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filed not later than October 3, 1990

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of October 1990 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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 1990 pursuant to RCW 63.14.130(1)(a) is fourteen and one-half percent (14.50%).

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 point zero percent (14.00%) for the fourth calendar quarter of 1990.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is thirteen point seven five percent (13.75%) for the fourth calendar quarter of 1990.

WASHINGTON STATE REGISTER

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POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
Olympia, WA 98504

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.

Raymond W. Haman
Chairman, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

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 34.05 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 34.05.395 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 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 normally 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 or advanced and such an 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 unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (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.

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

| Issue No. | Closing Dates ¹ | | | Distribution Date | First Agency Hearing Date ³ |
|-------------------|----------------------------|-----------------------|--|---------------------|--|
| | Non-OTS & 30 p. or more | Non-OTS & 11 to 29 p. | OTS ² or 10 p. max. Non-OTS | | |
| For Inclusion in— | File no later than— | | | Count 20 days from— | For hearing on or after |
| 90-14 | Jun 7 | Jun 21 | Jul 5 | Jul 18 | Aug 7 |
| 90-15 | Jun 20 | Jul 5 | Jul 18 | Aug 1 | Aug 21 |
| 90-16 | Jul 5 | Jul 18 | Aug 1 | Aug 15 | Sep 4 |
| 90-17 | Jul 25 | Aug 8 | Aug 22 | Sep 5 | Sep 25 |
| 90-18 | Aug 8 | Aug 22 | Sep 5 | Sep 19 | Oct 9 |
| 90-19 | Aug 22 | Sep 5 | Sep 19 | Oct 3 | Oct 23 |
| 90-20 | Sep 5 | Sep 19 | Oct 3 | Oct 17 | Nov 6 |
| 90-21 | Sep 26 | Oct 10 | Oct 24 | Nov 7 | Nov 27 |
| 90-22 | Oct 10 | Oct 24 | Nov 7 | Nov 21 | Dec 11 |
| 90-23 | Oct 24 | Nov 7 | Nov 21 | Dec 5 | Dec 25 |
| 90-24 | Nov 7 | Nov 21 | Dec 5 | Dec 19 | Jan 8, 1991 |
| 91-01 | Nov 21 | Dec 5 | Dec 19, 1990 | Jan 2, 1991 | Jan 22 |
| 91-02 | Dec 5 | Dec 19, 1990 | Jan 2, 1991 | Jan 16 | Feb 5 |
| 91-03 | Dec 26, 1990 | Jan 9, 1991 | Jan 23 | Feb 6 | Feb 26 |
| 91-04 | Jan 9 | Jan 23 | Feb 6 | Feb 20 | Mar 12 |
| 91-05 | Jan 23 | Feb 6 | Feb 20 | Mar 6 | Mar 26 |
| 91-06 | Feb 6 | Feb 20 | Mar 6 | Mar 20 | Apr 9 |
| 91-07 | Feb 20 | Mar 6 | Mar 20 | Apr 3 | Apr 23 |
| 91-08 | Mar 6 | Mar 20 | Apr 3 | Apr 17 | May 7 |
| 91-09 | Mar 20 | Apr 3 | Apr 17 | May 1 | May 21 |
| 91-10 | Apr 3 | Apr 17 | May 1 | May 15 | Jun 4 |
| 91-11 | Apr 24 | May 8 | May 22 | Jun 5 | Jun 25 |
| 91-12 | May 8 | May 22 | Jun 5 | Jun 19 | Jul 9 |
| 91-13 | May 22 | Jun 5 | Jun 19 | Jul 3 | Jul 23 |
| 91-14 | Jun 5 | Jun 19 | Jul 3 | Jul 17 | Aug 6 |
| 91-15 | Jun 26 | Jul 10 | Jul 24 | Aug 7 | Aug 27 |
| 91-16 | Jul 10 | Jul 24 | Aug 7 | Aug 21 | Sep 10 |
| 91-17 | Jul 24 | Aug 7 | Aug 21 | Sep 4 | Sep 24 |
| 91-18 | Aug 7 | Aug 21 | Sep 4 | Sep 18 | Oct 8 |
| 91-19 | Aug 21 | Sep 4 | Sep 18 | Oct 2 | Oct 22 |
| 91-20 | Sep 4 | Sep 18 | Oct 2 | Oct 16 | Nov 5 |
| 91-21 | Sep 25 | Oct 9 | Oct 23 | Nov 6 | Nov 26 |
| 91-22 | Oct 9 | Oct 23 | Nov 6 | Nov 20 | Dec 10 |
| 91-23 | Oct 23 | Nov 6 | Nov 20 | Dec 4 | Dec 24 |
| 91-24 | Nov 6 | Nov 20 | Dec 4 | Dec 18 | Jan 7, 1992 |

¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. 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.

³At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

WSR 90-19-006
EMERGENCY RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed September 7, 1990, 10:18 a.m.]

TRS 1
Optional
COLA

TERS 1
Accumulation
Factors

| | | | |
|----|-------|----|----------|
| 20 | .633 | 20 | .0061484 |
| 21 | .634 | 21 | .0061561 |
| 22 | .636 | 22 | .0061643 |
| 23 | .638 | 23 | .0061732 |
| 24 | .639 | 24 | .0061828 |
| 25 | .641 | 25 | .0061930 |
| 26 | .643 | 26 | .0062039 |
| 27 | .645 | 27 | .0062156 |
| 28 | .647 | 28 | .0062281 |
| 29 | .649 | 29 | .0062414 |
| 30 | .652 | 30 | .0062558 |
| 31 | .654 | 31 | .0062711 |
| 32 | .656 | 32 | .0062875 |
| 33 | .659 | 33 | .0063050 |
| 34 | .661 | 34 | .0063238 |
| 35 | .664 | 35 | .0063440 |
| 36 | .667 | 36 | .0063655 |
| 37 | .670 | 37 | .0063886 |
| 38 | .673 | 38 | .0064133 |
| 39 | .676 | 39 | .0064398 |
| 40 | .679 | 40 | .0064682 |
| 41 | .682 | 41 | .0064988 |
| 42 | .686 | 42 | .0065315 |
| 43 | .689 | 43 | .0065666 |
| 44 | .693 | 44 | .0066042 |
| 45 | .697 | 45 | .0066444 |
| 46 | .701 | 46 | .0066874 |
| 47 | .705 | 47 | .0067334 |
| 48 | .709 | 48 | .0067823 |
| 49 | .714 | 49 | .0068345 |
| 50 | .718 | 50 | .0068901 |
| 51 | .723 | 51 | .0069492 |
| 52 | .728 | 52 | .0070122 |
| 53 | .734 | 53 | .0070794 |
| 54 | .739 | 54 | .0071512 |
| 55 | .745 | 55 | .0072280 |
| 56 | .751 | 56 | .0073102 |
| 57 | .758 | 57 | .0073984 |
| 58 | .764 | 58 | .0074931 |
| 59 | .771 | 59 | .0075950 |
| 60 | .779 | 60 | .0077049 |
| 61 | .787 | 61 | .0078235 |
| 62 | .795 | 62 | .0079521 |
| 63 | .804 | 63 | .0080907 |
| 64 | .814 | 64 | .0824070 |
| 65 | .824 | 65 | .0084029 |
| 66 | .835 | 66 | .0085784 |
| 67 | .847 | 67 | .0087680 |
| 68 | .860 | 68 | .0089727 |
| 69 | .875 | 69 | .0091936 |
| 70 | .890 | 70 | .0094312 |
| 71 | .907 | 71 | .0096865 |
| 72 | .927 | 72 | .0099604 |
| 73 | .948 | 73 | .0102542 |
| 74 | .972 | 74 | .0105696 |
| 75 | 1.000 | 75 | .0109088 |
| 76 | 1.000 | 76 | .0112739 |
| 77 | 1.000 | 77 | .0116669 |

Date of Adoption: August 1, 1990.

Purpose: Emergency rules for the adoption of the tables, schedules and factors governing the retirement allowances of members of the Washington state teachers' retirement system retiring during the period from October 1, 1990, until such time as these tables, schedules and factors are amended by the director.

Statutory Authority for Adoption: RCW 41.50.050 and 41.32.140.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Emergency rules are required to govern the calculations used in determining the retirement allowances of members of the Washington state teachers' retirement system who are retiring on or after October 1, 1990.

Effective Date of Rule: Immediately.

August 28, 1990
 George Northcroft
 Director

Chapter 415-112-040

Actuarial tables, schedules, and factors

NEW SECTION

WAC 415-112-040 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. *This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems pursuant to the authority granted by RCW 41.50.050 and 41.32.140 for calculating optional retirement allowances of members of the Washington state Teachers' Retirement System, as administered by the director. These tables, schedules, and factors were adopted by the director upon the recommendation of and in light of the findings of the state actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of Teachers' Retirement System. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from October 1, 1990 until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before October 1, 1990 shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.*

| TRS 1 Optional COLA | | TERS 1 Accumulation Factors | |
|---------------------------|-------|-----------------------------------|----------|
| 78 | 1.000 | 78 | .0120898 |
| 79 | 1.000 | 79 | .0125439 |
| 80 | 1.000 | 80 | .0130304 |
| 81 | 1.000 | 81 | .0135505 |
| 82 | 1.000 | 82 | .0141057 |
| 83 | 1.000 | 83 | .0146979 |
| 84 | 1.000 | 84 | .0153295 |
| 85 | 1.000 | 85 | .0160001 |
| 86 | 1.000 | 86 | .0167200 |
| 87 | 1.000 | 87 | .0174922 |
| 88 | 1.000 | 88 | .0183233 |
| 89 | 1.000 | 89 | .0192217 |
| 90 | 1.000 | 90 | .0201938 |
| 91 | 1.000 | 91 | .0212433 |
| 92 | 1.000 | 92 | .0223781 |
| 93 | 1.000 | 93 | .0236079 |
| 94 | 1.000 | 94 | .0249403 |
| 95 | 1.000 | 95 | .0263868 |
| 96 | 1.000 | 96 | .0279635 |
| 97 | 1.000 | 97 | .0296927 |
| 98 | 1.000 | 98 | .0315504 |
| 99 | 1.000 | 99 | .0335425 |

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

| | | | |
|---|---|----|--------|
| I | 0 | 0 | 1.0000 |
| | | 1 | .9927 |
| | | 2 | .9854 |
| | | 3 | .9780 |
| | | 4 | .9707 |
| | | 5 | .9634 |
| | | 6 | .9561 |
| | | 7 | .9488 |
| | | 8 | .9414 |
| | | 9 | .9341 |
| | | 10 | .9268 |
| | | 11 | .9195 |
| | I | 0 | .9122 |
| | | 1 | .9056 |
| | | 2 | .8990 |
| | | 3 | .8924 |
| | | 4 | .8858 |
| | | 5 | .8792 |
| | | 6 | .8727 |
| | | 7 | .8661 |
| | | 8 | .8595 |
| | | 9 | .8529 |
| | | 10 | .8463 |
| | | 11 | .8397 |

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

| | | |
|---|----|-------|
| 2 | 0 | .8331 |
| | 1 | .8272 |
| | 2 | .8213 |
| | 3 | .8153 |
| | 4 | .8094 |
| | 5 | .8034 |
| | 6 | .7975 |
| | 7 | .7916 |
| | 8 | .7856 |
| | 9 | .7797 |
| | 10 | .7737 |
| | 11 | .7678 |
| 3 | 0 | .7619 |
| | 1 | .7565 |
| | 2 | .7511 |
| | 3 | .7457 |
| | 4 | .7404 |
| | 5 | .7350 |
| | 6 | .7296 |
| | 7 | .7243 |
| | 8 | .7189 |
| | 9 | .7135 |
| | 10 | .7082 |
| | 11 | .7028 |
| 4 | 0 | .6974 |
| | 1 | .6926 |
| | 2 | .6877 |
| | 3 | .6829 |
| | 4 | .6780 |
| | 5 | .6731 |
| | 6 | .6683 |
| | 7 | .6634 |
| | 8 | .6586 |
| | 9 | .6537 |
| | 10 | .6489 |
| | 11 | .6440 |
| 5 | 0 | .6391 |
| | 1 | .6347 |
| | 2 | .6303 |
| | 3 | .6259 |
| | 4 | .6215 |
| | 5 | .6171 |
| | 6 | .6127 |
| | 7 | .6083 |
| | 8 | .6039 |
| | 9 | .5995 |
| | 10 | .5951 |
| | 11 | .5907 |

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

| | | |
|---|----|-------|
| 6 | 0 | .5863 |
| | 1 | .5823 |
| | 2 | .5783 |
| | 3 | .5743 |
| | 4 | .5703 |
| | 5 | .5663 |
| | 6 | .5623 |
| | 7 | .5583 |
| | 8 | .5543 |
| | 9 | .5503 |
| | 10 | .5463 |
| | 11 | .5423 |
| 7 | 0 | .5383 |
| | 1 | .5346 |
| | 2 | .5310 |
| | 3 | .5273 |
| | 4 | .5237 |
| | 5 | .5201 |
| | 6 | .5164 |
| | 7 | .5128 |
| | 8 | .5092 |
| | 9 | .5055 |
| | 10 | .5019 |
| | 11 | .4982 |
| 8 | 0 | .4946 |
| | 1 | .4913 |
| | 2 | .4880 |
| | 3 | .4847 |
| | 4 | .4813 |
| | 5 | .4780 |
| | 6 | .4747 |
| | 7 | .4714 |
| | 8 | .4681 |
| | 9 | .4648 |
| | 10 | .4615 |
| | 11 | .4582 |
| 9 | 0 | .4548 |
| | 1 | .4518 |
| | 2 | .4488 |
| | 3 | .4458 |
| | 4 | .4428 |
| | 5 | .4397 |
| | 6 | .4367 |
| | 7 | .4337 |
| | 8 | .4307 |
| | 9 | .4276 |
| | 10 | .4246 |
| | 11 | .4216 |

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 10 | 0 | .4186 |
| | 1 | .4158 |
| | 2 | .4131 |
| | 3 | .4103 |
| | 4 | .4076 |
| | 5 | .4048 |
| | 6 | .4020 |
| | 7 | .3993 |
| | 8 | .3965 |
| | 9 | .3938 |
| | 10 | .3910 |
| | 11 | .3882 |
| 11 | 0 | .3855 |
| | 1 | .3830 |
| | 2 | .3804 |
| | 3 | .3779 |
| | 4 | .3754 |
| | 5 | .3729 |
| | 6 | .3704 |
| | 7 | .3678 |
| | 8 | .3653 |
| | 9 | .3628 |
| | 10 | .3603 |
| | 11 | .3578 |
| 12 | 0 | .3552 |
| | 1 | .3529 |
| | 2 | .3506 |
| | 3 | .3483 |
| | 4 | .3460 |
| | 5 | .3437 |
| | 6 | .3414 |
| | 7 | .3391 |
| | 8 | .3368 |
| | 9 | .3345 |
| | 10 | .3322 |
| | 11 | .3299 |
| 13 | 0 | .3276 |
| | 1 | .3254 |
| | 2 | .3233 |
| | 3 | .3212 |
| | 4 | .3191 |
| | 5 | .3170 |
| | 6 | .3149 |
| | 7 | .3128 |
| | 8 | .3107 |
| | 9 | .3085 |
| | 10 | .3064 |
| | 11 | .3043 |

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 14 | 0 | .3022 |
| | 1 | .3003 |
| | 2 | .2983 |
| | 3 | .2964 |
| | 4 | .2945 |
| | 5 | .2925 |
| | 6 | .2906 |
| | 7 | .2887 |
| | 8 | .2867 |
| | 9 | .2848 |
| | 10 | .2828 |
| | 11 | .2809 |
| 15 | 0 | .2790 |
| | 1 | .2772 |
| | 2 | .2754 |
| | 3 | .2736 |
| | 4 | .2719 |
| | 5 | .2701 |
| | 6 | .2683 |
| | 7 | .2665 |
| | 8 | .2648 |
| | 9 | .2630 |
| | 10 | .2612 |
| | 11 | .2594 |
| 16 | 0 | .2577 |
| | 1 | .2560 |
| | 2 | .2544 |
| | 3 | .2528 |
| | 4 | .2511 |
| | 5 | .2495 |
| | 6 | .2479 |
| | 7 | .2462 |
| | 8 | .2446 |
| | 9 | .2430 |
| | 10 | .2413 |
| | 11 | .2397 |
| 17 | 0 | .2381 |
| | 1 | .2366 |
| | 2 | .2351 |
| | 3 | .2336 |
| | 4 | .2321 |
| | 5 | .2306 |
| | 6 | .2291 |
| | 7 | .2276 |
| | 8 | .2261 |
| | 9 | .2246 |
| | 10 | .2231 |
| | 11 | .2216 |

| | | |
|----|----|-------|
| 18 | 0 | .2201 |
| | 1 | .2187 |
| | 2 | .2173 |
| | 3 | .2159 |
| | 4 | .2146 |
| | 5 | .2132 |
| | 6 | .2118 |
| | 7 | .2104 |
| | 8 | .2090 |
| | 9 | .2077 |
| | 10 | .2063 |
| | 11 | .2049 |
| 19 | 0 | .2035 |
| | 1 | .2023 |
| | 2 | .2010 |
| | 3 | .1997 |
| | 4 | .1984 |
| | 5 | .1972 |
| | 6 | .1959 |
| | 7 | .1946 |
| | 8 | .1934 |
| | 9 | .1921 |
| | 10 | .1908 |
| | 11 | .1896 |
| 20 | 0 | .1883 |
| | 1 | .1871 |
| | 2 | .1860 |
| | 3 | .1848 |
| | 4 | .1836 |
| | 5 | .1824 |
| | 6 | .1813 |
| | 7 | .1801 |
| | 8 | .1789 |
| | 9 | .1778 |
| | 10 | .1766 |
| | 11 | .1754 |
| 21 | 0 | .1743 |
| | 1 | .1732 |
| | 2 | .1721 |
| | 3 | .1710 |
| | 4 | .1699 |
| | 5 | .1689 |
| | 6 | .1678 |
| | 7 | .1667 |
| | 8 | .1656 |
| | 9 | .1646 |
| | 10 | .1635 |
| | 11 | .1624 |

