning of the parcel(s) of land at the time when the application for classification is filed.

NEW SECTION

**WAC 458-30-240 AGREEMENT EXECUTION.** Once an application for classification as open space or timber land has been approved by the granting authority, said authority shall prepare an agreement. The agreement shall state all conditions attached to the approval.

Within five calendar days following approval, in whole or in part, the granting authority shall deliver by certified mail, return receipt requested, the approved agreement to the owner for signature.

The owner may accept or reject the agreement. If accepted, the agreement shall be signed and returned to the granting authority within twenty-five calendar days following delivery.

Unless the owner is prevented from returning the agreement by events beyond their control, the granting authority shall conclusively presume the agreement has been rejected if it is not signed and returned to them within thirty calendar days after mailing.

To be properly executed, the agreement shall be signed by the owner and shall become effective commencing upon the date the granting authority receives the signed agreement from the property owner.

The granting authority shall, within ten days after receiving the signed agreement, send one copy to the assessor.

The agreement shall apply to the parcel(s) of land described in the agreement and the conditions and requirements shall be binding upon the heirs, successors, and assignees of the parties thereto.

NEW SECTION

**WAC 458-30-245 RECORDING OF DOCUMENTS.** The assessor shall, within ten working days after receiving an agreement from the granting authority, or approving an application for the farm and agricultural land classification, submit such documents to the county recording authority for recording. The county recording authority shall return the documents to the assessor following recording.

The county recording authority shall also record all notices of withdrawal or of breach that are received from the assessor. The owner shall pay all recording fees for such notices.

NEW SECTION

**WAC 458-30-250 DENIAL AND APPEAL.** (1) All denials of an application for classification shall be in writing and shall include the reasons for denial.

(2) The owner shall have the right to appeal any denial of an application for classification.

(3) In the event the assessor denies an application for classification as farm and agricultural land, in whole or in part, the applicant may appeal to the county legislative authority within thirty calendar days following mailing of the denial.

(4) In the event the granting authority denies an application for classification as either open space or timber land, appeal can be made only to the superior court of the county where the application was made.

NEW SECTION

**WAC 458-30-255 DETERMINATION OF VALUE.** The assessor shall determine the current use value of land classified under the act according to the procedures and standards set forth in this chapter. In determining the value, the assessor shall consider only the current use of such land and shall not consider any potential use and income.

NEW SECTION

**WAC 458-30-260 VALUATION PROCEDURES AND STANDARDS.** The assessor shall use all available information to determine the productive capacity of

classified farm and agricultural land. Consideration shall be given to actual production within an area, averaged over not less than the immediate past five years. Farm production information and other related data shall be available to the assessor as provided by the act and this chapter. Reliable statistical sources may also be used. A soil capability analysis may be considered in determining the productive or earning capacity of the land.

In determining the current use value of farm and agricultural land, the assessor shall use the capitalization of income method described in the following subsections of this section.

(1) The net cash rental to be capitalized shall be determined as follows:

(a) The assessor shall use leases of farm land paid on an annual basis, in cash or its equivalent. The land must have been available for lease for a period of at least three years to any reliable person without unreasonable restrictions on its use for production of agricultural crops. If leases do not meet these requirements, they will not be used. The lease payments shall be averaged as follows:

(i) Each annual lease payment, or rent, shall be averaged for the typical crops within that area; and

(ii) The typical cash rental for each year shall be averaged for not less than the last five crop years. A deduction shall be allowed for the customary costs that are paid by the land owner. All costs and expenses shall be averaged over the immediate past five years. If the land is irrigated by a sprinkler system, an amount for the irrigation equipment shall be deducted from the gross cash rent to determine the net rent for the land only. However, such irrigation equipment shall be placed on the assessment roll at its true and fair value.

(b) Should there be an insufficient number of leases available to adequately determine net cash rental, it shall be established by determining:

(i) The landlord's share of the cash value of typical or usual crops grown on land of similar quality. The cash value shall include government subsidies if they are based on the productive capacity of the land. The acreage kept out of production because of these subsidies shall be included in the total acreage valued by capitalization of the income;

(ii) The landlord's share of the standard cost of production will be determined and deducted from his or her share of the cash value established pursuant to this subsection.

The resulting amount shall be averaged for not less than five crop years.

(c) When the land being valued is not in use for commercial agricultural purposes, or where the available information is insufficient to determine an agricultural income, the assessor shall compute a reasonable amount to be capitalized as income, based on the land's estimated productive capacity.

(2) The capitalization rate to be used in valuing land shall be the sum of the following:

(a) An interest component to be determined by the department and certified to the assessor on or before January 1st of each year, and shall be comparable to interest rates charged on long-term loans secured by

mortgages on farms or agricultural lands averaged over the last five years; plus

(b) A component for property taxes that shall be determined by dividing the total taxes levied within the county for the year preceding the assessment by the total assessed value of the county.

(3) The value of the agricultural land shall be the net cash rental of the land divided by the capitalization rate determined in subsection (2) of this section.

(4) The department's determination of the interest rate established in subsection (2)(a) of this section may be appealed to the state board of tax appeals not later than thirty days after the notice has been issued by:

(a) An owner of a parcel(s) of land classified as farm and agricultural; or

(b) The assessor of any county containing parcels of land that are classified as farm and agricultural.

(5) Land presently used as a residential building site shall be valued at its true and fair value as a homesite in accordance with WAC 458-12-301. However, land that migratory farm labor accommodations, bunkhouses, storeyards, barns, machine sheds, and similar type structures are located upon shall not be considered as a residential building site.

(6) Except for a parcel(s) of land classified under a rating system, a parcel of land classified as open space shall have an assessed value not less than what it would have if classified as farm and agricultural land.

(7) Timber land shall be valued according to chapter 84.33 RCW.

#### NEW SECTION

**WAC 458-30-265 VALUATION CYCLE.** In determining the true and fair value and the current use value of classified lands, the assessor shall follow a revaluation cycle that adheres to the requirements contained in WAC 458-12-335 through 458-12-339, as now or hereafter amended. The cycle used shall be the same as that used for other real property in the county and shall be in an orderly manner, pursuant to a regular plan, and in a manner that is not arbitrary, capricious, or intentionally discriminatory.

The assessor shall notify the owner of classified lands of any change in the true and fair value and/or current use value in the same manner as prescribed in RCW 84.40.045.

#### NEW SECTION

**WAC 458-30-270 INCOME AND EXPENSE DATA.** The assessor is authorized to require an owner to report data relevant to continuing the eligibility of any parcel of land for classification. Such information includes, but is not limited to: Receipts from sales of agricultural products produced on that land, federal income tax returns including schedules documenting farm income, production and other operating expenses, rent and lease receipts, government payments and subsidies, crop and livestock production data and other related income and expense information.

NEW SECTION

**WAC 458-30-275 CONTINUING CLASSIFICATION—SALE OR OWNERSHIP—TRANSFER OF CLASSIFIED LAND.** When the ownership of classified land is transferred to a new owner who intends to continue classification, such notation shall be made by the new owner on the affidavit.

(1) When a parcel(s) of land classified as open space is sold or transferred, the signature of the new owner must be on the notice of continuance in order to continue the classification. The assessor will request information from the new owner, and consult with the granting authority to determine if the parcel of land qualifies for continued classification.

(2) When a parcel(s) of land classified as timber land is sold or transferred, the signature of the new owner must be on the notice of continuance in order to continue the classification. The assessor will request information from the new owner, and consult with the granting authority to determine if the parcel of land qualifies for continued classification.

(3) When a parcel(s) of land classified as farm and agricultural is sold or transferred to a new owner:

(a) In a sale or transfer involving twenty acres or more, the new owner will be required to:

- (i) Sign the notice of continuance on the affidavit; and
- (ii) Provide the assessor with a statement whether he or she will use the parcel(s) of land in such manner as to continue its eligibility for classification under the act.

The assessor will then determine if the land qualifies for continued classification.

(b) In a sale or transfer involving less than twenty acres, the new owner will be required to:

- (i) Sign the notice of continuance on the affidavit; and
- (ii) Provide the assessor with a statement whether he or she will use the parcel(s) of land in such manner as to continue its eligibility for classification under the act; and

(iii) Provide gross income data for three of the past five years. Said data shall be consistent with the income and acreage requirements stated in the act and this chapter.

The assessor will then determine if the land qualifies for continued classification.

(c) In a sale or transfer involving a land segregation, the owner of the newly created parcel(s) shall comply with the requirements of (a) or (b) of this subsection before the assessor determines if the land qualifies for continued classification.

(4) The assessor may, upon being informed that classified land is being sold or transferred to a new owner, obtain relevant information pursuant to WAC 458-30-270. Within fifteen calendar days after receiving such data, the assessor will determine if the land qualifies for continued classification as of the date of conveyance. The new owner, upon signing the notice of continuance, warrants the information in the original application continues to be correct and that future use of the land will conform to the provisions of the act and this chapter.

NEW SECTION

**WAC 458-30-280 NOTICE TO WITHDRAW FROM CLASSIFICATION.** Except as otherwise provided, land classified under the provisions of the act shall remain under such classification and shall not be applied to any other use, for at least ten assessment years from the effective date of classification.

During the ninth or later assessment year of classification, the owner may file with the assessor an irrevocable notice of request for withdrawal. The request for withdrawal may involve all or part of the land.

Upon receiving the request for withdrawal the assessor shall, within seven working days, transmit one copy of the request to the granting authority that approved the original application.

NEW SECTION

**WAC 458-30-285 WITHDRAWAL FROM CLASSIFICATION.** A parcel of land may be withdrawn from classification in whole or in part. If part of the parcel is to be withdrawn, the assessor shall:

(1) If the parcel is classified as farm and agricultural land, verify that the remaining portion of the parcel meets the requirements of the act and this chapter; and

(2) If the parcel is in the open space or timber land classification, consult with the granting authority before determining whether the remaining portion of the parcel meets the requirements of the act and this chapter; and

(3) May segregate the portion that is withdrawn for valuation and taxation purposes.

After twenty-four months have elapsed following the date of receipt of the request to withdraw the parcel(s) of land from classification, the assessor shall withdraw the parcel(s) from classification and place the true and fair value on said land. The assessor shall, not later than thirty days after making the withdrawal, notify the owner in writing that the parcel(s) has been withdrawn from classification.

NEW SECTION

**WAC 458-30-290 ADDITIONAL TAX—WITHDRAWAL.** When land is withdrawn from classification, an additional tax shall be collected from the owner that is equal to the sum of:

(1) The difference between the property tax that was levied on the current use value, and the tax that would have been levied on its true and fair value for the seven tax years preceding withdrawal, in addition to the portion of the tax year when the withdrawal takes place; plus

(2) Interest at the statutory rate specified in RCW 84.56.020 charged on delinquent property taxes from May 1 of the year the tax would have been paid without interest to the date the additional tax is paid; plus

(3) A penalty of twenty percent added to the total amounts computed in subsections (1) and (2) of this section if:

(a) Parcel(s) of land which has been classified under the act for fewer than nine consecutive assessment years are withdrawn by the owner; or

(b) The owner withdraws the parcel(s) of land from classification under the act and does not provide the assessor with at least twenty-four months notice of withdrawal in advance of such withdrawal.

NEW SECTION

WAC 458-30-295 REMOVAL OF CLASSIFICATION. The assessor shall remove from classification all or a portion of the parcel upon occurrence of any of the following:

- (1) Receipt of written notice from the owner directing removal.
- (2) Sale or transfer to an owner exempt from paying property taxes.
- (3) Sale or transfer of all or a portion of such land to a new owner who is not exempt from paying property taxes. However, the new owner may, on the affidavit, sign a notice of continuance to continue the classified use of the sold or transferred land.
- (4) Failure of an owner to respond to a request for data pursuant to WAC 458-30-270. If the assessor does not receive the requested information, the parcel(s) of land may be removed from classification. However, if the owner does not respond to the first request for such information, the assessor shall send by certified mail, return receipt requested, a second request for that information. If the owner does not provide the information within ninety calendar days after receipt, or within ninety calendar days of mailing if the owner refuses receipt, the assessor may remove the classification and impose the additional tax and penalty.
- (5) A determination by the assessor based on field inspections, analysis of income and expense data, or any other reasonable evidence that all, or a portion of, the parcel(s) of land is no longer devoted to the primary use that qualified it for classification.

Within thirty days after removal, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The seller, transferor, or owner may appeal such removal to the first July board of equalization convened subsequent to the date of removal or a board of equalization within thirty calendar days of the date of notice of removal, whichever is later.

Upon removal of a portion of a parcel of land classified as open space, farm and agricultural, or timber land, the assessor may, for valuation and tax purposes, segregate the portion that is removed.

NEW SECTION

WAC 458-30-300 ADDITIONAL TAX—REMOVAL. (1) In the event a parcel(s) of land is removed from classification, an additional tax shall be collected. Such additional tax shall be equal to the sum of:

- (a) The difference between the property tax that was levied on the current use value, and the tax that would have been levied on its true and fair value for the seven tax years preceding removal in addition to the portion of the tax year when the removal takes place; plus
- (b) Interest at the statutory rate charged on delinquent property taxes specified in RCW 84.56.020 from

May 1 of the year the tax would have been paid without penalty to the date the additional tax is paid; plus

(c) A penalty of twenty percent added to the total amount computed in (a) and (b) of this subsection.

(2) If the notice of continuance on the affidavit is not signed, an additional tax and penalty shall be calculated according to subsection (1) of this section.

(3) There shall be no additional tax imposed upon removal of a parcel(s) of land from classification if such removal resulted solely from one or more of the following:

- (a) Transfer to a governmental entity in exchange for other land located within the state of Washington; or
- (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power; or

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land, whether the sale or transfer be made by the personal representative, heirs, or devisees of the deceased owner. An inheritance is not a transfer under the provisions of chapter 84.34 RCW. If the owner of a fifty percent interest inherits the other fifty percent, the land will remain classified and cannot be removed without paying the additional tax unless it is sold within two years. If the owner purchases the decedent's fifty percent interest within two years, the land may be removed without payment of the additional tax and penalty and without signing the notice of continuance. If the notice of continuance is signed, classification will continue as if no transfer occurred; or

(d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property; or

(e) Official action by an agency of the state of Washington or by the county or city where the land is located disallowing the current use of such land; or

(f) Transfer to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020. The conditions set forth in RCW 84.36.020 shall apply to the affected parcel of land only and shall not relieve any portion not so affected from the potential tax liability; or

(g) Acquisition of property interests by public agencies or private organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes specified therein. However, when these interests are not used as specified, the additional tax and penalty shall be imposed.

NEW SECTION

WAC 458-30-305 ADDITIONAL TAX—DATE DUE. (1) The additional tax and penalty required upon removal of a parcel(s) of land from classification pursuant to WAC 458-30-300 shall become due and payable immediately at the time of sale or transfer.

(2) In all other situations, the assessor shall compute the amount of additional tax due, and the county financial authority shall notify, in writing, the party liable for such tax of the amount and the date when the payment



is to be made, which date shall be not more than thirty days following notice from the financial authority.

Any additional tax unpaid on its due date shall thereon become delinquent. Such additional tax and penalty shall attach at the time a parcel of land is removed from classification, and shall, as of said date, become a lien on such land and shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in same manner provided by law, for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050 now or as amended. Starting with the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

#### NEW SECTION

**WAC 458-30-310 COUNTY RECORDING AUTHORITY—DUTIES.** The county recording authority shall not accept for recording any instrument of conveyance involving a parcel of land classified according to the act unless:

- (1) Any required additional tax has been paid; or
- (2) The notice of continuance is signed by the new owner or transferee.

#### NEW SECTION

**WAC 458-30-315 COUNTY FINANCIAL AUTHORITY—DUTIES.** (1) The county financial authority shall, upon receipt of the notice of the current use value and the true and fair value from the assessor, list each in the place and manner provided for listing delinquent taxes.

(2) Upon receipt of a notice of withdrawal from the assessor, the financial authority shall bill and collect all additional taxes and penalties due pursuant to WAC 458-30-290.

(3) Upon receipt of a removal of classification notice, the financial authority shall bill and collect all additional taxes and penalties due pursuant to WAC 458-30-300.

(4) Upon collection of the additional tax, interest and penalty by the financial authority, said funds shall be distributed in the same manner that current taxes applicable to the subject land are distributed. The financial authority shall treat all additional taxes and penalties which are not timely paid in the same manner as delinquent taxes.

#### NEW SECTION

**WAC 458-30-320 ASSESSMENT AND TAX ROLLS.** Following classification of a parcel of land, the assessor shall, each year, enter on the assessment and tax rolls, the current use value and the true and fair value of that parcel. The assessor shall provide notice of these values to the county financial authority who shall list such notice in the place or manner provided for recording delinquent taxes.

#### NEW SECTION

**WAC 458-30-325 TRANSFERS OF CLASSIFICATIONS.** There shall be no additional tax or penalty imposed when:

(1) Land classified as farm and agricultural is transferred to timber land pursuant to chapter 84.34 RCW;

(2) Land classified as timber land, pursuant to chapter 84.34 RCW, is transferred to the farm and agricultural land classification;

(3) Land classified or designated as forest land pursuant to chapter 84.33 RCW, is transferred to the farm and agricultural or timber land classifications pursuant to chapter 84.34 RCW; or

(4) Timber land classified pursuant to chapter 84.34 RCW, is transferred to designated forest land pursuant to chapter 84.33 RCW.

#### NEW SECTION

**WAC 458-30-330 RATING SYSTEM.** The county legislative authority may direct the county planning authority to set open space priorities and adopt, following a public hearing, an open space plan and rating system for the county. The plan shall include but not be limited to the following:

- (1) Criteria to determine land eligibility;
- (2) A process for establishing a rating system; and
- (3) An assessor-developed valuation schedule that shall be a percentage of market value based on the rating system.

#### NEW SECTION

**WAC 458-30-335 RATING SYSTEM—ESTABLISHMENT.** The rating system shall provide for the rating of parcel(s) of land classified as open space, according to the provisions of the act. The granting authority shall include within the rating system the criteria contained in the act and shall consider such criteria when acting on an application to preserve the current use of the parcel(s).

In developing the open space plan, the county planning authority shall take all reasonable steps to determine open space priorities, or use recognized sources for the same purpose, or both. Recognized sources include, but are not limited to: The natural heritage data base, state office of historic preservation, interagency committee for outdoor recreation inventory of dry accretion beach and shoreline features, governmental historic place registers, shoreline master programs, or studies by the parks and recreation commission, and the departments of fisheries, natural resources, and wildlife.

#### NEW SECTION

**WAC 458-30-340 RATING SYSTEM—LOSS OF QUALIFICATION.** Upon adoption of the open space plan and rating system, an owner of land classified as open space will be notified of the parcel's new assessed value. A parcel of land that no longer qualifies for classification will not be removed from classification, but will be rated according to the rating system. Such a parcel may be removed from classification upon request

of the owner without application of the additional tax or penalty within thirty days after receiving notification of the new value. There shall be no partial removal of a parcel of land included in the rating system.

#### NEW SECTION

**WAC 458-30-345 ADVISORY COMMITTEE.** The county legislative authority may appoint a five-member advisory committee representing the active farming community to advise the assessor in implementing assessment guidelines as established by the department for farm and agricultural land and, where appropriate, for open space and timber land. The committee shall elect officers and adopt operating procedures. All meetings and records shall be open to the public according to chapters 42.30 and 42.17 RCW.

Upon appointment, each member of the advisory committee shall serve a one-year term. Members may be removed from the advisory committee by majority vote of the county legislative authority.

The advisory committee shall not give advice regarding the valuation or assessment of specific parcels of land. However, it may supply the assessor with advice on typical crops, land quality, and net cash rental assessments to assist in determining appropriate values.

Failure of the county legislative authority to appoint an advisory committee shall not invalidate the listing of property on the assessment or the tax rolls.

#### NEW SECTION

**WAC 458-30-350 RECLASSIFICATION.** Land classified under the provisions of chapter 84.34 RCW prior to July 16, 1973, meeting the definition of farm and agricultural land pursuant to RCW 84.34.020(2) as amended by chapter 212, Laws of 1973 1st ex. sess., shall be reclassified as such upon request for such change by the owner to the assessor. Such change shall be made without additional tax, penalty, or other requirements. After such reclassification, the land shall be subject to the provisions of the act.

#### NEW SECTION

**WAC 458-30-355 AGREEMENT MAY BE ABROGATED BY LEGISLATURE.** The agreement is not a contract between the owner and any other party and can be abrogated at any time by the legislature, in which event no additional tax or penalty shall be imposed.

#### AMENDATORY SECTION (Amending Order PT 87-3, filed 3/10/87)

**WAC 458-30-510 CREATION OF DISTRICT—PROTEST—FINAL ASSESSMENT ROLL.** RCW 84.34.320 requires local government officials to take certain steps upon "creation" of a district. This section defines when a district shall be deemed to have been "created."

(1) For districts outside of cities, a district shall be considered created upon its actual adoption at the required hearing.

(2) For districts within cities, creation shall occur thirty days after ~~((the))~~ passage of the ordinance ordering the improvement, thereby allowing the protest period set forth in RCW 35.43.180.

(3) For districts within cities, a protest may be filed with the city or town council within thirty days from the date of passage of the ordinance ordering the improvement ~~((and the))~~. Creation of ~~((the))~~ said district can be prevented by the property owners within ~~((said district))~~ whose combined payments for ~~((its creation shall be))~~ said improvement(s) are equal to, or ~~((exceed))~~ in excess of sixty percent of the cost of the improvement. For all other districts ~~((the))~~ their creation ~~((of the district))~~ can be prevented by ~~((the))~~ opposition of the property owners within ~~((said district))~~ whose combined property ownership ~~((of property))~~ is equal to or greater than forty percent of the area included in the district.

(4) For those districts ~~((which))~~ that have an annual assessment roll hearing(s) on capital assessments, the final assessment roll will be ~~((said to be))~~ considered as "adopted" upon confirmation of the roll at the hearing in the first year.

#### AMENDATORY SECTION (Amending Order PT 87-3, filed 3/10/87)

**WAC 458-30-520 NOTIFICATION OF DISTRICT—CERTIFICATION BY ASSESSOR—ESTIMATE BY DISTRICT.** (1) ~~((Immediately))~~ Upon creation of a district, the local government shall immediately notify the ~~((county))~~ assessor and legislative authority of the county ~~((in which))~~ where the district is located of said creation.

(2) Upon receipt of notification ~~((of the creation of a district;))~~ that a district has been created, the ~~((county))~~ assessor shall certify in writing to the district ~~((the status of))~~ whether or not classified farm and agricultural land is within ~~((the created district which is classified as farm and agricultural land))~~ its boundaries.

(a) ~~((If there is no farm and agricultural land within the district, the county assessor shall certify this to the district.~~

~~((b)))~~ If there is ~~((land within the district classified as farm and agricultural))~~ any such land, the ~~((county))~~ assessor shall certify ~~((which))~~ what land is ~~((classified as such))~~ within by providing parcel numbers and legal descriptions of such property.

~~((c))~~ (b) If any owner of land within the created district has timely filed, as of January 1st, an application for current use assessment as farm and agricultural land and no action has been taken ~~((on it))~~, the ~~((county))~~ assessor will ~~((indicate to the district))~~ report the status of ~~((that))~~ pending applications to the district and take immediate action to render a decision for its approval or denial. The ~~((county))~~ assessor shall also ~~((indicate to))~~ inform the district that any decision is appealable under RCW 84.34.035, and that the classification as farm and agricultural land would become effective as of the initial filing date, January 1.

~~((d))~~ (c) If the legislature extends the filing date for applying for classification as farm and agricultural land beyond December 31, those applications approved will receive their status as of January 1 of the filing year.

(3) The district, upon receipt of the assessor's certification ~~((above))~~ required by subsection (2) of this section, shall notify the assessor and the legislative authority of:

(a) The extent to which classified lands may be subject to a partial assessment for connection ~~((of improvements))~~ to the service provided by the improvement(s). Said estimate will be based upon WAC 458-30-560.

(b) ~~((The))~~ Confirmation and approval of the special benefit assessment roll. Said confirmation shall include the lands exempted from assessment and the amounts ~~((which))~~ that would have been levied ~~((if))~~ had the land ~~((had))~~ not been exempt.

(4) The assessor shall ~~((provide notice to))~~ notify the district when any exempt farm and agricultural land is removed from classification ~~((as farm and agricultural land))~~.

**AMENDATORY SECTION** (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-530 NOTIFICATION OF OWNER. The ~~((county))~~ assessor, upon receiving notice of the creation of such a district, shall notify the owner of the farm and agricultural lands as shown on the current assessment rolls. Such notification shall be made on forms approved by the department of revenue and shall contain the following:

(1) Notice of the creation of the district.

(2) Notice of the exemption of that land from special benefit assessments.

(3) Notice that the farm and agricultural land will become subject to the special benefit assessments if the owner waives the exemption by filing a notarized document with the governing body of the local government creating the district before ~~((the))~~ confirmation of the final special benefit assessment roll.

(4) Notice of potential liability if the exemption is not waived and the land is subsequently withdrawn or removed from the farm and agricultural land ~~((status))~~ classification.

(5) The portion of ~~((his))~~ the land measured as ~~((his))~~ the benefited "residence" as provided in WAC 458-30-560 will be assessed for benefits received.

(6) ~~((If the owner connects))~~ That connection to the system, ~~((he))~~ shall ~~((be liable for the))~~ result in a connection charge.

(7) ~~((If the owner connects))~~ That connection to the system ~~((at a time later than when))~~ subsequent to creating the district ~~((is initially created and assessed, he))~~ and initial assessment will ~~((be))~~ result in being liable for the amounts as calculated in WAC 458-30-570.

(8) The property owner shall have the right of appeal as is guaranteed any other property owner within the district.

**AMENDATORY SECTION** (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-540 WAIVER. (1) The owner of ~~((the))~~ land exempted from special benefit assessments may waive that exemption by filing a notarized statement to that effect with the local government creating

the district. Said statement must be filed prior to confirmation of the final special benefit assessment roll.

(2) A copy of said waiver shall be filed by the local government with the ~~((county))~~ assessor and the county legislative authority, but the failure of such filing shall not affect the waiver.

**AMENDATORY SECTION** (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-550 EXEMPTION—REMOVAL.

(1) ~~((H))~~ No further action will be required of the owner of classified farm and agricultural land ~~((classified as farm and agricultural land wishes))~~ who chooses to remain exempt and ~~((pay no assessment for))~~ not connect to the improvement(s) made by ~~((creation of))~~ the district ~~((, it shall require no further action on his part))~~. The status of ~~((his))~~ the property will not change and it will not be included on the assessment roll.

(2) If the owner ~~((of such exempt land chooses))~~ initially chose to remain exempt ~~((and then at some future date his land))~~, but subsequently is removed or withdrawn from ~~((classification as))~~ the farm and agricultural land classification, ~~((he will be subject to))~~ immediate payment ~~((of the amount))~~ shall be required of the total special benefit assessment amount listed in the notice provided for in RCW 84.34.320 in the following manner:

(a) If the bonds used to fund the improvement have not been completely retired ~~((at))~~ when the ~~((time his))~~ land is withdrawn or removed from classification, ~~((he will be liable for))~~ the liability will be:

(i) The amount of the special benefit assessment, plus;

(ii) Interest on that amount, compounded annually at a rate equal to the average rate of inflation from the time the initial notice is filed by the governmental entity ~~((which created))~~ creating the district to the time the ~~((owner withdraws such land from the exemption category))~~ land is withdrawn or removed from exempt status.

(b) If the bonds used to fund the improvement in the district have been completely retired when ~~((his))~~ the land is withdrawn or removed from classification, ~~((he shall immediately become liable))~~ immediate payment shall be due for:

(i) The amount of the special benefit assessment, plus;

(ii) Interest on that amount compounded annually at a rate equal to the average rate of inflation from the time the initial notice is filed to the time the bonds used to fund the improvement have been retired, plus;

(iii) Interest on the total amount of (i) and (ii) at a simple per annum rate equal to the average rate of inflation from the time the bonds used to fund the improvement have been retired to the time the ~~((owner withdraws such land from the exemption category))~~ land is withdrawn or removed from exempt status.

(3) If property is withdrawn or removed from the farm and agricultural land classification ~~((and))~~, but has been partially assessed for connection to a sewer and/or water system, credit shall be given for the amount paid ~~((shall be given))~~ when computing the total liability ~~((for withdrawal))~~.

AMENDATORY SECTION (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-560 PARTIAL ASSESSMENT—COMPUTATION. A portion of ~~((and))~~ the exempt classified ~~((as))~~ farm and agricultural land ~~((and therefore usually exempt from special benefit assessments))~~ shall be subject to special benefit assessment if it is actually connected to the domestic water system or sewerage facilities, or for access to a road improvement. The amount of special benefit assessment shall be calculated ~~((in one of the following manners, whichever complies with))~~ by the method used ~~((by))~~ in the district ~~((for assessing))~~ to assess nonexempt property. If ~~((any method has))~~ a district uses more than one ~~((manner))~~ method to calculate the assessment, ~~((the district))~~ it shall use ~~((whichever manner))~~ the one that results in the least cost to ~~((each))~~ the property owner, regardless of the owner's property holdings and/or exempt status. The district shall provide the owner of such property with a written estimate of the partial assessment as determined from the following methods:

(1) Sanitary and/or storm sewerage service or domestic water service.

(a) Square foot method: If the ~~((assessment for the))~~ special benefit assessment is determined on a square footage basis, the assessable portion of the exempt land shall be determined as follows:

Calculate the square footage of the residential area, i.e., the "main dwelling." This area shall include all those facilities normally found on a residential lot such as a garage or carport, driveway, front and back yards, etc. Also included in the area shall be any buildings or facilities ~~((which are))~~ directly benefited by an actual connection to the improvement. (For example: A dairy barn connected to a sewer or water system.)

(b) Front foot method: If the ~~((method of assessment for the))~~ special benefit assessment is determined on a front footage basis, the assessable portion of the exempt land shall be determined ~~((in))~~ by one of the following ~~((manners))~~:

(i) Calculate the square footage for the residential area in the same manner as the square foot method. The square foot measurement of the entire "residence," ~~((including other buildings connected, in square feet))~~ shall then be converted into ~~((an))~~ the area of a ~~((perfect))~~ square. The calculated square will ~~((then))~~ be used as the unit to be charged for the special benefit assessment. One side of the square will be used as front footage~~((:));~~  
or

(ii) ~~((Take))~~ Determine the mean (average) front footage of all nonexempt properties within the district, and use ~~((that figure))~~ it to assess the portion of otherwise exempt property for the special benefit assessment, i.e., add ~~((up))~~ all of the nonexempt front footage relevant to the improvement and divide by the number of nonexempt properties within the district.

(c) Zone-termini method: If the ~~((method of assessment for the))~~ special benefit assessment is determined on a zone-termini basis, the assessable portion of the exempt land shall be determined ~~((in))~~ by one of the following ~~((manners))~~:

(i) Convert the square foot area of the residence to a square as in the front foot method. Use this square as the zone for assessing the portion of otherwise exempt property for the special benefit assessment~~((:));~~ or

(ii) ~~((Take))~~ Calculate the mean (average) width and depth (length) of all nonexempt properties within the district ~~((and use this)),~~ using these averages to create a rectangular unit as the zone for assessing the portion of otherwise exempt property for the special benefit assessment. ~~((Example))~~ To perform this calculation:

(A) Add ~~((up))~~ all nonexempt front footage relevant to the improvement and divide by the number of nonexempt properties within the district~~((: This will be the measurement of))~~ to determine the mean width of the zone~~((:));~~ and

(B) Add ~~((up))~~ the depths (lengths) of all nonexempt properties within the district and divide by the number of nonexempt properties within the district~~((: This will be the measurement of))~~ to determine the mean depth of the zone.

(d) Equivalent residential unit method (ERU): The ERU method shall be used in the same manner as it is used on all other properties within the district. The value to be determined is based on the amount of benefit derived or, when appropriate, the degree of contribution to the service, such as drainage or sewer. This amount shall be measured for all uses of property~~((: it)).~~ (For example, if a dairy barn uses a greater amount of water or contributes a greater amount of sewerage than the normal residential unit, it shall be classified as more than one ERU and shall be charged a proportionately greater amount.)

(e) Combined methods: In districts ~~((which make))~~ making assessments using a combination of two or more methods ~~((: it))~~ e.g., an assessment based on a front footage charge plus ~~((\$.02 per))~~ a square foot charge, the procedures for determining the assessable portion of previously exempt property shall be the same as those ~~((outlined))~~ described above.

(2) Road construction and/or improvements. If the property is provided access to the constructed or improved road, the assessment will be based upon the percentage of current use value to true and fair value as evidenced by the last property tax assessment roll as equalized by the county board of equalization to what the assessment would have been if the owner had waived the exemption~~((: it)).~~ (For example, if the current use value is forty-five percent of its true and fair value, then the assessable portion ~~((shall))~~ would be forty-five percent of the amount it would have been had the owner waived the exemption.)

AMENDATORY SECTION (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-570 CONNECTION SUBSEQUENT TO FINAL ASSESSMENT ROLL—INTEREST—CONNECTION CHARGE. (1) ~~((If at some date after the assessment roll has been approved))~~ The owner of property ~~((exempt))~~ exempted from special benefit assessments under the current use farm and agricultural land classification ~~((wishes to))~~ who connects to the water and/or sewer systems and/or road

improvements provided by ~~((special benefit assessment, he))~~ the district after the assessment roll has been approved will be liable for the foregone assessments as determined by WAC 458-30-560 including interest, but not penalties. In addition ~~((to this amount, he shall make)),~~ the annual payment required for ~~((at))~~ each year(s) following the connection shall be made.

(2) In addition to the assessments imposed in subsection (1) of this section, ~~((he))~~ the owner will also be liable for the cost of connection.

**AMENDATORY SECTION** (Amending Order PT 87-3, filed 3/10/87)

WAC 458-30-580 RATE OF INFLATION—WHEN PUBLISHED—CALCULATION. ~~((For))~~ In computing the interest ((used for)) as required by WAC 458-30-550, upon withdrawal or removal from classification as farm and agricultural land, ((as required by WAC 458-30-550,)) the department of revenue will, each year, publish ((each year)) an annual ((rate of)) inflation rate. The rate will be based upon the implicit price deflator for personal consumption expenditures calculated by the United States Department of Commerce. The rate will be published by December 31st of each year and will apply to all withdrawals ((which)) or removals that occur in the following year. An owner will become liable for the interest from the time ((of creation of the district)) the district was created to the time of withdrawal or removal. If more than one year is involved, ((the rates of inflation published by the department of revenue for all years involved shall be averaged together to find the average annual rate of inflation to be used in calculating the assessment for withdrawal)) an annual average inflation rate shall be used to calculate the interest. This rate will be determined by summing the inflation rates for all years in question and then dividing by the number of years. The interest shall take effect on the date the action ((which warrants)) warranting the charge as provided for in WAC 458-30-550 is taken. Interest for withdrawal or removal will be calculated only for ((only those)) the time (years and months) ((in which)) the property was ((classified as exempt, i.e.)) in exempt status. (For example, if a property was withdrawn July 1, ((1983)) 1987, and the district was created in January 1980, the interest would be calculated using the inflation rates given for 1980((; 1981, 1982, and 1983:)) through 1987; in the year ((of)) when the withdrawal or removal occurred, the interest would be calculated for ((only)) six months, January((= July)) through June, ((those months in which)) as the property was ((classified as exempt:)) still in exempt status.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 458-30-005 DEFINITIONS.
- WAC 458-30-010 CLASSIFIED LANDS.
- WAC 458-30-015 AGREEMENT.
- WAC 458-30-020 APPLICATION.
- WAC 458-30-025 APPLICATION FEE.

- WAC 458-30-030 WITHDRAWAL—CHANGE OF USE.
- WAC 458-30-045 REMOVAL OF A PORTION.
- WAC 458-30-050 REMOVAL OF CLASSIFICATION.
- WAC 458-30-055 NOTIFICATION UPON REMOVAL.
- WAC 458-30-056 ADDITIONAL TAX.
- WAC 458-30-057 PENALTY.
- WAC 458-30-060 ADDITIONAL TAX—DATE DUE.
- WAC 458-30-070 AGREEMENT MAY BE ABROGATED BY LEGISLATURE.
- WAC 458-30-075 ASSESSOR.
- WAC 458-30-080 ASSESSOR TO ACT ON AGRICULTURAL CLASSIFICATION.
- WAC 458-30-085 ASSESSOR TO DETERMINE VALUE.
- WAC 458-30-090 ASSESSOR MAY REQUIRE REPORTS—FAILURE TO COMPLY.
- WAC 458-30-095 ASSESSOR TO NOTE CLASSIFICATION ON ASSESSMENT AND TAX ROLL.
- WAC 458-30-100 ASSESSOR TO RECORD AGREEMENT AND OTHER NOTICES.
- WAC 458-30-105 NOTICE OF WITHDRAWAL TO BE FILED WITH ASSESSOR—ASSESSOR TO WITHDRAW.
- WAC 458-30-110 ASSESSOR TO NOTIFY OWNER OF VALUE CHANGE.
- WAC 458-30-115 GRANTING AUTHORITY.
- WAC 458-30-120 GRANTING AUTHORITY'S ACTION ON APPLICATION.
- WAC 458-30-125 OWNER APPLICANT.
- WAC 458-30-130 TREASURER.
- WAC 458-30-135 ADVISORY COMMITTEE.
- WAC 458-30-140 BASIS FOR ASSESSMENT.
- WAC 458-30-145 VALUATION PROCEDURES.
- WAC 458-30-146 VALUATION CYCLE.
- WAC 458-30-150 CHANGE OF TIMBER LAND CLASSIFICATION TO CHAPTER 84.33 RCW.
- WAC 458-30-155 RECLASSIFICATION OF FARM AND AGRICULTURAL LAND UNDER 1973 AMENDATORY ACT.
- WAC 458-30-160 TRAINING.

WSR 88-23-063

ADOPTED RULES

INSURANCE COMMISSIONER

[Order R 88-11—Filed November 16, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to definitions of prohibited acts or practices that compromise the security of insurance license examination materials or behavior which undermines the purpose of the examination; a requirement that each applicant for an agent's, broker's, adjuster's, or

solicitor's insurance license certify that he or she understands the prohibitions and the legal consequences of committing the prohibited acts; and the applicant's ineligibility for reexamination following a third failure of an examination within a twelve-month period.

This action is taken pursuant to Notice No. WSR 88-19-021 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 pursuant to RCW 48.02.060 which directs that the Insurance Commissioner has authority to implement the provisions of RCW 48.17.070, 48.17.110 and 48.17.130.

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 November 16, 1988.

Dick Marquardt  
Insurance Commissioner  
By Roger Polzin  
Deputy Commissioner

#### NEW SECTION

WAC 284-17-125 PROHIBITED ACTS OR PRACTICES BY LICENSE EXAMINEES. The following are prohibited acts or practices:

(1) Conduct that compromises the security of insurance license examination materials, including but not limited to:

- (a) Unauthorized appropriation of examination questions or materials; or
- (b) Unauthorized reproduction or replication of any portion of an examination; or
- (c) Aiding, by any means, the unauthorized reproduction or replication of an examination; or
- (d) Providing examination questions or other examination information to any person or business engaged in preparing applicants to pass such examination; or
- (e) Obtaining examination questions or materials for the purpose of furnishing the questions or materials to license applicants; or
- (f) Unauthorized sale, distribution, purchase or possession of any portion of a previously administered, current, or prospective examination; or
- (g) Taking or attempting to take an examination in the line of insurance for which the examinee is already qualified.

(2) Behavior that undermines the evaluative objective of the examination, including but not limited to:

- (a) Communication with any other examinee during the examination period; or
- (b) Copying answers or allowing another to copy answers;
- (c) Possession of any books, materials, notes, or photography or recording devices not issued by the independent testing service representative;
- (d) Impersonating, or engaging another to impersonate, any applicant for the purpose of completing the examination on behalf of another.

#### NEW SECTION

WAC 284-17-130 PREREQUISITES TO ADMITTANCE TO EXAMINATION. As a prerequisite to admittance to any examination designed to test the examinee's qualifications to be an agent, broker, solicitor or adjuster, each applicant must certify on the form provided, that he or she:

- (1) Is not taking the examination for purposes other than as the means to qualify for a license;
- (2) Has not passed the examination for that line of insurance, within the previous two-year period;
- (3) Has been advised that the performance of any of the acts proscribed by WAC 284-17-125 constitutes a violation of RCW 48.17.530 and 48.17.560, as well as other statutes and regulations, and subjects the offender to disciplinary action, including refusal to issue an insurance license to the offender, revocation of any insurance license held by the offender, and the imposition of a fine; and
- (4) Has been advised that the unauthorized appropriation or conversion of questions or materials comprising the examination for a Washington state insurance agent's, broker's, adjuster's, or solicitor's license is a violation of federal copyright law.

#### NEW SECTION

WAC 284-17-135 REEXAMINATION AFTER FAILURE TO PASS. An applicant who fails on the third attempt to pass an insurance license examination will not be eligible for further examinations, covering the same line or lines of insurance, for a period of one year from the date of the last failed examination.

#### **WSR 88-23-064**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 88-171—Filed November 16, 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 chum destined for the Nooksack-Samish region of origin. Restriction in Area 7B is necessary to maintain and orderly fishery. Openings in Areas 10 and 11 provide opportunity to harvest non-Indian allocation of Puget Sound chum. The restriction in Area 10 is necessary to reduce harvest impacts on local chum 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 November 16, 1988.

By Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-47-931 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 3:00 PM Wednesday November 16 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 7B - Gillnets using 6-inch minimum mesh may fish from 3:00 PM Wednesday November 16 to 9:00 AM Thursday November 17, and from 3:00 PM Thursday November 17 to 9:00 AM Friday November 18, and Purse seines may fish to 8:00 PM Wednesday November 16, and from 5:00 AM to 8:00 PM Thursday November 17, and from 5:00 AM to 4:00 PM Friday November 18. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North Terminal to the light at the end of Squalicum Creek Waterway.
- \* Areas 10 and 11 - Gill nets using 6-inch minimum mesh may fish from 3:00 PM Wednesday November 16 to 9:00 AM Thursday November 17th, and Purse seines using the 5-inch strip may fish to 8:00 PM Wednesday November 16, and from 5:00 AM to 8:00 PM Thursday November 17, and from 5:00 AM to 8:00 PM Friday November 18. This area 10 opening excludes those waters west of a line projected 178 degrees true from the light at the end of the Indianola Dock to the landfall on the south shore of Port Madison.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 3:00 PM Wednesday November 16:

**WAC 220-47-930 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-169)**

### **WSR 88-23-065**

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

[Memorandum—November 15, 1988]

There will be a meeting of the Art Committee of the Washington State Convention and Trade Center on Monday, November 21 at 3 p.m. The location will be Room 504, Washington State Convention and Trade Center, 800 Convention Place, Seattle.

There will be a meeting of the Marketing Committee of the Washington State Convention and Trade Center on Wednesday, December 7 at 9 a.m. The location will be Room 500, Washington State Convention and Trade Center, 800 Convention Place, Seattle.

### **WSR 88-23-066**

#### **NOTICE OF PUBLIC MEETINGS SOUTH PUGET SOUND COMMUNITY COLLEGE**

[Memorandum—November 14, 1988]

There will be a special meeting of the South Puget Sound Community College board of trustees. The meeting is scheduled for Wednesday, November 30, 1988, with a new trustee orientation beginning at 8:00 a.m. and a full board special meeting beginning at 12 noon in Building 22, Room 215 on the South Puget Sound Campus, 2011 Mottman Road S.W.

### **WSR 88-23-067**

#### **INDETERMINATE SENTENCE REVIEW BOARD**

[Filed November 17, 1988]

**Reviser's note:** The following material has not been adopted under the Administrative Procedure Act, chapter 34.04 RCW, but has been filed in the office of the code reviser and is published in the Register exactly as filed.

**2.041 NEW MINIMUM TERM** New minimum terms of parole violators (RCW 9.95.125) will be set by the Board within 30 days of admission. Factors considered in setting a new minimum term include:

- The length of time previously incarcerated for the commitment offense from which the individual is on parole.
- The SRA ranges of the original offense from which the individual was on parole.

- The original recommendation of the committing judge and prosecuting attorney.
- Whether or not the parole violation behavior also resulted in an SRA conviction and any incarceration time as a result of the new conviction.
- Nature of both the original committing offense and the parole violation behavior.

Amended: October 31, 1988

**WSR 88-23-068**  
**ATTORNEY GENERAL OPINION**  
**Cite as: AGO 1988 No. 28**  
 [November 14, 1988]

**MEDICINE—PROFESSIONAL REGULATION—OPTOMETRY**

1. An agreement between an optometrist and an ophthalmologist whereby the optometrist refers a patient to the ophthalmologist for surgery with the understanding that the referring optometrist will provide post-operative care does not violate the anti-rebate provisions of chapter 19.68 RCW or RCW 18.130.180(21), so long as each party performs services he or she is licensed to perform and bills only for those services.
2. The Medical Disciplinary Board lacks authority to prohibit ophthalmologists from delegating post-operative management of eye surgery patients to optometrists, if the prohibition amounts to an effort to regulate the practice of optometry or to prevent optometrists from performing functions they are licensed to perform; however, the Medical Disciplinary Board does have authority to define the scope of post-operative care and define the extent of a medical doctor's responsibility for such post-operative care.

**Requested by:**

Linda Crerar  
 Acting Executive Secretary for  
 the Washington State  
 Medical Disciplinary Board  
 Department of Licensing  
 Highways-Licenses Bldg.  
 Olympia, WA 98504

**WSR 88-23-069**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**  
 [Filed November 17, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to Telecommunication

companies—Generic rate of return, WAC 480-80-395, Docket No. U-88-2173-R.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1988.

The authority under which these rules are proposed is RCW 80.01.040.

The specific statute these rules are intended to implement is RCW 80.36.140 and 80.36.300.

This notice is connected to and continues the matter in Notice No. WSR 88-18-063 filed with the code reviser's office on September 2, 1988.

Dated: November 17, 1988  
 By: Paul Curl  
 Acting Secretary

**WSR 88-23-070**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed November 17, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to expedited rate case procedure and qualification of telecommunications companies seeking pass through, WAC 480-80-385 and 480-80-390, Docket No. U-88-2174-R.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1988.

The authority under which these rules are proposed is RCW 80.01.040.

The specific statute these rules are intended to implement is RCW 80.36.140 and 80.36.300.

This notice is connected to and continues the matter in Notice No. WSR 88-18-064 filed with the code reviser's office on September 2, 1988.

Dated: November 17, 1988  
 By: Paul Curl  
 Acting Secretary

**WSR 88-23-071**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**

[Memorandum—November 15, 1988]

The Wildlife Commission has decided on the following dates and locations for the 1989 Wildlife Commission meetings:

- |                 |          |
|-----------------|----------|
| January 13      | Tumwater |
| April 7         | Pullman  |
| May 12 and 13   | Spokane  |
| August 12       | Yakima   |
| October 6 and 7 | Seattle  |



**WSR 88-23-072**  
**ADOPTED RULES**  
**TACOMA COMMUNITY COLLEGE**  
 [Order 88-1—Filed November 17, 1988]

Be it resolved by the board of trustees of Tacoma Community College, Community College District 22, acting at the John Binns Room, Building 7, Tacoma Community College, that it does adopt the annexed rules relating to the code of student rights and responsibilities, chapter 132V-120 WAC.

This action is taken pursuant to Notice No. WSR 88-20-062 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 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.140(13) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 10, 1988.  
 By Carleton M. Opgaard  
 Chief Executive Officer

**AMENDATORY SECTION** (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-020 DEFINITIONS. As used in this chapter the following words and phrases shall be defined as follows:

(1) "District" shall mean Community College District 22.

(2) "College" shall mean Tacoma Community College main campus and any other (~~community college~~) campus or college facility which may be created by the board.

(3) "College facilities" shall (~~mean and~~) include (~~any and all personal property and~~) real property (~~including all~~), buildings and (~~appurtenances affixed~~) improvements thereon (~~or attached thereto which is~~) owned, leased, or (~~operated~~) used by (~~the board, or otherwise under the possession and control of the board~~) or on behalf of the college or the associated students.

(4) "Board" shall mean the board of trustees of Community College District No. 22, state of Washington.

(5) "President" shall mean the duly appointed chief executive officer of any campus of the district, or in his or her absence, the acting chief executive officer.

(6) (~~"Officer of the college"~~) "Dean of students" shall mean (~~and include all administrative exempt employees, exclusive of the president, and any faculty member whose primary assignment is that of division chairperson~~) the administrator responsible for student services or designee.

(7) (~~"Faculty" shall mean and include any full-time or part-time academic employee of the district whose assignment is one or a combination of instruction, counseling or library services.~~

(8) "College staff" shall mean and include any classified staff employee either full-time or part-time, whose primary assignment is a job position under the jurisdiction of the Washington higher education personnel board. Also included are student employees of the district and employees whose status is either full-time or part-time "exempt-temporary."

(9) "Student," unless otherwise qualified, shall mean and include any person who is registered for classes at the college.

(10) "Student senate" shall mean the officially recognized student legislative body as stipulated in the constitution of the associated students of Tacoma Community College.

(11) "Chief academic affairs officer" shall mean the administrator responsible for the instructional program or designee.

(8) "Officer of the college" shall mean and include all administrative exempt employees, exclusive of the president, and any faculty member whose primary assignment is that of division chairperson.

(9) "Faculty" shall mean and include any full-time or part-time academic employee of the district whose assignment is one or a combination of instruction, counseling, or library services.

(10) "College staff" shall mean and include any classified staff employee either full-time or part-time, whose primary assignment is a job position under the jurisdiction of the Washington higher education personnel board. Also included are student employees of the district and employees whose status is either full-time or part-time "exempt-temporary."

(11) "Student" shall mean any person who is registered for classes in the college.

(12) "Associated students" shall mean the student body and such authorized groups organized under the provisions of the Constitution and bylaws of the associated students of the college.

(13) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person or group of persons.

(14) "Disciplinary action" shall mean and include a written warning to, the suspension or expulsion of, or placement on probation of any student by an appropriate officer of the college for the violation of any provision of this chapter (~~and as further defined in WAC 132V-120-050~~).

(15) "Instructional day" shall mean any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-030 JURISDICTION. (1) All rules herein adopted shall apply to ~~((every))~~ each student whenever said student is present upon or in any college facility ~~((and))~~ or whenever said student is present at or engaged in any college sponsored activity or function ~~((which is held on or in noncollege facilities))~~.

(2) Faculty members, other college employees, students, and members of the public who ~~((breach))~~ violate or aid or abet another in the ~~((breach))~~ violation of any provision of this chapter shall be subject to ~~((possible))~~ prosecution under ~~((the state criminal law or any other possible civil or criminal remedies available to the public or appropriate disciplinary action pursuant to the state of Washington higher education personnel board rules or the district's policies and regulations))~~ civil or criminal laws or regulations of Washington in addition to any sanctions imposed pursuant to this chapter.

(3) ~~((Statutory authority))~~ Provisions of the Revised Code of Washington cited in this document ~~((is))~~ are on file and available in the ~~((office of the dean of student services))~~ college library.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-040 STUDENT RIGHTS. The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college:

(1) Academic freedom.

(a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.

(b) Students are free to pursue ~~((appropriate))~~ educational objectives from among the college's curricula, programs and services subject to the ~~((limitations of RCW 268.50.090 (3)(b) [28B.50.090 (3)(b)]))~~ provisions of this chapter.

(c) Students shall be protected from academic evaluation which is arbitrary, prejudiced or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.

(d) Students have the right to a learning environment which is free from unlawful discriminatory, inappropriate, and disrespectful conduct and free from sexual harassment.

(2) Due process.

(a) The rights of students to be secure in their persons, quarters, papers and effects against unreasonable searches and seizures is guaranteed.

(b) No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature of the charges.

(c) A student accused of violating this code of student rights and responsibilities is entitled, upon request, to procedural due process as set forth in ~~((WAC 132V-120-090 through 132V-120-260))~~ the provisions of this chapter.

(3) Distribution and posting. Students may distribute or post printed or published material subject to official procedures ~~((printed and))~~ available in the office of student programs and activities.

(4) Off-campus speakers. ~~((Recognized))~~ Student organizations sanctioned by an officer of the college or faculty or authorized by the associated students shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding resources, and compliance with the official college procedures available in the office of student programs and activities.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-050 STUDENT RESPONSIBILITIES. Any student ~~((shall be subject to disciplinary action as provided for in this chapter who, either))~~ who violates any provision of this chapter or who as a principal ~~((actor, aider, abettor or accomplice as defined in RCW 9A.08.020))~~ aids, abets, encourages, or procures another person to materially and substantially interfere ~~((s))~~ with the personal rights or privileges of others or the educational process of the college ~~((; violates any provision of this chapter; or commits any of the following personal, property or status offenses which are hereby prohibited))~~ shall be subject to disciplinary action as provided in this chapter. Grounds for disciplinary action include the following:

(1) ~~((Personal offenses:~~

(a) ~~Assault, reckless endangerment, intimidation or interference upon another person in the manner set forth in RCW 9A.36.010, 9A.36.020, 9A.36.030, 9A.36.040, 9A.36.050 or 28B.10.570 through 28B.10.572 as now or hereafter amended.~~

(b) Physical abuse of any person on college facilities or at a college sponsored event or conduct which threatens or endangers the health or safety of any such person;

(2) ~~Disorderly or~~ ~~((abusive conduct. Engaging in abusive behavior or disorderly conduct.))~~ drunken conduct; lewd, indecent or obscene conduct or expression; breach of the peace on college facilities or at college sponsored events;

~~((c))~~ (3) An illegal assembly,  ~~((obstruction or disruption. Any assembly))~~ disruption, obstruction or other act which materially and substantially interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others ~~((;))~~;

~~((d) False complaint.))~~ (4) Refusal to comply with any lawful order to leave the college campus or any portion thereof;

(5) Knowingly filing a formal complaint falsely accusing another student or college employee with violating a provision of this ~~((chapter.))~~ code;

~~((e) False alarms.))~~ (6) Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities ~~((;))~~;

~~((f))~~ (7) Sexual harassment ~~((Engaging))~~ which is defined as engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical

conduct of a sexual nature when such behavior offends the recipient, causes discomfort or humiliation, or interferes with job or school performance((:));

~~((2) Property offenses:~~

~~(a) Larceny and theft. Theft of the property of the district or of another as defined in the RCW 9A.56.010 through 9A.56.050, 9A.56.100 as now law or hereafter amended.~~

~~(b) Malicious mischief. Intentional or negligent damage to or destruction of any college facility or other public or private real or personal property.~~

~~(c)) (8) Theft of property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college;~~

~~(9) Intentional or grossly negligent damage or destruction of any property owned, leased or used by the college, the associated students, a member of the college community or of a visitor to the college;~~

~~(10) Unauthorized use of college or associated students' equipment ((and)) or supplies((- Converting of college equipment or supplies for personal gain or use or without proper authority:));~~

~~((3) Status offenses:~~

~~(a)) (11) Cheating ((and)), plagiarism((:)) or tendering to a faculty member any work product that the student fraudulently represents to the faculty member as the student's work product for the purpose of fulfilling or partially fulfilling any assignment or task required by the faculty member as part of the student's program of instruction((:));~~

~~((b)) (12) Forgery or alteration of college documents or records((- Forgery or tendering any forged record or instrument as defined in RCW 9A.60.010 through 9A.60.020 and now law or hereafter amended, of any district record or instrument to an employee or agent of the district acting in his official capacity as such-), including student identification cards, or the fraudulent use thereof;~~

~~((c) Refusal to provide identification in appropriate circumstances. Refusal to provide positive identification (e.g., valid driver's license) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.~~

~~(d) Illegal entry. Entering any administrative or other employee office space or any locked or otherwise closed college facility in any manner, at any time, without permission of the college employee or agent in charge thereof.~~

~~(e) Smoking:)) (13) Failure to comply with directions of college officials acting in the performance of their duties;~~

~~(14) Unauthorized entry or occupancy of college facilities or blocking access to or egress from such areas;~~

~~(15) Smoking in any classroom ((or)), laboratory ((WAC 248-152-030(8)), the)), library, or in any college facility or office ((posted "no smoking.") designat- ed as "NO SMOKING";~~

~~((f) Narcotic and controlled substances. Using, possessing, being demonstrably under the influence of, or selling any narcotic or controlled substance as defined in RCW 69.50.101(o) and 69.50.201 through 69.50.212 as now law or hereafter amended, except when the use or~~

~~possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist. For the purpose of this regulation, "sale" shall include the statutory meaning defined in RCW 69.50.410 as now law or hereafter amended.~~

~~(g) Alcoholic beverages. Being demonstrably under the influence of any form of alcoholic beverage. Possessing or consuming any form of alcoholic beverage except at those college-sponsored activities wherein official approval for serving alcoholic beverages has been given by the president.~~

~~(h) Weapons, explosives, and dangerous chemicals. Illegal or unauthorized use or possession of any device or substance which can be used to inflict bodily harm or to damage real or personal property:)) (16) Use, possession, or distribution of alcoholic beverages on college facilities without a permit from the state liquor control board and approval by the president. Use or possession of alcoholic beverages on college facilities or at college sponsored events by minors;~~

~~(17) Using, possessing, selling or being under the influence of any narcotic drug or controlled substance as defined in RCW 69.50.101 or any dangerous drug as defined in RCW 69.50.308 while on college facilities or at any college sponsored event except when the use or possession of such a drug is specifically prescribed as medication by an authorized medical doctor or dentist. The term "sale" shall have the meaning as defined in RCW 69.04.005;~~

~~(18) Being under the influence of liquor or alcoholic beverages while on college facilities or at college sponsored events;~~

~~(19) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities.~~

#### AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-060 AUTHORITY OF THE PRESIDENT TO PROHIBIT TRESPASS. The president shall have authority and power to prohibit the entry or withdraw the license or privilege of any person or group of persons to enter into or remain in any college property or facility. Such power and authority may be exercised whenever the president deems any of the following conditions exist:

(1) Events or activities disruptive of the lawful business of the college.

(2) Events or activities which disrupt or threaten to disrupt the lawful movement of any person into or out of any college facility.

(3) For the purpose of determining the identity of a person as a student, where identification as a student is a prerequisite to admission or the charge for admission to any college activity or where identification as a student is required in a case of alleged violation of this code, any college employee may demand that any person on college property or at a college activity produce evidence of student enrollment at the college. Tender of a current valid student identification card will satisfy this requirement. Refusal by a student to produce identification as required shall subject the student to disciplinary action.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-070 SUMMARY SUSPENSION PROCEEDINGS. If the ~~((student development dean or the dean's designee))~~ dean of students (1) has cause to believe that any student has violated any provision of WAC 132V-120-050 or has committed a felony and (2) has further cause to believe that the student presents an imminent danger to himself or other persons on college facilities or to the educational process of the college, then the dean ~~((or the dean's designee))~~ shall have, pursuant to the rules herein, authority to suspend the student from the college until such time as the dean is satisfied the student's dangerous nature has ceased. The duration of summary suspension shall not exceed ten instructional days, except that the president may continue summary suspension beyond ten instructional days in circumstances where the student continues to present an imminent danger to people, facilities, or the educational process and disciplinary proceedings provided for in the provisions of this chapter, WAC 132V-120-100 through 132V-120-180 ~~((have been initiated))~~.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-080 NOTICE OF SUMMARY PROCEEDINGS. (1) If the ~~((student development))~~ dean of students desires to exercise the authority to summarily suspend a student, the dean shall notify the student by ~~((certified and))~~ regular United States mail at the student's ~~((last known))~~ address as shown on college records, or cause personal service of such notice upon said student.

(2) The notice shall be entitled "Notice of summary suspension proceeding" and shall state:

(a) The charges against the student including reference to the provisions of ~~((WAC 132V-120-050 or statutory law involved;))~~ this chapter, and

(b) That the student charged must appear before the ~~((student development))~~ dean ~~((or the dean's designee))~~ of students at a time specified in the notice for a formal hearing. This hearing shall be held as soon as practicable after the summary suspension. The student may elect to be accompanied by a personal advisor at the conference with the dean.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-090 PROCEDURES OF SUMMARY SUSPENSION HEARING. (1) At the summary suspension hearing, the student against whom the violation or violations are alleged shall have the opportunity of proving to the ~~((student development))~~ dean ~~((or the dean's designee;))~~ of students that there is no cause to believe that the violation stated on the notice of summary suspension proceedings to the student did occur, and that there exists no cause to believe that immediate suspension of said student is necessary.

(2) The student may offer oral testimony of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit or statement and cross-

examine any witness who may appear against the student, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The ~~((student development))~~ dean of students shall, at the time of the summary suspension proceeding, determine whether there is probable cause to believe that a violation of ~~((WAC 132V-120-050))~~ this chapter has occurred and whether there is cause to believe that continued suspension is necessary. In the course of making such a decision, the dean may only consider the affidavits or oral testimony of persons who have alleged that the student charged has committed a violation of WAC 132V-120-050 and the oral testimony and affidavits submitted by the student charged.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-100 DECISION BY ~~((STUDENT DEVELOPMENT))~~ DEAN OF STUDENTS. If the ~~((student development))~~ dean of students, following the conclusion of the summary suspension proceeding, finds that there is probable cause to believe that:

(1) The student against whom specific violations of WAC 132V-120-050 are alleged has committed one or more such violations upon any college facility; and

(2) Summary suspension of said student is necessary for the safety of the student, other students or persons on college facilities, or the educational process of the institution; and

(3) Such violation or violations constitute grounds for disciplinary action as provided for in the code of student rights and responsibilities; then the ~~((student development))~~ dean of students may continue to enforce the suspension of the student from college ~~((so long as summary suspension does not exceed ten days))~~ until further disciplinary hearings or review proceedings are concluded.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-110 NOTICE OF SUSPENSION. (1) If a student is suspended pursuant to the above rules, the student will be provided with a written notice of suspension including the ~~((student development dean's))~~ dean of students' findings of fact and conclusions which lead the dean to believe that the summary suspension of the student should continue in force.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by ~~((certified and))~~ regular United States mail at the student's last known address as shown on college records within three ~~((working))~~ calendar days following the conclusion of the hearing with the ~~((student development))~~ dean of students.

(3) The notice of suspension shall stipulate the duration of the suspension and conditions under which the suspension may be terminated.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-120 SUSPENSION FOR FAILURE TO APPEAR. If the student against whom specific violations of ~~((WAC 132V-120-050))~~ this chapter have been alleged has been served pursuant to the notice required fails to appear at the time designated for the summary suspension proceeding, the ~~((student development))~~ dean of students is authorized to enforce the suspension of the student from college.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-130 APPEAL OF SUMMARY SUSPENSION. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the president. No such appeal shall be entertained, however, unless and until:

(a) The student has first appeared before the ~~((student development))~~ dean of students at the hearing called for ~~((under WAC 132V-120-210 and 132V-120-220))~~ this chapter;

(b) The student has been officially notified of the outcome of this hearing;

(c) Summary suspension or a lesser disciplinary sanction has been upheld; and

(d) The appeal conforms to the standards set forth in ~~((WAC 132V-120-110(3)))~~ this chapter.

(2) The president shall review, as soon as reasonably possible, the allegations contained within the notice of appeal, along with the findings of the ~~((student development))~~ dean of students, the record of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified.

(3) After completion of this review, the president shall promptly notify the appealing student by certified and regular United States mail whether the summary suspension shall be maintained, stayed, a lesser sanction imposed, or no sanction imposed. The decision of the president shall be final and not reviewable.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-140 SUMMARY SUSPENSION PROCEEDINGS NOT DUPLICATIVE. (1) The summary suspension proceedings shall substitute for the disciplinary proceedings provided for in this chapter (WAC 132V-120-180 through 132V-120-260). During the course of the summary suspension, the dean may refer the matter to the student rights and responsibilities committee with a recommendation for further disciplinary action. At the end of the summary suspension, the student shall be reinstated to full rights and privileges as a student, subject to whatever sanctions or conditions may have been ~~((or may be in the future))~~ imposed for violation of the code of student rights and responsibilities.

(2) Any disciplinary proceeding initiated against the student because of alleged violations ~~((alleged against any student))~~ in the course of the summary suspension proceeding provided for herein, shall be heard, de novo,

provided, that the records made and evidence presented during the course of ~~((any facet of))~~ the student's summary suspension proceeding ~~((brought against the student shall be available for the use of the student and of the college in the further disciplinary proceeding))~~ shall be available for the use of the parties.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-150 PURPOSE OF DISCIPLINARY ACTIONS. Disciplinary action, up to and including expulsion from the college, may be imposed upon a student for violation of the provisions of ~~((WAC 132V-120-050))~~ this chapter. Disciplinary action proceedings shall determine whether and under what conditions the violator may continue as a student at the college.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-160 DISCIPLINARY ACTION. The following disciplinary actions are hereby established as the sanctions imposed upon violators of the code of student rights and responsibilities:

(1) Disciplinary warning. This is formal action censuring a student for violation of ~~((WAC 132V-120-050))~~ this chapter. Disciplinary warnings shall be made in writing to the student and shall state that the continuation or repetition of the specific violation involved may result in one of the more serious disciplinary actions described below.

(2) Disciplinary probation. This is formal action placing conditions upon the student's continued attendance for violation of ~~((WAC 132V-120-050))~~ this chapter. Notice shall be made in writing and specify the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation may be for a specific term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(3) Suspension. This is temporary dismissal from the college and termination of the person's student status for violation of ~~((WAC 132V-120-050))~~ this chapter. Written notice shall be ~~((made in writing and))~~ given which will specify the duration of the suspension and any special conditions which must be met before readmission.

(4) Expulsion. This is indefinite or permanent dismissal from the college and termination of the student status of a student for violation of ~~((WAC 132V-120-050))~~ this chapter. Written notice shall be given which will specify any special conditions which must be met before readmission after indefinite dismissal.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-170 INITIATION OF DISCIPLINARY PROCEEDINGS. Any student ~~((or employee of the district))~~, officer of the college or college staff shall have the authority to request the commencement of the disciplinary proceedings provided for in this

chapter if there is reasonable cause to believe that a student has violated the provisions of this code. Requests to initiate disciplinary proceedings must be submitted in writing to the ~~((student development))~~ dean of students within ~~((fourteen calendar))~~ ten instructional days of the date the petitioner became aware or reasonably can be expected to have become aware of the alleged violation of the code.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-180 INITIAL DISCIPLINARY PROCEEDINGS. (1) All disciplinary proceedings will be initiated by the ~~((student development))~~ dean ~~((or the dean's designated representative, who may also establish advisory panels to advise or act for the office in disciplinary proceedings))~~ of students.

(2) Any student charged by the ~~((student development))~~ dean of students with a violation of any provision of ~~((the code of student rights and responsibilities))~~ this code will be so informed by ~~((certified and))~~ regular United States mail or by personal service of the charges ~~((and specifications))~~ and of the time, date and place of a conference between the dean and the student. The notice shall be sent to the student's last known address as shown on college records.

(3) The student may elect to be accompanied by a personal advisor of his/her choice at the conference with the dean.

(4) After considering the evidence in the case ~~((and interviewing the accused student, if the accused student has appeared at the scheduled conference, the student development))~~, the dean of students may take any of the following actions:

- (a) Terminate the proceeding ~~((, exonerating the student or students))~~;
- (b) Dismiss the case after whatever counseling and advice the dean deems appropriate;
- (c) Impose minor sanctions directly (disciplinary warning, disciplinary probation) subject to the student's right of appeal described below;
- (d) Refer the matter to the student rights and responsibilities committee ~~((or an appropriate ad hoc group))~~ for a recommendation as to appropriate action.

(5) A student accused of violating any provision of ~~((WAC 132V-120-050))~~ this chapter shall be given prompt notice by ~~((certified mail of any subsequent))~~ personal service or regular United States mail of any action taken by the ~~((student development))~~ dean ~~((or the dean's designated representative))~~ of students.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-190 APPEALS. ~~((Appeals contesting))~~ Any disciplinary action ~~((shall be))~~ taken ~~((in the following order))~~ by the dean of students, except summary suspension, may be appealed by the student to the student rights and responsibilities committee in the following manner:

(1) ~~((Any disciplinary action taken by the student development dean or the dean's designated representative,~~

~~except summary suspension, may be appealed to the student rights and responsibilities committee.))~~ Said appeal must be in writing and clearly state the alleged errors or other matters in extenuation or mitigation which justify the appeal; and

(2) ~~((Disciplinary recommendations made by the student rights and responsibilities committee may be appealed by the student to the president of the college whose decision shall be final.))~~ Said appeal must be filed with the dean of students within seven calendar days from the date of the notice of disciplinary action; and

(3) ~~((Any appeal by a student receiving a disciplinary sanction must meet the following conditions:~~

(a) ~~Said appeal must be in writing and clearly state errors in fact or matters in extenuation or mitigation which justify the appeal; and~~

(b) ~~Said appeal must be filed within ten working days from the date of transmittal of notification of disciplinary action being taken.)~~ Said appeal must identify the name and address of the student's attorney, if an attorney is involved.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-200 COMPOSITION OF STUDENT RIGHTS AND RESPONSIBILITIES COMMITTEE. (1) ~~((Tacoma Community))~~ The college shall have a student rights and responsibilities committee composed of ~~((twelve))~~ six members, who shall be chosen and appointed no later than October 15 of each ~~((academic))~~ year ~~((or within thirty days of the adoption of these rules by the board of trustees) to serve as a standing committee until their successors are appointed)~~. The membership of the committee shall consist of ~~((three))~~ two members of the administration, excepting the ~~((student development))~~ dean of students, chosen by the president; ~~((four))~~ two faculty members chosen by the chief academic affairs officer; and ~~((five))~~ two students chosen by the student senate of the associated students.

(2) A quorum shall consist of no less than three members, provided that such quorum shall include at least one student, one faculty member and one administrator.

(3) The committee shall elect its own chairperson for each case brought before it. ~~((The chairperson shall vote only to break tie votes.))~~

(4) Any member of the committee having direct knowledge or involvement in a case under consideration may be excused from participation in the hearing or appeal and a substitute appointed.

(5) The committee may use the services of an assistant attorney general to advise it so long as the assistant attorney general has not been previously involved with the issue brought before the committee.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-210 HEARING PROCEDURES BEFORE THE STUDENT RIGHTS AND RESPONSIBILITIES COMMITTEE. (1) The student rights and

responsibilities committee shall hear, de novo, and make recommendations to the president on all disciplinary cases appealed to the committee by the student or ~~((make recommendations to the student development dean for all disciplinary cases referred to it by the dean or his/her designated representative))~~ referred to it by the dean of students in accordance with the provisions of this chapter.

(2) The student has the right to a fair and impartial hearing before the committee. The student's failure to cooperate with the hearing procedures ~~((hereinafter outlined))~~, however, shall not preclude a quorum of the committee from making its findings of fact, conclusions and recommendations as provided below. ~~((Failure by the student to cooperate may result in disciplinary action:))~~

(3) Written notice ~~((of the time and place))~~ of the hearing before the committee shall be mailed or given to the student at least ~~((fourteen))~~ ten calendar days in advance ~~((of the scheduled hearing))~~, except in cases of summary suspension where notice shall be given at least five calendar days in advance of the hearing. Said notice shall contain:

(a) A statement of the time~~(;)~~ and place ~~((and nature))~~ of the ~~((disciplinary proceeding))~~ hearing;

(b) A statement of the specific charges ~~((against him or her))~~ including reference to the particular sections of ~~((the rules of student conduct))~~ this chapter which are involved; and

(c) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(4) The student shall be entitled to hear and examine the evidence to be offered by the college and be informed of the identity of its source; the student shall be entitled to present evidence in his or her own behalf and to cross-examine witnesses testifying on behalf of the college ~~((as to factual matters))~~.

(5) The student may be represented by counsel of his or her choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in the state of Washington as counsel, notice thereof must be tendered by the student to the ~~((student development))~~ dean of students at least five ~~((working))~~ calendar days prior to the hearing.

(6) In all disciplinary proceedings, the college may be represented by the ~~((student development))~~ dean ~~((or the dean's designee; he or she may then))~~ of students who will present the college's case against the student accused of violating ~~((the code of student rights and responsibilities))~~ provisions of this chapter; provided, that in those cases in which the student elects to be represented by a licensed attorney, the ~~((student development))~~ dean of students may elect to have the college represented by an assistant attorney general.

(7) The ~~((student development))~~ dean of students shall designate a recorder to take notes during the hearing and to prepare a written summary of all evidence, facts, and testimony presented to the committee during the course of the hearing. The proceedings of the hearing shall also be tape recorded.

(8) All records of disciplinary proceedings shall be maintained in the office of the ~~((student development))~~ dean of students and shall be available only during the course of the disciplinary proceedings to the committee, the student, and his/her attorney, the dean, and any other college official designated by the president.

(9) Following the ~~((conclusion))~~ final disposition and any appeals of the disciplinary proceedings, access to records of the case and hearing files will be limited to ~~((those))~~ persons designated by the ~~((college))~~ president.

(10) Following final disposition of the case and any appeals therefrom, the president may direct the destruction of any records of disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

(11) The time of the hearing may be ~~((advanced))~~ changed by the committee at the request of ~~((the student or continued))~~ any party for good cause.

#### AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-220 CONDUCT OF HEARINGS. (1) Hearings will be held in closed session. ~~((However;))~~ The accused student may invite a personal advisor to attend the hearings. If, at any time during the conduct of a hearing, any person is disruptive of the proceedings, the chairperson of the hearing committee may exclude any such person from the hearing room.

(2) Any person attending the committee hearing who continues to disrupt said proceedings after the chairman of the committee has asked the person to cease and desist therefrom, shall be subject to disciplinary action.

#### AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-230 EVIDENCE ADMISSIBLE IN HEARINGS. (1) Only ~~((those matters))~~ that evidence presented at the hearing~~(; in the presence of the accused student;)~~ will be considered in determining whether the ~~((hearing committee has sufficient cause to believe that the))~~ accused student ~~((is guilty of violating the rules he or she is charged with having))~~ violated the provision of this code as charged.

(2) ~~((In determining whether sufficient cause, as stated in subsection (1) above, does exist, members of the hearing committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent people in the conduct of their affairs. Hearsay evidence is admissible in the hearing))~~ The committee shall be the exclusive judge of the evidence and the weight to be assigned to it. Credible hearsay is admissible into evidence. The college shall bear the burden of proof by a preponderance of evidence to sustain the charges against the accused student.

(3) The chairperson of the hearing committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

(4) Evidence or testimony to be offered by or on behalf of the student in extenuation or mitigation shall not

be presented or considered until all substantive evidence or testimony has been presented.

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-240 DECISION BY THE COMMITTEE. (1) Upon conclusion of the disciplinary hearing, ~~((in a closed session))~~ the ~~((hearing))~~ committee or a quorum thereof shall consider all the evidence ~~((therein presented))~~ and decide by majority vote which of the following actions to recommend:

(a) That the ~~((college terminate the))~~ proceedings ~~((and exonerate the student or students))~~ be terminated; or

(b) That the ~~((college))~~ president impose minor sanctions ~~((directly;))~~ such as a written disciplinary warning or reprimand; or

(c) That the president ~~((expel or))~~ suspend the student from college, including a recommendation on the duration of such action; or

(d) That the president expel the student from college.

(2) Within ~~((ten working))~~ seven calendar days of the conclusion of the hearing, the student shall be notified of the committee's recommendations based on findings of fact and conclusions of law regarding whether the student did violate any rule or rules of ~~((the))~~ this code ~~((of student rights and responsibilities))~~. The committee shall also advise the student in writing of his or her right to present, within ~~((ten working))~~ seven calendar days of the notification of the committee's recommendation, a written statement to the president of the college appealing the recommendation of the committee.

~~((3) In all cases of disciplinary action, the decision of the president shall be final.))~~

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-250 FINAL DECISION REGARDING DISCIPLINARY ACTION. ~~((+))~~ The president ~~((or the president's designee (except the student development dean))~~ shall, after reviewing the procedure and the record ~~((s of the case))~~ made before the committee together with ~~((any statement filed by the student))~~ written arguments filed by the parties, if any, attach either a written concurrence ~~((with))~~ to the recommendations of the committee or written directions as to what disciplinary action, if any, shall be taken. Evidence not in the record will not be considered by the president. All parties shall be provided with a copy of the decision. The decision of the president shall be final and not reviewable.

~~((2) If the president decides that discipline is to be imposed after the review provided by this section, the president shall notify the student within three working days by certified and regular mail of the discipline imposed.))~~

AMENDATORY SECTION (Amending Order 84-1, filed 12/21/84)

WAC 132V-120-260 SUSPENSION—REESTABLISHMENT OF ACADEMIC STANDING. A

student who has been suspended or expelled pursuant to disciplinary procedures set forth in this chapter and whose suspension or expulsion upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish academic and student standing to the extent possible within the abilities of the college, including an opportunity to retake exams or otherwise complete course offerings missed by reason of such action.

WSR 88-23-073

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 88-172—Filed November 17, 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 to harvest the non-Indian share of United States and Canadian origin chum stocks. Openings in Area 7B provide opportunity to harvest non-Indian allocation of chum destined for the Nooksack-Samish region of origin. The restriction in Area 7B is necessary to maintain an orderly fishery. Openings in Areas 10 and 11 provide opportunity to harvest non-Indian allocation of South Puget Sound chum, and to prevent wastage. The restriction in Area 10 is necessary to reduce harvest impacts on local chum stocks. Openings in Areas 12 and 12B provide opportunity to harvest the remaining non-Indian allocation of Hood Canal chum. The restriction in Area 12 is necessary to maintain an orderly fishery. 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 November 17, 1988.

By Edward P. Manary  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-47-932 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC,



effective 3:00 PM Thursday November 17 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 - Gillnets using 6-inch minimum mesh from 3:00 PM Thursday November 17 to 9:00 AM Friday November 18, and open to purse seines from 5:00 AM to 8:00 PM Friday November 18th.
- \* Area 7B - Gillnets using 6-inch minimum mesh may fish from 3:00 PM Thursday November 17 to 9:00 AM Friday November 18, and Purse seines may fish to 8:00 PM Thursday November 17, and from 5:00 AM to 4:00 PM Friday November 18. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North Terminal to the light at the end of Squalicum Creek Waterway.
- \* Areas 10 and 11 - Gill nets using 6-inch minimum mesh may fish from 3:00 PM Thursday November 17 to 9:00 AM Friday November 18, and Purse seines using the 5-inch strip may fish to 8:00 PM Thursday November 17, and from 5:00 AM to 8:00 PM Friday November 18. This area 10 opening excludes those waters west of a line projected 178 degrees true from the light at the end of the Indianola Dock to the landfall on the south shore of Port Madison.
- \* Areas 12 and 12B - Gillnets using 6-inch minimum mesh may fish from 5:00 AM to 8:00 AM Friday November 18, and purse seines using the 5-inch strip may fish from 12:00 noon to 3:00 PM Friday November 18. This area 12 opening excludes those waters south of a line projected from Lone Rock to the navigational light off Big Beef Creek to the light off Misery Point to Misery Point. 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, 8, 8A, 8D, 9, 9A, 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 3:00 PM Thursday November 17:

WAC 220-47-931 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-171)

WSR 88-23-074

### COLUMBIA RIVER GORGE COMMISSION

[Filed November 18, 1988]

I HEREBY CERTIFY that the copy shown below is a true, full and correct copy of TEMPORARY rule(s) adopted on November 15, 1988, by the Columbia River Gorge Commission to become effective immediately through February 13, 1989.

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

NOW THEREFORE, IT IS HEREBY ORDERED that the following action be taken: Adopted: 350-16-019 as administrative rules of the Columbia River Gorge Commission.

DATED this 16th day of November, 1988.

By: Richard P. Benner  
Title: Executive Director

Statutory Authority: Chapter 499, Laws of 1987.

For Further Information Contact: Richard P. Benner, Executive Director, (509) 493-3323.

Shown below is the version of the temporary rule I recommend you adopt. Because it is a temporary rule, the commission must find that a failure to adopt it would result in serious prejudice to the public interest. This finding should be based on the following: Failure to authorize an employee to prosecute appeals before the commission will require the commission to rely upon the attorney general offices or outside counsel at substantial cost to the public; require additional staff time to prepare counsel to prosecute appeals; and require overhaul of commission rules on development review and enforcement.

The commission must act promptly because appeals are pending and others are sure to be filed in the months ahead. Delays in hearing appeals will prejudice appellants and the general public. The commission should adopt these findings when it adopts the temporary rule.

#### TEMPORARY RULE

WAC 350-16-019. AUTHORIZATION FOR EXECUTIVE DIRECTOR TO REPRESENT COMMISSION (1) The Commission authorizes the Executive Director, with the Attorney General's written consent, to appear and participate on behalf of the Commission in the following types of hearings:

(a) Appeal to the Commission of decisions of the Executive Director on a development review under 350-20-011 to 350-20-020;

(b) Hearings on the possible imposition of a civil penalty under 350-30-005 to 350-30-050;

(c) Hearings on a proposed revision of the boundary of an urban area under 16 USC 544b(f).

(2) Neither the Executive Director nor any other official or employee of the Commission may make legal argument on behalf of the Commission in a contested case proceeding.

(3) "Legal argument" as used in this rule includes argument on:

(a) The jurisdiction of the agency to hear the contest case;

(b) The constitutionality of a statute or rule or the application of a constitutional requirement to an agency; and

(c) The application of court precedent to the facts of the particular contested case proceeding.

(4) "Legal argument" as used in this rule does not include presentation of evidence, examination or cross-examination of witnesses, factual argument or argument on:

(a) The application of the facts to the statutes or rules directly applicable to the issues in the contested case;

(b) Comparison of prior actions of the agency in handling similar situations;

(c) The literal meaning of the statute or rules directly applicable to the issues in the contested case; or

(d) The admissibility of evidence or the correctness of procedures being followed.

(5) This section applies to those appeals described in subsection (1) of this section filed after November 15, 1988 or pending before the Commission on that date.

**Reviser's note:** The spelling error in the above material appeared in the original copy filed by the Columbia River Gorge Commission and appears herein pursuant to the requirements of RCW 34.08.040.

**WSR 88-23-075**  
EMERGENCY RULES  
**DEPARTMENT OF FISHERIES**  
[Order 88-170—Filed November 18, 1988]

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

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the population of English sole in Discovery Bay is severely depressed. It is in the public interest to close Discovery Bay to commercial harvest by otter trawl gear to provide needed stock protection. There is inadequate time to follow the permanent rule adoption procedures.

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

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

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

APPROVED AND ADOPTED November 17, 1988.

By Judith Merchant  
for Joseph R. Blum  
Director

NEW SECTION

*WAC 220-48-01500D TRAWL CLOSURE. Notwithstanding the provisions of WAC 220-48-015(4), it shall be unlawful to fish with otter trawl fishing gear in Discovery Bay (Marine Fish/Shellfish Area 25E) from December 1, 1988 through February 14, 1989.*

**WSR 88-23-076**  
NOTICE OF PUBLIC MEETINGS  
**PRODUCTIVITY BOARD**  
[Memorandum—November 18, 1988]

This is to announce the cancellation and rescheduling of the December 1, 1988, meeting of the Washington State Productivity Board.

The meeting has been rescheduled for December 9, 1988, from 9:00 a.m. to 11:00 a.m. at the Office of the Secretary of State.

**WSR 88-23-077**  
EMERGENCY RULES  
**DEPARTMENT OF WILDLIFE**  
(Wildlife Commission)  
[Order 368—Filed November 18, 1988]

Be it resolved by the State Wildlife Commission, acting at the Department of Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, that it does adopt the annexed rules relating to 1988-89 and 1989-90 Trapping seasons and regulations, amending WAC 232-28-511.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the trapping season for beaver in Snohomish County is December 1, 1988, to December 18, 1988. The department intended to standardize the opening date of November 26, 1988, for beaver trapping in all Western Washington counties except Whatcom, but erroneously did not make this adjustment for Snohomish County. Amending this season to November 26, 1988, to December 18, 1988, will help to protect against beaver caused damage to public roads, highways, and access areas. 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, or 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 November 18, 1988.

By Dr. James M. Walton  
Chairman, Wildlife Commission

**AMENDATORY SECTION** (Amending Order 319, filed 8/22/88)

**WAC 232-28-511 1988-89 AND 1989-90 TRAPPING SEASONS AND REGULATIONS.**

Reviser's note: The text and accompanying pamphlet comprising the 1988-89 and 1989-90 Trapping seasons and regulations adopted 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 88-23-078**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Dental Disciplinary Board)**  
[Filed November 18, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Dental Disciplinary Board intends to adopt, amend, or repeal rules concerning specialty representation, WAC 308-37-190;

that the agency will at 8:15 a.m., Friday, December 9, 1988, in Nendel's, Southcenter Room, 15801 West Valley Road, Tukwila, 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 18.32.640.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 2, 1988.

This notice is connected to and continues the matter in Notice No. WSR 88-17-042 filed with the code reviser's office on August 15, 1988.

Dated: November 2, 1988  
By: Amanda L. Tomlinson  
Assistant Attorney General

**WSR 88-23-079**

**ADOPTED RULES**

**INSURANCE COMMISSIONER**

[Order R 88-10—Filed November 18, 1988]

I, Dick Marquardt, Insurance Commissioner, do promulgate and adopt at Olympia, Washington, the annexed rules relating to a description of the organization of the Insurance Commissioner's office, the general course and method of operation, and methods whereby the public may obtain information and make submissions or requests of the commissioner.

This action is taken pursuant to Notice No. WSR 88-20-024 filed with the code reviser on September 28, 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) which directs that the Insurance Commissioner has authority to implement the provisions of RCW 34.04.020(2).

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

APPROVED AND ADOPTED November 9, 1988.

Dick Marquardt  
Insurance Commissioner  
By Melodie Bankers  
Deputy Commissioner

**AMENDATORY SECTION** (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-010 AUTHORITY OF INSURANCE COMMISSIONER. (1) The office generally. The position of insurance commissioner was established by the legislature as an independent, elective office in 1907. The insurance commissioner's powers are set forth in chapter 48.02 RCW. To carry out the task of enforcing the insurance code the commissioner may make rules and regulations governing activities under the insurance code consistent therewith; ~~((he))~~ may conduct investigations to determine whether any person has violated any provision of the code, including formal hearings; ~~((he))~~ may take action against an insurance company, fraternal benefit society, health maintenance organization, and a health care service contractor by revocation or suspension of its certificate of authority or certificate of registration; ~~((he))~~ may fine insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations; and ~~((he))~~ may revoke or suspend the licenses of insurance agents, brokers, solicitors or adjusters or fine them. In ~~(( lieu of any disciplinary action he))~~ addition, the commissioner may issue a cease and desist order pursuant to the general enforcement powers granted ~~((to him))~~ by RCW ~~((48-04-080))~~ 48.02.080, or pursuant to that section, ~~((he))~~ the commissioner may bring an action in court to enjoin ~~((some act conducted by an individual licensed by his office))~~ violations of the insurance code.

(2) Duties and responsibilities imposed by Title 48 RCW.

(a) ~~((Title 48 RCW embraces the insurance code proper, which is defined by RCW 48.01.010 to include chapters 48.01 to 48.36 and 48.48 RCW. Chapters 48.01 to 48.36 RCW))~~ The insurance code is found at Title 48 of the Revised Code of Washington. It deals largely with the commissioner's regulation of insurance companies, insurance agents, brokers, solicitors, and adjusters~~((, although he also licenses and examines insurance rating organizations and examining bureaus)).~~

~~((b))~~ Chapter ~~((48.36 RCW, relating to))~~ 48.36A RCW regulates fraternal societies~~((, while contained in the insurance code proper, establishes separate licensing examination and regulatory provisions for such societies. The offering of burial insurance by fraternal, benevolent associations and labor unions is, however, exempt from the operation of the insurance code by virtue of RCW 48.40.090 and 24.16.120)).~~ Agents of fraternal benefit societies are subject to the licensing requirements of chapter 48.17 RCW. Fraternal benefit societies are subject to the provisions of chapter 48.30 RCW relating to unfair trade practices, and RCW 48.36A.360 sets forth the penalties for violation of the fraternal benefit society chapter.

~~((c))~~ Chapter 48.48 RCW is the chapter governing the state fire marshal's office. The insurance commissioner is, by virtue of RCW 48.48.010, made ex officio state fire marshal. The description of that office's organization and operations is contained in WAC 212-02-010.

~~(d)~~ The two remaining chapters presently in Title 48 RCW which are not part of the insurance code are chapter 48.44 RCW, which regulates health care service contractors as defined therein, and chapter 48.52 RCW, which regulates employee welfare trust funds as defined therein~~((;))~~ Chapter 48.41, entitled "Health Insurance Coverage Access Act," provides a mechanism to assure the availability of comprehensive health insurance coverage to residents of Washington who are denied adequate health insurance coverage.

Chapter 48.44 RCW regulates health care service contractors and chapter 48.46 RCW regulates health maintenance organizations, as defined therein. The regulatory powers of the insurance commissioner over health care service contractors and ~~((employee welfare trusts are not as extensive as his powers with organizations and individuals subject to the insurance code proper))~~ health maintenance organizations are similar to those over commercial insurers.

~~((e))~~ (b) The insurance code contains a number of substantive provisions which relate to the rights of policyholders in general and which are enforced for their benefit by the insurance commissioner. Those, for the most part, are contained in chapter 48.18 RCW, which is entitled "The <sup>(a)</sup>insurance contract," and chapter 48.30 RCW, entitled "Unfair practices and frauds." Additional substantive provisions~~((, however;))~~ are contained in chapters of the insurance code dealing with specific lines of insurance. For example, certain standard provisions are required to be placed in a disability insurance contract~~((See))~~ (chapter 48.20 RCW). Similarly,

substantive provisions appear in chapter 48.21 RCW, entitled "Group and blanket disability insurance," chapter 48.23 RCW, entitled "Life insurance and annuities," chapter 48.24 RCW, entitled "Group life and annuities," chapter 48.22 RCW, entitled "Casualty insurance," ~~((and))~~ chapter 48.34 RCW, entitled "Credit life insurance and credit accident and health insurance," chapter 48.56 RCW, entitled "Insurance Premium Finance Company Act," chapter 48.66, entitled "Medicare Supplemental Health Insurance Act," and chapter 48.84, entitled "Long-term Care Insurance Act."

(3) Additional duties of the insurance commissioner. The state insurance commissioner ~~((is, by statute, made a member of a number of boards and commissions in addition to his regular duties. See RCW 41.40.030, 43.43.140, 43.35.010 and 41.32.040. In addition to these responsibilities he))~~ has been assigned the special duty of preparing annuity tables for calculation of the industrial insurance reserve fund ~~((in cases of death or permanent disability under the Workmen's Compensation Act. See))~~ (RCW 51.44.070). ~~((He))~~ The commissioner must also publish for use of the state courts and appraisers, tables showing the average expectancy of life, and values of annuities and life and term estates~~((;))~~ (RCW 48.02.160~~((;))~~).

AMENDATORY SECTION (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-020 ORGANIZATION AND OPERATIONS. ~~((1))~~ Administrative. The insurance commissioner is the head of an agency generally referred to as the insurance commissioner's office, and as such is the chief administrative officer. He has a chief deputy who is given the same powers as are granted to the insurance commissioner himself.

(2) Examination division.

(a) The examination division is headed by a chief examiner and is divided into two sections, insurance and employee welfare trusts.

(b) The insurance section conducts examinations of each domestic company licensed in the state of Washington at least once every three years. It examines each rating organization and examining bureau licensed in this state not less than once every five years. It may examine each advisory organization and each joint underwriting or joint reinsurance group association organization as often as the commissioner deems advisable. In the case of nondomestic insurance companies the commissioner may accept a full report of the latest examination, certified by the insurance supervisory official of the state of domicile or of entry. Frequently examiners from the Washington insurance commissioner's office participate in examination of nondomestic insurance companies under a participating arrangement of the National Association of Insurance Commissioners.

(c) The employee welfare trust fund section conducts examination of employee health and welfare funds and trusts and profit-sharing and pension trusts at least once every five years. An employee welfare trust fund is defined by RCW 48.52.010 to mean "any fund established for employees of one or more employers for providing

employees, their families or dependents medical or hospital care, disability benefits, death benefits, retirement benefits, annuity benefits, health care services, or any insurance benefits, whether such benefits or services are to be paid directly from such fund or interest therefrom, or paid under contracts entered into by the trustees of the fund with an insurer or health care service contractor.<sup>11</sup>

(d) Examinations by the insurance commissioner's office include analyses of the various operating accounts; physical inspection of assets, examination of records and files relating to assets and liabilities, policies and practices, surveys of the systems of internal control, accounting procedures, and determination of the financial condition as of the close of the period under examination. Close attention is paid to ascertain whether the business is conducted in conformity with the laws and regulations relating to insurance and employee welfare trusts, and with the charters and bylaws adopted by the governing board of the organization. Insurance examiners work from a manual guide prepared, and continually updated, by a committee of the National Association of Insurance Commissioners. Detailed auditing of vouchers and other records is performed only to the extent necessary for verification of assets and liabilities.

(e) Reports of examination are furnished to the organization, which then has no less than 10 days to request a hearing for the purpose of considering objections to that report. A report may not be made public until after such hearing and until such modifications deemed necessary by the commissioner have been made. Assuming no further action is to be taken, the commissioner may then make the examination report a public document; though he may withhold the report from public inspection if it is in the public interest to do so, pursuant to RCW 48.03.050.

(3) Policyholder complaints. Claims deputies located in offices of the insurance commissioner in Olympia, Seattle, Spokane and Yakima handle written and oral complaints by policyholders against their insurers. Additionally, once a month commissioner's deputies are available in Wenatchee, Kennewick and Vancouver to hear policyholder complaints. These sessions are announced in advance by the press in those areas. Assistance in connection with complaints against insurers is rendered by the insurance commissioner pursuant to his authority to enforce the various provisions of the insurance code and to take disciplinary action against an insurance company, pursuant to RCW 48.05.140. One of the grounds for the insurance commissioner to take disciplinary action against an insurer pursuant to that statute is if the insurer "usually compels claimants under policies either to accept less than the amount due them or to bring suit against it to secure full payment of the amount due." (RCW 48.05.140(4)). The policyholder complaint section maintains a file on complaints against individual insurers and health care service contractors. The policyholder complaint section deals with contractual relations between an insurer and its insureds. It does not, except in connection with specific statutory violations or unusual situations, have jurisdiction in disputes between a third party and the insurer of another party.

These latter disputes are considered matters for the courts to resolve.

(4) Licensing division. The licensing division issues the licenses to individuals, partnerships and corporate firms acting as insurance agents, brokers, solicitors and adjusters.

(5) Company division.

(a) Oversees admission of insurance companies, health care service contractors.

(b) Approves proxy statements of domestic stock companies pursuant to RCW 48.08.090 and commissioner's Regulation 246 (chapter 284-28 WAC).

(c) Supervises insider trading law (RCW 48.08.100-48.08.170).

(d) Handles certification of official documents; approval of company names.

(6) Actuarial, rates and forms divisions. These divisions of the insurance commissioner's office approve policy forms, other than surety bond forms and wet marine forms, as well as application forms, policy riders and endorsements, etc., pursuant to RCW 48.18.100, and may disapprove such forms pursuant to grounds set forth in RCW 48.18.110. They also approve rates for property, surety and casualty insurance (chapter 48.19 RCW), and title insurers (RCW 48.29.140). The standard for qualifying rates of property, surety, casualty and title insurers is that the rates shall not be excessive, inadequate, or unfairly discriminatory. See RCW 48.19.020. In addition, these divisions of the insurance commissioner's office may disapprove rates for disability insurance pursuant to RCW 48.18.110, and for credit life and disability insurance pursuant to RCW 48.34.100, where the rates charged are not reasonable in relation to the benefits conferred. Prima facie acceptable rates have been established for credit life and credit disability insurance in a regulation promulgated by the insurance commissioner's office.

(7) Legal and investigative division. A full-time assistant attorney general is assigned to the insurance commissioner's office to render legal advice, to represent the commissioner in disciplinary hearings and court cases, and to draft legislation and regulations. A full-time investigator is employed to investigate complaints against insurance agents and insurance companies for possible disciplinary action against them. For procedures, see Hearings, WAC 284-02-070, infra.

(8) Tax and accounting division. The taxation of both domestic and foreign insurance companies is a function imposed on the insurance commissioner's office. Insurance companies are taxed on their gross premiums in this state, pursuant to RCW 48.14.020. This premium tax for all insurers, except title insurers, is in lieu of all other taxes except taxes on real and tangible personal property and excise taxes on the sale, purchase or use of such property. Title insurers are not taxed, pursuant to chapter 48.14 RCW, and fraternal societies are exempt from all taxation, pursuant to RCW 48.36.320. Surplus line insurers are taxed, pursuant to the provisions of RCW 48.15.120. Health care service contractors are not currently subject to taxation by the insurance commissioner. At the present time the premiums of domestic insurers are taxed at 1 percent. Premiums of foreign and

alien insurers are taxed at 2 percent, except that, under the retaliatory provisions of RCW 48.14.040 the premium tax applicable to a foreign or alien insurer is the rate charged a Washington incorporated insurer by its state of incorporation, if this rate exceeds 2 percent. The taxation and accounting division also collects and accounts for fees paid by insurance companies, health care service contractors, insurance agents, brokers, etc. Fees charged by the insurance commissioner's office are listed in a fee schedule contained in RCW 48.14.010. The retaliatory provision, RCW 48.14.040, also operates with respect to fees charged by the insurance commissioner.

(9) Insurance advisory examining board. An insurance advisory examining board was created pursuant to chapter 150, Laws of 1967, § 14. The board has power to recommend general policy concerning the scope, content, procedure and conduct of examinations to be given for licenses as insurance agents, brokers or solicitors. The board is composed of seven members, including the commissioner who acts as ex officio chairman. Three of these members must be engaged in the life or disability fields, and the remaining three in other insurance fields.) The insurance commissioner is the head of an agency generally referred to as the insurance commissioner's office, and as such is its chief administrative officer. The commissioner's office consists of three major divisions: Administrative, company supervision, and consumer protection. The commissioner may appoint a chief deputy commissioner who has the same powers as are granted to the commissioner. The commissioner may appoint additional deputy commissioners for such purposes as he may designate (RCW 48.02.090).

(1) Administrative division.

(a) Licensing and insurance education. Licenses are issued to individuals, partnerships, and corporations to act as insurance agents, brokers, solicitors, adjusters, and premium finance companies. Insurance education and licensing renewal requirements are the responsibility of this section and the content of continuing education programs is supervised by it.

(b) Taxes, fees, and accounting responsibilities. Taxes and fees imposed by the insurance code are collected and processed by the commissioner.

(i) Both domestic and foreign insurers are taxed on gross premium, pursuant to RCW 48.14.020. Fraternal benefit societies and title insurers are not taxed, as provided in chapters 48.36A and 48.14 RCW, respectively. Surplus line insurance is taxed pursuant to the provisions of RCW 48.15.120. Health care service contractors and health maintenance organizations are not taxed. The current rate of taxation is stated at RCW 48.14.020. Under the retaliatory provisions of RCW 48.14.040, if the laws of another state or country impose any taxes, fees, or other obligations in excess of the rate charged a Washington domestic insurer, a like rate or obligation may be imposed by the commissioner.

(ii) Fees paid by insurers (RCW 48.14.010), health care service contractors (RCW 48.44.040), health maintenance organizations (RCW 48.46.140), and agents, brokers, solicitors, and adjusters (chapter 48.17 RCW) are also collected by the administrative division.

(2) Company supervision division. The deputy commissioner for company supervision supervises admission of all insurers and examines their financial condition and adequacy of their forms and rates.

(a) Admissions of companies. Admission of insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations is administered by the company supervision division. Additionally the commissioner, through this division, approves proxy statements of domestic stock companies (RCW 48.08.090), supervises the insider trading law (RCW 48.08.100 through 48.08.170) and control of domestic insurers (chapter 48.31A RCW), registers liability risk retention groups (chapter 48.92 RCW), handles certification of official documents, and approves company names.

(b) Examinations (financial and market conduct). Examination of authorized insurers is regulated by chapter 48.03 RCW. Each domestic insurer and each rating organization and examining bureau licensed in this state is examined as often as the commissioner deems advisable but at least once in every five years. Examinations of advisory organizations and underwriting or reinsurance groups are performed as often as the commissioner deems appropriate. The commissioner may accept the last recent examination of nondomestic insurers. Examiners analyze the insurers' various accounts, records, and files to determine the financial condition of the company and to ascertain whether business is being conducted in conformity with the insurance code and its regulations. Reports of examinations are furnished to the organization, which then has ten days to request a hearing to consider objections to the report. Once the hearing has been held and modifications deemed necessary have been made, the report may then be made public; although the commissioner may withhold the report if it is in the public interest to do so (RCW 48.03.050).

(c) Rates and forms review. The company supervision division approves forms for policies, applications, policy riders, and endorsements (RCW 48.18.110), and may disapprove such forms pursuant to grounds set forth in RCW 48.18.110. Rates for property, surety, and casualty insurance (chapter 48.19 RCW), and title insurance (RCW 48.29.140) are also approved by this division. Rates may not be excessive, inadequate, or unfairly discriminatory (RCW 28.19.020). Additionally, the insurance commissioner may disapprove rates for disability insurance (RCW 48.18.110), for credit insurance (RCW 48.34.100), and long-term care insurance (RCW 48.84.030), when the rates charged are not reasonable in relation to the benefits conferred. Prima facie acceptable rates have been established for credit insurance (WAC 284-34-010). Contract forms for health care service contractors may be disapproved pursuant to RCW 48.44.020 and health care agreements for health maintenance organizations may be disapproved pursuant to RCW 48.46.060.

(3) Consumer protection division. The deputies in the consumer protection division act as consumer advocates by rendering assistance to consumers who make complaints against insurers. In addition, this division drafts

changes to, and interprets issues relative to, the insurance code and its regulations, performs special consumer advocacy functions relating to education of senior citizens, and investigates licensees to insure compliance with the insurance laws and rules of this state. This division has primary responsibility for the conduct of hearings, the procedural matters preliminary thereto, and the preservation of hearing records.

(a) Consumer assistance. Code compliance officers, currently located in offices of the insurance commissioner in Olympia, Seattle, Spokane, Tacoma and Yakima, handle written and oral inquiries and complaints from policyholders and claimants. Assistance is rendered by the commissioner pursuant to authority to enforce the various provisions of the insurance code, including RCW 48.02.060, 48.02.080, and 48.02.160, and based on authority to take disciplinary action against an insurance company and other licensees. While the consumer protection division provides assistance to members of the public and tries to resolve complaints concerning insurers and licensees, some matters will involve disputed facts or laws and will have to be resolved in court or arbitration proceedings. The commissioner is not a substitute for the courts.

(b) Regulations and statutes. The consumer protection division evaluates existing statutes and rules, proposes additional legislation, drafts new insurance regulations, and assists in the enforcement of laws and regulations.

(c) Special programs. To help senior consumers find their way through the sometimes confusing maze of state, federal, and private insurance options available to citizens over age sixty, the insurance commissioner sponsors the senior health insurance benefit advisors (SHIBA) program. SHIBA volunteers throughout the state act as unpaid advisors to other seniors in the community, answer basic health insurance questions, and refer people to the proper governmental agency to find solutions to their insurance problems.

(d) Investigation and enforcement. Members of the consumer protection division investigate activities of licensees and companies to determine whether corrective action or disciplinary proceedings are needed, and institute proceedings leading to fines, license revocations or suspensions, as appropriate.

(4) Legal assistance from the attorney general. Assistant attorneys general are assigned as needed to the insurance commissioner's office to render legal advice, to represent the commissioner in disciplinary hearings and court cases, and to assist in the drafting of legislation and regulations.

(5) Insurance advisory examining board. An insurance advisory examining board, made up of seven Washington insurance agents or brokers who have been licensed in this state for at least five years, has the power to recommend general policy concerning the scope, content, procedure, and conduct of examinations to be given for licensees as insurance agents, brokers, or solicitors (RCW 48.17.135).

AMENDATORY SECTION (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-030 OBTAINING SERVICE OF PROCESS OVER FOREIGN AND ALIEN INSURERS. Although domestic insurers are served with legal process personally, the insurance commissioner is the party on whom service of process should be made on all foreign and alien insurers, whether authorized to transact business in this state or not. The exact procedures are set forth in the applicable statutes. Service of process against authorized foreign and alien insurers, other than surplus line insurers, must be made pursuant to RCW 48.05.200 and 48.05.210. RCW 48.05.220 specifies (~~(where)~~) the proper venue (~~(is)~~) for such actions. Service of process against surplus line insurers can be made on the commissioner, pursuant to the procedures set forth in RCW 48.05.215 and 48.15.150. (A surplus lines insurer markets coverage which cannot be procured in the ordinary market from authorized insurers.) Service of process against other unauthorized insurers may be made on the commissioner, pursuant to the procedures set forth in RCW 48.05.215.

AMENDATORY SECTION (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-040 APPLYING FOR A LICENSE AS AGENT, ADJUSTER, BROKER OR SOLICITOR. Licensing requirements and (~~(procedures)~~) instructions for obtaining a license as an insurance agent, adjuster, broker or solicitor may be obtained (~~(by writing to)~~) from the licensing (~~(division)~~) section in Olympia. (~~(This information is contained in a manual published by the commissioner, along with a study guide for the qualifying examination. The manual is sold at cost, contains reference sources, pertinent insurance code provisions, as well as regulations and bulletins of the insurance commissioner's office current as of the printing date of the manual.)~~)

AMENDATORY SECTION (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-050 APPLICATION FOR ADMISSION AS AN AUTHORIZED INSURER, FRATERNAL BENEFIT SOCIETY, HEALTH CARE SERVICE CONTRACTOR, OR HEALTH MAINTENANCE ORGANIZATION. A check list of documents required for an application for admission is available from the (~~(admissions)~~) company supervision deputy. The statutory requirements are contained in chapter 48.05 RCW (all insurance companies); chapter 48.06 RCW (domestic companies); chapter 48.07 RCW (domestic stock companies); chapter 48.09 RCW (mutual companies); chapter 48.10 RCW (reciprocal companies); (~~(chapter 48.15 RCW (surplus line companies);)~~) chapter 48.36A RCW (fraternal benefit societies); chapter 48.44 RCW (health care service contractors), and 48.46 RCW (health maintenance organizations). (~~(Of particular interest are the)~~) Capital and surplus requirements (~~(required of)~~) for stock insurance companies (~~(- These)~~) are contained in RCW 48.05.340.

**AMENDATORY SECTION** (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-060 FILING COMPLAINT AGAINST COMPANY, AGENT, BROKER, SOLICITOR, OR ADJUSTER. A grievance against an insurance company, fraternal benefit society, health care service contractor, health maintenance organization, agent, broker, solicitor, or adjuster may be filed with the insurance commissioner. To do so the insurance commissioner should be supplied with as many facts as possible to assist in the investigation of the complaint. This should include the correct name of the insurance company, the policy and/or claim number, the name of the agent, broker, solicitor, or adjuster, the date of loss, and a complete explanation of the loss or other problem. A form to be used in making a complaint may be requested by telephone from one of the insurance commissioner's offices. Use of such form may be helpful in organizing the information, but is not required.

**AMENDATORY SECTION** (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-070 HEARINGS OF THE INSURANCE COMMISSIONER. (1) Hearings of the insurance commissioner's office are conducted according to ~~((the Administrative Procedure Act (chapter 34.04 RCW), and))~~ chapter 48.04 RCW and the Administrative Procedure Act. (Until July 1, 1989, the Administrative Procedure Act is found at chapter 34.04 RCW; thereafter the Administrative Procedure Act will be found at chapter 34.05 RCW). ~~((Essentially there are))~~ Two types of hearings are conducted ~~((=))~~: Rule-making hearings and adjudicative proceedings or contested case(s) hearings, the latter including appeals from disciplinary actions taken by the commissioner. Under RCW 48.04.010 the commissioner is required to hold a hearing upon demand by any person aggrieved by any act, threatened act, or failure of the commissioner to act, if such failure is deemed an act under the code, or by any report, promulgation, or order of the commissioner other than an order on a hearing of which such person was given actual notice or at which such person appeared as a party, or order pursuant to the order on such hearing. Requests for hearings must be made in writing, must specify how the person making the demand has been aggrieved by the ~~((office of insurance))~~ commissioner, and the demand must specify the grounds to be relied upon as the basis for the relief sought.

(2) ~~((<sup>(1)</sup>))~~ Contested cases ~~((<sup>(2)</sup>))~~ or adjudicative proceedings.

(a) Provisions specifically relating to disciplinary action taken against insurance agents, brokers, solicitors, or adjusters are contained in RCW 48.17.530, 48.17.540, 48.17.550, and 48.17.560. Provisions applicable to other ~~((<sup>(1)</sup>contested cases<sup>(1)</sup>))~~ adjudicative proceedings are contained in chapter ~~((s 34.04 and))~~ 48.04 RCW and the Administrative Procedure Act. The uniform rules of practice and procedure ~~((adopted by the code reviser's office;))~~ which appear ~~((s))~~ in Title ~~((t))~~ 10 of the Washington Administrative Code, govern procedures not contained in the statutes. The grounds for disciplinary

action against insurance agents, brokers, solicitors, and adjusters are contained in RCW 48.17.530; grounds ~~((of))~~ for similar action against insurance companies are contained in RCW 48.05.140, ~~((and))~~ grounds for actions against fraternal benefit societies are found at RCW 48.36A.300 (domestic) and RCW 48.36A.310 (foreign), grounds for action against health care service contractors are contained in RCW 48.44.160, and grounds for action against health maintenance organizations are contained in RCW 48.46.130. ~~((Essentially,))~~ These statutes provide that the insurance commissioner may suspend or revoke a licensee's license, or the certificate of authority or registration of an insurer ~~((s or))~~, fraternal benefit society, health care service contractor ~~((s certificate of authority))~~, or health maintenance organization. In addition, ~~((he))~~ the commissioner may, ~~((under RCW 48.17.560, fine an insurance agent, broker, solicitor or adjuster, and may likewise fine an insurance company, pursuant to RCW 48.05.185; or in case of violations of the rating section (chapter 48.19 RCW), may impose a fine pursuant to RCW 48.19-430))~~ generally levy fines against those licensees and organizations.

(b) ~~((<sup>(1)</sup>))~~ Adjudicative proceedings or contested case ~~((<sup>(2)</sup>))~~ hearings of the insurance commissioner are informal in nature, and formal rules of pleading and evidence are not required. ~~((Generally the commissioner or his chief deputy sit as hearing examiner, but the commissioner may appoint a special hearing examiner in technical matters, who would then prepare a decision to the commissioner for his action. A person wishing a full stenographic record of the proceeding must seasonably make a written request to the insurance commissioner. Where such requests are not made, the hearing is recorded on tape and transcribed))~~ The commissioner may delegate to any deputy the authority to hear and determine the matter pursuant to RCW 48.02.100 or may utilize the services of an administrative law judge in accordance with chapter 34.12 RCW and the Administrative Procedure Act. The hearing will be recorded by any method chosen by the presiding officer. Except as required by law, the commissioner's office is not required, at its expense, to prepare a transcript. Any party, at the party's expense, may cause a reporter approved by the commissioner to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if, in the opinion of the presiding officer, the making of the additional recording does not cause distraction or disruption. If appeal from the commissioner's order is made to the superior court, the recording of the hearing will be transcribed, and certified to the court. The commissioner allows any person affected by the hearing to be present during the giving of all testimony and will allow ~~((him))~~ the aggrieved person a reasonable opportunity to inspect all documentary evidence, to examine witnesses and to present evidence ~~((in support of his interest))~~. Any person heard must make full disclosure of the facts pertinent to the inquiry. ~~((The foregoing is provided by chapter 34.04 RCW.))~~

(c) Unless a person aggrieved by an order of the commissioner demands a hearing thereon within ~~((90))~~ ninety days after receiving notice of such order, or in the



case of licensees, within ninety days after the commissioner has mailed the order to the licensee at the most recent address shown in the commissioner's licensing records, the right to such a hearing shall conclusively be deemed to have been waived((-)) (RCW 48.04.010(3)).

(d) The commissioner must hold any hearing demanded within ((30)) thirty days after receipt of the demand, unless postponed by mutual consent.

(3) Rule-making hearings. Rule-making hearings of the insurance commissioner are conducted pursuant to ((chapter 34.04 RCW (-)) the Administrative Procedure Act((-) chapters 42.32)), chapter 34.08 RCW (the State Register Act), and chapter 48.04 RCW. Under applicable law all interested parties must be afforded an opportunity to express their views concerning a proposed regulation of the insurance commissioner's office, either orally or in writing((- provided, however, that no rule or regulation can be adopted unless in a public meeting, as required by chapter 42.32 RCW and the Administrative Procedure Act, chapter 34.04 RCW)). Notice of intention of the insurance commissioner to adopt a proposed rule or regulation is published in the state register, is sent to ((the press, as required by chapter 42.32 RCW, to)) anyone who has requested notice in advance ((that the notice be given to them)), and to ((all)) persons whom the commissioner determines would be particularly interested in the proceeding.

#### AMENDATORY SECTION (Amending Order R-68-6, filed 8/23/68, effective 9/23/68)

WAC 284-02-080 PUBLICATIONS AND INFORMATION AVAILABLE. (1) Insurance code. The insurance commissioner publishes a copy of Title 48 RCW, pursuant to authority of RCW 48.02.180((- which is sold by this office at cost)). Copies of the administrative rules and regulations of the insurance commissioner (Title 284 WAC) are available in pamphlet form. Each may be purchased from the commissioner's Olympia office. In addition, Titles 48 RCW ((is also)) and 284 WAC are available in any law library, as well as in most general libraries.

(2) List of authorized insurers. The insurance commissioner publishes ((biannually)) periodically a list of all insurance companies authorized to do business in this state. Such lists are available on request from the insurance commissioner's office. An insurer not authorized to do business in ((the state)) Washington is forbidden by law from soliciting business in this state((-Sec)) (RCW 48.15.020). ((Consistent with recent case law, the insurance commissioner's office has taken the position that solicitation by an unauthorized insurer, whether by mail or otherwise, violates the insurance code:))

(3) Annual report. The insurance commissioner publishes an annual report, as required by RCW 48.02.170, a copy of which is available on request. Generally, the annual report ((not only)) contains a list of all insurers authorized to transact insurance in this state, showing the insurer's name, location, ((date of incorporation, date of admission, capital funds,)) and kinds of insurance transacted((- but)). It also tabulates abstracts of the annual statements of all authorized insurers((-)), and

contains a summary of the operations of the insurance commissioner's office((- including action taken against insurance companies, and recommended legislative proposals)).

(4) Policy forms and rates. Rates of insurance companies and all policy forms required to be filed and/or approved by the insurance commissioner's office are on file in that office and are public records.

(5) Examination reports, annual reports. Reports of examination and annual reports of insurance companies, fraternal benefit societies, health care service contractors, and health ((and welfare trusts)) maintenance organizations are ((likewise)) on file in the insurance commissioner's office and are open for public inspection.

(6) Official actions of the insurance commissioner. As required by ((chapter 34.04 RCW,)) the Administrative Procedure Act, actions taken by the insurance commissioner's office relating to adoption of rules or the discipline of insurance companies, fraternal benefit societies, health care service contractors, health maintenance organizations, insurance agents, brokers, solicitors, or adjusters are on file in ((that)) the commissioner's Olympia office and are ((also)) a matter of public record.

(7) Deposits of insurers. Records of deposits of insurers, required by chapter 48.16 RCW and other sections of the insurance code, are on file in the insurance commissioner's office.

(8) Articles of incorporation, bylaws of insurers. All insurers are required to file their articles of incorporation and bylaws, and any amendments thereto, with the insurance commissioner's office. These are open for public inspection in the insurance commissioner's office.

((9) Reports of adjusters. Adjusters investigating fire loss claims must report to the commissioner pursuant to RCW 48.17.440. Any facts or circumstances indicating fraud may have been committed or attempted and full information on claims adjusted on any policy issued by an unauthorized insurer.

((10) Administrative rules and regulations, bulletins of the insurance commissioner. Administrative rules and regulations of the insurance commissioner are available in pamphlet form on request from the state code reviser. Individual copies of rules and regulations of the insurance commissioner, and any bulletins issued by the insurance commissioner, also available on request, without charge, from the insurance commissioner's office:))

#### NEW SECTION

WAC 284-02-100 PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF RULES. (1) As required by the Administrative Procedure Act, any interested person may petition the commissioner requesting the adoption, amendment, or repeal of any rule. The petition shall be in writing, dated and signed by the petitioner. Each petition shall include the following information:

(a) The name and address of the person requesting the action, and, if pertinent, the background and identity of the petitioner and the interest of the petitioner in the subject matter of the rule;

(b) The full text of any proposed new or amendatory rule and the citation and caption of any existing rule to be amended or repealed;

(c) A narrative explaining the purpose and scope of any proposed new or amendatory rule including a statement generally describing how the rule is to be implemented, and giving reasons for the proposed action, accompanied by necessary or pertinent data in support of thereof; and

(d) Statements from other persons in support of the action petitioned are encouraged.

(2) Within thirty days after submission of a petition to adopt, amend, or repeal any rule, the commissioner shall formally consider the petition and all supporting documentation presented. The commissioner shall within thirty days after consideration either deny the petition in writing to the person requesting the action, stating the reasons therefore, or shall initiate rule-making proceedings in accordance with the Administrative Procedure Act.

(3) If the commissioner determines it to be in the interest of the public, the commissioner may order a hearing for the further consideration and discussion of the requested adoption, amendment, or repeal of any rule.

**WSR 88-23-080**  
**EMERGENCY RULES**  
**BOARD OF PHARMACY**  
 [Order 222—Filed November 18, 1988]

Be it resolved by the Washington State Board of Pharmacy, acting at Midway, Washington, that it does adopt the annexed rules relating to the fees for pharmacist renewal.

We, the Washington State Board of Pharmacy, 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 one dollar fee increase is necessary to fund the impaired pharmacist program as required by chapter 247, Laws of 1988.

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

This rule is promulgated under the general rule-making authority of the Washington State Board of Pharmacy as authorized in RCW 18.64.005(4).

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 16, 1988.  
 By Joseph M. Honda  
 Chair

AMENDATORY SECTION (Amending Order 216, filed 6/30/88)

WAC 360-18-020 FEES. The following fees shall be charged by the board of pharmacy:

(a) PHARMACY LOCATION	
Original pharmacy fee	\$165.00
Original pharmacy assistant utilization fee	35.00
Renewal pharmacy fee	85.00
Renewal pharmacy assistant utilization fee	35.00
Penalty pharmacy fee	165.00
(b) VENDOR	
Original fee	40.00
Renewal fee	40.00
Penalty fee	40.00
(c) PHARMACIST	
Exam fee (full exam)	175.00
Reexamination fee (jurisprudence portion)	25.00
Original license fee	75.00
Renewal fee, active and inactive license	((60.00))
	61.00
Penalty fee	60.00
Reciprocity fee	250.00
Certification of license status to other states	10.00
(d) SHOPKEEPER	
(i) SHOPKEEPER - sixteen or more drugs	
Original fee	10.00
Renewal fee	10.00
Penalty fee	5.00
(ii) SHOPKEEPER - with differential hours	
Original fee	10.00
Renewal fee	10.00
Penalty fee	5.00
(e) DRUG MANUFACTURER	
Original fee	250.00
Renewal fee	250.00
Penalty fee	250.00
(f) DRUG WHOLESALER - full line	
Original fee	250.00
Renewal fee	250.00
Penalty fee	250.00
(g) DRUG WHOLESALER - OTC only	
Original fee	150.00
Renewal fee	150.00
Penalty fee	150.00
(h) DRUG WHOLESALER - export	
Original fee	250.00
Renewal fee	250.00
Penalty fee	250.00
(i) PHARMACY ASSISTANT - Level "A"	
Original fee	30.00
Renewal fee	20.00

(j) PHARMACY INTERN	
Original registration fee	15.00
Renewal registration fee	15.00
(k) CONTROLLED SUBSTANCES ACT (CSA) REGISTRATIONS	
Dispensing registration fee (i.e. pharmacies)	35.00
Dispensing renewal fee (i.e. pharmacies)	30.00
Distributors registration fee (i.e. wholesalers)	50.00
Distributors renewal fee (i.e. wholesalers)	50.00
Manufacturers registration fee	50.00
Manufacturers renewal fee	50.00
Physician assistant registration fee	15.00
Physician assistant renewal fee	10.00
ARNP with prescriptive authorization registration fee	15.00
ARNP with prescriptive authorization renewal fee	10.00
Sodium pentobarbital for animal euthanization registration fee	20.00
Sodium pentobarbital for animal euthanization renewal fee	15.00
(l) LEGEND DRUG SAMPLE - distributor registration fees	
Original fee	125.00
Renewal fee	85.00
(m) POISON MANUFACTURER/SELLER - license fees	
Original fee	20.00
Renewal fee	20.00
(n) Facility inspection fee	100.00
(o) PRECURSOR CONTROL PERMIT	
Original fee	40.00
Renewal fee	40.00

**WSR 88-23-081  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 2727—Filed November 18, 1988 ]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Eligibility determination—Medically needy in own home and Availability of resources.

This action is taken pursuant to Notice No. WSR 88-20-079 filed with the code reviser on October 5, 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 November 18, 1988.

By Leslie F. James, Director  
Administrative Services

[AMENDATORY SECTION (Amending Order 2599, filed 2/17/88)]

WAC 388-99-020 ELIGIBILITY DETERMINATION—MEDICALLY NEEDY IN OWN HOME. (1) The department shall set the medically needy income level (MNIL) (~~shall be~~) at:

(a) One person	\$ 382
(b) Two persons	\$ 532
(c) Three persons	\$ 599
(d) Four persons	\$ 667
(e) Five persons	\$ 767
(f) Six persons	\$ 875
(g) Seven persons	\$ 1,008
(h) Eight persons	\$ 1,117
(i) Nine persons	\$ 1,225
(j) Ten persons and above	\$ 1,333

(2) The department shall (~~allow the following general~~) compute countable income ((disregards)) by deducting, from gross income, amounts that would be deducted in determining:

(a) AFDC eligibility for families and children ((the department will determine countable income by deducting, from gross income, amounts that would be deducted in determining AFDC grant eligibility)) in a nondesignated FIP geographic area. The department shall not apply the earned income exemption of ((~~\$30~~) thirty dollars plus ((~~+1/3~~) one-third) of the remainder ((does not apply)) for individuals applying solely for medical assistance((:));

(b) ((For aged, blind, and disabled individuals the department will determine countable income by deducting, from gross income, amounts that would be deducted in determining)) SSI/SSP eligibility for ((the state supplementary payment)) aged, blind, or disabled individuals; and

(c) FIP eligibility for families and children.

(3) The department shall allow the following special income disregards:

(a) Health insurance premiums the individual expects to pay during the base period((:));

(b) An amount equal to the maintenance needs of an ineligible or nonapplying spouse not to exceed the one person medically needy income level; and

(c) Child care payment amounts allowed as if the individual was a FIP enrollee.

(4) If countable income is equal to or less than the appropriate MNIL, the department shall certify the family or individual ((is certified)) eligible.

(5) If countable income is greater than the appropriate MNIL, the department shall require the applicant

~~((is required))~~ to spenddown the excess countable income for the base period. The base period shall be the three-month or six-month period which corresponds to the certification period~~((, see))~~ under WAC 388-99-055.

~~(6) ((Financial responsibility of relatives:))~~ The department shall consider the income and resources of the spouse or of the parent of an applicant under eighteen years of age:

~~(a) ((For families and children; (i) Income and resources of spouse or parent are considered))~~ In the same household, available to the applicant, whether or not actually contributed~~((, if the parent or spouse lives in the same household:)); and~~

~~((ii)) (b) ((Income and resources of spouse or parent:))~~ Not in the same household, ~~((are considered))~~ only to the extent of what is actually contributed.

~~((b)) (7)~~ The department shall consider the financial responsibility of relatives for aged, blind, and disabled, ~~((see))~~ under chapter 388-92 WAC ~~((for))~~, deeming of income.

~~((7)) (8)~~ In mixed households, where more than one assistance unit exists, the department shall determine income for:

~~(a)~~ The AFDC-related assistance unit according to subsections (2)(a) and (3) of this section~~((:)); and ((for))~~

~~(b)~~ The SSI-related assistance unit according to subsections (2)(b) and (3) of this section; and

~~(c)~~ The FIP-related assistance unit according to subsections (2)(c) and (3) of this section.

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

AMENDATORY SECTION (Amending Order 2062, filed 1/4/84)

WAC 388-99-040 AVAILABILITY OF RESOURCES. (1) The department shall consider the resource standard for all medically needy to be as listed under WAC 388-99-035.

(2) The department shall consider resources:

~~(a)~~ For SSI-related medically needy, according to chapter 388-92 WAC ~~((for SSI-related medically needy((:));~~

~~(b)~~ For AFDC-related medically needy~~((, consider resources))~~ as ~~((they would be considered))~~ in determining AFDC financial eligibility~~((The resource standard for all medically needy is as listed in WAC 388-99-035.~~

~~(2)~~ Consider only resources available during the period for which income is computed~~)); and~~

~~(c)~~ For FIP-related medically needy, as in determining FIP financial eligibility.

(3) For ~~((families and children deduct the value of resources which would be deducted in determining AFDC eligibility))~~ households with more than one assistance unit, the department shall consider resources for each assistance unit according to the related program.

(4) ~~((For aged, blind, and disabled, deduct the value of resources which would be deducted in determining eligibility for SSI))~~ The department shall consider only

resources available during the period for which income is computed.

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

WSR 88-23-082  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 2728—Filed November 18, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to monthly allotments and thrifty food plan standards, amending WAC 388-49-550.

This action is taken pursuant to Notice No. WSR 88-20-048 filed with the code reviser on September 30, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED November 18, 1988.

By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-550 MONTHLY ALLOTMENTS.

(1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

Household Size	Thrifty Food Plan
1	<del>((87))</del> 90
2	<del>((159))</del> 165
3	<del>((228))</del> 236
4	<del>((296))</del> 300
5	<del>((344))</del> 356
6	<del>((413))</del> 427
7	<del>((457))</del> 472
8	<del>((522))</del> 540
9	<del>((587))</del> 608
10	<del>((652))</del> 676
Each additional member	+ <del>((65))</del> 68

(3) The department shall issue to households a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent,

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents, and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(5) One and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(6) The department shall issue an identification card to each certified household.

#### WSR 88-23-083

#### ADOPTED RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

#### (Health)

[Order 2729—Filed November 18, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to design and construction standards, general, amending WAC 248-18-515.

This action is taken pursuant to Notice No. WSR 88-20-077 filed with the code reviser on October 5, 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 70.41.030.

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 November 18, 1988.

By Leslie F. James, Director  
Administrative Services

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

WAC 248-18-515 DESIGN AND CONSTRUCTION STANDARDS, GENERAL. (1) Exemptions, substitutions, and interpretations. A hospital may request an exemption(s), ((approval of)) substitution(s), ((and)) or interpretation((s-related to

~~design and construction standards may be obtained pursuant to the provisions of)) as described in WAC 248-18-010.~~

(2) Industry standards, guides, and codes adopted by reference.

(a) At least ~~((annually, and no later than October 1st of each))~~ once every two years, the department shall:

(i) Review industry standards referenced in the construction section of chapter 248-18 WAC and update, as necessary; and

(ii) Adopt ((an updated)) the revised list of ((industry)) referenced standards, ((guides, and codes which are adopted by reference in those sections of chapter 248-18 WAC which govern hospital construction)) if required.

(b) Hospitals shall:

(i) Submit preliminary drawings for ((a)) hospital construction projects ((shall conform)) conforming to ((the)) industry standards, guides, and codes ((which appear)) appearing in the current chapter 248-18 WAC ((which shall constitute the));

(ii) Follow applicable standards, guides, and codes ((for the duration of the construction project with the following exceptions:

(i) Upon written request of a hospital, the department may issue written approval of use of a more recent edition of an industry standard, guide, or code which has been adopted by the department since development of the preliminary drawings for a hospital construction project. The more recent edition of the standard, guide, or code shall then apply to the project.

(ii) The most recent edition of an industry standard, guide, or code which has been adopted by the department shall apply to a hospital construction project if the design of the project has not progressed to the point that construction has been authorized by the department in accordance with WAC 248-18-510 (3)(a) within two years after the first submission of the preliminary drawings for the project which were developed in accordance with an earlier edition of the standard, guide, or code)) of chapter 248-18 WAC existing at the time the preliminary document was submitted for the duration of construction project; except as specified in subsection (2)(c) of this section.

(c) The department may respond to a hospital's written request by giving written approval to use a more recent edition of an industry standard, guide, or code under the following conditions:

(i) The standard, guide, or code was adopted after preliminary drawings were developed; and

(ii) The request is received by the department prior to the department's final approval of project design and authorization for construction per WAC 248-18-510 (3)(a).

(3) ((Format:)) Hospitals and the department shall interpret construction WAC as follows:

(a) ((In general, regulations)) Rules concerning the size, location, function, and major equipment of rooms and areas are ((placed)) generally found under headings for particular departments or facilities((-);

~~(b) Some service facilities ((which are)) common to several departments or units are grouped under "GENERAL REQUIREMENTS FOR SERVICE FACILITIES," WAC 248-18-710((-));~~

~~(c) Mechanical and electrical requirements and detailed architectural requirements are included in "GENERAL DESIGN REQUIREMENTS," WAC 248-18-718((-));~~

~~((b)) (d) Equipment ((included)) specified in ((these regulations is that which is)) rule includes only equipment frequently built in or attached to the building((- Equipment which is customarily movable is not included. (c) For every));~~

~~(e) WAC ((section, the title caption denotes)) section titles describe the category of facilities, requirements, or information to which the contents of ((the particular)) that section relates((- (d)); and~~

~~(f) In "NEW CONSTRUCTION REGULATIONS," ((re- requirements are differentiated from items which are per- missive, suggestive, recommendatory, or explanatory in the following manner.)) WAC 248-18-500 through 248-18-718 and WAC 248-18-99902:~~

~~(i) ((Optional. SHALL MEET REQUIREMENTS, IF IN- CLUDED," following the title caption for a WAC section, indicates the particular unit, service, department, or other category of facilities (which the title caption de- notes) is only suggested or recommended and not man- datory, but must comply with applicable regulations if included in the hospital.)) Capital letters designate a re- quirement or all requirements;~~

~~(ii) ((In some instances, the title caption for a WAC section denotes a unit, service, department, or other cat- egory of facilities which is required ONLY under cer- tain circumstances. The circumstances under which such category of facilities is required are stated following the title caption. Such a category of facilities must meet ap- plicable regulations if included in the hospital.)) Lower case letters designate options, suggestions, recommenda- tions, or explanations;~~

~~(iii) ((Within a WAC section, requirements are writ- ten in capital letters.)) Hospitals including any equip- ment, area, room, unit, service, or other facility desig- nated in lower case letters (suggested or optional) shall comply with applicable standards in chapter 248-18 WAC;~~

~~(iv) ((Permissive, suggestive, recommendatory, or ex- planatory items within a WAC section are written in lower case. Inclusion of any equipment, area, room, unit, service, or other facility which is only suggested or rec- ommended (lower case) is optional. Such equipment, area, room, unit, service, or other facility shall meet re- quirements (capital letters) if included in the hospital)) If a WAC title denotes a unit, service, department, or other category of facilities required only under certain circumstances:~~

~~(A) The circumstances are stated following the title; and~~

~~(B) If included, constructed according to applicable rules and standards in chapter 248-18 WAC.~~

~~(v) The words "Optional. SHALL MEET REQUIREMENTS, IF INCLUDED." following a WAC title indicate:~~

(A) The particular unit, service, department, or other category of facilities is only recommended and not man- datory; and

(B) If included, constructed according to applicable rules and standards in chapter 248-18 WAC.

**WSR 88-23-084**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 2730—Filed November 18, 1988]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to needy infants, children and pregnant women, amending WAC 388-83-032.

This action is taken pursuant to Notice No. WSR 88-20-047 filed with the code reviser on September 30, 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 November 18, 1988.  
 By Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 2695, filed 9/12/88)

WAC 388-83-032 NEEDY INFANTS, CHILDREN AND PREGNANT WOMEN. (1) The department shall find the following groups eligible for Medicaid as categorically needy, if they meet the income and resource requirements of this section:

- (a) Effective July 1, 1987:
  - (i) Women during pregnancy and during the sixty-day period beginning on the last day of pregnancy, and
  - (ii) Infants under one year of age.
- (b) Effective ((October 1, 1987)) October 1, 1988, children under ((two)) three years of age.

- (2) Income eligibility:
  - (a) Total family income shall not exceed ninety per- cent of the poverty income guidelines as published and updated by the secretary of health and human services. Ninety percent of the 1988 poverty income guidelines is:

	Family Size	Monthly
(i)	One	\$ 433.00
(ii)	Two	\$ 580.00
(iii)	Three	\$ 727.00
(iv)	Four	\$ 874.00
(v)	Five	\$1,021.00

	Family Size	Monthly
(vi)	Six	\$1,168.00
(vii)	Seven	\$1,315.00
(viii)	Eight	\$1,462.00

(ix) For family units with more than eight members add \$147.00 to the monthly income for each additional member.

(b) The department shall determine family income:

(i) According to AFDC methodology except for the exclusions in WAC 388-83-130 (5) and (6), and

(ii) Shall not use the costs incurred for medical care or for any other type of remedial care to reduce the family income.

(3) Resource eligibility:

(a) The total value of the family's countable resources shall not exceed five thousand dollars.

(b) Countable resources are limited to cash, savings accounts, checking accounts, and certificates of deposit.

(c) The department shall not consider other resources in determining the eligibility of groups included in subsection (1) of this section.

(4) Changes in income or living situations shall not affect eligibility for medical assistance, during pregnancy or during the sixty-day period beginning on the last day of pregnancy:

(a) Once a pregnant woman is determined eligible under this section, or

(b) If at any time while eligible for and receiving medical assistance meets the eligibility requirements of this section.

(5) An infant or child who attains the maximum age as described in subsection (1)(a) or (b) of this section shall continue to be eligible until the later of:

(a) The end of the month in which the infant or child attains the maximum age, or

(b) The end of the month in which the infant or child receives inpatient services if:

(i) The infant or child is receiving inpatient services on the last day of the month in which the child attains the maximum age, and

(ii) The stay for inpatient services continues into the following month(s), and

(iii) Who, but for attaining such age, would be eligible for assistance under this section.

**WSR 88-23-085**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2726—Filed November 18, 1988]

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

- Amd WAC 388-49-500 Income deductions.
- Amd WAC 388-49-505 Utility allowance.
- Amd WAC 388-49-510 Income eligibility standards.

This action is taken pursuant to Notice No. WSR 88-20-046 filed with the code reviser on September 30, 1988. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

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

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

APPROVED AND ADOPTED November 18, 1988.

By Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 2616, filed 4/6/88)

**WAC 388-49-500 INCOME—DEDUCTIONS.**

(1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred ~~((two))~~ six dollars per household per month.

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8) concerning intentional program violation overpayments.

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when the care is necessary for a household member to:

(i) Seek, accept, or continue employment; or

(ii) Attend training or education preparatory to employment.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred by a household member who is elderly or disabled.

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, ~~((f))~~ medical, ~~((g))~~ and dependent care deductions. ~~((h))~~ The shelter deduction shall not exceed one hundred ~~((sixty-four))~~ seventy dollars ~~((for a household certified on or after October 1, 1987.~~

~~((i)) The shelter deduction shall not exceed one hundred fifty-two dollars for a household certified before October 1, 1987, for the life of the certification period).~~

(f) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) Shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if:

(i) The household intends to return to the home;

(ii) The current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) The home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster.

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs. A household may incur a separate utility charge when it:

- (i) Has not yet received a billing for utilities; or
- (ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or
- (iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard allowance.

(d) Actual utility costs rather than the standard utility allowance if the household is:

- (i) Not entitled to the standard utility allowance, or
- (ii) Requesting use of actual utility bills. A monthly telephone standard shall be allowed for households incurring telephone expenses if the household is not entitled to claim the standard utility allowance.

(3) A household may switch between actual utility costs and the standard utility allowance:

- (a) At each recertification, and
- (b) One additional time during each twelve-month period following the initial certification action.

(4) The department shall verify:

(a) Continuing shelter costs, if allowing the costs could potentially result in a deduction. Verify on a one-time basis unless the household has:

- (i) Moved, or
- (ii) Reported an increase in costs affecting the amount of the deduction or the information is questionable.

(b) Utility expenses:

(i) If the household is entitled to the standard utility allowance. Verify on a one-time basis unless the household has moved, changed its utilities, or the information is questionable; or

(ii) On a one-time basis if the household wishes to claim actual utility expenses at initial certification, recertification, or on a monthly basis for households subject to monthly reporting.

(c) Dependent care costs including changes, except in prospective budgeting.

(d) Medical expenses and the reimbursement amounts resulting in a deduction:

- (i) At recertification, if the amount has changed more than twenty-five dollars; and
- (ii) On a monthly basis for a household subject to monthly reporting.

(5) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

**AMENDATORY SECTION** (Amending Order 2575, filed 12/31/87)

**WAC 388-49-510 INCOME ELIGIBILITY STANDARDS.** (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except

for households containing an elderly or disabled member as provided in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

<u>Gross Monthly Income Standard</u>	
<u>Household Size</u>	<u>Maximum Standard</u>
1	\$ ((596)) <u>626</u>
2	((802)) <u>838</u>
3	((1,008)) <u>1,050</u>
4	((1,214)) <u>1,263</u>
5	((1,420)) <u>1,475</u>
6	((1,625)) <u>1,687</u>
7	((1,831)) <u>1,900</u>
8	((2,037)) <u>2,112</u>
9	((2,243)) <u>2,325</u>
10	((2,449)) <u>2,538</u>
Each additional person	+((206)) <u>213</u>

<u>Net Monthly Income Standard</u>	
<u>Household Size</u>	<u>Maximum Standard</u>
1	\$ ((459)) <u>481</u>
2	((617)) <u>645</u>
3	((775)) <u>808</u>
4	((934)) <u>971</u>
5	((1,092)) <u>1,135</u>
6	((1,250)) <u>1,298</u>
7	((1,409)) <u>1,461</u>
8	((1,567)) <u>1,625</u>
9	((1,726)) <u>1,789</u>
10	((1,885)) <u>1,953</u>
Each additional person	+((159)) <u>164</u>

**AMENDATORY SECTION** (Amending Order 2593, filed 1/28/88)

**WAC 388-49-505 UTILITY ALLOWANCES.**

(1) The department shall:

- (a) Establish an annualized standard utility allowance for use in calculating shelter costs;
- (b) Obtain FNS approval of the methodology used to establish the standard utility allowance;
- (c) Establish a separate annualized telephone allowance;
- (d) Obtain FNS approval of the methodology used to establish the telephone allowance.

(2) Effective ((~~March 1, 1988~~)) October 1, 1988, the annual standard utility allowances by household size are:

Persons in Household	Annualized Utility Standards
1	((117)) <u>119</u>
2	((125)) <u>127</u>
3	((132)) <u>134</u>
4	((141)) <u>143</u>



Persons in Household	Annualized Utility Standards
5	((+49)) <u>151</u>
6	((+54)) <u>156</u>
7	((+60)) <u>162</u>
8	((+65)) <u>169</u>
9	((+75)) <u>177</u>
10 or more	((+82)) <u>186</u>

(3) Effective March 1, 1988, the monthly telephone standard is sixteen dollars.

**WSR 88-23-086**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 88-173—Filed November 18, 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 openings in Area 7B provide opportunity to harvest non-Indian allocation of chum destined for the Nooksack-Samish region of origin, and to prevent wastage. The restriction in Area 7B is necessary to maintain an orderly fishery. 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 November 18, 1988.

By Sally J. Hicks  
 for Joseph R. Blum  
 Director

NEW SECTION

*WAC 220-47-933 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday November 20 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and restrictions:*

\* *Area 7B – Purse seines may fish from 5:00 AM Monday November 21 to 8:00 PM Friday November 25, and Gillnets using 6-inch minimum mesh may fish from 5:00 AM Monday November 21 to 8:00 PM Friday November 25. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North Terminal to the light at the end of Squalicum Creek Waterway.*

\* *Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.*

REPEALER

*The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday November 20:*

*WAC 220-47-932 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-172)*

**WSR 88-23-087**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
 [Filed November 18, 1988]

The Department of Fisheries withdraws its proposed new regulation, WAC 220-20-070 Commercial license application requirements, filed with the code reviser on November 2, 1988, in WSR 88-22-083. This withdrawal is made pursuant to RCW 34.04.048.

Judith Merchant  
 for Joseph R. Blum  
 Director

**WSR 88-23-088**  
**NOTICE OF PUBLIC MEETINGS**  
**BOARD FOR VOCATIONAL EDUCATION**  
 [Memorandum—November 16, 1988]

Members of the Washington State Board for Vocational Education will meet in a work session, December 14, 1988, 2:30 p.m., Room 34, The Boeing Company, 981 Powell Avenue S.W., Renton, Washington.

The regular business meeting of the state board will convene at 9:00 a.m. at Renton Vocational Technical Institute, December 15, 1988, 9:00 a.m., Automotive Quad, Building K-3, Room 201, Renton VTI, 3000 N.W. 4th Street, Renton, Washington.

People needing special accommodations, please call Patsi Justice at (206) 753-5660 or 234-5660 scan.

## WSR 88-23-089

## COLUMBIA RIVER GORGE COMMISSION

[Filed November 21, 1988]

I HEREBY CERTIFY that the copy shown below is a true, full and correct copy of the PERMANENT rule(s) adopted on November 15, 1988, by the Columbia River Gorge Commission to become effective November 22, 1988.

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

Notice of Intended Action in Code Revisers Register: Yes.

NOW THEREFORE, IT IS HEREBY ORDERED that the following action be taken: Amended 350-20 as administrative rules of the Columbia River Gorge Commission.

DATED this 17th day of November, 1988.

By: Richard P. Benner  
Title: Executive Director

Statutory Authority: Chapter 499, Laws of 1987.

For Further Information Contact: Richard P. Benner, Executive Director, (509) 493-3323.

Chapter 350  
Division 20

Review and Approval of  
Major Development Actions and New Residential  
Development

### 350-20-002. Definitions.

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

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

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

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

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

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

(6) "File" means to deliver to Commission offices by mail or otherwise. To be considered filed, a document must be received at Commission offices by 5:00 p.m.

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

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

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

(b) any permit for siting or constructing outside Urban Areas of multifamily residential, industrial or commercial facilities, except such facilities as are included in

the recreation assessment prepared pursuant to section 6 of P.L. 99-663;

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

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

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

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

(11) "Party" means:

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

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

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

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

(13) "Residential Development" means the permitting for siting or construction of any single family residence, related major structure, or alteration to the exterior of any single family residence or related major structure deemed significant by the Commission or its designee.

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

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

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

### 350-20-011. Appeal of Decision by Director.

(1) The applicant or any person who submitted comments on a proposed development action pursuant to 350-20-009(7) may appeal the decision of the Director by filing a Notice of Appeal within the following time periods:

(a) Twenty (20) working days after the date the decision was mailed under 350-20-010(4); or

(b) Fifteen (15) working days after the date the decision was mailed under 350-20-010(4) where the proposed development action is one of these described in 350-20-009 (7)(b).

(2) The Notice of Appeal shall:

(a) Refer to the decision being appealed;

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

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

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

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

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

#### 350-20-013. Commission Initiated Review

(1) A decision of the Director shall be referred directly to the Commission for hearing if three (3) or more members of the Commission [submit] file a written Notice of Commission Initiated Review to the Director within twenty (20) working days after the date the Notice of Decision was mailed. Copies of the Notice shall also be served by mail upon the applicant and all persons who submitted comments on the proposed development action pursuant to 350-20-009(7).

(2) The Notice of Commission Initiated Review shall:

(a) Refer to the decision being appealed;

(b) Identify the Commission members filing the Notice;

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

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

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

**Reviser's note:** The brackets and enclosed material in the text of the above material occurred in the copy filed by the Columbia River Gorge Commission and appear herein pursuant to the requirements of RCW 34.08.040.

#### WSR 88-23-090

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF LICENSING

[Filed November 21, 1988]

I am writing to withdraw proposed rules WAC 308-220-010 and 308-220-030, filed November 2, 1988, under notice of WSR 88-22-074. These proposed rules will be refiled at a later time.

Diana Dietrich  
Assistant Attorney General

#### WSR 88-23-091

#### PROPOSED RULES

#### DEPARTMENT OF LICENSING

[Filed November 21, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director, 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., Wednesday, December 28, 1988, in the 4th Floor Executive Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, WA 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 authority under which these rules are proposed is RCW 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 28, 1988.

Dated: November 18, 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 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 PM 729, filed 5/18/88)

WAC 308-220-030 ((APPROVED GRADUATE PROGRAMS: Approved graduate programs are marriage and family therapy programs accredited by the commission on accreditation for marriage and family therapy education or an equivalent course of study from a regionally accredited college or university.)) DEGREE EQUIVALENTS. 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.

**WSR 88-23-092****NOTICE OF PUBLIC MEETINGS  
CONVENTION AND TRADE CENTER**

[Memorandum—November 18, 1988]

This is to notify you of changes in the regular meeting schedule of the board of directors of the WSCTC. The next regular meeting will be held on December 14, 1988, at 3 p.m. The subsequent meeting will be held on January 11, 1989, at 3 p.m. Both meetings will take place at the Convention Center, 800 Convention Place, Room 601, Seattle 98101.

**WSR 88-23-093****PROPOSED RULES  
GAMBLING COMMISSION**

[Filed November 21, 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 new sections WAC 230-02-500 and 230-12-053; and amending WAC 230-20-325, 230-20-699 and 230-40-070;

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 9.46.070 (11)(14).

Dated: November 21, 1988

By: Ronald O. Bailey

Director

**STATEMENT OF PURPOSE**

Title: WAC 230-02-500 Drawing defined; 230-12-053 Acceptance of checks—Requirements; 230-20-325 Manner of conducting a raffle; 230-20-699 Special amusement game license—Test at limited locations; and 230-40-070 Licensee to furnish all cards, chips and other services.

Description of Purpose: WAC 230-02-500 and 230-20-325, to clarify existing language and to allow different types of raffles; WAC 230-12-053 and 230-40-070, to clarify existing rule on acceptance of personal checks; and WAC 230-20-699, to limit applications to participate in electronic claw test.

Statutory Authority: WAC 230-02-500 is RCW 9.46.070(14); 230-12-053 is RCW 9.46.070 (11)(14); 230-20-325 is RCW 9.46.070(14); 230-20-699 is RCW 9.46.070 (11)(14); and 230-40-070 is RCW 9.46.070 (11)(14).

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-02-500, defined drawing for raffles and sets a uniform standard for drawings; WAC 230-12-053, sets forth requirements for accepting checks. Help correct problems associated with acceptance of checks; WAC 230-20-325, broadens definitions of ticket and allows for alternative drawing formats. This will allow charitable organizations to conduct different types of raffles; WAC 230-20-699, this amendment sets a cut off date for location licensing for the 12 month test. The current number of 400 exceeding projections and is greatly taxing staff resources in other areas; and WAC 230-40-070, housekeeping amendment to conform to new WAC 230-12-053. Clarify types of checks that can be utilized.

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; Jefferson Building, 1110 South Jefferson, Olympia, WA 98504.

Proponents and Opponents: Gambling Commission staff propose these rule amendments and new rules.

Agency Comments: The agency believes the proposed amendments and new rules are self-explanatory and need no further comment.

These amendments and new rules were not made necessary as a result of federal law or federal or state court action.

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

#### NEW SECTION

**WAC 230-02-500 DRAWING DEFINED.** A drawing is defined as an approved random selection process for determining winners in a raffle. To be random, each ticket in the drawing must have an equal chance of selection.

#### NEW SECTION

**WAC 230-12-053 ACCEPTANCE OF CHECKS - REQUIREMENTS.** (1) A licensee, member, or employee thereof may accept a check in lieu of cash from a player for activities authorized by 9.46 RCW, when the following requirements are met:

(a) The check is not a third party check drawn on an individual's personal account or a counter check offered by the licensed establishment;

(b) Any personal check must be dated the same day it is offered to the licensee and fully negotiable upon acceptance by the licensee; and

(c) The check is not from a player who has a balance owed to the licensee from a previous returned personal check. Provided: this shall not apply to a licensee who utilizes a check guarantee and collection service.

(2) If a licensee, member or employee thereof accepts a check that does not comply with the requirements set forth above, the licensee shall be deemed to have extended credit in violation of WAC 230-12-050.

#### AMENDATORY SECTION (Amending Order 183, filed 9/13/88)

**WAC 230-20-325 MANNER OF CONDUCTING A RAFFLE.** All raffles shall be conducted by selling individual prenumbered tickets for not more than five dollars and awarding prizes by selecting winners by a random drawing from among all tickets sold. The following operating procedures apply:

(1) All tickets for use in any raffle shall be consecutively numbered and each ticket shall be accounted for separately in accordance with WAC 230-08-070. Raffle tickets sold to the general public shall have a stub or other detachable section bearing a duplicate number corresponding to the number on the ticket: Provided, that with prior written approval by the Director, tickets may include any consecutively numbered or lettered object if a stub imprinted with an identical number or letter and all other information required by WAC 230-20-325, is provided to each entrant at the time of purchase.

(2) All prizes available, whether cash or merchandise, and all rules by which such prizes may be won, including all costs to a participant, shall be disclosed to each participant. This information shall be printed upon each ticket sold, or shall be otherwise provided in writing to each purchaser at the time of sale and shall also include, but not be limited to, date and time of drawing, location of drawing, and name of organization conducting raffle.

(3) No person shall be required to pay, directly or indirectly, more than \$5.00 in order to enter any raffle. After April 15, 1990, each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. No free tickets, or any opportunity to participate in the drawing of any raffle, shall be awarded or given to a person as a prize or reward for selling raffle tickets or for purchasing a certain number of raffle tickets. No person shall be required to obtain more than one ticket or to pay for anything other than the ticket, in order to enter the raffle: Provided, That licensed raffles conducted among members of the organization only, may be conducted using alternative sales methods if specifically authorized by the commission. This authority will be issued on an individual basis and will require a detailed written request.

(4) From October 15, 1988, through April 15, 1990, each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. However, the sponsor may provide to a purchaser of a raffle ticket an opportunity to obtain by random method a discount on such a ticket, including the opportunity to obtain that ticket free, but only if the sponsor maintains records for each book of raffle tickets so that income from the sale of tickets in each book can be audited.

(5) If an entrant is required to be present at a raffle drawing in order to be eligible for the prize drawing, then a statement setting forth this condition shall be set forth conspicuously on each raffle ticket and on all promotional material concerning the raffle. When the participant is not required to be present at the drawing the ticket stub or other detachable section(s) of the ticket shall contain the purchaser's name, complete address, and telephone number, and shall be maintained for a period of not less than three years from the end of the fiscal year in which the raffle was completed.

(6) In conducting a drawing in connection with any raffle, each ticket seller shall return to the licensee the stubs or other detachable section of all tickets sold. The licensee shall then place each stub or other detachable section of each ticket sold into a receptacle out of which the winning tickets are to be drawn. Such receptacle shall be designed so that each ticket placed therein has an equal opportunity with every other ticket to be the one withdrawn. Provided, an alternative drawing format to determine the winning ticket may be utilized if such format is approved by the Director in writing prior to the sale of any ticket. The following requirements must be met prior to utilizing any such alternative drawing format:

(a) The alternative format must meet the definition of a drawing as defined by WAC 230-02-500;

(b) Any alternative format utilized to determine the winners must be closely controlled by the licensee;

(c) The request to utilize an alternative drawing format shall contain, at a minimum, the following information:

(i) The time, date and location of the drawing;

(ii) The type of random selection process to be used and complete details of its operation;

(iii) The name and telephone number of the raffle's manager; and

(iv) The signature of the organization's chief executive officer.

(7) The raffle license issued by the commission or a photostatic copy of the license shall be conspicuously posted and displayed at the location at all times during the occasion when a drawing is being conducted.