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 22 | 0 | .1613 |
| | 1 | .1603 |
| | 2 | .1593 |
| | 3 | .1583 |
| | 4 | .1573 |
| | 5 | .1563 |
| | 6 | .1554 |
| | 7 | .1544 |
| | 8 | .1534 |
| | 9 | .1524 |
| | 10 | .1514 |
| | 11 | .1504 |
| 23 | 0 | .1494 |
| | 1 | .1485 |
| | 2 | .1476 |
| | 3 | .1466 |
| | 4 | .1457 |
| | 5 | .1448 |
| | 6 | .1439 |
| | 7 | .1430 |
| | 8 | .1421 |
| | 9 | .1411 |
| | 10 | .1402 |
| | 11 | .1393 |
| 24 | 0 | .1384 |
| | 1 | .1375 |
| | 2 | .1367 |
| | 3 | .1358 |
| | 4 | .1350 |
| | 5 | .1341 |
| | 6 | .1333 |
| | 7 | .1325 |
| | 8 | .1316 |
| | 9 | .1308 |
| | 10 | .1299 |
| | 11 | .1291 |
| 25 | 0 | .1282 |
| | 1 | .1274 |
| | 2 | .1267 |
| | 3 | .1259 |
| | 4 | .1251 |
| | 5 | .1243 |
| | 6 | .1235 |
| | 7 | .1227 |
| | 8 | .1220 |
| | 9 | .1212 |
| | 10 | .1204 |
| | 11 | .1196 |

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 26 | 0 | .1188 |
| | 1 | .1181 |
| | 2 | .1174 |
| | 3 | .1167 |
| | 4 | .1159 |
| | 5 | .1152 |
| | 6 | .1145 |
| | 7 | .1138 |
| | 8 | .1131 |
| | 9 | .1123 |
| | 10 | .1116 |
| | 11 | .1109 |
| 27 | 0 | .1102 |
| | 1 | .1095 |
| | 2 | .1088 |
| | 3 | .1082 |
| | 4 | .1075 |
| | 5 | .1068 |
| | 6 | .1062 |
| | 7 | .1055 |
| | 8 | .1048 |
| | 9 | .1041 |
| | 10 | .1035 |
| | 11 | .1028 |
| 28 | 0 | .1021 |
| | 1 | .1015 |
| | 2 | .1009 |
| | 3 | .1003 |
| | 4 | .0997 |
| | 5 | .0991 |
| | 6 | .0984 |
| | 7 | .0978 |
| | 8 | .0972 |
| | 9 | .0966 |
| | 10 | .0960 |
| | 11 | .0953 |
| 29 | 0 | .0947 |
| | 1 | .0942 |
| | 2 | .0936 |
| | 3 | .0930 |
| | 4 | .0924 |
| | 5 | .0919 |
| | 6 | .0913 |
| | 7 | .0907 |
| | 8 | .0902 |
| | 9 | .0896 |
| | 10 | .0890 |
| | 11 | .0884 |

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 1
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 30 | 0 | .0879 |
| | 1 | .0873 |
| | 2 | .0868 |
| | 3 | .0863 |
| | 4 | .0858 |
| | 5 | .0852 |
| | 6 | .0847 |
| | 7 | .0842 |
| | 8 | .0836 |
| | 9 | .0831 |
| | 10 | .0826 |
| | 11 | .0820 |
| 31 | 0 | .0815 |
| | 1 | .0810 |
| | 2 | .0805 |
| | 3 | .0801 |
| | 4 | .0796 |
| | 5 | .0791 |
| | 6 | .0786 |
| | 7 | .0781 |
| | 8 | .0776 |
| | 9 | .0771 |
| | 10 | .0766 |
| | 11 | .0761 |
| 32 | 0 | .0756 |
| | 1 | .0752 |
| | 2 | .0747 |
| | 3 | .0743 |
| | 4 | .0738 |
| | 5 | .0734 |
| | 6 | .0729 |
| | 7 | .0725 |
| | 8 | .0720 |
| | 9 | .0716 |
| | 10 | .0711 |
| | 11 | .0707 |
| 33 | 0 | .0702 |
| | 1 | .0698 |
| | 2 | .0694 |
| | 3 | .0689 |
| | 4 | .0685 |
| | 5 | .0681 |
| | 6 | .0677 |
| | 7 | .0673 |
| | 8 | .0668 |
| | 9 | .0664 |
| | 10 | .0660 |
| | 11 | .0656 |

| | | |
|----|----|-------|
| 34 | 0 | .0652 |
| | 1 | .0648 |
| | 2 | .0644 |
| | 3 | .0640 |
| | 4 | .0636 |
| | 5 | .0632 |
| | 6 | .0628 |
| | 7 | .0624 |
| | 8 | .0620 |
| | 9 | .0617 |
| | 10 | .0613 |
| | 11 | .0609 |
| 35 | 0 | .0605 |
| | 1 | .0554 |
| | 2 | .0504 |
| | 3 | .0454 |
| | 4 | .0403 |
| | 5 | .0353 |
| | 6 | .0302 |
| | 7 | .0252 |
| | 8 | .0202 |
| | 9 | .0151 |
| | 10 | .0101 |
| | 11 | .0050 |
| 36 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 37 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN I
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 38 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 39 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 40 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 41 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |

| | | |
|----|----|-------|
| 42 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 43 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 44 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 45 | 0 | .0000 |

TRS I
OPTION II

TRS I
OPTION III

| | | |
|-------|-----|-------|
| 0.974 | -20 | 0.988 |
| 0.972 | -19 | 0.987 |
| 0.969 | -18 | 0.986 |
| 0.967 | -17 | 0.984 |
| 0.964 | -16 | 0.983 |
| 0.961 | -15 | 0.982 |
| 0.958 | -14 | 0.980 |
| 0.955 | -13 | 0.978 |
| 0.952 | -12 | 0.977 |
| 0.949 | -11 | 0.975 |
| 0.945 | -10 | 0.973 |
| 0.942 | -9 | 0.971 |
| 0.938 | -8 | 0.969 |
| 0.934 | -7 | 0.967 |
| 0.930 | -6 | 0.965 |

| TRS I OPTION II | | TRS I OPTION III | | TEACHERS RETIREMENT SYSTEM PLAN 2 Accumulation Factors by Year and Month | |
|--------------------|----|---------------------|--|--|----------|
| 0.926 | -5 | 0.963 | | | |
| 0.922 | -4 | 0.961 | | | |
| 0.916 | -3 | 0.957 | | | |
| 0.908 | -2 | 0.952 | | 26 | .0039783 |
| 0.898 | -1 | 0.946 | | 27 | .0039972 |
| 0.887 | 0 | 0.940 | | 28 | .0040171 |
| 0.876 | 1 | 0.934 | | 29 | .0040380 |
| 0.866 | 2 | 0.928 | | 30 | .0040600 |
| 0.858 | 3 | 0.923 | | 31 | .0040831 |
| 0.852 | 4 | 0.920 | | 32 | .0041074 |
| 0.847 | 5 | 0.917 | | 33 | .0041329 |
| 0.842 | 6 | 0.914 | | 34 | .0041598 |
| 0.838 | 7 | 0.912 | | 35 | .0041882 |
| 0.834 | 8 | 0.910 | | 36 | .0042180 |
| 0.830 | 9 | 0.907 | | 37 | .0042494 |
| 0.826 | 10 | 0.905 | | 38 | .0042826 |
| 0.823 | 11 | 0.903 | | 39 | .0043175 |
| 0.819 | 12 | 0.901 | | 40 | .0043544 |
| 0.815 | 13 | 0.898 | | 41 | .0043934 |
| 0.810 | 14 | 0.895 | | 42 | .0044346 |
| 0.803 | 15 | 0.891 | | 43 | .0044781 |
| 0.798 | 16 | 0.888 | | 44 | .0045240 |
| 0.794 | 17 | 0.878 | | 45 | .0045725 |
| 0.792 | 18 | 0.870 | | 46 | .0046237 |
| 0.789 | 19 | 0.861 | | 47 | .0046777 |
| 0.786 | 20 | 0.867 | | 48 | .0047347 |
| 0.784 | 21 | 0.872 | | 49 | .0047948 |
| 0.782 | 22 | 0.878 | | 50 | .0048583 |
| 0.780 | 23 | 0.876 | | 51 | .0049252 |
| 0.778 | 24 | 0.875 | | 52 | .0049959 |
| 0.776 | 25 | 0.874 | | 53 | .0050707 |
| 0.774 | 26 | 0.873 | | 54 | .0051499 |
| 0.772 | 27 | 0.872 | | 55 | .0052339 |
| 0.771 | 28 | 0.871 | | 56 | .0053230 |
| 0.769 | 29 | 0.870 | | 57 | .0054178 |
| 0.768 | 30 | 0.869 | | 58 | .0055186 |
| 0.767 | 31 | 0.868 | | 59 | .0056262 |
| 0.765 | 32 | 0.867 | | 60 | .0057410 |
| 0.764 | 33 | 0.866 | | 61 | .0058637 |
| 0.763 | 34 | 0.866 | | 62 | .0059953 |
| 0.762 | 35 | 0.865 | | 63 | .0061358 |
| 0.761 | 36 | 0.864 | | 64 | .0062864 |
| 0.760 | 37 | 0.864 | | 65 | .0064475 |
| 0.759 | 38 | 0.863 | | 66 | .0066200 |
| 0.758 | 39 | 0.862 | | 67 | .0068046 |
| 0.757 | 40 | 0.862 | | 68 | .0070018 |
| | | | | 69 | .0072122 |
| | | | | 70 | .0074365 |
| | | | | 71 | .0076750 |
| | | | | 72 | .0079285 |
| | | | | 73 | .0081977 |
| | | | | 74 | .0084836 |
| | | | | 75 | .0087870 |
| | | | | 76 | .0091089 |
| | | | | 77 | .0094497 |
| | | | | 78 | .0098095 |
| | | | | 79 | .0101882 |
| | | | | 80 | .0105851 |
| | | | | 81 | .0109995 |

| TEACHERS RETIREMENT SYSTEM PLAN 2 Accumulation Factors by Year and Month | |
|--|----------|
| 20 | .0038822 |
| 21 | .0038963 |
| 22 | .0039111 |
| 23 | .0039267 |
| 24 | .0039430 |
| 25 | .0039602 |

**TEACHERS
RETIREMENT SYSTEM
PLAN 2**

Accumulation Factors
by Year and Month

**TRS II
OPTION II**

**TRS II
OPTION III**

| | | |
|-------|----|-------|
| 0.724 | 14 | 0.847 |
| 0.716 | 15 | 0.841 |
| 0.709 | 16 | 0.836 |
| 0.704 | 17 | 0.831 |
| 0.699 | 18 | 0.828 |
| 0.694 | 19 | 0.824 |
| 0.689 | 20 | 0.821 |
| 0.685 | 21 | 0.818 |
| 0.681 | 22 | 0.814 |
| 0.676 | 23 | 0.811 |
| 0.672 | 24 | 0.808 |
| 0.669 | 25 | 0.805 |
| 0.665 | 26 | 0.803 |
| 0.651 | 27 | 0.800 |
| 0.658 | 28 | 0.798 |
| 0.655 | 29 | 0.795 |
| 0.652 | 30 | 0.793 |
| 0.649 | 31 | 0.791 |
| 0.646 | 32 | 0.788 |
| 0.643 | 33 | 0.786 |
| 0.641 | 34 | 0.784 |
| 0.638 | 35 | 0.782 |
| 0.636 | 36 | 0.781 |
| 0.634 | 37 | 0.779 |
| 0.632 | 38 | 0.777 |
| 0.630 | 39 | 0.775 |
| 0.628 | 40 | 0.773 |

**TRS II
OPTION II**

**TRS II
OPTION III**

| | | |
|-------|-----|-------|
| 0.982 | -20 | 0.990 |
| 0.980 | -19 | 0.988 |
| 0.978 | -18 | 0.987 |
| 0.975 | -17 | 0.985 |
| 0.973 | -16 | 0.984 |
| 0.970 | -15 | 0.982 |
| 0.967 | -14 | 0.980 |
| 0.963 | -13 | 0.978 |
| 0.959 | -12 | 0.975 |
| 0.955 | -11 | 0.973 |
| 0.951 | -10 | 0.971 |
| 0.947 | -9 | 0.968 |
| 0.943 | -8 | 0.965 |
| 0.938 | -7 | 0.962 |
| 0.934 | -6 | 0.959 |
| 0.930 | -5 | 0.956 |
| 0.923 | -4 | 0.952 |
| 0.913 | -3 | 0.947 |
| 0.897 | -2 | 0.940 |
| 0.878 | -1 | 0.932 |
| 0.858 | 0 | 0.923 |
| 0.838 | 1 | 0.914 |
| 0.820 | 2 | 0.906 |
| 0.806 | 3 | 0.899 |
| 0.797 | 4 | 0.893 |
| 0.789 | 5 | 0.888 |
| 0.781 | 6 | 0.883 |
| 0.774 | 7 | 0.879 |
| 0.767 | 8 | 0.874 |
| 0.761 | 9 | 0.870 |
| 0.754 | 10 | 0.866 |
| 0.748 | 11 | 0.861 |
| 0.741 | 12 | 0.857 |
| 0.733 | 13 | 0.852 |

**WSR 90-19-007
EMERGENCY RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed September 7, 1990, 10:23 a.m.]

Date of Adoption: August 1, 1990.

Purpose: Emergency rules for the adoption of the tables, schedules and factors governing the retirement allowances of members of the Washington state law enforcement officers' and fire fighters' retirement system retiring during the period from October 1, 1990, until such time as these tables, schedules and factors are amended by the director.

Citation of Existing Rules Affected by this Order:
Repealing WAC 415-02-090.

Statutory Authority for Adoption: RCW 41.50.050 and 41.26.060.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Emergency rules are required to govern the calculations used in determining the retirement allowances of members of the Washington

state law enforcement officers' and fire fighters' retirement system who are retiring on or after October 1, 1990.

Effective Date of Rule: Immediately.

August 28, 1990
George Northcroft
Director

Chapter 415-104-108

Actuarial tables, schedules, and factors

NEW SECTION

WAC 415-104-108 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems pursuant to the authority granted by RCW 41.50.050 and 41.26.060 for calculating optional retirement allowances of members of the Washington state Law Enforcement Officers' and Fire Fighters' retirement system, as administered by the director. These tables, schedules, and factors were adopted by the director upon the recommendation of and in light of the findings of the state actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of the Law Enforcement Officers' and Fire Fighters' retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from October 1, 1990 until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before October 1, 1990 shall continue to be governed by the tables, schedules, and factors in effect at the time of each member's retirement. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

| | |
|---|--|
| LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN I Accumulation Factors by Year and Month | LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN II Accumulation Factors by Year and Month |
|---|--|

| | | | | |
|---|----|----------|----|----------|
| 1 | 20 | .0025142 | 20 | .0039808 |
| | 21 | .0025304 | 21 | .0039997 |
| | 22 | .0025472 | 22 | .0040196 |
| | 23 | .0025647 | 23 | .0040405 |
| | 24 | .0025828 | 24 | .0040624 |
| | 25 | .0026017 | 25 | .0040855 |
| | 26 | .0026214 | 26 | .0041098 |
| | 27 | .0026418 | 27 | .0041353 |
| | 28 | .0026632 | 28 | .0041622 |
| | 29 | .0026854 | 29 | .0041905 |
| | 30 | .0027086 | 30 | .0042204 |
| | 31 | .0027327 | 31 | .0042518 |
| | 32 | .0027579 | 32 | .0042850 |
| | 33 | .0027842 | 33 | .0043200 |

| LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN I Accumulation Factors by Year and Month | LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN II Accumulation Factors by Year and Month | | |
|---|--|----|----------|
| 34 | .0028117 | 34 | .0043569 |
| 35 | .0028404 | 35 | .0043958 |
| 36 | .0028704 | 36 | .0044370 |
| 37 | .0029018 | 37 | .0044805 |
| 38 | .0029346 | 38 | .0045266 |
| 39 | .0029690 | 39 | .0045752 |
| 40 | .0030050 | 40 | .0046267 |
| 41 | .0030427 | 41 | .0046810 |
| 42 | .0030823 | 42 | .0047384 |
| 43 | .0031237 | 43 | .0047988 |
| 44 | .0031672 | 44 | .0048626 |
| 45 | .0032128 | 45 | .0049298 |
| 46 | .0032607 | 46 | .0050007 |
| 47 | .0033111 | 47 | .0050753 |
| 48 | .0033640 | 48 | .0051539 |
| 49 | .0034197 | 49 | .0052369 |
| 50 | .0034785 | 50 | .0053245 |
| 51 | .0035404 | 51 | .0054172 |
| 52 | .0036059 | 52 | .0055155 |
| 53 | .0036751 | 53 | .0056199 |
| 54 | .0037485 | 54 | .0057310 |
| 55 | .0038265 | 55 | .0058496 |
| 56 | .0039096 | 56 | .0059764 |
| 57 | .0039981 | 57 | .0061122 |
| 58 | .0040928 | 58 | .0062578 |
| 59 | .0041941 | 59 | .0064139 |
| 60 | .0043026 | 60 | .0065811 |
| 61 | .0044195 | 61 | .0067600 |
| 62 | .0045451 | 62 | .0069511 |
| 63 | .0046805 | 63 | .0071548 |
| 64 | .0048266 | 64 | .0073714 |
| 65 | .0049847 | 65 | .0076011 |
| 66 | .0051560 | 66 | .0078441 |
| 67 | .0053424 | 67 | .0081009 |
| 68 | .0055445 | 68 | .0083721 |
| 69 | .0057645 | 69 | .0086591 |
| 70 | .0050046 | 70 | .0089634 |
| 71 | .0062678 | 71 | .0092866 |
| 72 | .0065554 | 72 | .0096299 |
| 73 | .0068706 | 73 | .0099940 |
| 74 | .0072168 | 74 | .0103786 |
| 75 | .0075947 | 75 | .0107825 |
| 76 | .0080069 | 76 | .0112040 |
| 77 | .0084560 | 77 | .0116408 |
| 78 | .0089449 | 78 | .0120905 |
| 79 | .0094696 | 79 | .0125511 |
| 80 | .0100369 | 80 | .0130204 |
| 81 | .0106372 | 81 | .0134944 |
| 82 | .0112701 | 82 | .0139758 |
| 83 | .0119271 | 83 | .0144609 |
| 84 | .0126119 | 84 | .0149489 |
| 85 | .0133170 | 85 | .0154388 |
| 86 | .0140467 | 86 | .0159282 |

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN I
Accumulation Factors
by Year and Month

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Accumulation Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | | |
|----|----------|----|----------|
| 87 | .0147922 | 87 | .0164053 |
| 88 | .0155623 | 88 | .0168983 |
| 89 | .0163745 | 89 | .0173754 |
| 90 | .0172295 | 90 | .0178441 |
| 91 | .0181323 | 91 | .0183008 |
| 92 | .0190934 | 92 | .0187436 |
| 93 | .0201303 | 93 | .0191730 |
| 94 | .0212247 | 94 | .0195820 |
| 95 | .0223693 | 95 | .0199697 |
| 96 | .0236226 | 96 | .0203443 |
| 97 | .0250062 | 97 | .0207038 |
| 98 | .0265426 | 98 | .0210462 |
| 99 | .0282645 | 99 | .0213706 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | | |
|---|---|----|-------|
| 1 | 0 | 0 | 1 |
| | | 1 | .9918 |
| | | 2 | .9836 |
| | | 3 | .9754 |
| | | 4 | .9672 |
| | | 5 | .9590 |
| | | 6 | .9508 |
| | | 7 | .9426 |
| | | 8 | .9344 |
| | | 9 | .9262 |
| | | 10 | .9180 |
| | | 11 | .9098 |
| 1 | 0 | 1 | .9016 |
| | | 2 | .8943 |
| | | 3 | .8870 |
| | | 4 | .8797 |
| | | 5 | .8724 |
| | | 6 | .8652 |
| | | 7 | .8579 |
| | | 8 | .8506 |
| | | 9 | .8433 |
| | | 10 | .8360 |
| | | 11 | .8287 |
| | | 11 | .8215 |

| | | |
|---|----|-------|
| 2 | 0 | .8142 |
| | 1 | .8077 |
| | 2 | .8012 |
| | 3 | .7947 |
| | 4 | .7883 |
| | 5 | .7818 |
| | 6 | .7753 |
| | 7 | .7688 |
| | 8 | .7623 |
| | 9 | .7558 |
| | 10 | .7494 |
| | 11 | .7429 |
| 3 | 0 | .7364 |
| | 1 | .7306 |
| | 2 | .7248 |
| | 3 | .7191 |
| | 4 | .7133 |
| | 5 | .7075 |
| | 6 | .7017 |
| | 7 | .6959 |
| | 8 | .6902 |
| | 9 | .6844 |
| | 10 | .6786 |
| | 11 | .6728 |
| 4 | 0 | .6670 |
| | 1 | .6619 |
| | 2 | .6567 |
| | 3 | .6515 |
| | 4 | .6464 |
| | 5 | .6412 |
| | 6 | .6360 |
| | 7 | .6309 |
| | 8 | .6257 |
| | 9 | .6205 |
| | 10 | .6153 |
| | 11 | .6102 |
| 5 | 0 | .6050 |
| | 1 | .6004 |
| | 2 | .5958 |
| | 3 | .5911 |
| | 4 | .5865 |
| | 5 | .5819 |
| | 6 | .5772 |
| | 7 | .5726 |
| | 8 | .5680 |
| | 9 | .5634 |
| | 10 | .5587 |
| | 11 | .5541 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | |
|---|----|-------|
| 6 | 0 | .5495 |
| | 1 | .5453 |
| | 2 | .5412 |
| | 3 | .5370 |
| | 4 | .5329 |
| | 5 | .5287 |
| | 6 | .5246 |
| | 7 | .5204 |
| | 8 | .5163 |
| | 9 | .5121 |
| | 10 | .5080 |
| | 11 | .5038 |
| 7 | 0 | .4996 |
| | 1 | .4959 |
| | 2 | .4922 |
| | 3 | .4884 |
| | 4 | .4847 |
| | 5 | .4810 |
| | 6 | .4773 |
| | 7 | .4735 |
| | 8 | .4698 |
| | 9 | .4661 |
| | 10 | .4623 |
| | 11 | .4586 |
| 8 | 0 | .4549 |
| | 1 | .4515 |
| | 2 | .4481 |
| | 3 | .4448 |
| | 4 | .4414 |
| | 5 | .4381 |
| | 6 | .4347 |
| | 7 | .4313 |
| | 8 | .4280 |
| | 9 | .4246 |
| | 10 | .4213 |
| | 11 | .4179 |
| 9 | 0 | .4145 |
| | 1 | .4115 |
| | 2 | .4085 |
| | 3 | .4054 |
| | 4 | .4024 |
| | 5 | .3994 |
| | 6 | .3964 |
| | 7 | .3933 |
| | 8 | .3903 |
| | 9 | .3873 |
| | 10 | .3842 |
| | 11 | .3812 |

| | | |
|----|----|-------|
| 10 | 0 | .3782 |
| | 1 | .3754 |
| | 2 | .3727 |
| | 3 | .3700 |
| | 4 | .3672 |
| | 5 | .3645 |
| | 6 | .3618 |
| | 7 | .3590 |
| | 8 | .3563 |
| | 9 | .3535 |
| | 10 | .3508 |
| | 11 | .3481 |
| 11 | 0 | .3453 |
| | 1 | .3429 |
| | 2 | .3404 |
| | 3 | .3379 |
| | 4 | .3354 |
| | 5 | .3330 |
| | 6 | .3305 |
| | 7 | .3280 |
| | 8 | .3255 |
| | 9 | .3231 |
| | 10 | .3206 |
| | 11 | .3181 |
| 12 | 0 | .3156 |
| | 1 | .3134 |
| | 2 | .3112 |
| | 3 | .3089 |
| | 4 | .3067 |
| | 5 | .3044 |
| | 6 | .3022 |
| | 7 | .2999 |
| | 8 | .2977 |
| | 9 | .2955 |
| | 10 | .2932 |
| | 11 | .2910 |
| 13 | 0 | .2887 |
| | 1 | .2867 |
| | 2 | .2847 |
| | 3 | .2826 |
| | 4 | .2806 |
| | 5 | .2786 |
| | 6 | .2765 |
| | 7 | .2745 |
| | 8 | .2725 |
| | 9 | .2705 |
| | 10 | .2684 |
| | 11 | .2664 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 14 | 0 | .2644 |
| | 1 | .2625 |
| | 2 | .2607 |
| | 3 | .2588 |
| | 4 | .2570 |
| | 5 | .2551 |
| | 6 | .2533 |
| | 7 | .2514 |
| | 8 | .2496 |
| | 9 | .2478 |
| | 10 | .2459 |
| | 11 | .2441 |
| 15 | 0 | .2422 |
| | 1 | .2405 |
| | 2 | .2389 |
| | 3 | .2372 |
| | 4 | .2355 |
| | 5 | .2338 |
| | 6 | .2322 |
| | 7 | .2305 |
| | 8 | .2288 |
| | 9 | .2271 |
| | 10 | .2254 |
| | 11 | .2238 |
| 16 | 0 | .2221 |
| | 1 | .2206 |
| | 2 | .2190 |
| | 3 | .2175 |
| | 4 | .2160 |
| | 5 | .2145 |
| | 6 | .2129 |
| | 7 | .2114 |
| | 8 | .2099 |
| | 9 | .2084 |
| | 10 | .2068 |
| | 11 | .2053 |
| 17 | 0 | .2038 |
| | 1 | .2024 |
| | 2 | .2010 |
| | 3 | .1996 |
| | 4 | .1982 |
| | 5 | .1968 |
| | 6 | .1955 |
| | 7 | .1941 |
| | 8 | .1927 |
| | 9 | .1913 |
| | 10 | .1899 |
| | 11 | .1885 |

| | | |
|----|----|-------|
| 18 | 0 | .1871 |
| | 1 | .1858 |
| | 2 | .1846 |
| | 3 | .1833 |
| | 4 | .1820 |
| | 5 | .1808 |
| | 6 | .1795 |
| | 7 | .1782 |
| | 8 | .1770 |
| | 9 | .1757 |
| | 10 | .1744 |
| | 11 | .1732 |
| 19 | 0 | .1719 |
| | 1 | .1708 |
| | 2 | .1696 |
| | 3 | .1684 |
| | 4 | .1673 |
| | 5 | .1661 |
| | 6 | .1650 |
| | 7 | .1638 |
| | 8 | .1627 |
| | 9 | .1615 |
| | 10 | .1604 |
| | 11 | .1592 |
| 20 | 0 | .1580 |
| | 1 | .1570 |
| | 2 | .1559 |
| | 3 | .1549 |
| | 4 | .1538 |
| | 5 | .1528 |
| | 6 | .1517 |
| | 7 | .1506 |
| | 8 | .1496 |
| | 9 | .1485 |
| | 10 | .1475 |
| | 11 | .1464 |
| 21 | 0 | .1454 |
| | 1 | .1444 |
| | 2 | .1434 |
| | 3 | .1425 |
| | 4 | .1415 |
| | 5 | .1405 |
| | 6 | .1396 |
| | 7 | .1386 |
| | 8 | .1376 |
| | 9 | .1367 |
| | 10 | .1357 |
| | 11 | .1347 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 22 | 0 | .1338 |
| | 1 | .1329 |
| | 2 | .1320 |
| | 3 | .1311 |
| | 4 | .1302 |
| | 5 | .1294 |
| | 6 | .1285 |
| | 7 | .1276 |
| | 8 | .1267 |
| | 9 | .1258 |
| | 10 | .1249 |
| | 11 | .1241 |
| 23 | 0 | .1232 |
| | 1 | .1224 |
| | 2 | .1216 |
| | 3 | .1208 |
| | 4 | .1199 |
| | 5 | .1191 |
| | 6 | .1183 |
| | 7 | .1175 |
| | 8 | .1167 |
| | 9 | .1159 |
| | 10 | .1151 |
| | 11 | .1143 |
| 24 | 0 | .1135 |
| | 1 | .1127 |
| | 2 | .1120 |
| | 3 | .1113 |
| | 4 | .1105 |
| | 5 | .1098 |
| | 6 | .1090 |
| | 7 | .1083 |
| | 8 | .1075 |
| | 9 | .1068 |
| | 10 | .1061 |
| | 11 | .1053 |
| 25 | 0 | .1046 |
| | 1 | .1039 |
| | 2 | .1032 |
| | 3 | .1025 |
| | 4 | .1019 |
| | 5 | .1012 |
| | 6 | .1005 |
| | 7 | .0998 |
| | 8 | .0991 |
| | 9 | .0985 |
| | 10 | .0978 |
| | 11 | .0971 |

| | | |
|----|----|-------|
| 26 | 0 | .0964 |
| | 1 | .0958 |
| | 2 | .0952 |
| | 3 | .0946 |
| | 4 | .0939 |
| | 5 | .0933 |
| | 6 | .0927 |
| | 7 | .0921 |
| | 8 | .0914 |
| | 9 | .0908 |
| | 10 | .0902 |
| | 11 | .0896 |
| 27 | 0 | .0889 |
| | 1 | .0884 |
| | 2 | .0878 |
| | 3 | .0872 |
| | 4 | .0867 |
| | 5 | .0861 |
| | 6 | .0855 |
| | 7 | .0849 |
| | 8 | .0844 |
| | 9 | .0838 |
| | 10 | .0832 |
| | 11 | .0826 |
| 28 | 0 | .0821 |
| | 1 | .0815 |
| | 2 | .0810 |
| | 3 | .0805 |
| | 4 | .0800 |
| | 5 | .0794 |
| | 6 | .0789 |
| | 7 | .0784 |
| | 8 | .0779 |
| | 9 | .0773 |
| | 10 | .0768 |
| | 11 | .0763 |
| 29 | 0 | .0758 |
| | 1 | .0753 |
| | 2 | .0748 |
| | 3 | .0743 |
| | 4 | .0738 |
| | 5 | .0733 |
| | 6 | .0729 |
| | 7 | .0724 |
| | 8 | .0719 |
| | 9 | .0714 |
| | 10 | .0709 |
| | 11 | .0704 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 30 | 0 | .0700 |
| | 1 | .0695 |
| | 2 | .0691 |
| | 3 | .0686 |
| | 4 | .0682 |
| | 5 | .0677 |
| | 6 | .0673 |
| | 7 | .0668 |
| | 8 | .0664 |
| | 9 | .0660 |
| | 10 | .0655 |
| | 11 | .0651 |
| 31 | 0 | .0646 |
| | 1 | .0642 |
| | 2 | .0638 |
| | 3 | .0634 |
| | 4 | .0630 |
| | 5 | .0626 |
| | 6 | .0622 |
| | 7 | .0618 |
| | 8 | .0613 |
| | 9 | .0609 |
| | 10 | .0605 |
| | 11 | .0601 |
| 32 | 0 | .0597 |
| | 1 | .0593 |
| | 2 | .0590 |
| | 3 | .0586 |
| | 4 | .0582 |
| | 5 | .0578 |
| | 6 | .0575 |
| | 7 | .0571 |
| | 8 | .0567 |
| | 9 | .0563 |
| | 10 | .0559 |
| | 11 | .0556 |
| 33 | 0 | .0552 |
| | 1 | .0548 |
| | 2 | .0545 |
| | 3 | .0541 |
| | 4 | .0538 |
| | 5 | .0535 |
| | 6 | .0531 |
| | 7 | .0528 |
| | 8 | .0524 |
| | 9 | .0521 |
| | 10 | .0517 |
| | 11 | .0514 |

| | | |
|----|----|-------|
| 34 | 0 | .0510 |
| | 1 | .0507 |
| | 2 | .0504 |
| | 3 | .0501 |
| | 4 | .0497 |
| | 5 | .0494 |
| | 6 | .0491 |
| | 7 | .0488 |
| | 8 | .0485 |
| | 9 | .0481 |
| | 10 | .0478 |
| | 11 | .0475 |
| 35 | 0 | .0472 |
| | 1 | .0469 |
| | 2 | .0466 |
| | 3 | .0463 |
| | 4 | .0460 |
| | 5 | .0457 |
| | 6 | .0454 |
| | 7 | .0451 |
| | 8 | .0448 |
| | 9 | .0445 |
| | 10 | .0442 |
| | 11 | .0439 |
| 36 | 0 | .0437 |
| | 1 | .0434 |
| | 2 | .0431 |
| | 3 | .0428 |
| | 4 | .0426 |
| | 5 | .0423 |
| | 6 | .0420 |
| | 7 | .0417 |
| | 8 | .0415 |
| | 9 | .0412 |
| | 10 | .0409 |
| | 11 | .0407 |
| 37 | 0 | .0404 |
| | 1 | .0401 |
| | 2 | .0399 |
| | 3 | .0396 |
| | 4 | .0394 |
| | 5 | .0391 |
| | 6 | .0389 |
| | 7 | .0386 |
| | 8 | .0384 |
| | 9 | .0381 |
| | 10 | .0379 |
| | 11 | .0376 |

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 38 | 0 | .0374 |
| | 1 | .0372 |
| | 2 | .0369 |
| | 3 | .0367 |
| | 4 | .0365 |
| | 5 | .0363 |
| | 6 | .0361 |
| | 7 | .0359 |
| | 8 | .0356 |
| | 9 | .0354 |
| | 10 | .0352 |
| | 11 | .0350 |
| 39 | 0 | .0348 |
| | 1 | .0346 |
| | 2 | .0344 |
| | 3 | .0342 |
| | 4 | .0340 |
| | 5 | .0338 |
| | 6 | .0336 |
| | 7 | .0334 |
| | 8 | .0332 |
| | 9 | .0330 |
| | 10 | .0327 |
| | 11 | .0325 |
| 40 | 0 | .0323 |
| | 1 | .0296 |
| | 2 | .0270 |
| | 3 | .0243 |
| | 4 | .0216 |
| | 5 | .0189 |
| | 6 | .0162 |
| | 7 | .0135 |
| | 8 | .0108 |
| | 9 | .0081 |
| | 10 | .0054 |
| | 11 | .0027 |
| 41 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |

| | | |
|----|----|-------|
| 42 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 43 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 44 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 45 | 0 | .0000 |

LEOFF II JSR
OPTION II

LEOFF II JSR
OPTION III

| | | |
|-------|-----|-------|
| 0.956 | -20 | 0.908 |
| 0.951 | -19 | 0.978 |
| 0.946 | -18 | 0.975 |
| 0.940 | -17 | 0.972 |
| 0.934 | -16 | 0.968 |
| 0.927 | -15 | 0.965 |
| 0.920 | -14 | 0.961 |
| 0.913 | -13 | 0.957 |
| 0.905 | -12 | 0.953 |
| 0.897 | -11 | 0.948 |
| 0.889 | -10 | 0.944 |
| 0.881 | -9 | 0.939 |

LEOFF II JSR
OPTION II

| | |
|-------|----|
| 0.872 | -8 |
| 0.863 | -7 |
| 0.854 | -6 |
| 0.846 | -5 |
| 0.837 | -4 |
| 0.828 | -3 |
| 0.819 | -2 |
| 0.810 | -1 |
| 0.800 | 0 |
| 0.790 | 1 |
| 0.778 | 2 |
| 0.768 | 3 |
| 0.759 | 4 |
| 0.750 | 5 |
| 0.742 | 6 |
| 0.734 | 7 |
| 0.726 | 8 |
| 0.718 | 9 |
| 0.711 | 10 |
| 0.704 | 11 |
| 0.697 | 12 |
| 0.690 | 13 |
| 0.681 | 14 |
| 0.672 | 15 |
| 0.663 | 16 |
| 0.656 | 17 |
| 0.650 | 18 |
| 0.644 | 19 |
| 0.639 | 20 |
| 0.634 | 21 |
| 0.630 | 22 |
| 0.625 | 23 |
| 0.621 | 24 |
| 0.617 | 25 |
| 0.613 | 26 |
| 0.609 | 27 |
| 0.606 | 28 |
| 0.602 | 29 |
| 0.599 | 30 |
| 0.596 | 31 |
| 0.593 | 32 |
| 0.590 | 33 |
| 0.587 | 34 |
| 0.585 | 35 |
| 0.582 | 36 |
| 0.580 | 37 |
| 0.578 | 38 |
| 0.575 | 39 |
| 0.573 | 40 |

LEOFF II JSR
OPTION III

| |
|-------|
| 0.933 |
| 0.927 |
| 0.920 |
| 0.914 |
| 0.908 |
| 0.902 |
| 0.987 |
| 0.892 |
| 0.887 |
| 0.883 |
| 0.877 |
| 0.871 |
| 0.865 |
| 0.859 |
| 0.854 |
| 0.849 |
| 0.843 |
| 0.838 |
| 0.833 |
| 0.828 |
| 0.824 |
| 0.818 |
| 0.812 |
| 0.805 |
| 0.799 |
| 0.794 |
| 0.790 |
| 0.786 |
| 0.782 |
| 0.778 |
| 0.775 |
| 0.771 |
| 0.768 |
| 0.765 |
| 0.762 |
| 0.759 |
| 0.756 |
| 0.754 |
| 0.751 |
| 0.749 |
| 0.746 |
| 0.744 |
| 0.742 |
| 0.740 |
| 0.738 |
| 0.736 |
| 0.734 |
| 0.732 |
| 0.731 |

WSR 90-19-008
EMERGENCY RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed September 7, 1990, 10:26 a.m.]