#### AMENDATORY SECTION (Amending Order 176, filed 4/13/88)

**WAC 230-20-699 SPECIAL AMUSEMENT GAME LICENSE - TEST AT LIMITED LOCATIONS.** (1) Beginning June 1, 1988, the commission will conduct a twelve month test to determine the feasibility of allowing the operation of electronic crane and other self-dispensing amusement games at selected locations. For the purposes of this test, operators allowed to participate will be divided into three groups:

(a) Those applicants that possess a valid license from the Washington State Liquor Board and prohibit minors on their premises; and

(b) Those locations that are frequented by minors to participate in activities other than the playing of amusement devices, limited to movie theaters, bowling alleys, and miniature golf course facilities; and

(c) Those applicants who operate adult-supervised family amusement centers in enclosed shopping centers which prohibit minors from entry during school hours, maintain full-time personnel whose responsibilities include maintaining security and daily machine maintenance, and which close at the same time as surrounding businesses within enclosed shopping centers.

(2) This test shall be conducted using the following rules and limitations:

(a) Each participant shall be required to obtain a class B through E "special location amusement game" license as set forth in WAC 230-04-201. For the purposes of this test, the operator of the business where the coin operated amusement game(s) is located and operated shall be licensed. If the amusement game(s) is owned by someone other than the premises operator, that person(s) shall also obtain a license;

(b) Licenses issued under this test will not be subject to the limitations as specified in WAC 230-20-380 and WAC 230-12-230;

(c) The maximum fee to play shall be \$1.00 per game at the locations specified in (1)(a) above, and 25 cents at the locations specified in (1)(b) and (c) above;

(d) The operator(s) cost for each merchandise prize offered shall be equal to or greater than the amount wagered per game;

(e) Prior to being put out for play, all games must be submitted to the Commission staff for testing and for ultimate approval by the Commission. Provided: The Director may approve electronic cranes for use in this test that meet the standards set for in WAC 230-20-605 (2)(b);

(f) All games must be equipped with non-resetable "coin-in meters" to measure the gross revenue of each game;

(g) All games must have affixed a certification and identification stamp issued by the Commission. Each stamp shall cost \$30. Any such game located in an area authorized under 1(a), (b), or (c) which does not have this stamp attached, or licensed under this rule, shall be prima facie evidence of an unauthorized game being used and shall subject said game to immediate seizure and forfeiture under RCW 9.46.230;

(h) Such games shall not be subject to the prohibition on revenue sharing set forth in WAC 230-12-220; and

(i) All operators shall complete and submit a "special coin operated amusement game test" report, in a format provided by the Commission, on a monthly basis. This report shall be submitted no later than 15 days following the end of each month:

(3) This test shall expire on May 30, 1989, or at a earlier date if the Commission determines that it is in the public interest: Provided, That for the purposes of this test, effective November 21, 1988, the Commission shall not accept any further applications. At the end of the test period the Commission shall evaluate the test results and determine whether the limited locations contained in WAC 230-20-380 should be expanded for self-dispensing amusement games.

**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 158, filed 6/13/88 [6/13/86])

WAC 230-40-070 LICENSEE TO FURNISH ALL CARDS, CHIPS AND OTHER SERVICES. Each licensee shall furnish the following items and services in connection with all card games conducted on its premises at no additional charge to the players:

(1) Chips. Chips for use in wagering shall be of generally conventional size and design. Chips furnished by a licensee shall be so designed that they are readily identifiable as having been furnished by that particular licensee.

(2) Cards or mah-jongg tiles. The deck, or decks of cards being used at a given table where any poker game is being played shall be changed at a minimum every half hour by the licensee.

Playing cards or mah-jongg tiles furnished shall be of generally conventional size and design. Playing cards or tiles that have been shaved, sanded, cut, carved, or otherwise marked in any manner which may make certain cards or tiles identifiable to players other than as allowed by the rules of the particular game are prohibited.

(3) Bank services. The licensee shall sell its chips to all players desiring to buy them not in excess of any limits set by the commission and redeem all chips at the value for which they were sold. The value at which the various types of chips are sold and redeemed shall be conspicuously posted and visible to each person prior to that person purchasing chips. Money taken in on chips sold shall be kept separate and apart from all other money received by the licensee.

(4) Chips may be sold for cash only and no credit of any nature shall be extended by an operator to a person purchasing chips: Provided, That an operator may accept a ((personal)) check ((written on an account of a person purchasing chips in lieu of cash, but only when the check is complete and in an amount equal to the value of the chips being purchased at that time)) in accordance with WAC 230-12-053. Counter checks are ((not acceptable as a personal check)) prohibited. Each receipt by a person of a quantity of chips from the operator shall be a separate transaction for the purpose of this rule. ((Personal-c)) Checks received for chips ((retained by the operator after close of business)) shall be deposited by the operator not later than the second day following receipt upon which the operator's bank is open for business.((3))

(5) No licensee shall allow any cards or chips not furnished by the licensee on that business day to be used in any card game conducted upon its premises. No licensee shall allow any other person to buy or sell chips for use in card games upon its premises nor provide any other item or service for use in connection with the game.

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

## WSR 88-23-094

## EMERGENCY RULES

## GAMBLING COMMISSION

[Order 185—Filed November 21, 1988]

Be it resolved by the Washington State Gambling Commission, acting at Spokane, Washington, that it does adopt the annexed rules relating to the amending of WAC 230-20-699.

We, the Washington State Gambling 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 there are currently 400 locations in the test. That figure is 100% higher than anticipated. Any more locations would impair the agency's ability to monitor the test and compile an accurate report. It also puts a great strain on current staff levels.

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

This rule is promulgated pursuant to RCW 9.46.070 (11)(14) and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 18, 1988.

By Ronald O. Bailey  
Director

AMENDATORY SECTION (Amending Order 176, filed 4/13/88)

WAC 230-20-699 SPECIAL AMUSEMENT GAME LICENSE - TEST AT LIMITED LOCATIONS. (1) *Beginning June 1, 1988, the commission will conduct a twelve month test to determine the feasibility of allowing the operation of electronic crane and other self-dispensing amusement games at selected locations. For the purposes of this test, operators allowed to participate will be divided into three groups:*

(a) *Those applicants that possess a valid license from the Washington State Liquor Board and prohibit minors on their premises; and*

(b) *Those locations that are frequented by minors to participate in activities other than the playing of amusement devices, limited to movie theaters, bowling alleys, and miniature golf course facilities; and*

(c) *Those applicants who operate adult-supervised family amusement centers in enclosed shopping centers which prohibit minors from entry during school hours, maintain full-time personnel whose responsibilities include maintaining security and daily machine maintenance, and which close at the same time as surrounding businesses within enclosed shopping centers.*

(2) *This test shall be conducted using the following rules and limitations:*

(a) Each participant shall be required to obtain a class B through E "special location amusement game" license as set forth in WAC 230-04-201. For the purposes of this test, the operator of the business where the coin operated amusement game(s) is located and operated shall be licensed. If the amusement game(s) is owned by someone other than the premises operator, that person(s) shall also obtain a license;

(b) Licenses issued under this test will not be subject to the limitations as specified in WAC 230-20-380 and WAC 230-12-230;

(c) The maximum fee to play shall be \$1.00 per game at the locations specified in (1)(a) above, and 25 cents at the locations specified in (1)(b) and (c) above;

(d) The operator(s) cost for each merchandise prize offered shall be equal to or greater than the amount wagered per game;

(e) Prior to being put out for play, all games must be submitted to the Commission staff for testing and for ultimate approval by the Commission. Provided: The Director may approve electronic cranes for use in this test that meet the standards set for in WAC 230-20-605 (2)(b);

(f) All games must be equipped with nonresetable "coin-in meters" to measure the gross revenue of each game;

(g) All games must have affixed a certification and identification stamp issued by the Commission. Each stamp shall cost \$30. Any such game located in an area authorized under 1(a), (b), or (c) which does not have this stamp attached, or licensed under this rule, shall be prima facie evidence of an unauthorized game being used and shall subject said game to immediate seizure and forfeiture under RCW 9.46.230;

(h) Such games shall not be subject to the prohibition on revenue sharing set forth in WAC 230-12-220; and

(i) All operators shall complete and submit a "special coin operated amusement game test" report, in a format provided by the Commission, on a monthly basis. This report shall be submitted no later than 15 days following the end of each month:

(3) This test shall expire on May 30, 1989, or at an earlier date if the Commission determines that it is in the public interest: Provided, That for the purposes of this test, effective November 21, 1988, the Commission shall not accept any further applications. At the end of the test period the Commission shall evaluate the test results and determine whether the limited locations contained in WAC 230-20-380 should be expanded for self-dispensing amusement games.

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

## WSR 88-23-095

## ADOPTED RULES

DEPARTMENT OF COMMUNITY DEVELOPMENT  
(Public Works Board)

[Order 88-08, Resolution No. 86-12—Filed November 22, 1988]

Be it resolved by the Public Works Board, acting at the Holiday Inn, Sea-Tac, 17338 Pacific Highway South, Seattle, WA, that it does adopt the annexed rules relating to loan and financing guarantee contracts as set forth in WAC 399-30-060.

This action is taken pursuant to Notice No. WSR 88-19-107 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 Public Works Board as authorized in RCW 43.155.040.

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

APPROVED AND ADOPTED November 21, 1988.

By Chuck Clarke  
Director

AMENDATORY SECTION (Amending Resolution No. 86-12, filed 8/21/86)

WAC 399-30-060 LOAN AND FINANCING GUARANTEE CONTRACTS. (1) The board shall not sign loan agreements or otherwise financially obligate funds from the public works assistance account until the list and accompanying appropriation are approved by the legislature.

(2) After the legislature has appropriated funds from the public works assistance account for a specific list of public works projects, the loan funds will be disbursed to the applicant local government pursuant to a contract therefor, which will be offered to the local government with such reasonable terms and conditions as the board may determine: PROVIDED, That the amount loaned to a local government shall not exceed ninety percent of eligible proposed project cost: PROVIDED FURTHER, That the funds provided by a local government which are considered local financial participation shall consist of locally generated revenues and/or federal and/or state-shared revenues subject to discretionary allocation by the recipient unit of local government: PROVIDED FURTHER, That the interest rate for loans shall not exceed three percent per annum: PROVIDED FURTHER, That loans may be provided at rates of lower than three percent but greater than one percent if the local government participates to a greater extent than ten percent in financing the project receiving a trust fund loan: PROVIDED FURTHER, That loans shall not exceed twenty years in duration, or the useful life of the improvements, whichever is shorter. Exception to these provisions shall be made only in cases of severe economic distress and/or natural disaster.

(3) Public works project loan and/or financing guarantee agreements offered to local governments shall be formally executed by the local government and the department of community development prior to the disbursement of any funds thereunder.

(4) Public works project loan and/or financing guarantee scope of work forms shall be completed and returned to the department of community development by the local government within ninety days of the date a scope of work form request is initiated.

(5) Public works project loan and/or financing guarantee contracts offered to local governments shall be executed by the local government within ninety days of the date a loan agreement is initiated.

~~((5))~~ (6) Work on public works projects financed through loans or financing guarantees offered to local governments must commence prior to October 1 of the year in which the loan or financing guarantee is offered.

~~((6))~~ (7) Work on public works projects financed through loans or financing guarantees offered to local governments must be completed within twenty-four months of the date work has begun on such projects, unless a written request for extension is approved by the board.

~~((7))~~ (8) Funds expended by local governments on projects financed through loans or financing guarantees by the public works assistance account before an agreement has been formally executed by the local government and the department of community development may not be reimbursed with funds from the public works assistance account. Such funds may be used by the local government as an element in its required local participation in a project financed by the public works assistance account.

Dated: November 21, 1988  
By: Judith Merchant  
for Joseph R. Blum  
Director

STATEMENT OF PURPOSE

Title: WAC 220-130-010 Purpose; 220-130-020 Definitions; and 220-130-070 Project recovery of reimbursable expenses.

Description of Purpose: Provide recovery of reimbursable expenses by volunteer cooperatives.

Statutory Authority: RCW 75.52.035.

Summary of Rule and Reasons Supporting Proposed Action: Identifies capability of volunteer cooperatives to recover expenses associated with food fish and shellfish; defines reimbursable expense and volunteer cooperative project surplus salmon eggs to identify those expenses that are and are not reimbursable and to clarify that department needs supersede project needs; and establishes the method by which projects may recover reimbursable expenses in order to provide accountability and clarify that volunteer cooperatives projects may not realize a profit from egg or carcass sales.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, WA, 586-2429; Implementation: Kahler Martinson, 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.

WSR 88-23-096

PROPOSED RULES

DEPARTMENT OF FISHERIES

[Filed November 22, 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 volunteer cooperative projects;

that the agency will at 10:00 a.m., Wednesday, December 28, 1988, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on January 4, 1988 [1989].

The authority under which these rules are proposed is RCW 75.52.035.

The specific statute these rules are intended to implement is RCW 75.52.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 28, 1988.

AMENDATORY SECTION (Amending Order 85-07, filed 2/1/85)

WAC 220-130-010 PURPOSE. The purpose of this chapter is to establish the procedure for entering into a cooperative agreement between the department and volunteer groups pursuant to chapter 75.52 RCW to increase the food fish and shellfish resources of the state, to provide educational opportunity and improve communication between the department and the public. This procedure includes the method of application, review process, ~~((and))~~ priority of distribution of available supplies and technical support, recovery of reimbursable expenses, and the method of revocation of the agreement and termination of the project, including grounds for such action.

AMENDATORY SECTION (Amending Order 85-07, filed 2/1/85)

WAC 220-130-020 DEFINITIONS. For the purposes of this chapter:

(1) Project means a volunteer fisheries resource project.

(2) Director's designee means the deputy director or the assistant director for resource management having departmental authority over the species being enhanced by the volunteer program.

(3) Reimbursable expense means an actual expense of the volunteer cooperative project that may be reimbursed by the department to the project from funds generated by the sale of surplus salmon eggs and salmon carcasses from that project. Reimbursable expenses include but are not limited to: Fish food; hardware items; lumber; telephone; electricity; salary for hired labor; office supplies; mileage; insurance; fish culture supplies. Nonreimbursable expenses include purchases of items that have certificate of title or ownership, including but not limited to real estate and motor vehicles, or expenses for debt reduction.



(4) Volunteer cooperative project surplus salmon eggs means those viable salmon eggs that are surplus to both the needs of all programs of the department and other public entities within the state and to the volunteer cooperative project itself. Use of viable eggs by the department and other public entities is the highest priority, and project use is second only to departmental and public entity use.

#### NEW SECTION

WAC 220-130-070 PROJECT RECOVERY OF REIMBURSABLE EXPENSES. (1) In order for a project to recover reimbursable expenses, the project must have an annual budget presubmitted and approved by the department. The budget must generally show expected expenses, including the names of all persons expected to draw salaries as hired labor.

(2) The department may sell the products of a project when they are available. The project may not sell products. Nonviable salmon eggs and salmon carcasses shall be sold under competitive bidding. Volunteer cooperative project surplus salmon eggs shall be sold as prescribed by chapter 220-74 WAC, Surplus salmon eggs.

(3) All moneys received by the department from the sale of project products shall be placed into a special account used solely to fund the reimbursable expenses of that project.

(4) The project shall annually submit a list of expenses, which will be reviewed by the director or his designee. The department may require actual receipts for items purchased and will require signed timesheets for hired labor salary expenses.

(5) Reimbursable expenses shall be limited to the actual annual operating expenses of the project. No profit may be realized by the project, and no moneys shall apply to amortization or depreciation.

(6) Moneys accruing in excess of the reimbursable expense amount, as determined by the director, shall annually be remitted to the state general fund.

#### **WSR 88-23-097**

##### **NOTICE OF PUBLIC MEETINGS GRAYS HARBOR COLLEGE** [Memorandum—November 21, 1988]

In compliance with RCW 42.30.075, we hereby file notification of the 1989 regular meeting dates of the board of trustees of Grays Harbor College. All regularly scheduled meetings of the board will be at 8:00 p.m. in the Boardroom of the Administration Building of the college.

The 1989 meeting dates are:

January 23, 1989  
March 20, 1989  
May 15, 1989  
September 18, 1989  
November 20, 1989

#### **WSR 88-23-098**

##### **NOTICE OF PUBLIC MEETINGS HUMAN RIGHTS COMMISSION** [Memorandum—November 21, 1988]

The Washington State Human Rights Commission will hold its next regular commission meeting in Seattle. The meeting on December 15, will be held at the Library for the Blind and Physically Handicapped, 821 Lenora Street, Seattle, beginning at 6:00 p.m. and will be a training and work session. The commissioners will also discuss disability/accessibility during the evening session beginning at 7:00 p.m. The regular business meeting will

be held at the Port of Seattle, Third Floor Commission Chambers, Pier 66, Seattle, beginning at 9:30 a.m. on December 16. The topics of discussion for the December meeting will be AIDS – A Human Rights Issue and Disability/Accessibility.

#### **WSR 88-23-099**

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

[Memorandum—November 21, 1988]

The Design Committee of the Washington State Convention and Trade Center will meet on Wednesday, December 14, 1988, at 11:00 a.m., at the Washington State Convention and Trade Center, Room 601, 800 Convention Place, in downtown Seattle.

The board of directors of the Washington State Convention and Trade Center will meet on Wednesday, December 14, 1988, at 3:00 p.m., at the location noted above.

#### **WSR 88-23-100**

##### **ADOPTED RULES LIQUOR CONTROL BOARD**

[Order 261, Resolution No. 270—Filed November 22, 1988]

Be it resolved by the Washington State Liquor Control Board, acting at the Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, that it does adopt the annexed rules relating to Service limited to license and order—Removal of liquor in open containers—Room service—Price list, WAC 314-16-040.

This action is taken pursuant to Notice No. WSR 88-21-069 filed with the code reviser on October 17, 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 November 22, 1988.

By L. H. Pedersen  
Chairman

##### **AMENDATORY SECTION (Amending Order 228, Resolution No. 237, filed 9/29/87)**

WAC 314-16-040 SERVICE LIMITED TO LICENSE AND ORDER—REMOVAL OF LIQUOR IN OPEN CONTAINERS—ROOM SERVICE—PRICE LIST. (1) No retail licensee shall possess or allow any person to consume or possess any liquor other

than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control except under authority of a banquet permit; however, a restaurant licensee holding a class C or H license may, with or without a corkage fee, allow patrons to bring wine into the premises for consumption with a meal.

(2) Beer and/or wine only licensees may keep spirituous liquor on the premises for use in the manufacture of confection or food products provided that prior written permission of the board is obtained, all confection or food products manufactured contain one percent or less of alcohol by weight, and customers are made aware that such confection or food products contain liquor and the alcohol content is one percent or less of the weight of the product.

(3) No retail licensee or employee thereof shall permit the removal of any liquor in an open container from the licensed premises except that liquor brought on a licensed premises under authority of a banquet permit shall be recorked, recapped or resealed in its original container and shall be removed at the termination of such banquet permit function. Further, wine may be removed as authorized by RCW 66.24.340 and 66.24.400.

(4) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(5) ~~((Hotel room service is included in on-premises licenses))~~ When a hotel and restaurant are located in the same building or in adjoining buildings and owned by the same person or entity, room service may be provided to the hotel patrons. When the restaurant and hotel are under separate ownership, room service is authorized only when a limited lease or agreement for that purpose has been submitted to and approved by the board.

(6) No licensee shall sell or serve any spirituous liquor, beer, or wine other than ordered, or substitute a nonalcoholic beverage when an alcoholic beverage has been ordered. A Class H licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(7) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, unless the name of such drink is prefaced by the word "wine," such as Wine Old Fashioned. The holder of a Class C license may advertise for sale, mix, compound or sell upon order, mixed drinks made from one or more wines under a name which does not conflict with this section.

## WSR 88-23-101

## ADOPTED RULES

## LIQUOR CONTROL BOARD

[Order 270, Resolution No. 279—Filed November 22, 1988]

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

Amd WAC 314-16-160 Records—Purchases—Reports.  
Amd WAC 314-20-090 Cash sales. (Delivery of beer.)  
Amd WAC 314-24-170 Cash sales. (Delivery of wine.)

This action is taken pursuant to Notice No. WSR 88-21-070 filed with the code reviser on October 17, 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 November 22, 1988.

By L. H. Pedersen  
Chairman

AMENDATORY SECTION (Amending Order 210, Resolution No. 219, filed 1/27/87)

WAC 314-16-160 RECORDS—PURCHASES—REPORTS. (1) The originals or copies of all purchase invoices and other memoranda covering all purchases of liquor by retail licensees showing (a) items purchased, (b) quantities thereof, (c) from whom purchased, and (d) purchase date, shall be kept for at least two years after each purchase, and shall be filed separately and kept apart from all other records, and as nearly as possible shall be filed in consecutive order and each month's records kept separate so as to render the same readily available for inspection and copying. All canceled checks, bank statements and books of account covering or involving the purchase of liquor, and all memoranda, if any, showing payment of money for liquor other than by check, shall be likewise preserved for two years and shall be at all times kept available for inspection and copying.

(2) No retail licensee shall buy or accept delivery of liquor except for cash paid at the time of the delivery thereof: PROVIDED, That ((in individual and particular cases, upon consent of the board first had and obtained, in writing;)) a retail licensee may pay cash prior to delivery of liquor purchased. Failure by licensees to keep accurate accounting records which result in the extension of or receipt of credit from a manufacturer, importer, or wholesaler through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

(3) A retail licensee shall purchase beer from a beer wholesaler pursuant to RCW 66.28.070 and shall purchase wine from a state liquor store or agency or from a duly licensed wholesaler except as provided in chapter 314-70 WAC. All beer purchased must be at the posted price in accordance with WAC 314-20-100 and all wine purchased must conform to the posted price as filed under WAC 314-24-190. No retail licensee may return wine to a wine wholesaler except in accordance with the provisions of WAC 314-24-210, nor shall any retail licensee return beer to a beer wholesaler except in accordance with the provisions of WAC 314-20-070.

(4) Prior to license delivery, a new beer and/or wine licensee or transferee may, with board authorization, be sold beer and/or wine for the purpose of stocking the premises. No retail sale of beer and/or wine shall take place until the applicant premises have been inspected by the board and the liquor license is delivered.

(5) Each retail licensee shall keep books and records which will clearly reflect all financial transactions and the financial condition of the business.

(6) Any retail licensee may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.
- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing and reproduction of such records the same as if they were the original records.

(7) If a retail licensee keeps records within an automatic data processing (ADP) system, the system must include a method for producing from punchcards or from other machine-sensible data media legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If printouts of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application and the controls used to ensure accurate and reliable processing.

(8) All Class H licensees in addition to the requirements of subsection (1) of this section shall at all times:

(a) Maintain records of all purchases for the premises, including liquor, food and supplies. The purchases supported by supplier invoices or signed vouchers are to be segregated as to type and recorded.

(b) Maintain records of all sales in the premises from all sources including liquor, food and miscellaneous items and service. Individual sales are to be recorded on sales slips or cash register tape in such a manner to indicate the source of revenue and the records are to be filed for future audit purposes. Sales segregated as to source of revenue are to be recorded.

(c) Preserve for a period of two years the records described in subsections (6), (7), and (8)(a) and (b) of this section.

(d) Make such periodic reports to the board covering purchases, sales and inventory of liquor, food and supplies as may be prescribed or requested by the board.

(e) Keep available for inspection and copying by the board and/or its accredited representatives all books and records relative to purchases, sales and inventories of liquor, food and supplies.

AMENDATORY SECTION (Amending Order 24, filed 6/28/73)

WAC 314-20-090 CASH SALES. No beer wholesaler nor brewer or beer importer holding a beer wholesaler's license shall sell or deliver beer to any retailer except for cash paid at the time of the delivery thereof: PROVIDED, That ((in individual and particular cases, upon consent of the board first had and obtained, in writing,)) cash may be paid prior to the delivery of beer sold to any retailer. Failure by licensees to keep accurate accounting records which result in the extension of credit, in violation of RCW 66.28.010 through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

AMENDATORY SECTION (Amending Order 24, filed 6/28/73)

WAC 314-24-170 CASH SALES. No wine wholesaler shall sell or deliver any wine to any retailer within the state except for cash paid at the time of the delivery of such wine: PROVIDED, That ((in individual and particular cases, upon consent of the board first had and obtained, in writing,)) cash may be paid prior to the delivery of wine sold to any retailer. Failure by licensees to keep accurate accounting records which result in the extension of credit, in violation of RCW 66.28.010 through the use of a prior cash deposit which is overextended may result in administrative action being taken against the liquor license.

**WSR 88-23-102**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed November 22, 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 388-33-376 Advance and adequate notice—Suspension—Termination—Redirection of grant.
- Amd WAC 388-38-045 Applicant responsibility for providing information.
- Amd WAC 388-38-172 Application denied or withdrawn—Notice;

that the agency will at 10:00 a.m., Tuesday, January 10, 1989, 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 January 11, 1989.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.08 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 10, 1989.

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 December 27, 1988. The meeting site is in a location which is barrier free.

Dated: November 22, 1988  
By: Leslie F. James, Director  
Administrative Services

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-33-376, 388-38-045 and 388-38-172.

**Purpose of the Rule Change:** To meet the requirements of the predetermination settlement agreement and amendment regarding translated written communications.

**Reason These Rules are Necessary:** To provide instructions regarding translation of written communications.

**Statutory Authority:** RCW 74.08.090.

**Summary of the Rule Change:** The predetermination settlement agreement and amendment require written notices be provided to limited English proficient clients in their primary language whenever there will be a change in their benefits.

**Person Responsible for Drafting, Implementation and Enforcement of this Rule:** Cynthia Mund, Program Manager, Limited English Proficiency Coordinator, Financial and Administrative Services, phone 586-4287, mailstop OB-31D.

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

#### AMENDATORY SECTION (Amending Order 2369, filed 5/1/86)

WAC 388-33-376 ADVANCE AND ADEQUATE NOTICE—SUSPENSION—TERMINATION—REDUCTION OF GRANT. (1) In cases of planned actions to terminate, suspend, or reduce grants to recipients of AFDC, GA, medical assistance, or medical only, the department shall give advance and adequate notice, except as provided in WAC 388-33-385.

(a) "Advance" means that the notice is mailed at least ten days before the date of action.

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

(2) The department shall fully translate advance and adequate notice into the primary language of the limited English proficient recipient/enrollee.

(3) When advance notice of planned action is not required as provided in WAC 388-33-385:

(a) Notification of planned reduction shall be provided by state office;

(b) The local office shall notify the recipient of suspension or termination action as described in subsection (1)(b) of this section.

~~((3))~~ (4) When changes in either state or federal law require automatic grant adjustments for classes of recipients, notice shall be given including the specific change in law. The state office shall determine the method by which notice is given.

#### AMENDATORY SECTION (Amending Order 2380, filed 5/21/86)

WAC 388-38-045 APPLICANT RESPONSIBILITY FOR PROVIDING INFORMATION. (1) Each applicant must complete and submit application forms as provided in WAC 388-38-040, including other statements in support of application as provided in WAC 388-38-200.

(2) The applicant shall be allowed a reasonable time of not less than ten calendar days to provide statements in support of the application. The department shall fully translate written requests for additional information into the primary language of limited English proficient applicants. The department shall extend the time when:

(a) The applicant has provided some, but not all, of the available information. In such cases, the applicant shall be provided written notification of the specified information still required and shall be allowed an additional ten calendar days, or a longer time depending upon the specific circumstances; or

(b) The department, having previously completed the initial interview or requested specific information, subsequently determines the need for different or additional information. In such cases, the applicant shall be provided written notification of the specific additional information required and be allowed an additional ten calendar days, or a longer time depending upon the specific circumstances; or

(c) The applicant, at any time prior to disposal action as provided in WAC 388-38-120, reasonably requests, orally or in writing, additional time to provide statements in support of the application.

(3) When the applicant fails to provide requested statements within the initially specified or extended period, as provided in subsection (2) of this section, the department shall:

(a) Evaluate all available information, and

(b) Determine eligibility for financial assistance according to applicable rules in WAC 388-38-120.

#### AMENDATORY SECTION (Amending Order 2380, filed 5/21/86)

WAC 388-38-172 APPLICATION DENIED OR WITHDRAWN—NOTICE. ~~((Written notice))~~ The department shall ((be given)) give written notice to an individual whose application for assistance is denied or withdrawn, except for a withdrawal due to an applicant's death. The department shall fully translate the written notice of denial or withdrawal into the primary language of limited English proficient applicants. The notice shall include the following information:

(1) The basis for the decision ~~((including))~~ shall include the reason or reasons for denial and the rules ((supporting)) to support such action.

(2) For applications denied according to WAC 388-38-120 (2)(b)(i), the notice must state:

(a) What ~~((specified))~~ information was requested and not provided including the date of the request;

(b) That, based upon information provided by the applicant, eligibility for financial assistance has not been established; and

(c) That, if the applicant, within thirty days from the date of the denial notice, provides all specified information requested and not provided and the applicant's circumstances have not changed, the department will redetermine eligibility and, if eligibility is established, rescind the denial and approve assistance.

~~((2))~~ (3) The date of the decision.

~~((3))~~ (4) The right to a fair hearing. The letter need not include notice of right to a fair hearing when the applicant gives written notice of withdrawal including a statement to that effect on his or her application.

**WSR 88-23-103**  
**PROPOSED RULES**  
**INSURANCE COMMISSIONER**  
 [Filed November 22, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to adopt, amend, or repeal rules concerning the special liability insurance reports required to be made by insurers with respect to medical malpractice, products liability, attorneys' malpractice, architects' and engineers' malpractice, municipal liability and day care center liability, by amending WAC 284-07-010, 284-07-014 and 284-07-024 and adding a new section to chapter 284-07 WAC;

that the agency will at 10:00 a.m., Wednesday, December 28, 1988, in the Insurance Commissioner's Office, 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 and 48.05.380.

The specific statute these rules are intended to implement is RCW 48.05.380 and 48.30.390 [48.05.390].

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 28, 1988. Mailing address: Insurance Building, AQ-21, Olympia, WA 98504-0321.

Dated: November 21, 1988

By: Robert E. Johnson  
 Deputy Commissioner

**STATEMENT OF PURPOSE**

Title: Amending WAC 284-07-010, 284-07-014 and 284-07-024, and adding a new section to chapter 284-07 WAC, all pertaining to special liability insurance reports required to be made by insurers.

The statutory authority for the proposed action is RCW 48.05.380 to effectuate that statute and RCW 48.05.390. Those statutes have required insurers authorized to write property and casualty insurance to record and report Washington state loss and expense experience with respect to policies pertaining to: Medical malpractice for physicians and surgeons; malpractice for hospitals; malpractice for other health care professions; malpractice for other health care facilities; products liability; attorneys' malpractice; architects' and engineers'

malpractice; municipal liability; and day care center liability.

RCW 48.05.390 was amended in 1988 so that the necessary reports will be required to be filed with the commissioner no later than the first day of May of each year, for the preceding calendar year, instead of as an addendum to the annual statement required of insurers by March first of each year. The additional time will make it easier for the insurance companies to compile and report accurate information. The proposed changes to chapter 284-07 WAC reflect this change and also modify the forms to be used by insurers so that better and more useful information will be provided to the commissioner. Reports for the 1988 calendar year will be due no later than May 1, 1989.

The new forms will permit insurers to report all nine types of insurance on the same sheet of paper. Instead of eighteen pages from each company, they will submit three. The new forms will require the insurer to name a contact person so the commissioner's staff can more easily follow up when there are problems with a company's reports.

Other reasons for the changes include the giving of more detailed instructions on the forms themselves so that the ease of completing them and the quality of the data are enhanced, amounts are to be reported in thousands of dollars which will save time and avoid dealing with insignificant amounts, and the forms will be able to be used each year without future revision by the commissioner.

Lee Barclay, Actuary, (206) 586-3685 and David Rodgers, Chief Deputy Insurance Commissioner, (206) 753-7302, were responsible for drafting the proposed changes, which will be implemented and enforced under their supervision.

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 federal or state court action.

Small Business Economic Impact Statement: The proposed changes carry out the legislative mandate that insurers record and report their Washington state loss and expense experiences and related data with respect to the lines of insurance identified in RCW 48.05.390. Such expenses as are imposed upon insurers result from the decision of the legislature, with which the commissioner concurs, that such information is essential and to be furnished. The existing and proposed rules simply carry out the mandate. The cost per employee or per hour of labor for a large or small business as a result of the proposed changes is estimated at zero. The cost to an insurer will not be affected by the fact that an insurer has more or less than fifty employees, and there is no basis for treating a "small business" differently from one with more than fifty employees.

AMENDATORY SECTION (Amending Order R 87-2, filed 2/11/87)

WAC 284-07-010 SPECIAL LIABILITY INSURANCE REPORT REQUIRED ~~((AS ADDENDUM TO ANNUAL STATEMENT))~~ ANNUALLY. (1) Pursuant to RCW 48.05.380, each insurer authorized to write property and casualty insurance in the state of

Washington shall record and report its Washington state loss and expense experience and other data, as required by RCW 48.05.390, on Form A (~~and~~), Form B, and Form C, as set forth in WAC 284-07-014 (~~and~~), 284-07-024, and 284-07-026, respectively.

~~(2) ((Form A shall be used with respect to the annual liability insurance summary report and Form B shall be used with respect to the annual liability insurance closed claim report by incurred year. A combination of Form A and Form B shall be used separately for each of the following types of insurance written by an insurer for policies pertaining to:~~

- ~~(a) Medical malpractice for physicians and surgeons;~~
- ~~(b) Malpractice for hospitals;~~
- ~~(c) Malpractice for other health care professions;~~
- ~~(d) Malpractice for other health care facilities;~~
- ~~(e) Products liability, which shall include both products and completed operations;~~
- ~~(f) Attorneys' malpractice;~~
- ~~(g) Architects' and engineers' malpractice;~~
- ~~(h) Municipal liability, which shall include all classes of local government entities; and~~
- ~~(i) Day care center liability.))~~ Each such insurer shall complete the forms in accordance with the definitions and instructions on the forms.

~~(3) ((The report on Forms A and B, as required for each type of insurance written by an insurer, shall be included as an addendum to each annual statement required by RCW 48.05.250, beginning with the year-end report for the reporting period ending December 31, 1986. The due date for the first such report is March 1, 1987.))~~ Each such insurer shall submit these reports to the insurance commissioner annually. Reports covering the period ending December 31 of each year must be submitted no later than May 1 of the following year.

AMENDATORY SECTION (Amending Order R 87-2, filed 2/11/87)

WAC 284-07-014 FORM A ((TO BE USED FOR 1986 ANNUAL SUMMARY REPORT)) FOR LOSS AND EXPENSE EXHIBIT.

(( \_\_\_\_\_  
Type of insurance \_\_\_\_\_ Name of company and CIC number \_\_\_\_\_  
Sec WAC 284-07-010(2)

STATE OF WASHINGTON  
LIABILITY INSURANCE SUMMARY REPORT  
YEAR 1986

(As required by RCW 48.05.380 and 48.05.390)

Due date is March 1, 1987 \_\_\_\_\_ Must be filed with annual statement

ALL DATA TO BE REPORTED ON DIRECT BASIS - WASHINGTON EXPERIENCE ONLY

1. Premiums written .....	\$ _____
2. Premiums earned .....	_____
3. Losses incurred* (paid losses plus change in loss reserves including incurred but not reported reserves) .....	\$ _____
4. Loss adjustment expense incurred (include both allocated and unallocated loss adjustment expenses) .....	_____
5. Commission and brokerage incurred .....	\$ _____
6. Other acquisition, field supervision and collection expense incurred .....	_____
7. General expenses incurred .....	_____
8. Taxes, licenses and fees incurred .....	_____
9. Total expenses incurred (sum of Items 5, 6, 7 and 8) .....	\$ _____
10. UNDERWRITING GAIN (OR LOSS) (Item 2 less Items 3, 4 and 9) .....	\$ _____
11. Investment income (less investment expenses including net realized capital gains, and other income) .....	_____
12. Dividends to policyholders .....	_____
13. NET OPERATING GAIN (OR LOSS) (Item 10 plus Item 11 less Item 12) .....	\$ _____

\*Include only losses chargeable against Washington premiums.))

STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

Form A

State of Washington Loss and Expense Exhibit for Calendar Year \_\_\_\_\_

COMPANY NAME \_\_\_\_\_ NAIC GROUP CODE: \_\_\_\_\_  
 CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_ NAIC COMPANY CODE: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 CITY/STATE/ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

PREMIUMS, LOSSES EXPENSES AND NET INCOME (Amounts in thousands of dollars.)	MEDICAL MALPRACTICE				PRODUCTS LIABILITY 5	ATTORNEYS MALPRACTICE 6	ARCHITECTS & ENGINEERS MALPRACTICE 7	MUNICIPAL LIABILITY 8	DAY CARE CENTER LIABILITY 9
	PHYSICIANS & SURGEONS 1	HOSPITALS 2	OTHER HEALTH CARE PROFESSIONS 3	OTHER HEALTH CARE FACILITIES 4					
1 Direct Premiums Written .....									
2 Direct Premiums Earned .....									
3a Direct Losses Paid .....									
3b Change in Direct Case Reserves .....									
3c Change in Direct IBNR Reserve .....									
3d Direct Losses Incurred: 3a+3b+3c .....									
4 Direct Loss Adjustment Expense Incurred .....									
5 Direct Commission and Brokerage Incurred .....									
6 Other Acquisition, Field Supervision and Collection Expenses Incurred .....									
7 General Expenses Incurred .....									
8 Taxes, Licenses and Fees Incurred .....									
9 Total Expenses Incurred: 4+5+6+7+8 .....									
10 Net Investment Gain or Loss and Other Income (including net realized capital gain or loss) .....									
11 Dividends to Policyholders .....									
12 Net income before federal and foreign income taxes: (2+10) - (3d+9+11) .....									

Enter premium, loss and expense data allocable to Washington insureds only. The format of this form is identical to the Insurance Expense Exhibit, Part IIA, filed with the statutory annual statement, except that all items must be adjusted to a direct basis and components of incurred losses must be shown (Lines 3a, 3b and 3c). Otherwise, the same adjustments, assumptions and formulas used to complete the Insurance Expense Exhibit should be used for this exhibit. The Medical Malpractice sublines should be as defined for Supplement A to Schedule T of the statutory annual statement. The Products Liability subline should be as defined for the Products Liability Insurance Supplement to the statutory annual statement. The other sublines should be defined using appropriate statistical coding for policies with specific premium charges for such coverages or with an indivisible premium for which at least 50% of the loss coverage is for one of these liability sublines. Municipal Liability refers to coverage for all classes of local government entities.

"Direct Premium" includes additional premium billings, return premiums, audit and retrospective adjustments but does not include reinsurance transactions. "Direct Losses" includes salvage, subrogation and other recoveries but not reinsurance losses ceded or assumed.

"Losses Incurred" must be calculated as losses paid plus the change in losses unpaid (including incurred but not reported claims) from the beginning of the calendar year to the end of the year.

Attach a brief memorandum explaining how these items have been allocated to Washington.

This exhibit is required by RCW 48.05.380 and .390. It must be filed not later than May 1 for the preceding calendar year.

Send completed exhibit to: Property/Casualty Actuary, Office of Insurance Commissioner, Insurance Building, Olympia, WA 98504.



AMENDATORY SECTION (Amending Order R 87-2, filed 2/11/87)

WAC 284-07-024 FORM B ((TO BE USED FOR 1986 CLOSED CLAIM REPORTS)) FOR REPORTING PAID AND UNPAID LOSSES.

(( \_\_\_\_\_  
 Type of insurance \_\_\_\_\_ Name of company and CIC number  
 See WAC 284-07-010(2)

STATE OF WASHINGTON  
 LIABILITY INSURANCE CLOSED CLAIM REPORT - BY INCURRED YEAR  
 INCLUDE ALL CLAIMS CLOSED IN 1986  
 WASHINGTON EXPERIENCE ONLY

YEAR 1986

Due date is March 1, 1987 - Must be filed with annual statement  
 All data to be reported on direct basis - Include only payments to claimants  
 As required by RCW 48.05.390 (2)(h) and (i)

INCURRED YEAR*	CLAIMS CLOSED WITH PAYMENT		CLAIMS CLOSED WITHOUT PAYMENT		
	Number	Dollar** Amount	Amount*** Reserved	Number	Amount*** Reserved
1986					
1985					
1984					
1983					
1982					
1981					
1980 and before					
TOTALS		\$	\$		\$

\* The year in which the incident giving rise to a claim occurred (same as "occurrence year" or "accident year").  
 \*\* The total amount of indemnity paid on the given claims. Exclude loss adjustment expense. Include all claims closed in 1986 with payment, whether such payments were made in 1986 or prior years.  
 \*\*\* The sum of the amounts initially reserved for the given claims. Exclude reserves for loss adjustment expenses.)

STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

Form B

State of Washington Report Year Exhibit as of December 31, \_\_\_\_\_

**PAID AND UNPAID LOSSES**

COMPANY NAME \_\_\_\_\_ NAIC GROUP CODE: \_\_\_\_\_  
 CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_ NAIC COMPANY CODE: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 CITY/STATE/ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

YEAR IN WHICH CLAIM WAS FIRST REPORTED TO INSURER		MEDICAL MALPRACTICE				PRODUCTS LIABILITY 5	ATTORNEYS MALPRACTICE 6	ARCHITECTS & ENGINEERS MALPRACTICE 7	MUNICIPAL LIABILITY 8	DAY CARE CENTER LIABILITY 9
		PHYSICIANS & SURGEONS 1	HOSPITALS 2	OTHER HEALTH CARE PROFESSIONS 3	OTHER HEALTH CARE FACILITIES 4					
	Paid									
	Unpaid									
	Paid									
	Unpaid									
	Paid									
	Unpaid									
	Paid									
	Unpaid									
	Paid									
	Unpaid									
	Paid									
	Unpaid									
	Paid									
	Unpaid									

In the left column, enter the last nine calendar years, from earliest to latest. Losses are to be sorted by the calendar year in which each claim was first reported to the insurer. Report cumulative payments and outstanding losses as of December 31 of the latest year. Please inspect the reported amounts for consistency with the amounts shown on the previous year's report, in which losses were evaluated as of the previous year-end.

Enter paid and unpaid loss amounts attributable to Washington insureds only. Report amounts in thousands of dollars. The Medical Malpractice sublines should be as defined for Supplement A to Schedule T of the statutory annual statement. The Products Liability subline should be as defined for the Products Liability Insurance Supplement to the statutory annual statement. The other sublines should be defined using appropriate statistical coding for such coverages. Municipal Liability refers to coverage for all classes of local government entities.

Paid and unpaid losses are to be reported on a direct basis, including salvage, subrogation and other recoveries but not reinsurance losses ceded or assumed. Reserves for incurred but not reported losses should be excluded.

This exhibit is required by RCW 48.05.380 and .390. It must be filed not later than May 1 for losses evaluated as of December 31 of the preceding year.

Send completed exhibit to: Property/Casualty Actuary, Office of Insurance Commissioner, Insurance Building, Olympia, WA 98504.

WS (9/88) -1436-3

NEW SECTION

WAC 284-07-026 FORM C FOR REPORTING CLOSED AND OPEN CLAIMS.

STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

Form C

State of Washington Report Year Exhibit as of December 31, \_\_\_\_\_

CLOSED AND OPEN CLAIMS

COMPANY NAME: \_\_\_\_\_ NAIC GROUP CODE: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_ NAIC COMPANY CODE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

YEAR IN WHICH CLAIM WAS FIRST REPORTED TO INSURER		MEDICAL MALPRACTICE				PRODUCTS LIABILITY 5	ATTORNEYS MALPRACTICE 6	ARCHITECTS & ENGINEERS MALPRACTICE 7	MUNICIPAL LIABILITY 8	DAY CARE CENTER LIABILITY 9
		PHYSICIANS & SURGEONS 1	HOSPITALS 2	OTHER HEALTH CARE PROFESSIONS 3	OTHER HEALTH CARE FACILITIES 4					
	Closed with Payment									
	Closed without Payment									
	Open									
	Closed with Payment									
	Closed without Payment									
	Open									
	Closed with Payment									
	Closed without Payment									
	Open									
	Closed with Payment									
	Closed without Payment									
	Open									
	Closed with Payment									
	Closed without Payment									
	Open									
	Closed with Payment									
	Closed without Payment									
	Open									

In the left column, enter the last nine calendar years, from earliest to latest. Claims are to be sorted by the calendar year in which each claim was first reported to the insurer. Report cumulative closed claim counts and open claim counts as of December 31 of the latest year. Please inspect the reported counts for consistency with the counts shown on the previous year's report. Except in unusual circumstances, the total number of reported claims for each year should be the same as shown on the previous year's report.

Enter the number of claims attributable to Washington insureds only. The Medical Malpractice sublines should be as defined for Supplement A to Schedule T of the statutory annual statement. The Products Liability subline should be as defined for the Products Liability Insurance Supplement to the statutory annual statement. The other sublines should be defined using appropriate statistical coding for such coverages. Municipal Liability refers to coverage for all classes of local government entities.

All claim counts are to be reported on a direct basis.

This exhibit is required by RCW 48.05.390 and .390. It must be filed not later than May 1 for claim counts evaluated as of December 31 of the preceding year.

Send completed exhibit to: Property/Casualty Actuary, Office of Insurance Commissioner, Insurance Building, Olympia, WA 98504.

DNS (9 88) -1430-



**WSR 88-23-104**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed November 22, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning new sections WAC 308-177-110, 308-177-120, 308-177-130, 308-177-140 and 308-177-150;

that the agency will at 10:00 a.m., Thursday, December 29, 1988, in the Examination Center, Department of Licensing, 1300 Quince Street S.E., Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 18.138.070.

The specific statute these rules are intended to implement is RCW 18.138.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 29, 1988.

Dated: November 22, 1988

By: Martha A. French  
 Assistant Attorney General

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To establish certification, renewal and reinstatement requirements and fees for dietitians and nutritionists.

Statutory Authority: RCW 18.138.070.

Summary of Rules: WAC 308-177-110 Dietitian and nutritionist fees; 308-177-120 Application requirements for dietitian and nutritionists; 308-177-130 Nutritionist minimum educational core curriculum requirement; 308-177-140 Certification renewal registration date; and 308-177-150 Continuing education.

Reason Proposed: To implement chapter 18.138 RCW.

Departmental Personnel: In addition to the Department of Licensing, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: John Swannack, Assistant Director, 1300 Quince S.E., Olympia, WA 98504, 234-2241 scan, 753-2241 comm.

Proponents: The director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as the term is defined by RCW 43.31.920.

NEW SECTION

WAC 308-177-110 DIETITIAN AND NUTRITIONIST FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

TITLE	FEE
Application	\$75.00
Renewal	65.00
Late renewal	25.00
Certification	25.00
Duplicate	15.00

NEW SECTION

WAC 308-177-120 APPLICATION REQUIREMENTS. (1) Individuals applying for certification as a certified dietitian must submit:

- (a) A completed application form with fee;
- (b) Verification of current registration status with the commission on dietetic registration; and
- (c) Verification of AIDS education and training as set forth in WAC 308-177-100.

(2) Individuals applying for certification as a certified nutritionist must submit:

- (a) A completed application form with fee; and
- (b) Verification of current registration status with the commission on dietetic registration; or
- (c) Verification of a master's or doctorate degree from a college or university accredited by a recognized regional accrediting agency;
- (d) Documentation of completion of the coursework outlined in WAC 308-177-130; and
- (e) Verification of AIDS education and training as set forth in WAC 308-177-100.

NEW SECTION

WAC 308-177-130 NUTRITIONIST MINIMUM CORE CURRICULUM. Training for certified nutritionist shall include coursework at the collegiate level or equivalent in the following areas:

- (1) Basic science - Which shall include one or more of the following:
  - (a) Physiology.
  - (b) Biochemistry.
- (2) Foods - Which shall include one or more of the following:
  - (a) Selection.
  - (b) Composition.
  - (c) Food science.
- (3) Nutritional science.
- (4) Applied nutrition - Which shall include one or more of the following:
  - (a) Diet therapy.
  - (b) Nutrition of the life cycle.
  - (c) Cultural/anthropological nutrition.
  - (d) Public health nutrition.
- (5) Counseling/education - Which shall include one or more of the following:
  - (a) Psychological counseling.
  - (b) Educational psychology.
  - (c) Communication.
  - (d) Psychology.
  - (e) Education.

NEW SECTION

WAC 308-177-140 CERTIFICATION RENEWAL REGISTRATION DATE. (1) The annual certification renewal date will coincide with the individual's birth anniversary date.

(2) Failure to pay the renewal fee on or before the expiration date will invalidate the certification. An individual may reinstate the certificate by written application to the department, payment of a single late renewal penalty fee and payment of all delinquent renewal fees.

(3) Dietitians and nutritionists who fail to renew their certifications for a period of three years will be required to reapply.

NEW SECTION

WAC 308-177-150 CONTINUING EDUCATION. The director may develop rules requiring applicants to complete continuing education activities.

**WSR 88-23-105****PROPOSED RULES****DEPARTMENT OF LICENSING****(Board of Funeral Directors and Embalmers)**

[Filed November 22, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Funeral Directors and Embalmers of the State of Washington, intends to adopt, amend, or repeal rules concerning AIDS prevention and information education requirements, new section WAC 308-48-350;

that the agency will at 10:00 a.m., Tuesday, January 17, 1988 [1989], in the Regional Office, Department of Licensing, 464 12th Avenue, Suite 300, 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 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 January 16, 1989.

This notice is connected to and continues the matter in Notice No. WSR 88-19-050 filed with the code reviser's office on September 14, 1988.

Dated: November 21, 1988

By: Terry Noeth

Assistant Attorney General

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Board of Funeral Directors and Embalmers.

Purpose: To establish procedures for implementation of AIDS prevention and information education requirements for health care professions under the director's authority.

Statutory Authority: RCW 70.24.270.

Responsible Departmental Personnel: In addition to the Board of Funeral Directors and Embalmers, departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Olivia Guebara, Assistant Program Manager, Professional Programs Management Division, 1300 Quince Street S.E., P.O. Box 9012, Olympia, WA 98504, phone (206) 753-3199 comm, 234-3199 scan.

Proponents: The Washington State Board of Funeral Directors and Embalmers.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses.

NEW SECTION

WAC 308-48-350 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 or apprenticeship registration. Effective January 1, 1990 persons applying for licensure or apprenticeship registration shall submit evidence to show compliance with the education requirements of subsection (4).

(3) Renewal of licenses or apprenticeship registration. Effective with the renewal period beginning January 1, 1990, ending December 31, 1990, all persons making application for licensure renewal or apprenticeship registration shall submit evidence to show compliance with the education requirements of subsection (4).

(4) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the Office on AIDS. Such education and training shall be a minimum of four and one half (4.5) clock hours and shall include, but is not limited to, the following: prevention, transmission and treatment of AIDS.

(b) Implementation. Effective January 1, 1990, the requirement for licensure, apprenticeship registration, renewal, or reinstatement of any license or apprenticeship 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.

(5) Continuing education. The AIDS education requirement may be counted towards the fulfillment of the continuing education requirement.

**WSR 88-23-106****ADOPTED RULES****COUNCIL ON HEARING AIDS**

[Order PM 797—Filed November 22, 1988]

Be it resolved by the Washington State Council on Hearing Aids, acting at West Coast Hotel at Sea-Tac, Seattle Room, 18220 Pacific Highway South, Seattle, WA, that it does adopt the annexed rules relating to AIDS prevention and information education requirements, new section WAC 308-50-500.

This action is taken pursuant to Notice No. WSR 88-20-060 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 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 November 14, 1988.  
By Roger Stimbart  
Chairperson

WSR 88-23-107  
EMERGENCY RULES  
DEPARTMENT OF LICENSING  
[Order PM 800—Filed November 22, 1988]

### NEW SECTION

#### WAC 308-50-500 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 July 1, 1989 persons who submit an application for a license to fit/dispose hearing aids or who submit an application for a trainee permit shall submit, prior to being granted a license and in addition to the other requirements for licensure, evidence to show compliance with the educational requirements of subsection (4).

(3) Renewal of licenses. Effective with the renewal period beginning July 1, 1989 and ending June 30, 1990, all persons making application of licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of subsection (4).

##### (4) AIDS education and training.

(a) Acceptable education and training. The council will accept education and training that is consistent with the topical outline available from the Office on AIDS. Such education and training shall be a minimum of four (4) clock hours regarding the prevention, transmission and treatment of AIDS, and may 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 July 1, 1989, the requirement for licensure, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall show evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The licensee or applicant for licensure 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.

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to naturopathy, amending WAC 308-34-150 Examination appeals.

I, Mary Faulk, 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 right to appeal examination results must be provided to naturopathy candidates who took or take only the basic science component of the exam.

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

This rule is promulgated pursuant to RCW 18.36A-.060 (1)(j) 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 22, 1988.

By Mary Faulk  
Director

### AMENDATORY SECTION (Amending Order PM 742, filed 6/24/88)

#### WAC 308-34-150 EXAMINATION APPEALS.

(1) Any candidate who takes the licensure examination and does not pass may request informal review of his or her examination results. This request must be in writing and must be received by the department within thirty days of the date of service of notification of the examination results. The department will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The department will not consider any challenges to examination scores unless the total revised score could result in issuance of a license, provided: Where the candidate took only the basic science component of the examination, challenges to scores will be considered where the revised score could result in passage of the component or the tests.

(2) The procedure for filing an informal review is as follows:

(a) Contact the department of licensing office in Olympia for an appointment to appear personally to review questions answered incorrectly and the incorrect answers on the written portion of failed examination.

(b) The candidate will be provided a form to complete in the department of licensing office in Olympia in defense of examination answers.

(c) The candidate must specifically identify the challenged portion(s) of the examination and must state the

specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the department.

(e) The candidate may not bring in notes, texts, or resource material for use while completing the informal review form.

(f) The candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The department will schedule a closed session meeting to review the examinations, score sheets and forms completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before an administrative law judge. The hearing will be conducted pursuant to the administrative procedures act. The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate for consideration at the informal review unless amended by a prehearing order. Such written request for hearing must be received by the department of licensing within twenty days of the date of service of the result of the department's informal review of the examination results. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate feels the results of the examination should be changed. The department will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The department will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(4) Before the hearing is scheduled either party may request a prehearing conference before an administrative law judge to consider the following:

- (a) The simplification of issues;
- (b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;
- (c) The possibility of obtaining stipulations, admission of facts and documents;
- (d) The limitation of the number of expert witnesses;
- (e) A schedule for completion of all discovery; and,
- (f) Such other matters as may aid in the disposition of the proceeding.

(5) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading and the agreements made by the parties of their qualified representatives as to any

of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least twenty days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the bases for his or her challenge of the examination results unless amended by a prehearing order.

### WSR 88-23-108

#### ADOPTED RULES

### DEPARTMENT OF WILDLIFE

#### (Wildlife Commission)

[Order 322—Filed November 22, 1988]

Be it resolved by the State Wildlife Commission, acting at the Nordic Inn, 1700 South Boone Street, Aberdeen, WA 98520, that it does adopt the annexed rules relating to domestic animals on department lands, amending WAC 232-12-174.

This action is taken pursuant to Notice No. WSR 88-19-121 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 pursuant to RCW 77.12.210 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 Dr. James M. Walton  
Chairman, Wildlife Commission

AMENDATORY SECTION (Amending Order 165, filed 6/1/81)

WAC 232-12-174 DOMESTIC ANIMALS ON DEPARTMENT LANDS. It is unlawful for any person to allow domesticated animals to be unattended on, or to permit livestock to graze upon land under the control of the department without a written permit from the director. In addition to other penalties provided by law, any such person may be liable to the department for a compensatory fee of one (1) dollar per head of livestock per day.

WSR 88-23-109  
ADOPTED RULES  
DEPARTMENT OF WILDLIFE  
(Wildlife Commission)  
[Order 323—Filed November 22, 1988]

Be it resolved by the State Wildlife Commission, acting at the Nordic Inn, 1700 South Boone Street, Aberdeen, WA 98520, that it does adopt the annexed rules relating to livestock grazing on Department of Game lands, amending WAC 232-12-181.

This action is taken pursuant to Notice No. WSR 88-19-123 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 pursuant to RCW 77.12.210 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 Dr. James M. Walton  
Chairman, Wildlife Commission

AMENDATORY SECTION (Amending Order 177, filed 1/28/82)

~~WAC 232-12-181 LIVESTOCK GRAZING ON DEPARTMENT OF ((GAME)) WILDLIFE LANDS. ((It is unlawful to graze livestock on lands owned, or managed by the department under lease or agreement without obtaining a land use agreement from the department. It shall be unlawful to fail to follow or carry out any of the requirements or provisions of the land use agreement.))~~

All persons wishing to apply for a ~~((land use agreement))~~ grazing lease should contact the Washington Department of ~~((Game))~~ Wildlife, 600 North Capitol Way, Olympia, Washington 98504.

~~((Policies and general provisions that shall apply to all land use agreements include:))~~

(1) ~~The ((Department))~~ director is authorized to ~~((negotiate land use agreements for))~~ enter into grazing leases when the director determines that a grazing lease will benefit wildlife management programs and will be in the public interest. Except for temporary permits, each grazing lease shall first be submitted to the commission, which may review the lease to determine whether it will benefit wildlife or improve public hunting, fishing or recreation without adverse impact on wildlife. If, within 30 days, the commission has not disapproved the lease, the director shall be deemed authorized to enter into that lease. ((The department shall advertise and sell the license to use department lands for grazing at public auction to the highest bidder. The department is authorized to reject any and all bids if it is determined to be in the best interest of the department to do so.))

(2) The director shall advertise and sell a license to use department lands for grazing at public auction to the highest bidder. The director is authorized to reject any and all bids if it is determined to be in the best interest of the department to do so. The director may negotiate a grazing lease without using the public auction process only when the director determines that benefits to wildlife would be equal to or greater than the cash or monetary payments foregone.

(3) The term of each grazing lease shall be no greater than five years. When an existing lease expires or is about to expire, and the director wishes to continue to permit grazing on the subject parcel, then a modified public auction process shall be used. A minimum bid based on market value shall be established prior to the public auction. The last previous or the existing lessee shall be provided the option of meeting the highest bid made at public auction. The director may grant a term longer than five years only with the prior approval of the commission. The director may permit exceptions to the public auction process only when the director determines that benefits to wildlife would be equal to or greater than the cash or monetary payment foregone.

(4) A temporary permit may be granted by the director to satisfy an immediate, short-term need where benefits to wildlife management programs and the public interest can be demonstrated. The term of a temporary permit shall not exceed two weeks and no fee need be charged.

~~((2))~~ (5) The director may approve a ((land use agreement)) grazing lease where a ((comprehensive)) grazing management plan which includes objectives and site characteristics, pasture rotation schedule, on-off dates, number of AUM's, and a monitoring plan has been developed by the ((department)) agency. The director shall inspect the site of a grazing lease no less than two times each year. The director shall retain the right to alter provisions of the plan to reduce acreage available or the number of animals using the area when such change is, in the judgment of the director, required to benefit fish or wildlife management, public hunting and fishing, or other recreational uses. The director may not enter into any grazing lease not accompanied by a grazing management plan unless the commission has approved it. ((The commission, may review each land use agreement to determine whether the grazing will benefit wildlife or improve public hunting, fishing, or recreation without adverse impact on wildlife.))

(6) The director may cancel a lease (1) for non-compliance with the terms and conditions of the lease, or (2) if the area described in the lease is included in a land use plan determined by the agency to be a higher and better use, or (3) if the property is sold or conveyed, or (4) if damage to wildlife or wildlife habitat occurs.

(7) All lands covered by any agreement shall at all times be open to public hunting, fishing and other wildlife recreational uses unless such lands have been closed by action of the commission or emergency order of the director.

~~((3))~~ While each agreement shall contain terms and conditions peculiar to that use of the land, the following general terms shall be included in all such agreements:



~~(a) The term of the agreement shall be limited to five years.~~

~~(b) A full grazing plan shall be part of the land use agreement. That plan shall establish the number and kind of animals that will graze and the area managed under the land use agreement.~~

~~(c) The department shall retain the right to alter provisions of the plan to reduce acreage available or the number of animals using the area when such change is, in the judgment of the department, required to benefit fish or wildlife management, public hunting and fishing, or other recreational uses.~~

~~(d) Holders of agreements shall be required to report monthly to the department the number of animals grazing and the area actually grazed, as well as the expected grazing animals and area for the following month.~~

~~(e) Holders of agreements shall be required to maintain all fences to protect adjacent lands from livestock trespass.~~

~~(f) All lands covered by any agreement shall at all times be open to the public for lawful hunting and fishing, and other approved recreational uses.~~

~~(g) The holder of the agreement shall agree to indemnify the department from liability which may arise out of the exercise of the privileges granted in the agreement.~~

~~(h) Holders of agreements shall forfeit their rights under the agreement if they fail to meet any of the terms and conditions of the agreement. Grazing of animals in excess of allowable amounts will result in forfeiture of the grazing agreement and obligate the responsible agreement holder to pay the department for the excess use.~~

~~(i) The holder of the agreement shall not transfer the rights contained in the agreement to another person without prior approval from the commission.~~

~~(j) The holder of the agreement shall not permit livestock owned by another person to graze upon department lands under the agreement without the approval of the commission.))~~

**WSR 88-23-110**  
**ADOPTED RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
[Order 324—Filed November 22, 1988]

Be it resolved by the State Wildlife Commission, acting at the Nordic Inn, 1700 South Boone Street, Aberdeen, WA 98520, that it does adopt the annexed rules relating to interim grazing lease regulation, repealing WAC 232-12-182.

This action is taken pursuant to Notice No. WSR 88-19-122 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 pursuant to RCW 77.12.210 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 Dr. James M. Walton  
Chairman, Wildlife Commission

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-12-182 INTERIM GRAZING LEASE REGULATION

**WSR 88-23-111**  
**NOTICE OF PUBLIC MEETINGS**  
**HIGHER EDUCATION PERSONNEL BOARD**  
[Memorandum—November 22, 1988]

**1989 HIGHER EDUCATION PERSONNEL BOARD MEETINGS**

- February 2 Bellevue Community College  
3000 Landerholm Circle S.E.  
Bellevue, Washington
- April 6 Everett Community College  
801 Wetmore Avenue  
Everett, Washington
- June 1 Washington State University  
Pullman, Washington
- August 3 Peninsula College  
1502 East Lauridsen Boulevard  
Port Angeles, Washington
- October 5 Columbia Basin Community College  
2600 North 20th Avenue  
Pasco, Washington
- December 7 Lower Columbia College  
1600 Maple Street  
Longview, Washington

**WSR 88-23-112**  
**EMERGENCY RULES**  
**STATE EMPLOYEE BENEFITS BOARD**  
[Resolution No. 88-5—Filed November 22, 1988]

Be it resolved by the State Employees Benefits Board, acting at the Department of Personnel Board Room, 521 South Capitol Way, Olympia, WA, that it does adopt the annexed rules relating to the amending of WAC 182-12-115.

We, the State Employees Benefits Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the State Employees

Insurance Board (SEIB) adopted certain amendments to its rules regarding eligible employees, retirees, and dependents. These amendments included the addition of coverage for dependent parents and a limitation upon coverage for dependent students to those under age 24. The director of the Office of Financial Management must approve actions of the SEIB that relate to contracts for state employee health insurance benefits. Section 31, chapter 107, Laws of 1988. The director has indicated that he shall not approve any contracts that contain rate increases for coverage of dependent parents. Thus, it is necessary to repeal the rule provision regarding dependent parent coverage. Because there will not be an addition of coverage for dependent parents, the SEIB deems it appropriate to amend the provision limiting dependent student coverage to those persons under age 24. In order to effect these changes prior to the commencement of the open enrollment period on September 15, and thus timely clarify the status of employee benefit options, it is necessary to forgo the provisions of all of the notice required for amendment of WAC 182-12-115. This amendment is adopted as an emergency rule in order for the SEIB to give effect to the Director of Financial Management's decision and to clarify prior to the commencement of the open enrollment period the status of health benefit coverage for dependent parents and students.

This filing is being done to extend the emergency filing to the date of permanent filing.

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

This rule is promulgated under the general rule-making authority of the State Employees Benefits Board as authorized in RCW 41.05.011.

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

APPROVED AND ADOPTED August 31, 1988.

By C. H. Shay  
Assistant Benefits Manager

**AMENDATORY SECTION** (Amending Resolution No. 88-4, 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 88-23-113

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 88-174—Filed November 22, 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 this regulation is needed to coordinate the crab setting date with the state of Oregon, to ensure an orderly fishery. It is in the public interest to do this and 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 November 21, 1988.

By Robert Turner  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-52-04600S CRAB FISHERY—SEASONS AND AREAS. Notwithstanding the provisions of WAC 220-52-046, in coastal, Pacific Ocean, Grays Harbor, Willapa Harbor, and Columbia River waters it is unlawful to set crab gear prior to 8:00 a.m. November 28, 1988.

#### WSR 88-23-114

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 88-175—Filed November 22, 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 chum destined for the Nooksack-Samish region of origin, and to prevent wastage. The restriction in Area 7B is necessary to maintain an orderly fishery. Openings in Area 12C provide opportunity to harvest the non-Indian allocation of Hood Canal origin chum. The restriction in Area 12C is necessary to reduce harvest impacts on local chum stocks. All other Puget Sound areas are closed to prevent over harvest 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 November 22, 1988.

By Robert Turner  
for Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-47-934 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 6:00 AM Wednesday November 23 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 - Purse seines may fish to 8:00 PM Friday November 25, and Gillnets using 6-inch minimum mesh may fish to 8:00 PM Friday November 25. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North terminal to the light at the end of Squalicum Creek Waterway.
- \* Area 12C - Purse seines using the 5-inch strip may fish from 6:00 AM to 12:00 Noon Wednesday November 23, and gillnets using 6-inch minimum mesh may fish from 1:00 PM to 7:00 PM Wednesday November 23. This area 12C fishery excludes those waters south of line projected from the Cushman Powerhouse to the public boat ramp at Union.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C,

10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all fresh-water areas - Closed.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 AM Wednesday November 23:

**WAC 220-47-933 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-173)**

#### **WSR 88-23-115**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 88-176—Filed November 22, 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 this change in the regulation is necessary to reduce the anticipated overharvest of yellowtail rockfish. The best available information presented at the September 21 - 22, 1988, meeting of the Pacific Fisheries Management Council indicates that landings, if not further curtailed, will exceed the harvest guideline for the Sebastes Complex by 1,100 MT and the ABC for yellowtail rockfish.

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

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

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

APPROVED AND ADOPTED November 22, 1988.

By Robert Turner  
for Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-44-05000T COASTAL BOTTOMFISH CATCH LIMITS.** Notwithstanding the provisions of WAC 220-44-050, effective 12:01 A.M. October 5, 1988, until further notice it is unlawful to possess, transport through the waters of the state, or land in any Washington State port bottomfish taken for commercial purposes from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B,, 60A,

61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:

(1) Widow Rockfish (*Sebastes entomelas*) – 3,000 pounds per vessel trip per calendar week, defined as Wednesday through the following Tuesday. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds per calendar week.

(2) Shortbelly rockfish (*Sebastes jordani*) and Idiot Rockfish (*Sebastes spp.*) – no maximum poundage per vessel trip, no minimum size.

(3) Pacific ocean perch (*Sebastes alutus*) – No restrictions on landing up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific Ocean perch represent 20 per cent or less of total weight of fish on board. Under no circumstances may a vessel land more than 5,000 pounds of Pacific Ocean perch in any one vessel trip.

(4) All other species of rockfish (*Sebastes spp.*) – 25,000 pounds of all other species combined per vessel trip per calendar week, defined as Wednesday through the following Tuesday, of which no more than 7,500 pounds may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1988 declaration of intent, may make either one landing of no more than 50,000 pounds of all other species combined per vessel trip biweekly, defined as Wednesday through the second Tuesday following of which no more than 15,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species in any one calendar week of which no more than 3,750 pounds in any one landing may be yellowtail rockfish. All previous declaration forms have expired and it is unlawful for any vessel to make other than one vessel trip per week unless a new declaration form has been completed as provided for in this subsection. The 1988 declaration of intent to make other than one vessel trip per week must be mailed or delivered to the Department of Fisheries, 115 General Administration Building Olympia, Wa., 98504, and must be received prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fishermen, the name and registration number of the vessel, the date on which such fishing for other species of rockfish will commence and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing by filing a declaration of intent to stop fishing other than once weekly on other species of rockfish with the department in the above manner. The declaration to stop such fishing for other species of land other species of rockfish twice weekly has been made. The date of first landing will determine the beginning of biweekly periodicity. Biweekly periodicity will restart after any landing that occurs more than four calendar weeks after the immediate prior landing. A calendar week is defined as Wednesday through the following Tuesday.

(b) Sablefish –

(a) Trawl Vessels – Effective 12:01 a.m. October 5, 1988, no more than 2,000 pounds (round weight) of sablefish caught with trawl gear may be taken and retained, or landed per vessel per fishing trip. No restriction on the number of trips during a calendar week. (To convert to round weight from dressed weight, multiply

dressed weight by 1.75). A calendar week is defined as Wednesday through the following Tuesday.

(b) Non-trawl vessels – unlawful to land sablefish after August 25, 1988.

(6) It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(7) For purposes of this section, a vessel trip is defined as having occurred upon the initiation of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiation of transfer of catch.

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

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-44-05000S COASTAL BOTTOMFISH CATCH LIMITS. (88-128)

### WSR 88-23-116

#### PROPOSED RULES

#### DEPARTMENT OF REVENUE

[Filed November 23, 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:

Amd WAC 458-20-193B Sales of goods originating in other states to persons in Washington.

Amd WAC 458-20-221 Collection of use tax by retailers and selling agents;

that the agency will at 9:30 a.m., Tuesday, December 27, 1988, in the 1st Floor Conference Room, General Administration Building, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

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 RCW 82.32.300.

The specific statute these rules are intended to implement is RCW 82.12.040(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 27, 1988.

Dated: November 23, 1988

By: Garry G. Fujita  
Assistant Director

### STATEMENT OF PURPOSE

Title: WAC 458-20-193B Sales of goods originating in other states to persons in Washington.

Description of Purpose: To cross-reference WAC 458-20-221 which, under a proposed amendment, contains criteria in addition to those currently in WAC 458-20-193B for imposing a duty to collect use tax.

Reasons Supporting Proposed Action: RCW 82.12.040(1) calls for the Department of Revenue to specify by rule what activities constitute engaging in business activities for purposes of use tax collection. WAC 458-20-221 is the proper rule in which to accomplish this because it already deals with use tax collection. A cross-reference in WAC 458-20-193B to WAC 458-20-221 is necessary because it contains a discussion of sales and use tax collection responsibilities.

Title: WAC 458-20-221 Collection of use tax by retailers and selling agents.

Description of Purpose: To implement RCW 82.12.040(1) which requires the Department of Revenue to specify what activities constitute engaging in business activities. These are activities which are sufficient under the United States Constitution to require the collection of use tax.

Reasons Supporting Proposed Action: RCW 82.12.040(1) calls for the Department of Revenue to specify by rule what activities constitute engaging in business activities for purposes of use tax collection. WAC 458-20-221 is the proper rule in which to accomplish this because it already deals with use tax collection.

Statutory Authority: RCW 82.12.040(1) and 82.32.300.

Specific Statute Rule is Intended to Implement: RCW 82.12.040(1).

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 753-5579; and Enforcement: Department of Revenue, 415 General Administration Building, Olympia, WA 98504, phone 753-5540.

AMENDATORY SECTION (Amending Order ET 83-16, filed 3/15/83)

**WAC 458-20-193B SALES OF GOODS ORIGINATING IN OTHER STATES TO PERSONS IN WASHINGTON.**

WAC 458-20-193 deals with interstate and foreign commerce and is published in four separate parts:

- Part A. Sales of goods originating in Washington to persons in other States.
- Part B. Sales of goods originating in other states to persons in Washington.
- Part C. Imports and exports: Sales of goods from or to persons in foreign countries.
- Part D. Transportation, communication, public utility activities, or other services in interstate or foreign commerce.

Part B.

**BUSINESS AND OCCUPATION TAX**

RETAILING, WHOLESALING. Sales to persons in this state are taxable when the property is shipped from points outside this state to the buyer in this state and the seller carries on or has carried on in this state any local activity which is significantly associated with the seller's ability to establish or maintain a market in this state for the sales. If a person carries on significant activity in this state and conducts no other business in this state except the business of making sales, this person has the distinct burden of establishing that the instate activities are not significantly associated in any way with the sales into this state. The

characterization or nature of the activity performed in this state is immaterial so long as it is significantly associated in any way with the seller's ability to establish or maintain a market for its products in this state. The essential question is whether the instate services enable the seller to make the sales.

Applying the foregoing principles to sales of property shipped from a point outside this state to the purchaser in this state, the following activities are examples of sufficient local nexus for application of the business and occupation tax:

- (1) The seller's branch office, local outlet or other place of business in this state is utilized in any way, such as in receiving the order, franchise or credit investigation, or distribution of the goods.
- (2) The order for the goods is given in this state to an agent or other representative connected with the seller's branch office, local outlet, or other place of business.
- (3) The order for the goods is solicited in this state by an agent or other representative of the seller.
- (4) The delivery of the goods is made by a local outlet or from a local stock of goods of the seller in this state.
- (5) Where an out-of-state seller, either directly or by an agent or other representative, performs significant services in relation to establishment or maintenance of sales into the state, the business tax is applicable, even though (a) the seller may not have formal sales offices in Washington or (b) the agent or representative may not be formally characterized as a "salesman."
- (6) Where an out-of-state seller either directly or by an agent or other representative in this state installs its products in this state as a condition of the sale, the installation services shall be deemed significant services for establishing or maintaining a market in this state for such installed products and the gross proceeds from the sale and installation are subject to business tax.

Under the foregoing principles, sales transactions in which the property is shipped directly from a point outside the state to the purchaser in this state are exempt only if there is and there has been no participation whatsoever in this state by the seller's branch office, local outlet, or other local place of business, or by an agent or other representative of the seller. A franchise or credit investigation of a prospective purchaser and/or recommendation or approval by a local office upon which subsequent transactions are based is such a utilization of the local office as to render such subsequent transactions taxable.

CONSTRUCTION, REPAIR. Construction or repair of buildings or other structures, public road construction, repair of tangible personal property and similar contracts performed in this state are inherently local business activities subject to tax even though materials involved may have been delivered from outside the state or the contracts may have been negotiated outside the state and notwithstanding the fact that the work may be done by foreign vendors who performed preliminary services outside the state with respect thereto.

RENTING OR LEASING OF TANGIBLE PERSONAL PROPERTY. Persons outside this state who rent or lease tangible personal property for use in this state are subject to tax upon their gross proceeds from such rentals, irrespective of the fact that possession to the property leased may have passed to the lessee outside the state or that the lease agreement may have been consummated outside the state.

**SALES AND USE TAX**

Retail sales tax must be collected and accounted for in every case where business and occupation tax is due as outlined above.

The following sets forth the conditions under which out-of-state vendors are required to collect and remit the retail sales tax or use tax on deliveries to customers in this state. It conforms to the recommended jurisdiction standards of the multistate tax commission.

JURISDICTION STANDARD. A vendor is required to pay or collect and remit the tax imposed by chapter 82.08 or 82.12 RCW if within this state he directly or by any agent or other representative:

- (1) Has or utilizes an office, distribution house, sales house, warehouse, service enterprise or other place of business; or
- (2) Maintains a stock of goods; or
- (3) Regularly solicits orders whether or not such orders are accepted in this state, unless the activity in this state consists solely of advertising or of solicitation by direct mail; or
- (4) Regularly engages in the delivery of property in this state other than by common carrier or U.S. mail; or
- (5) Regularly engages in any activity in connection with the leasing or servicing of property located within this state; or
- (6) Is liable for use tax collection under the terms of WAC 458-20-221.

All vendors who are registered with the department of revenue are required to collect use tax or sales tax from all persons to whom goods are sold for use in this state irrespective of the absence of local activity on any given sale.

Every person who engages in this state in the business of acting as an independent selling agent for unregistered principals, and who receives compensation by reason of sales of tangible personal property of such principals for use in this state, is required to collect the use tax from purchasers, and remit the same to the department of revenue, in the manner and to the extent set forth in WAC 458-20-221.

The use tax is imposed upon the use, including storage, of all tangible personal property acquired for any use or consumption in this state unless specifically exempt by statute.

**AMENDATORY SECTION** (Amending Order ET 83-1, filed 3/30/83)

**WAC 458-20-221 COLLECTION OF USE TAX BY RETAILERS AND SELLING AGENTS.** ~~((Every person who has obtained a certificate of registration (see WAC 458-20-101) is required to collect the use tax from retail buyers in this state, and to report and remit the same to the department of revenue.))~~ **(1) STATUTORY REQUIREMENTS.** RCW 82.12.040(1) provides that every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state must obtain a certificate of registration and must collect use tax from purchasers at the time it makes sales of tangible personal property for use in this state. The legislature has directed the department of revenue to specify, by rule, activities which constitute engaging in business activities within this state. These are activities which are sufficient under the Constitution of the United States to require the collection of use tax.

**(2) DEFINITIONS.**

**(a) "Maintains a place of business in this state" includes:**

**(i) Maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business; or**

**(ii) Soliciting sales or taking orders by sales agents or traveling representatives.**

**(b) "Engages in business activities within this state" includes:**

**(i) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, unsolicited distribution of catalogues, computer-assisted shopping, telephone, television, radio or other electronic media, or magazine or newspaper advertisements or other media; or**

**(ii) Being owned or controlled by the same interests which own or control any seller engaged in business in the same or similar line of business in this state; or**

**(iii) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect use tax.**

**(c) "Purposefully or systematically exploiting the market provided by this state" is presumed to take place if the gross proceeds of sales of tangible personal property delivered from outside this state to destinations in this state exceed five hundred thousand dollars during a period of twelve consecutive months.**

**(3) LIABILITY OF BUYERS FOR USE TAX.** Persons in this state who buy articles of tangible personal property at retail are liable for use tax if they have not paid sales tax. See WAC 458-20-178.

**(4) OBLIGATION OF SELLERS TO COLLECT USE TAX.** Persons who obtain a certificate of registration, maintain a place of business in this state, maintain a stock of goods in this state, or engage in business activities within this state are required to collect use tax from persons in this state to whom they sell tangible personal property at retail and from whom they have not collected sales tax. Use tax collected by sellers shall be deemed to be held in trust until paid to the department. Any seller failing to collect the tax or, if collected, failing to remit the tax is personally liable to the state for the amount of tax. (For exceptions as to sale to certain persons engaged in interstate or foreign commerce see WAC 458-20-175.)

**(5) LOCAL USE TAX.** Persons who are obligated to collect use tax solely because they are engaged in business activities within this state as defined in subsection (2)(b)(i) of this section may elect to collect local use tax at a uniform state-wide rate of .005 without the necessity of reporting taxable sales to the local jurisdiction of delivery. Amounts collected under the uniform rate shall be allocated by the department

to counties and cities in accordance with ratios reflected by the distribution of local sales and use taxes collected from all other taxpayers. Persons not electing to collect at the uniform state-wide rate or not eligible to collect at the uniform state rate shall collect local use tax in accordance with WAC 458-20-145.

**(6) REPORTING FREQUENCY.** Persons who are obligated to collect use tax solely because they are engaged in business activities within this state as defined in subsection (2)(b) of this section shall not be required to file returns and remit use tax more frequently than quarterly.

**(7) SELLING AGENTS.** RCW 82.12.040 of the law provides, among other things, as follows:

**(a)** "Every person who engages in this state in the business of acting as an independent selling agent for persons who do not hold a valid certificate of registration, and who receives compensation by reason of sales of tangible personal property of his principals made for use in this state, shall, at the time such sales are made, collect from the purchasers the tax imposed under this chapter, and for that purpose shall be deemed a retailer as defined in this chapter." ~~((For exceptions as to sale to certain persons engaged in interstate or foreign commerce see WAC 458-20-175.))~~

**(b)** However, in those cases where the agent receives compensation by reason of a sale made pursuant to an order given directly to his principal by the buyer, and of which the agent had no knowledge at the time of sale, the said agent will be relieved of all liability for the collection of or payment of the tax. Furthermore, in other cases where payment is made by the buyer direct to the principal and the agent is unable to collect the tax from the buyer, the agent will be relieved from all liability for the collection of the tax from the buyer and for payment of the tax to the department, provided that within ten days after receipt of commission on any such sale, the agent shall forward to the department a written statement showing the following: Name and address of purchaser, date of sale, type of goods sold, and selling price. (Agents may avoid all liability for collection of this tax, provided their principals obtain a certificate of registration.)

**(8) TIME AND MANNER OF COLLECTION.** The use tax is computed upon the value of the property sold. At the time of making a sale of tangible personal property, the use of which is taxable under the use tax, the seller must collect the tax from the purchaser and upon request give to the purchaser a receipt therefor. This receipt need not be in any particular form, and may be an invoice which identifies the property sold, shows the sale price thereof and the amount of the tax. It is a misdemeanor for a retailer to refund, remit, or rebate to a purchaser or transferee, either directly or indirectly, by whatever means, all or any part of the use tax.

~~((The law provides that the tax required to be collected shall be deemed to be held in trust until paid to the department and shall be available for payment on the due date thereof, and that the tax shall not be absorbed by the retailer but shall be collected as a separate item and that the retailer shall be personally liable for any tax which he fails to collect. (See WAC 458-20-178.))~~ **(9) EFFECTIVE DATE.** This rule shall take effect on April 1, 1989.

**WSR 88-23-117**

**ADOPTED RULES**

**DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 88-29—Filed November 23, 1988]

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at the General Administration Building, Olympia, Washington 98504, the annexed rules relating to family care, chapter 296-130 WAC. The 1988 legislature, in chapter 236, Laws of 1988, amended chapter 49.12 RCW in an effort to establish minimum standards for family care. The legislature gave the department the authority and responsibility to enforce the statute and required it to adopt rules. The proposed rule is intended to implement the new law, WAC 296-130-035, providing a procedure for the filing an investigation of complaints.

This action is taken pursuant to Notice No. WSR 88-19-110 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 Labor and Industries as authorized in RCW 43.22.270 and chapter 236, Laws of 1988.

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

APPROVED AND ADOPTED November 23, 1988.

By Dorette M. Markham  
for Joseph A. Dear  
Director

### NEW SECTION

#### WAC 296-130-035 EMPLOYEE COMPLAINTS.

(1) An employee who believes that his or her employer has not complied with RCW 49.12.\_\_\_\_ (chapter 236, Laws of 1988), or with the rules promulgated thereto, may file a complaint with the department within six months of the alleged violation. The complaint should contain the following:

(a) The name and address of the employee making the complaint;

(b) The name, address, and telephone number of the employer against whom the complaint is made;

(c) A statement of the specific fact which constitute the alleged violation, including the date(s) on which the alleged violation occurred.

(2) Upon receipt of a complaint, the department shall forward written notice of the complaint to the employer, along with a warning of prohibited actions as stated in WAC 296-130-040.

(3) The department may investigate any complaint it deems appropriate. If the department determines that a violation of this chapter has occurred, it may issue a notice of infraction pursuant to WAC 296-130-060.

### WSR 88-23-118

#### PROPOSED RULES

### UTILITIES AND TRANSPORTATION COMMISSION

[Filed November 23, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to distribution and costs of tariffs, WAC 480-12-285. The proposed amendatory section is shown below as Appendix A, Cause No. TV-2223. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17).

This is notice of intention to amend on a permanent basis rule amended on an emergency basis on November

16, 1988, General Order No. R-292, and filed with the code reviser;

that the agency will at 9:00 a.m., Wednesday, December 28, 1988, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Drive S.W., Olympia, WA, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 81.80.290.

The specific statute these rules are intended to implement is RCW 81.80.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 21, 1988.

Dated: November 16, 1988

By: Paul Curl  
Acting Secretary

### STATEMENT OF PURPOSE

In the matter of amending WAC 480-12-285 relating to distribution and cost of tariffs.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 and 81.80.290 which direct that the commission has authority to implement the provisions of chapter 81.80 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to provide for the publication and distribution in due course of a new class rate tariff to be used by all motor carriers operating under commission published tariff. The new tariff is based on zip codes rather than point to point locations, making more simple the proper application of class rates. The rule also reflects implementation of concomitant revisions to other tariffs published by the commission presently naming class rates.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040 and 81.80.290.

The rule change is not necessary as the result of federal law, or federal or state court action.

The rule changes proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.



APPENDIX 'A'

**AMENDATORY SECTION** (Amending Order R-280, Cause No. TV-2113, filed 11/12/87)

WAC 480-12-285 TARIFFS, DISTRIBUTION AND COST OF Tariffs, with description and cost thereof are as follows:

Tariff No.	Territory	Cost per tariff	
		*Initial Charge	*Annual Main-tenance
3-B	Spokane cartage	<del>(\$ 8.00)</del> <del>\$ 8.00)</del>	<del>\$ 10.00</del> <del>\$ 19.00</del>
4-A	Special commodities (state-wide)	<del>(+15.00)</del> <del>(25.00)</del>	17.50 40.00
5-A	General freight west of cascades	<del>(+15.00)</del> <del>(35.00)</del>	20.00 50.00
6-A	General freight east of Cascades and between east and west	<del>(+15.00)</del> <del>(35.00)</del>	20.00 50.00
7-B	Bulk petroleum products	<del>(+10.00)</del> <del>(25.00)</del>	12.50 40.00
9	General freight in King, Pierce, Snohomish & Thurston counties	<del>(+15.00)</del> <del>(30.00)</del>	20.00 50.00
10	Mileage circular	8.00 <del>((8.00))</del>	18.00
12	Local areas	<del>((+10.00)</del> <del>(8.00))</del>	12.50 20.00
13	Bulk commodities except petroleum	<del>((+15.00)</del> <del>(25.00))</del>	17.50 40.00
14	Mobile homes (towaway)	8.00 <del>((8.00))</del>	18.00
15	Household goods	8.00 <del>((+2.00))</del>	22.00
16	Zip code (class rates)	15.00	25.00

\*Subject to Washington state retail sales tax.

During the calendar year in which the purchase of a tariff is made the annual maintenance fee shall be payable in advance on the following basis:

Month Purchased	Fee Payable
January, February, March	In full
April, May, June	Three-quarters
July, August, September	One-half
October, November, December	One-quarter

Each subsequent year the annual maintenance fee shall be payable on or before December 31 of the preceding year.

One or more single pages in any tariff will be supplied at twenty-five cents per page - minimum order ((one)) two dollars.

All prices set out in this rule shall be subject to change without notice. All subsequent issues or reissues of commission tariffs shall be priced according to the cost of compilation and maintenance and all fees shall be payable in advance as stated herein unless otherwise specifically ordered by the commission.

**WSR 88-23-119**

**EMERGENCY RULES**

**UTILITIES AND TRANSPORTATION COMMISSION**

[Order R-292, Cause No. TV-2223—Filed November 23, 1988]

In the matter of amending WAC 480-12-285 relating to distribution and cost of tariffs.

The Washington Utilities and Transportation Commission finds 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 the public interest. A statement of the facts constituting such emergency is a new tariff has been constructed, with concomitant revisions to existing common carrier tariffs, providing for a zip code system of class rates. The new rate structure and tariff revisions are applicable to all service performed under class rates. Tariff maintenance is required of all carriers performing service under commission published tariffs not later than December 31, 1988, and billing for tariff maintenance must be issued prior to the time these revisions can be effectuated under normal procedures.

This rule-making proceeding is being promulgated 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).

This amendment to WAC 480-12-285 affects no economic values.

In reviewing the entire record herein, it has been determined that the above section should be amended as indicated and as set forth in Appendix A shown below and made a part hereof by this reference. The amendment and repeal of these sections will provide for the publication and distribution in due course of a new class rate tariff to be used by all motor carriers operating under commission published tariff. The new tariff is based on zip codes rather than point to point locations making more simple the proper application of class rates. The rule also reflects implementation of concomitant revisions to other tariffs published by the commission presently naming class rates.

**ORDER**

WHEREFORE, IT IS ORDERED That the amendment of WAC 480-12-285 as set forth in Appendix A, take effect as emergency rules of the Washington Utilities and Transportation Commission pursuant to RCW 34.04.030 and 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rules, after being first 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, and effective this 16th day of November, 1988.

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

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-280, Cause No. TV-2113, filed 11/12/87)

WAC 480-12-285 TARIFFS, DISTRIBUTION AND COST OF. Tariffs, with description and cost thereof are as follows:

Tariff No.	Territory	Cost per tariff	
		*Initial Charge	*Annual Maintenance
3-B	Spokane cartage	<del>(\$ 8.00)</del> \$ 10.00	<del>8.00)</del> \$ 19.00
4-A	Special commodities (state-wide)	<del>(15.00)</del> 17.50	<del>25.00)</del> 40.00
5-A	General freight west of cascades	<del>(15.00)</del> 20.00	<del>35.00)</del> 50.00
6-A	General freight east of Cascades and between east and west	<del>(15.00)</del> 20.00	<del>35.00)</del> 50.00
7-B	Bulk petroleum products	<del>(10.00)</del> 12.50	<del>25.00)</del> 40.00
9	General freight in King, Pierce, Snohomish & Thurston counties	<del>(15.00)</del> 20.00	<del>30.00)</del> 50.00
10	Mileage circular	<del>8.00)</del> 18.00	<del>(8.00)</del> 18.00
12	Local areas	<del>(10.00)</del> 12.50	<del>8.00)</del> 20.00
13	Bulk commodities except petroleum	<del>(15.00)</del> 17.50	<del>25.00)</del> 40.00
14	Mobile homes (towaway)	<del>8.00)</del> 18.00	<del>(8.00)</del> 18.00
15	Household goods	<del>8.00)</del> 22.00	<del>(12.00)</del> 22.00
16	Zip code (class rates)	15.00	25.00

\*Subject to Washington state retail sales tax.

During the calendar year in which the purchase of a tariff is made the annual maintenance fee shall be payable in advance on the following basis:

Month Purchased	Fee Payable
January, February, March	In full
April, May, June	Three-quarters
July, August, September	One-half
October, November, December	One-quarter

Each subsequent year the annual maintenance fee shall be payable on or before December 31 of the preceding year.

One or more single pages in any tariff will be supplied at twenty-five cents per page - minimum order (one) two dollars.

All prices set out in this rule shall be subject to change without notice. All subsequent issues or reissues

of commission tariffs shall be priced according to the cost of compilation and maintenance and all fees shall be payable in advance as stated herein unless otherwise specifically ordered by the commission.

WSR 88-23-120

EMERGENCY RULES

DEPARTMENT OF CORRECTIONS

[Order 88-01—Filed November 23, 1988]

I, Chase Riveland, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to regional jail camp, adopting chapter 137-25 WAC, establishment of a regional jail camp.

I, Chase Riveland, 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 adoption of rules is necessary to allow the Department of Corrections to receive county inmates at the McNeil Island Corrections Center Annex. This action will help counties reduce overcrowding in the jails.

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

This rule is promulgated pursuant to RCW 72.64.100 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED November 23, 1988.

By Chase Riveland  
Secretary

Chapter 137-25 WAC  
REGIONAL JAIL CAMP

WAC

- 137-25-010 Establishment of regional jail camp.
- 137-25-020 Eligibility for transfer.
- 137-25-030 Rules and regulations.
- 137-25-040 Waiver.

NEW SECTION

WAC 137-25-010 ESTABLISHMENT OF REGIONAL JAIL CAMP. (1) The secretary hereby declares the McNeil Island Corrections Center Annex to be a regional jail camp, as provided by RCW 72.64.100.

(2) All transfers of county offenders to the regional jail camp shall be made pursuant to a contract between the county and the department, in accordance with RCW 72.64.110.

(3) The department shall not accept direct commitments to its regional jail camp from the courts.

**NEW SECTION**

**WAC 137-25-020 ELIGIBILITY FOR TRANSFER.** (1) Offenders referred for transfer by the county to a regional jail camp shall meet the following criteria:

- (a) Sentenced felons only;
  - (b) Three months or longer to serve on jail term;
  - (c) No major management/disciplinary problems;
  - (d) Able-bodied, no medical or mental health problems necessitating care beyond that which can be provided at the annex;
  - (e) No contagious diseases; and
  - (f) No high escape risks.
- (2) The county shall be responsible to screen the offenders it refers to ensure that these criteria are met.

**NEW SECTION**

**WAC 137-25-030 RULES AND REGULATIONS.** All rules, regulations, and departmental and institutional policies which govern the confinement, care, treatment, and employment of offenders shall apply to county offenders transferred to a regional jail camp.

**NEW SECTION**

**WAC 137-25-040 WAIVER.** The secretary may waive any provisions of this chapter if he or she deems such waiver to be in the best interests of the department.

**WSR 88-23-121**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed November 23, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning Uniform Commercial Code standardized filing forms and procedures: Standardized filing forms and procedures—Uniform Commercial Code, crop liens, and processor and preparer liens for agricultural and commercial fish products and certain federal liens;

that the agency will at 1:00 p.m., Wednesday, January 4, 1989, in the 2nd Floor Conference Room, Building 2, 405 Black Lake Boulevard, Olympia, WA 98504, conduct a public hearing on the proposed rules.

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

The authority under which these rules are proposed is RCW 62A.9.409, 60.13.040, 60.11.040 and chapter 60.68 RCW, as amended by chapter 73, Laws of 1988.

The specific statute these rules are intended to implement is RCW 62A.409 [62A.9.409], chapter 60.68 RCW, as amended by chapter 73, Laws of 1988, RCW 60.13.040 and 60.11.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before January 4, 1989.

Dated: November 23, 1988  
 By: Maxine Nelson  
 Administrative Assistant

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To clarify existing provisions and to add federal liens against the personal property of corporations and partnerships into the UCC filing and search process as provided in chapter 73, Laws of 1988.

Statutory Authority: Chapter 60.68 RCW, as amended by chapter 73, Laws of 1988, RCW 62A.9.409, 60.13.040, 60.11.040 and 34.04.020.

Summary of the Rules: WAC 308-400-010 Authority and purpose; 308-400-020 Applicable statutes; 308-400-030 Definitions; 308-400-047 UCC-4 Crop liens and processor and preparer liens for agricultural and commercial fish products filing form; 308-400-048 UCC-11R Request for certificates of information; 308-400-052 Nonstandard form; 308-400-058 Signature requirements; 308-400-059 Termination statement, statement of discharge lien termination statement and certificate of release; 308-400-095 Fees; 308-400-120 Forms, fees, and procedures—Filing federal liens; and 308-400-044 UCC-1X Financing statement to continue a county filing at the Department of Licensing.

Reason Proposed: Rules are amended prescribing fees for filing information with and obtaining information from, filing officers, because, effective July 1, 1988, certain federal liens may be filed with the Department of Licensing.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Ken Mark, Assistant Director, Business License Services, Department of Licensing, 405 Black Lake Boulevard, Olympia, WA 98504, phone (206) 753-1749 scan or 234-1749 comm; and Keith Weaver, Administrator, Business License Services, Department of Licensing, 405 Black Lake Boulevard, Olympia, WA 98504, phone (206) 753-9627 comm or 234-9627 scan.

Proponents: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

Chapter 308-400 WAC  
**STANDARDIZED FILING FORMS AND PROCEDURES—  
 UNIFORM COMMERCIAL CODE, CROP LIENS, AND PRO-  
 CESSOR AND PREPARER LIENS FOR AGRICULTURAL AND  
 COMMERCIAL FISH PRODUCTS AND CERTAIN FEDERAL  
 LIENS**

**AMENDATORY SECTION** (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-010 AUTHORITY AND PURPOSE. These rules are adopted under authority of RCW 62A.9-409(1), 60.11.040(3), ~~60.13.040 (2)(f)~~ and 34.04.020, to standardize filing forms for use under the Uniform Commercial Code and to establish uniform procedures for filing with, and obtaining information from, filing officers.

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-020 APPLICABLE STATUTES. The regulations in this chapter shall be considered a supplement to and not a replacement for Article 62A.9 RCW, or chapters 60.11 ((~~or~~)), 60.13, or 60.68 RCW.

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-025 FILING OF CROP LIENS AND PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL AND COMMERCIAL FISH PRODUCTS. Crop liens and processor and preparer liens for agricultural and commercial fish products shall be filed under the uniform commercial code section of the department of licensing in accordance with the regulations adopted in this chapter.

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-030 DEFINITIONS. As used in this regulation: "Filing officer" means the director of the department of licensing or the county auditor or any person commissioned by them to act on their behalf in a Uniform Commercial Code or crop lien or processor or preparer filing procedure.

"Person" includes groups of persons, corporations, cooperatives, business trusts and all other entities capable of holding title to property.

"Filings" includes all financing statements and related documents, or documents submitted to a filing officer in lieu of financing statements under Title 62A RCW and chapters 60.11 ((~~and~~)), 60.13, and 60.68 RCW.

"Claimant" means a person who claims or asserts a right, demand, or claim.

"Secured" means supported or backed by security or collateral.

"Standard filing forms" mean the filing forms approved by the department of licensing.

AMENDATORY SECTION (Amending Order 674-DOL, filed 6/9/82)

WAC 308-400-040 UCC-1 FINANCING STATEMENT. Effective ((~~July 1, 1982~~)) January 1, 1990, the following form shall be the standard UCC-1 Financing Statement Form prescribed by the department of licensing:

FINANCING STATEMENT INSTRUCTIONS  
UCC-1

1. COMPLETION OF FORM: Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it. A financing statement must contain the name and mailing address of the debtor, the name and address of the secured party, appropriate signature(s) and a description of the collateral covered by the financing statement.
2. DEBTOR AND SECURED PARTY NAMES: The legal name of the debtor, secured party or assignee is required. Please check the appropriate square in box 1 to indicate whether the debtor name listed is a personal name or is being used as a business name or both. Social Security numbers or federal employer identification numbers, trade names, DBAs or AKAs (including nicknames), may also be entered in box 1.  
If more than one debtor is listed please follow the same procedure for each named debtor.
3. SIGNATURES: All debtors must sign box 12, an attached signature page or a security agreement, unless box 11 is completed. If box 11 is completed, the secured party must sign box 13. The typed or printed name of the debtor or secured party must appear above the signature(s) in boxes 12 or 13 exactly as it appears in boxes 1, 3 or 4.
4. DEFINITION OF TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL: A TRANSMITTING UTILITY is any person primarily engaged in the railroad, street railway or trolley bus business; the electric or electronic communication transmission business; the transmission of goods by pipeline or the transmission or the production and transmission of electricity, steam, gas or water; or the provision of sewer service.  
PRODUCTS OF COLLATERAL are things made from collateral in which a security interest has been perfected including things whose original identity may be lost by manufacture, processing, assemblage or commingling.
5. ATTACHMENTS: If space provided in any box is inadequate, type or print the words "See Attachments" in the box and continue the information on additional 8 1/2" by 11" sheets. Enter the total number of attached sheets in box 6. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachment(s) are added to the filing form, the fee is \$7.00.
6. MAILING: Send copies 1, 2, and 3 to the address provided in box 9. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
7. TERMINATION: When the filing is to be terminated, the acknowledgment copy may be returned to the filing officer with the termination statement signed by the secured party of record. The UCC-3 form may also be used as a termination statement. When either form is used, the current legal name of the secured party of record must be typed or printed above the signature.

If the name of the secured party has changed for any reason since the last filing action on the financing statement you are terminating, the past and current legal name(s) of the secured party(ies) must appear above the appropriate signature.

There is no charge to terminate a filing.

8. FILING FEES: The fee for filing a UCC-1 (R/12/88) is \$4.00. If any other form is used or additional sheet(s) have been attached, the filing fee is \$7.00. Filing(s) will not be recorded unless the proper fee is sent. Checks should be made payable to the Department of Licensing.

collateral, unless otherwise indicated immediately below.

LEASE — This filing is for informational purposes only. The terms debtor and secured party are to be construed as LESSEE and LESSOR.

CONSIGNMENT — This filing is for informational purposes only. The terms debtor and secured party are to be construed as CONSIGNEE and CONSIGNOR.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))	2. FOR OFFICE USE ONLY
---	------------------------

TRADE NAME:  
(if any)

3. SECURED PARTY(IES) (or assignee(s)) (name and address)	4. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (last name first, and address(es))
--	---

5. CHECK IF APPLICABLE:

Products and collateral are also covered.

Filing covers a security interest in collateral, including fixtures, of a TRANSMITTING UTILITY and remains effective until terminated.

6. NUMBER OF ADDITIONAL SHEETS PRESENTED: \_\_\_\_\_

For Informational Purposes Only:  
Check Box if Filing Covers Consumer Goods

PLEASE TYPE FORM.

This FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE to perfect a security interest in the below named collateral, unless otherwise indicated immediately below.

LEASE — This filing is for informational purposes only. The terms debtor and secured party are to be construed as LESSEE and LESSOR.

CONSIGNMENT — This filing is for informational purposes only. The terms debtor and secured party are to be construed as CONSIGNEE and CONSIGNOR.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))

2. FOR OFFICE USE ONLY

TRADE NAME: (if any)

3. SECURED PARTY(IES) (or assignee(s)) (name and address)

4. ASSIGNEE(S) SECURED PARTY(IES) (if applicable) (last name first, and address(es))

5. CHECK IF APPLICABLE: Products of collateral are also covered. Filing covers a security interest in collateral, including fixtures, of a TRANSMITTING UTILITY which remains effective until terminated.

6. NUMBER OF ADDITIONAL SHEETS PRESENTED: For Informational Purposes Only: Check Box if Filing Covers Consumer Goods

7. This FINANCING STATEMENT covers the following types or items of property:

8. RETURN ACKNOWLEDGMENT COPY TO:

FILE WITH: UNIFORM COMMERCIAL CODE DIVISION DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504 FOR OFFICE USE ONLY Images to Be filmed

9. This statement is signed by the Secured Party instead of the Debtor(s) to perfect a security interest in collateral. (Please check appropriate box) Complete fully if box (d) is checked: complete as applicable for (a), (b), and (c):

10. USE IF APPLICABLE: TYPE NAME(S) OF DEBTOR(S) (or assignor(s)) TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s)) SIGNATURE(S) OF DEBTOR(S) (or assignor(s)) SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s))

Copy to Filing Officer—Number:

WASHINGTON UCC-1

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON

PLEASE TYPE FORM.

This FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE to perfect a security interest in the below named collateral, unless otherwise indicated immediately below.

LEASE — This filing is for informational purposes only. The terms debtor and secured party are to be construed as LESSEE and LESSOR.

CONSIGNMENT — This filing is for informational purposes only. The terms debtor and secured party are to be construed as CONSIGNEE and CONSIGNOR.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))

2. FOR OFFICE USE ONLY

TRADE NAME: (if any) -

3. SECURED PARTY(IES) (or assignee(s)) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (last name first, and address(es))

5. CHECK IF APPLICABLE:

Products of collateral are also covered.

Filing covers a security interest in collateral, including fixtures, of a TRANSMITTING UTILITY which remains effective until terminated.

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

For Informational Purposes Only: Check Box if Filing Covers Consumer Goods

7. This FINANCING STATEMENT covers the following types or items of property:

8. RETURN ACKNOWLEDGMENT COPY TO:

FOR OFFICE USE ONLY

9. This statement is signed by the Secured Party instead of the Debtor(s) to perfect a security interest in collateral. (Please check appropriate box)

Complete fully if box (d) is checked; complete as applicable for (a), (b), and (c):

- (a) already subject to a security interest in another jurisdiction when it was brought into this state, or when the debtor's location was changed to this state, or
(b) which is proceeds of the collateral described above in which a security interest was perfected, or
(c) as to which the filing was superseded, or
(d) acquired after a change of name, identity, or corporate structure of the debtor(s).

Original filing number

Filing office where filed

Former name of debtor(s)

TERMINATION STATEMENT: The SECURED PARTY(IES) certifies that the SECURED PARTY(IES) no longer claims a security interest under the financing statement bearing the file number shown above.

Name Date

Signature

Return to: Uniform Commercial Code Division, Department of Licensing P.O. Box 9660, Olympia, WA 98504

Filing Officer—Acknowledgment

WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee . . . . \$4.00 Filing with attachment fee . . . . \$7.00

1. DEBTOR(S) (see instruction #2)

PERSONAL (last, first, middle name and address) SSN: \_\_\_\_\_

BUSINESS (legal business name and address) FEIN: \_\_\_\_\_

TRADE NAME, DBA, AKA:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

3. SECURED PARTY (IES) (name and address)

\_\_\_\_\_

\_\_\_\_\_

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)

Debtor is a Transmitting Utility  Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED: \_\_\_\_\_

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

\_\_\_\_\_

\_\_\_\_\_

9. FILE WITH:

**UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE  
DEPARTMENT OF LICENSING**

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:

a.  already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state. (complete adjacent lines 1 and 2)

b.  proceeds of the original collateral described above in which a security interest was perfected. (complete adjacent lines 1 and 2)

c.  listed on a filing which has lapsed. (complete adjacent lines 1 and 2)

d.  acquired after a change of name, identity, or corporate structure of the debtor(s). (complete adjacent lines 1, 2 and 3)

1. \_\_\_\_\_ ORIGINAL FILING NUMBER

2. \_\_\_\_\_ FILING OFFICE WHERE FILED

3. \_\_\_\_\_ FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.

\_\_\_\_\_  
SIGNATURE(S) OF DEBTOR(S)

\_\_\_\_\_  
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.

TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.

\_\_\_\_\_  
SIGNATURE(S) OF SECURED PARTY(IES)

\_\_\_\_\_  
SIGNATURE(S) OF SECURED PARTY(IES)



PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee . . . . \$4.00 Filing with attachment fee. . . . \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility
Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING
10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-1

COPY 2 - FILING OFFICE - NUMERIC

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee . . . . \$4.00 Filing with attachment fee . . . . \$7.00

1. DEBTOR(S)
[ ] PERSONAL (last, first, middle name and address) SSN:
[ ] BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
[ ] Debtor is a Transmitting Utility [ ] Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. [ ] already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state. (complete adjacent lines 1 and 2)
b. [ ] proceeds of the original collateral described above in which a security interest was perfected. (complete adjacent lines 1 and 2)
c. [ ] listed on a filing which has lapsed. (complete adjacent lines 1 and 2)
d. [ ] acquired after a change of name, identity, or corporate structure of the debtor(s). (complete adjacent lines 1, 2 and 3)

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

TERMINATION STATEMENT: The SECURED PARTY(IES) certifies that the SECURED PARTY(IES) no longer claims a security interest under the financing statement bearing the file number shown above. NO FEE REQUIRED FOR TERMINATION.

PRINT OR TYPE NAME OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4. Date

Signature(s) Signature(s)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)
WASHINGTON UCC-1
COPY 3 - FILING OFFICE - ACKNOWLEDGMENT

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee . . . . \$4.00 Filing with attachment fee . . . . \$7.00

1. DEBTOR(S) (see instruction #2)
[ ] PERSONAL (last, first, middle name and address) SSN:
[ ] BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
[ ] Debtor is a Transmitting Utility [ ] Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED [ ]

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:

- a. [ ] already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. [ ] proceeds of the original collateral described above in which a security interest was perfected.
c. [ ] listed on a filing which has lapsed.
d. [ ] acquired after a change of name, identity, or corporate structure of the debtor(s).

- 1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee . . . . \$4.00 Filing with attachment fee . . . . \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY (IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY (IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:

- a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

~~((INSTRUCTIONS UCC-1~~~~1. PLEASE TYPE THIS FORM:~~

- ~~2. If the space provided for any item on the form is inadequate, the item should be identified and continued on additional sheets, preferably 8 1/2" X 11". The name of the debtor should appear as the first item on each additional sheet. Only one copy of such additional sheets need be presented to the filing officer with the two copies of the financing statement. Indicate the number of sheets attached in the space provided.~~
  - ~~3. At the time of original filing, the filing officer will return copy (3) as an acknowledgment. Indicate in box 8 to whom the acknowledgment should be returned.~~
  - ~~4. The filing fee for a standard form is \$4.00. The fee is \$7.00 if any other form is used or if any additional sheets or documents are attached to the standard UCC-1. Proper filing fees must accompany each form.~~
  - ~~5. When a copy of the security agreement is used as a financing statement, it should be accompanied by a completed but unsigned set of these forms. The \$7.00 fee applies.~~
  - ~~6. Typed name of debtor and/or secured party must appear with signature.~~
- ~~7. DO NOT WRITE IN BOX 2.~~
- ~~8. REMOVE and retain copies (4) and (5). SEND copies (1), (2), and (3) to the address on the front of the form.~~

~~TERMINATION STATEMENT~~

~~When the filing is to be terminated the acknowledgment copy may be sent to the filing officer with the termination statement signed by the secured party of record, or the UCC-3 form may be used as a termination statement. If a partial assignment has been made, signatures of both the secured party and assignee are required to terminate. Typed name of secured party of record must appear with signature. No fee is required for a termination statement.~~

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-046 UCC-3 CHANGE STATEMENT. Effective ((July 1, 1982)) January 1, 1990, the following form shall be the standard UCC-3 Form prescribed by the department of licensing:

CHANGE STATEMENT INSTRUCTIONS
UCC-3

- 1. COMPLETION OF FORM: Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it. The UCC-3 form must contain the name and mailing address of the debtor, the name and address of the secured party, the file number and date of the original financing statement, and a description of the action, where applicable.
2. DEBTOR AND SECURED PARTY NAMES: The legal name of the debtor, secured party or assignee is required as it appeared on your original filing. Please check the appropriate square in box 1 to indicate whether the debtor name listed is a personal name or is being used as a business name or both. Social Security numbers or federal employer identification numbers, trade names, DBAs or AKAs (including nicknames), may also be entered in the space provided.
If more than one debtor is listed please follow the same procedure for each named debtor.
3. SIGNATURES: The signature of the secured party of record is required on all change actions. If the name of the secured party has changed and you have not submitted a change statement, the past and current legal name(s) of the secured party(ies) must be typed above the appropriate signatures. An amendment also requires the signature of the debtor(s).
4. ATTACHMENTS: If the space provided in any box is inadequate, type or print the words "See Attachments" within the box and continue the information on additional 8 1/2" x 11" sheets. Enter the total number of attached sheets in box 6. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachments are added to the filing form, the fee is \$7.00 for each action.
5. MULTIPLE ACTIONS: If more than one action is requested on a single form, a fee is charged for each action except termination which requires no fee. Multiple changes may be made to a single UCC file number using a single UCC-3 form, except for terminations which may not be combined with any other change.
6. MAILING: Send copies 1, 2 and 3 to the address provided in box 12. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
7. FILING FEES: The fee for filing each action requested in box 7 of the UCC-3 (R/12/88) is \$4.00, except for termination which requires no fee. If additional sheets are attached for any of the actions (except termination) the filing fee for each action shall be \$7.00. Filings will not be recorded unless sufficient payment is received. Checks should be made payable to the Department of Licensing.

PLEASE TYPE FORM

This CHANGE STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, Crop Liens and Processor and Preparer statutes.
IF LEASE - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CONSIGNMENT - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CROP LIEN - The terms debtor and secured party are to be construed as LIEN DEBTOR and LIEN HOLDER/CLAIMANT.
IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term debtor is to be construed as preparer, conditioner, or processor. The term secured party is to be construed as PRODUCER.
IF A CROP LIEN OR PREPARER OR PROCESSOR LIEN FOR AGRICULTURAL PRODUCTS - The term financing statement shall be construed as STATEMENT OF EVIDENCING LIEN.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))
2. FOR OFFICE USE ONLY
TRADE NAME: (if any)
3. SECURED PARTY(IES) (or assignee(s)) (name and address)
4. ASSIGNEE(S) of SECURED PARTY(IES) (if applicable) (last name first, and address(es))

5. This statement refers to original FINANCING STATEMENT number \_\_\_\_\_ Dated \_\_\_\_\_
6. FOR OFFICE USE ONLY: [ ] C [ ] F-AS [ ] P-AS [ ] AM [ ] PR [ ] T

PLEASE TYPE FORM

This CHANGE STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, Crop Liens and Processor and Preparer statutes.
IF LEASE - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CONSIGNMENT - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CROP LIEN - The terms debtor and secured party are to be construed as LIEN DEBTOR and LIEN HOLDER/CLAIMANT.
IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term debtor is to be construed as preparer, conditioner, or processor. The term secured party is to be construed as PRODUCER.
IF A CROP LIEN OR PREPARER OR PROCESSOR LIEN FOR AGRICULTURAL PRODUCTS - The term financing statement shall be construed as STATEMENT EVIDENCING LIEN.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))
2. FOR OFFICE USE ONLY
TRADE NAME: (if any)

3. SECURED PARTY(IES) (or assignee(s)) (name and address)
4. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (name first, and address(es))

5. This statement refers to original FINANCING STATEMENT number \_\_\_\_\_ Dated \_\_\_\_\_

- 7. CONTINUATION. The original financing statement between the foregoing Debtor(s) and Secured Party(ies), bearing file number above is still effective.
FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number above have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown above to the property DESCRIBED BELOW have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
AMENDMENT. Financing statement bearing file number shown above is amended AS SET FORTH BELOW.
PARTIAL RELEASE. Secured Party(ies) releases the collateral DESCRIBED BELOW from the financing statement bearing file number shown above.
TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown above.

DESCRIPTION:

8. NUMBER OF ADDITIONAL SHEETS ATTACHED \_\_\_\_\_

9. \_\_\_\_\_

TYPE NAME(S) OF DEBTOR(S) (or assignor(s)) \_\_\_\_\_ TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s)) \_\_\_\_\_

SIGNATURE(S) OF DEBTOR(S) (or assignor(s)) (Required if amendment) \_\_\_\_\_ SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s)) \_\_\_\_\_

10. RETURN ACKNOWLEDGEMENT COPY TO:
[ ] [ ]
[ ] [ ]

FILE WITH:
UNIFORM COMMERCIAL CODE DIVISION
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
OR
IF FIXTURE FILING:
COUNTY AUDITOR OF COUNTY WHERE ORIGINAL FILING WAS MADE

FOR OFFICE USE ONLY:
Images To Be Filmed [ ]

COPY TO FILING OFFICER - NUMERIC

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON
WASHINGTON UCC-3

PLEASE FILE WITH THIS STATEMENT  
 This CHANGE STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, Crop Liens and Processor and Preparer statutes.  
 IF LEASE - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.  
 IF CONSIGNMENT - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.  
 IF CROP LIEN - The terms debtor and secured party are to be construed as LIEN DEBTOR and LIEN HOLDER/CLAIMANT.  
 IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term debtor is to be construed as preparer, conditioner, or processor. The term secured party is to be construed as PRODUCER.  
 IF A CROP LIEN OR PREPARER OR PROCESSOR LIEN FOR AGRICULTURAL PRODUCTS - The term financing statement shall be construed as STATEMENT EVIDENCE LIEN.

1. DEBTOR(S) (or assignor(s) )  
 (last name first, and address(es) )

2. FOR OFFICE USE ONLY

TRADE NAME:  
 (if any)

3. SECURED PARTY(IES) (or assignee(s) ) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES)  
 (if applicable)  
 (last name first, and address(es) )

5. This statement refers to original FINANCING STATEMENT number \_\_\_\_\_ Dated \_\_\_\_\_

- 7.  CONTINUATION. The original financing statement between the foregoing Debtor(s) and Secured Party(ies), bearing file number above is still effective.
- FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number above have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
- PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown above to the property DESCRIBED BELOW have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
- AMENDMENT. Financing statement bearing file number shown above is amended AS SET FORTH BELOW.
- PARTIAL RELEASE. Secured Party(ies) releases the collateral DESCRIBED BELOW from the financing statement bearing file number shown above.
- TERMINATION. Secured Party(ies) no longer claims security interest under the financing statement bearing file number shown above.

DESCRIPTION:

B. NUMBER OF ADDITIONAL SHEETS ATTACHED: \_\_\_\_\_

9.

TYPE NAME(S) OF DEBTOR(S) (or assignor(s) )

TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s) )

SIGNATURE(S) OF DEBTOR(S) (or assignor(s) )  
 (Required if amendment)

SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s) )

10. RETURN ACKNOWLEDGEMENT COPY TO:

FILE WITH:  
 UNIFORM COMMERCIAL CODE DIVISION  
 DEPARTMENT OF LICENSING  
 P.O. BOX 9660  
 OLYMPIA, WA 98504  
 OR  
 IF FIXTURE FILING:  
 COUNTY AUDITOR OF COUNTY WHERE  
 ORIGINAL FILING WAS MADE

FOR OFFICE USE ONLY:

Images To  
 Be Filmed



PLEASE PRINT

This CHANGE STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, Crop Liens and Processor and Preparer statutes.
IF LEASE - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CONSIGNMENT - The terms debtor and secured party are to be construed as LESSEE AND LESSOR.
IF CROP LIEN - The terms debtor and secured party are to be construed as LIEN DEBTOR and LIEN HOLDER/CLAIMANT.
IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term debtor is to be construed as preparer, conditioner, or processor. The term secured party is to be construed as PRODUCER.
IF A CROP LIEN OR PREPARER OR PROCESSOR LIEN FOR AGRICULTURAL PRODUCTS - The term financing statement shall be construed as STATEMENT EVIDENCING LIEN.

1. DEBTOR(S) (or assignor(s)) (last name first, and address(es))
2. FOR OFFICE USE ONLY
TRADE NAME: (if any)

3. SECURED PARTY(IES) (or assignee(s)) (name and address)
4. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (name first, and address(es))

5. This statement refers to original FINANCING STATEMENT number \_\_\_\_\_ Dated \_\_\_\_\_

- 7. CONTINUATION. The original financing statement between the foregoing Debtor(s) and Secured Party(ies), bearing file number above is still effective.
FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number above have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown above to the property DESCRIBED BELOW have been assigned to the Assignee(s) whose NAME(S) AND ADDRESS(ES) APPEAR ABOVE.
AMENDMENT. Financing statement bearing file number shown above is amended AS SET FORTH BELOW.
PARTIAL RELEASE. Secured Party(ies) releases the collateral DESCRIBED BELOW from the financing statement bearing file number shown above.
TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown above.

DESCRIPTION:

8. NUMBER OF ADDITIONAL SHEETS ATTACHED \_\_\_\_\_

9. \_\_\_\_\_

TYPE NAME(S) OF DEBTOR(S) (or assignor(s)) \_\_\_\_\_ TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s)) \_\_\_\_\_

SIGNATURE(S) OF DEBTOR(S) (or assignor(s)) (Required if amendment) \_\_\_\_\_ SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s)) \_\_\_\_\_

10. RETURN ACKNOWLEDGEMENT COPY TO:
FILE WITH: UNIFORM COMMERCIAL CODE DIVISION DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504 OR IF FIXTURE FILING: COUNTY AUDITOR OF COUNTY WHERE ORIGINAL FILING WAS MADE

FOR OFFICE USE ONLY: Images To Be Filled

PLEASE TYPE OR PRINT

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2. FOR OFFICE USE ONLY

TRADE NAME: (if any)

3. SECURED PARTY(IES) (or assignee(s)) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (last name first, and address(es))

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DESCRIPTION:

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9.

TYPE NAME(S) OF DEBTOR(S) (or assignor(s))

TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s))

SIGNATURE(S) OF DEBTOR(S) (or assignor(s)) (Required if amendment)

SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s))

10. RETURN ACKNOWLEDGEMENT COPY TO:

FILE WITH: UNIFORM COMMERCIAL CODE DIVISION DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504 OR IF FIXTURE FILING: COUNTY AUDITOR OF COUNTY WHERE ORIGINAL FILING WAS MADE

FOR OFFICE USE ONLY:

Images To Be Filmed

Empty box for office use only.

COPY FILE COPY - SECURED PARTY

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

<p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____</p> <p><input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____</p> <p>TRADE NAME, DBA, AKA: _____</p>	<p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p>
---	--

<p>3. SECURED PARTY(IES) (name and address)</p> <p>_____</p> <p>_____</p>	<p>4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)</p> <p>_____</p> <p>_____</p>
---	--

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only. Original filing number \_\_\_\_\_ Dated \_\_\_\_\_

6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00. NUMBER OF ADDITIONAL SHEET(S) ATTACHED: \_\_\_\_\_

7. Please check one or more of the following actions:
- CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.
  - FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
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  - TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

<p>9. DEBTOR NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p>	<p>10. SECURED PARTY NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p>
---	---

11. RETURN ACKNOWLEDGMENT COPY TO:

\_\_\_\_\_

\_\_\_\_\_

12. FILE WITH:

**UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE  
DEPARTMENT OF LICENSING**

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE  
STATE OF WASHINGTON (R/12/88)

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

<p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____</p> <p><input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____</p> <p>TRADE NAME, DBA, AKA:</p>	<p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p>
---	--

<p>3. SECURED PARTY (IES) (name and address)</p> <p>┌</p> <p>└</p>	<p>4. ASSIGNEE(S) of SECURED PARTY (IES) if applicable (name and address)</p>
--	---

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only. Original filing number \_\_\_\_\_ Dated \_\_\_\_\_

6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00. NUMBER OF ADDITIONAL SHEET(S) ATTACHED: \_\_\_\_\_

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9. DEBTOR NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF DEBTOR(S)

10. SECURED PARTY NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF SECURED PARTY (IES) AS IT APPEARS IN BOX 3 OR 4

SIGNATURE(S) OF SECURED PARTY(IES)

SIGNATURE(S) OF SECURED PARTY(IES)

11. RETURN ACKNOWLEDGMENT COPY TO:

┌

└

12. FILE WITH:

**UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE  
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Images To Be Filmed

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

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<p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____</p> <p><input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____</p>          <p>TRADE NAME, DBA, AKA: _____</p>	<p><b>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</b></p>          
--	---

<p>3. SECURED PARTY(IES) (name and address)</p> <div style="border: 1px solid black; height: 80px; margin-top: 10px;"></div>	<p>4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)</p>
--	--

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11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:

**UNIFORM COMMERCIAL CODE  
 DEPARTMENT OF LICENSING  
 P.O. BOX 9660  
 OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE  
 DEPARTMENT OF LICENSING**

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Images To Be Filmed

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1. DEBTOR(S) (see instruction #2)
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BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

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Images To Be Filmed
FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

~~((INSTRUCTIONS UCC-3~~~~1. PLEASE TYPE THIS FORM.~~

~~2. If the space provided for any item on the form is inadequate, the item should be identified and continued on additional sheets, preferably 8 1/2" X 11". The name of the debtor should appear as the first item on each additional sheet. Only one copy of such additional sheets need be presented to the filing officer with the two copies of the financing statement. Indicate the number of sheets attached in the space provided.~~

~~3. At the time of filing, the filing officer will return copy (3) as an acknowledgment. Indicate in box 10 to whom the acknowledgment should be returned.~~

~~4. If the transaction indicated requires a description or explanation, that description or explanation must appear in box 7.~~

~~5. Typed name of debtor and/or secured party must appear with signature.~~

~~6. Except for terminations, one or more transactions may be accomplished by a single UCC-3 filing. If more than one transaction is indicated on this form, send appropriate fee for each transaction. Terminations must be submitted on a separate UCC-3.~~

~~7. The filing fee for a continuation, assignment, amendment, or release on a standard form is \$4.00. The fee is \$7.00 if any other form is used or if any additional sheets or documents are attached to the standard UCC-3. Proper filing fees must accompany each form. There is no fee for a termination statement.~~

~~8. DO NOT WRITE IN BOX 2.~~

~~9. REMOVE and retain copies (4) and (5). SEND copies (1), (2), and (3) to the address on the front of the form.~~



AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-047 UCC-4 CROP LIENS AND PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL AND COMMERCIAL FISH PRODUCTS FILING FORM. Effective January 1, ((+987)) 1990, the following form shall be the standard UCC-4 form prescribed by the department of licensing.

LIEN FILING INSTRUCTIONS
UCC-4

- 1. COMPLETION OF FORM: Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it.
2. LIEN DEBTOR AND LIEN HOLDER/CLAIMANT: The legal name of the debtor, secured party or assignee is required. Please check the appropriate square in box 1 to indicate whether the debtor name listed is a personal name or is being used as a business name or both. Social Security numbers or federal employer identification numbers, trade names, DBAs or AKAs (including nicknames), may also be entered in box 1.
3. ATTACHMENTS: If space provided in any box is inadequate, type or print the words "See Attachments" in the box and continue the information on additional 8 1/2" by 11" sheets. Enter the total number of attached sheets in box 7. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachments are added to the filing form, the fee is \$7.00.
4. MAILING: Send copies 1, 2, and 3 to the address provided in box 10. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
5. TERMINATION: To terminate a filing, send the acknowledgment (copy 3) back to the Department of Licensing with the termination statement signed by the lien holder/claimant of record. The UCC-3 form also may be used as a termination statement. Fees are not charged for the termination of liens.
6. FILING FEES: The fee for filing a UCC-4 (R/12/88) is \$4.00. If any other form is used or additional sheet(s) have been attached, the filing fee is \$7.00. Filings will not be recorded unless the proper fee is sent. Checks should be made payable to the Department of Licensing.

PLEASE TYPE OR PRINT CLEARLY - Names and addresses will be filed exactly as they appear on this form. This statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, and a processor and preparer lien for agricultural products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term lien debtor is to be construed as a processor, preparer, or conditioner. The lien holder claimant is to be construed as the producer.

Form with sections: 1. LIEN DEBTOR(S): NAME (last, first, middle) AND ADDRESS; 2. LIEN HOLDER/CLAIMANT: NAME AND ADDRESS; 3. ASSIGNEE(S) OF SECURED PARTY(IES); 4. LANDLORD/SUPPLIER: Date of commencement of performance; 5. NUMBER OF ADDITIONAL SHEETS; 6. TYPE OF LIEN: LANDLORD, SUPPLIER, PREPARER, PROCESSOR.

COPY 1-FILING OFFICER-INDEX

WASHINGTON UCC-4

PLEASE TYPE OR PRINT CLEARLY — Names and addresses will be filed exactly as they appear on this form.  
 This statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, and a processor and preparer lien for agricultural products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below.  
 IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS — The term lien debtor is to be construed as a processor, preparer, or conditioner. The lien holder claimant is to be construed as the producer.

1. LIEN DEBTOR(S): NAME (last, first, middle) AND ADDRESS	FOR OFFICE USE ONLY
TRADE NAME: (dba, aka)	

2. LIEN HOLDER/CLAIMANT: NAME AND ADDRESS	3. ASSIGNMENT of SECURED PARTY(IES) (if applicable) (last name first, and address(es))
---	--

4. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed	NOTE: You may attach additional sheets to provide more information where space is limited. (A non-standard fee will be charged.)	5. NUMBER OF ADDITIONAL SHEETS:
---	--	---------------------------------

6. TYPE OF LIEN:  LANDLORD  SUPPLIER  PREPARER  PROCESSOR

7. LANDLORD/SUPPLIER: Describe the LABOR SERVICES, MATERIALS or SUPPLIES covered by this statement.  
 PREPARER/PROCESSOR: Describe the AGRICULTURAL PRODUCT to be charged with the lien. Include the amount demanded after deducting credits and offsets.

8. RETURN ACKNOWLEDGEMENT COPY TO: (name and address)

\$ \_\_\_\_\_

FILE WITH:  
 UNIFORM COMMERCIAL CODE DIVISION  
 DEPARTMENT OF LICENSING  
 P.O. BOX 9660  
 OLYMPIA, WA 98504

FOR OFFICE USE ONLY

IMAGES TO BE FILMED

9. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP

COUNTY IN WHICH CROP IS GROWN:

10. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing of the notice evidencing the lien.	12. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER
11. DATE PAYMENT IS DUE	13. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

PLEASE TYPE OR PRINT CLEARLY — Names and addresses will be filed exactly as they appear on this form. This statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, and a processor and preparer lien for agricultural products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS — The term lien debtor is to be construed as a processor, preparer, or conditioner. The lien holder claimant is to be construed as the producer.

1. LIEN DEBTOR(S): NAME (last, first, middle) AND ADDRESS FOR OFFICE USE ONLY

TRADE NAME: (dba, aka) 2. LIEN HOLDER/CLAIMANT: NAME AND ADDRESS 3. ASSIGNMENT of SECURED PARTY(IES) (if applicable) (last name first, and address(es))

4. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed NOTE: You may attach additional sheets to provide more information where space is limited. (A non-standard fee will be charged.) 5. NUMBER OF ADDITIONAL SHEETS:

6. TYPE OF LIEN: [ ] LANDLORD [ ] SUPPLIER [ ] PREPARER [ ] PROCESSOR

7. LANDLORD/SUPPLIER: Describe the LABOR SERVICES, MATERIALS or SUPPLIES covered by this statement. PREPARER/PROCESSOR: Describe the AGRICULTURAL PRODUCT to be charged with the lien. Include the amount demanded after deducting credits and offsets. \$ \_\_\_\_\_

8. RETURN ACKNOWLEDGEMENT COPY TO: (name and address) FOR OFFICE USE ONLY

9. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP

COUNTY IN WHICH CROP IS GROWN: [ ]

LIEN TERMINATION STATEMENT OR STATEMENT OF DISCHARGE: The LIEN HOLDER(S) certifies that the LIEN HOLDER(S) no longer claims an interest under the CROP LIEN OR PREPARER/PROCESSOR STATEMENT bearing the file number shown above.

Name \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Return to: Uniform Commercial Code Division Department of Licensing P.O. Box 9660 Olympia, WA 98504

COPY — FILING OFFICER — ACKNOWLEDGEMENT

WASHINGTON UCC-4

PLEASE TYPE OR PRINT CLEARLY — Names and addresses will be filed exactly as they appear on this form.  
 This statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, and a processor and preparer lien for agricultural products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below.  
**IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS** — The term lien debtor is to be construed as a processor, preparer, or conditioner. The lien holder claimant is to be construed as the producer.

1. LIEN DEBTOR(S): NAME (last, first, middle) AND ADDRESS	FOR OFFICE USE ONLY
TRADE NAME: (dba, aka)	

2. LIEN HOLDER/CLAIMANT: NAME AND ADDRESS	3. ASSIGNEE(S) or SECURED PARTY(IES) (if applicable) (last name first, and address(es))
---	---

4. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed _____	NOTE: You may attach additional sheets to provide more information where space is limited. (A non-standard fee will be charged.)	5. NUMBER OF ADDITIONAL SHEETS:
---	--	---------------------------------

6. TYPE OF LIEN:       LANDLORD                       SUPPLIER                       PREPARER                       PROCESSOR

7. LANDLORD/SUPPLIER: Describe the LABOR SERVICES, MATERIALS or SUPPLIES covered by this statement.  
 PREPARER/PROCESSOR: Describe the AGRICULTURAL PRODUCT to be charged with this lien. Include the amount demanded after deducting credits and offsets.

8. RETURN ACKNOWLEDGEMENT COPY TO: (name and address)	FILE WITH: UNIFORM COMMERCIAL CODE DIVISION DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504  FOR OFFICE USE ONLY  IMAGES TO BE FILMED <input type="checkbox"/>
---	--

9. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP

COUNTY IN WHICH CROP IS GROWN: <input type="text"/>	12. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER
10. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing of the notice evidencing the lien.	13. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.
11. DATE PAYMENT IS DUE	

COPY 4—FILE COPY—DEBTOR

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON  
 WASHINGTON UCC-4

PLEASE TYPE OR PRINT CLEARLY - Names and addresses will be filed exactly as they appear on this form. This statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, and a processor and preparer lien for agricultural products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. IF PROCESSOR AND PREPARER LIEN FOR AGRICULTURAL PRODUCTS - The term lien debtor is to be construed as a processor, preparer, or conditioner. The lien holder claimant is to be construed as the producer.

1. LIEN DEBTOR(S): NAME (last, first, middle) AND ADDRESS FOR OFFICE USE ONLY

TRADE NAME: (dba, aka) 2. LIEN HOLDER/CLAIMANT: NAME AND ADDRESS 3. ASSIGNEE(S) OF SECURED PARTY(IES) (if applicable) (last name, first, and address(es))

4. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed NOTE: You may attach additional sheets to provide more information where space is limited. (A non-standard fee will be charged.) 5. NUMBER OF ADDITIONAL SHEETS:

6. TYPE OF LIEN: [ ] LANDLORD [ ] SUPPLIER [ ] PREPARER [ ] PROCESSOR

7. LANDLORD/SUPPLIER: Describe the LABOR SERVICES, MATERIALS or SUPPLIES covered by this statement. PREPARER/PROCESSOR: Describe the AGRICULTURAL PRODUCT to be charged with the lien. Include the amount demanded after deducting credits and offsets.

8. RETURN ACKNOWLEDGEMENT COPY TO: (name and address) \$ FILE WITH: UNIFORM COMMERCIAL CODE DIVISION DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504 FOR OFFICE USE ONLY IMAGES TO BE FILMED

9. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP

COUNTY IN WHICH CROP IS GROWN: [ ]

10. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing of the notice evidencing the lien. 12. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER

11. DATE PAYMENT IS DUE 13. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) OF SECURED PARTY (IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee... \$4.00 Filing fee with attachments... \$7.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets.

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien.

14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below.

If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)

PERSONAL (last, first, middle name and address) SSN: \_\_\_\_\_

BUSINESS (legal business name and address) FEIN: \_\_\_\_\_

TRADE NAME, DBA, AKA: \_\_\_\_\_

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

3. LIEN HOLDER/CLAIMANT (name and address)

\_\_\_\_\_

\_\_\_\_\_

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

\_\_\_\_\_

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed: \_\_\_\_\_

6. TYPE OF LIEN:  LANDLORD  SUPPLIER  PREPARER  PROCESSOR  CONDITIONER

7. FEES: Filing fee . . . \$4.00 Filing fee with attachments . . . \$7.00 Number of additional sheets presented: \_\_\_\_\_

8. LANDLORD/SUPPLIER: Describe the labor services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

\_\_\_\_\_

\_\_\_\_\_

10. FILE WITH:

**UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE  
DEPARTMENT OF LICENSING**

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14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER  
I verify that the information contained on this statement is true and accurate.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$4.00 Filing fee with attachments . . . \$7.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING
11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

LIEN TERMINATION STATEMENT OR STATEMENT OF DISCHARGE: The LIEN HOLDER(S) certifies that the LIEN HOLDER(S) no longer claims an interest under the CROP LIEN, PREPARER, PROCESSOR OR CONDITIONER LIEN bearing the file number shown above.

PRINT OR TYPE NAME AS IT APPEARS IN BOX 3 OR 4. Date
Signature
Return to: Uniform Commercial Code
Department of Licensing
P.O. Box 9660
Olympia, WA 98504
COPY 3 FILING OFFICER - ACKNOWLEDGMENT WASHINGTON UCC-4 (R/12/88)



PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:
2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)
4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:
6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee... \$4.00 Filing fee with attachments... \$7.00 Number of additional sheets presented:
8. LANDLORD/SUPPLIER: Describe the labor services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien.

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)
10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING
11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

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14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.
15. DATE PAYMENT IS DUE
16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:
6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$4.00 Filing fee with attachments . . . \$7.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:

UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504

MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

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14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-4

COPY 5 - FILE COPY - SECURED PARTY

~~((INSTRUCTIONS UCC-4~~

- ~~1. PLEASE TYPE OR PRINT. The information on this form will be filed exactly as you present it. Complete items 1 through 11 clearly and accurately. If you correct an error, be certain to correct all copies.~~
- ~~2. LIEN DEBTOR. The name of the lien debtor must be entered as follows—last name, comma, first name, comma, middle name or initial.~~
- ~~3. ATTACHMENTS. When the space on the form is inadequate, continue your information on additional 8 1/2 by 11 sheets. Enter the name of the lien debtor in the same manner as described in 2, as the first item on each additional page and indicate the item number on the form which is being continued. Only one copy of each attachment is necessary. Submit the NONSTANDARD FEE.~~
- ~~4. ACKNOWLEDGEMENT. The filing officer will return copy 3 when the statement is filed. Indicate where you wish this acknowledgement to be sent in the box within item number 8.~~
- ~~5. FILING FEES. Proper filing fees must accompany each filing:~~

~~STANDARD FORM:~~

~~WASHINGTON UCC-4 FORM ..... \$4.00~~

~~NONSTANDARD FORMS:~~

~~WASHINGTON UCC-4 FORM WITH ATTACHMENTS, OR OTHER FORMS ..... \$7.00~~

- ~~6. MAILING: Send copies 1, 2, and 3 to the address on the front of this form. Retain copies 4 and 5.~~

~~TERMINATION STATEMENT~~

~~To terminate a filing send the acknowledgement, copy 3, back to the filing officer with the termination statement signed by the lien holder/claimant of record. The UCC-3 form also may be used as a termination statement. Fees are not charged for the termination of filings.~~

~~If the name of the secured party or the assignee (if an assignment has been made) is other than the name of an individual, then the termination statements require that the exact name of the secured party or the assignee must appear directly above the signature representing the secured parties.~~

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-048 UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION. Effective (~~July 1, 1982~~) January 1, 1990, the following form shall be the standard UCC-11R Form prescribed by the department of licensing:

SEARCH REQUEST INSTRUCTIONS  
UCC-11R

- 1. COMPLETION OF FORM: Please type or print the information presented on this form clearly and accurately. The search will be conducted using the exact spelling of the debtor name as shown in box 3. If you make an error, be certain to correct all copies.  
It would also be helpful to include the Social Security number or the federal employer identification number of the debtor in the space provided in box 3.
- 2. ONE DEBTOR NAME PER FORM: Only the first debtor name on this form will be searched. A separate UCC-11R must be submitted for each debtor name. Please check the appropriate square in box 3 to indicate whether the debtor name is a personal name or a business name.  
A husband and wife are considered to be two individual debtors and require separate search request forms. DBAs, AKAs, FKAs and trade names are considered separate debtors and require separate search request forms.
- 3. DEBTOR NAME: Correct spelling of the debtor's name is important. A deviation in spelling or an incomplete name may result in failure to disclose the desired information. If unsure of whether the debtor uses other names or other spellings, requestors may wish to submit an additional search request for each probable name or spelling.
- 4. ADDITIONAL ADDRESSES OF THE DEBTOR: To search the debtor name at any addresses within the city you designate, enter the name of the city. To search the debtor name at any addresses within the county you designate, enter the county name. To search the debtor name at any possible address, check ALL. If a debtor has a post office box in addition to a street address, please list both.
- 5. MAILING: Send copies 1 and 2 to the address shown in box 7. Retain copy 3 for your records.
- 6. SEARCH FEES: The proper filing fees must accompany each search request.

<u>CERTIFICATE OF INFORMATION</u>	<u>..... \$4.00</u>
<u>CERTIFICATE OF INFORMATION AND COPIES</u>	<u>..... \$8.00</u>

PLEASE TYPE OR PRINT FORM **REQUEST FOR CERTIFICATE OF INFORMATION** SEE REVERSE SIDE FOR INSTRUCTIONS

1. OFFICE USE ONLY	2. DEBTOR NAME (Last name, first name, middle name or initial. List one debtor name per request.)
	2A. DEBTOR ADDRESS (List additional addresses in box 2B.)

3. REQUESTING PARTY (Name and address)	2B. ADDITIONAL DEBTOR ADDRESS(ES) (You may specify additional addresses or enter ALL addresses to request all addresses for this debtor.)
--	---

4. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED

TYPE OF SEARCH DESIRED: *At least one box must be checked.*

All current UCC filings or liens for the debtor named above, at the address(es) shown in box(es) 2A and/or 2B, on the date of receipt of this request.

Any current UCC filings or liens from \_\_\_\_\_ to \_\_\_\_\_.

Federal tax liens only — partnership and corporation.

Specific filing numbers listed below in box 5.

TYPE OF INFORMATION REQUESTED *At least one box must be checked.*

Certificate of information only. **\$4.00**

Certificate of information and true and exact copies. **\$8.00**

**CERTIFIED SEARCH RESULTS WILL BE ATTACHED TO THIS FORM UPON THE COMPLETION OF THIS SEARCH.**

5. SPECIFICALLY REQUESTED FILE NUMBER(S)

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. IF YOU BELIEVE THERE MAY BE ADDITIONAL NAMES, YOU MAY WISH TO SUBMIT ADDITIONAL REQUEST FORMS AND FEES.

6. DATE	7. SIGNATURE OF REQUESTING PARTY
---------	----------------------------------

**MAKE CHECKS PAYABLE TO:**  
**DEPARTMENT OF LICENSING**

FORWARD TO: UNIFORM COMMERCIAL CODE  
 DEPARTMENT OF LICENSING  
 P.O. BOX 9660  
 OLYMPIA, WA 98504

**NOTE:** Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

PLEASE TYPE OR PRINT FORM **REQUEST FOR CERTIFICATE OF INFORMATION** SEE REVERSE SIDE FOR INSTRUCTIONS

1. OFFICE USE ONLY

2. DEBTOR NAME (Last name, first name, middle name or initial. List one debtor name per request.)

2A. DEBTOR ADDRESS (List additional addresses in box 2B.)

3. REQUESTING PARTY (Name and address)

2B. ADDITIONAL DEBTOR ADDRESS(ES) (You may specify additional addresses or enter ALL addresses to request all addresses for this debtor.)

4. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED

TYPE OF SEARCH DESIRED: At least one box must be checked.

- All current UCC filings or liens for the debtor named above, at the address(es) shown in box(es) 2A and/or 2B, on the date of receipt of this request.
- Any current UCC filings or liens from \_\_\_\_\_ to \_\_\_\_\_.
- Federal tax liens only — partnership and corporation.
- Specific filing numbers listed below in box 5.

TYPE OF INFORMATION REQUESTED At least one box must be checked.

- Certificate of information only. \$4.00
- Certificate of information and true and exact copies. \$8.00

**CERTIFIED SEARCH RESULTS WILL BE ATTACHED TO THIS FORM UPON THE COMPLETION OF THIS SEARCH.**

5. SPECIFICALLY REQUESTED FILE NUMBER(S)

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. IF YOU BELIEVE THERE MAY BE ADDITIONAL NAMES, YOU MAY WISH TO SUBMIT ADDITIONAL REQUEST FORMS AND FEES.

6. DATE

7. SIGNATURE OF REQUESTING PARTY

MAKE CHECKS PAYABLE TO:  
DEPARTMENT OF LICENSING

FORWARD TO: UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504

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COPY 2 - FILING OFFICER -

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON

WASHINGTON UCC-11R

PLEASE TYPE OR PRINT FORM **REQUEST FOR CERTIFICATE OF INFORMATION** SEE REVERSE SIDE FOR INSTRUCTIONS

1. OFFICE USE ONLY	2. DEBTOR NAME (Last name, first name, middle name or initial. List one debtor name per request.)
	2A. DEBTOR ADDRESS (List additional addresses in box 2B.)

3. REQUESTING PARTY (Name and address)	2B. ADDITIONAL DEBTOR ADDRESS(ES) (You may specify additional addresses or enter ALL addresses to request all addresses for this debtor.)
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4. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED

<p>TYPE OF SEARCH DESIRED: <i>At least one box must be checked.</i></p> <p><input type="checkbox"/> All current UCC filings or liens for the debtor named above, at the address(es) shown in box(es) 2A and/or 2B, on the date of receipt of this request.</p> <p><input type="checkbox"/> Any current UCC filings or liens from _____ to _____.</p> <p><input type="checkbox"/> Federal tax liens only - partnership and corporation.</p> <p><input type="checkbox"/> Specific filing numbers listed below in box 5.</p>	<p>TYPE OF INFORMATION REQUESTED <i>At least one box must be checked.</i></p> <p><input type="checkbox"/> Certificate of information only. <b>\$4.00</b></p> <p><input type="checkbox"/> Certificate of information and true and exact copies. <b>\$8.00</b></p>
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**CERTIFIED SEARCH RESULTS WILL BE ATTACHED TO THIS FORM UPON THE COMPLETION OF THIS SEARCH.**

5. SPECIFICALLY REQUESTED FILE NUMBER(S)

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. IF YOU BELIEVE THERE MAY BE ADDITIONAL NAMES, YOU MAY WISH TO SUBMIT ADDITIONAL REQUEST FORMS AND FEES.

6. DATE	7. SIGNATURE OF REQUESTING PARTY
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**MAKE CHECKS PAYABLE TO:**  
**DEPARTMENT OF LICENSING**

FORWARD TO: UNIFORM COMMERCIAL CODE  
 DEPARTMENT OF LICENSING  
 P.O. BOX 9660  
 OLYMPIA, WA 98504

**NOTE:** Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

CC-3 - FILE COPY.

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON

WASHINGTON UCC-11R

UCC - 11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME List one debtor per request.

PERSONAL (last, first, middle name and address) SSN:
BUSINESS (Legal business name and address) FEIN:

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY

COUNTY ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
Any current UCC filings and liens from
Federal tax liens only - partnership and corporation.
Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information \* \$4.00
Certificate of Information \* and true and exact copies. \$8.00

\*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 1-FILING OFFICER

WASHINGTON UCC-11R



UCC - 11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME List one debtor per request.

- PERSONAL (last, first, middle name and address) SSN: \_\_\_\_\_
- BUSINESS (Legal business name and address) FEIN: \_\_\_\_\_

2. REQUESTING PARTY (Name and address)

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4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY \_\_\_\_\_

COUNTY \_\_\_\_\_ ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
- Any current UCC filings and liens from \_\_\_\_\_ to \_\_\_\_\_.
- Federal tax liens only — partnership and corporation.
- Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information \* \$4.00
- Certificate of Information \* and true and exact copies. \$8.00

\*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE  
DEPARTMENT OF LICENSING  
P.O. BOX 9660  
OLYMPIA, WA 98504

**NOTE:** Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 2-FILING OFFICER

WASHINGTON UCC-11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME List one debtor per request.

- PERSONAL (last, first, middle name and address) SSN: \_\_\_\_\_
- BUSINESS (Legal business name and address) FEIN: \_\_\_\_\_

2. REQUESTING PARTY (Name and address)

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4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY \_\_\_\_\_

COUNTY \_\_\_\_\_ ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
- Any current UCC filings and liens from \_\_\_\_\_ to \_\_\_\_\_
- Federal tax liens only — partnership and corporation.
- Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information \* \$4.00
- Certificate of Information \* and true and exact copies. \$8.00

\*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 3-FILE COPY REQUESTING PARTY

WASHINGTON UCC-11R

((INSTRUCTIONS UCC-HR

1. PLEASE TYPE OR PRINT THIS FORM. Complete this form accurately and clearly. The search will be conducted using the exact spelling of the debtor name as shown in box 2. If you make corrections to the form, be sure that all copies are corrected.

2. ONE DEBTOR NAME PER FORM. Only the first debtor name entered on this form will be searched. A separate UCC-HR must be submitted for each debtor.

- A husband and wife are considered to be two individual debtors.
- DBAs are considered separate debtors.

3. ADDITIONAL ADDRESSES OF THE DEBTOR. Previous or additional addresses will be searched as specified in box 2B or you may request a search of all addresses currently filed for a debtor by specifying ALL ADDRESSES. If a debtor has a P.O. Box in addition to a street address, please list both addresses.

4. SEARCH FEES. The proper fees must accompany each search request:

CERTIFICATE OF INFORMATION .....	\$4.00
CERTIFICATE AND COPIES .....	\$8.00

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING.

5. MAILING. Send copies 1 and 2 to the address on the front of the form. Retain copy 3 for your records.

6. SEARCH RESULTS. When your search request has been completed, copy 1 will be returned with the results and/or certification attached.

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-050 OFFICIAL APPROVAL OF FORMS. A supplier of standard forms who wishes to print on such forms a legend indicating that they have been officially approved as standard forms by the department of licensing shall submit two sets of reproducible proof copies of each such form to the department. The copies must demonstrate to the satisfaction of the department that the approved form in final printing will conform to content, format, size, and construction of the forms set out in WAC 308-400-040, 308-400-042, ((308-400-044;)) 308-400-046, 308-400-047, and 308-400-048. If the department is so satisfied, it shall notify such supplier in writing. No person shall print such a legend on any form for use under Article 62A.9 RCW or chapter 60.11 or 60.13 RCW, nor shall any person in any manner represent that there has been such approval, without first applying for such approval and receiving such notice from the department. A form which has not been approved by the department shall be considered a nonstandard form.

AMENDATORY SECTION (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-052 ((NONSTANDARD)) STANDARD FORM. (1) Beginning ((July 1, 1982)) January 1, 1990, the only forms which will be considered standard forms for the purpose of assessing standard filing fees are those set out in WAC 308-400-040, 308-400-042, ((308-400-044;)) 308-400-046, and ((308-400-048)) 308-400-047. All other forms will be considered nonstandard forms to which the nonstandard ((form)) filing fees apply.

(2) Beginning January 1, ((1987)) 1990, the only forms which will be considered the standard form for ((assessing standard fees for processor, preparer, or crop liens)) requests for certificates of information shall be those set out as WAC ((308-400-046, 308-400-047, and)) 308-400-048.

(3) A standard form which includes attachments becomes a non-standard filing and will be assessed the nonstandard filing fee.

(4) Between the effective date of this amendment and December 31, 1989, forms previously approved by the department of licensing under WAC 308-400-040, 308-400-042, 308-400-046, 308-400-047, and 308-400-048 will be considered standard forms for the purpose of assessing standard fees.

**AMENDATORY SECTION** (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-058 SIGNATURE REQUIREMENTS. (1) A financing statement must be signed by each person listed by name as the debtor.

(2) If a ~~((partial assignment of the security interest perfected by a financing statement or filing form has been made, signatures of both the secured party and the assignee are required to terminate the financing statement or filing form:))~~ financing statement or filing form lists collateral clearly identified to multiple secured parties, either on the original financing statement or by partial assignment, individual secured parties may terminate their clearly identified security interest(s) without the signature(s) of the remaining secured parties.

(3) All required signatures on UCC-3 actions must be original. ~~((When representing a person other than the signer, the person must be identified as the representative.~~

(3) Each party listed as a secured party on the financing statement or filing form must sign any UCC-3 action or termination form:)) (4) When a filing form is signed by someone in a representative capacity, the signer must be identified as the representative.

**AMENDATORY SECTION** (Amending Order BLS 105, filed 12/2/86, effective 1/1/87)

WAC 308-400-059 TERMINATION STATEMENT, STATEMENT OF DISCHARGE ~~((AND))~~ LIEN TERMINATION STATEMENT AND CERTIFICATE OF RELEASE. (1) A "termination statement" is used to terminate a security interest under a financing statement (RCW 62A.9-404). A "statement of discharge" is used to discharge a processor or preparer lien which has been filed with a filing officer (RCW 60.13.060). A "lien termination statement" is used for terminating a crop lien pursuant to chapter 60.11 RCW.

(2) For a security interest under a financing statement, whenever there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, a secured party must on written demand by the debtor send the debtor, for each filing officer with whom the financing statement was filed, a properly signed termination statement to the effect that he no longer claims a security interest under the financing statement, which shall be identified by file number. A secured party's failure to file such a termination statement or to send such a termination statement within ten days after proper demand therefor, the secured party shall be liable to the debtor for one hundred dollars plus any damages caused to the debtor by such failure.

(3) For a processor or preparer lien which has been filed with the filing officer, if the producer has received full payment for the obligation, the producer shall promptly file with the filing officer a statement declaring that full payment has been received and that the lien is discharged. If, after payment, the producer fails to file such statement of discharge within ten days following a request to do so, the producer shall be liable to the processor, conditioner or preparer in the sum of one hundred dollars plus actual damages caused by the failure.

(4) For a crop lien, the lienholder shall file with the filing officer a lien termination statement within fifteen days following receipt of full payment of the amount of the lien. Failure to file a lien termination statement by the lienholder or its assignee shall cause the lienholder or its assignee to be liable to the debtor for the attorneys' fees and costs incurred by the debtor to have the lien terminated plus damages incurred by the debtor due to the failure of the lienholder to terminate the lien.

(5) Failure to file a statement of discharge or a lien termination statement with the department of licensing may result in retention of filings records beyond the duration of the secured interest or the lien.

(6) Certificate of release of federal lien. Federal certificates of release shall be filed in accordance with provisions of the Uniform Federal Lien Registration Act, chapter 60.68 RCW.

**AMENDATORY SECTION** (Amending Order BLS 115, filed 7/30/87)

WAC 308-400-095 FEES. The following fees for filing information with, and for obtaining information from, filing officers shall be charged by the department of licensing:

(1) For filing, indexing, and furnishing data pursuant to a security interest created by a deed of trust or mortgage under provisions of RCW 62A.9-302, the fee shall be seven dollars.

(2) For filing and indexing an original financing statement or a continuation statement pursuant to RCW 62A.9-403, and for stamping a

copy furnished by the secured party showing the date and place of filing, the fee shall be four dollars if the statement is in the standard form prescribed by the department of licensing, but if the form of the statement does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be seven dollars.

(3) For filing, indexing, and furnishing filing data for a financing statement indicating an assignment or a separate statement of assignment, under provisions of RCW 62A.9-405, on a form conforming to standards prescribed by the department of licensing shall be four dollars, but if the form of the financing statement or separate statement of assignment does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be seven dollars.