Date of Adoption: August 1, 1990.

Purpose: Emergency rules for the adoption of the tables, schedules and factors governing the retirement allowances of members of the Washington state public employees' retirement system retiring during the period from October 1, 1990, until such time as these tables, schedules and factors are amended by the director.

Statutory Authority for Adoption: RCW 41.50.050 and 41.40.165.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Emergency rules are required to govern the calculations used in determining the retirement allowances of members of the Washington state public employees' retirement system who are retiring on or after October 1, 1990.

Effective Date of Rule: Immediately.

August 28, 1990
George Northcroft
Director

Chapter 415-108-340

Actuarial tables, schedules, and factors

NEW SECTION

WAC 415-108-340 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems pursuant to the authority granted by RCW 41.50.050, 41.40.020 and 41.40.022 for calculating optional retirement allowances of members of the Washington state Public Employees' Retirement System, as administered by the director. These tables, schedules, and factors were adopted by the director upon the recommendation of and in light of the findings of the state actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of Public Employees' Retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from October 1, 1990 until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. The retirement allowances calculated at the time of retirement of members retiring before October 1, 1990 shall continue to be governed by the tables, schedules, and factors in effect when each member retires. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances

REPEALER

The following chapter of the Washington Administrative Code is hereby repealed: Chapter 415-02-090 Actuarial tables, schedules, and factors.

calculated at the time of retirement only of members retiring after the adoption of such new tables, schedules, and factors.

PERS
Optional
COLA

PERS I
Accumulation
Factors

| PERS Optional COLA | | PERS I Accumulation Factors | |
|--------------------------|------|-----------------------------------|----------|
| 20 | .638 | 20 | .0061792 |
| 21 | .640 | 21 | .0061891 |
| 22 | .641 | 22 | .0061997 |
| 23 | .643 | 23 | .0062111 |
| 24 | .645 | 24 | .0062232 |
| 25 | .647 | 25 | .0062362 |
| 26 | .649 | 26 | .0062501 |
| 27 | .651 | 27 | .0062650 |
| 28 | .654 | 28 | .0062809 |
| 29 | .656 | 29 | .0062979 |
| 30 | .658 | 30 | .0063162 |
| 31 | .661 | 31 | .0062257 |
| 32 | .664 | 32 | .0063566 |
| 33 | .666 | 33 | .0062790 |
| 34 | .669 | 34 | .0064030 |
| 35 | .672 | 35 | .0064286 |
| 36 | .675 | 36 | .0064561 |
| 37 | .678 | 37 | .0064856 |
| 38 | .681 | 38 | .0065173 |
| 39 | .684 | 39 | .0065512 |
| 40 | .688 | 40 | .0065875 |
| 41 | .691 | 41 | .0066263 |
| 42 | .695 | 42 | .0066677 |
| 43 | .698 | 43 | .0067119 |
| 44 | .702 | 44 | .0067590 |
| 45 | .706 | 45 | .0068091 |
| 46 | .710 | 46 | .0068624 |
| 47 | .715 | 47 | .0069190 |
| 48 | .719 | 48 | .0069792 |
| 49 | .724 | 49 | .0070432 |
| 50 | .728 | 50 | .0071114 |
| 51 | .733 | 51 | .0071843 |
| 52 | .738 | 52 | .0072621 |
| 53 | .744 | 53 | .0073455 |
| 54 | .749 | 54 | .0074351 |
| 55 | .755 | 55 | .0075313 |
| 56 | .761 | 56 | .0076350 |
| 57 | .767 | 57 | .0077467 |
| 58 | .774 | 58 | .0078672 |
| 59 | .781 | 59 | .0079972 |
| 60 | .788 | 60 | .0081375 |
| 61 | .796 | 61 | .0082885 |
| 62 | .804 | 62 | .0084509 |
| 63 | .813 | 63 | .0086255 |
| 64 | .822 | 64 | .0088128 |
| 65 | .831 | 65 | .0090135 |
| 66 | .842 | 66 | .0092282 |
| 67 | .853 | 67 | .0094577 |
| 68 | .865 | 68 | .0097029 |
| 69 | .879 | 70 | .0102454 |
| 70 | .894 | 71 | .0105455 |
| 71 | .910 | 72 | .0108665 |
| 72 | .928 | 73 | .0112093 |

| | | | |
|----|-------|----|----------|
| 73 | .947 | 74 | .0115744 |
| 74 | .971 | 75 | .0119617 |
| 75 | 1.000 | 76 | .0123709 |
| 76 | 1.000 | 77 | .0128014 |
| 77 | 1.000 | 78 | .0132580 |
| 78 | 1.000 | 79 | .0137246 |
| 79 | 1.000 | 80 | .0142169 |
| 80 | 1.000 | 81 | .0147281 |
| 81 | 1.000 | 82 | .0152621 |
| 82 | 1.000 | 83 | .0158184 |
| 83 | 1.000 | 84 | .0163986 |
| 84 | 1.000 | 85 | .0170045 |
| 85 | 1.000 | 86 | .0176361 |
| 86 | 1.000 | 87 | .0182936 |
| 87 | 1.000 | 88 | .0189757 |
| 88 | 1.000 | 89 | .0196789 |
| 89 | 1.000 | 90 | .0204015 |
| 90 | 1.000 | 91 | .0211420 |
| 91 | 1.000 | 92 | .0218957 |
| 92 | 1.000 | 93 | .0226575 |
| 93 | 1.000 | 94 | .0234160 |
| 94 | 1.000 | 95 | .0241655 |
| 95 | 1.000 | 96 | .0249116 |
| 96 | 1.000 | 97 | .0256520 |
| 97 | 1.000 | 98 | .0263822 |
| 98 | 1.000 | 99 | .0270961 |
| 99 | 1.000 | | |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | | |
|---|---|----|--------|
| 1 | 0 | 0 | 1.0000 |
| | | 1 | .9915 |
| | | 2 | .9830 |
| | | 3 | .9746 |
| | | 4 | .9661 |
| | | 5 | .9576 |
| | | 6 | .9491 |
| | | 7 | .9407 |
| | | 8 | .9322 |
| | | 9 | .9237 |
| | | 10 | .9152 |
| | | 11 | .9068 |
| 1 | 0 | | .8983 |
| | | 1 | .8908 |
| | | 2 | .8834 |
| | | 3 | .8759 |
| | | 4 | .8685 |
| | | 5 | .8610 |
| | | 6 | .8536 |
| | | 7 | .8461 |
| | | 8 | .8387 |
| | | 9 | .8312 |
| | | 10 | .8238 |
| | | 11 | .8163 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|---|----|-------|
| 2 | 0 | .8089 |
| | 1 | .8023 |
| | 2 | .7957 |
| | 3 | .7892 |
| | 4 | .7826 |
| | 5 | .7760 |
| | 6 | .7694 |
| | 7 | .7629 |
| | 8 | .7563 |
| | 9 | .7497 |
| | 10 | .7431 |
| | 11 | .7366 |
| 3 | 0 | .7300 |
| | 1 | .7242 |
| | 2 | .7183 |
| | 3 | .7125 |
| | 4 | .7067 |
| | 5 | .7009 |
| | 6 | .6951 |
| | 7 | .6892 |
| | 8 | .6834 |
| | 9 | .6776 |
| | 10 | .6718 |
| | 11 | .6660 |
| 4 | 0 | .6601 |
| | 1 | .6550 |
| | 2 | .6498 |
| | 3 | .6446 |
| | 4 | .6395 |
| | 5 | .6343 |
| | 6 | .6291 |
| | 7 | .6240 |
| | 8 | .6188 |
| | 9 | .6136 |
| | 10 | .6085 |
| | 11 | .6033 |
| 5 | 0 | .5981 |
| | 1 | .5935 |
| | 2 | .5889 |
| | 3 | .5843 |
| | 4 | .5797 |
| | 5 | .5751 |
| | 6 | .5705 |
| | 7 | .5659 |
| | 8 | .5613 |
| | 9 | .5567 |
| | 10 | .5521 |
| | 11 | .5475 |
| 6 | 0 | .5429 |
| | 1 | .5388 |
| | 2 | .5347 |
| | 3 | .5306 |
| | 4 | .5265 |
| | 5 | .5224 |
| | 6 | .5182 |
| | 7 | .5141 |
| | 8 | .5100 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 9 | .5059 |
| | 10 | .5018 |
| | 11 | .4977 |
| 7 | 0 | .4936 |
| | 1 | .4899 |
| | 2 | .4862 |
| | 3 | .4825 |
| | 4 | .4789 |
| | 5 | .4752 |
| | 6 | .4715 |
| | 7 | .4678 |
| | 8 | .4642 |
| | 9 | .4605 |
| | 10 | .4568 |
| | 11 | .4531 |
| 8 | 0 | .4494 |
| | 1 | .4461 |
| | 2 | .4428 |
| | 3 | .4395 |
| | 4 | .4362 |
| | 5 | .4329 |
| | 6 | .4296 |
| | 7 | .4263 |
| | 8 | .4230 |
| | 9 | .4197 |
| | 10 | .4164 |
| | 11 | .4131 |
| 9 | 0 | .4098 |
| | 1 | .4068 |
| | 2 | .4039 |
| | 3 | .4009 |
| | 4 | .3979 |
| | 5 | .3950 |
| | 6 | .3920 |
| | 7 | .3890 |
| | 8 | .3860 |
| | 9 | .3831 |
| | 10 | .3801 |
| | 11 | .3771 |
| 10 | 0 | .3742 |
| | 1 | .3715 |
| | 2 | .3688 |
| | 3 | .3661 |
| | 4 | .3635 |
| | 5 | .3608 |
| | 6 | .3581 |
| | 7 | .3554 |
| | 8 | .3528 |
| | 9 | .3501 |
| | 10 | .3474 |
| | 11 | .3447 |
| 11 | 0 | .3440 |
| | 1 | .3396 |
| | 2 | .3372 |
| | 3 | .3348 |
| | 4 | .3324 |
| | 5 | .3300 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | |
|------|-------|
| 6 | .3275 |
| 7 | .3251 |
| 8 | .3227 |
| 9 | .3203 |
| 10 | .3179 |
| 11 | .3154 |
| 12 0 | .3130 |
| 1 | .3108 |
| 2 | .3087 |
| 3 | .3065 |
| 4 | .3043 |
| 5 | .3021 |
| 6 | .2999 |
| 7 | .2977 |
| 8 | .2955 |
| 9 | .2933 |
| 10 | .2912 |
| 11 | .2890 |
| 13 0 | .2868 |
| 1 | .2848 |
| 2 | .2828 |
| 3 | .2808 |
| 4 | .2789 |
| 5 | .2769 |
| 6 | .2749 |
| 7 | .2729 |
| 8 | .2709 |
| 9 | .2689 |
| 10 | .2670 |
| 11 | .2650 |
| 14 0 | .2630 |
| 1 | .2612 |
| 2 | .2594 |
| 3 | .2576 |
| 4 | .2558 |
| 5 | .2540 |
| 6 | .2522 |
| 7 | .2504 |
| 8 | .2486 |
| 9 | .2468 |
| 10 | .2450 |
| 11 | .2432 |
| 15 0 | .2414 |
| 1 | .2398 |
| 2 | .2381 |
| 3 | .2365 |
| 4 | .2348 |
| 5 | .2332 |
| 6 | .2316 |
| 7 | .2299 |
| 8 | .2283 |
| 9 | .2267 |
| 10 | .2250 |
| 11 | .2234 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | |
|------|-------|
| 16 0 | .2218 |
| 1 | .2203 |
| 2 | .2188 |
| 3 | .2173 |
| 4 | .2158 |
| 5 | .2143 |
| 6 | .2128 |
| 7 | .2113 |
| 8 | .2098 |
| 9 | .2084 |
| 10 | .2069 |
| 11 | .2054 |
| 17 0 | .2039 |
| 1 | .2025 |
| 2 | .2012 |
| 3 | .1998 |
| 4 | .1985 |
| 5 | .1971 |
| 6 | .1957 |
| 7 | .1944 |
| 8 | .1930 |
| 9 | .1917 |
| 10 | .1903 |
| 11 | .1890 |
| 18 0 | .1876 |
| 1 | .1864 |
| 2 | .1851 |
| 3 | .1839 |
| 4 | .1826 |
| 5 | .1814 |
| 6 | .1802 |
| 7 | .1789 |
| 8 | .1777 |
| 9 | .1764 |
| 10 | .1752 |
| 11 | .1740 |
| 19 0 | .1727 |
| 1 | .1726 |
| 2 | .1705 |
| 3 | .1693 |
| 4 | .1682 |
| 5 | .1671 |
| 6 | .1659 |
| 7 | .1648 |
| 8 | .1637 |
| 9 | .1625 |
| 10 | .1614 |
| 11 | .1603 |
| 20 0 | .1591 |
| 1 | .1581 |
| 2 | .1571 |
| 3 | .1560 |
| 4 | .1550 |
| 5 | .1540 |
| 6 | .1529 |
| 7 | .1519 |
| 8 | .1509 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 9 | .1498 |
| | 10 | .1488 |
| | 11 | .1478 |
| 21 | 0 | .1467 |
| | 1 | .1458 |
| | 2 | .1448 |
| | 3 | .1439 |
| | 4 | .1429 |
| | 5 | .1420 |
| | 6 | .1410 |
| | 7 | .1401 |
| | 8 | .1391 |
| | 9 | .1382 |
| | 10 | .1372 |
| | 11 | .1363 |
| 22 | 0 | .1353 |
| | 1 | .1345 |
| | 2 | .1336 |
| | 3 | .1327 |
| | 4 | .1319 |
| | 5 | .1310 |
| | 6 | .1301 |
| | 7 | .1293 |
| | 8 | .1284 |
| | 9 | .1275 |
| | 10 | .1267 |
| | 11 | .1258 |
| 23 | 0 | .1249 |
| | 1 | .1241 |
| | 2 | .1233 |
| | 3 | .1225 |
| | 4 | .1217 |
| | 5 | .1209 |
| | 6 | .1201 |
| | 7 | .1193 |
| | 8 | .1185 |
| | 9 | .1177 |
| | 10 | .1169 |
| | 11 | .1161 |
| 24 | 0 | .1153 |
| | 1 | .1146 |
| | 2 | .1139 |
| | 3 | .1132 |
| | 4 | .1124 |
| | 5 | .1117 |
| | 6 | .1110 |
| | 7 | .1102 |
| | 8 | .1095 |
| | 9 | .1088 |
| | 10 | .1080 |
| | 11 | .1073 |
| 25 | 0 | .1066 |
| | 1 | .1059 |
| | 2 | .1052 |
| | 3 | .1046 |
| | 4 | .1039 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 5 | .1032 |
| | 6 | .1025 |
| | 7 | .1019 |
| | 8 | .1012 |
| | 9 | .1005 |
| | 10 | .0998 |
| | 11 | .0992 |
| 26 | 0 | .0985 |
| | 1 | .0979 |
| | 2 | .0973 |
| | 3 | .0966 |
| | 4 | .0960 |
| | 5 | .0954 |
| | 6 | .0948 |
| | 7 | .0942 |
| | 8 | .0936 |
| | 9 | .0929 |
| | 10 | .0923 |
| | 11 | .0917 |
| 27 | 0 | .0911 |
| | 1 | .0905 |
| | 2 | .0899 |
| | 3 | .0894 |
| | 4 | .0888 |
| | 5 | .0882 |
| | 6 | .0877 |
| | 7 | .0871 |
| | 8 | .0865 |
| | 9 | .0860 |
| | 10 | .0854 |
| | 11 | .0848 |
| 28 | 0 | .0842 |
| | 1 | .0837 |
| | 2 | .0832 |
| | 3 | .0827 |
| | 4 | .0822 |
| | 5 | .0816 |
| | 6 | .0811 |
| | 7 | .0806 |
| | 8 | .0801 |
| | 9 | .0795 |
| | 10 | .0790 |
| | 11 | .0785 |
| 29 | 0 | .0780 |
| | 1 | .0775 |
| | 2 | .0770 |
| | 3 | .0765 |
| | 4 | .0760 |
| | 5 | .0755 |
| | 6 | .0751 |
| | 7 | .0746 |
| | 8 | .0741 |
| | 9 | .0736 |
| | 10 | .0731 |
| | 11 | .0726 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 30 | 0 | .0722 |
| | 1 | .0717 |
| | 2 | .0713 |
| | 3 | .0708 |
| | 4 | .0704 |
| | 5 | .0699 |
| | 6 | .0695 |
| | 7 | .0690 |
| | 8 | .0686 |
| | 9 | .0682 |
| | 10 | .0677 |
| | 11 | .0673 |
| 31 | 0 | .0668 |
| | 1 | .0664 |
| | 2 | .0660 |
| | 3 | .0656 |
| | 4 | .0652 |
| | 5 | .0648 |
| | 6 | .0644 |
| | 7 | .0639 |
| | 8 | .0635 |
| | 9 | .0631 |
| | 10 | .0627 |
| | 11 | .0623 |
| 32 | 0 | .0619 |
| | 1 | .0615 |
| | 2 | .0611 |
| | 3 | .0608 |
| | 4 | .0604 |
| | 5 | .0600 |
| | 6 | .0596 |
| | 7 | .0592 |
| | 8 | .0589 |
| | 9 | .0585 |
| | 10 | .0581 |
| | 11 | .0577 |
| 33 | 0 | .0573 |
| | 1 | .0570 |
| | 2 | .0566 |
| | 3 | .0563 |
| | 4 | .0559 |
| | 5 | .0556 |
| | 6 | .0552 |
| | 7 | .0549 |
| | 8 | .0545 |
| | 9 | .0542 |
| | 10 | .0538 |
| | 11 | .0535 |
| 34 | 0 | .0531 |
| | 1 | .0528 |
| | 2 | .0525 |
| | 3 | .0522 |
| | 4 | .0518 |
| | 5 | .0515 |
| | 6 | .0512 |
| | 7 | .0509 |
| | 8 | .0506 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 9 | .0502 |
| | 10 | .0499 |
| | 11 | .0496 |
| 35 | 0 | .0493 |
| | 1 | .0452 |
| | 2 | .0410 |
| | 3 | .0369 |
| | 4 | .0328 |
| | 5 | .0287 |
| | 6 | .0246 |
| | 7 | .0205 |
| | 8 | .0164 |
| | 9 | .0123 |
| | 10 | .0082 |
| | 11 | .0041 |
| 36 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 37 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 38 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 39 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 40 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 41 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 42 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 43 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 44 | 0 | .0000 |
| | 1 | .0000 |
| | 2 | .0000 |
| | 3 | .0000 |
| | 4 | .0000 |
| | 5 | .0000 |
| | 6 | .0000 |
| | 7 | .0000 |
| | 8 | .0000 |
| | 9 | .0000 |
| | 10 | .0000 |
| | 11 | .0000 |
| 45 | 0 | .0000 |