(4) For filing and noting a statement of release pursuant to RCW 62A.9-406 on a form conforming to standards prescribed by the department of licensing, the fee shall be four dollars, but if the form of the statement does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be seven dollars.

(5) For a certificate of information pursuant to RCW 62A.9-407, the fee shall be four dollars. For a certificate of information pursuant to RCW 62A.9-407 and for a copy of any filed financing statements or statements of assignment the fee shall be eight dollars for each particular debtor's statements requested.

**AMENDATORY SECTION** (Amending Order BLS 115, filed 7/30/87)

WAC 308-400-100 FEES, FORMS AND PROCEDURES—FILING PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL PRODUCTS OR COMMERCIAL FISH. The filing forms, fees and procedures for filing with, and obtaining information from, filing officers, pertaining to processor and preparer liens for agricultural products or commercial fish pursuant to chapter 60.13 RCW, shall correspond to the forms, fees and procedures prescribed by the department of licensing pursuant to chapter 62A.9 RCW, for filing statements or information with, and obtaining information from, filing officers.

**NEW SECTION**

WAC 308-400-120 FORMS, FEES, AND PROCEDURES—FILING FEDERAL LIENS. The filing fees and procedures for filing information with and obtaining information from filing officers pertaining to federal liens pursuant to chapter 60.68 RCW shall correspond to the filing fees and procedures prescribed by the department of licensing pursuant to Article 62A.9 RCW, for filing information statements with and obtaining information from filing officers. The filing forms shall be those forms approved between the department of licensing and the Internal Revenue Service.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 308-400-044 UCC-IX FINANCING STATEMENT TO CONTINUE A COUNTY FILING AT THE DEPARTMENT OF LICENSING.

**WSR 88-23-122****PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed November 23, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning special fuel tax, chapter 82.38 RCW, new sections WAC 308-77-042 and 308-77-044; that the agency will at 10:30 a.m., Thursday, December 29, 1988, in the 2nd Floor Conference Room, Highways-Licenses 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 82.38.020(12), 82.38.110 and 82.38.260.

The specific statute these rules are intended to implement is RCW 82.38.020(12) and 82.38.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 29, 1988.

Dated: November 23, 1988

By: Margaret A. Gaffney  
Assistant Attorney General

### STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: The new sections are proposed to enhance the ability of the Department of Licensing to effectively administer and enforce the special fuel tax bonding requirements of chapter 82.38 RCW.

Statutory Authority: RCW 82.38.020(12), 82.38.110 and 82.38.260.

Summary of the Rules: WAC 308-77-042 Special fuel user bond; and 308-77-044 Bonding requirements.

Reason Proposed: WAC 308-77-042 is proposed to implement RCW 82.38.110 by prescribing circumstances under which a special fuel user's bond is required; and WAC 308-77-044 is proposed to prescribe forms, terms and conditions pertaining to special fuel tax bonds.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Bob Anderson, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6914 comm or 234-6914 scan; and Ildefonso Origenes, Assistant Administrator, Fuel Tax Division, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6860 comm or 234-6860 scan.

Proponents: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

### NEW SECTION

WAC 308-77-042 SPECIAL FUEL USER BOND. A special fuel user license may be issued without the applicant filing a fuel tax bond. However, the department will require a licensed special fuel user to furnish a fuel tax bond under the following circumstances:

- (a) If the user has filed two consecutive late reports with taxes due; or
- (b) If the user submitted a tax report without the full remittance of the tax due; or
- (c) If investigation discloses that the user is selling or has sold special fuel in violation of the definition of a user license; or
- (d) If a deficiency in record keeping as disclosed in an audit is not corrected or rectified prior to a subsequent audit; or
- (e) If the user has sent a check in payment of liabilities due, and that check has been dishonored by nonacceptance or nonpayment; or

(f) If the user has been sent at least three billing statements for liabilities due; or

(g) If the user's license has been revoked as provided by RCW 82.38.130; or

(h) If the user has been sent at least three Notices of Revocation or Cancellation of License.

The department will mail a notice to the special fuel licensee requiring the submission or filing of a fuel tax bond and will indicate the reason for requiring the bond. If the bond is not received by the department within forty-five days after service of the notice, the user's special fuel license shall forthwith be cancelled. Service of the notice is deemed to have been accomplished on the date the notice was deposited in the United States mail, postage prepaid, addressed to the special fuel user at the special fuel user's current mailing address as it appears in the fuel tax records of the department.

The total amount of the bond shall be fixed by the department and shall be equivalent to at least three times the average tax liability on the reported taxable gallons used during the last four reporting periods; in the absence of information on the last four reporting periods, the bond shall be three times the tax on the estimated on-highway usage declared on the user's latest application for a special fuel user's license on file with the department, or five thousand dollars, whichever is greater.

The department may, after five years, list the bond requirement from the special fuel user at the licensee's request, if there is sufficient evidence, in the department's discretion, to show that the cause for requiring the bond has been positively removed and a bond is no longer required to protect the interest of the state.

### NEW SECTION

WAC 308-77-044 BONDING REQUIREMENTS. Where a bond is required under the special fuel tax act, chapter 82.38 RCW, or under chapter 308-77 WAC, the bond must be in a form specified in chapter 82.38 RCW and in these rules, and must be filed with the director.

The bond may be a corporate surety bond pursuant to RCW 82.38.020 (12)(a).

If the bond is in the form of a deposit pursuant to RCW 82.38.020 (12)(b) with the state treasurer by the special fuel dealer or special fuel user, the bond may be a cash deposit of lawful money of the United States, a United States Treasury note or bond, or a municipal bond of Washington State or of any Washington county. Each such bond shall be filed with the director of licensing for deposit with the State Treasurer. An irrevocable bond power in a form acceptable to the department of licensing assigning and transferring each such bond to the State Treasurer must be filed along with each such bond. Each such bond shall be marked to market at least quarterly, or monthly in the department's discretion, for its dollar price and yield (bid side of the market) in current market. If the value is inadequate to meet the required bonded amount, the licensee is required to file with the director a supplemental cash or other bond of sufficient value to meet the required bonded amount.

The bond may also be in any of the following forms pursuant to RCW 82.38.020 (12)(c):

(a) Automatically renewable certificate(s) of deposit, not exceeding the federally insured amount, issued by a bank doing business in the state of Washington and insured by the Federal Deposit Insurance Corporation, made in the name of the special fuel dealer or special fuel user, payable to or assigned to the Washington State Treasurer; or,

(b) Certificate(s) of deposit or shared accounts, not exceeding the federally insured amount, issued by a savings and loan association doing business in the state of Washington and insured by the Federal Savings and Loan Insurance Corporation. Evidence of the insured account, in the form of either a certificate of deposit or passbook must be filed with the director of licensing, along with a properly executed assignment form whereby the fund on deposit is assigned to the Washington State Treasurer.

(c) Certificate(s) of deposit or shared accounts, issued by a credit union doing business in the state of Washington and insured by the Washington Credit Union Share Guaranty Association, not exceeding the amount insured by the guaranty association. Evidence of the insured account, in the form of either a certificate of deposit or passbook must be filed with the director of licensing, along with a properly executed assignment form whereby the fund on deposit is assigned to the Washington State Treasurer.

The certificate and/or the assignment forms shall contain the provision that interest earned shall be payable to the depositor, and that the

assignment may only be cancelled upon written authorization of the director of the department of licensing or director's designee.

**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 88-23-123**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed November 23, 1988]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning special fuel tax, amending WAC 308-77-030, 308-77-034, 308-77-040 and 308-77-060; that the agency will at 10:15 a.m., Thursday, December 29, 1988, in the 2nd Floor Conference Room, Highways-Licenses Building, 12th and Franklin, 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 82.38.260.

The specific statute these rules are intended to implement is RCW 82.38.020 (7), (8) and (9), 82.38.030, 82.38.040, 82.38.050, 82.38.080, 82.38.090 and 82.38.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before December 29, 1988.

Dated: November 23, 1988

By: Margaret A. Gaffney  
Assistant Attorney General

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: To enhance the ability of the Department of Licensing to effectively administer and enforce chapter 82.38 RCW.

Statutory Authority: RCW 82.38.260.

Summary of the Rules: WAC 308-77-030 Special fuel supplier's license; 308-77-034 Special fuel user's license; 308-77-040 Issuance of license; and 308-77-060 Special fuel dealers' liability for the tax.

Reason Proposed: WAC 308-77-030 is proposed to remedy abuse or misuse of a supplier license; WAC 308-77-034 and 308-77-040 are proposed to conform with the National Governor's Association consensus agenda; and WAC 308-77-060 is proposed to clarify a dealer's nonliability for special fuel tax when the purchaser is an agency of the federal government.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Bob Anderson, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6914 comm or 234-6914 scan; and Ildefonso

Origenes, Assistant Administrator, Fuel Tax Division, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6860 comm or 234-6860 scan.

Proponents: The state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

**AMENDATORY SECTION** (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-030 SPECIAL FUEL SUPPLIER'S LICENSE. (1) A special fuel supplier's license must be obtained before engaging in the wholesale distribution of untaxed special fuel. Special fuel suppliers are not authorized to sell to retail consumers for any use, taxable or nontaxable, and are not allowed to sell to unlicensed dealers or suppliers or to any other person where the special fuel tax is or should be collected on the sale.

(2) If an investigation and/or audit discloses that a licensed supplier is selling special fuel in violation of the definition of a supplier's license, the supplier's license shall be revoked. If the supplier desires to continue doing business in the state handling untaxed fuel, such supplier must immediately apply for a special fuel dealer license, furnish a bond equivalent to three times the average monthly tax liability assessed or five thousand dollars whichever is greater, pay the one hundred dollar penalty prescribed by RCW 82.38.170(10), and be subject to the reporting requirements. The initial reporting frequency shall be monthly.

(3) Persons dealing in wholesale or retail distribution of special fuel for heating purposes only, where the fuel is delivered and/or pumped directly into the fuel tank connected to the furnace, are not required to be licensed under the Special Fuel Tax Act.

**AMENDATORY SECTION** (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-034 SPECIAL FUEL USER'S LICENSE. A special fuel user's license must be obtained by any person wishing to purchase special fuel without payment of the special fuel tax at the time of purchase. It must also be obtained by any person operating a diesel vehicle with a registered gross vehicle weight of over ~~(+10,000)~~ twelve thousand pounds into the state of Washington from another state or province. This includes vehicles bearing Washington license plates. Persons using special fuel for heating purposes only are allowed to purchase special fuel without payment of the special fuel tax without obtaining a special fuel license.

**AMENDATORY SECTION** (Amending Order TL-RG-24, filed 12/31/85)

WAC 308-77-040 ISSUANCE OF LICENSE. A special fuel supplier or dealer who wishes to conduct separate businesses at different locations will be issued a license for each business upon request and filing an application for a license and a bond (if required) for each. The license shall be displayed or kept available for inspection at the place of each business where fuel is sold and delivered to users.

A special fuel supplier or dealer having more than one place of business holding a single license shall reproduce the license and keep a photocopy on display at each additional place of business, each place of storage from which special fuel is sold or delivered, and in each motor vehicle used to transport special fuel owned by him for sale, delivery or use, and in addition, must identify by location and capacity all bulk storage plants of #1 and #2 distillates capable of being used as vehicle fuel as required by the department.

A special fuel user who wishes to conduct separate businesses at different locations or to operate two or more separate fleets of motor vehicles will be issued a license for each separate business or fleet upon request and filing an application for a license and a bond (if required) for each location or fleet. The license shall be displayed or be kept available for inspection at the owner's principal place of business and a reproduced copy thereof shall be carried in each motor vehicle entering this state from another state or province. A special fuel tax trip permit

may be purchased by a user entering this state in lieu of a special fuel license. The user must be the registered owner and/or lessee of the vehicle, or a dealer of motor vehicles. Operators of vehicles with a registered gross weight of more than ~~((10,000))~~ twelve thousand pounds will require a special fuel license or a special fuel tax trip permit to enter this state.

**AMENDATORY SECTION** (Amending Order 548 DOL, filed 8/1/79)

**WAC 308-77-060 SPECIAL FUEL DEALERS' LIABILITY FOR THE TAX.** A special fuel dealer is required to collect and is liable for the amount of the tax on all gallonage of fuel sold and delivered except:

- (1) When delivered into vehicles owned and operated by the United States government;
- (2) When authorization issued by the department has been presented to the dealer by the purchaser which will permit the special fuel dealer to sell and deliver fuel into the fuel tank of a vehicle without collecting the tax from the user;
- (3) When delivered into vehicles displaying a certificate authorizing the purchase of fuel free of the tax;
- (4) Into bulk storage when the purchaser is the holder of a valid special fuel dealer or user license issued in his name; or when the purchaser is an agency of the federal government;
- (5) Through an unattended keylock pump when the dealer has received authorization from the department permitting tax free sales to a specific purchaser;
- (6) Into vehicle refrigeration units, mixing units, or other equipment powered by separate motors from separate fuel tanks;
- (7) Into the fuel tanks of marine vessels when the purchaser supplies the dealer with the vessel's name and appropriate identification such as his commercial fishing license number, his ship document number or other verifiable identification. For the purpose of administration, foreign vessels will be considered to be operating in accordance with this paragraph upon presentation of the vessel's name and country of registry.
- (8) To a new special fuel user who has applied for, but has not yet been issued, a special fuel user's license. At the option of the special fuel dealer the user may be allowed to purchase tax-exempt fuel in this manner for no more than thirty calendar days but he must display a special fuel user's license for any tax-exempt purchases after this period. The dealer shall note "License Applied For" on the sales invoice and shall be responsible for payment of all fuel taxes on fuel sold in this manner if the user does not subsequently receive a license from the department.

If the dealer collects from any user a greater amount of tax than that which is required to be collected, he shall remit the full amount collected to the department to enable the user to obtain his allowable credit or refund from the state.

The tax is deemed to have been collected at the time of the sale irrespective of when payment for the amount of the invoice including the tax is received by the special fuel dealer. Failure to collect the tax from the purchaser does not relieve the special fuel dealer from his liability to pay to the state the amount of the tax required to be collected except that bad debt losses are deductible under circumstances described in RCW 82.38.070 and rule WAC 308-77-100. Except as provided in items (1), (2) and (3) of this section, a special fuel dealer who sells and delivers fuel into the fuel tank of a motor vehicle shall collect the tax notwithstanding that the user may claim exemption from the tax in his reports to the department for any nontaxable use of the fuel.

A special fuel dealer is required to collect the special fuel tax for all fuel dispensed through a pump equipped with a key-lock meter controlled by the special fuel dealer except as authorized under RCW 82-38.040. A serially numbered invoice covering multiple withdrawals of fuel from a pump with a key-lock meter for a stated period of time not to exceed a calendar month shall be accepted as an invoice issued at the time of sale under rule WAC 308-77-160.

All deliveries of special fuels into the storage facilities of an unlicensed service station (unlicensed special fuel dealer) are taxable regardless of whether the special fuel is delivered by consignment or otherwise. The tax attaches on the delivery.

A special fuel dealer who connects a retail outlet to a bulk plant facility from which fuel is dispensed for other purposes will be held liable for the special fuel tax on all unaccountable inventory losses of fuel from the facility.

**WSR 88-23-124**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING**

**(Board of Osteopathic Medicine and Surgery)**

[Order PM 801—Filed November 23, 1988]

Be it resolved by the Board of Osteopathic Medicine and Surgery, acting at Olympia, Washington, that it does adopt the annexed rules relating to new sections WAC 308-138-350, 308-138-360, 308-138A-040, 308-138A-050, 308-138A-060, 308-138B-180, 308-138B-190 and 308-138B-200; and amending WAC 308-138-070.

This action is taken pursuant to Notice No. WSR 88-20-059 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 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 November 18, 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 licenses, 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 88-23-125**  
**PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
[Filed November 23, 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 personal use rules.

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

Dated: November 23, 1988

By: Robert A. Turner  
for Joseph R. Blum  
Director

#### STATEMENT OF PURPOSE

Title: WAC 220-20-010 General provisions—Lawful and unlawful acts—Salmon, other food fish, and shellfish.

Description of Purpose: Disallow mutilation to escape size limits.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: Makes possession of a mutilated fish unlawful when size, weight, length, or sex restrictions are in place for that species. Current rule disallows possession if length cannot be determined, but does not prohibit possession if mutilation has occurred to bring fish within legal length restrictions.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, WA, 586-2429; Implementation: Gene DiDonato, 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 at the request of the Wahkiakum County Prosecuting Attorney's Office.

Comments: This proposal is the result of a Wahkiakum County District Court decision releasing a defendant who was in possession of a sturgeon altered to be 72 inches in length.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. No effect on 10% of businesses in any one three-digit industrial classification nor 20% of all businesses is expected.

#### AMENDATORY SECTION (Amending Order 88-15, filed 4/26/88)

WAC 220-20-010 GENERAL PROVISIONS—LAWFUL AND UNLAWFUL ACTS—SALMON, OTHER FOOD FISH AND SHELLFISH. (1) It shall be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the department of fisheries.

(2) It shall be unlawful for any person to have in possession or under control or custody any food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the director of fisheries, unless otherwise provided.

(3) It shall be lawful to fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

Pacific halibut	(Hippoglossus stenolepis)
Pacific herring (except as prescribed in WAC 220-49-020)	(Clupea harengus pallasii)
Salmon	
Chinook	(Oncorhynchus tshawytscha)
Coho	(Oncorhynchus kisutch)
Chum	(Oncorhynchus keta)
Pink	(Oncorhynchus gorbuscha)
Sockeye	(Oncorhynchus nerka)
Masu	(Oncorhynchus masu)

(4) It shall be unlawful for any person to fish for food fish or shellfish while in possession in the field of food fish or shellfish that are in violation of the harvest regulations for the area being fished. This regulation does not apply to vessels in transit.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked with a buoy to which shall be affixed in a visible and legible manner the department of fisheries approved and registered buoy brand provided that:

(a) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(b) When two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the department of fisheries, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the department of fisheries.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the department of fisheries.

(9) It shall be unlawful for any person licensed under the fisheries code of Washington to fail to make any report or return required of him by the department of fisheries relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, except as provided for in this subsection:

(a) It shall be lawful to use a dip net, gaff or club in the landing of food fish taken by personal-use angling unless otherwise provided.

(b) It shall be lawful to use a dip net, gaff, or club in the landing of food fish or shellfish taken for commercial purposes, except that it is unlawful to use a fish pew, pitchfork, or any other instrument that will penetrate the body of the food fish or shellfish while sorting commercial catches during the act of discarding those fish that are not going to be retained.

(c) It shall be lawful to use a spear in underwater spear fishing as provided for in WAC 220-56-160.

(d) It shall be lawful to use a spear to take carp as provided for in WAC 220-56-280.

(e) It shall be lawful to snag herring, smelt, anchovies, pilchard, sand lance, and squid when using baitfish jigger gear or squid jigs.

(12) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersized salmon entangled in commercial nets to pass through a power block or onto a power reel or drum.

(13) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard, any food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or sex limit is prescribed for said species and it is unlawful to possess food fish or shellfish mutilated in any manner such that the natural length, weight, sex, or species cannot be determined.

(14) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the department of fisheries.

(15) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the director of fisheries, or to perform any act not specifically authorized in said document or in the regulations of the director of fisheries.

(16) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the director of fisheries.

(17) It shall be unlawful to test commercial fishing gear except as follows:

(a) Bellingham Bay – inside and northerly of a line from Governor's Point to the south tip of Eliza Island to Point Frances in waters 10 fathoms and deeper.

(b) Boundary Bay – north of a line from Birch Point to Point Roberts and south of the international boundary in waters 10 fathoms and deeper during times not under IPSFC control.

(c) San Juan Channel – within a 1 mile radius of Point Caution during times not under IPSFC control.

(d) Port Angeles – inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner – within a 2 mile radius of the entrance to Everett breakwater in waters 10 fathoms and deeper.

(f) Central Puget Sound – between lines from Meadow Point to Point Monroe and Skiff Point to West Point in waters 50 fathoms and deeper.

(g) East Pass – between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

(h) Port Townsend – westerly of a line from the Coast Guard station in Port Townsend to Wala Point to Kala Point in waters 10 fathoms and deeper.

(i) All tows or sets are limited to 20 minutes exclusive of setting and retrieving time.

(j) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

(k) Codends of trawl nets must be left open, all hooks of set line gear must be unbaited, and no lures or baited hooks shall be used with jig or troll gear.

(l) Any and all incidentally caught fish and shellfish must be returned to the waters immediately, and no fish or shellfish are to be retained aboard the vessel at any time during a gear test operation.

(m) It shall be unlawful for any person conducting such gear testing operations to fail to notify the fisheries patrol office in Olympia prior to testing.

(18) It is unlawful for any person or corporation licensed by the department of fisheries to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from food fish or shellfish. It is also unlawful for any such person or corporation to fail to relinquish to the department, upon request, any part of a salmon or other food fish containing coded-wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.

**WSR 88-23-126**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 88-177—Filed November 23, 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 the hatchery chum salmon egg take goal has been met and sufficient numbers of harvestable chum salmon are present to allow retention by recreational fishermen. It is in the public interest to harvest this surplus. 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 November 23, 1988.

By Robert A. Turner  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-57-50200A WHATCOM CREEK** *Notwithstanding, the provisions of WAC 220-57-502, effective immediately until further notice, bag limit C is in effect, and in addition, two Chum salmon may be retained as part of the daily bag limit.*

**WSR 88-23-127**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 88-178—Filed November 23, 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 chum destined

for the Nooksack-Samish region of origin, and to prevent wastage. The restriction in Area 7B is necessary to maintain an orderly fishery. Openings in Area 12C provide opportunity to harvest the non-Indian allocation of Hood Canal origin chum. The restriction in Area 12C is necessary to reduce harvest impacts on local chum stocks. The reduction in the permanent exclusion zone (Hoodsport Hatchery) is necessary to prevent wastage of surplus hatchery 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 November 23, 1988.

By Robert A. Turner  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-47-935 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** *Notwithstanding the provisions of Chapter 220-47 WAC, effective 8:00 PM Friday November 25 until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and restrictions:*

- \* Area 7B – Purse seines may fish to 8:00 PM Friday December 2, and Gillnets using 6-inch minimum mesh may fish to 8:00 PM Friday December 2. This area 7B opening excludes those waters north and east of a line projected from the light at the Port of Bellingham North Terminal to the light at the end of Squalicum Creek waterway.
- \* Area 12C – Gillnets using 6-inch minimum mesh may fish from 3:00 PM Monday November 28 to 9:00 AM Tuesday November 29, and Purse seines using the 5-inch strip may fish from 5:00 AM to 8:00 PM Tuesday November 29. This Area 12C fishery excludes those waters south of a line projected from the Cushman Powerhouse to the public boat ramp at Union and those waters within a 500-foot radius of the mouth of Finch Creek.
- \* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12D, 13, 13A, 13C, 13D, 13E, 13F,

*13G, 13H, 13I, 13J, and 13K and all fresh-water areas – Closed.*

**REPEALER**

*The following section of the Washington Administrative Code is repealed effective 8:00 PM Friday November 25:*

**WAC 220-47-934 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (88-175)**

## Table of WAC Sections Affected

### KEY TO TABLE

**Symbols:**

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #	REP	WSR #	WAC #	REP	WSR #	WAC #	REP	WSR #
4-08-010	REP-P	88-17-078	4-08-280	REP-P	88-17-078	4-08-540	REP-P	88-17-078
4-08-010	REP	88-22-056	4-08-280	REP	88-22-056	4-08-540	REP	88-22-056
4-08-030	REP-P	88-17-078	4-08-290	REP-P	88-17-078	4-08-550	REP-P	88-17-078
4-08-030	REP	88-22-056	4-08-290	REP	88-22-056	4-08-550	REP	88-22-056
4-08-040	REP-P	88-17-078	4-08-300	REP-P	88-17-078	4-08-560	REP-P	88-17-078
4-08-040	REP	88-22-056	4-08-300	REP	88-22-056	4-08-560	REP	88-22-056
4-08-050	REP-P	88-17-078	4-08-310	REP-P	88-17-078	4-08-570	REP-P	88-17-078
4-08-050	REP	88-22-056	4-08-310	REP	88-22-056	4-08-570	REP	88-22-056
4-08-060	REP-P	88-17-078	4-08-320	REP-P	88-17-078	4-08-580	REP-P	88-17-078
4-08-060	REP	88-22-056	4-08-320	REP	88-22-056	4-08-580	REP	88-22-056
4-08-070	REP-P	88-17-078	4-08-330	REP-P	88-17-078	4-08-590	REP-P	88-17-078
4-08-070	REP	88-22-056	4-08-330	REP	88-22-056	4-08-590	REP	88-22-056
4-08-080	REP-P	88-17-078	4-08-340	REP-P	88-17-078	4-25-040	AMD-P	88-22-062
4-08-080	REP	88-22-056	4-08-340	REP	88-22-056	4-25-142	NEW	88-05-015
4-08-090	REP-P	88-17-078	4-08-350	REP-P	88-17-078	4-25-180	REP-P	88-22-062
4-08-090	REP	88-22-056	4-08-350	REP	88-22-056	4-25-181	REP	88-06-021
4-08-100	REP-P	88-17-078	4-08-360	REP-P	88-17-078	4-25-190	NEW	88-06-021
4-08-100	REP	88-22-056	4-08-360	REP	88-22-056	4-25-191	NEW-P	88-22-062
4-08-110	REP-P	88-17-078	4-08-370	REP-P	88-17-078	16-28-010	REP	88-05-003
4-08-110	REP	88-22-056	4-08-370	REP	88-22-056	16-28-020	REP	88-05-003
4-08-120	REP-P	88-17-078	4-08-380	REP-P	88-17-078	16-28-030	REP	88-05-003
4-08-120	REP	88-22-056	4-08-380	REP	88-22-056	16-28-040	REP	88-05-003
4-08-130	REP-P	88-17-078	4-08-390	REP-P	88-17-078	16-28-050	REP	88-05-003
4-08-130	REP	88-22-056	4-08-390	REP	88-22-056	16-28-060	REP	88-05-003
4-08-140	REP-P	88-17-078	4-08-400	REP-P	88-17-078	16-28-069	REP	88-05-003
4-08-140	REP	88-22-056	4-08-400	REP	88-22-056	16-28-070	REP	88-05-003
4-08-150	REP-P	88-17-078	4-08-410	REP-P	88-17-078	16-28-080	REP	88-05-003
4-08-150	REP	88-22-056	4-08-410	REP	88-22-056	16-28-090	REP	88-05-003
4-08-160	REP-P	88-17-078	4-08-420	REP-P	88-17-078	16-30	AMD	88-05-003
4-08-160	REP	88-22-056	4-08-420	REP	88-22-056	16-30-010	AMD	88-05-003
4-08-170	REP-P	88-17-078	4-08-430	REP-P	88-17-078	16-30-020	AMD	88-05-003
4-08-170	REP	88-22-056	4-08-430	REP	88-22-056	16-30-030	AMD	88-05-003
4-08-180	REP-P	88-17-078	4-08-440	REP-P	88-17-078	16-30-040	AMD	88-05-003
4-08-180	REP	88-22-056	4-08-440	REP	88-22-056	16-30-050	AMD	88-05-003
4-08-190	REP-P	88-17-078	4-08-450	REP-P	88-17-078	16-30-060	AMD	88-05-003
4-08-190	REP	88-22-056	4-08-450	REP	88-22-056	16-30-070	AMD	88-05-003
4-08-200	REP-P	88-17-078	4-08-460	REP-P	88-17-078	16-30-080	AMD	88-05-003
4-08-200	REP	88-22-056	4-08-460	REP	88-22-056	16-30-090	AMD	88-05-003
4-08-210	REP-P	88-17-078	4-08-470	REP-P	88-17-078	16-42-005	AMD-P	88-21-077
4-08-210	REP	88-22-056	4-08-470	REP	88-22-056	16-42-017	AMD-P	88-21-077
4-08-220	REP-P	88-17-078	4-08-480	REP-P	88-17-078	16-42-022	AMD-P	88-21-077
4-08-220	REP	88-22-056	4-08-480	REP	88-22-056	16-42-025	AMD-P	88-21-077
4-08-230	REP-P	88-17-078	4-08-490	REP-P	88-17-078	16-42-027	NEW-P	88-21-077
4-08-230	REP	88-22-056	4-08-490	REP	88-22-056	16-42-029	NEW-P	88-21-077
4-08-240	REP-P	88-17-078	4-08-500	REP-P	88-17-078	16-42-035	AMD-P	88-21-077
4-08-240	REP	88-22-056	4-08-500	REP	88-22-056	16-42-070	NEW-P	88-21-077
4-08-250	REP-P	88-17-078	4-08-510	REP-P	88-17-078	16-42-080	NEW-P	88-21-077
4-08-250	REP	88-22-056	4-08-510	REP	88-22-056	16-42-090	NEW-P	88-21-077
4-08-260	REP-P	88-17-078	4-08-520	REP-P	88-17-078	16-54-010	AMD	88-05-003
4-08-260	REP	88-22-056	4-08-520	REP	88-22-056	16-54-082	AMD	88-05-003
4-08-270	REP-P	88-17-078	4-08-530	REP-P	88-17-078	16-86-015	AMD	88-05-003
4-08-270	REP	88-22-056	4-08-530	REP	88-22-056	16-86-030	AMD	88-05-003

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-86-095	AMD	88-05-003	16-230-475	NEW-P	88-06-071	16-232-405	NEW-E	88-23-028
16-156-001	NEW-P	88-04-073	16-230-475	NEW-E	88-07-038	16-232-410	NEW-E	88-17-079
16-156-001	NEW	88-07-024	16-230-475	NEW	88-09-013	16-232-410	REP-E	88-21-030
16-156-005	NEW-P	88-04-073	16-230-640	AMD	88-05-033	16-232-415	NEW-E	88-23-028
16-156-005	NEW	88-07-024	16-230-655	AMD	88-05-033	16-232-420	NEW-E	88-17-079
16-156-010	NEW-P	88-04-073	16-231-015	AMD	88-05-033	16-232-420	REP-E	88-21-030
16-156-010	NEW	88-07-024	16-231-020	AMD	88-05-033	16-232-425	NEW-E	88-23-028
16-156-020	NEW-P	88-04-073	16-231-035	REP-P	88-06-071	16-232-430	NEW-E	88-17-079
16-156-020	NEW	88-07-024	16-231-035	REP-E	88-07-038	16-232-430	REP-E	88-21-030
16-156-030	NEW-P	88-04-073	16-231-035	REP	88-09-013	16-232-435	NEW-E	88-23-028
16-156-030	NEW	88-07-024	16-231-115	AMD	88-05-033	16-232-440	NEW-E	88-21-030
16-156-040	NEW-P	88-04-073	16-231-119	NEW	88-05-033	16-232-440	REP-E	88-23-028
16-156-040	NEW	88-07-024	16-231-125	AMD	88-05-033	16-232-445	NEW-E	88-23-028
16-156-050	NEW-P	88-04-073	16-231-130	AMD-P	88-06-071	16-232-450	NEW-E	88-21-030
16-156-050	NEW	88-07-024	16-231-130	AMD-E	88-07-038	16-232-450	REP-E	88-23-028
16-156-060	NEW-P	88-04-073	16-231-130	AMD	88-09-013	16-232-455	NEW-E	88-23-028
16-156-060	NEW	88-07-024	16-231-145	AMD-P	88-06-071	16-232-460	NEW-E	88-21-030
16-228-003	REP-P	88-09-077	16-231-145	AMD-E	88-07-038	16-232-460	REP-E	88-23-028
16-228-003	REP	88-14-074	16-231-145	AMD	88-09-013	16-232-465	NEW-E	88-23-028
16-228-010	AMD-P	88-09-077	16-231-150	REP-P	88-06-071	16-232-470	NEW-E	88-21-030
16-228-010	AMD	88-14-074	16-231-150	REP-E	88-07-038	16-232-470	REP-E	88-23-028
16-228-157	NEW-P	88-09-077	16-231-150	REP	88-09-013	16-232-950	NEW-P	88-06-071
16-228-157	NEW	88-14-074	16-231-225	AMD	88-05-033	16-232-950	NEW-E	88-07-038
16-228-160	AMD-P	88-09-077	16-231-240	REP-P	88-06-071	16-232-950	NEW	88-09-013
16-228-160	AMD	88-14-074	16-231-240	REP-E	88-07-038	16-304-040	AMD-P	88-07-114
16-228-165	AMD-P	88-09-077	16-231-240	REP	88-09-013	16-304-040	AMD	88-11-042
16-228-165	AMD	88-14-074	16-231-345	REP-P	88-06-071	16-304-050	AMD-P	88-07-114
16-228-185	AMD-P	88-09-077	16-231-345	REP-E	88-07-038	16-304-050	AMD	88-11-042
16-228-185	AMD	88-14-074	16-231-345	REP	88-09-013	16-304-110	AMD-P	88-07-114
16-228-190	AMD-P	88-09-077	16-231-430	REP-P	88-06-071	16-304-110	AMD	88-11-042
16-228-190	AMD	88-14-074	16-231-430	REP-E	88-07-038	16-304-130	AMD-P	88-07-114
16-228-210	AMD-P	88-09-077	16-231-430	REP	88-09-013	16-304-130	AMD	88-11-042
16-228-210	AMD	88-14-074	16-231-535	REP-P	88-06-071	16-316-0401	REP-P	88-07-114
16-228-215	AMD-P	88-09-077	16-231-535	REP-E	88-07-038	16-316-0401	REP	88-11-042
16-228-215	AMD	88-14-074	16-231-535	REP	88-09-013	16-316-0451	REP-P	88-07-114
16-228-215	AMD-P	88-22-069	16-231-625	REP-P	88-06-071	16-316-0451	REP	88-11-042
16-228-220	AMD-P	88-09-077	16-231-625	REP-E	88-07-038	16-316-0501	REP-P	88-07-114
16-228-220	AMD	88-14-074	16-231-625	REP	88-09-013	16-316-0501	REP	88-11-042
16-228-220	AMD-P	88-22-069	16-231-730	REP-P	88-06-071	16-316-0551	REP-P	88-07-114
16-228-222	NEW-P	88-09-077	16-231-730	REP-E	88-07-038	16-316-0551	REP	88-11-042
16-228-222	NEW-P	88-22-069	16-231-730	REP	88-09-013	16-316-0601	REP-P	88-07-114
16-228-227	NEW-P	88-09-077	16-231-845	REP-P	88-06-071	16-316-0601	REP	88-11-042
16-228-227	NEW	88-14-074	16-231-845	REP-E	88-07-038	16-316-195	AMD-P	88-07-114
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16-228-232	NEW-P	88-09-077	16-231-912	AMD	88-05-033	16-316-230	AMD-P	88-07-114
16-228-232	NEW	88-14-074	16-231-940	REP-P	88-06-071	16-316-230	AMD	88-11-042
16-228-400	NEW-E	88-07-033	16-231-940	REP-E	88-07-038	16-316-315	AMD-P	88-07-114
16-228-410	NEW-E	88-07-033	16-231-940	REP	88-09-013	16-316-315	AMD	88-11-042
16-228-420	NEW-E	88-07-033	16-231-950	NEW-P	88-06-071	16-316-350	AMD-P	88-07-114
16-228-430	NEW-E	88-07-033	16-231-950	NEW-E	88-07-038	16-316-350	AMD	88-11-042
16-228-440	NEW-E	88-07-033	16-231-950	NEW	88-09-013	16-316-370	AMD-P	88-07-114
16-228-450	NEW-E	88-07-033	16-232-010	AMD	88-05-033	16-316-370	AMD	88-11-042
16-228-460	NEW-E	88-07-033	16-232-015	AMD	88-05-033	16-316-525	AMD-P	88-07-114
16-228-470	NEW-E	88-07-033	16-232-015	AMD-E	88-15-048	16-316-525	AMD	88-11-042
16-228-480	NEW-E	88-07-033	16-232-015	AMD-P	88-17-121	16-316-717	AMD-P	88-07-114
16-228-490	NEW-E	88-07-033	16-232-015	AMD	88-21-098	16-316-719	AMD-P	88-07-114
16-228-500	NEW-E	88-07-033	16-232-020	AMD	88-05-033	16-316-724	AMD-P	88-07-114
16-228-510	NEW-E	88-07-033	16-232-025	AMD	88-05-033	16-316-724	AMD	88-11-042
16-228-520	NEW-E	88-07-033	16-232-027	NEW	88-05-033	16-316-727	AMD-P	88-07-114
16-228-600	NEW-E	88-13-025	16-232-035	AMD-P	88-06-071	16-316-800	AMD-P	88-07-114
16-228-600	NEW-P	88-17-121	16-232-035	AMD-E	88-07-038	16-316-800	AMD	88-11-042
16-228-600	NEW-E	88-19-051	16-232-035	AMD	88-09-013	16-316-820	AMD-P	88-07-114
16-228-600	NEW	88-21-098	16-232-038	AMD	88-05-033	16-316-820	AMD	88-11-042
16-230-010	AMD-P	88-17-121	16-232-040	REP-P	88-06-071	16-316-830	AMD-P	88-07-114
16-230-010	AMD	88-21-098	16-232-040	REP-E	88-07-038	16-316-830	AMD	88-11-042
16-230-030	AMD-P	88-05-055	16-232-040	REP	88-09-013	16-316-832	AMD-P	88-07-114
16-230-030	AMD	88-08-050	16-232-130	REP-P	88-06-071	16-316-832	AMD	88-11-042
16-230-030	AMD-P	88-17-121	16-232-130	REP-E	88-07-038	16-316-880	AMD-P	88-07-114
16-230-030	AMD	88-21-098	16-232-130	REP	88-09-013	16-316-880	AMD	88-11-042
16-230-075	AMD-P	88-17-121	16-232-230	REP-P	88-06-071	16-403-140	AMD-P	88-11-068
16-230-075	AMD	88-21-098	16-232-230	REP-E	88-07-038	16-403-140	AMD	88-14-128
16-230-076	AMD-P	88-17-121	16-232-230	REP	88-09-013	16-403-142	NEW-P	88-11-068
16-230-076	AMD	88-21-098	16-232-320	REP-P	88-06-071	16-403-142	NEW	88-14-128
16-230-078	AMD-P	88-17-121	16-232-320	REP-E	88-07-038	16-403-155	AMD-P	88-14-127
16-230-078	AMD	88-21-098	16-232-320	REP	88-09-013	16-403-180	AMD-P	88-11-068
16-230-079	NEW-P	88-05-055	16-232-400	NEW-E	88-17-079	16-403-180	AMD	88-14-128
16-230-079	NEW	88-08-050	16-232-400	REP-E	88-21-030	16-403-190	AMD-P	88-11-068

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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16-403-195	AMD-P	88-11-068	16-602-030	AMD-P	88-03-058	25-46-140	NEW-P	88-18-092
16-403-195	AMD	88-14-128	16-602-030	AMD	88-07-018	25-46-140	NEW	88-23-005
16-403-280	AMD-P	88-11-068	16-620-240	AMD-P	88-07-096	25-46-160	NEW-P	88-18-092
16-403-280	AMD	88-14-128	16-620-240	AMD	88-12-036	25-46-160	NEW	88-23-005
16-436-100	AMD-P	88-08-071	16-620-260	AMD-P	88-07-096	25-46-180	NEW-P	88-18-092
16-436-100	AMD	88-11-048	16-620-260	AMD	88-12-036	25-46-180	NEW	88-23-005
16-436-110	AMD-P	88-08-071	16-620-265	REP-P	88-07-096	25-48	AMD-P	88-18-091
16-436-110	AMD	88-11-048	16-620-265	REP	88-12-036	25-48	AMD	88-23-004
16-436-140	AMD-P	88-08-071	16-694-001	AMD-P	88-20-068	25-48-010	AMD-P	88-18-091
16-436-140	AMD	88-11-048	16-694-001	AMD	88-23-056	25-48-010	AMD	88-23-004
16-436-160	AMD-P	88-08-071	16-694-010	NEW-P	88-20-068	25-48-020	AMD-P	88-18-091
16-436-160	AMD	88-11-048	16-694-010	NEW	88-23-056	25-48-020	AMD	88-23-004
16-436-165	NEW-P	88-08-071	16-750-001	NEW-P	88-03-057	25-48-030	AMD-P	88-18-091
16-436-165	NEW	88-11-048	16-750-001	NEW-E	88-03-059	25-48-030	AMD	88-23-004
16-436-170	AMD-P	88-08-071	16-750-001	NEW	88-07-016	25-48-050	AMD-P	88-18-091
16-436-170	AMD	88-11-048	16-750-003	NEW-E	88-13-007	25-48-050	AMD	88-23-004
16-436-185	AMD-P	88-08-071	16-750-003	NEW-P	88-13-049	25-48-060	AMD-P	88-18-091
16-436-185	AMD	88-11-048	16-750-003	NEW	88-18-001	25-48-060	AMD	88-23-004
16-436-190	AMD-P	88-08-071	16-750-003	NEW-E	88-18-002	25-48-085	NEW-P	88-18-091
16-436-190	AMD	88-11-048	16-750-004	NEW-E	88-13-007	25-48-085	NEW	88-23-004
16-436-220	AMD-P	88-08-071	16-750-004	NEW-P	88-13-049	25-48-090	AMD-P	88-18-091
16-436-220	AMD	88-11-048	16-750-004	NEW	88-18-001	25-48-090	AMD	88-23-004
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16-470-010	AMD-P	88-12-083	16-750-005	NEW-P	88-03-057	25-48-100	AMD	88-23-004
16-470-010	AMD	88-16-016	16-750-005	NEW-E	88-03-059	25-48-105	AMD-P	88-18-091
16-470-015	AMD-E	88-12-082	16-750-005	NEW	88-07-016	25-48-105	AMD	88-23-004
16-470-015	AMD-P	88-12-083	16-750-005	AMD-P	88-20-065	25-48-108	NEW-P	88-18-091
16-470-015	AMD	88-16-016	16-750-010	REP-P	88-03-057	25-48-108	NEW	88-23-004
16-470-600	NEW-E	88-09-002	16-750-010	REP-E	88-03-059	25-48-120	AMD-P	88-18-091
16-470-600	NEW-E	88-12-082	16-750-010	REP	88-07-016	25-48-120	AMD	88-23-004
16-470-600	NEW-P	88-12-083	16-750-011	NEW-P	88-03-057	25-48-125	NEW-P	88-18-091
16-470-600	NEW	88-16-016	16-750-011	NEW-E	88-03-059	25-48-125	NEW	88-23-004
16-470-605	NEW-E	88-09-002	16-750-011	NEW	88-07-016	34-02-010	AMD-P	88-16-030
16-470-605	NEW-E	88-12-082	16-750-011	AMD-E	88-13-007	34-02-010	AMD	88-21-003
16-470-605	NEW-P	88-12-083	16-750-011	AMD-P	88-13-049	34-04-120	AMD-P	88-16-030
16-470-605	NEW	88-16-016	16-750-011	AMD	88-18-001	34-04-120	AMD	88-21-003
16-470-610	NEW-E	88-09-002	16-750-011	AMD-E	88-18-002	44-10-035	NEW-P	88-13-088
16-470-610	NEW-E	88-12-082	16-750-011	AMD-P	88-20-065	44-10-035	NEW	88-19-064
16-470-610	NEW-P	88-12-083	16-750-015	NEW-P	88-03-057	44-10-040	NEW	88-04-081
16-470-610	NEW	88-16-016	16-750-015	NEW-E	88-03-059	44-10-050	AMD	88-04-081
16-470-615	NEW-E	88-09-002	16-750-015	NEW	88-07-016	44-10-055	NEW	88-04-081
16-470-615	NEW-E	88-12-082	16-750-015	AMD-P	88-20-065	44-10-060	NEW	88-04-081
16-470-615	NEW-P	88-12-083	16-750-900	NEW-P	88-03-057	44-10-070	NEW	88-04-081
16-470-615	NEW	88-16-016	16-750-900	NEW-E	88-03-059	44-10-080	NEW	88-04-081
16-470-620	NEW-E	88-09-002	16-750-900	NEW	88-07-016	44-10-110	NEW	88-04-081
16-470-620	NEW-E	88-12-082	16-752-001	AMD	88-04-044	44-10-130	NEW	88-04-081
16-470-620	NEW-P	88-12-083	16-752-115	NEW	88-04-044	44-10-160	NEW	88-04-081
16-470-620	NEW	88-16-016	16-752-120	NEW	88-04-044	44-10-165	NEW-P	88-04-078
16-470-625	NEW-E	88-12-082	16-752-125	NEW	88-04-044	44-10-165	NEW-E	88-04-079
16-470-625	NEW-P	88-12-083	16-752-130	NEW	88-04-044	44-10-165	NEW	88-09-063
16-470-625	NEW	88-16-016	16-752-135	NEW	88-04-044	44-10-165	NEW-E	88-09-065
16-470-630	NEW-E	88-12-082	16-752-140	NEW	88-04-044	44-10-180	NEW	88-04-081
16-470-630	NEW-P	88-12-083	16-752-145	NEW	88-04-044	44-10-200	NEW	88-04-081
16-470-630	NEW	88-16-016	16-752-150	NEW	88-04-044	44-10-210	NEW	88-04-081
16-470-635	NEW-E	88-12-082	16-752-155	NEW	88-04-044	44-10-215	NEW-P	88-03-063
16-470-635	NEW-P	88-12-083	16-752-160	NEW	88-04-044	44-10-215	NEW-E	88-03-064
16-470-635	NEW	88-16-016	16-752-165	NEW	88-04-044	44-10-215	NEW	88-09-064
16-488-025	AMD-P	88-13-081	16-752-170	NEW	88-04-044	44-10-215	NEW-E	88-09-065
16-488-025	AMD	88-17-014	16-752-200	NEW	88-04-044	44-10-220	NEW-P	88-03-063
16-495-085	AMD-P	88-07-114	16-752-201	NEW	88-04-044	44-10-220	NEW-E	88-03-064
16-495-085	AMD	88-11-042	16-752-202	NEW	88-04-044	44-10-220	NEW-P	88-09-062
16-528-040	AMD	88-09-019	16-752-203	NEW	88-04-044	44-10-220	NEW-E	88-09-065
16-528-210	AMD-P	88-08-061	16-752-204	NEW	88-04-044	44-10-220	NEW	88-13-039
16-528-210	AMD	88-12-019	25-46-010	NEW-P	88-18-092	44-10-230	NEW-P	88-03-063
16-530-040	AMD	88-09-018	25-46-010	NEW	88-23-005	44-10-230	NEW-E	88-03-064
16-532-020	AMD-P	88-18-073	25-46-020	NEW-P	88-18-092	44-10-230	NEW-P	88-09-062
16-532-035	NEW-P	88-18-073	25-46-020	NEW	88-23-005	44-10-230	NEW-E	88-09-065
16-532-120	AMD-P	88-10-034	25-46-040	NEW-P	88-18-092	44-10-230	NEW	88-13-039
16-532-120	AMD	88-13-050	25-46-040	NEW	88-23-005	44-10-240	NEW-P	88-03-063
16-570-040	NEW-P	88-04-072	25-46-060	NEW-P	88-18-092	44-10-240	NEW-E	88-03-064
16-570-040	NEW	88-07-071	25-46-060	NEW	88-23-005	44-10-240	NEW	88-09-064
16-602-005	NEW-P	88-03-058	25-46-080	NEW-P	88-18-092	44-10-240	NEW-E	88-09-065
16-602-005	NEW	88-07-018	25-46-080	NEW	88-23-005	44-10-300	NEW-E	88-22-054
16-602-010	AMD-P	88-03-058	25-46-100	NEW-P	88-18-092	44-10-300	NEW-P	88-22-055
16-602-010	AMD	88-07-018	25-46-100	NEW	88-23-005	44-10-310	NEW-E	88-22-054
16-602-020	AMD-P	88-03-058	25-46-120	NEW-P	88-18-092	44-10-310	NEW-P	88-22-055

**Table of WAC Sections Affected**

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
44-10-320	NEW-E	88-22-054	82-50-041	REP-P	88-13-092	132D-14-010	REP-P	88-19-084
44-10-320	NEW-P	88-22-055	82-50-041	REP	88-16-027	132D-14-020	REP-P	88-19-084
50-12-230	AMD-E	88-11-002	98-11-005	NEW-P	88-03-062	132D-14-030	REP-P	88-19-084
50-12-230	AMD-P	88-13-064	98-11-005	NEW	88-07-032	132D-14-040	REP-P	88-19-084
50-12-230	AMD	88-16-066	98-40-050	AMD-P	88-03-062	132D-14-050	REP-P	88-19-084
50-20-040	AMD-E	88-13-051	98-40-050	AMD	88-07-032	132D-14-060	REP-P	88-19-084
50-20-040	AMD-P	88-14-002	100-100-050	AMD-P	88-11-076	132D-14-070	REP-P	88-19-084
50-20-040	AMD-C	88-14-093	100-100-050	AMD-E	88-11-077	132D-14-080	REP-P	88-19-084
50-20-040	AMD-P	88-18-076	106-116-850	NEW-P	88-07-017	132D-14-090	REP-P	88-19-084
50-20-040	AMD	88-21-031	106-116-850	NEW-E	88-11-065	132D-14-100	REP-P	88-19-084
50-20-050	AMD-E	88-13-051	106-116-850	NEW	88-11-066	132D-14-110	REP-P	88-19-084
50-20-050	AMD-P	88-14-002	106-116-853	NEW-P	88-07-017	132D-14-120	REP-P	88-19-084
50-20-050	AMD-C	88-14-093	106-116-853	NEW-E	88-11-065	132D-14-130	REP-P	88-19-084
50-20-050	AMD-P	88-18-076	106-116-853	NEW	88-11-066	132D-14-140	REP-P	88-19-084
50-20-050	AMD	88-21-031	106-116-856	NEW-P	88-07-017	132D-14-150	REP-P	88-19-084
51-10	AMD-P	88-14-078	106-116-856	NEW-E	88-11-065	132D-14-160	REP-P	88-19-084
51-12-102	AMD-P	88-14-114	106-116-856	NEW	88-11-066	132D-14-170	REP-P	88-19-084
51-12-223	AMD-P	88-14-114	106-116-859	NEW-P	88-07-017	132D-14-180	REP-P	88-19-084
51-12-305	AMD-P	88-14-114	106-116-859	NEW-E	88-11-065	132D-14-190	REP-P	88-19-084
51-12-402	AMD-P	88-14-114	106-116-859	NEW	88-11-066	132D-14-200	REP-P	88-19-084
51-12-411	AMD-P	88-14-114	106-116-901	AMD-P	88-07-017	132D-14-210	REP-P	88-19-084
51-12-426	AMD-P	88-14-114	106-116-901	AMD-E	88-11-065	132D-14-220	REP-P	88-19-084
51-12-503	AMD-P	88-14-114	106-116-901	AMD	88-11-066	132D-14-230	REP-P	88-19-084
51-12-602	AMD-P	88-14-114	113-12-100	REP-P	88-19-074	132D-14-240	REP-P	88-19-084
51-12-605	AMD-P	88-14-114	113-12-101	NEW-P	88-19-074	132D-14-250	REP-P	88-19-084
51-16	AMD-P	88-14-077	113-12-103	NEW-P	88-19-074	132D-14-260	REP-P	88-19-084
51-16-010	AMD-P	88-14-077	113-12-104	NEW-P	88-19-074	132D-14-270	REP-P	88-19-084
51-16-020	AMD-P	88-14-077	113-12-200	AMD-P	88-05-058	132D-14-280	REP-P	88-19-084
51-16-030	AMD-P	88-14-077	113-12-200	AMD-P	88-14-040	132D-14-290	REP-P	88-19-084
51-16-030	AMD-P	88-20-070	113-12-200	AMD	88-17-100	132D-14-300	REP-P	88-19-084
51-16-040	AMD-P	88-14-077	113-12-220	NEW-P	88-19-074	132D-14-310	REP-P	88-19-084
51-16-050	AMD-P	88-14-077	113-12-230	NEW-P	88-19-074	132D-14-320	REP-P	88-19-084
51-16-060	AMD-P	88-14-077	114-12-160	AMD-P	88-14-095	132D-14-330	REP-P	88-19-084
51-16-070	AMD-P	88-14-077	114-12-160	AMD	88-17-084	132D-14-340	REP-P	88-19-084
51-16-080	AMD-P	88-14-077	114-12-160	AMD-P	88-18-078	132D-14-350	REP-P	88-19-084
51-16-090	AMD-P	88-14-077	114-12-160	AMD	88-22-023	132D-16-010	REP-P	88-19-090
51-16-100	NEW-P	88-14-077	114-12-170	AMD-P	88-14-095	132D-16-020	REP-P	88-19-090
55-01	NEW-C	88-18-050	114-12-170	AMD	88-17-084	132D-16-030	REP-P	88-19-090
55-01	NEW-C	88-19-057	114-12-200	NEW-P	88-18-079	132D-16-040	REP-P	88-19-090
55-01-001	NEW-P	88-15-073	114-12-200	NEW-C	88-22-022	132D-16-050	REP-P	88-19-090
55-01-001	NEW-P	88-21-116	114-12-200	NEW	88-23-060	132D-16-060	REP-P	88-19-090
55-01-010	NEW-P	88-15-073	118-40	NEW-C	88-18-040	132D-16-070	REP-P	88-19-090
55-01-010	NEW-P	88-21-116	118-40-010	NEW-P	88-15-074	132D-16-080	REP-P	88-19-090
55-01-020	NEW-P	88-15-073	118-40-010	NEW	88-19-025	132D-16-090	REP-P	88-19-090
55-01-020	NEW-P	88-21-116	118-40-020	NEW-P	88-15-074	132D-16-100	REP-P	88-19-090
55-01-030	NEW-P	88-15-073	118-40-020	NEW	88-19-025	132D-16-110	REP-P	88-19-090
55-01-030	NEW-P	88-21-116	118-40-030	NEW-P	88-15-074	132D-16-120	REP-P	88-19-090
55-01-040	NEW-P	88-15-073	118-40-030	NEW	88-19-025	132D-16-130	REP-P	88-19-090
55-01-040	NEW-P	88-21-116	118-40-040	NEW-P	88-15-074	132D-16-140	REP-P	88-19-090
55-01-050	NEW-P	88-15-073	118-40-040	NEW	88-19-025	132D-16-150	REP-P	88-19-090
55-01-050	NEW-P	88-21-116	118-40-050	NEW-P	88-15-074	132D-16-160	REP-P	88-19-090
55-01-060	NEW-P	88-15-073	118-40-050	NEW	88-19-025	132D-16-170	REP-P	88-19-090
55-01-060	NEW-P	88-21-116	118-40-060	NEW-P	88-15-074	132D-16-180	REP-P	88-19-090
55-01-070	NEW-P	88-15-073	118-40-060	NEW	88-19-025	132D-16-190	REP-P	88-19-090
55-01-070	NEW-P	88-21-116	118-40-070	NEW-P	88-15-074	132D-16-200	REP-P	88-19-090
55-01-080	NEW-P	88-15-073	118-40-070	NEW	88-19-025	132D-16-210	REP-P	88-19-090
55-01-080	NEW-P	88-21-116	118-40-080	NEW-P	88-15-074	132D-16-220	REP-P	88-19-090
67-10-020	AMD-P	88-04-016	118-40-080	NEW	88-19-025	132D-16-230	REP-P	88-19-090
67-10-020	AMD	88-09-006	118-40-090	NEW-P	88-15-074	132D-16-240	REP-P	88-19-090
67-10-030	AMD-P	88-04-016	118-40-090	NEW	88-19-025	132D-16-250	REP-P	88-19-090
67-10-030	AMD	88-09-006	118-40-100	NEW-P	88-15-074	132D-16-260	REP-P	88-19-090
67-10-040	AMD-P	88-04-016	118-40-100	NEW	88-19-025	132D-16-270	REP-P	88-19-090
67-10-040	AMD	88-09-006	118-40-150	NEW-P	88-15-074	132D-16-280	REP-P	88-19-090
67-10-060	AMD-P	88-04-016	118-40-150	NEW	88-19-025	132D-16-290	REP-P	88-19-090
67-10-060	AMD	88-09-006	118-40-160	NEW-P	88-15-074	132D-16-300	REP-P	88-19-090
67-25-120	AMD-P	88-04-016	118-40-160	NEW	88-19-025	132D-16-310	REP-P	88-19-090
67-25-120	AMD	88-09-006	118-40-170	NEW-P	88-15-074	132D-116-010	NEW-P	88-19-090
67-25-400	AMD-P	88-04-016	118-40-170	NEW	88-19-025	132D-116-020	NEW-P	88-19-090
67-25-400	AMD	88-09-006	118-40-180	NEW-P	88-15-074	132D-116-030	NEW-P	88-19-090
67-25-404	AMD-P	88-04-016	118-40-180	NEW	88-19-025	132D-116-040	NEW-P	88-19-090
67-25-404	AMD	88-09-006	118-40-190	NEW-P	88-15-074	132D-116-050	NEW-P	88-19-090
67-25-570	AMD-P	88-04-016	118-40-190	NEW	88-19-025	132D-116-060	NEW-P	88-19-090
67-25-570	AMD	88-09-006	118-40-300	NEW-P	88-15-074	132D-116-070	NEW-P	88-19-090
82-50-021	AMD-P	88-13-092	118-40-300	NEW	88-19-025	132D-116-080	NEW-P	88-19-090
82-50-021	AMD	88-16-027	118-40-400	NEW-P	88-15-074	132D-116-090	NEW-P	88-19-090
82-50-031	AMD-P	88-13-092	118-40-400	NEW	88-19-025	132D-116-100	NEW-P	88-19-090
82-50-031	AMD	88-16-027	131-08-010	AMD-P	88-21-048	132D-116-110	NEW-P	88-19-090





**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132E-12-338	REP	88-17-083	132E-112-070	REP-P	88-06-020	132E-276-030	AMD	88-12-005
132E-12-341	REP-P	88-13-097	132E-112-070	REP	88-10-014	132E-276-060	AMD-P	88-10-023
132E-12-341	REP	88-17-083	132E-112-080	REP-P	88-06-020	132E-276-060	AMD	88-14-013
132E-12-344	REP-P	88-13-097	132E-112-080	REP	88-10-014	132E-276-070	AMD-P	88-10-023
132E-12-344	REP	88-17-083	132E-112-090	REP-P	88-06-020	132E-276-070	AMD	88-14-013
132E-12-347	REP-P	88-13-097	132E-112-090	REP	88-10-014	132F-120-090	AMD-P	88-03-044
132E-12-347	REP	88-17-083	132E-112-100	REP-P	88-06-020	132F-120-090	AMD	88-08-069
132E-12-350	REP-P	88-13-097	132E-112-100	REP	88-10-014	132H-105-140	AMD-P	88-06-058
132E-12-350	REP	88-17-083	132E-112-100	REP-P	88-06-020	132H-105-140	AMD-P	88-07-089
132E-12-353	REP-P	88-13-097	132E-112-110	REP	88-10-014	132H-105-140	AMD	88-13-047
132E-12-353	REP	88-17-083	132E-112-120	REP-P	88-06-020	132H-148-020	REP-P	88-20-002
132E-12-356	REP-P	88-13-097	132E-112-120	REP	88-10-014	132H-148-020	REP	88-23-051
132E-12-356	REP	88-17-083	132E-112-130	REP-P	88-06-020	132H-148-030	REP-P	88-20-002
132E-12-359	REP-P	88-13-097	132E-112-130	REP	88-10-014	132H-148-030	REP	88-23-051
132E-12-359	REP	88-17-083	132E-112-140	REP-P	88-06-020	132H-148-040	REP-P	88-20-002
132E-12-362	REP-P	88-13-097	132E-112-140	REP	88-10-014	132H-148-040	REP	88-23-051
132E-12-362	REP	88-17-083	132E-112-150	REP-P	88-06-020	132H-148-050	REP-P	88-20-002
132E-12-365	REP-P	88-13-097	132E-112-150	REP	88-10-014	132H-148-050	REP	88-23-051
132E-12-365	REP	88-17-083	132E-112-160	REP-P	88-06-020	132H-148-060	REP-P	88-20-002
132E-12-368	REP-P	88-13-097	132E-112-160	REP	88-10-014	132H-148-060	REP	88-23-051
132E-12-368	REP	88-17-083	132E-112-170	REP-P	88-06-020	132H-148-070	REP-P	88-20-002
132E-12-371	REP-P	88-13-097	132E-112-170	REP	88-10-014	132H-148-070	REP	88-23-051
132E-12-371	REP	88-17-083	132E-112-180	REP-P	88-06-020	132H-148-080	REP-P	88-20-002
132E-12-374	REP-P	88-13-097	132E-112-180	REP	88-10-014	132H-148-080	REP	88-23-051
132E-12-374	REP	88-17-083	132E-112-190	REP-P	88-06-020	132H-148-090	REP-P	88-20-002
132E-12-377	REP-P	88-13-097	132E-112-190	REP	88-10-014	132H-148-090	REP	88-23-051
132E-12-377	REP	88-17-083	132E-112-200	REP-P	88-06-020	132H-148-100	REP-P	88-20-002
132E-12-380	REP-P	88-13-097	132E-112-200	REP	88-10-014	132H-148-100	REP	88-23-051
132E-12-380	REP	88-17-083	132E-112-210	REP-P	88-06-020	132H-148-110	NEW-P	88-20-002
132E-12-383	REP-P	88-13-097	132E-112-210	REP	88-10-014	132H-148-110	NEW	88-23-051
132E-12-383	REP	88-17-083	132E-112-220	REP-P	88-06-020	132H-200-200	NEW-P	88-04-059
132E-12-386	REP-P	88-13-097	132E-112-220	REP	88-10-014	132H-200-200	NEW	88-07-036
132E-12-386	REP	88-17-083	132E-112-230	REP-P	88-06-020	132H-200-250	NEW-P	88-07-088
132E-12-389	REP-P	88-13-097	132E-112-230	REP	88-10-014	132H-200-250	NEW	88-13-048
132E-12-389	REP	88-17-083	132E-120-030	REP-P	88-17-015	132I-14-010	REP-P	88-03-047
132E-12-392	REP-P	88-13-097	132E-120-030	REP-W	88-22-024	132I-14-010	REP	88-07-119
132E-12-392	REP	88-17-083	132E-120-040	REP-P	88-17-015	132I-14-020	REP-P	88-03-047
132E-12-395	REP-P	88-13-097	132E-120-040	REP-W	88-22-024	132I-14-020	REP	88-07-119
132E-12-395	REP	88-17-083	132E-120-045	NEW-P	88-17-016	132I-14-030	REP-P	88-03-047
132E-12-398	REP-P	88-13-097	132E-120-045	NEW-W	88-22-025	132I-14-030	REP	88-07-119
132E-12-398	REP	88-17-083	132E-120-050	REP-P	88-13-001	132I-14-040	REP-P	88-03-047
132E-12-401	REP-P	88-13-097	132E-120-050	REP	88-17-082	132I-14-040	REP	88-07-119
132E-12-401	REP	88-17-083	132E-120-060	REP-P	88-13-001	132I-14-050	REP-P	88-03-047
132E-12-404	REP-P	88-13-097	132E-120-060	REP	88-17-082	132I-14-050	REP	88-07-119
132E-12-404	REP	88-17-083	132E-120-070	REP-P	88-13-001	132I-14-060	REP-P	88-03-047
132E-12-407	REP-P	88-13-097	132E-120-070	REP	88-17-082	132I-14-060	REP	88-07-119
132E-12-407	REP	88-17-083	132E-120-080	REP-P	88-13-001	132I-14-070	REP-P	88-03-047
132E-12-410	REP-P	88-13-097	132E-120-080	REP	88-17-082	132I-14-070	REP	88-07-119
132E-12-410	REP	88-17-083	132E-121-010	NEW-P	88-13-096	132I-14-080	REP-P	88-03-047
132E-12-413	REP-P	88-13-097	132E-121-010	NEW	88-18-028	132I-14-080	REP	88-07-119
132E-12-413	REP	88-17-083	132E-124-030	REP-P	88-08-022	132I-14-090	REP-P	88-03-047
132E-12-416	REP-P	88-13-097	132E-124-030	REP	88-12-004	132I-14-090	REP	88-07-119
132E-12-416	REP	88-17-083	132E-124-040	REP-P	88-08-022	132I-14-100	REP-P	88-03-047
132E-12-419	REP-P	88-13-097	132E-124-040	REP	88-12-004	132I-14-100	REP	88-07-119
132E-12-419	REP	88-17-083	132E-124-050	REP-P	88-08-022	132I-14-110	REP-P	88-03-047
132E-12-422	REP-P	88-13-097	132E-124-050	REP	88-12-004	132I-14-110	REP	88-07-119
132E-12-422	REP	88-17-083	132E-124-060	REP-P	88-08-022	132I-14-120	REP-P	88-03-047
132E-12-425	REP-P	88-13-097	132E-124-060	REP	88-12-004	132I-14-120	REP	88-07-119
132E-12-425	REP	88-17-083	132E-168-010	REP-P	88-08-019	132I-14-130	REP-P	88-03-047
132E-12-428	REP-P	88-13-097	132E-168-010	REP	88-12-006	132I-14-130	REP	88-07-119
132E-12-428	REP	88-17-083	132E-168-020	REP-P	88-08-019	132I-14-140	REP-P	88-03-047
132E-12-431	REP-P	88-13-097	132E-168-020	REP	88-12-006	132I-14-140	REP	88-07-119
132E-12-431	REP	88-17-083	132E-168-030	REP-P	88-08-019	132I-14-150	REP-P	88-03-047
132E-12-434	REP-P	88-13-097	132E-168-030	REP	88-12-006	132I-14-150	REP	88-07-119
132E-12-434	REP	88-17-083	132E-168-040	REP-P	88-08-019	132I-14-160	REP-P	88-03-047
132E-112-010	REP-P	88-06-020	132E-168-040	REP	88-12-006	132I-14-160	REP	88-07-119
132E-112-010	REP	88-10-014	132E-168-050	REP-P	88-08-019	132I-14-170	REP-P	88-03-047
132E-112-020	REP-P	88-06-020	132E-168-050	REP	88-12-006	132I-14-170	REP	88-07-119
132E-112-020	REP	88-10-014	132E-168-060	REP-P	88-08-019	132I-14-180	REP-P	88-03-047
132E-112-030	REP-P	88-06-020	132E-168-060	REP	88-12-006	132I-14-180	REP	88-07-119
132E-112-030	REP	88-10-014	132E-168-070	REP-P	88-08-019	132I-14-190	REP-P	88-03-047
132E-112-040	REP-P	88-06-020	132E-168-070	REP	88-12-006	132I-14-190	REP	88-07-119
132E-112-040	REP	88-10-014	132E-168-080	REP-P	88-08-019	132I-14-200	REP-P	88-03-047
132E-112-050	REP-P	88-06-020	132E-168-080	REP	88-12-006	132I-14-200	REP	88-07-119
132E-112-050	REP	88-10-014	132E-168-090	REP-P	88-08-019	132I-14-210	REP-P	88-03-047
132E-112-060	REP-P	88-06-020	132E-168-090	REP	88-12-006	132I-14-210	REP	88-07-119
132E-112-060	REP	88-10-014	132E-276-030	AMD-P	88-08-053	132I-120-010	NEW-P	88-03-048





**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132U-80-070	REP-P	88-07-029	132U-120-040	NEW-P	88-07-029	132U-140-060	NEW	88-15-005
132U-80-070	REP	88-15-005	132U-120-040	NEW	88-15-005	132U-140-070	NEW-P	88-07-029
132U-80-080	REP-P	88-07-029	132U-120-050	NEW-P	88-07-029	132U-140-070	NEW	88-15-005
132U-80-080	REP	88-15-005	132U-120-050	NEW	88-15-005	132U-276	NEW-C	88-12-020
132U-80-090	REP-P	88-07-029	132U-120-060	NEW-P	88-07-029	132U-276-100	NEW-P	88-07-029
132U-80-090	REP	88-15-005	132U-120-060	NEW	88-15-005	132U-276-100	NEW	88-15-005
132U-80-100	REP-P	88-07-029	132U-120-070	NEW-P	88-07-029	132U-276-110	NEW-P	88-07-029
132U-80-100	REP	88-15-005	132U-120-070	NEW	88-15-005	132U-276-110	NEW	88-15-005
132U-80-105	REP-P	88-07-029	132U-120-080	NEW-P	88-07-029	132U-276-120	NEW-P	88-07-029
132U-80-105	REP	88-15-005	132U-120-080	NEW	88-15-005	132U-276-120	NEW	88-15-005
132U-80-110	REP-P	88-07-029	132U-120-090	NEW-P	88-07-029	132U-276-130	NEW-P	88-07-029
132U-80-110	REP	88-15-005	132U-120-090	NEW	88-15-005	132U-276-130	NEW	88-15-005
132U-80-115	REP-P	88-07-029	132U-120-100	NEW-P	88-07-029	132U-276-140	NEW-P	88-07-029
132U-80-115	REP	88-15-005	132U-120-100	NEW	88-15-005	132U-276-140	NEW	88-15-005
132U-80-125	REP-P	88-07-029	132U-120-110	NEW-P	88-07-029	132U-276-150	NEW-P	88-07-029
132U-80-125	REP	88-15-005	132U-120-110	NEW	88-15-005	132U-276-150	NEW	88-15-005
132U-80-200	REP-P	88-07-029	132U-120-120	NEW-P	88-07-029	132U-276-160	NEW-P	88-07-029
132U-80-200	REP	88-15-005	132U-120-120	NEW	88-15-005	132U-276-160	NEW	88-15-005
132U-80-205	REP-P	88-07-029	132U-120-130	NEW-P	88-07-029	132U-276-170	NEW-P	88-07-029
132U-80-205	REP	88-15-005	132U-120-130	NEW	88-15-005	132U-276-170	NEW	88-15-005
132U-80-210	REP-P	88-07-029	132U-120-140	NEW-P	88-07-029	132U-276-180	NEW-P	88-07-029
132U-80-210	REP	88-15-005	132U-120-140	NEW	88-15-005	132U-276-180	NEW	88-15-005
132U-80-220	REP-P	88-07-029	132U-120-150	NEW-P	88-07-029	132U-276-190	NEW-P	88-07-029
132U-80-220	REP	88-15-005	132U-120-150	NEW	88-15-005	132U-276-190	NEW	88-15-005
132U-80-230	REP-P	88-07-029	132U-120-160	NEW-P	88-07-029	132U-276-200	NEW-P	88-07-029
132U-80-230	REP	88-15-005	132U-120-160	NEW	88-15-005	132U-276-200	NEW	88-15-005
132U-80-235	REP-P	88-07-029	132U-120-170	NEW-P	88-07-029	132U-276-210	NEW-P	88-07-029
132U-80-235	REP	88-15-005	132U-120-170	NEW	88-15-005	132U-276-210	NEW	88-15-005
132U-80-240	REP-P	88-07-029	132U-120-180	NEW-P	88-07-029	132U-276-220	NEW-P	88-07-029
132U-80-240	REP	88-15-005	132U-120-180	NEW	88-15-005	132U-276-220	NEW	88-15-005
132U-80-245	REP-P	88-07-029	132U-120-190	NEW-P	88-07-029	132U-276-230	NEW-P	88-07-029
132U-80-245	REP	88-15-005	132U-120-190	NEW	88-15-005	132U-276-230	NEW	88-15-005
132U-80-250	REP-P	88-07-029	132U-120-200	NEW-P	88-07-029	132U-276-240	NEW-P	88-07-029
132U-80-250	REP	88-15-005	132U-120-200	NEW	88-15-005	132U-276-240	NEW	88-15-005
132U-80-255	REP-P	88-07-029	132U-120-210	NEW-P	88-07-029	132U-280	NEW-C	88-12-020
132U-80-255	REP	88-15-005	132U-120-210	NEW	88-15-005	132U-280-010	NEW-P	88-07-029
132U-80-265	REP-P	88-07-029	132U-120-220	NEW-P	88-07-029	132U-280-010	NEW	88-15-005
132U-80-265	REP	88-15-005	132U-120-220	NEW	88-15-005	132U-280-015	NEW-P	88-07-029
132U-80-300	REP-P	88-07-029	132U-120-230	NEW-P	88-07-029	132U-280-015	NEW	88-15-005
132U-80-300	REP	88-15-005	132U-120-230	NEW	88-15-005	132U-280-020	NEW-P	88-07-029
132U-80-310	REP-P	88-07-029	132U-120-240	NEW-P	88-07-029	132U-280-020	NEW	88-15-005
132U-80-310	REP	88-15-005	132U-120-240	NEW	88-15-005	132U-280-025	NEW-P	88-07-029
132U-80-320	REP-P	88-07-029	132U-120-250	NEW-P	88-07-029	132U-280-025	NEW	88-15-005
132U-80-320	REP	88-15-005	132U-120-250	NEW	88-15-005	132U-280-030	NEW-P	88-07-029
132U-80-330	REP-P	88-07-029	132U-120-260	NEW-P	88-07-029	132U-280-030	NEW	88-15-005
132U-80-330	REP	88-15-005	132U-120-260	NEW	88-15-005	132U-280-035	NEW-P	88-07-029
132U-80-340	REP-P	88-07-029	132U-120-270	NEW-P	88-07-029	132U-280-035	NEW	88-15-005
132U-80-340	REP	88-15-005	132U-120-270	NEW	88-15-005	132U-300	NEW-C	88-12-020
132U-80-350	REP-P	88-07-029	132U-120-280	NEW-P	88-07-029	132U-300-010	NEW-P	88-07-029
132U-80-350	REP	88-15-005	132U-120-280	NEW	88-15-005	132U-300-010	NEW	88-15-005
132U-80-360	REP-P	88-07-029	132U-120-290	NEW-P	88-07-029	132U-300-020	NEW-P	88-07-029
132U-80-360	REP	88-15-005	132U-120-290	NEW	88-15-005	132U-300-020	NEW	88-15-005
132U-80-370	REP-P	88-07-029	132U-120-300	NEW-P	88-07-029	132U-325	NEW-C	88-12-020
132U-80-370	REP	88-15-005	132U-120-300	NEW	88-15-005	132U-325-010	NEW-P	88-07-029
132U-104	NEW-C	88-12-020	132U-120-310	NEW-P	88-07-029	132U-325-010	NEW	88-15-005
132U-104-010	NEW-P	88-07-029	132U-120-310	NEW	88-15-005	132V-120-020	AMD-P	88-20-062
132U-104-010	NEW	88-15-005	132U-120-320	NEW-P	88-07-029	132V-120-020	AMD	88-23-072
132U-104-020	NEW-P	88-07-029	132U-120-320	NEW	88-15-005	132V-120-030	AMD-P	88-20-062
132U-104-020	NEW	88-15-005	132U-120-330	NEW-P	88-07-029	132V-120-030	AMD	88-23-072
132U-104-030	NEW-P	88-07-029	132U-120-330	NEW	88-15-005	132V-120-040	AMD-P	88-20-062
132U-104-030	NEW	88-15-005	132U-122	NEW-C	88-12-020	132V-120-040	AMD	88-23-072
132U-116-010	NEW-E	88-02-047	132U-122-010	NEW-P	88-07-029	132V-120-050	AMD-P	88-20-062
132U-116-010	NEW-P	88-04-070	132U-122-010	NEW	88-15-005	132V-120-050	AMD	88-23-072
132U-116-010	NEW	88-07-057	132U-122-020	NEW-P	88-07-029	132V-120-060	AMD-P	88-20-062
132U-116-020	NEW-E	88-02-047	132U-122-020	NEW	88-15-005	132V-120-060	AMD	88-23-072
132U-116-020	NEW-P	88-04-070	132U-140	NEW-C	88-12-020	132V-120-070	AMD-P	88-20-062
132U-116-020	NEW	88-07-057	132U-140-010	NEW-P	88-07-029	132V-120-070	AMD	88-23-072
132U-116-030	NEW-E	88-02-047	132U-140-010	NEW	88-15-005	132V-120-080	AMD-P	88-20-062
132U-116-030	NEW-P	88-04-070	132U-140-020	NEW-P	88-07-029	132V-120-080	AMD	88-23-072
132U-116-030	NEW	88-07-057	132U-140-020	NEW	88-15-005	132V-120-090	AMD-P	88-20-062
132U-120	NEW-C	88-12-020	132U-140-030	NEW-P	88-07-029	132V-120-090	AMD	88-23-072
132U-120-010	NEW-P	88-07-029	132U-140-030	NEW	88-15-005	132V-120-100	AMD-P	88-20-062
132U-120-010	NEW	88-15-005	132U-140-040	NEW-P	88-07-029	132V-120-100	AMD	88-23-072
132U-120-020	NEW-P	88-07-029	132U-140-040	NEW	88-15-005	132V-120-110	AMD-P	88-20-062
132U-120-020	NEW	88-15-005	132U-140-050	NEW-P	88-07-029	132V-120-110	AMD	88-23-072
132U-120-030	NEW-P	88-07-029	132U-140-050	NEW	88-15-005	132V-120-120	AMD-P	88-20-062
132U-120-030	NEW	88-15-005	132U-140-060	NEW-P	88-07-029	132V-120-120	AMD	88-23-072