PERS I
OPTION II

PERS I
OPTION III

| | | |
|-------|-----|-------|
| 0.973 | -20 | 0.987 |
| 0.970 | -19 | 0.986 |
| 0.964 | -18 | 0.984 |
| 0.960 | -17 | 0.982 |
| 0.957 | -16 | 0.980 |
| 0.953 | -15 | 0.978 |
| 0.949 | -14 | 0.976 |
| 0.945 | -13 | 0.974 |
| 0.940 | -12 | 0.972 |
| 0.934 | -11 | 0.969 |
| 0.929 | -10 | 0.966 |
| 0.923 | -9 | 0.963 |
| 0.917 | -8 | 0.960 |
| 0.910 | -7 | 0.956 |
| 0.902 | -6 | 0.952 |
| 0.895 | -5 | 0.948 |
| 0.887 | -4 | 0.944 |
| 0.878 | -3 | 0.939 |
| 0.866 | -2 | 0.932 |
| 0.852 | -1 | 0.924 |
| 0.837 | 0 | 0.917 |
| 0.822 | 1 | 0.908 |
| 0.809 | 2 | 0.901 |
| 0.800 | 3 | 0.894 |
| 0.794 | 4 | 0.889 |
| 0.789 | 5 | 0.885 |
| 0.784 | 6 | 0.881 |
| 0.776 | 7 | 0.876 |
| 0.766 | 8 | 0.869 |
| 0.754 | 9 | 0.862 |
| 0.744 | 10 | 0.855 |
| 0.736 | 11 | 0.850 |
| 0.731 | 12 | 0.847 |
| 0.726 | 13 | 0.844 |
| 0.721 | 14 | 0.841 |
| 0.717 | 15 | 0.838 |
| 0.713 | 16 | 0.835 |
| 0.709 | 17 | 0.832 |
| 0.706 | 18 | 0.830 |

PERS I
OPTION II

PERS I
OPTION III

PUBLIC
EMPLOYEES
RETIREMENT SYSTEM
PERS 2

Accumulation Factors
by Year and Month

| | | |
|-------|----|-------|
| 0.702 | 19 | 0.827 |
| 0.699 | 20 | 0.825 |
| 0.696 | 21 | 0.823 |
| 0.693 | 22 | 0.821 |
| 0.690 | 23 | 0.819 |
| 0.687 | 24 | 0.817 |
| 0.685 | 25 | 0.815 |
| 0.683 | 26 | 0.814 |
| 0.681 | 27 | 0.812 |
| 0.679 | 28 | 0.811 |
| 0.677 | 29 | 0.809 |
| 0.675 | 30 | 0.808 |
| 0.673 | 31 | 0.807 |
| 0.672 | 32 | 0.806 |
| 0.670 | 33 | 0.805 |
| 0.669 | 34 | 0.804 |
| 0.667 | 35 | 0.803 |
| 0.666 | 36 | 0.802 |
| 0.665 | 37 | 0.801 |
| 0.664 | 38 | 0.800 |
| 0.663 | 39 | 0.799 |
| 0.662 | 40 | 0.798 |

PUBLIC
EMPLOYEES
RETIREMENT SYSTEM
PERS 2

Accumulation Factors
by Year and Month

| | |
|----|----------|
| 20 | .0039357 |
| 21 | .0039525 |
| 22 | .0039702 |
| 23 | .0039887 |
| 24 | .0040081 |
| 25 | .0040286 |
| 26 | .0040500 |
| 27 | .0040726 |
| 28 | .0040963 |
| 29 | .0041213 |
| 30 | .0041476 |
| 31 | .0041753 |
| 32 | .0042044 |
| 33 | .0042351 |
| 34 | .0042675 |
| 35 | .0043015 |
| 36 | .0043375 |
| 37 | .0043756 |
| 38 | .0044157 |
| 39 | .0044581 |
| 40 | .0045026 |
| 41 | .0045502 |
| 42 | .0046001 |
| 43 | .0046528 |
| 44 | .0047084 |
| 45 | .0047670 |
| 46 | .0048287 |

| | |
|----|-----------|
| 47 | .0048939 |
| 48 | .0049626 |
| 49 | .0050352 |
| 50 | .0051120 |
| 51 | .0051933 |
| 52 | .0052795 |
| 53 | .0053712 |
| 54 | .0054687 |
| 55 | .0055727 |
| 56 | .0056837 |
| 57 | .0058025 |
| 58 | .0059296 |
| 59 | .0060657 |
| 60 | .0062116 |
| 61 | .0063676 |
| 62 | .0065347 |
| 63 | .0067134 |
| 64 | .0069044 |
| 65 | .0071085 |
| 66 | .0073263 |
| 67 | .0075587 |
| 68 | .0078066 |
| 69 | .0080711 |
| 70 | .0083537 |
| 71 | .0086558 |
| 72 | .0089785 |
| 73 | .0093230 |
| 74 | .0096898 |
| 75 | .0100729 |
| 76 | .01049100 |
| 77 | .0109250 |
| 78 | .0113811 |
| 79 | .0118589 |
| 80 | .0123587 |
| 81 | .0128793 |
| 82 | .0134243 |
| 83 | .0139934 |
| 84 | .0145880 |
| 85 | .0152103 |
| 86 | .0158600 |
| 87 | .0165374 |
| 88 | .0172413 |
| 89 | .0179682 |
| 90 | .0187162 |
| 91 | .0194835 |
| 92 | .0202654 |
| 93 | .0210569 |
| 94 | .0218459 |
| 95 | .0226265 |
| 96 | .0234038 |
| 97 | .0241752 |
| 98 | .0249356 |
| 99 | .0256785 |

| PERS II OPTION II | | PERS II OPTION III | | PERS II OPTION II | | PERS II OPTION III | |
|----------------------|-----|-----------------------|--|------------------------------------|----|-----------------------|--------|
| 0.965 | -20 | 0.983 | | 0.545 | 37 | | 0.707 |
| 0.963 | -19 | 0.982 | | 0.542 | 38 | | 0.705 |
| 0.960 | -18 | 0.980 | | 0.540 | 39 | | 0.703 |
| 0.958 | -17 | 0.979 | | 0.538 | 40 | | 0.701 |
| 0.955 | -16 | 0.978 | | PUBLIC EMPLOYEES RETIREMENT SYSTEM | | | |
| 0.952 | -15 | 0.976 | | PLAN I | | | |
| 0.948 | -14 | 0.974 | | Early Retirement Factors | | | |
| 0.944 | -13 | 0.972 | | by Year and Month | | | |
| 0.939 | -12 | 0.969 | | | | | |
| 0.933 | -11 | 0.966 | | 1 | 0 | 0 | 1.0000 |
| 0.926 | -10 | 0.962 | | | | 1 | .9910 |
| 0.919 | -9 | 0.958 | | | | 2 | .9821 |
| 0.912 | -8 | 0.954 | | | | 3 | .9731 |
| 0.903 | -7 | 0.950 | | | | 4 | .9641 |
| 0.894 | -6 | 0.945 | | | | 5 | .9551 |
| 0.885 | -5 | 0.939 | | | | 6 | .9462 |
| 0.874 | -4 | 0.933 | | | | 7 | .9372 |
| 0.862 | -3 | 0.926 | | | | 8 | .9282 |
| 0.846 | -2 | 0.917 | | | | 9 | .9193 |
| 0.828 | -1 | 0.907 | | | | 10 | .9103 |
| 0.809 | 0 | 0.896 | | | | 11 | .9013 |
| 0.791 | 1 | 0.885 | | 1 | 0 | | .8923 |
| 0.774 | 2 | 0.874 | | | 1 | | .8845 |
| 0.760 | 3 | 0.865 | | | 2 | | .8767 |
| 0.748 | 4 | 0.858 | | | 3 | | .8688 |
| 0.738 | 5 | 0.851 | | | 4 | | .8610 |
| 0.729 | 6 | 0.845 | | | 5 | | .8531 |
| 0.718 | 7 | 0.838 | | | 6 | | .8453 |
| 0.705 | 8 | 0.829 | | | 7 | | .8374 |
| 0.691 | 9 | 0.819 | | | 8 | | .8296 |
| 0.678 | 10 | 0.810 | | | 9 | | .8217 |
| 0.668 | 11 | 0.803 | | | 10 | | .8139 |
| 0.660 | 12 | 0.797 | | | 11 | | .8061 |
| 0.653 | 13 | 0.792 | | 2 | 0 | | .7982 |
| 0.646 | 14 | 0.787 | | | 1 | | .7913 |
| 0.639 | 15 | 0.782 | | | 2 | | .7844 |
| 0.632 | 16 | 0.777 | | | 3 | | .7776 |
| 0.626 | 17 | 0.772 | | | 4 | | .7707 |
| 0.620 | 18 | 0.767 | | | 5 | | .7638 |
| 0.614 | 19 | 0.763 | | | 6 | | .7569 |
| 0.609 | 20 | 0.759 | | | 7 | | .7500 |
| 0.603 | 21 | 0.754 | | | 8 | | .7431 |
| 0.598 | 22 | 0.750 | | | 9 | | .7363 |
| 0.594 | 23 | 0.747 | | | 10 | | .7294 |
| 0.589 | 24 | 0.743 | | | 11 | | .7225 |
| 0.584 | 25 | 0.739 | | 3 | 0 | | .7156 |
| 0.580 | 26 | 0.736 | | | 1 | | .7096 |
| 0.576 | 27 | 0.733 | | | 2 | | .7003 |
| 0.572 | 28 | 0.730 | | | 3 | | .6975 |
| 0.569 | 29 | 0.727 | | | 4 | | .6914 |
| 0.565 | 30 | 0.724 | | | 5 | | .6853 |
| 0.562 | 31 | 0.721 | | | 6 | | .6793 |
| 0.559 | 32 | 0.718 | | | 7 | | .6732 |
| 0.556 | 33 | 0.716 | | | 8 | | .6672 |
| 0.553 | 34 | 0.713 | | | 9 | | .6611 |
| 0.550 | 35 | 0.711 | | | 10 | | .6551 |
| 0.547 | 36 | 0.709 | | | 11 | | .6490 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|---|----|-------|
| 4 | 0 | .6429 |
| | 1 | .6376 |
| | 2 | .6322 |
| | 3 | .6269 |
| | 4 | .6215 |
| | 5 | .6162 |
| | 6 | .6109 |
| | 7 | .6055 |
| | 8 | .6002 |
| | 9 | .5948 |
| | 10 | .5895 |
| | 11 | .5841 |
| 5 | 0 | .5788 |
| | 1 | .5740 |
| | 2 | .5693 |
| | 3 | .5646 |
| | 4 | .5598 |
| | 5 | .5551 |
| | 6 | .5504 |
| | 7 | .5446 |
| | 8 | .5409 |
| | 9 | .5362 |
| | 10 | .5314 |
| | 11 | .5267 |
| 6 | 0 | .5220 |
| | 1 | .5178 |
| | 2 | .5136 |
| | 3 | .5094 |
| | 4 | .5052 |
| | 5 | .5010 |
| | 6 | .4968 |
| | 7 | .4926 |
| | 8 | .4884 |
| | 9 | .4842 |
| | 10 | .4880 |
| | 11 | .4758 |
| 7 | 0 | .4716 |
| | 1 | .4678 |
| | 2 | .4641 |
| | 3 | .4603 |
| | 4 | .4566 |
| | 5 | .4529 |
| | 6 | .4491 |
| | 7 | .4454 |
| | 8 | .4416 |
| | 9 | .4379 |
| | 10 | .4342 |
| | 11 | .4304 |
| 8 | 0 | .4267 |
| | 1 | .4234 |
| | 2 | .4200 |
| | 3 | .4167 |
| | 4 | .4134 |
| | 5 | .4100 |
| | 6 | .4067 |
| | 7 | .4033 |
| | 8 | .4000 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|----|----|-----------|
| | 9 | .3967 |
| | 10 | .3933 |
| | 11 | .3900 |
| 9 | 0 | .3867 |
| | 1 | .3837 |
| | 2 | .3807 |
| | 3 | .3777 |
| | 4 | .3747 |
| | 5 | .3748 |
| | 6 | .3688 |
| | 7 | .3658 |
| | 8 | .3628 |
| | 9 | .3598 |
| | 10 | .3569 |
| | 11 | .3539 |
| 10 | 0 | .3509 |
| | 1 | .3482 |
| | 2 | .3456 |
| | 3 | .3429 |
| | 4 | .3402 |
| | 5 | .3375 |
| | 6 | .3349 |
| | 7 | .3322 |
| | 8 | .3295 |
| | 9 | .3269 |
| | 10 | .3242 |
| | 11 | .3215 |
| 11 | 0 | .3188 |
| | 1 | .3165 |
| | 2 | .3141 |
| | 3 | .3117 |
| | 4 | .3093 |
| | 5 | .3069 |
| | 6 | .3045 |
| | 7 | .3021 |
| | 8 | .2997 |
| | 9 | .2973 |
| | 10 | 2949.0000 |
| | 11 | .2925 |
| 12 | 0 | .2901 |
| | 1 | .2879 |
| | 2 | .2858 |
| | 3 | .2836 |
| | 4 | .2815 |
| | 5 | .2793 |
| | 6 | .2771 |
| | 7 | .2750 |
| | 8 | .2728 |
| | 9 | .2707 |
| | 10 | .2685 |
| | 11 | .2664 |
| 13 | 0 | .2642 |
| | 1 | .2623 |
| | 2 | .2603 |
| | 3 | .2584 |
| | 4 | .2564 |
| | 5 | .2545 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 6 | .2526 |
| | 7 | .2506 |
| | 8 | .2487 |
| | 9 | .2467 |
| | 10 | .2448 |
| | 11 | .2429 |
| 14 | 0 | .2409 |
| | 1 | .2392 |
| | 2 | .2374 |
| | 3 | .2357 |
| | 4 | .2339 |
| | 5 | .2322 |
| | 6 | .2304 |
| | 7 | .2287 |
| | 8 | .2269 |
| | 9 | .2252 |
| | 10 | .2234 |
| | 11 | .2216 |
| 15 | 0 | .2199 |
| | 1 | .2183 |
| | 2 | .2167 |
| | 3 | .2151 |
| | 4 | .2136 |
| | 5 | .2120 |
| | 6 | .2104 |
| | 7 | .2088 |
| | 8 | .2072 |
| | 9 | .2057 |
| | 10 | .2041 |
| | 11 | .2025 |
| 16 | 0 | .2009 |
| | 1 | .1995 |
| | 2 | .1980 |
| | 3 | .1966 |
| | 4 | .1952 |
| | 5 | .1937 |
| | 6 | .1923 |
| | 7 | .1909 |
| | 8 | .1894 |
| | 9 | .1880 |
| | 10 | .1866 |
| | 11 | .1851 |
| 17 | 0 | .1837 |
| | 1 | .1824 |
| | 2 | .1811 |
| | 3 | .1798 |
| | 4 | .1785 |
| | 5 | .1772 |
| | 6 | .1759 |
| | 7 | .1746 |
| | 8 | .1733 |
| | 9 | .1720 |
| | 10 | .1707 |
| | 11 | .1694 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| 18 | 0 | .1681 |
| | 1 | .1670 |
| | 2 | .1658 |
| | 3 | .1646 |
| | 4 | .1634 |
| | 5 | .1623 |
| | 6 | .1611 |
| | 7 | .1599 |
| | 8 | .1587 |
| | 9 | .1575 |
| | 10 | .1564 |
| | 11 | .1552 |
| 19 | 0 | .1540 |
| | 1 | .1529 |
| | 2 | .1519 |
| | 3 | .1508 |
| | 4 | .1497 |
| | 5 | .1487 |
| | 6 | .1476 |
| | 7 | .1465 |
| | 8 | .1455 |
| | 9 | .1444 |
| | 10 | .1433 |
| | 11 | .1422 |
| 20 | 0 | .1412 |
| | 1 | .1402 |
| | 2 | .1392 |
| | 3 | .1383 |
| | 4 | .1373 |
| | 5 | .1363 |
| | 6 | .1353 |
| | 7 | .1344 |
| | 8 | .1334 |
| | 9 | .1324 |
| | 10 | .1315 |
| | 11 | .1305 |
| 21 | 0 | .1295 |
| | 1 | .1286 |
| | 2 | .1277 |
| | 3 | .1269 |
| | 4 | .1260 |
| | 5 | .1251 |
| | 6 | .1242 |
| | 7 | .1233 |
| | 8 | .1224 |
| | 9 | .1215 |
| | 10 | .1207 |
| | 11 | .1198 |
| 22 | 0 | .1189 |
| | 1 | .1181 |
| | 2 | .1173 |
| | 3 | .1165 |
| | 4 | .1157 |
| | 5 | .1149 |
| | 6 | .1140 |
| | 7 | .1132 |
| | 8 | .1124 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|----------|
| | 9 | .1116 |
| | 10 | .1108 |
| | 11 | .1100 |
| 23 | 0 | .1092 |
| | 1 | .1085 |
| | 2 | .1077 |
| | 3 | .1070 |
| | 4 | .1063 |
| | 5 | .1055 |
| | 6 | .1048 |
| | 7 | .1041 |
| | 8 | .1033 |
| | 9 | .1026 |
| | 10 | .1018 |
| | 11 | .1011 |
| 24 | 0 | .1004 |
| | 1 | .0997 |
| | 2 | .0990 |
| | 3 | .0984 |
| | 4 | .0977 |
| | 5 | .0974 |
| | 6 | .0963 |
| | 7 | .0957 |
| | 8 | .0950 |
| | 9 | .0943 |
| | 10 | .0937 |
| | 11 | .0930 |
| 25 | 0 | .0923 |
| | 1 | .0917 |
| | 2 | 911.0000 |
| | 3 | .0905 |
| | 4 | .0898 |
| | 5 | .0892 |
| | 6 | .0886 |
| | 7 | .0880 |
| | 8 | .0874 |
| | 9 | .0868 |
| | 10 | .0862 |
| | 11 | .0856 |
| 26 | 0 | .0849 |
| | 1 | .0844 |
| | 2 | .0838 |
| | 3 | .0833 |
| | 4 | .0827 |
| | 5 | .0821 |
| | 6 | .0816 |
| | 7 | .0810 |
| | 8 | .0804 |
| | 9 | .0799 |
| | 10 | .0793 |
| | 11 | .0788 |
| 27 | 0 | .0782 |
| | 1 | .0777 |
| | 2 | .0772 |
| | 3 | .0767 |
| | 4 | .0761 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|----------|
| | 5 | .0756 |
| | 6 | .0751 |
| | 7 | .0746 |
| | 8 | .0741 |
| | 9 | .0736 |
| | 10 | .0731 |
| | 11 | .0725 |
| 28 | 0 | .0720 |
| | 1 | .0716 |
| | 2 | .0711 |
| | 3 | .0706 |
| | 4 | .0701 |
| | 5 | .0697 |
| | 6 | .0692 |
| | 7 | .0687 |
| | 8 | .0683 |
| | 9 | .0678 |
| | 10 | .0673 |
| | 11 | .0668 |
| 29 | 0 | .0664 |
| | 1 | .0659 |
| | 2 | .0655 |
| | 3 | .0651 |
| | 4 | .0646 |
| | 5 | .0642 |
| | 6 | .0638 |
| | 7 | .0634 |
| | 8 | .0629 |
| | 9 | .0625 |
| | 10 | .0621 |
| | 11 | .0616 |
| 30 | 0 | .0612 |
| | 1 | .0608 |
| | 2 | .0604 |
| | 3 | .0600 |
| | 4 | .0596 |
| | 5 | .0592 |
| | 6 | .0588 |
| | 7 | .0584 |
| | 8 | .0580 |
| | 9 | .0576 |
| | 10 | .0572 |
| | 11 | .0568 |
| 31 | 0 | .0564 |
| | 1 | .0561 |
| | 2 | .0557 |
| | 3 | .0553 |
| | 4 | .0550 |
| | 5 | .0546 |
| | 6 | .0543 |
| | 7 | 539.0000 |
| | 8 | .0535 |
| | 9 | .0532 |
| | 10 | .0528 |
| | 11 | .0524 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|----|----|----------|
| 32 | 0 | .0521 |
| | 1 | .0517 |
| | 2 | .0514 |
| | 3 | .0511 |
| | 4 | .0507 |
| | 5 | .0504 |
| | 6 | .0501 |
| | 7 | .0497 |
| | 8 | .0494 |
| | 9 | .0491 |
| | 10 | .0487 |
| | 11 | .0484 |
| 33 | 0 | .0481 |
| | 1 | .0478 |
| | 2 | .0475 |
| | 3 | .0471 |
| | 4 | .0768 |
| | 5 | .0465 |
| | 6 | .0462 |
| | 7 | .0459 |
| | 8 | .0456 |
| | 9 | .0453 |
| | 10 | .0450 |
| | 11 | .0447 |
| 34 | 0 | .0444 |
| | 1 | .0441 |
| | 2 | .0438 |
| | 3 | .0435 |
| | 4 | .0433 |
| | 5 | .0430 |
| | 6 | .0427 |
| | 7 | .0424 |
| | 8 | .0421 |
| | 9 | .0418 |
| | 10 | .0416 |
| | 11 | .0413 |
| 35 | 0 | .0410 |
| | 1 | .0407 |
| | 2 | .0405 |
| | 3 | 402.0000 |
| | 4 | .0400 |
| | 5 | .0397 |
| | 6 | .0394 |
| | 7 | .0392 |
| | 8 | .0389 |
| | 9 | .0387 |
| | 10 | .0384 |
| | 11 | .0381 |
| 36 | 0 | .0379 |
| | 1 | .0376 |
| | 2 | .0374 |
| | 3 | .0372 |
| | 4 | .0369 |
| | 5 | .0367 |
| | 6 | .0364 |
| | 7 | .0362 |
| | 8 | .0360 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN 1