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132V-120-130	AMD-P 88-20-062	132X-20-100	NEW 88-21-071	132X-50-260	NEW-P 88-17-074
132V-120-130	AMD 88-23-072	132X-20-110	NEW-P 88-17-074	132X-50-260	NEW 88-21-071
132V-120-140	AMD-P 88-20-062	132X-20-110	NEW 88-21-071	132X-50-270	NEW-P 88-17-074
132V-120-140	AMD 88-23-072	132X-20-120	NEW-P 88-17-074	132X-50-270	NEW 88-21-071
132V-120-150	AMD-P 88-20-062	132X-20-120	NEW 88-21-071	132X-50-280	NEW-P 88-17-074
132V-120-150	AMD 88-23-072	132X-20-130	NEW-P 88-17-074	132X-50-280	NEW 88-21-071
132V-120-160	AMD-P 88-20-062	132X-20-130	NEW 88-21-071	132X-50-290	NEW-P 88-17-074
132V-120-160	AMD 88-23-072	132X-30-010	NEW-P 88-17-074	132X-50-290	NEW 88-21-071
132V-120-170	AMD-P 88-20-062	132X-30-010	NEW 88-21-071	132X-50-300	NEW-P 88-17-074
132V-120-170	AMD 88-23-072	132X-30-020	NEW-P 88-17-074	132X-50-300	NEW 88-21-071
132V-120-180	AMD-P 88-20-062	132X-30-020	NEW 88-21-071	132X-60-010	NEW-P 88-17-074
132V-120-180	AMD 88-23-072	132X-30-030	NEW-P 88-17-074	132X-60-010	NEW 88-21-071
132V-120-190	AMD-P 88-20-062	132X-30-030	NEW 88-21-071	132X-60-020	NEW-P 88-17-074
132V-120-190	AMD 88-23-072	132X-30-040	NEW-P 88-17-074	132X-60-020	NEW 88-21-071
132V-120-200	AMD-P 88-20-062	132X-30-040	NEW 88-21-071	132X-60-030	NEW-P 88-17-074
132V-120-200	AMD 88-23-072	132X-30-050	NEW-P 88-17-074	132X-60-030	NEW 88-21-071
132V-120-210	AMD-P 88-20-062	132X-30-050	NEW 88-21-071	132X-60-040	NEW-P 88-17-074
132V-120-210	AMD 88-23-072	132X-30-060	NEW-P 88-17-074	132X-60-040	NEW 88-21-071
132V-120-220	AMD-P 88-20-062	132X-30-060	NEW 88-21-071	132X-60-050	NEW-P 88-17-074
132V-120-220	AMD 88-23-072	132X-30-070	NEW-P 88-17-074	132X-60-050	NEW 88-21-071
132V-120-230	AMD-P 88-20-062	132X-30-070	NEW 88-21-071	132X-60-060	NEW-P 88-17-074
132V-120-230	AMD 88-23-072	132X-40-010	NEW-P 88-17-074	132X-60-060	NEW 88-21-071
132V-120-240	AMD-P 88-20-062	132X-40-010	NEW 88-21-071	132X-60-070	NEW-P 88-17-074
132V-120-240	AMD 88-23-072	132X-40-020	NEW-P 88-17-074	132X-60-070	NEW 88-21-071
132V-120-250	AMD-P 88-20-062	132X-40-020	NEW 88-21-071	132X-60-080	NEW-P 88-17-074
132V-120-250	AMD 88-23-072	132X-40-030	NEW-P 88-17-074	132X-60-080	NEW 88-21-071
132V-120-260	AMD-P 88-20-062	132X-40-030	NEW 88-21-071	132X-60-090	NEW-P 88-17-074
132V-120-260	AMD 88-23-072	132X-50-010	NEW-P 88-17-074	132X-60-090	NEW 88-21-071
132X-10-010	NEW-P 88-17-074	132X-50-010	NEW 88-21-071	132X-60-100	NEW-P 88-17-074
132X-10-010	NEW 88-21-071	132X-50-020	NEW-P 88-17-074	132X-60-100	NEW 88-21-071
132X-10-020	NEW-P 88-17-074	132X-50-020	NEW 88-21-071	132X-60-110	NEW-P 88-17-074
132X-10-020	NEW 88-21-071	132X-50-030	NEW-P 88-17-074	132X-60-110	NEW 88-21-071
132X-10-030	NEW-P 88-17-074	132X-50-030	NEW 88-21-071	132X-60-120	NEW-P 88-17-074
132X-10-030	NEW 88-21-071	132X-50-040	NEW-P 88-17-074	132X-60-120	NEW 88-21-071
132X-10-040	NEW-P 88-17-074	132X-50-040	NEW 88-21-071	132X-60-130	NEW-P 88-17-074
132X-10-040	NEW 88-21-071	132X-50-050	NEW-P 88-17-074	132X-60-130	NEW 88-21-071
132X-10-050	NEW-P 88-17-074	132X-50-050	NEW 88-21-071	132X-60-140	NEW-P 88-17-074
132X-10-050	NEW 88-21-071	132X-50-060	NEW-P 88-17-074	132X-60-140	NEW 88-21-071
132X-10-060	NEW-P 88-17-074	132X-50-060	NEW 88-21-071	132X-60-150	NEW-P 88-17-074
132X-10-060	NEW 88-21-071	132X-50-070	NEW-P 88-17-074	132X-60-150	NEW 88-21-071
132X-10-070	NEW-P 88-17-074	132X-50-070	NEW 88-21-071	132Y-20-010	REP-P 88-06-023
132X-10-070	NEW 88-21-071	132X-50-080	NEW-P 88-17-074	132Y-140-001	REP-P 88-06-024
132X-10-080	NEW-P 88-17-074	132X-50-080	NEW 88-21-071	132Y-140-001	REP 88-13-013
132X-10-080	NEW 88-21-071	132X-50-090	NEW-P 88-17-074	132Y-140-101	REP-P 88-06-024
132X-10-090	NEW-P 88-17-074	132X-50-090	NEW 88-21-071	132Y-140-101	REP 88-13-013
132X-10-090	NEW 88-21-071	132X-50-100	NEW-P 88-17-074	132Y-140-108	REP-P 88-06-024
132X-10-100	NEW-P 88-17-074	132X-50-100	NEW 88-21-071	132Y-140-108	REP 88-13-013
132X-10-100	NEW 88-21-071	132X-50-110	NEW-P 88-17-074	132Y-140-112	REP-P 88-06-024
132X-10-110	NEW-P 88-17-074	132X-50-110	NEW 88-21-071	132Y-140-112	REP 88-13-013
132X-10-110	NEW 88-21-071	132X-50-120	NEW-P 88-17-074	132Y-140-116	REP-P 88-06-024
132X-10-120	NEW-P 88-17-074	132X-50-120	NEW 88-21-071	132Y-140-116	REP 88-13-013
132X-10-120	NEW 88-21-071	132X-50-130	NEW-P 88-17-074	132Y-300-001	NEW-P 88-21-049
132X-10-130	NEW-P 88-17-074	132X-50-130	NEW 88-21-071	132Y-300-002	NEW-P 88-21-049
132X-10-130	NEW 88-21-071	132X-50-140	NEW-P 88-17-074	132Y-300-003	NEW-P 88-21-049
132X-10-140	NEW-P 88-17-074	132X-50-140	NEW 88-21-071	132Y-300-004	NEW-P 88-21-049
132X-10-140	NEW 88-21-071	132X-50-150	NEW-P 88-17-074	136-15-010	NEW-P 88-12-079
132X-10-150	NEW-P 88-17-074	132X-50-150	NEW 88-21-071	136-15-010	NEW 88-16-017
132X-10-150	NEW 88-21-071	132X-50-160	NEW-P 88-17-074	136-15-020	NEW-P 88-12-079
132X-20-010	NEW-P 88-17-074	132X-50-160	NEW 88-21-071	136-15-020	NEW 88-16-017
132X-20-010	NEW 88-21-071	132X-50-170	NEW-P 88-17-074	136-15-030	NEW-P 88-12-079
132X-20-020	NEW-P 88-17-074	132X-50-170	NEW 88-21-071	136-15-030	NEW 88-16-017
132X-20-020	NEW 88-21-071	132X-50-180	NEW-P 88-17-074	136-15-040	NEW-P 88-12-079
132X-20-030	NEW-P 88-17-074	132X-50-180	NEW 88-21-071	136-15-040	NEW 88-16-017
132X-20-030	NEW 88-21-071	132X-50-190	NEW-P 88-17-074	136-15-050	NEW-P 88-12-079
132X-20-040	NEW-P 88-17-074	132X-50-190	NEW 88-21-071	136-15-050	NEW 88-16-017
132X-20-040	NEW 88-21-071	132X-50-200	NEW-P 88-17-074	136-15-060	NEW-P 88-12-079
132X-20-050	NEW-P 88-17-074	132X-50-200	NEW 88-21-071	136-15-060	NEW 88-16-017
132X-20-050	NEW 88-21-071	132X-50-210	NEW-P 88-17-074	136-130-050	AMD-C 88-09-034
132X-20-060	NEW-P 88-17-074	132X-50-210	NEW 88-21-071	136-130-050	AMD 88-12-080
132X-20-060	NEW 88-21-071	132X-50-220	NEW-P 88-17-074	136-130-060	AMD 88-05-040
132X-20-070	NEW-P 88-17-074	132X-50-220	NEW 88-21-071	136-130-070	AMD 88-05-040
132X-20-070	NEW 88-21-071	132X-50-230	NEW-P 88-17-074	136-160-050	AMD 88-05-040
132X-20-080	NEW-P 88-17-074	132X-50-230	NEW 88-21-071	136-160-060	AMD-P 88-12-079
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

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
136-220-030	AMD-P	88-12-079	154-120-030	NEW-P	88-07-104	162-18-140	NEW-P	88-09-080
136-220-030	AMD	88-16-017	154-120-030	NEW	88-11-028	162-18-150	NEW-P	88-09-080
137-25-010	NEW-E	88-23-120	154-120-035	NEW-P	88-07-104	162-18-160	NEW-P	88-09-080
137-25-020	NEW-E	88-23-120	154-120-035	NEW	88-11-028	162-19-010	NEW-P	88-09-080
137-25-030	NEW-E	88-23-120	154-120-040	NEW-P	88-07-104	162-19-020	NEW-P	88-09-080
137-25-040	NEW-E	88-23-120	154-120-040	NEW	88-11-028	162-19-030	NEW-P	88-09-080
137-60-040	AMD-W	88-04-043	154-120-045	NEW-P	88-07-104	162-19-040	NEW-P	88-09-080
137-78-010	NEW-P	88-12-002	154-120-045	NEW	88-11-028	162-19-060	NEW-P	88-09-080
137-78-020	NEW-P	88-12-002	154-120-050	NEW-P	88-07-104	162-19-070	NEW-P	88-09-080
137-78-030	NEW-P	88-12-002	154-120-050	NEW	88-11-028	162-19-080	NEW-P	88-09-080
137-78-040	NEW-P	88-12-002	154-120-055	NEW-P	88-07-104	162-19-090	NEW-P	88-09-080
137-78-050	NEW-P	88-12-002	154-120-055	NEW	88-11-028	173-06-030	AMD-E	88-20-039
137-78-060	NEW-P	88-12-002	154-130-010	NEW-P	88-07-104	173-14	AMD-C	88-04-091
137-78-070	NEW-P	88-12-002	154-130-010	NEW	88-11-028	173-14-030	AMD-W	88-07-006
137-78-080	NEW-P	88-12-002	154-130-020	NEW-P	88-07-104	173-14-030	AMD-P	88-12-067
139-05-810	NEW-P	88-15-028	154-130-020	NEW	88-11-028	173-14-030	AMD	88-19-004
139-05-810	NEW	88-20-022	154-130-030	NEW-P	88-07-104	173-14-060	AMD-W	88-07-006
139-25-110	NEW-P	88-15-029	154-130-030	NEW	88-11-028	173-14-061	NEW-W	88-07-006
139-25-110	NEW	88-20-023	154-140-010	NEW-P	88-07-104	173-18-280	AMD	88-03-070
143-06-010	AMD-P	88-18-089	154-140-010	NEW	88-11-028	173-19-110	AMD-P	88-20-072
143-06-010	AMD	88-21-029	154-140-020	NEW-P	88-07-104	173-19-130	AMD	88-07-009
143-06-020	AMD-P	88-18-089	154-140-020	NEW	88-11-028	173-19-210	AMD-P	88-16-104
143-06-020	AMD	88-21-029	154-140-030	NEW-P	88-07-104	173-19-210	AMD	88-22-088
143-06-030	AMD-P	88-18-089	154-140-030	NEW	88-11-028	173-19-220	AMD-P	88-03-069
143-06-030	AMD	88-21-029	154-150-010	NEW-P	88-07-104	173-19-220	AMD-P	88-08-063
143-06-050	AMD-P	88-18-089	154-150-010	NEW	88-11-028	173-19-220	AMD	88-08-089
143-06-050	AMD	88-21-029	154-150-020	NEW-P	88-07-104	173-19-220	AMD-C	88-14-091
143-06-060	AMD-P	88-18-089	154-150-020	NEW	88-11-028	173-19-220	AMD	88-19-008
143-06-060	AMD	88-21-029	154-150-030	NEW-P	88-07-104	173-19-2201	AMD-P	88-08-064
143-06-070	AMD-P	88-18-089	154-150-030	NEW	88-11-028	173-19-2201	AMD-C	88-14-091
143-06-070	AMD	88-21-029	154-150-040	NEW-P	88-07-104	173-19-2201	AMD	88-19-008
143-06-080	AMD-P	88-18-089	154-150-040	NEW	88-11-028	173-19-2202	AMD-P	88-08-065
143-06-080	AMD	88-21-029	154-150-050	NEW-P	88-07-104	173-19-2202	AMD-C	88-14-091
143-06-090	AMD-P	88-18-089	154-150-050	NEW	88-11-028	173-19-2202	AMD	88-19-008
143-06-090	AMD	88-21-029	154-160-010	NEW-P	88-07-104	173-19-2204	AMD-P	88-08-066
143-06-100	AMD-P	88-18-089	154-160-010	NEW	88-11-028	173-19-2204	AMD-C	88-14-091
143-06-100	AMD	88-21-029	154-160-020	NEW-P	88-07-104	173-19-2204	AMD	88-19-008
143-06-110	AMD-P	88-18-089	154-160-020	NEW	88-11-028	173-19-2207	AMD-P	88-08-067
143-06-110	AMD	88-21-029	154-170-010	NEW-P	88-07-104	173-19-2207	AMD-C	88-14-091
143-06-120	AMD-P	88-18-089	154-170-010	NEW	88-11-028	173-19-2207	AMD-C	88-19-005
143-06-120	AMD	88-21-029	154-180-010	NEW-P	88-07-104	173-19-2207	AMD-W	88-19-129
143-06-130	AMD-P	88-18-089	154-180-010	NEW	88-11-028	173-19-2207	AMD-P	88-08-068
143-06-130	AMD	88-21-029	154-180-020	NEW-P	88-07-104	173-19-2208	AMD-C	88-14-091
143-06-140	AMD-P	88-18-089	154-180-020	NEW	88-11-028	173-19-2208	AMD	88-19-008
143-06-140	AMD	88-21-029	154-180-030	NEW-P	88-07-104	173-19-2507	AMD-C	88-04-092
143-06-150	AMD-P	88-18-089	154-180-030	NEW	88-11-028	173-19-2507	AMD	88-07-008
143-06-150	AMD	88-21-029	154-180-040	NEW-P	88-07-104	173-19-2512	AMD-P	88-17-126
143-10-010	AMD-P	88-18-089	154-180-040	NEW	88-11-028	173-19-2515	AMD-P	88-21-113
143-10-010	AMD	88-21-029	154-180-050	NEW-P	88-07-104	173-19-2516	AMD-P	88-12-068
154-04-040	AMD-P	88-09-075	154-180-050	NEW	88-11-028	173-19-2516	AMD-C	88-17-125
154-04-040	AMD	88-12-028	154-180-060	NEW-P	88-07-104	173-19-2601	AMD-P	88-16-103
154-12-015	AMD-P	88-09-075	154-180-060	NEW	88-11-028	173-19-2601	AMD	88-22-089
154-12-015	AMD	88-12-028	154-180-070	NEW-P	88-07-104	173-19-310	AMD-W	88-02-053
154-12-020	AMD-P	88-09-075	154-180-070	NEW	88-11-028	173-19-310	AMD-P	88-02-054
154-12-020	AMD	88-12-028	154-190-010	NEW-P	88-07-104	173-19-310	AMD	88-07-010
154-12-030	AMD-P	88-09-075	154-190-010	NEW	88-11-028	173-19-3302	AMD	88-02-064
154-12-030	AMD	88-12-028	154-200-010	NEW-P	88-07-104	173-19-3501	AMD-P	88-05-066
154-12-110	AMD-P	88-09-075	154-200-010	NEW	88-11-028	173-19-3501	AMD	88-10-059
154-12-110	AMD	88-12-028	154-200-020	NEW-P	88-07-104	173-19-3512	AMD-C	88-02-063
154-24-010	AMD-P	88-09-075	154-200-020	NEW	88-11-028	173-19-3512	AMD-C	88-04-093
154-24-010	AMD	88-12-028	154-200-030	NEW-P	88-07-104	173-19-3512	AMD	88-07-007
154-110-010	NEW-P	88-07-104	154-200-030	NEW	88-11-028	173-19-360	AMD-P	88-12-069
154-110-010	NEW	88-11-028	154-200-040	NEW-P	88-07-104	173-19-360	AMD-C	88-13-119
154-110-015	NEW-P	88-07-104	154-200-040	NEW	88-11-028	173-19-360	AMD-C	88-19-006
154-110-015	NEW	88-11-028	162-18-010	REP-P	88-09-080	173-19-360	AMD-C	88-19-102
154-110-020	NEW-P	88-07-104	162-18-020	REP-P	88-09-080	173-19-4507	AMD-P	88-21-112
154-110-020	NEW	88-11-028	162-18-030	REP-P	88-09-080	173-22-0648	AMD	88-03-070
154-110-030	NEW-P	88-07-104	162-18-040	REP-P	88-09-080	173-95-010	NEW-P	88-09-076
154-110-030	NEW	88-11-028	162-18-050	REP-P	88-09-080	173-95-010	NEW	88-14-125
154-120-010	NEW-P	88-07-104	162-18-060	REP-P	88-09-080	173-95-020	NEW-P	88-09-076
154-120-010	NEW	88-11-028	162-18-070	REP-P	88-09-080	173-95-020	NEW	88-14-125
154-120-015	NEW-P	88-07-104	162-18-080	REP-P	88-09-080	173-95-030	NEW-P	88-09-076
154-120-015	NEW	88-11-028	162-18-090	REP-P	88-09-080	173-95-030	NEW	88-14-125
154-120-020	NEW-P	88-07-104	162-18-100	REP-P	88-09-080	173-95-040	NEW-P	88-09-076
154-120-020	NEW	88-11-028	162-18-110	NEW-P	88-09-080	173-95-040	NEW	88-14-125
154-120-025	NEW-P	88-07-104	162-18-120	NEW-P	88-09-080	173-95-050	NEW-P	88-09-076
154-120-025	NEW	88-11-028	162-18-130	NEW-P	88-09-080	173-95-050	NEW	88-14-125

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173-95-060	NEW	88-14-125	173-150-135	NEW-P	88-09-054	173-160-260	REP	88-08-070
173-95-070	NEW-P	88-09-076	173-150-135	NEW	88-13-037	173-160-265	NEW	88-08-070
173-95-070	NEW	88-14-125	173-154-095	NEW-P	88-09-054	173-160-270	REP	88-08-070
173-95-080	NEW-P	88-09-076	173-154-095	NEW	88-13-037	173-160-275	NEW	88-08-070
173-95-080	NEW	88-14-125	173-154-100	AMD-P	88-09-054	173-160-280	REP	88-08-070
173-95-090	NEW-P	88-09-076	173-154-100	AMD	88-13-037	173-160-285	NEW	88-08-070
173-95-090	NEW	88-14-125	173-154-105	NEW-P	88-09-054	173-160-290	REP	88-08-070
173-95-100	NEW-P	88-09-076	173-154-105	NEW	88-13-037	173-160-295	NEW	88-08-070
173-95-100	NEW	88-14-125	173-158-010	NEW-P	88-05-042	173-160-300	REP	88-08-070
173-95-110	NEW-P	88-09-076	173-158-010	NEW	88-10-058	173-160-305	NEW	88-08-070
173-95-110	NEW	88-14-125	173-158-020	NEW-P	88-05-042	173-160-310	REP	88-08-070
173-95-120	NEW-P	88-09-076	173-158-020	NEW	88-10-058	173-160-315	NEW	88-08-070
173-95-120	NEW	88-14-125	173-158-030	NEW-P	88-05-042	173-160-320	REP	88-08-070
173-95-130	NEW-P	88-09-076	173-158-030	NEW	88-10-058	173-160-325	NEW	88-08-070
173-95-130	NEW	88-14-125	173-158-040	NEW-P	88-05-042	173-160-330	REP	88-08-070
173-95-140	NEW-P	88-09-076	173-158-040	NEW	88-10-058	173-160-335	NEW	88-08-070
173-95-140	NEW	88-14-125	173-158-050	NEW-P	88-05-042	173-160-340	REP	88-08-070
173-95-150	NEW-P	88-09-076	173-158-050	NEW	88-10-058	173-160-345	NEW	88-08-070
173-95-150	NEW	88-14-125	173-158-060	NEW-P	88-05-042	173-160-350	REP	88-08-070
173-95-160	NEW-P	88-09-076	173-158-060	NEW	88-10-058	173-160-355	NEW	88-08-070
173-95-160	NEW	88-14-125	173-158-070	NEW-P	88-05-042	173-160-360	REP	88-08-070
173-100-050	AMD-P	88-09-054	173-158-070	NEW	88-10-058	173-160-365	NEW	88-08-070
173-100-050	AMD	88-13-037	173-158-080	NEW-P	88-05-042	173-160-370	REP	88-08-070
173-100-160	NEW-P	88-09-054	173-158-080	NEW	88-10-058	173-160-375	NEW	88-08-070
173-100-160	NEW	88-13-037	173-158-090	NEW-P	88-05-042	173-160-380	REP	88-08-070
173-110-010	NEW-E	88-08-020	173-158-090	NEW	88-10-058	173-160-385	NEW	88-08-070
173-110-010	NEW-E	88-14-126	173-158-100	NEW-P	88-05-042	173-160-395	NEW	88-08-070
173-110-020	NEW-E	88-08-020	173-158-100	NEW	88-10-058	173-160-405	NEW	88-08-070
173-110-020	NEW-E	88-14-126	173-158-100	AMD-E	88-21-033	173-160-415	NEW	88-08-070
173-110-030	NEW-E	88-08-020	173-158-110	NEW-P	88-05-042	173-160-420	NEW	88-08-070
173-110-030	NEW-E	88-14-126	173-158-110	NEW	88-10-058	173-160-425	NEW	88-08-070
173-110-040	NEW-E	88-08-020	173-158-120	NEW-P	88-05-042	173-160-435	NEW	88-08-070
173-110-040	NEW-E	88-14-126	173-158-120	NEW	88-10-058	173-160-445	NEW	88-08-070
173-110-050	NEW-E	88-08-020	173-160	AMD-C	88-04-071	173-160-455	NEW	88-08-070
173-110-050	NEW-E	88-14-126	173-160	AMD	88-08-070	173-160-465	NEW	88-08-070
173-110-060	NEW-E	88-08-020	173-160-010	AMD	88-08-070	173-160-475	NEW	88-08-070
173-110-060	NEW-E	88-14-126	173-160-020	AMD	88-08-070	173-160-500	NEW	88-08-070
173-110-070	NEW-E	88-08-020	173-160-030	AMD	88-08-070	173-160-510	NEW	88-08-070
173-110-070	NEW-E	88-14-126	173-160-040	AMD	88-08-070	173-160-520	NEW	88-08-070
173-110-080	NEW-E	88-08-020	173-160-050	AMD	88-08-070	173-160-530	NEW	88-08-070
173-110-080	NEW-E	88-14-126	173-160-055	NEW	88-08-070	173-160-540	NEW	88-08-070
173-110-090	NEW-E	88-08-020	173-160-060	REP	88-08-070	173-160-550	NEW	88-08-070
173-110-090	NEW-E	88-14-126	173-160-065	NEW	88-08-070	173-160-560	NEW	88-08-070
173-110-100	NEW-E	88-08-020	173-160-070	REP	88-08-070	173-162	AMD-C	88-04-071
173-110-100	NEW-E	88-14-126	173-160-075	NEW	88-08-070	173-162	AMD	88-08-070
173-124-06001	REP-P	88-09-054	173-160-080	REP	88-08-070	173-162-010	AMD	88-08-070
173-124-06001	REP	88-13-037	173-160-085	NEW	88-08-070	173-162-020	AMD	88-08-070
173-124-070	NEW-P	88-09-054	173-160-090	REP	88-08-070	173-162-030	AMD	88-08-070
173-124-070	NEW	88-13-037	173-160-09001	REP	88-08-070	173-162-040	AMD	88-08-070
173-124-080	NEW-P	88-09-054	173-160-095	NEW	88-08-070	173-162-050	AMD	88-08-070
173-124-080	NEW	88-13-037	173-160-100	REP	88-08-070	173-162-060	AMD	88-08-070
173-128A-060	NEW-P	88-09-054	173-160-105	NEW	88-08-070	173-162-100	AMD	88-08-070
173-128A-060	NEW	88-13-037	173-160-110	REP	88-08-070	173-162-110	REP	88-08-070
173-130A-215	NEW-P	88-09-054	173-160-115	NEW	88-08-070	173-162-130	AMD	88-08-070
173-130A-215	NEW	88-13-037	173-160-120	REP	88-08-070	173-162-140	AMD	88-08-070
173-130A-217	NEW-P	88-09-054	173-160-125	NEW	88-08-070	173-162-150	REP	88-08-070
173-130A-217	NEW	88-13-037	173-160-130	REP	88-08-070	173-162-160	REP	88-08-070
173-130A-220	AMD-P	88-09-054	173-160-135	NEW	88-08-070	173-162-170	AMD	88-08-070
173-130A-220	AMD	88-13-037	173-160-140	REP	88-08-070	173-162-180	REP	88-08-070
173-132-060	NEW-P	88-09-054	173-160-150	REP	88-08-070	173-162-190	AMD	88-08-070
173-132-060	NEW	88-13-037	173-160-160	REP	88-08-070	173-162-200	NEW	88-08-070
173-134A-150	AMD-P	88-09-054	173-160-170	REP	88-08-070	173-162-210	NEW	88-08-070
173-134A-150	AMD	88-13-037	173-160-180	REP	88-08-070	173-162-220	NEW	88-08-070
173-134A-165	NEW-P	88-09-054	173-160-190	REP	88-08-070	173-164-050	AMD-P	88-09-054
173-134A-165	NEW	88-13-037	173-160-200	REP	88-08-070	173-164-050	AMD	88-13-037
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173-136-095	NEW	88-13-037	173-160-215	AMD-E	88-22-007	173-166-070	NEW	88-13-037
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173-136-100	AMD	88-13-037	173-160-225	NEW	88-08-070	173-201-010	AMD	88-02-058
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173-202-020	AMD-P	88-12-097	173-303	AMD-C	88-06-041	173-303-905	NEW-P	88-13-116
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173-202-020	AMD	88-22-030	173-303-045	AMD-P	88-22-078	173-303-910	AMD	88-02-057
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173-220-010	AMD	88-22-059	173-303-120	AMD	88-07-039	173-304	AMD-C	88-18-090
173-220-020	AMD-P	88-13-095	173-303-120	AMD-P	88-13-116	173-304-100	AMD-P	88-04-074
173-220-020	AMD	88-22-059	173-303-120	AMD	88-18-083	173-304-100	AMD-W	88-14-109
173-220-030	AMD-P	88-13-095	173-303-140	AMD	88-02-057	173-304-100	AMD-P	88-14-110
173-220-030	AMD	88-22-059	173-303-161	AMD-P	88-22-078	173-304-100	AMD	88-20-066
173-220-040	AMD-P	88-13-095	173-303-170	AMD	88-02-057	173-304-400	AMD-P	88-04-074
173-220-040	AMD	88-22-059	173-303-200	AMD-P	88-22-078	173-304-400	AMD-W	88-14-109
173-220-045	AMD-P	88-13-095	173-303-202	NEW-P	88-22-078	173-304-400	AMD-P	88-14-110
173-220-045	AMD	88-22-059	173-303-280	AMD	88-02-057	173-304-400	AMD	88-20-066
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173-220-050	AMD	88-22-059	173-303-281	NEW	88-18-083	173-304-405	AMD-W	88-14-109
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173-220-060	AMD	88-22-059	173-303-283	NEW	88-18-083	173-304-405	AMD	88-20-066
173-220-070	AMD-P	88-13-095	173-303-284	NEW	88-07-039	173-304-407	NEW-P	88-04-074
173-220-070	AMD	88-22-059	173-303-284	REP-P	88-13-116	173-304-407	NEW-W	88-14-109
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173-220-080	AMD	88-22-059	173-303-285	NEW	88-07-039	173-304-407	NEW	88-20-066
173-220-090	AMD-P	88-13-095	173-303-285	REP-P	88-13-116	173-304-430	AMD-P	88-04-074
173-220-090	AMD	88-22-059	173-303-285	REP	88-18-083	173-304-430	AMD-W	88-14-109
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173-220-120	AMD	88-22-059	173-303-400	AMD	88-02-057	173-304-450	AMD-W	88-14-109
173-220-130	AMD-P	88-13-095	173-303-400	AMD-P	88-22-078	173-304-450	AMD-P	88-14-110
173-220-130	AMD	88-22-059	173-303-420	AMD	88-07-039	173-304-450	AMD	88-20-066
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173-220-150	AMD	88-22-059	173-303-510	AMD	88-07-039	173-304-467	NEW-W	88-14-109
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173-220-180	AMD	88-22-059	173-303-520	AMD	88-07-039	173-304-468	NEW	88-20-066
173-220-190	AMD-P	88-13-095	173-303-520	AMD-P	88-13-116	173-304-600	AMD-P	88-04-074
173-220-190	AMD	88-22-059	173-303-520	AMD	88-18-083	173-304-600	AMD-W	88-14-109
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173-220-220	REP	88-22-059	173-303-600	AMD-P	88-13-116	173-306-020	NEW-E	88-12-073
173-220-225	AMD-P	88-13-095	173-303-600	AMD	88-18-083	173-306-030	NEW-P	88-12-072
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173-309-060	NEW-E	88-09-050	173-340-010	NEW-P	88-07-105	173-433-120	AMD-P	88-19-080
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173-511-090	AMD	88-13-037	173-555-080	NEW-P	88-09-054	174-107-110	REP-P	88-14-102
173-511-095	NEW-P	88-09-054	173-555-080	NEW	88-13-037	174-107-110	REP-E	88-17-068
173-511-095	NEW	88-13-037	173-555-090	NEW-P	88-09-054	174-107-110	REP	88-17-069
173-511-100	AMD-P	88-09-054	173-555-090	NEW	88-13-037	174-107-120	REP-P	88-14-101
173-511-100	AMD	88-13-037	173-555-100	NEW-P	88-09-054	174-107-120	REP-P	88-14-102
173-512-070	AMD-P	88-09-054	173-555-100	NEW	88-13-037	174-107-120	REP-E	88-17-068
173-512-070	AMD	88-13-037	173-559-080	NEW-P	88-09-054	174-107-120	REP	88-17-069
173-512-075	NEW-P	88-09-054	173-559-080	NEW	88-13-037	174-107-130	REP-P	88-14-101
173-512-075	NEW	88-13-037	173-559-090	NEW-P	88-09-054	174-107-130	REP-P	88-14-102
173-512-080	AMD-P	88-09-054	173-559-090	NEW	88-13-037	174-107-130	REP-E	88-17-068
173-512-080	AMD	88-13-037	173-559-100	NEW-P	88-09-054	174-107-130	REP	88-17-069
173-513-090	AMD-P	88-09-054	173-559-100	NEW	88-13-037	174-107-130	REP	88-17-069
173-513-090	AMD	88-13-037	173-563-050	AMD-P	88-09-054	174-107-140	REP-P	88-14-101
173-513-095	NEW-P	88-09-054	173-563-050	AMD	88-13-037	174-107-140	REP-P	88-14-102
173-513-095	NEW	88-13-037	173-563-070	AMD-P	88-09-054	174-107-140	REP-E	88-17-068
173-513-100	AMD-P	88-09-054	173-563-070	AMD	88-13-037	174-107-140	REP	88-17-069
173-513-100	AMD	88-13-037	173-563-070	AMD	88-13-037	174-107-150	REP-P	88-14-101
173-514-080	AMD-P	88-09-054	173-563-075	NEW-P	88-09-054	174-107-150	REP-P	88-14-102
173-514-080	AMD	88-13-037	173-563-075	NEW	88-13-037	174-107-150	REP-E	88-17-068
173-514-085	NEW-P	88-09-054	173-563-080	AMD-P	88-09-054	174-107-150	REP	88-17-069
173-514-085	NEW	88-13-037	173-563-080	AMD	88-13-037	174-107-150	REP	88-17-069
173-514-090	AMD-P	88-09-054	173-563-080	AMD	88-13-037	174-107-160	REP-P	88-14-101
173-514-090	AMD	88-13-037	173-563-090	AMD-P	88-09-054	174-107-160	REP-P	88-14-102
173-515-090	AMD-P	88-09-054	173-563-090	AMD	88-13-037	174-107-160	REP-E	88-17-068
173-515-090	AMD	88-13-037	173-563-090	AMD	88-13-037	174-107-160	REP	88-17-069
173-515-095	NEW-P	88-09-054	173-590-090	AMD-P	88-09-054	174-107-160	REP	88-17-069
173-515-095	NEW	88-13-037	173-590-110	AMD-P	88-13-037	174-107-170	REP-P	88-14-101
173-515-100	AMD-P	88-09-054	173-590-110	AMD	88-13-037	174-107-170	REP-P	88-14-102
173-515-100	AMD	88-13-037	173-590-140	AMD-P	88-09-054	174-107-170	REP-E	88-17-068
173-522-020	AMD-P	88-09-054	173-590-140	AMD	88-13-037	174-107-170	REP	88-17-069
173-522-020	AMD	88-13-037	173-590-180	AMD-P	88-09-054	174-107-180	REP-P	88-14-101
173-522-070	NEW-P	88-09-054	173-590-180	AMD	88-13-037	174-107-180	REP-P	88-14-102
173-522-070	NEW	88-13-037	173-590-190	NEW-P	88-09-054	174-107-180	REP-E	88-17-068
173-522-080	NEW-P	88-09-054	173-590-190	NEW	88-13-037	174-107-180	REP	88-17-069
173-522-080	NEW	88-13-037	173-591-060	AMD-P	88-09-054	174-107-190	REP-P	88-14-101
173-522-090	NEW-P	88-09-054	173-591-060	AMD	88-13-037	174-107-190	REP-P	88-14-102
173-522-090	NEW	88-13-037	173-591-070	AMD-P	88-09-054	174-107-190	REP	88-17-069
173-530-910	REP-P	88-09-054	173-591-070	AMD	88-13-037	174-107-190	REP	88-17-069
173-530-910	REP	88-13-037	173-591-115	NEW-P	88-09-054	174-107-200	REP-P	88-14-101
173-530-920	REP-P	88-09-054	173-591-115	NEW	88-13-037	174-107-200	REP-P	88-14-102
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173-530-930	REP-P	88-09-054	173-591-120	AMD	88-13-037	174-107-200	REP	88-17-069
173-530-930	REP	88-13-037	173-591-120	AMD	88-13-037	174-107-210	REP-P	88-14-101
173-530-940	REP-P	88-09-054	173-592-060	AMD-P	88-09-054	174-107-210	REP-P	88-14-102
173-530-940	REP	88-13-037	173-592-060	AMD	88-13-037	174-107-210	REP-E	88-17-068
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173-530-950	REP	88-13-037	173-592-070	AMD	88-13-037	174-107-220	REP-P	88-14-101
173-530-960	REP-P	88-09-054	173-592-110	AMD-P	88-09-054	174-107-220	REP-P	88-14-102
173-530-960	REP	88-13-037	173-592-110	AMD	88-13-037	174-107-220	REP-E	88-17-068
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173-531A-090	NEW-P	88-09-054	173-596-010	REP-P	88-09-054	174-107-360	REP-P	88-14-102
173-531A-090	NEW	88-13-037	173-596-010	REP	88-13-037	174-107-360	REP-E	88-17-068
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173-549-090	AMD-P	88-09-054	173-596-060	REP-P	88-09-054	174-107-420	REP-P	88-14-101
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173-549-095	NEW	88-13-037	173-596-065	REP	88-13-037	174-107-420	REP	88-17-069
			174-107-100	REP-P	88-14-101	174-107-430	REP-P	88-14-101
			174-107-100	REP-P	88-14-102	174-107-430	REP-P	88-14-102
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174-107-440	REP-E	88-17-068	174-120-090	NEW-P	88-14-102	174-160-030	AMD-P	88-22-060
174-107-440	REP	88-17-069	174-120-090	NEW	88-17-069	180-16-210	AMD-P	88-21-103
174-107-450	REP-P	88-14-101	174-120-090	NEW-E	88-17-068	180-16-223	AMD-P	88-05-024
174-107-450	REP-P	88-14-102	174-124-020	REP-P	88-14-101	180-16-223	AMD-P	88-05-050
174-107-450	REP-E	88-17-068	174-124-020	REP-P	88-14-102	180-16-223	AMD	88-08-045
174-107-450	REP	88-17-069	174-124-020	REP-E	88-17-068	180-56-400	REP-E	88-21-102
174-107-460	REP-P	88-14-101	174-124-020	REP	88-17-069	180-56-400	REP-P	88-21-104
174-107-460	REP-P	88-14-102	174-124-030	REP-P	88-14-101	180-56-405	REP-E	88-21-102
174-107-460	REP-E	88-17-068	174-124-030	REP-P	88-14-102	180-56-405	REP-P	88-21-104
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174-107-470	REP-P	88-14-101	174-124-030	REP	88-17-069	180-56-410	REP-P	88-21-104
174-107-470	REP-P	88-14-102	174-124-040	REP-P	88-14-101	180-56-415	REP-E	88-21-102
174-107-470	REP-E	88-17-068	174-124-040	REP-P	88-14-102	180-56-415	REP-P	88-21-104
174-107-470	REP	88-17-069	174-124-040	REP-E	88-17-068	180-56-420	REP-E	88-21-102
174-107-500	REP-P	88-14-101	174-124-040	REP	88-17-069	180-56-420	REP-P	88-21-104
174-107-500	REP-P	88-14-102	174-124-050	REP-P	88-14-101	180-56-425	REP-E	88-21-102
174-107-500	REP-E	88-17-068	174-124-050	REP-P	88-14-102	180-56-425	REP-P	88-21-104
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174-107-510	REP-P	88-14-101	174-124-050	REP	88-17-069	180-56-430	REP-P	88-21-104
174-107-510	REP-P	88-14-102	174-124-120	REP-P	88-14-101	180-56-435	REP-E	88-21-102
174-107-510	REP-E	88-17-068	174-124-120	REP-P	88-14-102	180-56-435	REP-P	88-21-104
174-107-510	REP	88-17-069	174-124-120	REP-E	88-17-068	180-56-435	REP-P	88-21-102
174-107-520	REP-P	88-14-101	174-124-120	REP	88-17-069	180-57-050	AMD-P	88-08-072
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174-116-020	AMD-E	88-19-096	174-132-080	NEW-P	88-22-079	180-78-007	NEW	88-07-002
174-116-020	AMD	88-19-097	174-132-090	NEW-P	88-22-079	180-78-008	NEW	88-07-002
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174-116-119	AMD-E	88-19-096	174-136-02005	NEW-W	88-23-025	180-78-029	NEW	88-07-002
174-116-119	AMD	88-19-097	174-136-030	NEW-P	88-22-080	180-78-036	NEW	88-07-002
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180-78-145	AMD-P	88-21-106	180-79-117	NEW	88-05-047	180-85-030	AMD-P	88-21-109
180-78-150	NEW	88-07-002	180-79-117	AMD-P	88-21-107	180-85-075	AMD-P	88-21-109
180-78-150	AMD-P	88-21-106	180-79-120	AMD	88-05-047	180-85-080	AMD-P	88-21-109
180-78-155	NEW	88-07-002	180-79-120	AMD-P	88-21-107	180-85-083	NEW-P	88-21-109
180-78-160	NEW	88-07-002	180-79-122	NEW	88-05-047	180-85-085	AMD-P	88-21-109
180-78-160	AMD-E	88-12-015	180-79-122	AMD-P	88-21-107	180-85-120	AMD-P	88-21-109
180-78-160	AMD-P	88-17-038	180-79-125	AMD	88-05-047	180-85-200	AMD-P	88-21-109
180-78-160	AMD	88-21-013	180-79-125	AMD-P	88-21-107	180-85-202	AMD-P	88-21-109
180-78-160	AMD-P	88-21-106	180-79-127	NEW	88-05-047	180-85-225	AMD-P	88-21-109
180-78-165	NEW	88-07-002	180-79-127	AMD-P	88-21-107	180-90-160	AMD-P	88-21-110
180-78-165	AMD-P	88-21-106	180-79-128	NEW-P	88-21-107	180-96-005	NEW-E	88-21-101
180-78-170	NEW	88-07-002	180-79-129	NEW-E	88-05-045	180-96-005	NEW-P	88-21-111
180-78-170	AMD-P	88-21-106	180-79-129	NEW-P	88-05-051	180-96-010	NEW-E	88-21-101
180-78-175	NEW	88-07-002	180-79-129	NEW	88-08-046	180-96-010	NEW-P	88-21-111
180-78-180	NEW	88-07-002	180-79-130	REP	88-05-047	180-96-015	NEW-E	88-21-101
180-78-185	NEW	88-07-002	180-79-131	NEW	88-05-047	180-96-015	NEW-P	88-21-111
180-78-190	NEW	88-07-002	180-79-135	REP	88-05-047	180-96-020	NEW-E	88-21-101
180-78-193	AMD	88-07-002	180-79-136	NEW	88-05-047	180-96-020	NEW-P	88-21-111
180-78-193	AMD-P	88-21-106	180-79-140	NEW	88-05-047	180-96-025	NEW-E	88-21-101
180-78-194	AMD	88-07-002	180-79-150	REP	88-05-047	180-96-025	NEW-P	88-21-111
180-78-199	AMD	88-07-002	180-79-155	REP	88-05-047	180-96-030	NEW-E	88-21-101
180-78-205	NEW	88-07-002	180-79-160	REP	88-05-047	180-96-030	NEW-P	88-21-111
180-78-210	NEW	88-07-002	180-79-170	REP	88-05-047	180-96-035	NEW-E	88-21-101
180-78-215	NEW	88-07-002	180-79-175	REP	88-05-047	180-96-035	NEW-P	88-21-111
180-78-220	NEW	88-07-002	180-79-180	REP-E	88-12-014	180-96-040	NEW-E	88-21-101
180-78-225	NEW	88-07-002	180-79-180	REP-P	88-17-037	180-96-040	NEW-P	88-21-111
180-78-230	NEW	88-07-002	180-79-180	REP	88-21-012	180-96-045	NEW-E	88-21-101
180-78-235	NEW	88-07-002	180-79-185	REP	88-05-047	180-96-045	NEW-P	88-21-111
180-78-240	NEW	88-07-002	180-79-190	REP	88-05-047	180-96-050	NEW-E	88-21-101
180-78-245	NEW	88-07-002	180-79-195	REP	88-05-047	180-96-050	NEW-P	88-21-111
180-78-250	NEW	88-07-002	180-79-199	NEW-P	88-21-107	180-96-055	NEW-E	88-21-101
180-78-255	NEW	88-07-002	180-79-200	REP	88-05-047	180-96-055	NEW-P	88-21-111
180-78-260	NEW	88-07-002	180-79-205	REP	88-05-047	180-96-060	NEW-E	88-21-101
180-78-265	NEW	88-07-002	180-79-210	REP	88-05-047	180-96-060	NEW-P	88-21-111
180-78-270	NEW	88-07-002	180-79-215	REP	88-05-047	180-96-065	NEW-E	88-21-101
180-78-275	NEW	88-07-002	180-79-230	AMD	88-05-047	180-96-065	NEW-P	88-21-111
180-78-280	NEW	88-07-002	180-79-245	AMD	88-05-047	180-96-070	NEW-E	88-21-101
180-78-285	NEW	88-07-002	180-79-250	REP	88-05-047	180-96-070	NEW-P	88-21-111
180-78-290	NEW	88-07-002	180-79-300	AMD-P	88-21-107	180-96-075	NEW-E	88-21-101
180-78-295	NEW	88-07-002	180-79-303	NEW-P	88-21-107	180-96-075	NEW-P	88-21-111
180-78-300	NEW	88-07-002	180-79-305	AMD-P	88-21-107	180-110-010	NEW	88-06-002
180-78-305	NEW	88-07-002	180-79-315	AMD-P	88-21-107	180-110-015	NEW	88-06-002
180-78-310	NEW	88-07-002	180-79-317	AMD-P	88-21-107	180-110-017	NEW	88-06-002
180-78-315	NEW	88-07-002	180-79-396	AMD-P	88-21-107	180-110-020	NEW	88-06-002
180-78-320	NEW	88-07-002	180-80-205	REP	88-05-048	180-110-030	NEW	88-06-002
180-78-325	NEW	88-07-002	180-80-210	REP	88-05-048	180-110-035	NEW	88-06-002
180-79-005	AMD-P	88-21-107	180-80-215	REP	88-05-048	180-110-040	NEW	88-06-002
180-79-007	AMD-E	88-05-045	180-80-280	REP	88-05-048	180-110-045	NEW	88-06-002
180-79-007	AMD-P	88-05-051	180-80-285	REP	88-05-048	180-110-050	NEW	88-06-002
180-79-007	AMD	88-08-046	180-80-290	REP	88-05-048	180-110-052	NEW	88-06-002
180-79-007	REP-P	88-21-107	180-80-295	REP	88-05-048	180-110-053	NEW	88-06-002
180-79-010	AMD	88-05-047	180-80-300	REP	88-05-048	180-110-055	NEW	88-06-002
180-79-010	AMD-P	88-21-107	180-80-301	REP	88-05-048	180-110-060	NEW	88-06-002
180-79-013	REP	88-05-047	180-80-302	REP	88-05-048	180-110-065	NEW	88-06-002
180-79-014	REP	88-05-047	180-80-303	REP	88-05-048	180-115-005	NEW-E	88-05-046
180-79-045	AMD	88-05-047	180-80-312	REP	88-05-048	180-115-005	NEW-P	88-05-052
180-79-047	NEW-P	88-21-107	180-80-530	REP	88-05-048	180-115-005	NEW	88-08-044
180-79-049	NEW	88-05-047	180-80-705	REP	88-05-048	180-115-010	NEW-E	88-05-046
180-79-060	AMD	88-05-047	180-81-003	NEW-P	88-21-108	180-115-010	NEW-P	88-05-052
180-79-060	AMD-P	88-21-107	180-81-005	NEW-P	88-21-108	180-115-010	NEW	88-08-044
180-79-062	NEW	88-05-047	180-81-010	NEW-P	88-21-108	180-115-015	NEW-E	88-05-046
180-79-063	NEW	88-05-047	180-81-015	NEW-P	88-21-108	180-115-015	NEW-P	88-05-052
180-79-063	AMD-P	88-21-107	180-81-020	NEW-P	88-21-108	180-115-015	NEW	88-08-044
180-79-065	AMD	88-05-047	180-81-025	NEW-P	88-21-108	180-115-020	NEW-E	88-05-046
180-79-065	AMD-P	88-21-107	180-81-030	NEW-P	88-21-108	180-115-020	NEW-P	88-05-052

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180-115-020	NEW 88-08-044	192-16-065	NEW-E 88-07-107	204-36-010	AMD 88-15-052
180-115-025	NEW-E 88-05-046	192-16-065	NEW-P 88-07-108	204-36-020	AMD-P 88-11-012
180-115-025	NEW-P 88-05-052	192-16-065	NEW 88-10-020	204-36-020	AMD 88-15-052
180-115-025	NEW 88-08-044	192-18-012	NEW-P 88-13-072	204-36-030	AMD-P 88-11-012
180-115-030	NEW-E 88-05-046	192-18-012	NEW-E 88-13-073	204-36-030	AMD 88-15-052
180-115-030	NEW-P 88-05-052	192-18-012	NEW 88-16-076	204-36-040	AMD-P 88-11-012
180-115-030	NEW 88-08-044	192-28-105	AMD-P 88-07-109	204-36-040	AMD 88-15-052
180-115-035	NEW-E 88-05-046	192-28-105	AMD 88-10-021	204-36-050	AMD-P 88-11-012
180-115-035	NEW-P 88-05-052	192-28-110	AMD-P 88-07-109	204-36-050	AMD 88-15-052
180-115-035	NEW 88-08-044	192-28-110	AMD 88-10-021	204-36-060	AMD-P 88-11-012
180-115-040	NEW-E 88-05-046	192-28-120	AMD-P 88-07-109	204-36-060	AMD 88-15-052
180-115-040	NEW-P 88-05-052	192-28-120	AMD 88-10-021	204-36-070	AMD-P 88-11-012
180-115-040	NEW 88-08-044	192-28-130	NEW-P 88-07-109	204-36-070	AMD 88-15-052
180-115-045	NEW-E 88-05-046	192-28-130	NEW 88-10-021	204-38-010	AMD-P 88-11-012
180-115-045	NEW-P 88-05-052	192-28-130	NEW 88-10-021	204-38-010	AMD 88-15-055
180-115-045	NEW 88-08-044	192-42-005	NEW-P 88-07-110	204-38-050	AMD-P 88-11-013
180-115-050	NEW-E 88-05-046	192-42-005	NEW 88-12-051	204-38-050	AMD 88-15-055
180-115-050	NEW-P 88-05-052	192-42-010	NEW-P 88-07-110	204-40-010	AMD-P 88-11-014
180-115-050	NEW 88-08-044	192-42-010	NEW 88-12-051	204-40-010	AMD 88-15-049
180-115-055	NEW-E 88-05-046	192-42-020	NEW-P 88-07-110	204-40-010	AMD 88-15-049
180-115-055	NEW-P 88-05-052	192-42-020	NEW 88-12-051	204-40-030	AMD-P 88-11-014
180-115-055	NEW 88-08-044	192-42-030	NEW-P 88-07-110	204-40-030	AMD 88-15-049
180-115-060	NEW-E 88-05-046	192-42-030	NEW 88-12-051	204-50-040	AMD-P 88-11-015
180-115-060	NEW-P 88-05-052	192-42-040	NEW-P 88-07-110	204-50-040	AMD 88-15-050
180-115-060	NEW 88-08-044	192-42-040	NEW 88-12-051	204-50-050	AMD-P 88-11-015
180-115-065	NEW-E 88-05-046	192-42-040	NEW 88-12-051	204-50-050	AMD 88-15-050
180-115-065	NEW-P 88-05-052	192-42-050	NEW-P 88-07-110	204-74-010	AMD-P 88-11-016
180-115-065	NEW 88-08-044	192-42-050	NEW 88-12-051	204-74-010	AMD 88-15-051
180-115-070	NEW-E 88-05-046	192-42-060	NEW-P 88-07-110	204-74-040	AMD-P 88-11-016
180-115-070	NEW-P 88-05-052	192-42-060	NEW 88-12-051	204-74-040	AMD 88-15-051
180-115-070	NEW 88-08-044	192-42-070	NEW-P 88-07-110	204-80-010	AMD-P 88-11-017
180-115-075	NEW-E 88-05-046	192-42-070	NEW 88-12-051	204-80-010	AMD 88-15-054
180-115-075	NEW-P 88-05-052	192-42-080	NEW-P 88-07-110	204-80-060	NEW-P 88-11-017
180-115-075	NEW 88-08-044	192-42-080	NEW 88-12-051	204-80-060	NEW 88-15-054
180-115-075	NEW-E 88-05-046	192-44-010	NEW-P 88-11-091	204-88-010	AMD-P 88-11-018
180-115-075	NEW-P 88-05-052	192-44-020	NEW-P 88-11-091	204-88-010	AMD 88-15-053
180-115-075	NEW 88-08-044	192-44-030	NEW-P 88-11-091	204-88-010	AMD 88-15-053
180-115-080	NEW-E 88-05-046	192-44-040	NEW-P 88-11-091	204-88-030	AMD-P 88-11-018
180-115-080	NEW-P 88-05-052	192-44-040	NEW-P 88-11-091	204-88-030	AMD 88-15-053
180-115-080	NEW 88-08-044	192-44-050	NEW-P 88-11-091	204-88-070	AMD-P 88-11-018
180-115-085	NEW-E 88-05-046	192-44-060	NEW-P 88-11-091	204-88-070	AMD 88-15-053
180-115-085	NEW-P 88-05-052	192-44-070	NEW-P 88-11-091	204-88-070	AMD 88-15-053
180-115-085	NEW 88-08-044	192-44-080	NEW-P 88-11-091	204-91-010	REP-P 88-13-058
180-115-090	NEW-E 88-05-046	192-44-090	NEW-P 88-11-091	204-91-010	REP-W 88-16-021
180-115-090	NEW-P 88-05-052	192-44-100	NEW-P 88-11-091	204-91-020	REP-P 88-13-058
180-115-090	NEW 88-08-044	192-44-110	NEW-P 88-11-091	204-91-020	REP-W 88-16-021
180-115-095	NEW-E 88-05-046	192-44-120	NEW-P 88-11-091	204-91-030	REP-P 88-13-058
180-115-095	NEW-P 88-05-052	192-44-130	NEW-P 88-11-091	204-91-030	REP-W 88-16-021
180-115-095	NEW 88-08-044	192-44-140	NEW-P 88-11-091	204-91-040	REP-P 88-13-058
180-115-100	NEW-E 88-05-046	192-44-150	NEW-P 88-11-091	204-91-040	REP-W 88-16-021
180-115-100	NEW-P 88-05-052	192-44-160	NEW-P 88-11-091	204-91-040	REP-W 88-16-021
180-115-100	NEW 88-08-044	192-44-170	NEW-P 88-11-091	204-91-050	REP-P 88-13-058
180-115-105	NEW-E 88-05-046	192-44-180	NEW-P 88-11-091	204-91-060	REP-P 88-13-058
180-115-105	NEW-P 88-05-052	192-44-190	NEW-P 88-11-091	204-91-060	REP-W 88-16-021
180-115-105	NEW 88-08-044	196-04-025	NEW-E 88-05-064	204-91-070	REP-P 88-13-058
182-12-115	AMD-P 88-09-058	196-04-025	NEW-P 88-07-094	204-91-070	REP-W 88-16-021
182-12-115	AMD 88-12-034	196-04-025	NEW 88-12-044	204-91-080	REP-P 88-13-058
182-12-115	AMD-P 88-16-050	196-04-030	AMD-E 88-05-064	204-91-080	REP-W 88-16-021
182-12-115	AMD-E 88-16-051	196-04-030	AMD-P 88-07-094	204-91-100	REP-P 88-13-058
182-12-115	AMD-C 88-17-021	196-04-030	AMD 88-12-044	204-91-100	REP-W 88-16-021
182-12-115	AMD-E 88-18-037	196-12-010	AMD-E 88-05-064	204-91-110	REP-P 88-13-058
182-12-115	AMD 88-19-078	196-12-010	AMD-P 88-07-094	204-91-110	REP-W 88-16-021
182-12-115	AMD-P 88-22-016	196-12-010	AMD 88-12-044	204-91-120	REP-P 88-13-058
182-12-115	AMD-E 88-23-112	196-12-085	AMD-E 88-05-064	204-91-120	REP-W 88-16-021
182-12-120	REP-P 88-09-058	196-12-085	AMD-P 88-07-094	204-91-130	REP-P 88-13-058
182-12-120	REP 88-12-034	196-12-085	AMD 88-12-044	204-91-130	REP-W 88-16-021
182-12-127	AMD-P 88-16-050	196-16-007	AMD-E 88-05-064	204-91-140	REP-P 88-13-058
182-12-127	AMD-C 88-17-021	196-16-007	AMD-P 88-07-094	204-91-140	REP-W 88-16-021
182-12-127	AMD 88-19-078	196-16-007	AMD 88-12-044	204-91-150	REP-P 88-13-058
182-12-165	AMD-P 88-09-058	196-20-010	AMD-E 88-05-064	204-91-150	REP-W 88-16-021
182-12-165	AMD 88-12-034	196-20-010	AMD-P 88-07-094	204-91-160	REP-P 88-13-058
182-12-210	AMD-P 88-16-050	196-20-010	AMD 88-12-044	204-91-160	REP-W 88-16-021
182-12-210	AMD-C 88-17-021	204-08-020	AMD 88-03-031	204-91-170	REP-P 88-13-058
182-12-210	AMD 88-19-078	204-08-030	AMD 88-03-031	204-91-170	REP-W 88-16-021
192-12-019	AMD-P 88-13-127	204-08-040	AMD 88-03-031	204-91-180	REP-P 88-13-058
192-12-019	AMD 88-16-077	204-08-050	AMD 88-03-031	204-91-180	REP-W 88-16-021
192-12-205	NEW-P 88-13-126	204-29-010	NEW-E 88-14-022	204-91-190	REP-P 88-13-058
192-16-057	NEW-P 88-07-108	204-29-010	NEW-E 88-20-041	204-91-190	REP-W 88-16-021
192-16-057	NEW 88-10-020	204-29-010	NEW-P 88-20-064	204-91-200	REP-P 88-13-058
192-16-061	NEW 88-05-034	204-36-010	AMD-P 88-11-012	204-91-200	REP-W 88-16-021

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204-91A-010	NEW-W	88-16-021	212-17-335	AMD-P	88-03-014	220-32-03000R	REP-E	88-17-010
204-91A-020	NEW-P	88-13-058	212-17-335	AMD	88-08-027	220-32-03000S	NEW-E	88-17-010
204-91A-020	NEW-W	88-16-021	212-17-345	AMD-P	88-03-014	220-32-03000S	REP-E	88-17-036
204-91A-030	NEW-P	88-13-058	212-17-345	AMD	88-08-027	220-32-03000T	NEW-E	88-17-036
204-91A-030	NEW-W	88-16-021	212-17-352	NEW-P	88-03-014	220-32-03000T	REP-E	88-19-012
204-91A-041	NEW-P	88-13-058	212-17-352	NEW	88-08-027	220-32-03000U	NEW-E	88-19-012
204-91A-041	NEW-W	88-16-021	212-17-362	NEW-P	88-03-014	220-32-03000U	REP-E	88-19-059
204-91A-051	NEW-P	88-13-058	212-17-362	NEW	88-08-027	220-32-03000V	NEW-E	88-19-059
204-91A-051	NEW-W	88-16-021	220-01-00100A	NEW-E	88-18-087	220-32-03000V	REP-E	88-21-019
204-91A-081	NEW-P	88-13-058	220-01-00100A	REP-E	88-19-007	220-32-031	REP-P	88-14-136
204-91A-081	NEW-W	88-16-021	220-12-020	AMD-P	88-07-111	220-32-031	REP	88-22-005
204-91A-100	NEW-P	88-13-058	220-12-020	AMD-C	88-10-041	220-32-031	REP-E	88-22-006
204-91A-100	NEW-W	88-16-021	220-12-020	AMD	88-12-025	220-32-032	REP-P	88-14-136
204-91A-110	NEW-P	88-13-058	220-16-040	AMD-P	88-14-136	220-32-032	REP	88-22-005
204-91A-110	NEW-W	88-16-021	220-16-040	AMD	88-18-066	220-32-032	REP-E	88-22-006
204-91A-120	NEW-P	88-13-058	220-16-085	AMD-P	88-03-076	220-32-033	REP-P	88-14-136
204-91A-120	NEW-W	88-16-021	220-16-085	AMD	88-10-012	220-32-033	REP	88-22-005
204-91A-130	NEW-P	88-13-058	220-16-08500A	NEW-E	88-08-002	220-32-033	REP-E	88-22-006
204-91A-130	NEW-W	88-16-021	220-16-400	NEW-P	88-14-136	220-32-034	REP-P	88-14-136
204-91A-140	NEW-P	88-13-058	220-16-400	NEW	88-18-066	220-32-034	REP	88-22-005
204-91A-140	NEW-W	88-16-021	220-16-405	NEW-P	88-14-136	220-32-034	REP-E	88-22-006
204-91A-150	NEW-P	88-13-058	220-16-405	NEW	88-18-066	220-32-036	REP-P	88-14-136
204-91A-150	NEW-W	88-16-021	220-20-010	AMD-P	88-03-075	220-32-036	REP	88-22-005
204-91A-160	NEW-P	88-13-058	220-20-010	AMD	88-10-013	220-32-036	REP-E	88-22-006
204-91A-160	NEW-W	88-16-021	220-20-01000J	NEW-E	88-08-002	220-32-040	REP-P	88-14-136
204-91A-170	NEW-P	88-13-058	220-20-01000L	NEW-E	88-13-074	220-32-040	REP	88-22-005
204-91A-170	NEW-W	88-16-021	220-20-010	AMD-P	88-23-105	220-32-040	REP-E	88-22-006
204-91A-180	NEW-P	88-13-058	220-20-060	NEW-P	88-13-005	220-32-041	REP-P	88-14-136
204-91A-180	NEW-W	88-16-021	220-20-060	NEW	88-16-074	220-32-041	REP	88-22-005
204-91A-190	NEW-P	88-13-058	220-20-070	NEW-P	88-22-083	220-32-041	REP-E	88-22-006
204-91A-190	NEW-W	88-16-021	220-20-070	NEW-W	88-23-087	220-32-04100K	NEW-E	88-11-041
212-17-001	AMD-P	88-03-014	220-20-06000A	NEW-E	88-13-006	220-32-043	REP-P	88-14-136
212-17-001	AMD	88-08-027	220-20-06000A	REP-E	88-16-004	220-32-043	REP	88-22-005
212-17-010	AMD-P	88-03-014	220-20-06000B	NEW-E	88-16-004	220-32-043	REP-E	88-22-006
212-17-010	AMD	88-08-027	220-22-02000D	NEW-E	88-14-024	220-32-044	REP-P	88-14-136
212-17-060	AMD-P	88-03-014	220-22-030	AMD-P	88-10-060	220-32-044	REP	88-22-005
212-17-060	AMD	88-08-027	220-22-030	AMD-C	88-13-069	220-32-044	REP-E	88-22-006
212-17-065	AMD-P	88-03-014	220-22-030	AMD	88-14-133	220-32-05100A	NEW-E	88-07-015
212-17-065	AMD	88-08-027	220-24-02000B	NEW-E	88-09-023	220-32-05100B	NEW-E	88-13-111
212-17-070	AMD-P	88-03-014	220-24-02000B	REP-E	88-13-063	220-32-05100B	REP-E	88-14-004
212-17-070	AMD	88-08-027	220-24-02000C	NEW-E	88-13-063	220-32-05100C	NEW-E	88-14-004
212-17-085	AMD-P	88-03-014	220-28-800	NEW-E	88-18-049	220-32-05100C	REP-E	88-14-018
212-17-085	AMD	88-08-027	220-28-800	REP-E	88-19-046	220-32-05100D	NEW-E	88-14-018
212-17-115	AMD-P	88-03-014	220-32	REP-C	88-22-004	220-32-05100D	REP-E	88-16-075
212-17-115	AMD	88-08-027	220-32-016	REP-P	88-14-136	220-32-05100E	NEW-E	88-14-100
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212-17-185	AMD	88-08-027	220-32-022	REP-P	88-14-136	220-32-05100K	NEW-E	88-19-100
212-17-195	AMD-P	88-03-014	220-32-022	REP	88-22-005	220-32-05100K	REP-E	88-20-021
212-17-195	AMD	88-08-027	220-32-022	REP-E	88-22-006	220-32-05100L	NEW-E	88-20-021
212-17-203	AMD-P	88-03-014	220-32-023	REP-P	88-14-136	220-32-05100M	NEW-E	88-20-050
212-17-203	AMD	88-08-027	220-32-023	REP	88-22-005	220-32-05100M	REP-E	88-21-008
212-17-225	AMD-P	88-03-014	220-32-023	REP-E	88-22-006	220-32-05100N	NEW-E	88-21-008
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212-17-245	AMD	88-08-027	220-32-030	REP-P	88-14-136	220-33-001	NEW	88-18-066
212-17-250	AMD-P	88-03-014	220-32-030	REP	88-22-005	220-33-005	NEW-P	88-14-136
212-17-250	AMD	88-08-027	220-32-030	REP-E	88-22-006	220-33-005	NEW	88-18-066
212-17-260	AMD-P	88-03-014	220-32-03000N	NEW-E	88-05-035	220-33-010	NEW-P	88-14-136
212-17-260	AMD	88-08-027	220-32-03000N	REP-E	88-07-014	220-33-010	NEW	88-18-066
212-17-265	AMD-P	88-03-014	220-32-03000P	NEW-E	88-07-014	220-33-01000A	NEW-E	88-21-019
212-17-265	AMD	88-08-027	220-32-03000Q	NEW-E	88-13-111	220-33-01000A	REP-E	88-22-015
212-17-270	AMD-P	88-03-014	220-32-03000Q	REP-E	88-14-004	220-33-01000B	NEW-E	88-22-015

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220-33-030	NEW	88-18-066	220-47-307	AMD-P	88-10-060	220-47-925	NEW-E	88-22-013
220-33-040	NEW-P	88-14-136	220-47-307	AMD-C	88-13-069	220-47-925	REP-E	88-22-042
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220-36-021	AMD-P	88-14-135	220-47-312	AMD-C	88-13-069	220-47-928	REP-E	88-23-033
220-36-021	AMD	88-19-098	220-47-312	AMD	88-14-133	220-47-929	NEW-E	88-23-033
220-36-02100A	NEW-E	88-22-043	220-47-313	AMD-P	88-10-060	220-47-929	REP-E	88-23-048
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220-36-02100U	NEW-E	88-17-035	220-47-401	AMD-P	88-10-060	220-47-931	NEW-E	88-23-064
220-36-02100U	REP-E	88-18-003	220-47-401	AMD-C	88-13-069	220-47-931	REP-E	88-23-073
220-36-02100V	NEW-E	88-18-003	220-47-401	AMD	88-14-133	220-47-932	NEW-E	88-23-073
220-36-02100V	REP-E	88-18-093	220-47-411	AMD-P	88-10-060	220-47-932	REP-E	88-23-086
220-36-02100W	NEW-E	88-18-093	220-47-411	AMD-C	88-13-069	220-47-933	NEW-E	88-23-086
220-36-02100W	REP-E	88-19-013	220-47-411	AMD	88-14-133	220-47-933	REP-E	88-23-114
220-36-02100X	NEW-E	88-19-013	220-47-412	AMD-P	88-10-060	220-47-934	NEW-E	88-23-114
220-36-02100X	REP-E	88-19-101	220-47-412	AMD-C	88-13-069	220-47-934	REP-E	88-23-127
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220-36-022	REP	88-19-098	220-47-414	AMD-C	88-13-069	220-48-02900B	NEW-E	88-03-009
220-36-024	REP-P	88-14-135	220-47-414	AMD	88-14-133	220-48-06200C	NEW-E	88-09-005
220-36-024	REP	88-19-098	220-47-900	NEW-E	88-15-025	220-49-02000X	NEW-E	88-09-022
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220-40-021	AMD	88-19-098	220-47-901	NEW-E	88-15-044	220-52-010	AMD-C	88-10-041
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220-40-02100F	REP-E	88-17-035	220-47-902	NEW-E	88-15-067	220-52-04600S	NEW-E	88-23-113
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220-40-02100H	REP-E	88-18-030	220-47-904	NEW-E	88-16-010	220-52-05300W	NEW-E	88-13-071
220-40-02100I	NEW-E	88-18-030	220-47-904	REP-E	88-16-047	220-52-05300X	REP-E	88-14-071
220-40-02100I	REP-E	88-18-086	220-47-905	NEW-E	88-16-047	220-52-05300Y	NEW-E	88-14-071
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220-40-02100L	NEW-E	88-20-051	220-47-907	REP-E	88-17-077	220-55-06500A	NEW-E	88-02-048
220-40-02100L	REP-E	88-22-039	220-47-908	NEW-E	88-17-077	220-55-070	AMD	88-05-002
220-40-02100M	NEW-E	88-22-039	220-47-908	REP-E	88-18-013	220-55-07000A	NEW-E	88-02-048
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220-40-02100N	NEW-E	88-23-012	220-47-909	REP-E	88-18-068	220-55-07500A	NEW-E	88-02-048
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220-40-022	REP	88-19-098	220-47-910	REP-E	88-19-014	220-55-080	AMD	88-05-002
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220-40-025	REP	88-19-098	220-47-912	REP-E	88-19-046	220-55-105	AMD	88-05-002
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220-44-050	AMD-P	88-09-051	220-47-915	NEW-E	88-19-099	220-55-125	AMD	88-05-002
220-44-050	AMD	88-14-020	220-47-915	REP-E	88-20-005	220-55-130	AMD	88-05-002
220-44-05000M	NEW-E	88-09-004	220-47-916	NEW-E	88-20-005	220-55-135	AMD	88-05-002
220-44-05000N	NEW-E	88-14-132	220-47-916	REP-E	88-20-011	220-55-13000A	NEW-E	88-02-048
220-44-05000N	REP-E	88-16-003	220-47-917	NEW-E	88-20-011	220-56-105	AMD-P	88-03-075
220-44-05000P	NEW-E	88-16-003	220-47-917	REP-E	88-20-019	220-56-105	AMD	88-10-013
220-44-05000P	REP-E	88-17-086	220-47-918	NEW-E	88-20-019	220-56-115	AMD-P	88-03-075
220-44-05000Q	NEW-E	88-17-086	220-47-918	REP-E	88-20-049	220-56-115	AMD	88-10-013
220-44-05000Q	REP-E	88-19-089	220-47-919	NEW-E	88-20-049	220-56-120	NEW-E	88-08-002
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220-47-266	AMD-C	88-13-069	220-47-922	REP-E	88-21-061	220-56-128	AMD-P	88-03-076
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220-56-180	AMD-P 88-03-075	220-56-310	AMD 88-12-025	220-57-290	AMD-P 88-03-075
220-56-180	AMD 88-10-013	220-56-31000H	NEW-E 88-08-002	220-57-290	AMD 88-10-013
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220-56-18000V	NEW-E 88-08-002	220-56-320	AMD-C 88-10-041	220-57-30000E	NEW-E 88-18-041
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220-56-18000X	NEW-E 88-12-047	220-56-32500J	NEW-E 88-11-040	220-57-31000H	REP-E 88-12-046
220-56-18000Y	REP-E 88-16-011	220-56-32500J	REP-E 88-14-016	220-57-31500I	NEW-E 88-12-046
220-56-18000Y	NEW-E 88-16-011	220-56-32500K	NEW-E 88-12-003	220-57-31500I	REP-E 88-14-010
220-56-18000Y	REP-E 88-20-010	220-56-32500K	REP-E 88-14-071	220-57-31500J	NEW-E 88-14-010
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220-56-18000Z	REP-E 88-21-074	220-56-32500M	NEW-E 88-14-071	220-57-31500K	NEW-E 88-19-007
220-56-185	AMD-P 88-03-075	220-56-32500N	NEW-E 88-16-045	220-57-31500K	REP-E 88-19-039
220-56-185	AMD 88-10-013	220-56-335	AMD-P 88-03-075	220-57-31500L	NEW-E 88-19-039
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220-56-19000B	REP-E 88-16-046	220-56-350	AMD 88-10-013	220-57-335	AMD-P 88-03-075
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220-56-19000C	REP-E 88-17-048	220-56-355	AMD-P 88-03-075	220-57-33500C	NEW-E 88-20-031
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248-16-222	AMD-P	88-21-086	248-54-085	REP	88-05-057	248-63-125	NEW	88-10-027
248-16-223	AMD-P	88-21-086	248-54-086	NEW	88-05-057	248-63-130	REP-P	88-06-092
248-16-226	AMD-P	88-21-086	248-54-095	REP	88-05-057	248-63-130	REP	88-10-027
248-16-227	REP-P	88-21-086	248-54-096	NEW	88-05-057	248-63-135	NEW-P	88-06-092
248-16-228	REP-P	88-21-086	248-54-097	NEW	88-05-057	248-63-135	NEW	88-10-027
248-16-229	NEW-P	88-21-086	248-54-105	AMD	88-05-057	248-63-140	REP-P	88-06-092
248-16-230	AMD-P	88-21-086	248-54-115	REP	88-05-057	248-63-140	REP	88-10-027
248-16-235	AMD-P	88-21-086	248-54-125	AMD	88-05-057	248-63-145	NEW-P	88-06-092
248-16-300	NEW-P	88-21-086	248-54-131	NEW	88-05-057	248-63-145	NEW	88-10-027
248-16-900	AMD-P	88-21-086	248-54-135	AMD	88-05-057	248-63-150	REP-P	88-06-092
248-18-001	AMD-P	88-13-101	248-54-145	AMD	88-05-057	248-63-150	REP	88-10-027
248-18-001	AMD	88-18-021	248-54-155	AMD	88-05-057	248-63-155	NEW-P	88-06-092
248-18-440	AMD-P	88-13-101	248-54-165	AMD	88-05-057	248-63-155	NEW	88-10-027
248-18-440	AMD	88-18-021	248-54-175	AMD	88-05-057	248-63-160	REP-P	88-06-092
248-18-445	NEW-P	88-13-102	248-54-185	AMD	88-05-057	248-63-160	REP	88-10-027
248-18-445	NEW	88-18-020	248-54-194	NEW	88-05-057	248-63-165	NEW-P	88-06-092
248-18-515	AMD-P	88-20-077	248-54-195	REP	88-05-057	248-63-165	NEW	88-10-027
248-18-515	AMD	88-23-083	248-54-196	NEW	88-05-057	248-63-170	REP-P	88-06-092
248-18-655	AMD-P	88-12-032	248-54-201	NEW	88-05-057	248-63-170	REP	88-10-027
248-18-655	AMD	88-16-086	248-54-205	AMD	88-05-057	248-63-175	NEW-P	88-06-092
248-18-718	AMD-P	88-12-032	248-54-215	AMD	88-05-057	248-63-175	NEW	88-10-027
248-18-718	AMD	88-16-086	248-54-225	AMD	88-05-057	248-63-180	REP-P	88-06-092
248-18-99902	AMD-P	88-12-032	248-54-235	AMD	88-05-057	248-63-180	REP	88-10-027
248-18-99902	AMD	88-16-086	248-54-255	AMD	88-05-057	248-97-010	NEW-P	88-10-005
248-19-220	AMD-P	88-11-057	248-54-265	AMD	88-05-057	248-97-010	NEW	88-13-125
248-19-220	AMD	88-15-021	248-54-275	REP	88-05-057	248-97-020	NEW-P	88-10-005
248-19-328	AMD	88-04-047	248-54-285	AMD	88-05-057	248-97-020	NEW	88-13-125
248-19-328	AMD-P	88-21-087	248-54-291	NEW	88-05-057	248-97-030	NEW-P	88-10-005

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248-97-030	NEW	88-13-125	248-100-206	AMD-P	88-18-103	250-65-010	NEW	88-03-008
248-97-040	NEW-P	88-10-005	248-100-206	AMD	88-21-093	250-65-020	NEW	88-03-008
248-97-040	NEW	88-13-125	248-100-207	NEW-E	88-09-053	250-65-030	NEW	88-03-008
248-97-050	NEW-P	88-10-005	248-100-207	NEW-P	88-13-104	250-65-040	NEW	88-03-008
248-97-050	NEW	88-13-125	248-100-207	NEW-E	88-13-108	250-65-050	NEW	88-03-008
248-97-060	NEW-P	88-10-005	248-100-207	NEW	88-17-058	250-65-060	NEW	88-03-008
248-97-060	NEW	88-13-125	248-100-208	NEW-E	88-09-053	250-66-010	NEW-P	88-11-074
248-97-070	NEW-P	88-10-005	248-100-208	NEW-P	88-13-104	250-66-010	NEW	88-14-088
248-97-070	NEW	88-13-125	248-100-208	NEW-E	88-13-108	250-66-020	NEW-P	88-11-074
248-97-080	NEW-P	88-10-005	248-100-208	NEW	88-17-058	250-66-020	NEW	88-14-088
248-97-080	NEW	88-13-125	248-100-209	NEW-P	88-13-104	250-66-030	NEW-P	88-11-074
248-97-090	NEW-P	88-10-005	248-100-209	NEW-E	88-13-108	250-66-030	NEW	88-14-088
248-97-090	NEW	88-13-125	248-100-209	NEW	88-17-058	250-66-040	NEW-P	88-11-074
248-97-100	NEW-P	88-10-005	248-100-209	AMD-P	88-18-102	250-66-040	NEW	88-14-088
248-97-100	NEW	88-13-125	248-100-209	AMD-E	88-21-058	250-66-050	NEW-P	88-11-074
248-97-110	NEW-P	88-10-005	248-100-209	AMD-P	88-21-089	250-66-050	NEW	88-14-088
248-97-110	NEW	88-13-125	248-100-231	AMD-P	88-03-022	250-66-060	NEW-P	88-11-074
248-97-120	NEW-P	88-10-005	248-100-231	AMD	88-07-063	250-66-060	NEW	88-14-088
248-97-120	NEW	88-13-125	248-100-236	AMD-P	88-03-022	250-67-010	NEW-P	88-11-075
248-97-130	NEW-P	88-10-005	248-100-236	AMD	88-07-063	250-67-010	NEW	88-14-089
248-97-130	NEW	88-13-125	248-100-440	REP-P	88-03-022	250-67-020	NEW-P	88-11-075
248-97-140	NEW-P	88-10-005	248-100-440	REP	88-07-063	250-67-020	NEW	88-14-089
248-97-140	NEW	88-13-125	248-100-450	REP-P	88-03-022	250-67-030	NEW-P	88-11-075
248-97-150	NEW-P	88-10-005	248-100-450	REP	88-07-063	250-67-030	NEW	88-14-089
248-97-150	NEW	88-13-125	248-100-452	REP-P	88-03-022	250-67-040	NEW-P	88-11-075
248-97-160	NEW-P	88-10-005	248-100-452	REP	88-07-063	250-67-040	NEW	88-14-089
248-97-160	NEW	88-13-125	248-124-010	AMD-P	88-16-108	250-67-050	NEW-P	88-11-075
248-97-170	NEW-P	88-10-005	248-124-010	AMD	88-19-092	250-67-050	NEW	88-14-089
248-97-170	NEW	88-13-125	248-124-015	NEW-P	88-16-108	250-67-060	NEW-P	88-11-075
248-100-011	AMD-P	88-03-022	248-124-015	NEW	88-19-092	250-67-060	NEW	88-14-089
248-100-011	AMD	88-07-063	248-124-160	NEW-P	88-16-107	251-01-018	NEW-P	88-02-072
248-100-011	AMD-E	88-09-053	248-124-160	NEW	88-19-034	251-01-028	NEW-P	88-09-057
248-100-011	AMD-P	88-13-103	248-172-101	NEW	88-04-090	251-01-028	NEW	88-13-018
248-100-011	AMD-E	88-13-109	248-172-201	NEW	88-04-090	251-01-057	AMD-P	88-09-056
248-100-011	AMD	88-17-057	248-172-202	NEW	88-04-090	251-01-057	AMD	88-13-019
248-100-016	AMD-P	88-13-103	248-172-203	NEW	88-04-090	251-01-255	REP-P	88-02-071
248-100-016	AMD-E	88-13-109	248-172-204	NEW	88-04-090	251-01-255	AMD-P	88-13-115
248-100-016	AMD	88-17-057	248-172-205	NEW	88-04-090	251-01-255	AMD	88-17-108
248-100-016	AMD-P	88-18-102	248-172-206	NEW	88-04-090	251-01-258	NEW-P	88-02-072
248-100-016	AMD	88-21-093	248-172-301	NEW	88-04-090	251-01-258	NEW-C	88-06-062
248-100-025	REP-P	88-03-022	248-172-302	NEW	88-04-090	251-01-258	NEW-P	88-06-075
248-100-025	REP	88-07-063	248-172-303	NEW	88-04-090	251-01-258	NEW-C	88-13-112
248-100-026	NEW-P	88-03-022	248-172-304	NEW	88-04-090	251-01-258	NEW	88-18-018
248-100-026	NEW	88-07-063	248-172-401	NEW	88-04-090	251-01-367	NEW-P	88-02-072
248-100-036	NEW-P	88-03-022	248-172-402	NEW	88-04-090	251-01-367	NEW-C	88-06-062
248-100-036	NEW	88-07-063	250-20-021	AMD-P	88-06-089	251-01-367	NEW-P	88-06-075
248-100-036	AMD-P	88-18-102	250-20-021	AMD	88-10-001	251-01-367	NEW-C	88-13-112
248-100-036	AMD-E	88-21-058	250-20-031	AMD-P	88-06-089	251-01-367	NEW	88-18-018
248-100-036	AMD-P	88-21-089	250-20-031	AMD	88-10-001	251-01-445	REP-P	88-02-072
248-100-050	REP-P	88-03-022	250-40-030	AMD-P	88-06-090	251-01-445	AMD-P	88-06-075
248-100-050	REP	88-07-063	250-40-030	AMD	88-10-002	251-01-445	AMD-C	88-13-112
248-100-071	AMD-P	88-18-102	250-40-040	AMD-P	88-06-090	251-01-445	AMD	88-18-018
248-100-072	NEW-E	88-21-058	250-40-040	AMD	88-10-002	251-01-450	REP-P	88-02-072
248-100-072	NEW-P	88-21-089	250-40-050	AMD-P	88-06-090	251-01-455	REP-P	88-02-072
248-100-076	AMD-P	88-18-102	250-40-050	AMD	88-10-002	251-01-455	REP-P	88-06-075
248-100-163	REP-P	88-03-022	250-60-020	AMD-P	88-06-091	251-01-455	REP-C	88-13-112
248-100-163	REP	88-07-063	250-60-020	AMD	88-10-003	251-01-455	REP	88-18-018
248-100-164	REP-P	88-03-022	250-60-030	AMD-P	88-06-091	251-04-040	AMD-P	88-12-052
248-100-164	REP	88-07-063	250-60-030	AMD	88-10-003	251-04-040	AMD	88-15-023
248-100-166	NEW-P	88-03-022	250-60-040	AMD-P	88-06-091	251-08-100	AMD-P	88-12-052
248-100-166	NEW	88-07-063	250-60-040	AMD	88-10-003	251-08-100	AMD	88-15-023
248-100-171	NEW-P	88-03-022	250-60-050	AMD-P	88-06-091	251-08-110	AMD-P	88-21-100
248-100-171	NEW	88-07-063	250-60-050	AMD	88-10-003	251-10	AMD	88-22-057
248-100-176	NEW-P	88-03-022	250-60-060	AMD-P	88-06-091	251-10-030	AMD-P	88-17-107
248-100-176	NEW	88-07-063	250-60-060	AMD	88-10-003	251-10-030	AMD	88-22-057
248-100-181	NEW-P	88-03-022	250-60-070	AMD-P	88-06-091	251-10-035	AMD-P	88-17-107
248-100-181	NEW	88-07-063	250-60-070	AMD	88-10-003	251-10-035	AMD	88-22-057
248-100-186	NEW-P	88-03-022	250-60-080	AMD-P	88-06-091	251-10-070	NEW-P	88-21-100
248-100-186	NEW	88-07-063	250-60-080	AMD	88-10-003	251-10-080	NEW-P	88-21-100
248-100-191	NEW-P	88-03-022	250-60-090	AMD-P	88-06-091	251-10-090	NEW-P	88-21-100
248-100-191	NEW	88-07-063	250-60-090	AMD	88-10-003	251-10-105	REP-P	88-17-107
248-100-196	NEW-P	88-03-022	250-60-100	AMD-P	88-06-091	251-10-105	REP	88-22-057
248-100-196	NEW	88-07-063	250-60-100	AMD	88-10-003	251-10-108	REP-P	88-17-107
248-100-201	NEW-P	88-03-022	250-60-110	AMD-P	88-06-091	251-10-108	REP	88-22-057
248-100-201	NEW	88-07-063	250-60-110	AMD	88-10-003	251-10-110	REP-P	88-17-107
248-100-206	AMD-P	88-14-079	250-60-120	AMD-P	88-06-091	251-10-110	REP	88-22-057
248-100-206	AMD	88-17-056	250-60-120	AMD	88-10-003	251-10-111	REP-P	88-17-107

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251-10-111	REP	88-22-057	251-14-054	AMD-C	88-06-062	261-40-150	AMD-P	88-13-132
251-10-120	REP-P	88-17-107	251-14-054	AMD-P	88-06-075	261-40-150	AMD-C	88-16-042
251-10-120	REP	88-22-057	251-14-056	AMD-P	88-04-069	261-40-150	AMD	88-17-054
251-10-130	REP-P	88-17-107	251-14-056	AMD	88-08-018	261-40-150	AMD-P	88-19-094
251-10-130	REP	88-22-057	251-14-058	AMD-P	88-02-072	261-40-150	AMD	88-22-038
251-10-140	REP-P	88-17-107	251-14-058	AMD-C	88-06-062	261-40-170	AMD-P	88-13-053
251-10-140	REP	88-22-057	251-14-058	AMD-P	88-06-075	261-40-190	NEW-P	88-10-047
251-10-150	REP-P	88-17-107	251-14-058	AMD-C	88-13-112	261-40-190	NEW	88-13-044
251-10-150	REP	88-22-057	251-14-058	AMD	88-18-018	261-50-035	NEW-P	88-13-052
251-10-160	REP-P	88-17-107	251-14-058	AMD-P	88-22-044	261-50-035	NEW	88-16-043
251-10-160	REP	88-22-057	251-17-090	AMD-P	88-21-100	261-50-040	AMD-P	88-13-052
251-10-170	AMD-P	88-02-072	251-17-140	REP-P	88-09-057	261-50-040	AMD	88-16-043
251-10-170	AMD-C	88-06-062	251-17-140	REP	88-13-018	261-50-050	AMD-P	88-13-052
251-10-170	AMD-P	88-06-075	251-17-170	AMD-P	88-08-021	261-50-050	AMD	88-16-043
251-10-170	AMD-C	88-13-112	251-18-180	AMD-P	88-21-100	261-50-060	AMD-P	88-13-052
251-10-170	REP-P	88-17-107	251-22-110	AMD-P	88-09-056	261-50-060	AMD	88-16-043
251-10-170	AMD	88-18-018	251-22-110	AMD	88-13-019	261-50-090	AMD-P	88-13-052
251-10-170	REP	88-22-057	251-22-110	AMD-P	88-13-114	261-50-090	AMD	88-16-043
251-10-180	REP-P	88-17-107	251-22-110	AMD	88-17-008	275-16-030	AMD-P	88-18-051
251-10-180	REP	88-22-057	251-22-115	REP-P	88-09-056	275-16-030	AMD-E	88-18-061
251-10-190	REP-P	88-17-107	251-22-115	REP	88-13-019	275-16-030	AMD	88-21-095
251-10-190	REP	88-22-057	251-24-030	AMD-P	88-21-100	275-19-020	AMD-P	88-23-041
251-10-195	REP-P	88-17-107	260-16-090	NEW	88-06-017	275-19-030	AMD-P	88-23-041
251-10-195	REP	88-22-057	260-20-170	AMD	88-06-017	275-19-040	AMD-P	88-23-041
251-11-010	NEW-P	88-17-107	260-34-010	NEW-P	88-06-052	275-19-050	AMD-P	88-23-041
251-11-010	NEW	88-22-057	260-34-010	NEW	88-09-033	275-19-075	AMD-P	88-23-041
251-11-020	NEW-P	88-17-107	260-34-020	NEW-P	88-06-052	275-19-135	AMD-P	88-23-041
251-11-020	NEW	88-22-057	260-34-020	NEW	88-09-033	275-19-140	AMD-P	88-23-041
251-11-030	NEW-P	88-17-107	260-34-030	NEW-P	88-06-052	275-19-145	AMD-P	88-23-041
251-11-030	NEW	88-22-057	260-34-030	NEW	88-09-033	275-19-150	AMD-P	88-23-041
251-11-040	NEW-P	88-17-107	260-34-040	NEW-P	88-06-052	275-19-165	AMD-P	88-23-041
251-11-040	NEW	88-22-057	260-34-040	NEW	88-09-033	275-19-170	AMD-P	88-23-041
251-11-050	NEW-P	88-17-107	260-34-050	NEW-P	88-06-052	275-19-180	AMD-P	88-23-041
251-11-050	NEW	88-22-057	260-34-050	NEW	88-09-033	275-19-185	REP-P	88-23-041
251-11-060	NEW-P	88-17-107	260-34-060	NEW-P	88-06-052	275-19-260	AMD-P	88-23-041
251-11-060	NEW	88-22-057	260-34-060	NEW	88-09-033	275-19-270	AMD-P	88-23-041
251-11-070	NEW-P	88-17-107	260-34-070	NEW-P	88-06-052	275-19-280	AMD-P	88-23-041
251-11-070	NEW	88-22-057	260-34-070	NEW	88-09-033	275-19-300	AMD-P	88-23-041
251-11-080	NEW-P	88-17-107	260-34-080	NEW-P	88-06-052	275-19-310	REP-P	88-23-041
251-11-080	NEW	88-22-057	260-34-080	NEW	88-09-033	275-19-320	AMD-P	88-23-041
251-11-090	NEW-P	88-17-107	260-34-090	NEW-P	88-06-052	275-19-410	AMD-P	88-23-041
251-11-090	NEW	88-22-057	260-34-090	NEW	88-09-033	275-19-430	AMD-P	88-23-041
251-11-100	NEW-P	88-17-107	260-34-100	NEW-P	88-06-052	275-19-510	REP-P	88-23-041
251-11-100	NEW	88-22-057	260-34-100	NEW	88-09-033	275-19-530	AMD-P	88-23-041
251-11-110	NEW-P	88-17-107	260-34-110	NEW-P	88-06-052	275-19-560	AMD-P	88-23-041
251-11-110	NEW	88-22-057	260-34-110	NEW-P	88-13-011	275-19-570	AMD-P	88-23-041
251-11-120	NEW-P	88-17-107	260-34-110	NEW	88-17-075	275-19-590	AMD-P	88-23-041
251-11-120	NEW	88-22-057	260-34-120	NEW-P	88-06-052	275-19-610	AMD-P	88-23-041
251-11-130	NEW-P	88-17-107	260-34-120	NEW-P	88-13-011	275-19-660	AMD-P	88-23-041
251-11-130	NEW	88-22-057	260-34-120	NEW	88-17-075	275-19-675	AMD-P	88-23-041
251-12-075	AMD-P	88-17-106	260-34-130	NEW-P	88-06-052	275-19-760	AMD-P	88-23-041
251-12-080	AMD-P	88-06-063	260-34-130	NEW-P	88-13-011	275-19-770	AMD-P	88-23-041
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251-12-101	NEW-P	88-17-106	260-34-140	NEW-P	88-06-052	275-19-820	AMD-P	88-23-041
251-12-101	NEW	88-22-057	260-34-140	NEW-P	88-13-011	275-19-940	AMD-P	88-23-041
251-12-102	NEW-P	88-17-106	260-34-140	NEW	88-17-075	275-19-950	AMD-P	88-23-041
251-12-102	NEW	88-22-057	260-34-150	NEW-P	88-06-052	275-19-970	AMD-P	88-23-041
251-12-103	NEW-P	88-17-106	260-34-150	NEW-P	88-13-011	275-19-980	AMD-P	88-23-041
251-12-103	NEW	88-22-057	260-34-150	NEW	88-17-075	275-19-985	AMD-P	88-23-041
251-12-250	AMD-P	88-06-063	260-34-160	NEW-P	88-06-052	275-19-990	AMD-P	88-23-041
251-12-260	AMD-P	88-22-044	260-34-160	NEW-P	88-13-011	275-27-020	AMD-P	88-22-084
251-12-270	AMD-P	88-06-063	260-34-160	NEW	88-17-075	275-27-030	AMD-P	88-22-084
251-12-290	AMD-P	88-06-063	260-34-170	NEW-P	88-06-052	275-27-220	AMD	88-05-004
251-12-600	AMD-P	88-17-106	260-34-170	NEW-P	88-13-011	275-27-223	NEW	88-05-004
251-12-600	AMD	88-22-057	260-34-170	NEW	88-17-075	275-27-400	AMD	88-05-004
251-14-020	AMD-P	88-02-072	260-34-180	NEW-P	88-06-052	275-30-010	NEW-P	88-17-124
251-14-020	AMD-C	88-06-062	260-34-180	NEW	88-09-033	275-30-010	NEW	88-20-083
251-14-020	AMD-P	88-06-075	260-70-010	AMD-P	88-13-011	275-30-010	NEW-E	88-21-046
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296-17-76207	NEW-P	88-06-072	296-18A-480	AMD-P	88-16-091	296-24-51009	AMD	88-23-054
296-17-76207	NEW	88-12-050	296-18A-480	AMD	88-21-022	296-24-51013	AMD-P	88-18-071
296-17-76208	NEW-P	88-06-072	296-18A-500	AMD-P	88-07-100	296-24-51013	AMD	88-23-054
296-17-76208	NEW	88-12-050	296-18A-500	AMD	88-12-096	296-24-55001	AMD-P	88-18-071
296-17-76209	NEW-P	88-06-072	296-18A-520	AMD-P	88-09-071	296-24-55001	AMD	88-23-054
296-17-76209	NEW	88-12-050	296-18A-520	AMD	88-14-011	296-24-55013	AMD-P	88-18-071
296-17-76210	NEW-P	88-06-072	296-20-0100	NEW-P	88-19-111	296-24-56513	AMD	88-23-054
296-17-76210	NEW	88-12-050	296-20-03001	AMD-W	88-04-049	296-24-58503	AMD-P	88-18-071
296-17-76211	NEW-P	88-06-072	296-20-045	AMD-C	88-04-051	296-24-58503	AMD	88-23-054
296-17-76211	NEW	88-12-050	296-20-045	AMD-C	88-06-036	296-24-58513	AMD-P	88-09-074
296-17-76212	NEW-P	88-06-072	296-20-132	AMD-P	88-19-111	296-24-58513	AMD	88-14-108
296-17-76212	NEW	88-12-050	296-20-135	AMD-P	88-19-111	296-24-590	REP-P	88-06-073
296-17-773	AMD-P	88-06-076	296-20-140	REP-P	88-19-111	296-24-590	REP	88-11-021
296-17-773	AMD	88-12-065	296-20-145	REP-P	88-19-111	296-24-605	REP-P	88-06-073
296-17-855	AMD-P	88-20-074	296-20-150	REP-P	88-19-111	296-24-605	REP	88-11-021
296-17-86501	AMD-P	88-20-074	296-20-155	REP-P	88-19-111	296-24-63399	AMD-P	88-09-074
296-17-86502	NEW-P	88-09-073	296-20-210	AMD-P	88-09-072	296-24-63399	AMD	88-14-108
296-17-86502	NEW-C	88-15-008	296-20-210	AMD	88-14-012	296-24-68001	AMD-P	88-18-071
296-17-86502	NEW	88-16-012	296-21-035	AMD-P	88-09-072	296-24-68001	AMD	88-23-054
296-17-870	AMD-P	88-09-073	296-21-035	AMD	88-14-012	296-24-68203	AMD-P	88-06-073
296-17-870	AMD-C	88-15-008	296-21-128	AMD	88-04-052	296-24-68203	AMD	88-11-021
296-17-870	AMD	88-16-012	296-23-620	REP-C	88-04-051	296-24-78009	AMD-P	88-06-073
296-17-870	AMD-P	88-20-074	296-23-620	REP-C	88-06-036	296-24-78009	AMD	88-11-021
296-17-875	AMD-P	88-20-074	296-23A-115	AMD-P	88-19-111	296-24-82513	AMD-P	88-18-071
296-17-880	AMD-P	88-20-074	296-24-003	AMD-P	88-18-071	296-24-82513	AMD	88-23-054
296-17-885	AMD-P	88-02-060	296-24-003	AMD	88-23-054	296-24-82515	AMD-P	88-18-071
296-17-885	AMD	88-06-047	296-24-19501	AMD-P	88-18-071	296-24-82515	AMD	88-23-054
296-17-885	AMD-P	88-06-072	296-24-19501	AMD	88-23-054	296-24-82517	AMD-P	88-18-071
296-17-885	AMD-P	88-06-076	296-24-19507	AMD-P	88-18-071	296-24-82517	AMD	88-23-054
296-17-885	AMD	88-12-050	296-24-19507	AMD	88-23-054	296-24-82519	AMD-P	88-18-071
296-17-885	AMD	88-12-065	296-24-19515	REP-P	88-09-074	296-24-82519	AMD	88-23-054
296-17-885	AMD-P	88-20-074	296-24-19515	REP	88-14-108	296-24-95601	AMD-P	88-18-071
296-17-890	AMD-P	88-20-074	296-24-19517	NEW-P	88-18-071	296-24-95601	AMD	88-23-054
296-17-895	AMD-P	88-02-060	296-24-19517	NEW	88-23-054	296-27-15501	AMD-P	88-09-074
296-17-895	AMD	88-06-047	296-24-20699	NEW-P	88-18-071	296-27-15501	AMD	88-14-108
296-17-895	AMD-P	88-06-072	296-24-20699	NEW	88-23-054	296-45-65025	REP-P	88-06-073
296-17-895	AMD-P	88-06-076	296-24-20700	NEW-P	88-18-071	296-45-65025	REP	88-11-021
296-17-895	AMD	88-12-050	296-24-20700	NEW	88-23-054	296-45-65026	NEW-P	88-06-073
296-17-895	AMD	88-12-065	296-24-20710	NEW-P	88-18-071	296-45-65026	NEW	88-11-021
296-17-895	AMD-P	88-20-074	296-24-20710	NEW	88-23-054	296-45-65037	AMD-P	88-06-073
296-17-904	AMD-P	88-18-100	296-24-20720	NEW-P	88-18-071	296-45-65037	AMD	88-11-021
296-17-910	AMD	88-12-048	296-24-20730	NEW	88-23-054	296-46-316	AMD-P	88-11-086
296-17-914	AMD-P	88-18-100	296-24-20730	NEW-P	88-18-071	296-46-316	AMD-E	88-11-087
296-17-915	AMD-P	88-18-100	296-24-20730	NEW	88-23-054	296-46-316	AMD	88-15-063
296-17-916	AMD	88-12-048	296-24-21701	AMD-P	88-09-074	296-46-420	AMD-P	88-11-086
296-17-916	AMD-P	88-18-100	296-24-21701	AMD	88-14-108	296-46-420	AMD-E	88-11-087
296-17-91601	NEW-P	88-07-102	296-24-21707	AMD-P	88-06-073	296-46-420	AMD	88-15-063
296-17-91601	NEW	88-12-049	296-24-21707	AMD	88-11-021	296-52-401	AMD-P	88-18-071
296-17-919	AMD-P	88-18-100	296-24-23001	AMD-P	88-18-071	296-52-401	AMD	88-23-054
296-17-91901	AMD-P	88-09-070	296-24-23001	AMD	88-23-054	296-52-419	NEW-P	88-18-071
296-17-91901	AMD-E	88-14-075	296-24-24017	AMD-P	88-18-071	296-52-419	NEW	88-23-054
296-17-91901	AMD	88-14-107	296-24-24017	AMD	88-23-054	296-52-421	AMD-P	88-18-071
296-17-91901	AMD-P	88-18-100	296-24-24519	AMD-P	88-18-071	296-52-421	AMD	88-23-054
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296-17-91902	AMD-E	88-14-075	296-24-31501	AMD-P	88-18-071	296-52-423	NEW	88-23-054
296-17-91902	AMD	88-14-107	296-24-31501	AMD	88-23-054	296-52-425	AMD-P	88-18-071
296-17-91902	AMD-P	88-18-100	296-24-31503	AMD-P	88-18-071	296-52-425	AMD	88-23-054
296-17-91903	AMD-P	88-09-070	296-24-31503	AMD	88-23-054	296-52-429	AMD-P	88-18-071
296-17-91903	AMD-E	88-14-075	296-24-31505	AMD-P	88-18-071	296-52-429	AMD	88-23-054
296-17-91903	AMD	88-14-107	296-24-31505	AMD	88-23-054	296-52-433	AMD-P	88-18-071
296-17-91904	AMD-P	88-09-070	296-24-33001	AMD-P	88-18-071	296-52-433	AMD	88-23-054
296-17-91904	AMD-E	88-14-075	296-24-33001	AMD	88-23-054	296-52-437	AMD-P	88-18-071
296-17-91904	AMD	88-14-107	296-24-33005	AMD-P	88-18-071	296-52-437	AMD	88-23-054
296-17-91904	AMD-P	88-18-100	296-24-33005	AMD	88-23-054	296-52-441	AMD-P	88-18-071
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296-52-449	AMD-P	88-18-071	296-59-100	NEW	88-14-108	296-62-07363	AMD-P	88-18-071
296-52-449	AMD	88-23-054	296-59-102	NEW-P	88-09-074	296-62-07363	AMD	88-23-054
296-52-487	NEW-P	88-18-071	296-59-102	NEW	88-14-108	296-62-07365	AMD-P	88-18-071
296-52-487	NEW	88-23-054	296-59-103	NEW-P	88-09-074	296-62-07365	AMD	88-23-054
296-52-489	AMD-P	88-18-071	296-59-103	NEW	88-14-108	296-62-07367	AMD-P	88-18-071
296-52-489	AMD	88-23-054	296-59-105	NEW-P	88-09-074	296-62-07367	AMD	88-23-054
296-54-45001	AMD-P	88-18-071	296-59-105	NEW	88-14-108	296-62-07373	AMD-P	88-18-071
296-54-45001	AMD	88-23-054	296-59-107	NEW-P	88-09-074	296-62-07373	AMD	88-23-054
296-54-501	AMD-P	88-18-071	296-59-107	NEW	88-14-108	296-62-07379	AMD-P	88-18-071
296-54-501	AMD	88-23-054	296-59-109	NEW-P	88-09-074	296-62-07379	AMD	88-23-054
296-54-559	AMD-P	88-18-071	296-59-109	NEW	88-14-108	296-62-07383	AMD-P	88-09-074
296-54-559	AMD	88-23-054	296-59-115	NEW-P	88-09-074	296-62-07383	AMD	88-14-108
296-54-605	AMD-P	88-18-071	296-59-115	NEW	88-14-108	296-62-07385	AMD-P	88-09-074
296-54-605	AMD	88-23-054	296-59-120	NEW-P	88-09-074	296-62-07385	AMD	88-14-108
296-54-990	REP-P	88-18-071	296-59-120	NEW	88-14-108	296-62-07387	AMD-P	88-09-074
296-54-990	REP	88-23-054	296-59-125	NEW-P	88-09-074	296-62-07387	AMD	88-14-108
296-54-99001	REP-P	88-18-071	296-59-125	NEW	88-14-108	296-62-07389	AMD-P	88-09-074
296-54-99001	REP	88-23-054	296-59-130	NEW-P	88-09-074	296-62-07389	AMD	88-14-108
296-54-99005	REP-P	88-18-071	296-59-130	NEW	88-14-108	296-62-07515	AMD-P	88-09-074
296-54-99005	REP	88-23-054	296-59-135	NEW-P	88-18-071	296-62-07515	AMD	88-14-108
296-54-99006	REP-P	88-18-071	296-59-135	NEW	88-23-054	296-62-07521	AMD-P	88-09-074
296-54-99006	REP	88-23-054	296-62-054	AMD-P	88-09-074	296-62-07521	AMD	88-14-108
296-54-99011	REP-P	88-18-071	296-62-054	AMD	88-14-108	296-62-07523	NEW-P	88-09-074
296-54-99011	REP	88-23-054	296-62-05403	AMD-P	88-09-074	296-62-07523	NEW-W	88-14-141
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296-54-99012	REP	88-23-054	296-62-05405	AMD-P	88-09-074	296-62-07523	NEW-P	88-16-092
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296-56-60001	AMD	88-14-108	296-62-05407	AMD-P	88-09-074	296-62-07523	NEW	88-21-002
296-56-60081	AMD-P	88-09-074	296-62-05407	AMD	88-14-108	296-62-07525	NEW-P	88-09-074
296-56-60081	AMD	88-14-108	296-62-05409	AMD-P	88-09-074	296-62-07525	NEW-W	88-14-141
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296-56-60249	AMD	88-14-108	296-62-05411	AMD-P	88-09-074	296-62-07525	NEW-P	88-16-092
296-59-001	NEW-P	88-09-074	296-62-05411	AMD	88-14-108	296-62-07525	NEW-E	88-21-001
296-59-001	NEW	88-14-108	296-62-05413	AMD-P	88-09-074	296-62-07525	NEW	88-21-002
296-59-003	NEW-P	88-09-074	296-62-05413	AMD	88-14-108	296-62-07527	NEW-P	88-09-074
296-59-003	NEW	88-14-108	296-62-05415	AMD-P	88-09-074	296-62-07527	NEW-W	88-14-141
296-59-005	NEW-P	88-09-074	296-62-05415	AMD-W	88-14-141	296-62-07527	NEW-E	88-16-044
296-59-005	NEW	88-14-108	296-62-05417	AMD-P	88-09-074	296-62-07527	NEW-P	88-16-092
296-59-007	NEW-P	88-09-074	296-62-05417	AMD	88-14-108	296-62-07527	NEW-E	88-21-001
296-59-007	NEW	88-14-108	296-62-05421	AMD-P	88-09-074	296-62-07527	NEW	88-21-002
296-59-010	NEW-P	88-09-074	296-62-05421	AMD	88-14-108	296-62-07529	NEW-P	88-09-074
296-59-010	NEW	88-14-108	296-62-05423	AMD-P	88-09-074	296-62-07529	NEW-W	88-14-141
296-59-015	NEW-P	88-09-074	296-62-05423	AMD	88-14-108	296-62-07529	NEW-E	88-16-044
296-59-015	NEW	88-14-108	296-62-05425	AMD-P	88-09-074	296-62-07529	NEW-P	88-16-092
296-59-020	NEW-P	88-09-074	296-62-05425	AMD	88-14-108	296-62-07529	NEW-E	88-21-001
296-59-020	NEW	88-14-108	296-62-07113	AMD-P	88-09-074	296-62-07529	NEW	88-21-002
296-59-025	NEW-P	88-09-074	296-62-07113	AMD	88-14-108	296-62-07531	NEW-P	88-09-074
296-59-025	NEW	88-14-108	296-62-07115	AMD-P	88-09-074	296-62-07531	NEW-W	88-14-141
296-59-027	NEW-P	88-09-074	296-62-07115	AMD	88-14-108	296-62-07531	NEW-E	88-16-044
296-59-027	NEW	88-14-108	296-62-07336	NEW-P	88-06-073	296-62-07531	NEW-P	88-16-092
296-59-030	NEW-P	88-09-074	296-62-07336	NEW	88-11-021	296-62-07531	NEW-E	88-21-001
296-59-030	NEW	88-14-108	296-62-07337	NEW-P	88-06-073	296-62-07531	NEW	88-21-002
296-59-035	NEW-P	88-09-074	296-62-07337	NEW	88-11-021	296-62-07533	NEW-P	88-09-074
296-59-035	NEW	88-14-108	296-62-07338	NEW-P	88-06-073	296-62-07533	NEW-W	88-14-141
296-59-040	NEW-P	88-09-074	296-62-07338	NEW	88-11-021	296-62-07533	NEW-E	88-16-044
296-59-040	NEW	88-14-108	296-62-07339	NEW-P	88-06-073	296-62-07533	NEW-P	88-16-092
296-59-050	NEW-P	88-09-074	296-62-07339	NEW	88-11-021	296-62-07533	NEW-E	88-21-001
296-59-050	NEW	88-14-108	296-62-07340	NEW-P	88-06-073	296-62-07533	NEW	88-21-002
296-59-055	NEW-P	88-09-074	296-62-07340	NEW	88-11-021	296-62-07540	NEW-P	88-09-074
296-59-055	NEW	88-14-108	296-62-07341	REP-P	88-06-073	296-62-07540	NEW-W	88-14-141
296-59-060	NEW-P	88-09-074	296-62-07341	REP	88-11-021	296-62-07540	NEW-E	88-16-044
296-59-060	NEW	88-14-108	296-62-07342	NEW-P	88-06-073	296-62-07540	NEW-P	88-16-092
296-59-065	NEW-P	88-09-074	296-62-07342	NEW	88-11-021	296-62-07540	NEW-E	88-21-001
296-59-065	NEW	88-14-108	296-62-07343	NEW-P	88-06-073	296-62-07540	NEW	88-21-002
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296-59-070	NEW	88-14-108	296-62-07344	NEW-P	88-06-073	296-62-07542	NEW-W	88-14-141
296-59-075	NEW-P	88-09-074	296-62-07344	NEW	88-11-021	296-62-07542	NEW-E	88-16-044
296-59-075	NEW	88-14-108	296-62-07345	REP-P	88-06-073	296-62-07542	NEW-P	88-16-092
296-59-080	NEW-P	88-09-074	296-62-07345	REP	88-11-021	296-62-07542	NEW-E	88-21-001
296-59-080	NEW	88-14-108	296-62-07346	NEW-P	88-06-073	296-62-07542	NEW	88-21-002
296-59-085	NEW-P	88-09-074	296-62-07346	NEW	88-11-021	296-62-07544	NEW-P	88-09-074
296-59-085	NEW	88-14-108	296-62-07355	AMD-P	88-18-071	296-62-07544	NEW-W	88-14-141
296-59-090	NEW-P	88-09-074	296-62-07355	AMD	88-23-054	296-62-07544	NEW-E	88-16-044
296-59-090	NEW	88-14-108	296-62-07359	AMD-P	88-18-071	296-62-07544	NEW-P	88-16-092
296-59-095	NEW-P	88-09-074	296-62-07359	AMD	88-23-054	296-62-07544	NEW-E	88-21-001
296-59-095	NEW	88-14-108	296-62-07361	AMD-P	88-18-071	296-62-07544	NEW	88-21-002

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296-62-07546	NEW-W	88-14-141	296-62-3080	NEW-E	88-16-044	296-78-56505	AMD	88-23-054
296-62-07546	NEW-E	88-16-044	296-62-3080	NEW-P	88-16-092	296-81-007	AMD-P	88-13-128
296-62-07546	NEW-P	88-16-092	296-62-3080	NEW-E	88-21-001	296-81-007	AMD	88-19-053
296-62-07546	NEW-E	88-21-001	296-62-3080	NEW	88-21-002	296-81-008	AMD-P	88-04-053
296-62-07546	NEW	88-21-002	296-62-3090	NEW-P	88-09-074	296-81-008	AMD	88-07-101
296-62-07548	NEW-P	88-09-074	296-62-3090	NEW-W	88-14-141	296-81-275	NEW-P	88-13-128
296-62-07548	NEW-W	88-14-141	296-62-3090	NEW-E	88-16-044	296-81-275	NEW	88-19-053
296-62-07548	NEW-E	88-16-044	296-62-3090	NEW-P	88-16-092	296-81-276	NEW-P	88-13-129
296-62-07548	NEW-P	88-16-092	296-62-3090	NEW-E	88-21-001	296-81-276	NEW-W	88-19-054
296-62-07548	NEW-E	88-21-001	296-62-3090	NEW	88-21-002	296-81-277	NEW-P	88-18-101
296-62-07548	NEW	88-21-002	296-62-3100	NEW-P	88-09-074	296-99-010	NEW-P	88-18-071
296-62-07550	NEW-P	88-09-074	296-62-3100	NEW-W	88-14-141	296-99-010	NEW	88-23-054
296-62-07550	NEW-W	88-14-141	296-62-3100	NEW-E	88-16-044	296-99-015	NEW-P	88-18-071
296-62-07550	NEW-E	88-16-044	296-62-3100	NEW-P	88-16-092	296-99-015	NEW	88-23-054
296-62-07550	NEW-P	88-16-092	296-62-3100	NEW-E	88-21-001	296-99-020	NEW-P	88-18-071
296-62-07550	NEW-E	88-21-001	296-62-3100	NEW	88-21-002	296-99-020	NEW	88-23-054
296-62-07550	NEW	88-21-002	296-62-3110	NEW-P	88-09-074	296-99-025	NEW-P	88-18-071
296-62-14541	AMD-P	88-09-074	296-62-3110	NEW-W	88-14-141	296-99-025	NEW	88-23-054
296-62-14541	AMD	88-14-108	296-62-3110	NEW-E	88-16-044	296-99-030	NEW-P	88-18-071
296-62-14601	REP-P	88-18-071	296-62-3110	NEW-P	88-16-092	296-99-030	NEW	88-23-054
296-62-14601	REP	88-23-054	296-62-3110	NEW-E	88-21-001	296-99-035	NEW-P	88-18-071
296-62-14605	REP-P	88-18-071	296-62-3110	NEW	88-21-002	296-99-035	NEW	88-23-054
296-62-14605	REP	88-23-054	296-62-3120	NEW-P	88-09-074	296-99-040	NEW-P	88-18-071
296-62-14607	REP-P	88-18-071	296-62-3120	NEW-W	88-14-141	296-99-040	NEW	88-23-054
296-62-14607	REP	88-23-054	296-62-3120	NEW-E	88-16-044	296-99-045	NEW-P	88-18-071
296-62-20009	AMD-P	88-18-071	296-62-3120	NEW-P	88-16-092	296-99-045	NEW	88-23-054
296-62-20009	AMD	88-23-054	296-62-3120	NEW-E	88-21-001	296-99-050	NEW-P	88-18-071
296-62-300	NEW-P	88-09-074	296-62-3120	NEW	88-21-002	296-99-050	NEW	88-23-054
296-62-300	NEW-W	88-14-141	296-62-3130	NEW-P	88-09-074	296-99-055	NEW-P	88-18-071
296-62-300	NEW-E	88-16-044	296-62-3130	NEW-W	88-14-141	296-99-055	NEW	88-23-054
296-62-300	NEW-P	88-16-092	296-62-3130	NEW-E	88-16-044	296-99-060	NEW-P	88-18-071
296-62-300	NEW-E	88-21-001	296-62-3130	NEW-P	88-16-092	296-99-060	NEW	88-23-054
296-62-300	NEW	88-21-002	296-62-3130	NEW-E	88-21-001	296-99-065	NEW-P	88-18-071
296-62-3010	NEW-P	88-09-074	296-62-3130	NEW	88-21-002	296-99-065	NEW	88-23-054
296-62-3010	NEW-W	88-14-141	296-62-3140	NEW-P	88-09-074	296-99-070	NEW-P	88-18-071
296-62-3010	NEW-E	88-16-044	296-62-3140	NEW-W	88-14-141	296-99-070	NEW	88-23-054
296-62-3010	NEW-P	88-16-092	296-62-3140	NEW-E	88-16-044	296-99-075	NEW-P	88-18-071
296-62-3010	NEW-E	88-21-001	296-62-3140	NEW-P	88-16-092	296-99-075	NEW	88-23-054
296-62-3010	NEW	88-21-002	296-62-3140	NEW-E	88-21-001	296-99-080	NEW-P	88-18-071
296-62-3020	NEW-P	88-09-074	296-62-3140	NEW	88-21-002	296-99-080	NEW	88-23-054
296-62-3020	NEW-W	88-14-141	296-62-3150	NEW-P	88-09-074	296-99-085	NEW-P	88-18-071
296-62-3020	NEW-E	88-16-044	296-62-3150	NEW-W	88-14-141	296-99-085	NEW	88-23-054
296-62-3020	NEW-P	88-16-092	296-62-3150	NEW-E	88-16-044	296-99-090	NEW-P	88-18-071
296-62-3020	NEW-E	88-21-001	296-62-3150	NEW-P	88-16-092	296-99-090	NEW	88-23-054
296-62-3020	NEW	88-21-002	296-62-3150	NEW-E	88-21-001	296-99-093	NEW-P	88-18-071
296-62-3030	NEW-P	88-09-074	296-62-3150	NEW	88-21-002	296-99-093	NEW	88-23-054
296-62-3030	NEW-W	88-14-141	296-62-3152	NEW-P	88-09-074	296-99-095	NEW-P	88-18-071
296-62-3030	NEW-E	88-16-044	296-62-3152	NEW-W	88-14-141	296-99-095	NEW	88-23-054
296-62-3030	NEW-P	88-16-092	296-62-3152	NEW-E	88-16-044	296-116-020	AMD-C	88-05-016
296-62-3030	NEW-E	88-21-001	296-62-3152	NEW-P	88-16-092	296-116-020	AMD	88-09-025
296-62-3030	NEW	88-21-002	296-62-3152	NEW-E	88-21-001	296-116-030	AMD-C	88-05-017
296-62-3040	NEW-P	88-09-074	296-62-3152	NEW	88-21-002	296-116-030	AMD	88-09-026
296-62-3040	NEW-W	88-14-141	296-62-3160	NEW-P	88-09-074	296-116-070	AMD-P	88-10-036
296-62-3040	NEW-E	88-16-044	296-62-3160	NEW-W	88-14-141	296-116-070	AMD	88-14-063
296-62-3040	NEW-P	88-16-092	296-62-3160	NEW-E	88-16-044	296-116-080	AMD-C	88-06-066
296-62-3040	NEW-E	88-21-001	296-62-3160	NEW-P	88-16-092	296-116-080	AMD	88-10-037
296-62-3040	NEW	88-21-002	296-62-3160	NEW-E	88-21-001	296-116-083	NEW-P	88-06-067
296-62-3050	NEW-P	88-09-074	296-62-3160	NEW	88-21-002	296-116-083	NEW	88-10-038
296-62-3050	NEW-W	88-14-141	296-62-3170	NEW-P	88-09-074	296-116-120	AMD-C	88-05-018
296-62-3050	NEW-E	88-16-044	296-62-3170	NEW-W	88-14-141	296-116-120	AMD	88-09-027
296-62-3050	NEW-P	88-16-092	296-62-3170	NEW-E	88-16-044	296-116-185	AMD	88-05-043
296-62-3050	NEW-E	88-21-001	296-62-3170	NEW-P	88-16-092	296-116-185	AMD-P	88-22-071
296-62-3050	NEW	88-21-002	296-62-3170	NEW-E	88-21-001	296-116-300	AMD	88-05-039
296-62-3060	NEW-P	88-09-074	296-62-3170	NEW	88-21-002	296-116-300	AMD-P	88-22-071
296-62-3060	NEW-W	88-14-141	296-62-3180	NEW-P	88-09-074	296-116-320	REP-P	88-06-068
296-62-3060	NEW-E	88-16-044	296-62-3180	NEW-W	88-14-141	296-116-320	REP	88-10-039
296-62-3060	NEW-P	88-16-092	296-62-3180	NEW-E	88-16-044	296-116-360	NEW-C	88-05-019
296-62-3060	NEW-E	88-21-001	296-62-3180	NEW-P	88-16-092	296-116-360	NEW	88-09-015
296-62-3060	NEW	88-21-002	296-62-3180	NEW-E	88-21-001	296-116-370	NEW-P	88-06-069
296-62-3070	NEW-P	88-09-074	296-62-3180	NEW	88-21-002	296-116-370	NEW-C	88-10-035
296-62-3070	NEW-W	88-14-141	296-62-3190	NEW-P	88-09-074	296-116-370	NEW	88-14-062
296-62-3070	NEW-E	88-16-044	296-62-3190	NEW-W	88-14-141	296-116-400	NEW-C	88-05-020
296-62-3070	NEW-P	88-16-092	296-62-3190	NEW-E	88-16-044	296-116-400	NEW	88-09-016
296-62-3070	NEW-E	88-21-001	296-62-3190	NEW-P	88-16-092	296-116-410	NEW-C	88-05-021
296-62-3070	NEW	88-21-002	296-62-3190	NEW-E	88-21-001	296-116-410	NEW	88-09-017
296-62-3080	NEW-P	88-09-074	296-62-3190	NEW	88-21-002	296-116-420	NEW-P	88-06-070

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-116-420	NEW	88-10-040	296-150B-220	AMD	88-19-010	296-305-06309	REP-P	88-09-074
296-127	AMD-C	88-21-021	296-150B-225	AMD-P	88-14-104	296-305-06309	REP	88-14-108
296-127	AMD-C	88-22-021	296-150B-225	AMD	88-19-010	296-305-06311	REP-P	88-09-074
296-127-010	AMD-P	88-16-090	296-150B-245	AMD-P	88-14-104	296-305-06311	REP	88-14-108
296-127-010	AMD	88-22-046	296-150B-245	AMD	88-19-010	296-305-06313	REP-P	88-09-074
296-127-011	AMD-P	88-16-090	296-155-160	AMD-P	88-09-074	296-305-06313	REP	88-14-108
296-127-011	AMD	88-22-046	296-155-160	AMD	88-14-108	296-305-064	NEW-P	88-09-074
296-127-013	NEW-P	88-16-090	296-155-265	AMD-P	88-18-071	296-305-064	NEW	88-14-108
296-127-013	NEW	88-22-046	296-155-265	AMD	88-23-054	296-305-06505	AMD-P	88-09-074
296-127-014	NEW-P	88-16-090	296-155-270	AMD-P	88-18-071	296-305-06505	AMD	88-14-108
296-127-014	NEW	88-22-046	296-155-270	AMD	88-23-054	296-305-06507	AMD-P	88-09-074
296-127-015	NEW-P	88-16-090	296-155-405	AMD-P	88-18-071	296-305-06507	AMD	88-14-108
296-127-015	NEW	88-22-046	296-155-405	AMD	88-23-054	296-305-06509	AMD-P	88-09-074
296-127-016	NEW-P	88-16-090	296-155-425	REP-P	88-06-073	296-305-06509	AMD	88-14-108
296-127-016	NEW	88-22-046	296-155-425	REP	88-11-021	296-305-07001	AMD-P	88-09-074
296-127-019	NEW-P	88-16-090	296-155-426	NEW-P	88-06-073	296-305-07001	AMD	88-14-108
296-127-019	NEW	88-22-046	296-155-426	NEW	88-11-021	296-305-07003	AMD-P	88-09-074
296-127-022	NEW-E	88-13-045	296-155-428	NEW-P	88-06-073	296-305-100	AMD-P	88-09-074
296-127-022	NEW-P	88-14-106	296-155-428	NEW	88-11-021	296-305-100	AMD	88-14-108
296-127-022	NEW-E	88-16-013	296-155-429	NEW-P	88-06-073	296-305-100	AMD	88-14-108
296-127-022	NEW-C	88-18-008	296-155-429	NEW	88-11-021	296-305-9901	REP-P	88-09-074
296-127-022	NEW	88-19-055	296-155-430	REP-P	88-06-073	296-305-9901	REP	88-14-108
296-127-023	NEW-P	88-16-090	296-155-430	REP	88-11-021	296-305-9902	REP-P	88-09-074
296-127-023	NEW	88-22-046	296-155-432	NEW-P	88-06-073	296-305-9902	REP	88-14-108
296-127-025	NEW-P	88-16-090	296-155-432	NEW	88-11-021	296-305-9903	REP-P	88-09-074
296-127-025	NEW	88-22-046	296-155-434	NEW-P	88-06-073	296-305-9903	REP	88-14-108
296-127-026	NEW-P	88-16-090	296-155-434	NEW	88-11-021	296-305-9904	REP-P	88-09-074
296-127-026	NEW	88-22-046	296-155-435	REP-P	88-06-073	296-305-9904	REP	88-14-108
296-127-040	AMD-P	88-16-090	296-155-435	REP	88-11-021	296-305-9905	REP-P	88-09-074
296-127-040	AMD	88-22-046	296-155-437	NEW-P	88-06-073	296-305-9905	REP	88-14-108
296-127-045	AMD-P	88-16-090	296-155-437	NEW	88-11-021	296-305-9906	REP-P	88-09-074
296-127-045	AMD	88-22-046	296-155-440	REP-P	88-06-073	296-305-9906	REP	88-14-108
296-130-010	NEW-P	88-14-105	296-155-440	REP	88-11-021	296-306-010	AMD-P	88-09-074
296-130-010	NEW-C	88-18-007	296-155-441	NEW-P	88-06-073	296-306-010	AMD	88-14-108
296-130-010	NEW	88-18-044	296-155-441	NEW	88-11-021	296-306-085	AMD-P	88-09-074
296-130-010	NEW-E	88-18-045	296-155-444	NEW-P	88-06-073	296-306-085	AMD	88-14-108
296-130-020	NEW-P	88-14-105	296-155-444	NEW	88-11-021	296-306-090	AMD-P	88-09-074
296-130-020	NEW-C	88-18-007	296-155-447	NEW-P	88-06-073	296-306-090	AMD	88-14-108
296-130-020	NEW	88-18-044	296-155-447	NEW	88-11-021	296-306-320	AMD-P	88-18-071
296-130-020	NEW-E	88-18-045	296-155-449	NEW-P	88-06-073	296-306-320	AMD	88-23-054
296-130-030	NEW-P	88-14-105	296-155-449	NEW	88-11-021	296-400-045	AMD	88-06-037
296-130-030	NEW-C	88-18-007	296-155-450	REP-P	88-06-073	296-401-030	AMD-P	88-11-085
296-130-030	NEW	88-18-044	296-155-450	REP	88-11-021	296-401-030	AMD	88-16-002
296-130-030	NEW-E	88-18-045	296-155-452	NEW-P	88-06-073	296-401-080	AMD-P	88-11-085
296-130-035	NEW-E	88-18-045	296-155-452	NEW	88-11-021	296-401-080	AMD	88-16-002
296-130-035	NEW-P	88-19-110	296-155-455	REP-P	88-06-073	296-401-085	NEW-P	88-11-085
296-130-035	NEW	88-23-117	296-155-455	REP	88-11-021	296-401-085	NEW	88-16-002
296-130-040	NEW-P	88-14-105	296-155-456	NEW-P	88-06-073	296-401-087	NEW-P	88-11-085
296-130-040	NEW-C	88-18-007	296-155-456	NEW	88-11-021	296-401-087	NEW	88-16-002
296-130-040	NEW	88-18-044	296-155-459	NEW-P	88-06-073	296-401-090	AMD-P	88-11-085
296-130-040	NEW-E	88-18-045	296-155-459	NEW	88-11-021	296-401-090	AMD	88-16-002
296-130-050	NEW-P	88-14-105	296-155-462	NEW-P	88-06-073	296-401-100	AMD-P	88-11-085
296-130-050	NEW-C	88-18-007	296-155-462	NEW	88-11-021	296-401-100	AMD	88-16-002
296-130-050	NEW	88-18-044	296-155-745	AMD-P	88-18-071	296-401-120	AMD-P	88-11-085
296-130-050	NEW-E	88-18-045	296-155-745	AMD	88-23-054	296-401-120	AMD	88-16-002
296-130-060	NEW-P	88-14-105	296-304-06013	AMD-P	88-09-074	296-401-170	AMD-P	88-11-085
296-130-060	NEW-C	88-18-007	296-304-06013	AMD	88-14-108	296-401-170	AMD	88-16-002
296-130-060	NEW	88-18-044	296-305-007	AMD-P	88-09-074	296-401-180	AMD-P	88-11-085
296-130-060	NEW-E	88-18-045	296-305-007	AMD	88-14-108	296-401-180	AMD	88-16-002
296-130-065	NEW-P	88-14-105	296-305-060	AMD-P	88-09-074	296-402-030	AMD-P	88-11-085
296-130-065	NEW	88-18-044	296-305-060	AMD	88-14-108	296-402-030	AMD	88-16-002
296-130-065	NEW-E	88-18-045	296-305-06003	AMD-P	88-09-074	296-402-140	AMD-P	88-11-085
296-130-070	NEW-P	88-14-105	296-305-06003	AMD	88-14-108	296-402-140	AMD	88-16-002
296-130-070	NEW-C	88-18-007	296-305-06005	AMD-P	88-09-074	296-402-150	AMD-P	88-11-085
296-130-070	NEW	88-18-044	296-305-06005	AMD	88-14-108	296-402-150	AMD	88-16-002
296-130-070	NEW-E	88-18-045	296-305-06011	AMD-P	88-09-074	296-402-190	AMD-P	88-11-085
296-130-080	NEW-P	88-14-105	296-305-06011	AMD	88-14-108	296-402-190	AMD	88-16-002
296-130-080	NEW-C	88-18-007	296-305-063	AMD-P	88-09-074	296-402-200	NEW-P	88-11-085
296-130-080	NEW	88-18-044	296-305-063	AMD	88-14-108	296-402-200	NEW	88-16-002
296-130-080	NEW-E	88-18-045	296-305-06301	REP-P	88-09-074	296-403-010	AMD-P	88-11-085
296-130-500	NEW-P	88-14-105	296-305-06301	REP	88-14-108	296-403-010	AMD	88-16-002
296-130-500	NEW-C	88-18-007	296-305-06303	REP-P	88-09-074	296-403-070	AMD-P	88-11-085
296-130-500	NEW	88-18-044	296-305-06303	REP	88-14-108	296-403-070	AMD	88-16-002
296-130-500	NEW-E	88-18-045	296-305-06305	REP-P	88-09-074	304-12-290	AMD-E	88-02-046
296-150B-015	AMD-P	88-14-104	296-305-06305	REP	88-14-108	304-12-290	AMD-P	88-03-018
296-150B-015	AMD	88-19-010	296-305-06307	REP-P	88-09-074	304-12-290	AMD-E	88-07-086
296-150B-220	AMD-P	88-14-104	296-305-06307	REP	88-14-108	304-12-290	AMD	88-07-087

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308-04-001	AMD-P 88-16-098	308-26-125	NEW-P 88-15-043	308-34-480	NEW-P 88-15-080
308-08-700	NEW-P 88-15-040	308-26-135	NEW-P 88-15-043	308-34-480	NEW-C 88-17-096
308-11-050	AMD-P 88-15-081	308-26-200	NEW-P 88-17-103	308-37-190	AMD-P 88-17-042
308-11-050	AMD 88-23-034	308-26-200	NEW 88-22-077	308-37-190	AMD-C 88-23-078
308-12-031	AMD-P 88-14-007	308-31-010	AMD-P 88-08-075	308-40-030	REP-P 88-09-067
308-12-031	AMD 88-17-085	308-31-010	AMD 88-11-034	308-40-030	REP 88-13-131
308-12-050	AMD-P 88-05-037	308-31-010	AMD-P 88-20-088	308-40-101	AMD-P 88-09-067
308-12-050	AMD 88-09-066	308-31-015	REP-P 88-08-075	308-40-101	AMD 88-13-131
308-13-020	AMD-P 88-02-069	308-31-015	REP 88-11-034	308-40-102	AMD-P 88-09-067
308-13-020	AMD 88-05-025	308-31-056	NEW-P 88-08-075	308-40-102	AMD 88-13-131
308-13-025	AMD-P 88-12-041	308-31-057	NEW-P 88-20-088	308-40-103	AMD-P 88-09-067
308-13-025	AMD 88-15-041	308-34-010	REP-P 88-15-080	308-40-103	AMD 88-13-131
308-13-032	AMD-P 88-06-059	308-34-010	REP-C 88-17-096	308-40-104	AMD-P 88-20-034
308-13-032	AMD 88-12-018	308-34-020	REP-P 88-15-080	308-40-105	AMD-P 88-09-067
308-13-150	AMD 88-04-027	308-34-020	REP-C 88-17-096	308-40-105	AMD 88-13-131
308-20-010	AMD-P 88-13-130	308-34-030	REP-P 88-15-080	308-42-010	AMD-P 88-17-104
308-20-010	AMD 88-19-047	308-34-030	REP-C 88-17-096	308-42-010	AMD 88-23-014
308-20-020	AMD-P 88-13-130	308-34-040	REP-P 88-15-080	308-42-010	AMD-P 88-23-057
308-20-020	AMD 88-19-047	308-34-040	REP-C 88-17-096	308-42-015	NEW-P 88-03-033
308-20-030	AMD-P 88-13-130	308-34-050	REP-P 88-15-080	308-42-015	NEW-P 88-08-036
308-20-030	AMD 88-19-047	308-34-050	REP-C 88-17-096	308-42-090	NEW-P 88-17-104
308-20-040	AMD-P 88-13-130	308-34-060	REP-P 88-15-080	308-42-090	NEW 88-23-014
308-20-040	AMD 88-19-047	308-34-060	REP-C 88-17-096	308-42-120	AMD-P 88-17-104
308-20-050	AMD-P 88-13-130	308-34-070	REP-P 88-15-080	308-42-120	AMD 88-23-014
308-20-050	AMD 88-19-047	308-34-070	REP-C 88-17-096	308-42-123	NEW-P 88-17-104
308-20-060	AMD-P 88-13-130	308-34-080	REP-P 88-15-080	308-42-123	NEW 88-23-014
308-20-060	AMD 88-19-047	308-34-080	REP-C 88-17-096	308-48-030	AMD 88-08-015
308-20-070	AMD-P 88-13-130	308-34-090	REP-P 88-15-080	308-48-030	AMD-E 88-08-016
308-20-070	AMD 88-19-047	308-34-090	REP-C 88-17-096	308-48-031	NEW 88-08-015
308-20-080	AMD-P 88-13-130	308-34-110	NEW-P 88-11-090	308-48-031	NEW-E 88-08-016
308-20-080	AMD 88-19-047	308-34-110	NEW 88-14-009	308-48-085	AMD 88-08-015
308-20-090	AMD-P 88-13-130	308-34-110	AMD-P 88-15-079	308-48-085	AMD-E 88-08-016
308-20-090	AMD 88-19-047	308-34-110	AMD-E 88-16-019	308-48-140	AMD-P 88-08-037
308-20-100	AMD-P 88-13-130	308-34-110	AMD-C 88-17-097	308-48-140	AMD 88-13-010
308-20-100	AMD 88-19-047	308-34-120	NEW-P 88-11-090	308-48-350	NEW-P 88-19-050
308-20-105	AMD-P 88-13-130	308-34-120	NEW 88-14-009	308-48-350	NEW-C 88-23-105
308-20-105	AMD 88-19-047	308-34-130	NEW-P 88-11-090	308-48-790	AMD-P 88-08-037
308-20-107	NEW-P 88-13-130	308-34-130	NEW 88-14-009	308-48-790	AMD 88-13-010
308-20-107	NEW 88-19-047	308-34-140	NEW-P 88-11-090	308-49-140	AMD-P 88-08-037
308-20-109	NEW-P 88-13-130	308-34-140	NEW 88-14-009	308-49-140	AMD 88-13-010
308-20-109	NEW 88-19-047	308-34-150	NEW-P 88-11-090	308-49-170	AMD-P 88-08-037
308-20-110	AMD-P 88-13-130	308-34-150	NEW 88-14-009	308-49-170	AMD 88-13-010
308-20-110	AMD 88-19-047	308-34-150	AMD-E 88-23-107	308-50-010	AMD-P 88-21-078
308-20-120	AMD-P 88-13-130	308-34-160	NEW-P 88-11-090	308-50-020	AMD-P 88-21-078
308-20-120	AMD 88-19-047	308-34-160	NEW 88-14-009	308-50-035	AMD-P 88-21-078
308-20-130	AMD-P 88-13-130	308-34-170	NEW-P 88-11-090	308-50-130	AMD-P 88-21-078
308-20-130	AMD 88-19-047	308-34-170	NEW 88-14-009	308-50-350	AMD-P 88-21-078
308-20-140	AMD-P 88-13-130	308-34-170	AMD-P 88-15-039	308-50-420	AMD-P 88-21-078
308-20-140	AMD 88-19-047	308-34-170	AMD-E 88-15-042	308-50-500	NEW-P 88-20-060
308-20-150	AMD-P 88-13-130	308-34-170	AMD-P 88-16-099	308-50-500	NEW 88-23-106
308-20-150	AMD 88-19-047	308-34-170	AMD-E 88-16-105	308-51	AMD-P 88-06-034
308-20-155	NEW-P 88-13-130	308-34-170	AMD 88-20-075	308-51	AMD 88-11-011
308-20-155	NEW 88-19-047	308-34-180	NEW-P 88-11-090	308-51-010	AMD-P 88-06-034
308-20-171	AMD-P 88-13-130	308-34-180	NEW 88-14-009	308-51-010	AMD 88-11-011
308-20-171	AMD 88-19-047	308-34-190	NEW-P 88-11-090	308-51-020	REP-P 88-06-034
308-20-190	AMD-P 88-13-130	308-34-190	NEW 88-14-009	308-51-020	REP 88-11-011
308-20-190	AMD 88-19-047	308-34-310	NEW-P 88-15-080	308-51-021	NEW-P 88-16-069
308-20-205	AMD-P 88-13-130	308-34-310	NEW-C 88-17-096	308-51-021	NEW 88-19-048
308-20-205	AMD 88-19-047	308-34-320	NEW-P 88-15-080	308-51-040	REP-P 88-06-034
308-25-080	NEW-P 88-15-043	308-34-320	NEW-C 88-17-096	308-51-040	REP 88-11-011
308-25-090	NEW-P 88-15-043	308-34-330	NEW-P 88-15-080	308-51-050	AMD-P 88-06-034
308-25-100	NEW-P 88-15-043	308-34-330	NEW-C 88-17-096	308-51-050	AMD 88-11-011
308-25-110	NEW-P 88-15-043	308-34-410	NEW-P 88-15-080	308-51-060	REP-P 88-06-034
308-25-120	NEW-P 88-15-043	308-34-410	NEW-C 88-17-096	308-51-060	REP 88-11-011
308-25-130	NEW-P 88-15-043	308-34-420	NEW-P 88-15-080	308-51-070	AMD-P 88-06-034
308-25-140	NEW-P 88-15-043	308-34-420	NEW-C 88-17-096	308-51-070	REP-P 88-11-055
308-25-150	NEW-P 88-15-043	308-34-430	NEW-P 88-15-080	308-51-070	REP 88-14-097
308-25-160	NEW-P 88-15-043	308-34-440	NEW-C 88-17-096	308-51-080	REP-P 88-06-034
308-25-300	NEW-P 88-17-103	308-34-440	NEW-P 88-15-080	308-51-080	REP 88-11-011
308-25-300	NEW 88-22-077	308-34-440	NEW-C 88-17-096	308-51-100	AMD-P 88-06-034
308-26-055	NEW-P 88-15-043	308-34-450	NEW-P 88-15-080	308-51-100	AMD 88-11-011
308-26-065	NEW-P 88-15-043	308-34-450	NEW-C 88-17-096	308-51-110	AMD-P 88-06-034
308-26-075	NEW-P 88-15-043	308-34-460	NEW-P 88-15-080	308-51-110	AMD 88-11-011
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308-26-095	NEW-P 88-15-043	308-34-470	NEW-E 88-15-002	308-51-125	AMD 88-11-011
308-26-105	NEW-P 88-15-043	308-34-470	NEW-P 88-15-080	308-51-140	AMD-P 88-06-034

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308-51-140	AMD-P	88-16-069	308-55-095	NEW-P	88-15-043	308-90-090	AMD-E	88-03-001
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308-51-210	AMD-P	88-18-081	308-55-200	NEW	88-22-077	308-90-120	NEW-E	88-03-001
308-51-210	AMD-E	88-19-002	308-56A-125	AMD-P	88-11-023	308-90-120	NEW	88-03-038
308-51-220	NEW-P	88-06-034	308-56A-125	AMD	88-20-035	308-90-130	NEW-E	88-03-001
308-51-220	NEW	88-11-011	308-56A-275	AMD-P	88-11-023	308-90-130	NEW	88-03-038
308-51-230	NEW-P	88-15-043	308-56A-275	AMD	88-20-035	308-90-140	NEW-E	88-03-001
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308-51-280	NEW-P	88-15-043	308-56A-465	AMD	88-23-037	308-90-160	NEW	88-03-038
308-51-290	NEW-P	88-15-043	308-58-020	AMD-P	88-11-023	308-91-010	AMD-E	88-03-030
308-51-300	NEW-P	88-15-043	308-58-020	AMD-P	88-19-113	308-91-010	AMD-P	88-03-067
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308-51-320	NEW-P	88-17-103	308-58-030	AMD-P	88-11-023	308-91-020	REP-E	88-03-030
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308-51A-010	NEW-P	88-08-088	308-61-026	AMD-E	88-04-026	308-91-020	REP	88-06-061
308-51A-010	NEW	88-13-038	308-61-026	AMD	88-06-025	308-91-030	AMD-E	88-03-030
308-51A-020	NEW-P	88-08-088	308-61-050	REP-E	88-04-026	308-91-030	AMD-P	88-03-067
308-51A-020	NEW	88-13-038	308-61-050	REP	88-06-025	308-91-030	AMD	88-06-061
308-51A-030	NEW-P	88-08-088	308-61-108	AMD-E	88-04-026	308-91-040	AMD-E	88-03-030
308-51A-030	NEW	88-13-038	308-61-108	AMD	88-06-025	308-91-040	AMD-P	88-03-067
308-51A-040	NEW-P	88-08-088	308-61-135	AMD-E	88-04-026	308-91-040	AMD	88-06-061
308-51A-040	NEW	88-13-038	308-61-135	AMD	88-06-025	308-91-050	AMD-E	88-03-030
308-51A-050	NEW-P	88-08-088	308-61-158	AMD-E	88-04-026	308-91-050	AMD-P	88-03-067
308-51A-050	NEW	88-13-038	308-61-158	AMD	88-06-025	308-91-050	AMD	88-06-061
308-51A-060	NEW-P	88-08-088	308-61-175	AMD-E	88-04-026	308-91-060	AMD-E	88-03-030
308-51A-060	NEW	88-13-038	308-61-175	AMD	88-06-025	308-91-060	AMD-P	88-03-067
308-52-138	AMD	88-06-008	308-61-210	AMD-E	88-04-026	308-91-060	AMD	88-06-061
308-52-139	AMD	88-06-008	308-61-210	AMD	88-06-025	308-91-070	AMD-E	88-03-030
308-52-139	AMD-P	88-16-018	308-61-240	AMD-E	88-04-026	308-91-070	AMD-P	88-03-067
308-52-139	AMD-E	88-16-020	308-61-240	AMD	88-06-025	308-91-070	AMD	88-06-061
308-52-139	AMD	88-21-047	308-61-260	AMD-E	88-04-026	308-91-080	AMD-E	88-03-030
308-52-140	AMD	88-06-008	308-61-260	AMD	88-06-025	308-91-080	AMD-P	88-03-067
308-52-147	NEW	88-06-008	308-61-330	AMD-E	88-04-026	308-91-080	AMD	88-06-061
308-52-148	NEW	88-06-008	308-61-330	AMD	88-06-025	308-91-090	AMD-E	88-03-030
308-52-149	NEW	88-06-008	308-61-430	AMD-E	88-04-026	308-91-090	AMD-P	88-03-067
308-52-600	NEW-P	88-16-018	308-61-430	AMD	88-06-025	308-91-090	AMD	88-06-061
308-52-600	NEW-E	88-16-020	308-72-502	NEW-P	88-04-029	308-91-100	REP-E	88-03-030
308-52-600	NEW	88-21-047	308-72-502	NEW	88-07-095	308-91-100	REP-P	88-03-067
308-52-610	NEW-P	88-16-018	308-72-502	AMD-P	88-19-076	308-91-100	REP	88-06-061
308-52-610	NEW-E	88-16-020	308-72-502	AMD	88-23-015	308-91-110	REP-E	88-03-030
308-52-610	NEW	88-21-047	308-72-504	NEW-P	88-04-029	308-91-110	REP-P	88-03-067
308-53-010	AMD-P	88-03-071	308-72-504	NEW	88-07-095	308-91-110	REP	88-06-061
308-53-010	AMD	88-07-047	308-72-506	NEW-P	88-04-029	308-91-120	NEW-E	88-03-030
308-53-030	AMD-P	88-03-071	308-72-506	NEW	88-07-095	308-91-120	NEW-P	88-03-067
308-53-030	AMD	88-07-047	308-72-508	NEW-P	88-04-029	308-91-120	NEW	88-06-061
308-53-100	AMD-P	88-03-071	308-72-508	NEW	88-07-095	308-91-130	NEW-E	88-03-030
308-53-100	AMD	88-07-047	308-72-512	NEW-P	88-04-029	308-91-130	NEW-P	88-03-067
308-53-120	AMD-P	88-03-071	308-72-512	NEW	88-07-095	308-91-130	NEW	88-06-061
308-53-120	AMD	88-07-047	308-72-540	AMD-P	88-04-029	308-91-140	NEW-E	88-03-030
308-53-145	AMD-P	88-03-071	308-72-540	AMD	88-07-095	308-91-140	NEW-P	88-03-067
308-53-145	AMD	88-07-047	308-77-030	AMD-P	88-23-123	308-91-140	NEW	88-06-061
308-53-170	AMD-P	88-03-071	308-77-034	AMD-P	88-23-123	308-91-150	NEW-E	88-03-030
308-53-170	AMD	88-07-047	308-77-040	AMD-P	88-23-123	308-91-150	NEW-P	88-03-067
308-53-200	AMD-P	88-14-039	308-77-042	NEW-P	88-23-122	308-91-150	NEW	88-06-061
308-53-200	AMD-P	88-21-084	308-77-044	NEW-P	88-23-122	308-91-160	NEW-E	88-03-030
308-53-200	AMD-C	88-22-072	308-77-060	AMD-P	88-23-123	308-91-160	NEW-P	88-03-067
308-53-400	NEW-P	88-21-085	308-90-010	REP-E	88-03-001	308-91-160	NEW	88-06-061
308-54-130	AMD-P	88-19-049	308-90-010	REP	88-03-038	308-91-170	NEW-E	88-03-030
308-54-130	AMD	88-23-038	308-90-020	REP-E	88-03-001	308-91-170	NEW-P	88-03-067
308-54-140	REP-P	88-19-049	308-90-020	REP	88-03-038	308-91-170	NEW	88-06-061
308-54-140	REP	88-23-038	308-90-030	AMD-E	88-03-001	308-93-087	NEW-P	88-19-118
308-54-162	NEW-P	88-19-049	308-90-030	AMD	88-03-038	308-96A-065	AMD-P	88-07-116
308-54-162	NEW	88-23-038	308-90-040	AMD-E	88-03-001	308-96A-065	AMD	88-12-043
308-54-170	AMD-P	88-10-056	308-90-040	AMD	88-03-038	308-96A-066	NEW-P	88-07-116
308-54-170	AMD-C	88-19-049	308-90-050	REP-E	88-03-001	308-96A-450	NEW-E	88-14-038
308-54-170	AMD	88-23-038	308-90-050	REP	88-03-038	308-96A-450	NEW-P	88-14-111
308-55-035	NEW-P	88-15-043	308-90-060	AMD-E	88-03-001	308-96A-450	NEW	88-19-017
308-55-045	NEW-P	88-15-043	308-90-060	AMD	88-03-038	308-96A-460	NEW-E	88-14-038
308-55-055	NEW-P	88-15-043	308-90-070	AMD-E	88-03-001	308-96A-460	NEW-P	88-14-111
308-55-065	NEW-P	88-15-043	308-90-070	AMD	88-03-038	308-96A-460	NEW	88-19-017
308-55-075	NEW-P	88-15-043	308-90-080	AMD-E	88-03-001	308-96A-470	NEW-E	88-14-038

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308-96A-480	NEW-E	88-14-038	308-120-180	AMD	88-23-035	308-120-760	NEW	88-23-035
308-96A-480	NEW-P	88-14-111	308-120-185	AMD-P	88-12-042	308-120-770	NEW-P	88-19-116
308-96A-480	NEW	88-19-017	308-120-185	AMD	88-16-034	308-120-770	NEW	88-23-035
308-96A-490	NEW-P	88-19-119	308-120-186	AMD	88-05-010	308-120-780	NEW-P	88-19-116
308-96A-490	NEW	88-23-016	308-120-275	AMD-P	88-15-039	308-120-780	NEW	88-23-035
308-115-065	NEW-P	88-17-051	308-120-275	AMD-E	88-15-042	308-121-010	REP-P	88-19-117
308-115-220	NEW-P	88-08-035	308-120-275	AMD-P	88-16-099	308-121-010	REP-E	88-20-006
308-115-220	NEW	88-12-040	308-120-275	AMD-E	88-16-105	308-121-010	REP	88-23-036
308-115-220	AMD-P	88-17-051	308-120-275	AMD	88-20-075	308-121-020	REP-P	88-19-117
308-115-230	NEW-P	88-08-035	308-120-335	AMD	88-07-049	308-121-020	REP-E	88-20-006
308-115-230	NEW	88-12-040	308-120-338	NEW-P	88-12-042	308-121-020	REP	88-23-036
308-115-240	NEW-P	88-08-035	308-120-338	NEW	88-16-034	308-121-030	AMD-P	88-19-117
308-115-240	NEW	88-12-040	308-120-360	AMD-P	88-12-042	308-121-030	AMD-E	88-20-006
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308-115-260	NEW-P	88-15-043	308-120-505	AMD	88-16-034	308-121-040	AMD-E	88-20-006
308-115-270	NEW-P	88-15-043	308-120-506	AMD-P	88-12-042	308-121-040	AMD	88-23-036
308-115-280	NEW-P	88-15-043	308-120-506	AMD	88-16-034	308-121-050	AMD-P	88-19-117
308-115-290	NEW-P	88-15-043	308-120-507	REP-P	88-12-042	308-121-050	AMD-E	88-20-006
308-115-310	NEW-P	88-15-043	308-120-507	REP	88-16-034	308-121-050	AMD	88-23-036
308-115-320	NEW-P	88-15-043	308-120-508	REP-P	88-12-042	308-121-055	NEW-P	88-19-117
308-115-330	NEW-P	88-15-043	308-120-508	REP	88-16-034	308-121-055	NEW-E	88-20-006
308-115-340	NEW-P	88-15-043	308-120-509	REP-P	88-12-042	308-121-055	NEW	88-23-036
308-115-350	NEW-P	88-15-043	308-120-509	REP	88-16-034	308-121-060	AMD-P	88-19-117
308-115-500	NEW-P	88-17-103	308-120-510	REP-P	88-12-042	308-121-060	AMD-E	88-20-006
308-115-500	NEW	88-22-077	308-120-510	REP	88-16-034	308-121-060	AMD	88-23-036
308-117-010	AMD-P	88-21-024	308-120-511	REP-P	88-12-042	308-121-070	NEW-P	88-15-039
308-117-030	AMD-P	88-04-077	308-120-511	REP	88-16-034	308-121-070	NEW-E	88-15-042
308-117-030	AMD	88-08-034	308-120-512	REP-P	88-12-042	308-121-070	NEW-P	88-15-098
308-117-030	AMD-P	88-13-094	308-120-512	REP	88-16-034	308-121-070	NEW-P	88-16-099
308-117-030	AMD	88-18-005	308-120-513	REP-P	88-12-042	308-121-070	NEW-E	88-16-105
308-117-030	AMD-P	88-21-024	308-120-513	REP	88-16-034	308-121-070	NEW-P	88-19-117
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308-117-040	AMD	88-18-005	308-120-514	REP	88-16-034	308-121-070	NEW	88-23-036
308-117-050	AMD-P	88-13-094	308-120-515	REP-P	88-12-042	308-122-005	NEW-P	88-19-115
308-117-050	AMD	88-18-005	308-120-515	REP	88-16-034	308-122-005	NEW-E	88-21-023
308-117-060	AMD-P	88-21-024	308-120-516	REP-P	88-12-042	308-122-005	NEW	88-23-059
308-117-080	AMD	88-05-011	308-120-516	REP	88-16-034	308-122-006	NEW-P	88-19-115
308-117-090	AMD-P	88-13-094	308-120-517	REP-P	88-12-042	308-122-006	NEW-E	88-21-023
308-117-090	AMD	88-18-005	308-120-517	REP	88-16-034	308-122-006	NEW	88-23-059
308-117-090	AMD-P	88-21-024	308-120-518	REP-P	88-12-042	308-122-200	AMD-P	88-06-007
308-117-095	NEW-P	88-13-094	308-120-518	REP	88-16-034	308-122-200	AMD	88-09-029
308-117-095	NEW	88-18-005	308-120-519	REP-P	88-12-042	308-122-215	AMD-P	88-06-007
308-117-100	AMD-P	88-13-094	308-120-519	REP	88-16-034	308-122-215	AMD	88-09-029
308-117-100	AMD	88-18-005	308-120-520	REP-P	88-12-042	308-122-235	NEW-P	88-06-007
308-117-100	AMD-P	88-21-024	308-120-520	REP	88-16-034	308-122-235	NEW	88-09-029
308-117-105	NEW-P	88-13-094	308-120-521	REP-P	88-12-042	308-122-280	NEW-P	88-19-115
308-117-105	NEW	88-18-005	308-120-521	REP	88-16-034	308-122-280	NEW-E	88-21-023
308-117-360	NEW-P	88-21-024	308-120-522	REP-P	88-12-042	308-122-280	NEW	88-23-059
308-117-410	NEW-P	88-13-094	308-120-522	REP	88-16-034	308-122-350	AMD-P	88-19-115
308-117-410	NEW	88-18-005	308-120-525	NEW-P	88-12-042	308-122-350	AMD-E	88-21-023
308-117-420	NEW-P	88-13-094	308-120-525	NEW	88-16-034	308-122-350	AMD	88-23-059
308-117-420	NEW	88-18-005	308-120-530	NEW-P	88-12-042	308-122-640	AMD-P	88-06-007
308-117-500	AMD-P	88-15-039	308-120-530	NEW	88-16-034	308-122-640	AMD	88-09-029
308-117-500	AMD-E	88-15-042	308-120-535	NEW-P	88-12-042	308-122-720	NEW-P	88-06-007
308-117-500	AMD-P	88-16-099	308-120-535	NEW	88-16-034	308-122-720	NEW	88-09-029
308-117-500	AMD-E	88-16-105	308-120-540	NEW-P	88-12-042	308-124-021	AMD-P	88-20-091
308-117-500	AMD	88-20-075	308-120-540	NEW	88-16-034	308-124A-020	AMD-P	88-16-109
308-120-100	AMD-P	88-12-042	308-120-545	NEW-P	88-12-042	308-124A-020	AMD	88-20-036
308-120-100	AMD	88-16-034	308-120-545	NEW	88-16-034	308-124A-025	AMD-P	88-16-109
308-120-100	AMD-P	88-19-116	308-120-550	NEW-P	88-12-042	308-124A-025	AMD	88-20-036
308-120-100	AMD	88-23-035	308-120-550	NEW	88-16-034	308-124A-025	AMD-P	88-20-089
308-120-161	AMD-P	88-19-116	308-120-555	NEW-P	88-12-042	308-124A-100	REP-P	88-16-097
308-120-161	AMD	88-23-035	308-120-555	NEW	88-16-034	308-124A-100	REP	88-20-037
308-120-163	AMD-P	88-12-042	308-120-560	NEW-P	88-12-042	308-124A-110	AMD-P	88-16-097
308-120-163	AMD	88-16-034	308-120-560	NEW	88-16-034	308-124A-110	AMD	88-20-037
308-120-164	AMD-P	88-12-042	308-120-565	NEW-P	88-12-042	308-124A-115	REP-P	88-16-097
308-120-164	AMD	88-16-034	308-120-565	NEW	88-16-034	308-124A-115	REP	88-20-037
308-120-166	AMD-P	88-19-116	308-120-570	NEW-P	88-12-042	308-124A-120	AMD-P	88-16-109
308-120-166	AMD	88-23-035	308-120-570	NEW	88-16-034	308-124A-120	AMD	88-20-036
308-120-168	AMD-P	88-19-116	308-120-575	NEW-P	88-12-042	308-124A-130	AMD-P	88-02-051
308-120-168	AMD	88-23-035	308-120-575	NEW	88-16-034	308-124A-130	AMD	88-06-039
308-120-170	AMD-P	88-12-042	308-120-610	NEW-P	88-19-116	308-124A-200	AMD-P	88-16-097
308-120-170	AMD	88-16-034	308-120-610	NEW	88-23-035	308-124A-200	AMD	88-20-037
308-120-180	AMD-P	88-12-042	308-120-750	NEW-P	88-19-116	308-124A-420	AMD-P	88-16-097