Early Retirement Factors
by Year and Month

| | | |
|----|----|-------|
| | 9 | .0357 |
| | 10 | .0355 |
| | 11 | .0352 |
| 37 | 0 | .0350 |
| | 1 | .0348 |
| | 2 | .0346 |
| | 3 | .0343 |
| | 4 | .0341 |
| | 5 | .0339 |
| | 6 | .0337 |
| | 7 | .0335 |
| | 8 | .0332 |
| | 9 | .0330 |
| | 10 | .0328 |
| | 11 | .0326 |
| 38 | 0 | .0324 |
| | 1 | .0322 |
| | 2 | .0320 |
| | 3 | .0318 |
| | 4 | .0316 |
| | 5 | .0313 |
| | 6 | .0311 |
| | 7 | .0309 |
| | 8 | .0307 |
| | 9 | .0305 |
| | 10 | .0303 |
| | 11 | .0301 |
| 39 | 0 | .0299 |
| | 1 | .0297 |
| | 2 | .0296 |
| | 3 | .0294 |
| | 4 | .0292 |
| | 5 | .0290 |
| | 6 | .0288 |
| | 7 | .0286 |
| | 8 | .0284 |
| | 9 | .0282 |
| | 10 | .0281 |
| | 11 | .0279 |
| 40 | 0 | .0277 |
| | 1 | .0275 |
| | 2 | .0273 |
| | 3 | .0272 |
| | 4 | .0270 |
| | 5 | .0268 |
| | 6 | .0266 |
| | 7 | .0265 |
| | 8 | .0263 |
| | 9 | .0261 |
| | 10 | .0260 |
| | 11 | .0258 |
| 41 | 0 | .0256 |
| | 1 | .0255 |
| | 2 | .0253 |
| | 3 | .0251 |
| | 4 | .0250 |
| | 5 | .0248 |

PUBLIC EMPLOYEES RETIREMENT SYSTEM
PLAN I

Early Retirement Factors
by Year and Month

| | | |
|----|----|----------|
| | 6 | .0247 |
| | 7 | .0245 |
| | 8 | .0243 |
| | 9 | .0242 |
| | 10 | .0240 |
| | 11 | .0239 |
| 42 | 0 | 237.0000 |
| | 1 | .0236 |
| | 2 | .0234 |
| | 3 | .0233 |
| | 4 | .0231 |
| | 5 | .0230 |
| | 6 | .0228 |
| | 7 | .0227 |
| | 8 | .0225 |
| | 9 | .0224 |
| | 10 | .0222 |
| | 11 | .0221 |
| 43 | 0 | .0219 |
| | 1 | .0218 |
| | 2 | .0217 |
| | 3 | .0215 |
| | 4 | .0214 |
| | 5 | .0213 |
| | 6 | .0211 |
| | 7 | .0210 |
| | 8 | .0209 |
| | 9 | .0207 |
| | 10 | .0206 |
| | 11 | .0205 |
| 44 | 0 | .0203 |
| | 1 | .0202 |
| | 2 | .0201 |
| | 3 | .0199 |
| | 4 | .0198 |
| | 5 | .0197 |
| | 6 | .0196 |
| | 7 | .0194 |
| | 8 | .0193 |
| | 9 | .0192 |
| | 10 | .0191 |
| | 11 | .0189 |
| 45 | 0 | .0188 |

WSR 90-19-115
EMERGENCY RULES
PIERCE COLLEGE

[Filed September 19, 1990, 4:13 p.m.]

Date of Adoption: September 12, 1990.
Purpose: To protect the welfare of the student population and the college community.
Citation of Existing Rules Affected by this Order: Repealing chapter 132K-16 WAC.
Statutory Authority for Adoption: RCW 28B.50.140.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Public Law 101-226.
Effective Date of Rule: Immediately.

September 18, 1990
Frank B. Brouillet
President

CHAPTER 132K-16 WAC
STUDENT RIGHTS AND RESPONSIBILITIES

NEW SECTION

WAC 132K-16-120 DEFINITIONS. As used in this chapter, the following words and phrases shall be defined as follows:

(1) "Academic dishonesty" shall mean plagiarism, cheating on examinations, fraudulent representation of student work product or other similar act of academic dishonesty.

(2) "Alcoholic beverages" shall mean the definition of liquor as contained within RCW 66.04.010(15) as now law or hereafter amended.

(3) "Assembly" shall mean any overt activity engaged in by two (2) or more persons, the object of which is to gain publicity, advocate a view, petition for a cause, or dissemination of information to any person, persons or group of persons.

(4) "ASPC" shall mean the associated students of Pierce College as defined in the constitution of that body.

(5) "Board" shall mean the Board of Trustees of Community College District No. 11, state of Washington.

(6) "Chief Administrative Officer" shall mean the President of Pierce College and President of Community College District No. 11, state of Washington.

(7) "College" shall mean Pierce College, and any other community college center or facilities established within Community College District No. 11.

(8) "College facilities" shall mean and include any and all personal property and real property including all buildings and appurtenances affixed thereon or attached thereto district-wide.

(9) "Demonstrations" shall mean any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons, or group of persons.

(10) "Disciplinary action" shall mean and include a warning, reprimand, probation, suspension, or dismissal of any student by the Dean of Students issued pursuant to this chapter for the violation of any designated rule or regulation of the rules of conduct for which a student is subject to disciplinary action.

(11) "Controlled substance" shall mean and include any drug of substance as defined in chapter 69.50 RCW as now law or hereafter amended.

(12) "Faculty" shall mean and include any full-time or part-time academic employee of the district whose

assignment is one of a combination of instruction, counseling, or library services.

(13) "Rules of conduct" shall mean those rules contained within this chapter as now exist or which may be hereafter amended, the violation of which subjects a student to disciplinary action.

(14) "Student" unless otherwise qualified, shall mean and include any person who is registered for classes at the college.

(15) "College Disciplinary Court" shall mean the judicial body provided in this chapter.

(16) "Trespass" shall mean the definition of trespass as contained within chapter 9A.52 RCW, as now law or hereafter amended.

NEW SECTION

WAC 132K-16-130 JURISDICTION. (1) All rules herein adopted shall apply to every student whenever said student is present upon or in any college facility and whenever said student is present and/or engaged in any college-sponsored activity which is held on or in non-college facilities.

(2) Faculty members, other college employees, students, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to (a) possible prosecution under the state criminal law, (b) any other civil or criminal remedies available to the public, or (c) appropriate disciplinary action pursuant to the state of Washington Higher Education Personnel Board rules or the district's policies and regulations.

(3) Statutory authority of the Revised Code of Washington cited in the document is on file and available in the office of the Dean of Students.

NEW SECTION

WAC 132K-16-140 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 288-50-090 (3)(b).

(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 discrimination, inappropriate, and disrespectful conduct, and 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 sanction may be imposed on any student without notice to the accused of the nature of the charges.

(c) A student accused of violating the Code of Student Rights and Responsibilities is entitled, upon request, to procedural due process as set forth in 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 shall have the right to invite outside speakers to speak on campus subject to the availability of campus facilities, funding, and compliance with the college procedures available in the office of Student Programs and Activities.

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

NEW SECTION

WAC 132K-16-150 STUDENT RESPONSIBILITIES. Any student shall be subject to disciplinary action as provided for in this chapter who, either as a principle actor, aider, abettor or accomplice as defined in RCW 9A.08.020 interferes 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:

(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) Disorderly, abusive, or bothersome conduct. Disorderly or abusive behavior which interferes with the rights of others or which obstructs or disrupts teaching, research, or administrative functions.

(c) Failure to follow instructions. Inattentiveness, inability, or failure of student to follow instructor's instructions, when such behavior infringes upon the rights and privileges of other students.

(d) Illegal assembly, obstruction or disruption. Any assembly 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.

(e) False complaint. Filing a formal complaint falsely accusing another student or college employee with violating a provision of this chapter.

(f) False alarms. 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.

(g) Sexual harassment. Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where such behavior

offends the recipient, causes discomfort or humiliation, or interferes with job or school performance.

(2) *Property offenses.*

(a) *Theft and robbery.* Theft of the property of the district or of another as defined in the RCW 9A.56.010-9A.56.050 and 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) *Unauthorized use of college equipment and supplies.* Converting of college equipment or supplies for personal gain or use without proper authority.

(3) *Status offenses.*

(a) *Cheating and plagiarism.* Submitting to a college employee any work product that the student fraudulently represents to the college employee as the student's work product for the purpose of fulfilling or partially fulfilling any assignment or task required by the college employee as part of the student's program of instruction.

(b) *Forgery or alteration of records.* Forging or tendering any forged records or instruments, as defined in RCW 9A.60.010-9A.60.020 as 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.

(c) *Refusal to provide identification in appropriate circumstances.* Refusal to provide positive identification (e.g., valid driver's license or state identification card) 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's office 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.* Smoking in all campus buildings is prohibited.

(f) *Controlled substances.* Using, possessing, being under the influence of, or selling any narcotic or controlled substance as defined in chapter 69.50 RCW 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 under the influence of any form of alcoholic beverage. Possessing, consuming or distributing any form of alcoholic beverage on college property, with the exception of sanctioned events, approved by the Dean of Students or his/her designee(s) and in compliance with the Alcoholic Policy of the college and other state law.

(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 damage to real or personal property.

(i) *Other laws, rules or regulations violating any other law, rule or regulation of the institution.*

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

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NEW SECTION

WAC 132K-16-160 TRESPASS. The Dean of Students and his or her designee(s) shall have the 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 to halt any event which is deemed to be unreasonably disruptive of order or impedes the movement of persons or vehicles or which disrupts or threatens to disrupt the ingress and/or egress of persons from facilities owned and/or operated by the college. Any individual who disobeys a lawful order given by the Dean of Students, or his/her designee(s), shall be subject to disciplinary action and/or charges of criminal trespass.

NEW SECTION

WAC 132K-16-170 DELEGATION OF DISCIPLINARY AUTHORITY. The Dean of Students, or his/her designee(s), shall have authority to administer the disciplinary action prescribed in this chapter. The President shall be informed of all student dismissals, suspensions or probation proceedings by the Dean of Students, or his/her designee(s).

NEW SECTION

WAC 132K-16-180 DISCIPLINARY ACTION. The following disciplinary actions are hereby established and shall be imposed upon violators of the rules of conduct enumerated to this chapter and pursuant to the right of appeal as outlined in this chapter.