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308-124A-425	NEW-P	88-16-097	308-128D-040	AMD-P	88-08-087	308-138B-180	NEW	88-23-124
308-124A-425	NEW	88-20-037	308-128D-040	AMD-P	88-18-084	308-138B-190	NEW-P	88-20-059
308-124A-430	AMD-P	88-16-109	308-128D-040	AMD	88-23-049	308-138B-190	NEW-E	88-22-075
308-124A-430	AMD	88-20-036	308-128D-060	AMD-P	88-08-087	308-138B-190	NEW	88-23-124
308-124A-440	AMD-P	88-16-109	308-128D-060	AMD-P	88-18-084	308-138B-200	NEW-P	88-20-059
308-124A-440	AMD	88-20-036	308-128D-060	AMD	88-23-049	308-138B-200	NEW-E	88-22-075
308-124A-460	AMD-P	88-20-089	308-128D-070	AMD-P	88-08-087	308-138B-200	NEW	88-23-124
308-124B-010	REP-E	88-02-050	308-128D-070	AMD	88-19-016	308-140-010	REP-P	88-11-027
308-124B-010	REP-P	88-02-051	308-128D-080	NEW-P	88-08-087	308-140-010	REP	88-15-031
308-124B-010	REP	88-06-039	308-128D-080	NEW	88-19-016	308-140-020	REP-P	88-11-027
308-124B-130	AMD-E	88-02-050	308-128E-010	REP-P	88-08-087	308-140-020	REP	88-15-031
308-124B-130	AMD-P	88-02-051	308-128E-010	REP-P	88-18-084	308-140-030	REP-P	88-11-027
308-124B-130	AMD	88-06-039	308-128E-011	NEW-P	88-08-087	308-140-030	REP	88-15-031
308-124B-150	NEW-E	88-02-050	308-128E-011	NEW-P	88-18-084	308-140-040	REP-P	88-11-027
308-124B-150	NEW-P	88-02-051	308-128F-010	AMD-P	88-08-087	308-140-040	REP	88-15-031
308-124B-150	NEW	88-06-039	308-128F-010	AMD	88-19-016	308-140-070	REP-P	88-11-027
308-124D-040	AMD-P	88-16-097	308-128F-020	AMD-P	88-08-087	308-140-070	REP	88-15-031
308-124D-040	AMD	88-20-037	308-128F-020	AMD	88-19-016	308-140-100	REP-P	88-11-027
308-124D-040	AMD-P	88-20-090	308-128F-030	REP-P	88-08-087	308-140-100	REP	88-15-031
308-124D-060	NEW-P	88-20-091	308-128F-030	REP	88-19-016	308-140-250	REP-P	88-11-027
308-124D-065	NEW-P	88-20-091	308-128F-040	AMD-P	88-08-087	308-140-250	REP	88-15-031
308-124E-011	REP-P	88-02-049	308-128F-040	AMD	88-19-016	308-140-270	REP-P	88-11-027
308-124E-011	REP	88-06-040	308-128F-050	AMD-P	88-08-087	308-140-270	REP	88-15-031
308-124E-012	NEW-P	88-02-049	308-128F-050	AMD	88-19-016	308-140-300	REP-P	88-11-027
308-124E-012	NEW	88-06-040	308-128F-070	AMD-P	88-08-087	308-140-300	REP	88-15-031
308-124E-012	AMD-P	88-20-091	308-128F-070	AMD	88-19-016	308-150-013	AMD-P	88-05-041
308-124E-013	NEW-P	88-02-049	308-130-320	NEW-P	88-15-043	308-150-013	AMD	88-08-033
308-124E-013	NEW	88-06-040	308-130-330	NEW-P	88-15-043	308-150-014	AMD-P	88-21-080
308-124E-013	AMD-E	88-10-057	308-130-340	NEW-P	88-15-043	308-151-080	AMD-P	88-05-041
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308-124E-013	AMD-P	88-16-097	308-130-360	NEW-P	88-15-043	308-151-090	AMD-P	88-05-041
308-124E-013	AMD	88-16-102	308-130-370	NEW-P	88-15-043	308-151-090	AMD	88-08-033
308-124E-013	AMD-E	88-17-003	308-130-380	NEW-P	88-15-043	308-153-010	AMD-P	88-21-080
308-124E-013	AMD	88-20-037	308-130-390	NEW-P	88-15-043	308-153-020	AMD-P	88-05-041
308-124E-014	NEW-P	88-02-049	308-130-400	NEW-P	88-15-043	308-153-020	AMD	88-08-033
308-124E-014	NEW	88-06-040	308-130-410	NEW-P	88-17-103	308-153-030	AMD-P	88-05-041
308-124H-030	AMD-P	88-20-091	308-130-410	NEW	88-22-077	308-153-030	AMD	88-08-033
308-124H-033	NEW-P	88-20-091	308-138-055	AMD-P	88-03-035	308-153-030	AMD-P	88-21-080
308-124H-035	AMD-P	88-20-091	308-138-055	AMD	88-09-030	308-153-045	AMD-P	88-21-080
308-127-150	REP	88-15-017	308-138-055	AMD-P	88-11-088	308-154-085	NEW-P	88-21-080
308-127-155	NEW	88-15-017	308-138-055	AMD	88-14-113	308-156-060	AMD-P	88-05-041
308-128A-010	AMD-P	88-08-087	308-138-070	AMD-P	88-20-059	308-156-060	AMD	88-08-033
308-128A-010	AMD	88-19-016	308-138-070	AMD-E	88-22-075	308-156-090	AMD-P	88-05-041
308-128A-020	AMD-P	88-08-087	308-138-070	AMD	88-23-124	308-156-090	AMD	88-08-033
308-128A-020	AMD	88-19-016	308-138-320	AMD-P	88-03-035	308-156-100	AMD-P	88-05-041
308-128A-030	AMD-P	88-08-087	308-138-320	AMD	88-09-030	308-156-100	AMD	88-08-033
308-128A-030	AMD	88-19-016	308-138-340	NEW-P	88-11-088	308-156-200	NEW-P	88-21-080
308-128A-040	AMD-P	88-08-087	308-138-340	NEW	88-14-113	308-157-010	NEW-P	88-21-080
308-128A-040	AMD	88-19-016	308-138-340	AMD-P	88-17-098	308-171-010	AMD-P	88-05-061
308-128B-010	AMD-P	88-08-087	308-138-340	AMD	88-21-081	308-171-010	AMD	88-09-031
308-128B-010	AMD	88-19-016	308-138-350	NEW-P	88-20-059	308-171-010	AMD-P	88-22-073
308-128B-020	AMD-P	88-08-087	308-138-350	NEW-E	88-22-075	308-171-020	AMD-P	88-05-061
308-128B-020	AMD	88-19-016	308-138-350	NEW	88-23-124	308-171-020	AMD	88-09-031
308-128B-030	AMD-P	88-08-087	308-138-360	NEW-P	88-20-059	308-171-020	AMD-P	88-22-073
308-128B-030	AMD	88-19-016	308-138-360	NEW-E	88-22-075	308-171-040	AMD-P	88-22-073
308-128B-040	REP-P	88-08-087	308-138-360	NEW	88-23-124	308-171-103	AMD-P	88-09-048
308-128B-040	REP	88-19-016	308-138A-020	AMD-P	88-03-035	308-171-320	NEW-P	88-22-073
308-128B-050	AMD-P	88-08-087	308-138A-020	AMD	88-09-030	308-171-330	NEW-P	88-22-073
308-128B-050	AMD	88-19-016	308-138A-020	AMD-P	88-11-088	308-173-010	NEW-P	88-15-043
308-128B-060	AMD-P	88-08-087	308-138A-020	AMD	88-14-113	308-173-020	NEW-P	88-15-043
308-128B-060	AMD	88-19-016	308-138A-025	AMD-P	88-03-035	308-173-030	NEW-P	88-15-043
308-128B-090	NEW-P	88-08-087	308-138A-025	AMD	88-09-030	308-173-040	NEW-P	88-15-043
308-128B-090	NEW	88-19-016	308-138A-030	NEW-P	88-17-098	308-173-050	NEW-P	88-15-043
308-128C-010	REP-P	88-08-087	308-138A-030	NEW	88-21-081	308-173-060	NEW-P	88-15-043
308-128C-010	REP	88-19-016	308-138A-040	NEW-P	88-20-059	308-173-070	NEW-P	88-15-043
308-128C-040	AMD-P	88-08-087	308-138A-040	NEW-E	88-22-075	308-173-080	NEW-P	88-15-043
308-128C-040	AMD	88-19-016	308-138A-040	NEW	88-23-124	308-173-090	NEW-P	88-15-043
308-128C-050	AMD-P	88-08-087	308-138A-050	NEW-P	88-20-059	308-173-100	NEW-P	88-17-103
308-128D-010	AMD-P	88-08-087	308-138A-050	NEW-E	88-22-075	308-173-100	NEW	88-22-077
308-128D-010	AMD	88-19-016	308-138A-050	NEW	88-23-124	308-173-130	NEW	88-20-075
308-128D-020	AMD-P	88-08-087	308-138A-060	NEW-P	88-20-059	308-175-080	REP-P	88-14-094
308-128D-020	AMD	88-19-016	308-138A-060	NEW-E	88-22-075	308-175-080	REP	88-17-043
308-128D-020	AMD	88-18-084	308-138A-060	NEW	88-23-124	308-175-200	NEW-P	88-17-102
308-128D-020	AMD-P	88-23-049	308-138B-110	AMD-P	88-17-098	308-175-200	NEW	88-22-076
308-128D-020	AMD	88-08-087	308-138B-110	AMD	88-21-081	308-177-010	NEW-P	88-15-043
308-128D-030	AMD-P	88-08-087	308-138B-180	NEW-P	88-20-059	308-177-020	NEW-P	88-15-043

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
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308-177-040	NEW-P 88-15-043	308-190-080	NEW-P 88-15-043	308-220-030	AMD-W 88-23-090
308-177-050	NEW-P 88-15-043	308-190-090	NEW-P 88-15-043	308-220-040	NEW-P 88-05-062
308-177-060	NEW-P 88-15-043	308-190-100	NEW-P 88-15-043	308-220-040	NEW 88-11-079
308-177-070	NEW-P 88-15-043	308-190-110	NEW-P 88-15-043	308-220-050	NEW-P 88-05-062
308-177-080	NEW-P 88-15-043	308-190-120	NEW-P 88-15-043	308-220-050	NEW 88-11-079
308-177-090	NEW-P 88-15-043	308-190-130	NEW-P 88-15-043	308-220-060	NEW 88-11-079
308-177-100	NEW-P 88-17-103	308-190-140	NEW-P 88-15-043	308-220-070	NEW-P 88-05-062
308-177-100	NEW 88-22-077	308-190-200	NEW-P 88-17-103	308-220-070	NEW 88-11-079
308-177-110	NEW-P 88-23-104	308-190-200	NEW 88-22-077	308-220-080	NEW-P 88-05-062
308-177-120	NEW-P 88-23-104	308-195-020	NEW-P 88-03-034	308-220-090	NEW-P 88-15-043
308-177-130	NEW-P 88-23-104	308-195-020	NEW 88-10-015	308-220-100	NEW-P 88-15-043
308-177-140	NEW-P 88-23-104	308-195-030	NEW-P 88-03-034	308-220-110	NEW-P 88-15-043
308-177-150	NEW-P 88-23-104	308-195-030	NEW 88-10-015	308-220-120	NEW-P 88-15-043
308-180-120	AMD-P 88-02-061	308-195-040	NEW-P 88-03-034	308-220-130	NEW-P 88-15-043
308-180-120	AMD 88-07-031	308-195-040	NEW 88-10-015	308-220-140	NEW-P 88-15-043
308-180-210	AMD-P 88-02-061	308-195-050	NEW-P 88-03-034	308-220-150	NEW-P 88-15-043
308-180-210	AMD 88-07-031	308-195-050	NEW 88-10-015	308-220-160	NEW-P 88-15-043
308-180-220	AMD-P 88-02-061	308-195-060	NEW-P 88-03-034	308-220-170	NEW-P 88-15-043
308-180-220	AMD 88-07-031	308-195-060	NEW 88-10-015	308-220-200	NEW-P 88-17-103
308-180-250	AMD-P 88-02-061	308-195-070	NEW-P 88-03-034	308-220-200	NEW 88-22-077
308-180-250	AMD 88-07-031	308-195-070	NEW 88-10-015	308-230-010	NEW-P 88-05-063
308-180-260	AMD-P 88-11-026	308-195-070	AMD-P 88-19-114	308-230-010	NEW 88-11-078
308-180-260	AMD 88-15-030	308-195-070	AMD 88-23-001	308-230-020	NEW-P 88-05-063
308-180-270	NEW-P 88-02-061	308-195-080	NEW-P 88-03-034	308-230-020	NEW 88-11-078
308-180-270	NEW 88-07-031	308-195-080	NEW 88-10-015	308-230-030	NEW-P 88-05-063
308-180-280	NEW-P 88-02-061	308-195-090	NEW-P 88-03-034	308-230-030	NEW 88-11-078
308-180-280	NEW 88-07-031	308-195-090	NEW 88-10-015	308-230-040	NEW-P 88-05-063
308-180-290	NEW-P 88-15-043	308-195-100	NEW-P 88-03-034	308-230-040	NEW 88-11-078
308-180-300	NEW-P 88-15-043	308-195-100	NEW 88-10-015	308-230-050	NEW-P 88-05-063
308-180-310	NEW-P 88-15-043	308-195-110	NEW-P 88-03-034	308-230-050	NEW 88-11-078
308-180-320	NEW-P 88-15-043	308-195-110	NEW-P 88-14-006	308-230-060	NEW-P 88-15-043
308-180-330	NEW-P 88-15-043	308-195-110	NEW-E 88-14-008	308-230-070	NEW-P 88-15-043
308-180-340	NEW-P 88-15-043	308-195-110	NEW 88-17-099	308-230-080	NEW-P 88-15-043
308-180-350	NEW-P 88-15-043	308-195-120	NEW-P 88-15-043	308-230-090	NEW-P 88-15-043
308-180-360	NEW-P 88-15-043	308-195-130	NEW-P 88-15-043	308-230-100	NEW-P 88-15-043
308-180-370	NEW-P 88-15-043	308-195-140	NEW-P 88-15-043	308-230-110	NEW-P 88-15-043
308-180-400	NEW-P 88-17-103	308-195-150	NEW-P 88-15-043	308-230-120	NEW-P 88-15-043
308-180-400	NEW 88-22-077	308-195-160	NEW-P 88-15-043	308-230-130	NEW-P 88-15-043
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308-183-030	NEW-P 88-15-043	308-195-190	NEW-P 88-15-043	308-230-200	NEW 88-22-077
308-183-040	NEW-P 88-15-043	308-195-200	NEW-P 88-17-103	308-310-010	NEW-P 88-16-032
308-183-050	NEW-P 88-15-043	308-195-200	NEW 88-22-077	308-310-010	NEW-E 88-16-033
308-183-060	NEW-P 88-15-043	308-210-010	NEW-P 88-05-060	308-310-010	NEW-E 88-16-106
308-183-070	NEW-P 88-15-043	308-210-010	NEW 88-11-025	308-310-010	NEW 88-20-076
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308-183-090	NEW-P 88-16-071	308-210-020	NEW 88-11-025	308-310-030	NEW-P 88-18-080
308-183-090	NEW-P 88-21-079	308-210-030	NEW-P 88-05-060	308-310-040	NEW-P 88-18-080
308-183-100	NEW-P 88-16-071	308-210-030	NEW 88-11-025	308-310-050	NEW-P 88-18-080
308-183-100	NEW-P 88-21-079	308-210-040	NEW-P 88-05-060	308-400	AMD-E 88-14-044
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308-183-120	NEW-P 88-16-071	308-210-050	NEW 88-11-025	308-400	AMD-P 88-23-121
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308-183-130	NEW-P 88-21-079	308-210-080	NEW-P 88-15-043	308-400-010	AMD-E 88-20-025
308-183-140	NEW-P 88-16-071	308-210-090	NEW-P 88-15-043	308-400-010	AMD-P 88-23-121
308-183-140	NEW-P 88-21-079	308-210-100	NEW-P 88-15-043	308-400-020	AMD-E 88-14-044
308-183-150	NEW-P 88-16-071	308-210-110	NEW-P 88-15-043	308-400-020	AMD-P 88-14-045
308-183-150	NEW-P 88-21-079	308-210-120	NEW-P 88-15-043	308-400-020	AMD-E 88-20-025
308-183-160	NEW-P 88-16-071	308-210-130	NEW-P 88-15-043	308-400-020	AMD-P 88-23-121
308-183-160	NEW-P 88-21-079	308-210-140	NEW-P 88-15-043	308-400-025	REP-E 88-14-044
308-183-170	NEW-P 88-16-071	308-210-150	NEW-P 88-15-043	308-400-025	REP-P 88-14-045
308-183-170	NEW-P 88-21-079	308-210-160	NEW-P 88-15-043	308-400-025	REP-E 88-20-025
308-183-180	NEW-P 88-16-071	308-210-200	NEW-P 88-17-103	308-400-025	AMD-P 88-23-121
308-183-180	NEW-P 88-21-079	308-210-200	NEW 88-22-077	308-400-030	AMD-E 88-14-044
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308-190-030	NEW-P 88-05-059	308-220-010	AMD-W 88-23-090	308-400-040	AMD-P 88-23-121
308-190-030	NEW 88-11-024	308-220-010	AMD-P 88-23-091	308-400-044	REP-E 88-14-044
308-190-040	NEW-P 88-05-059	308-220-020	NEW-P 88-05-062	308-400-044	REP-P 88-14-045
308-190-040	NEW 88-11-024	308-220-020	NEW 88-11-079	308-400-044	REP-E 88-20-025
308-190-050	NEW-P 88-05-059	308-220-030	NEW-P 88-05-062	308-400-044	REP-P 88-23-121
308-190-050	NEW 88-11-024	308-220-030	NEW 88-11-079	308-400-046	AMD-P 88-23-121
308-190-060	NEW-P 88-15-043	308-220-030	AMD-P 88-22-074	308-400-047	AMD-E 88-14-044



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308-400-047	AMD-E	88-20-025	314-20-020	AMD-P	88-23-052	315-11-330	NEW	88-13-008
308-400-047	AMD-P	88-23-121	314-20-030	AMD-P	88-22-065	315-11-331	NEW-P	88-09-069
308-400-048	AMD-E	88-14-044	314-20-090	AMD-P	88-21-070	315-11-331	NEW	88-13-008
308-400-048	AMD-P	88-14-045	314-20-090	AMD	88-23-101	315-11-332	NEW-P	88-09-069
308-400-048	AMD-E	88-20-025	314-22-010	NEW-P	88-05-007	315-11-332	NEW	88-13-008
308-400-048	AMD-P	88-23-121	314-22-010	NEW	88-07-090	315-11-340	NEW-P	88-13-122
308-400-050	REP-E	88-14-044	314-24-040	AMD-P	88-12-074	315-11-340	NEW	88-17-024
308-400-050	REP-P	88-14-045	314-24-040	AMD-C	88-14-130	315-11-341	NEW-P	88-13-122
308-400-050	REP-E	88-20-025	314-24-040	AMD	88-17-095	315-11-341	NEW	88-17-024
308-400-050	AMD-P	88-23-121	314-24-040	AMD-P	88-23-053	315-11-342	NEW-P	88-13-122
308-400-052	AMD-E	88-14-044	314-24-060	AMD-P	88-08-025	315-11-342	NEW	88-17-024
308-400-052	AMD-P	88-14-045	314-24-060	AMD	88-11-009	315-11-350	NEW-P	88-13-122
308-400-052	AMD-E	88-20-025	314-24-170	AMD-P	88-21-070	315-11-350	NEW	88-17-024
308-400-052	AMD-P	88-23-121	314-24-170	AMD	88-23-101	315-11-351	NEW-P	88-13-122
308-400-058	AMD-E	88-14-044	314-26-010	AMD-P	88-11-001	315-11-351	NEW	88-17-024
308-400-058	AMD-P	88-14-045	314-26-010	AMD	88-13-118	315-11-352	NEW-P	88-13-122
308-400-058	AMD-E	88-20-025	314-30-010	NEW-P	88-17-112	315-11-352	NEW	88-17-024
308-400-058	AMD-P	88-23-121	314-30-010	NEW	88-20-087	315-11-360	NEW-P	88-17-116
308-400-059	AMD-E	88-14-044	314-36-010	AMD-P	88-04-087	315-11-360	NEW	88-21-051
308-400-059	AMD-P	88-14-045	314-36-010	AMD	88-07-025	315-11-361	NEW-P	88-17-116
308-400-059	AMD-E	88-20-025	314-36-020	AMD-P	88-04-087	315-11-361	NEW	88-21-051
308-400-059	AMD-P	88-23-121	314-36-020	AMD	88-07-025	315-11-362	NEW-P	88-17-116
308-400-080	REP-E	88-14-044	314-36-030	AMD-P	88-04-087	315-11-362	NEW	88-21-051
308-400-080	REP-P	88-14-045	314-36-030	AMD	88-07-025	315-11-370	NEW-P	88-17-116
308-400-080	REP-E	88-20-025	314-36-040	AMD-P	88-04-087	315-11-370	NEW	88-21-051
308-400-095	AMD-E	88-14-044	314-36-040	AMD	88-07-025	315-11-371	NEW-P	88-17-116
308-400-095	AMD-P	88-14-045	314-36-050	AMD-P	88-04-087	315-11-371	NEW	88-21-051
308-400-095	AMD-E	88-20-025	314-36-050	AMD	88-07-025	315-11-372	NEW-P	88-17-116
308-400-095	AMD-P	88-23-121	314-36-060	AMD-P	88-04-087	315-11-372	NEW	88-21-051
308-400-100	AMD-P	88-23-121	314-36-060	AMD	88-07-025	315-11-380	NEW-P	88-21-114
308-400-120	NEW-E	88-14-044	314-36-070	AMD-P	88-04-087	315-11-381	NEW-P	88-21-114
308-400-120	NEW-P	88-14-045	314-36-070	AMD	88-07-025	315-11-382	NEW-P	88-21-114
308-400-120	NEW-E	88-20-025	314-36-080	AMD-P	88-04-087	315-11-390	NEW-P	88-21-114
308-400-120	NEW-P	88-23-121	314-36-080	AMD	88-07-025	315-11-391	NEW-P	88-21-114
308-410-010	NEW	88-03-037	314-36-090	AMD-P	88-04-087	315-11-392	NEW-P	88-21-114
308-410-020	NEW	88-03-037	314-36-090	AMD	88-07-025	315-20-090	AMD-P	88-02-062
308-410-030	NEW	88-03-037	314-36-100	AMD-P	88-04-087	315-20-090	AMD	88-06-031
308-410-040	NEW	88-03-037	314-36-100	AMD	88-07-025	315-30-080	AMD-P	88-02-062
308-410-050	NEW	88-03-037	314-36-110	AMD-P	88-04-087	315-32-050	AMD-P	88-02-066
308-410-060	NEW	88-03-037	314-36-110	AMD	88-07-025	315-32-050	AMD	88-05-030
308-410-070	NEW	88-03-037	314-36-120	REP-P	88-04-087	316-02-350	AMD-P	88-06-057
314-08-080	AMD-P	88-06-056	314-36-120	REP	88-07-025	316-02-350	AMD	88-10-019
314-08-080	AMD	88-08-057	314-36-130	AMD-P	88-04-087	316-02-820	AMD-P	88-06-057
314-12-037	NEW-P	88-05-012	314-36-130	AMD	88-07-025	316-02-820	AMD	88-10-019
314-12-037	NEW-P	88-13-003	314-40-040	AMD-P	88-04-083	316-45-110	AMD-P	88-06-057
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314-12-100	AMD	88-04-028	314-52-114	AMD	88-07-026	326-02-030	AMD	88-08-031
314-12-145	AMD-E	88-07-076	314-60-030	AMD-P	88-13-067	326-02-030	AMD-P	88-09-060
314-12-145	AMD-P	88-07-091	314-60-030	AMD	88-16-026	326-02-030	AMD	88-12-060
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314-12-145	AMD	88-10-049	314-64-030	AMD	88-14-001	326-02-040	NEW-C	88-18-006
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314-12-175	NEW-C	88-20-084	314-70-020	AMD	88-16-040	326-02-050	NEW	88-22-017
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314-16-040	AMD	88-23-100	315-06-090	AMD	88-17-024	326-02-060	NEW-C	88-18-006
314-16-070	AMD-P	88-17-094	315-10-030	AMD-P	88-13-122	326-02-060	NEW	88-22-017
314-16-070	AMD	88-20-086	315-10-030	AMD	88-17-024	326-02-070	NEW-P	88-14-129
314-16-120	AMD-P	88-17-093	315-11-310	NEW-P	88-02-062	326-02-070	NEW-C	88-18-006
314-16-120	AMD	88-20-085	315-11-310	NEW	88-06-031	326-02-070	NEW	88-22-017
314-16-160	AMD-P	88-21-070	315-11-311	NEW-P	88-02-062	326-02-080	NEW-P	88-14-129
314-16-160	AMD	88-23-101	315-11-311	NEW	88-06-031	326-02-080	NEW-C	88-18-006
314-16-190	AMD-P	88-04-082	315-11-311	NEW-P	88-02-062	326-02-080	NEW	88-22-017
314-16-190	AMD	88-07-058	315-11-312	NEW	88-06-031	326-02-090	NEW-P	88-14-129
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314-18-030	AMD	88-22-026	315-11-320	NEW	88-09-014	326-02-090	NEW	88-22-017
314-20-020	AMD-P	88-12-075	315-11-321	NEW-P	88-06-049	326-20-080	AMD-P	88-09-060
314-20-020	AMD	88-14-131	315-11-321	NEW	88-09-014	326-20-080	AMD	88-12-060
314-20-020	AMD-P	88-20-007	315-11-322	NEW-P	88-06-049	326-20-090	REP-E	88-06-029
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326-20-091	NEW-C	88-09-010	332-26-088	NEW-E	88-17-006	356-05-005	REP	88-18-096
326-20-091	NEW	88-09-047	332-26-088	REP-E	88-18-029	356-05-123	NEW-C	88-06-014
326-20-092	NEW-E	88-06-043	332-26-089	NEW-E	88-17-006	356-05-123	NEW-C	88-07-040
326-20-092	NEW-P	88-06-074	332-26-089	REP-E	88-18-029	356-05-128	NEW	88-03-042
326-20-092	NEW-C	88-09-010	332-26-090	NEW-E	88-18-014	356-05-145	REP-P	88-04-066
326-20-092	NEW	88-09-047	332-26-090	REP-E	88-18-029	356-05-145	AMD-P	88-18-094
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326-20-093	NEW-P	88-06-074	332-26-091	NEW-E	88-18-072	356-05-311	NEW-P	88-04-032
326-20-093	NEW-C	88-09-010	332-26-091	REP-E	88-19-022	356-05-311	NEW-C	88-07-041
326-20-093	NEW	88-09-047	332-26-091a	NEW-E	88-19-011	356-05-320	AMD-P	88-04-068
326-20-094	NEW-E	88-06-043	332-26-091a	REP-E	88-19-022	356-05-320	AMD-P	88-14-065
326-20-094	NEW-P	88-06-074	332-26-091b	NEW-E	88-19-022	356-05-320	AMD	88-18-096
326-20-094	NEW-C	88-09-010	332-26-092	NEW-E	88-19-052	356-05-330	REP-P	88-04-066
326-20-094	NEW	88-09-047	332-26-092	REP-E	88-20-016	356-05-330	REP	88-18-096
326-20-095	NEW-E	88-06-043	332-26-092a	NEW-E	88-20-009	356-05-360	AMD	88-03-041
326-20-095	NEW-P	88-06-074	332-26-092a	REP-E	88-20-016	356-05-415	AMD-P	88-04-068
326-20-095	NEW-C	88-09-010	332-26-092b	NEW-E	88-20-016	356-05-415	AMD-P	88-14-065
326-20-095	NEW	88-09-047	332-26-092b	REP-E	88-20-026	356-05-415	AMD	88-18-096
326-20-096	NEW-E	88-06-043	332-26-092c	NEW-E	88-20-026	356-05-450	REP-C	88-07-044
326-20-096	NEW-P	88-06-074	332-26-092c	REP-E	88-21-052	356-05-450	REP-P	88-10-030
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326-20-096	NEW	88-09-047	332-26-092d	REP-E	88-22-048	356-05-450	REP-C	88-15-059
326-20-097	NEW-E	88-06-043	332-26-092e	NEW-E	88-22-048	356-05-450	REP-C	88-18-009
326-20-097	NEW-P	88-06-074	332-26-092e	AMD-E	88-23-006	356-05-450	AMD-P	88-22-066
326-20-097	NEW-C	88-09-010	332-26-093	NEW-E	88-19-052	356-05-451	NEW-C	88-07-044
326-20-097	NEW	88-09-047	332-26-093	REP-E	88-19-083	356-05-451	NEW-P	88-10-030
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326-20-098	NEW	88-09-047	332-26-094	NEW-E	88-21-052	356-05-452	NEW-C	88-07-044
326-20-140	AMD-P	88-14-129	332-26-094	REP-E	88-22-048	356-05-452	NEW-P	88-10-030
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326-20-171	AMD-P	88-06-074	332-100-060	REP-P	88-19-120	356-05-452	NEW-C	88-18-009
326-20-171	AMD-C	88-09-010	332-100-060	REP	88-22-049	356-05-455	REP-C	88-07-044
326-20-171	AMD	88-09-047	344-12-043	NEW-P	88-07-115	356-05-455	REP-P	88-10-030
326-20-172	AMD-P	88-06-074	344-12-043	NEW	88-14-026	356-05-455	REP-C	88-13-056
326-20-172	AMD-C	88-09-010	344-12-050	AMD-P	88-07-115	356-05-455	REP-C	88-15-059
326-20-172	AMD	88-09-047	344-12-050	AMD	88-14-026	356-05-455	REP-C	88-18-009
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326-20-173	NEW-C	88-18-006	344-12-064	NEW	88-14-026	356-05-456	NEW-C	88-07-044
326-20-173	NEW	88-22-017	344-12-145	AMD-P	88-07-115	356-05-456	NEW-P	88-10-030
326-20-180	AMD-P	88-06-074	344-12-145	AMD	88-14-026	356-05-456	NEW-C	88-13-056
326-20-180	AMD-C	88-09-010	352-12-010	AMD-P	88-04-075	356-05-456	NEW-C	88-15-059
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326-20-185	AMD-C	88-09-010	352-12-020	AMD	88-07-074	356-05-460	REP-C	88-07-044
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326-30-060	AMD	88-17-045	352-32-095	NEW	88-19-087	356-05-461	NEW-C	88-13-056
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356-15-080	AMD-C	88-17-026	356-34-045	NEW	88-03-043	356-42-070	AMD-P	88-10-030
356-15-080	AMD-C	88-21-041	356-34-050	AMD	88-03-043	356-42-070	AMD-C	88-13-056
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356-15-085	AMD-C	88-07-042	356-34-150	REP	88-11-037	356-42-070	AMD-C	88-18-009
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356-15-090	AMD-C	88-11-039	356-34-160	AMD	88-21-064	356-42-082	AMD-P	88-10-029
356-15-090	AMD-C	88-13-068	356-34-170	AMD-P	88-08-058	356-42-082	AMD-C	88-13-054
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356-15-090	AMD-C	88-21-042	356-42-010	AMD-C	88-07-044	356-42-082	AMD	88-18-010
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356-18-030	AMD-E	88-11-035	356-42-020	AMD-C	88-07-043	356-42-105	NEW-P	88-10-029
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356-18-114	NEW-C	88-07-041	356-42-020	AMD-C	88-15-058	356-42-105	NEW	88-18-010
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356-26-050	AMD	88-18-096	356-42-043	AMD-P	88-10-029	360-08-030	REP	88-06-026
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356-26-060	AMD-P	88-04-068	356-42-043	AMD-C	88-13-056	360-08-070	REP	88-06-026
356-26-080	AMD-P	88-14-065	356-42-043	AMD-C	88-13-054	360-08-080	REP-P	88-03-036
356-26-080	AMD	88-18-096	356-42-043	AMD-C	88-15-058	360-08-080	REP	88-06-026
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356-30-070	REP	88-18-096	356-42-049	NEW-C	88-15-058	360-08-470	REP	88-06-026
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360-46-010	AMD-P	88-16-070	365-170-050	AMD	88-18-039	383-07-050	NEW	88-15-033
360-46-010	AMD	88-21-025	365-170-060	AMD-P	88-15-075	383-07-060	NEW-P	88-12-078
360-46-020	AMD-P	88-11-082	365-170-060	AMD	88-18-039	383-07-060	NEW	88-15-033
360-46-020	AMD-P	88-13-093	365-170-070	AMD-P	88-15-075	383-07-070	NEW-P	88-12-078
360-46-020	AMD-W	88-14-029	365-170-070	AMD	88-18-039	383-07-070	NEW	88-15-033
360-46-020	AMD-P	88-16-070	365-170-080	AMD-P	88-15-075	383-07-080	NEW-P	88-12-078
360-46-020	AMD	88-21-025	365-170-080	AMD	88-18-039	383-07-080	NEW	88-15-033
360-46-030	AMD-P	88-11-082	365-170-090	AMD-P	88-15-075	383-07-090	NEW-P	88-12-078
360-46-030	AMD-P	88-13-093	365-170-090	AMD	88-18-039	383-07-090	NEW	88-15-033
360-46-030	AMD-W	88-14-029	365-170-100	AMD-P	88-15-075	383-07-100	NEW-P	88-12-078
360-46-030	AMD-P	88-16-070	365-170-100	AMD	88-18-039	383-07-100	NEW	88-15-033
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360-46-040	AMD-P	88-11-082	365-180-020	NEW	88-02-042	383-07-110	NEW	88-15-033
360-46-040	AMD-P	88-13-093	365-180-030	NEW	88-02-042	383-07-120	NEW-P	88-12-078
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360-46-040	AMD	88-21-025	365-180-060	NEW	88-02-042	383-07-130	NEW	88-15-033
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388-77-040	NEW-W	88-08-038	388-77-505	NEW-P	88-04-089	388-77-740	NEW-P	88-04-089
388-77-045	NEW-P	88-04-089	388-77-505	NEW-W	88-08-038	388-77-740	NEW-W	88-08-038
388-77-045	NEW-W	88-08-038	388-77-510	NEW-P	88-04-089	388-77-745	NEW-P	88-04-089
388-77-045	NEW-P	88-09-079	388-77-510	NEW-W	88-08-038	388-77-745	NEW-W	88-08-038
388-77-045	NEW	88-12-093	388-77-515	NEW-P	88-04-089	388-77-750	NEW-P	88-04-089
388-77-055	NEW-P	88-04-089	388-77-515	NEW-W	88-08-038	388-77-750	NEW-W	88-08-038
388-77-055	NEW-W	88-08-038	388-77-515	NEW-P	88-09-079	388-77-755	NEW-P	88-04-089
388-77-065	NEW-P	88-04-089	388-77-515	NEW	88-12-093	388-77-755	NEW-W	88-08-038
388-77-065	NEW-W	88-08-038	388-77-515	AMD-P	88-14-081	388-77-760	NEW-P	88-04-089
388-77-200	NEW-P	88-04-089	388-77-515	AMD-E	88-14-082	388-77-760	NEW-W	88-08-038
388-77-200	NEW-W	88-08-038	388-77-520	NEW-P	88-04-089	388-77-765	NEW-P	88-04-089
388-77-200	NEW-P	88-09-079	388-77-520	NEW-W	88-08-038	388-77-765	NEW-W	88-08-038
388-77-200	NEW	88-12-093	388-77-520	NEW-P	88-09-079	388-77-770	NEW-P	88-04-089
388-77-210	NEW-P	88-04-089	388-77-520	NEW	88-12-093	388-77-770	NEW-W	88-08-038
388-77-210	NEW-W	88-08-038	388-77-525	NEW-P	88-04-089	388-77-780	NEW-P	88-04-089
388-77-210	NEW-P	88-09-079	388-77-525	NEW-W	88-08-038	388-77-780	NEW-W	88-08-038
388-77-210	NEW	88-12-093	388-77-525	NEW-P	88-09-079	388-77-810	NEW-P	88-04-089
388-77-215	NEW-P	88-04-089	388-77-525	NEW	88-12-093	388-77-810	NEW-W	88-08-038
388-77-215	NEW-W	88-08-038	388-77-530	NEW-P	88-04-089	388-77-810	NEW-P	88-09-079
388-77-230	NEW-P	88-09-079	388-77-530	NEW-W	88-08-038	388-77-810	NEW	88-12-093
388-77-230	NEW	88-12-093	388-77-530	NEW-P	88-14-081	388-77-815	NEW-P	88-04-089
388-77-240	NEW-P	88-04-089	388-77-530	NEW-E	88-14-082	388-77-815	NEW-W	88-08-038
388-77-240	NEW-W	88-08-038	388-77-530	NEW	88-18-024	388-77-820	NEW-P	88-04-089
388-77-240	NEW-P	88-09-079	388-77-545	NEW-P	88-04-089	388-77-820	NEW-W	88-08-038
388-77-240	NEW	88-12-093	388-77-545	NEW-W	88-08-038	388-77-820	NEW-P	88-09-079
388-77-245	NEW-P	88-04-089	388-77-550	NEW-P	88-04-089	388-77-820	NEW	88-12-093
388-77-245	NEW-W	88-08-038	388-77-550	NEW-W	88-08-038	388-77-820	AMD-P	88-14-080
388-77-255	NEW-P	88-04-089	388-77-555	NEW-P	88-04-089	388-77-820	AMD-E	88-14-083
388-77-255	NEW-W	88-08-038	388-77-555	NEW-W	88-08-038	388-77-820	AMD	88-18-025
388-77-255	NEW-P	88-09-079	388-77-555	NEW-P	88-09-079	388-77-820	AMD-P	88-22-034
388-77-255	NEW	88-12-093	388-77-555	NEW	88-12-093	388-77-820	AMD-E	88-22-035
388-77-270	NEW-P	88-04-089	388-77-560	NEW-P	88-04-089	388-77-825	NEW-P	88-04-089
388-77-270	NEW-W	88-08-038	388-77-560	NEW-W	88-08-038	388-77-825	NEW-W	88-08-038

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-77-830	NEW-P	88-04-089	388-83-036	AMD-E	88-14-059	388-96-107	AMD-P	88-21-039
388-77-830	NEW-W	88-08-038	388-83-036	AMD	88-17-062	388-96-533	AMD-P	88-21-039
388-77-835	NEW-P	88-04-089	388-83-130	AMD-P	88-14-051	388-96-559	AMD-P	88-13-078
388-77-835	NEW-W	88-08-038	388-83-130	AMD-E	88-14-059	388-96-559	AMD-E	88-13-079
388-77-870	NEW-P	88-04-089	388-83-130	AMD	88-17-062	388-96-559	AMD	88-16-079
388-77-870	NEW-W	88-08-038	388-84-105	AMD-P	88-14-051	388-96-565	AMD-P	88-21-039
388-77-880	NEW-P	88-04-089	388-84-105	AMD-E	88-14-059	388-96-585	AMD-P	88-21-039
388-77-880	NEW-W	88-08-038	388-84-105	AMD	88-17-062	388-96-722	AMD-P	88-21-039
388-77-900	NEW-P	88-04-089	388-85-105	AMD-P	88-14-051	388-96-754	AMD-P	88-21-039
388-77-900	NEW-W	88-08-038	388-85-105	AMD-E	88-14-059	388-96-763	AMD-P	88-21-039
388-77-900	NEW-P	88-09-079	388-85-105	AMD	88-17-062	388-96-771	NEW-E	88-03-052
388-77-900	NEW	88-12-093	388-86-005	AMD-P	88-03-021	388-96-771	NEW-P	88-03-053
388-77-900	AMD-P	88-14-081	388-86-005	AMD	88-06-083	388-96-771	NEW	88-06-085
388-77-900	AMD-E	88-14-082	388-86-009	AMD-P	88-09-078	388-96-774	AMD-P	88-21-039
388-77-900	AMD	88-18-024	388-86-009	AMD	88-12-089	388-96-807	AMD-P	88-21-039
388-77-905	NEW-P	88-04-089	388-86-021	AMD-P	88-11-043	388-96-904	AMD-P	88-21-039
388-77-905	NEW-W	88-08-038	388-86-021	AMD-E	88-11-044	388-98-005	NEW-E	88-03-051
388-77-915	NEW-P	88-04-089	388-86-021	AMD	88-15-010	388-98-005	NEW-P	88-03-054
388-77-915	NEW-W	88-08-038	388-86-040	AMD-P	88-16-055	388-98-005	NEW	88-06-086
388-77-920	NEW-P	88-04-089	388-86-040	AMD	88-19-030	388-98-010	NEW-E	88-03-051
388-77-920	NEW-W	88-08-038	388-86-050	AMD	88-04-048	388-98-010	NEW-P	88-03-054
388-77-925	NEW-P	88-04-089	388-86-050	AMD-P	88-11-043	388-98-010	NEW	88-06-086
388-77-925	NEW-W	88-08-038	388-86-050	AMD-E	88-11-044	388-98-015	NEW-E	88-03-051
388-77-930	NEW-P	88-04-089	388-86-050	AMD	88-15-010	388-98-015	NEW-P	88-03-054
388-77-930	NEW-W	88-08-038	388-86-051	NEW	88-04-048	388-98-015	NEW	88-06-086
388-77-940	NEW-P	88-04-089	388-86-075	AMD-P	88-11-043	388-98-020	NEW-E	88-03-051
388-77-940	NEW-W	88-08-038	388-86-075	AMD-E	88-11-044	388-98-020	NEW-P	88-03-054
388-77-945	NEW-P	88-04-089	388-86-075	AMD	88-15-010	388-98-020	NEW	88-06-086
388-77-945	NEW-W	88-08-038	388-86-075	AMD-P	88-03-021	388-99-010	AMD-P	88-06-077
388-77-945	NEW-P	88-04-089	388-86-085	AMD	88-06-083	388-99-010	AMD	88-09-037
388-77-975	NEW-W	88-08-038	388-86-085	AMD-P	88-16-056	388-99-010	AMD-P	88-19-067
388-77-975	NEW-P	88-06-078	388-86-085	AMD-E	88-16-059	388-99-010	AMD-E	88-19-071
388-78-005	NEW	88-12-088	388-86-085	AMD	88-20-042	388-99-010	AMD	88-23-023
388-78-010	NEW-P	88-06-078	388-86-086	NEW-P	88-03-021	388-99-011	AMD-P	88-19-067
388-78-010	NEW	88-12-088	388-86-086	NEW	88-06-083	388-99-011	AMD-E	88-19-071
388-78-015	NEW-P	88-06-078	388-86-090	AMD-P	88-21-054	388-99-011	AMD	88-23-023
388-78-015	NEW	88-12-088	388-86-090	AMD-E	88-21-056	388-99-020	AMD	88-05-056
388-78-020	NEW-P	88-06-078	388-86-090	AMD-P	88-11-043	388-99-020	AMD-P	88-20-079
388-78-020	NEW	88-12-088	388-86-095	AMD-E	88-11-044	388-99-020	AMD-E	88-20-080
388-78-100	NEW-P	88-06-078	388-86-095	AMD	88-15-010	388-99-020	AMD	88-23-081
388-78-100	NEW	88-12-088	388-86-09601	AMD-P	88-11-043	388-99-030	AMD-P	88-21-092
388-78-120	NEW-P	88-06-078	388-86-09601	AMD-E	88-11-044	388-99-030	AMD-E	88-21-097
388-78-120	NEW	88-12-088	388-86-09601	AMD	88-15-010	388-99-040	AMD-P	88-20-079
388-78-205	NEW-P	88-06-078	388-86-098	AMD-P	88-11-043	388-99-040	AMD-E	88-20-080
388-78-205	NEW	88-12-088	388-86-098	AMD-E	88-11-044	388-99-040	AMD	88-23-081
388-78-210	NEW-P	88-06-078	388-86-098	AMD	88-15-010	390-05-210	AMD-P	88-11-064
388-78-210	NEW	88-12-088	388-87-005	AMD-P	88-13-107	390-05-210	AMD	88-14-064
388-78-215	NEW-P	88-06-078	388-87-005	AMD-E	88-14-056	390-16-223	NEW-P	88-11-064
388-78-215	NEW	88-12-088	388-87-005	AMD	88-16-084	390-16-223	NEW	88-14-064
388-78-220	NEW-P	88-06-078	388-87-007	AMD-P	88-13-107	390-16-223	REP-P	88-17-110
388-78-220	NEW	88-12-088	388-87-007	AMD	88-16-084	390-16-223	REP-E	88-17-111
388-81-043	AMD-P	88-21-038	388-87-010	AMD-P	88-03-021	390-16-223	REP	88-20-029
388-81-047	NEW	88-03-050	388-87-010	AMD	88-06-083	390-18-040	AMD-P	88-11-064
388-81-060	AMD-P	88-21-091	388-87-011	AMD-P	88-08-060	390-18-040	AMD	88-14-064
388-82-008	NEW-P	88-14-051	388-87-011	AMD	88-11-061	390-20-022	NEW-C	88-04-062
388-82-008	NEW-E	88-14-059	388-87-013	AMD	88-04-048	390-20-022	NEW	88-06-019
388-82-008	NEW	88-17-062	388-87-027	AMD-P	88-03-021	390-20-056	NEW-P	88-04-063
388-82-010	AMD-P	88-06-077	388-87-027	AMD	88-06-083	390-20-056	NEW-C	88-09-008
388-82-010	AMD	88-09-037	388-87-027	AMD	88-03-021	390-20-105	AMD-P	88-11-064
388-82-115	AMD-P	88-06-077	388-87-035	AMD-P	88-06-083	390-20-105	AMD	88-14-064
388-82-115	AMD	88-09-037	388-87-035	AMD	88-03-021	390-24-010	AMD-P	88-17-110
388-82-115	AMD-P	88-14-050	388-87-036	NEW-P	88-03-021	390-24-010	AMD-P	88-20-029
388-82-115	AMD-E	88-14-057	388-87-036	NEW	88-06-083	390-24-010	AMD	88-17-110
388-82-115	AMD	88-17-063	388-87-070	AMD	88-04-048	390-24-200	AMD-P	88-17-110
388-82-115	AMD-P	88-21-053	388-88-050	AMD	88-04-041	390-24-200	AMD	88-20-029
388-82-115	AMD-E	88-21-055	388-88-101	AMD	88-04-041	391-08-120	AMD-P	88-07-079
388-82-140	NEW-P	88-21-091	388-92-045	AMD-P	88-03-072	391-08-120	AMD	88-12-053
388-83-032	AMD-P	88-08-041	388-92-045	AMD	88-06-087	391-25-090	AMD-P	88-07-080
388-83-032	AMD-E	88-08-042	388-95-360	AMD-P	88-14-051	391-25-090	AMD	88-12-054
388-83-032	AMD	88-11-063	388-95-360	AMD-E	88-14-059	391-25-110	AMD-P	88-07-080
388-83-032	AMD-P	88-16-054	388-95-360	AMD-P	88-19-066	391-25-110	AMD	88-12-054
388-83-032	AMD-E	88-16-060	388-95-380	AMD	88-23-022	391-25-140	NEW-P	88-07-080
388-83-032	AMD	88-19-033	388-95-380	AMD-P	88-03-072	391-25-140	NEW	88-12-054
388-83-032	AMD-E	88-20-043	388-95-380	AMD	88-06-087	391-25-190	AMD-P	88-07-080
388-83-032	AMD-P	88-20-047	388-95-400	AMD-P	88-14-051	391-25-190	AMD	88-12-054
388-83-032	AMD	88-23-084	388-95-400	AMD-E	88-14-059	391-25-290	AMD-P	88-07-080
388-83-036	AMD-P	88-14-051	388-96-026	AMD	88-17-062	391-25-290	AMD	88-12-054
				AMD-P	88-21-039	391-25-390	AMD-P	88-07-080



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391-25-390	AMD	88-12-054	392-121-103	REP	88-03-013	392-127-003	NEW	88-03-004
391-25-470	AMD-P	88-07-080	392-121-105	REP	88-03-013	392-130-005	NEW	88-04-001
391-25-470	AMD	88-12-054	392-121-106	NEW	88-03-013	392-130-010	NEW	88-04-001
391-35-020	NEW-P	88-07-081	392-121-107	NEW	88-03-013	392-130-015	NEW	88-04-001
391-35-020	NEW	88-12-061	392-121-108	NEW	88-03-013	392-130-020	NEW	88-04-001
391-35-300	NEW-P	88-07-081	392-121-110	REP	88-03-013	392-130-025	NEW	88-04-001
391-45-013	REP-P	88-07-082	392-121-111	NEW	88-03-013	392-130-030	NEW	88-04-001
391-45-013	REP	88-12-056	392-121-115	REP	88-03-013	392-130-035	NEW	88-04-001
391-45-013	REP-E	88-12-062	392-121-120	REP	88-03-013	392-130-040	NEW	88-04-001
391-45-260	NEW-P	88-07-082	392-121-121	REP	88-03-013	392-130-045	NEW	88-04-001
391-45-260	NEW	88-12-056	392-121-122	NEW	88-03-013	392-130-050	NEW	88-04-001
391-55-002	AMD-P	88-07-083	392-121-123	NEW	88-03-013	392-130-055	NEW	88-04-001
391-55-002	AMD	88-12-055	392-121-125	REP	88-03-013	392-130-060	NEW	88-04-001
391-55-033	REP-P	88-07-083	392-121-126	REP	88-03-013	392-130-065	NEW	88-04-001
391-55-033	REP	88-12-055	392-121-127	REP	88-03-013	392-130-070	NEW	88-04-001
391-55-033	REP-E	88-12-063	392-121-128	REP	88-03-013	392-130-075	NEW	88-04-001
391-55-071	NEW-P	88-07-083	392-121-129	REP	88-03-013	392-130-080	NEW	88-04-001
391-55-071	NEW	88-12-055	392-121-130	REP	88-03-013	392-130-085	NEW	88-04-001
391-55-071	NEW-E	88-12-064	392-121-131	REP	88-03-013	392-130-090	NEW	88-04-001
391-55-400	AMD-P	88-07-083	392-121-133	NEW	88-03-013	392-130-095	NEW	88-04-001
391-55-400	AMD	88-12-055	392-121-135	REP	88-03-013	392-130-100	NEW	88-04-001
391-55-410	AMD-P	88-07-083	392-121-136	NEW	88-03-013	392-130-105	NEW	88-04-001
391-55-410	AMD	88-12-055	392-121-140	REP	88-03-013	392-130-110	NEW	88-04-001
391-55-415	AMD-P	88-07-083	392-121-145	REP	88-03-013	392-130-115	NEW	88-04-001
391-55-415	AMD	88-12-055	392-121-150	REP	88-03-013	392-130-120	NEW	88-04-001
391-55-420	AMD-P	88-07-083	392-121-155	REP	88-03-013	392-130-125	NEW	88-04-001
391-55-420	AMD	88-12-055	392-121-160	REP	88-03-013	392-130-130	NEW	88-04-001
391-55-425	AMD-P	88-07-083	392-121-161	NEW	88-03-013	392-130-135	NEW	88-04-001
391-55-425	AMD	88-12-055	392-121-165	REP	88-03-013	392-130-140	NEW	88-04-001
391-55-430	AMD-P	88-07-083	392-121-170	REP	88-03-013	392-130-145	NEW	88-04-001
391-55-430	AMD	88-12-055	392-121-175	REP	88-03-013	392-130-150	NEW	88-04-001
391-55-435	AMD-P	88-07-083	392-121-176	REP	88-03-013	392-130-155	NEW	88-04-001
391-55-435	AMD	88-12-055	392-121-177	REP	88-03-013	392-130-160	NEW	88-04-001
391-55-440	AMD-P	88-07-083	392-121-180	REP	88-03-013	392-130-165	NEW	88-04-001
391-55-440	AMD	88-12-055	392-121-181	NEW	88-03-013	392-130-170	NEW	88-04-001
391-55-445	AMD-P	88-07-083	392-121-182	NEW	88-03-013	392-130-175	NEW	88-04-001
391-55-445	AMD	88-12-055	392-121-183	NEW	88-03-013	392-130-180	NEW	88-04-001
391-55-450	AMD-P	88-07-083	392-121-185	REP	88-03-013	392-130-185	NEW	88-04-001
391-55-450	AMD	88-12-055	392-121-186	REP	88-03-013	392-130-190	NEW	88-04-001
391-55-455	AMD-P	88-07-083	392-121-190	REP	88-03-013	392-130-195	NEW	88-04-001
391-55-455	AMD	88-12-055	392-121-195	REP	88-03-013	392-130-200	NEW	88-04-001
391-55-505	REP-P	88-07-083	392-121-200	NEW	88-03-013	392-130-205	NEW	88-04-001
391-55-505	REP	88-12-055	392-121-205	NEW	88-03-013	392-139-001	AMD	88-03-007
391-65-050	AMD-P	88-07-084	392-121-210	NEW	88-03-013	392-139-005	AMD	88-03-007
391-65-050	AMD	88-12-057	392-121-215	NEW	88-03-013	392-139-007	NEW	88-03-007
391-65-074	REP-P	88-07-084	392-121-220	NEW	88-03-013	392-139-010	REP	88-03-007
391-65-074	REP	88-12-057	392-121-225	NEW	88-03-013	392-139-016	REP	88-03-007
391-65-094	REP-P	88-07-084	392-121-245	NEW	88-03-013	392-139-017	REP	88-03-007
391-65-094	REP	88-12-057	392-121-250	NEW	88-03-013	392-139-018	REP	88-03-007
391-95-010	AMD-P	88-07-085	392-121-255	NEW	88-03-013	392-139-021	REP	88-03-007
391-95-010	AMD	88-12-058	392-121-257	NEW	88-03-013	392-139-022	REP	88-03-007
391-95-030	AMD-P	88-07-085	392-121-260	NEW	88-03-013	392-139-026	REP	88-03-007
391-95-030	AMD	88-12-058	392-121-260	AMD-E	88-14-046	392-139-031	REP	88-03-007
391-95-230	AMD-P	88-07-085	392-121-260	AMD-P	88-19-077	392-139-036	REP	88-03-007
391-95-230	AMD	88-12-058	392-121-260	AMD	88-22-064	392-139-037	REP	88-03-007
392-103-035	AMD-P	88-19-095	392-121-265	NEW	88-03-013	392-139-038	REP	88-03-007
392-103-035	AMD-C	88-22-063	392-121-267	NEW	88-03-013	392-139-050	NEW	88-03-007
392-103-035	AMD	88-23-011	392-121-268	NEW	88-03-013	392-139-051	NEW	88-03-007
392-120-001	NEW-P	88-13-075	392-121-270	NEW	88-03-013	392-139-052	NEW	88-03-007
392-120-001	NEW	88-19-026	392-121-272	NEW	88-03-013	392-139-055	NEW	88-03-007
392-120-005	NEW-P	88-13-075	392-121-280	NEW	88-03-013	392-139-056	NEW	88-03-007
392-120-005	NEW	88-19-026	392-121-285	NEW	88-03-013	392-139-057	NEW	88-03-007
392-120-010	NEW-P	88-13-075	392-121-290	NEW	88-03-013	392-139-100	NEW	88-03-007
392-120-010	NEW	88-19-026	392-121-295	NEW	88-03-013	392-139-105	NEW	88-03-007
392-120-015	NEW-P	88-13-075	392-121-297	NEW	88-03-013	392-139-110	NEW	88-03-007
392-120-015	NEW	88-19-026	392-121-299	NEW	88-03-013	392-139-115	NEW	88-03-007
392-120-020	NEW-P	88-13-075	392-121-400	NEW	88-03-013	392-139-120	NEW	88-03-007
392-120-020	NEW	88-19-026	392-121-405	NEW	88-03-013	392-139-122	NEW	88-03-007
392-120-025	NEW	88-19-026	392-121-415	NEW	88-03-013	392-139-126	NEW	88-03-007
392-121-001	NEW	88-03-013	392-121-420	NEW	88-03-013	392-139-128	NEW	88-03-007
392-121-003	NEW	88-03-013	392-121-425	NEW	88-03-013	392-139-130	NEW	88-03-007
392-121-007	NEW	88-03-013	392-121-430	NEW	88-03-013	392-139-132	NEW	88-03-007
392-121-021	NEW	88-03-013	392-121-440	NEW	88-03-013	392-139-134	NEW	88-03-007
392-121-031	NEW	88-03-013	392-121-442	NEW	88-03-013	392-139-150	NEW	88-03-007
392-121-033	NEW	88-03-013	392-121-445	NEW	88-03-013	392-139-152	NEW	88-03-007
392-121-101	REP	88-03-013	392-121-460	NEW	88-03-013	392-139-154	NEW	88-03-007
			392-126-003	NEW	88-03-003	392-139-156	NEW	88-03-007



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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
392-164-400	NEW	88-13-089	392-196-052	AMD-P	88-15-026	392-220-145	NEW-P	88-03-011
392-164-405	NEW-P	88-07-113	392-196-052	AMD-E	88-15-027	392-220-145	NEW-E	88-03-012
392-164-405	NEW	88-13-089	392-196-052	AMD	88-18-038	392-220-150	NEW-P	88-03-011
392-164-410	NEW-P	88-07-113	392-196-055	AMD-P	88-15-026	392-220-150	NEW-E	88-03-012
392-164-410	NEW	88-13-089	392-196-055	AMD-E	88-15-027	392-220-155	NEW-P	88-03-011
392-164-415	NEW-P	88-07-113	392-196-055	AMD	88-18-038	392-220-155	NEW-E	88-03-012
392-164-415	NEW	88-13-089	392-196-060	AMD-P	88-15-026	392-310-010	NEW-P	88-03-073
392-165-340	AMD-P	88-17-120	392-196-060	AMD-E	88-15-027	392-310-010	NEW-E	88-04-002
392-165-340	AMD	88-21-017	392-196-060	AMD	88-18-038	392-310-010	NEW	88-06-042
392-165-342	NEW-P	88-17-120	392-196-070	AMD-P	88-15-026	392-310-015	NEW-P	88-03-073
392-165-342	NEW	88-21-017	392-196-070	AMD-E	88-15-027	392-310-015	NEW-E	88-04-002
392-165-345	AMD-P	88-17-120	392-196-070	AMD	88-18-038	392-310-015	NEW	88-06-042
392-165-345	AMD	88-21-017	392-196-072	AMD-P	88-15-026	392-310-020	NEW-P	88-03-073
392-166-210	AMD-P	88-17-119	392-196-072	AMD-E	88-15-027	392-310-020	NEW-E	88-04-002
392-166-210	AMD	88-21-018	392-196-072	AMD	88-18-038	392-310-020	NEW	88-06-042
392-168	AMD-P	88-06-094	392-196-075	AMD-P	88-15-026	392-310-025	NEW-P	88-03-073
392-168	AMD	88-09-042	392-196-075	AMD-E	88-15-027	392-310-025	NEW-E	88-04-002
392-168-005	REP-P	88-06-094	392-196-075	AMD	88-18-038	392-310-025	NEW	88-06-042
392-168-005	REP	88-09-042	392-196-080	AMD-P	88-15-026	392-315-005	NEW	88-09-044
392-168-105	NEW-P	88-06-094	392-196-080	AMD-E	88-15-027	392-315-010	NEW	88-09-044
392-168-105	NEW	88-09-042	392-196-080	AMD	88-18-038	392-315-015	NEW	88-09-044
392-168-110	NEW-P	88-06-094	392-220-005	NEW-P	88-03-011	392-315-020	NEW	88-09-044
392-168-110	NEW	88-09-042	392-220-005	NEW-E	88-03-012	392-315-025	NEW	88-09-044
392-168-115	NEW-P	88-06-094	392-220-010	NEW-P	88-03-011	392-315-030	NEW	88-09-044
392-168-115	NEW	88-09-042	392-220-010	NEW-E	88-03-012	392-315-035	NEW	88-09-044
392-168-120	NEW-P	88-06-094	392-220-015	NEW-P	88-03-011	392-315-040	NEW	88-09-044
392-168-120	NEW	88-09-042	392-220-015	NEW-E	88-03-012	392-315-045	NEW	88-09-044
392-168-125	NEW-P	88-06-094	392-220-020	NEW-P	88-03-011	392-315-050	NEW	88-09-044
392-168-125	NEW	88-09-042	392-220-020	NEW-E	88-03-012	392-315-055	NEW	88-09-044
392-168-130	NEW-P	88-06-094	392-220-025	NEW-P	88-03-011	392-315-060	NEW	88-09-044
392-168-130	NEW	88-09-042	392-220-025	NEW-E	88-03-012	392-315-065	NEW	88-09-044
392-168-135	NEW-P	88-06-094	392-220-030	NEW-P	88-03-011	392-315-070	NEW	88-09-044
392-168-135	NEW	88-09-042	392-220-030	NEW-E	88-03-012	392-315-075	NEW	88-09-044
392-168-140	NEW-P	88-06-094	392-220-035	NEW-P	88-03-011	392-315-080	NEW	88-09-044
392-168-140	NEW	88-09-042	392-220-035	NEW-E	88-03-012	392-315-085	NEW	88-09-044
392-168-145	NEW-P	88-06-094	392-220-040	NEW-P	88-03-011	392-315-090	NEW	88-09-044
392-168-145	NEW	88-09-042	392-220-040	NEW-E	88-03-012	392-315-095	NEW	88-09-044
392-168-150	NEW-P	88-06-094	392-220-045	NEW-P	88-03-011	392-315-100	NEW	88-09-044
392-168-150	NEW	88-09-042	392-220-045	NEW-E	88-03-012	392-315-105	NEW	88-09-044
392-168-155	NEW-P	88-06-094	392-220-050	NEW-P	88-03-011	392-315-110	NEW	88-09-044
392-168-155	NEW	88-09-042	392-220-050	NEW-E	88-03-012	392-315-115	NEW	88-09-044
392-168-160	NEW-P	88-06-094	392-220-055	NEW-P	88-03-011	392-315-120	NEW	88-09-044
392-168-160	NEW	88-09-042	392-220-055	NEW-E	88-03-012	392-315-125	NEW	88-09-044
392-168-165	NEW-P	88-06-094	392-220-060	NEW-P	88-03-011	392-315-130	NEW	88-09-044
392-168-165	NEW	88-09-042	392-220-060	NEW-E	88-03-012	392-315-135	NEW	88-09-044
392-168-170	NEW-P	88-06-094	392-220-065	NEW-P	88-03-011	392-315-140	NEW	88-09-044
392-168-170	NEW	88-09-042	392-220-065	NEW-E	88-03-012	392-315-145	NEW	88-09-044
392-168-175	NEW-P	88-06-094	392-220-070	NEW-P	88-03-011	392-315-150	NEW	88-09-044
392-168-175	NEW	88-09-042	392-220-070	NEW-E	88-03-012	392-315-155	NEW	88-09-044
392-168-180	NEW-P	88-06-094	392-220-075	NEW-P	88-03-011	392-315-160	NEW	88-09-044
392-168-180	NEW	88-09-042	392-220-075	NEW-E	88-03-012	392-315-165	NEW	88-09-044
392-168-185	NEW-P	88-06-094	392-220-080	NEW-P	88-03-011	399-30-040	AMD-P	88-06-045
392-168-185	NEW	88-09-042	392-220-080	NEW-E	88-03-012	399-30-040	AMD	88-10-009
392-168-190	NEW-P	88-06-094	392-220-085	NEW-P	88-03-011	399-30-042	NEW-P	88-13-023
392-168-190	NEW	88-09-042	392-220-085	NEW-E	88-03-012	399-30-042	NEW-E	88-13-024
392-171-761	REP-P	88-07-112	392-220-090	NEW-P	88-03-011	399-30-042	NEW	88-17-080
392-171-761	AMD-P	88-12-016	392-220-090	NEW-E	88-03-012	399-30-060	AMD-P	88-19-107
392-171-761	AMD	88-15-020	392-220-095	NEW-P	88-03-011	399-30-060	AMD	88-23-095
392-171-766	REP-P	88-07-112	392-220-095	NEW-E	88-03-012	400-12	NEW-C	88-04-023
392-171-766	REP	88-12-017	392-220-100	NEW-P	88-03-011	400-12-100	NEW	88-06-053
392-171-771	REP-P	88-07-112	392-220-100	NEW-E	88-03-012	400-12-110	NEW	88-06-053
392-171-771	REP	88-12-017	392-220-105	NEW-P	88-03-011	400-12-120	NEW	88-06-053
392-171-776	REP-P	88-07-112	392-220-105	NEW-E	88-03-012	400-12-200	NEW	88-06-053

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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
400-12-570	NEW	88-06-053	434-19-013	NEW	88-09-028	434-19-191	NEW-P	88-05-054
400-12-600	NEW	88-06-053	434-19-014	NEW-P	88-05-054	434-19-191	NEW	88-09-028
400-12-610	NEW	88-06-053	434-19-014	NEW	88-09-028	434-19-192	NEW-P	88-05-054
400-12-620	NEW	88-06-053	434-19-015	NEW-P	88-05-054	434-19-192	NEW	88-09-028
400-12-630	NEW	88-06-053	434-19-015	NEW	88-09-028	434-19-193	NEW-P	88-05-054
400-12-640	NEW	88-06-053	434-19-016	NEW-P	88-05-054	434-19-193	NEW	88-09-028
400-12-650	NEW	88-06-053	434-19-016	NEW	88-09-028	434-19-194	NEW-P	88-05-054
400-12-660	NEW	88-06-053	434-19-017	NEW-P	88-05-054	434-19-194	NEW	88-09-028
400-12-700	NEW	88-06-053	434-19-017	NEW	88-09-028	434-19-195	NEW-P	88-05-054
400-12-710	NEW	88-06-053	434-19-018	NEW-P	88-05-054	434-19-195	NEW	88-09-028
400-12-720	NEW	88-06-053	434-19-018	NEW	88-09-028	434-19-230	NEW-P	88-05-054
402-80-040	AMD-P	88-14-052	434-19-020	NEW-P	88-05-054	434-19-230	NEW	88-09-028
402-80-040	AMD	88-17-060	434-19-020	NEW	88-09-028	434-40-005	NEW	88-03-019
402-80-060	AMD-P	88-14-052	434-19-050	NEW-P	88-05-054	434-40-010	NEW	88-03-019
402-80-060	AMD	88-17-060	434-19-050	NEW	88-09-028	434-40-020	NEW	88-03-019
402-80-065	NEW-P	88-14-052	434-19-051	NEW-P	88-05-054	434-40-030	NEW	88-03-019
402-80-065	NEW	88-17-060	434-19-051	NEW	88-09-028	434-40-040	NEW	88-03-019
415-02-090	AMD-P	88-13-121	434-19-052	NEW-P	88-05-054	434-40-050	NEW	88-03-019
415-02-090	AMD	88-17-053	434-19-052	NEW	88-09-028	434-40-060	NEW	88-03-019
415-108-450	NEW	88-11-030	434-19-053	NEW-P	88-05-054	434-40-070	NEW	88-03-019
415-108-460	NEW	88-11-030	434-19-053	NEW	88-09-028	434-40-080	NEW	88-03-019
415-112-330	NEW-P	88-13-120	434-19-054	NEW-P	88-05-054	434-40-090	NEW	88-03-019
415-112-330	NEW	88-17-052	434-19-054	NEW	88-09-028	434-40-100	NEW	88-03-019
415-112-410	AMD	88-11-031	434-19-055	NEW-P	88-05-054	434-40-110	NEW	88-03-019
415-112-411	NEW	88-11-031	434-19-055	NEW	88-09-028	434-40-120	NEW	88-03-019
419-32-070	REP-P	88-11-049	434-19-056	NEW-P	88-05-054	434-40-130	NEW	88-03-019
419-32-070	REP	88-17-032	434-19-056	NEW	88-09-028	434-40-140	NEW	88-03-019
419-32-080	REP-P	88-11-049	434-19-059	NEW-P	88-05-054	434-40-150	NEW	88-03-019
419-32-080	REP	88-17-032	434-19-059	NEW	88-09-028	434-40-160	NEW	88-03-019
419-32-090	REP-P	88-11-049	434-19-060	NEW-P	88-05-054	434-40-170	NEW	88-03-019
419-32-090	REP	88-17-032	434-19-060	NEW	88-09-028	434-40-180	NEW	88-03-019
419-32-100	REP-P	88-11-049	434-19-061	NEW	88-09-028	434-40-190	NEW	88-03-019
419-32-100	REP	88-17-032	434-19-065	NEW-P	88-05-054	434-40-200	NEW	88-03-019
419-32-110	REP-P	88-11-049	434-19-075	NEW-P	88-05-054	434-40-210	NEW	88-03-019
419-32-110	REP	88-17-032	434-19-075	NEW	88-09-028	434-40-220	NEW	88-03-019
419-32-120	REP-P	88-11-049	434-19-077	NEW-P	88-05-054	434-40-230	NEW	88-03-019
419-32-120	REP	88-17-032	434-19-077	NEW	88-09-028	434-40-240	NEW	88-03-019
419-32-130	REP-P	88-11-049	434-19-078	NEW-P	88-05-054	434-40-250	NEW	88-03-019
419-32-130	REP	88-17-032	434-19-078	NEW	88-09-028	434-40-260	NEW	88-03-019
419-32-140	REP-P	88-11-049	434-19-080	NEW-P	88-05-054	434-40-270	NEW	88-03-019
419-32-140	REP	88-17-032	434-19-080	NEW	88-09-028	434-40-280	NEW	88-03-019
419-32-150	REP-P	88-11-049	434-19-081	NEW-P	88-05-054	434-40-290	NEW	88-03-019
419-32-150	REP	88-17-032	434-19-081	NEW	88-09-028	434-40-300	NEW	88-03-019
419-32-160	REP-P	88-11-049	434-19-082	NEW-P	88-05-054	434-40-310	NEW	88-03-019
419-32-160	REP	88-17-032	434-19-082	NEW	88-09-028	440-44-062	NEW-P	88-14-053
419-32-170	REP-P	88-11-049	434-19-083	NEW-P	88-05-054	440-44-062	NEW	88-17-061
419-32-170	REP	88-17-032	434-19-083	NEW	88-09-028	440-44-095	AMD-P	88-11-060
419-56-010	NEW	88-02-068	434-19-084	NEW-P	88-05-054	440-44-095	AMD	88-15-011
419-56-020	NEW	88-02-068	434-19-084	NEW	88-09-028	446-20-020	AMD-P	88-03-056
419-56-030	NEW	88-02-068	434-19-086	NEW-P	88-05-054	446-20-020	AMD	88-07-066
419-56-040	NEW	88-02-068	434-19-086	NEW	88-09-028	446-20-020	AMD-E	88-07-072
419-56-050	NEW	88-02-068	434-19-087	NEW-P	88-05-054	446-20-285	NEW-P	88-03-056
419-56-060	NEW	88-02-068	434-19-087	NEW	88-09-028	446-20-285	NEW	88-07-066
419-56-070	NEW	88-02-068	434-19-088	NEW-P	88-05-054	446-20-285	NEW-E	88-07-072
419-56-080	NEW	88-02-068	434-19-088	NEW	88-09-028	446-20-290	AMD-P	88-03-056
419-56-090	NEW	88-02-068	434-19-090	NEW-P	88-05-054	446-20-290	AMD	88-07-066
419-60-010	NEW	88-02-067	434-19-090	NEW	88-09-028	446-20-290	AMD-E	88-07-072
419-60-020	NEW	88-02-067	434-19-100	NEW-P	88-05-054	446-20-300	AMD-P	88-03-056
419-60-030	NEW	88-02-067	434-19-100	NEW	88-09-028	446-20-300	AMD	88-07-066
419-64-010	NEW-P	88-11-050	434-19-101	NEW-P	88-05-054	446-20-300	AMD-E	88-07-072
419-64-010	NEW-P	88-22-047	434-19-101	NEW	88-09-028	446-20-310	AMD-P	88-03-056
419-64-020	NEW-P	88-11-050	434-19-102	NEW-P	88-05-054	446-20-310	AMD	88-07-066

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446-20-310	AMD-E 88-07-072	458-20-244	AMD-P 88-12-024	458-30-220	NEW 88-23-062
446-40-020	AMD-P 88-14-023	458-20-244	AMD 88-15-066	458-30-225	NEW-P 88-17-118
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