(1) *Disciplinary warning.* Verbal notice to a student by the Dean of Students, or his/her designee(s) that she/he has violated the rules of conduct as outlined in this chapter or has otherwise failed to satisfy the college's expectations regarding conduct. Such warnings imply that continuing or repeating the specific violation or engaging in other misconduct will result in one of the more serious disciplinary actions described below. Formal files or records will not be kept on informal verbal warnings.

(2) *Disciplinary reprimand.* Formal action censuring a student for violating the rules of conduct as outlined in WAC 132K-16-150. Reprimands shall be made in writing to the student by the Dean of Students, or his/her designee(s), with copies placed on file in the office of the Dean of Students. A reprimand shall indicate to the student that continuing or repeating the specific violation involved will result in one of the more serious disciplinary actions described below.

(3) *Disciplinary probation.* Formal action by the Dean of Students, or his/her designee(s), placing conditions upon the student's continued attendance for violation of WAC 132K-16-150. Notice shall be made in writing and shall specify term or for an indefinite period which

may extend to graduation or other termination of the student's enrollment in the college.

(4) *Limited dismissal.* Temporary dismissal from the college and termination of the person's student status for violation of WAC 132K-16-150. Notice shall be given in writing and specify the duration of the dismissal and any special conditions which must be met before readmission.

(5) *Expulsion.* Permanent termination of a student's status for violation of WAC 132K-16-150. Notice must be given in writing. There shall be no refund of fees for the quarter in which the action is taken but fees paid in advance for a subsequent quarter will be refunded.

NEW SECTION

WAC 132K-16-190 INITIAL DISCIPLINARY PROCEEDINGS. (1) All disciplinary proceedings will be initiated by the Dean of Students or his/her designated representative(s). The student may be placed on suspension pending commencement of disciplinary action, pursuant to the conditions set for in WAC 132K-16-260.

(2) Any student accused of violating any provision of the rules of conduct shall be called for an initial meeting with the Dean of Students, or his/her designated representative(s), and will be informed of what provision or provisions of the rules of conduct he/she is charged with violating, and what appears to be the range of penalties, if any, which might result from disciplinary proceedings.

(3) After considering the evidence in the case and interviewing the accused student, if the accused student has appeared at the scheduled conference, 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 of Students deems appropriate; (c) impose verbal warning to the student directly, not subject to the student's right of appeal as provided in this chapter; (d) impose additional sanctions of reprimand, probation, limited dismissal or expulsion, subject to the student's right of appeal as provided in the following provisions.

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

NEW SECTION

WAC 132K-16-200 APPEALS-GENERALLY. (1) Appeals contesting any disciplinary action may be made by the student(s) involved. Such appeals shall be made in the following order:

(a) Disciplinary action taken by the Dean of Students, or his/her designee(s) may be appealed to the College Disciplinary Court, which may, at the request of the student(s), hear the case *de novo*.

(b) Disciplinary recommendations made by the College Disciplinary Appeals Committee may be appealed by the student(s) to the President of the college. The President shall review the record of the proceedings

which gave rise to the appeal, as well as the recommendations made by the Dean of Students and the College Disciplinary Appeals Committee. The President's decision shall be final.

(2) Any appeal by a student receiving a disciplinary sanction must meet the following conditions: (a) the appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal; (b) the appeal must be filed within ten (10) working days from the date on which the student was notified that disciplinary action was being taken.

(3) All appellate decisions shall be sent from the office of the Dean of Students. Written decisions shall include the signatures of the College Disciplinary Appeals Committee.

NEW SECTION

WAC 132K-16-210 COMPOSITION AND STRUCTURE OF THE COLLEGE DISCIPLINARY APPEALS COMMITTEE. (1) The College Disciplinary Appeals Committee shall be composed of a chairperson and six (6) members.

(a) The chairperson shall be chosen by the standing College Disciplinary Appeals Committee for each specific hearing.

(b) Three (3) student members, each in good academic standing, appointed by the ASPC Student Senate to serve a one (1) academic year term.

(c) Two (2) faculty members chosen by the Faculty Association, serving two (2) year, non-concurrent terms.

(d) One (1) staff members, chosen by the classified staff executive committee, serving two (2) year terms.

(e) One (1) Administrator appointed by the President, serving a one (1) year term.

(f) Members shall be selected no later than October 15th. Appointments shall be made to fill vacancies which occur during a term by each respective group.

(2) Each committee member shall cast a vote. In the case of a tie, the chairperson shall cast the deciding vote.

(3) If any member of the College Disciplinary Appeals Committee is unable to consider a particular disciplinary proceeding for any reason (including but not limited to conflict of interest, matters of conscience, absence, or related reasons) such members shall abstain from considering the issues. Temporary appointments will be made for members abstaining pursuant to the above stated procedures.

(4) A quorum consisting of a majority shall be required for all proceedings. The College Disciplinary Appeals Committee shall consist of the chairperson, or in his/her absence the associate chairperson, and at least four (4) committee members; provided, in the event that the chairperson and the associate chairperson have been replaced in accordance with subparagraph (2) above, the College Disciplinary Appeals Committee shall meet to elect a temporary chairperson.

NEW SECTION

WAC 132K-16-220 HEARING PROCEDURES BEFORE THE COLLEGE DISCIPLINARY APPEALS COMMITTEE. (1) The College Disciplinary

Appeals Committee shall conduct a hearing within ten (10) working days after disciplinary action has been referred to the committee.

(2) Where a person is charged with an offense punishable by suspension, limited dismissal, or termination of his/her relationship with the institution, and where the person (a) waives the opportunity for an informal hearing, or (b) by his conduct (in the judgement of the hearing officer) makes it impossible to conduct an informal hearing, or (c) is dissatisfied with the results of the informal hearing, that person is entitled to a formal hearing conducted according to the provisions of RCW 28B.19.110 and the guidelines of this chapter. Where a formal hearing is neither required by law nor requested by the student or the college, the matter may be resolved informally. Informal hearings before the College Disciplinary Appeals Committee shall be conducted in any manner which will bring about a prompt, fair resolution of the issue.

(3) The College Disciplinary Appeals Committee will hear and decide cases referred to it by the Dean of Students or by appeal as specified in WAC 132K-16-190. The committee shall prepare a written opinion which shall include findings of fact, conclusions, and recommendations.

(4) The student has a right to a fair and impartial hearing before the College Disciplinary Appeals Committee on any charge of violating the rules of conduct. The student's failure to cooperate with the court's hearing procedures, however, shall not preclude the College Disciplinary Appeals Committee from making its findings of fact, conclusions and recommendations.

(5) Written notice of the time and place of the hearing before the College Disciplinary Appeals Committee shall be given to the student by personal service or certified mail. Such notice shall be afforded not less than five (5) working days in advance of the hearing and shall be issued by the office of the Dean of Students. The notice shall include:

(a) A statement of time, place and nature of the disciplinary proceedings; and

(b) A statement of the specific charges against him/her including reference to the particular sections of the rules of conduct 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.

(6) The student shall be entitled to:

(a) Hear and examine the evidence against him/her and be informed of the identity of its source; and

(b) Present evidence in his/her own behalf and to cross-examine witnesses testifying on behalf of the college as to factual matters; and

(c) Take depositions upon oral examination or written interrogatories. Discovery shall be done according to the rules of civil procedure or by a less formal method where all parties agree.

(7) The student may be represented by counsel of his/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 Dean of Students at least four (4) working days prior to the hearing.

(8) In all disciplinary proceedings, the college may be represented by a designee appointed by the Dean of Students; that designee may then present the college's case against the student accused of violating the rules of conduct; provided, that in those cases in which the student elects to be represented by a licensed attorney, the Dean of Students may elect to have the college represented by an assistant attorney general.

(9) The 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 College Disciplinary Appeals Committee during the course of the hearing. The proceedings of the hearing shall also be tape-recorded.

(10) The record in a formal hearing shall contain: (a) All documents, motions, and intermediate rulings; and (b) evidence received and considered; and (c) a statement of matters officially noted; and (d) questions and offers of proof, objections and rulings thereon.

(11) All records of disciplinary proceedings shall be maintained in the office of the Dean of Students and shall be available only during the course of the disciplinary proceedings to the College Disciplinary Appeals Committee, the student and his/her attorney, and any other college official designated by the President.

(12) Following the conclusion of the disciplinary proceeding, access to records of the case and hearing files will be limited to those designated by the college President.

(13) Proceedings of the College Disciplinary Appeals Committee shall be presided over by a presiding officer as provided in WAC 132K-16-210 and 132K-16-220.

(14) Following final disposition of the case and any appeals therefrom, the president may direct the destruction of any records of any disciplinary proceedings, provided that such destruction is in conformance with the requirements of chapter 40.14 RCW.

(15) The time of the hearing may be advanced by the College Disciplinary Appeals Committee at the request of the student or continued for good cause.

(16) Hearings conducted by the College Disciplinary Appeals Committee generally will be held in closed session; the accused student may request the hearing to be held in open session.

(17) If at any time during the conduct of a hearing visitors disrupt the proceedings, the presiding officer of the College Disciplinary Appeals Committee may exclude such persons from the hearing room.

(18) Any student of the college attending the disciplinary hearing who continues to disrupt the proceedings after the presiding officer has asked him/her to cease or to leave the hearing room, shall be subject to disciplinary action.

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

NEW SECTION

WAC 132K-16-230 EVIDENCE ADMISSIBLE IN HEARINGS. (1) Only those matters presented at the hearing, in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the College Disciplinary Appeals Committee has sufficient cause to believe that the accused student is guilty of violating the rules he/she is charged with having violated. "Hearsay evidence is admissible."

(2) The presiding officer of the College Disciplinary Appeals 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.

(3) 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.

NEW SECTION

WAC 132K-16-240 DECISION BY THE COLLEGE DISCIPLINARY APPEALS COMMITTEE.

(1) Upon conclusion of the disciplinary hearing, the College Disciplinary Appeals Committee shall consider all the evidence therein presented and decide by majority vote whether to uphold the decision of the Dean of Students or to recommend institution of any of the following actions:

(a) That the college terminate the proceedings and exonerate the student; or

(b) That the college impose any of the disciplinary actions as provided in this chapter.

(2) Within seven (7) working days of the conclusion of the hearing, the student will be provided with a copy of the committee's findings of fact and conclusions regarding what occurred and whether the student did violate any rule or rules of the Code of Conduct. The committee shall also advise the student of his/her right to present, within ten (10) calendar days, a written statement to the President of the college appealing the recommendation of the College Disciplinary Appeals Committee.

NEW SECTION

WAC 132K-16-250 FINAL APPEAL. (1) Any student feeling aggrieved by the findings or conclusions of an appeal pursuant to WAC 132K-16-240 may appeal the same in writing by directing an appeal to the President within ten (10) calendar days following notification of the student of the action taken by the College Disciplinary Appeals Committee. The President may, at his/her discretion, suspend any disciplinary action pending determination of the merits of the findings, conclusions and disciplinary actions imposed. In the consideration of such an appeal, the President shall base his findings and decision only on any reports or recommendations of the College Disciplinary Appeals Committee and the Dean of Students.

NEW SECTION

WAC 132K-16-260 SUMMARY SUSPENSION PROCEDURES. (1) Ordinarily, disciplinary sanctions will be imposed only after the appropriate informal or formal hearing has taken place and after the student has, if he/she so chooses, exercised his/her right to appeal. However, if the Dean of Students or his/her designee(s) has cause to believe that any student (a) has committed a felony; or (b) has violated any provision of this chapter, and (c) presents an imminent danger either to himself/herself, other persons on the college campus or to the educational process, that student shall be summarily suspended and shall be notified by certified and regular mail at the student's last known address, or shall be personally served. Summary suspension is appropriate only where (c) can be shown, either alone or in conjunction with (a) or (b).

(2) The notice shall be entitled "Notice of summary suspension proceedings" and shall state: (a) the charges against the student including reference to the provisions of WAC 132k-16-260 or statutory law involved; and (b) that the student charged must appear before the Dean of Students or his/her designee(s) at a time specified in the notice for hearing. The hearing shall be held as soon as possible after the summary suspension.

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

NEW SECTION

WAC 132K-16-270 PROCEDURES OF SUMMARY SUSPENSION HEARING. (1) The summary suspension hearing shall be considered an informal hearing. The hearing must be conducted as soon as possible and the Dean of Students or his/her designee(s) shall preside.

(2) The Dean of Students shall decide whether there is probable cause to believe that continued suspension is necessary and/or whether some other disciplinary action is appropriate and shall select and notify those appropriate of the decision.

NEW SECTION

WAC 132K-16-280 DECISION BY THE DEAN OF STUDENTS. (1) If the Dean of Students, following the summary suspension hearing, finds that there is probable cause to believe that: (1) The student against whom specific violations are alleged has committed one or more such violations and (2) summary suspension of that student is necessary for the safety of the student, other students or persons on college facilities, the educational process of the institution, or to restore order to the campus; and (3) such violation or violations constitute grounds for disciplinary action as provided for in WAC 132K-16-150, then the Dean of Students may continue to enforce the suspension of the student from college and may impose any other disciplinary action appropriate.

NEW SECTION

WAC 132K-16-290 NOTICE OF SUSPENSION.

(1) If a student's Summary Suspension is upheld or if the student is otherwise disciplined, the student will be provided written notice of that fact including the Dean of Students findings of fact and conclusions which lead the Dean of Students to believe that the Summary Suspension should continue.

(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 mail at the student's last known address within three (3) working days following the conclusion of the hearing with the Dean of Students.

(3) The notice of suspension shall stipulate the duration of the suspension or nature of the disciplinary action and conditions under which the suspension may be terminated.

NEW SECTION

WAC 132K-16-300 APPEALS FROM SUMMARY SUSPENSION HEARING.

(1) Any student aggrieved by an order issued at the Summary Suspension Proceeding may appeal to the College Disciplinary Appeals Committee. No such appeal shall be entertained, however, unless (a) the student has first appeared before the Dean of Students at the hearing called for in WAC 132K-16-290; and (b) the student has been officially notified of the outcome of that hearing; and (c) Summary Suspension or another disciplinary sanction has been upheld; and (d) the appeal conforms to the standards set forth in WAC 132K-16-200(2).

(2) The College Disciplinary Appeals Committee shall, within five (5) working days, conduct a formal hearing according to the provisions of WAC 132K-16-220. Appeals from Summary Suspension take precedence over other matters before the court.

NEW SECTION

WAC 132K-16-310 FINAL DECISION. The President or his/her designee(s) shall review the findings and conclusions of the Dean of Students in conjunction with the recommendations of the College Disciplinary Appeals Committee and will issue a final decision within three (3) working days.

NEW SECTION

WAC 132K-16-320 STUDENT GRIEVANCES. The purpose of this section is to protect each student's freedom of expression in the classroom; to protect each student against improper disclosure of the students' views, beliefs and political associations; to protect each student from improper, arbitrary or capricious academic evaluation as evidenced by the student's final course grade; and to afford each student reasonable protection against arbitrary or capricious actions taken outside the classroom by other members of the college community.

Pierce College is committed to protecting the rights and dignity of each individual in the campus community.

Therefore, the college will not tolerate discrimination of any kind, at any level.

Further, it is the policy of Pierce College to provide an environment in which students can work and study free from sexual harassment or sexual intimidation. Sexual harassment occurs in a context of unequal power and is a form of sexual discrimination. As such, it is a violation of Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Amendments. Sexual harassment of a student is defined as unwelcomed sexual advances, requests for sexual favors, or other verbal or physical conduct when: (a) submission to the conduct is either explicitly or implicitly a term or condition of an individual's academic standing; and/or (b) submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or (c) such conduct has the purpose or effect of unreasonable interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment.

NEW SECTION

WAC 132K-16-330 GRIEVANCES EXCLUDED FROM THIS SECTION. (1) A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of the Student Rights and Responsibilities Code.

(2) Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the State Board for Community College Education or the Board of Trustees of Community College District No. 11 shall not be grievable matters.

NEW SECTION

WAC 132K-16-340 GRIEVANCE PROCEDURES-GENERALLY. If a student believes he/she has been unfairly treated by an officer of the college, faculty member or a member of the college staff, the student may pursue the matter on two (2) levels. First, the student may follow an informal procedure. Second, if the informal procedure fails to satisfy the grievant, he/she may file an official grievance and request a hearing before the Grievance Review Committee. The student may waive his/her right to have the matter resolved informally. In either case, the student must initiate proceedings with the college within twenty (20) days of the occurrence which gave rise to the grievance pertaining to grading issues or within one quarter of the occurrence on other student grievance matters.

NEW SECTION

WAC 132K-16-350 INFORMAL GRIEVANCE PROCEDURES. (1) A student wishing to pursue an informal resolution to his/her grievance may first contact the Student Programs and Activities Office or Ombudsman. That office will serve as a source of information and direction for grievants and shall advise students as to the most effective means of resolving their grievance. This service is optional.

(2) A student may instead, as a first step in the informal grievance procedure, contact the faculty or staff member with whom he/she has a grievance and attempt to resolve the matter through direct discussion.

(3) If direct discussion does not resolve the grievance to the student's satisfaction, the student shall take the matter to the Director, Department Head or Division Chair. That person shall serve as a mediator and will attempt to resolve the matter promptly and fairly.

(4) If the efforts of the supervisor also fail to satisfy the grievant, the supervisor shall forward the complaint to the appropriate Division Chair or Dean who shall, within three (3) working days, decide how best to resolve the grievance and shall issue a written opinion to all parties involved.

(5) The student shall be informed of his/her right to file a petition to have the grievance heard before the Grievance Review Committee.

(6) The informal grievance procedure shall be completed in fifteen (15) working days unless all parties agree to more time.

NEW SECTION

WAC 132K-16-360 INFORMAL GRIEVANCE PROCEDURE-SEXUAL HARASSMENT AND SEX AND HANDICAPPED DISCRIMINATION. (1) Any student alleging a violation of sex discrimination or handicapped discrimination shall, as a first step in the informal grievance procedure, contact the Affirmative Action Officer or his/her designee. If needed, the student may contact the Student Programs and Activities Office for the name and location of the Ombudsman.

(2) The Affirmative Action Officer or his/her designee shall:

(a) Provide information about informal and formal options within and outside the college.

(b) Intervene, if requested by either party, in order to resolve the problem to the satisfaction of all.

(3) If the Affirmative Action Officer is unable to resolve the grievance, the student may file an official grievance requesting a hearing before the grievance review committee and is entitled to all appeals beyond that committee.

(4) Consultations with the Affirmative Action Officer shall be strictly confidential until the Affirmative Action Officer begins to act as mediator.

NEW SECTION

WAC 132K-16-370 GRIEVANCE REVIEW COMMITTEE PROCEDURES. (1) Any grievance not resolved informally may be appealed to the Grievance Review Committee for a hearing. The grievant shall petition the committee by obtaining an official grievance form from the Student Programs and Activities Office. That petition shall be made to the Dean of Students or the Executive Dean of Instruction within five (5) working days of decision in the informal proceedings.

(2) When a petition for review is filed, the student shall either (a) be assigned an advocate, or (b) waive his/her right to an advocate, or (c) notify the college of his/her retention of an attorney. Where the student is

represented by an attorney, the college may be represented by an Assistant Attorney General.

(3) The Registrar shall chair the Grievance Review Committee and its members shall be chosen as follows:

(a) Two (2) faculty members appointed by the Executive Dean of Instruction.

(b) Two (2) students appointed by the President of the Associated Students of Pierce College, and

(c) One (1) classified staff members appointed by the Classified Staff Executive Committee.

(d) One (1) administrative staff.

(4) The student's completed official grievance form shall be distributed to all members of the Grievance Review Committee.

(5) The Grievance Review Committee may call any witnesses and hear any testimony needed to reach a prompt, fair resolution of the grievance. The proceedings before the committee shall not be considered a formal, trial-type hearing. However, where requested by the student and approved by the President, or where required by RCW 28B.19.110, a formal hearing to be conducted in accordance with WAC 132K-120-120 may be granted.

(6) Within three (3) working days of the conclusion of the hearing, the committee shall issue a written recommendation. All parties shall receive a copy of this recommendation.

(7) In the case of instructional grievances, the committee's recommendations shall be sent to the Executive Dean of Instruction. In all other cases, the committee's recommendations shall be forwarded to the Dean of Students. The appropriate dean shall, within three (3) working days, accept, modify, or reject the recommendations of the Grievance Review Committee.

(8) All parties shall be notified of the Dean's decision within five (5) working days.

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

NEW SECTION

WAC 132K-16-380 FINAL DECISION REGARDING THE APPEAL PROCEDURE-EXTRA-INSTITUTIONAL APPEALS. (1) Where the student is not satisfied by the Dean's decision, he/she may appeal that decision to the President of the college provided that such appeal is made within five (5) working days of the student's receipt of notice of the decision.

(2) The President will review the record of the case prepared by the committee together with any appeal statement and will deliver a written acceptance of the Dean's decision or directions as to what other course of action shall be taken, within ten (10) instructional days after receiving the appeal.

(3) This decision shall constitute final agency action by the college.

(4) A student who was granted a formal hearing by the President of the college and who feels aggrieved by the institution's final decision, may petition for judicial review of that decision according to the provisions of RCW 28B.19.150.

(5) For further review on sexual or handicap discrimination cases, the grievant may send appeals or inquiries to:

- (a) Regional Director, Office of Civil Rights, HEW
29011 3rd Avenue, M.S. 510
Seattle, WA 98121
- (b) The Equal Opportunity Commission
1321 2nd Avenue
Seattle, WA 98101
- (c) Human Rights Commission
402 Evergreen Plaza Building
7th and Capitol Way
Olympia, WA 98504

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

NEW SECTION

WAC 132K-16-390 NATURE OF GRIEVANCE PROCEDURES. All hearings growing out of a student-initiated grievance, including appeals to the office of the President, shall remain closed unless all parties to the grievance agree on an open hearing.

NEW SECTION

WAC 132K-16-400 WITHDRAWAL OF GRIEVANCE. (1) At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing.

(2) In the event the grievant or appellant fails to appear for any scheduled hearing without prior notification or evidence of extenuating circumstances, this shall be considered to constitute withdrawal of the grievance or appeal.

NEW SECTION

WAC 132K-16-410 ADMINISTRATIVE, FACULTY AND STAFF GRIEVANCES. Any administrator, faculty member or staff member who is the subject of a student's grievance and who is dissatisfied with the results of any level of the student grievance proceedings shall file a grievance under the appropriate grievance procedure established by Pierce College.

NEW SECTION

WAC 132K-16-420 PRIOR RULES. The rules contained within this chapter supersede all former rules relating to student conduct and student grievances.

NEW SECTION

WAC 132K-16-430 SEVERABILITY. If any provision of this chapter is adjudged by a court to be unconstitutional, the remaining provisions shall continue in effect.

NEW SECTION

WAC 132K-16-440 EFFECTIVE DATE OF THE RULES OF CONDUCT. The rules contained within this chapter shall become effective September 12, 1990.

WSR 90-20-001

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Order 2053—Filed September 20, 1990, 9:01 a.m.]

Date of Adoption: September 20, 1990.

Purpose: To repeal the Washington state honey bee tracheal mite quarantine.

Citation of Existing Rules Affected by this Order: Repealing chapter 16-470 WAC, Rules relating to honey bee tracheal mite quarantine.

Statutory Authority for Adoption: Chapter 17.24 RCW, Insect pests and plant diseases.

Pursuant to notice filed as WSR 90-16-073 on July 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 20, 1990

C. Alan Pettibone
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-470-200 QUARANTINE—HONEY BEE TRACHEAL MITE.

WAC 16-470-210 ARTICLES UNDER QUARANTINE—HONEY BEE TRACHEAL MITE HOSTS AND CARRIERS.

WAC 16-470-220 HONEY BEE TRACHEAL MITE—AREA UNDER QUARANTINE—EXTERIOR.

WAC 16-470-230 HONEY BEE TRACHEAL MITE—RESTRICTIONS.

WAC 16-470-240 HONEY BEE TRACHEAL MITE—ENFORCEMENT.

WSR 90-20-002

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Order 2054—Filed September 20, 1990, 9:02 a.m.]

Date of Adoption: September 20, 1990.

Purpose: To clarify grant applications by grant type and to delete references to obsolete procedures.

Citation of Existing Rules Affected by this Order: Amending chapter 16-752 WAC, Rules relating to the noxious weed grant program.

Statutory Authority for Adoption: Chapter 17.10 RCW, Noxious weeds—Control boards.

Pursuant to notice filed as WSR 90-16-074 on July 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 20, 1990

C. Alan Pettibone
Director

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-001 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

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

(2) "Department" means the Washington state department of agriculture.

(3) "Person" means any individual, partnership, corporation, association, agency, or organized group of persons whether or not incorporated.

(4) "Hay" means the harvested herbage of forage plants, including but not limited to grasses, legumes, sedges and rushes.

(5) "State board" means the Washington state noxious weed control board.

(6) ~~("Abstract" means a concise summary of the main parts of a noxious weed control project.~~

(7)) "Applicant" means a project sponsor.

~~((8)) (7) "BARS" means the budgeting, accounting, and reporting system of municipal fiscal management.~~

~~((9)) (8) "Environmental checklist" means the form in WAC 197-11-960.~~

~~((10)) (9) "Executive secretary" means the state noxious weed control board executive secretary.~~

~~((11) "Intangible benefits" means those benefits lacking physical form including but not limited to goodwill, increased public awareness, and aesthetic improvements.~~

~~((12) "Intangible costs" means those costs lacking physical form including but not limited to ill will, decreased public enjoyment, reduced aesthetics.~~

~~((13)) (10) "Integrated pest management" means a decision-making process which combines all feasible control techniques into a program for managing targeted noxious weeds including but not limited to prevention, monitoring, consideration of alternative methods, and evaluation.~~

~~((14)) (11) "Local noxious weed control agency" means any activated county or regional noxious weed control board created under chapter 17.10 RCW, any weed district created under chapter 17.04 RCW, or any intercounty weed district created under chapter 17.06 RCW.~~

~~((15)) (12) "Monitoring" means inspecting to gather and record site specific information on which decisions about treatment choices are to be based.~~

~~((16)) (13) "Objectives" means statements of precise outcomes which can be measured to determine actual accomplishments.~~

~~((17) "Principle)) (14) "Principal investigator" means the person under whose direction the noxious weed control project will be carried out such as the county weed control ((supervisor)) coordinator or county weed control board chairperson.~~

~~((18)) (15) "Project sponsor" means the county legislative authority of a county with an activated noxious weed control board, a local weed control agency, or a combination of two or more agencies acting through a~~

lead agency, responsible for implementing an approved project.

~~((19)) (16) "Public benefits" means those services, goods, or other benefits, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.~~

~~((20)) (17) "Public costs" means those costs, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.~~

~~((21)) (18) "Significant environmental harm" means a reasonable likelihood of more than a moderate adverse impact on environmental quality as set forth in WAC 197-11-794.~~

~~((22) "Tangible benefits" means those benefits possessing physical form, whether monetary or nonmonetary, including but not limited to public health and safety enhancement, environmental enhancement, and cost savings on consumer goods.~~

~~(23) "Tangible costs" means those costs possessing physical form, whether monetary or nonmonetary, including but not limited to public health and safety degradation, environmental degradation cost increases on consumer goods.)~~

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-115 NOXIOUS WEEDS GRANT PROGRAM—PURPOSE. The purpose of the noxious weeds grant program is to control and prevent noxious weed infestations that pose a potential economic or environmental threat to the state by funding educational projects ((with comprehensive)), weed surveys, biological control activity and control projects with strategies that are well planned, documented, and specific to targeted weed species.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-125 NOXIOUS WEEDS GRANT PROGRAM—WHO MAY APPLY. The legislative authority of any county with an activated county noxious weed control board, or the board of any ~~((local))~~ weed control ~~((agency))~~ district may apply for noxious weed control grant program funds ~~((if such applicant employs adequate administrative personnel to supervise the proposed project for the duration of such project)).~~ In addition, pursuant to RCW 17.10.074(3), the Washington state noxious weed control board may advise the director to reallocate funds designated for the noxious weed grant program to identified projects of general benefit to activated county weed boards and weed districts and/or of benefit to noxious weed control efforts state-wide.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-130 NOXIOUS WEEDS GRANT PROGRAM—APPLICATION PROCEDURE. (1) The department shall specify funding cycles, and application and reporting deadlines as necessary, and shall

give reasonable notice in writing and shall send by regular mail to the legislative authority of each county with an activated county noxious weed control board and each local weed control ((agency)) district notice of such cycles and deadlines.

(2) The applicant may request assistance from the state board executive secretary or from the department in completing the application. The state board executive secretary and the department may provide such assistance subject to the availability of staff and funds for this purpose.

(3) The state board may ~~((reject or))~~ establish a committee to provide a preliminary review of grant applications. The committee may refer back to the applicant or the state board may reject those applications which it finds are:

- (a) Insufficiently documented; or
- (b) Incomplete; or
- (c) Inadequate; or
- (d) Postmarked after the deadline.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-135 NOXIOUS WEEDS GRANT PROGRAM—CONTENT OF GRANT APPLICATION. Applications for grants shall include, but not be limited to, the following information:

(1) The legal name and address of the organization to whom the award should be made;

(2) The scientific name of targeted noxious weed species if applicable;

(3) The weed classification status if applicable;

(4) The project title and status (new or renewal);

(5) The amount of money being requested from the state;

(6) The estimated length of the project and the starting and ending dates;

(7) The name, business address, and telephone number of the ~~((principle))~~ principal investigators;

(8) The type of performing organization;

(9) The signature of the ~~((principle))~~ principal investigator;

~~((The abstract, not to exceed one page, which summarizes the main parts of the project;~~

~~((1))~~ Background information which demonstrates the applicant's familiarity with similar projects;

~~((12))~~ (11) The objectives of the project;

~~((13))~~ (12) The statement of the approach and procedures to be used to accomplish objectives. This section of the proposal shall describe how the applicant plans to approach the problem and indicate the method the applicant will employ to accomplish the objective;

~~((14))~~ (13) A description of actual project activity, utilization of personnel, and compilation of data ~~((including the following:))~~;

~~((a) The precise location of the area affected by the project;~~

~~((b) The known distribution of the weed species outside the project area;~~

~~((c) The number of acres encompassed by project area;~~

~~((d) The number of acres infested by the targeted noxious weed species;~~

~~((e) The type of land affected in the project area including but not limited to cropland, rangeland, pasture, urban/industrial, transportation rights-of-way, or forest;~~

~~((f) A designation of the land within the project areas expressed as percent including but not limited to public land, federal land, tribal land, state land, or private land;~~

~~((g) A description of the agricultural and nonagricultural uses of the project area;~~

~~((5))~~ (14) A projected breakdown of the work to be accomplished on a monthly basis during the funding period;

~~((6))~~ (15) A budget consistent with the BARS format which indicates revenues and expenditures by source;

~~((7))~~ (16) A quarterly expenditure plan;

~~((8))~~ (17) A list of any in-kind contributions committed to the proposed project;

~~((9))~~ (18) If the project is sponsored by several agencies, a draft copy of the interlocal cooperation agreement, memorandum of understanding, or other contract showing the relationship and responsibilities of the agencies;

~~((20))~~ (19) A statement that the project sponsor will enter into a contract with the department for utilization of grant program funds upon approval of the application.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-140 NOXIOUS WEEDS GRANT PROGRAM—APPLICATION EVALUATION—RANKING AND NOTICE OF ACCEPTANCE OR REJECTION OF APPLICATION. (1) The state board shall review, evaluate, assign points to, and rank each application by grant type according to the criteria contained in WAC 16-752-145: PROVIDED, That board members who are also officials of the project sponsor shall not be eligible to rank that project sponsor's application. The state board may establish funding targets by grant application type prior to review of grant applications: PROVIDED, That grant applicants are advised of such targets prior to the final recommendations for grant funding. Each grant application type may be considered separately in line with funding targets.

(2) For control, other than biocontrol, first priority in funding will be given to class "A" and class "B" designate noxious weed species: PROVIDED, That the minimal acceptable standards set forth in WAC 16-752-145(2) are met.

(3) Each state board member shall independently evaluate and score each application by grant type according to WAC 16-752-145(3), after which the state board shall discuss the applications and review the scores. During such discussions, any state board member may change her or his scores. Following the review, the sum of the individual state weed board member scores for each application shall be determined and divided by the number of members scoring the application. This product shall constitute the board's score for the application. The applications thus scored shall be ranked from highest to lowest score.

(4) The results of the state board's scores and ranking shall be submitted to the director for final scoring, ranking, and acceptance or rejection of the application: PROVIDED, That in scoring applications, the director shall use the same criteria as that used by the state board and shall consult with the state board prior to any change in an applicant's rank.

(5) The department shall give notice to each applicant in writing and send by regular mail notice of the action taken on their application. Such notice shall include the applicant's final score and ranking among the applications considered during that cycle.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-145 NOXIOUS WEEDS GRANT PROGRAM—EVALUATION CRITERIA. (1) The state board shall evaluate each application to determine if it meets all the minimal acceptable standards set forth in subsection (2) of this section. Any application which does not meet these standards shall be rejected and no further consideration shall be given to the application.

(2) The minimal acceptable standards are as follows:

(a) The grant applicant employs adequate administrative personnel to supervise the proposed project for the duration of such project;

~~(b)~~ The proposed ~~((method of control))~~ project is technically feasible;

~~((b))~~ (c) The grant application does not represent an unreasonable portion of the weed board or weed districts total budget;

~~(d)~~ The project provides public benefits in excess of public costs;

~~((c))~~ (e) The project will not cause significant environmental harm;

(f) Past grants have been used according to the terms of the grant, reports have been compiled as required, and no serious problems have been identified in project audits;

(g) For control projects, adequate insurance coverage is in place.

(3) Any application which meets all of the minimal acceptable standards shall be assigned points by the state board for each of several specific scientific, technical, economic, and environmental measures established by the state board.

NEW SECTION

WAC 16-752-146 MINIMUM STANDARDS FOR ALL GRANT PROJECT PERFORMANCE. All grants funded by the department shall meet the following requirements:

(1) All treatments of A, B designate, B, or C weeds will be done in a timely manner, at the most susceptible stage.

(2) Record keeping will be consistent with good accounting practices. All records will be available for audit during regular business hours.

(3) All statutory requirements of chapter 17.10 RCW will be met.

NEW SECTION

WAC 16-752-147 MINIMUM STANDARDS FOR A AND B DESIGNATE CONTROL WORK—GRANT FUNDING. In addition to the requirements of WAC 16-752-146, all grants for A and B designate control shall meet the following performance requirements:

(1) Principal goal of designed projects will be immediate containment, and control to the extent that containment is assured; medium range reduction in size of infestation, and long range eradication.

(2) Infestations must be adequately surveyed (as per guidelines provided by the survey committee) to assure that the species is not growing outside the project containment. In cases of newly discovered infestations, where prompt control action is necessary and the survey has not been done, grant applications may be approved if:

(a) The local weed board or weed district has a survey plan to accompany the grant application as a condition of the grant; or

(b) The control grant application is accompanied by a survey grant application.

(3) A and B designates must be treated in a timely fashion at the most susceptible stage of growth and soon enough to prevent viable seed production. Late treatments are not acceptable except in case of newly identified infestation.

(4) All herbicide treatments of A and B designates will be performed by licensed applicators/operators.

(5) Target areas will be inspected after treatment but before seed set to determine if seed production has been prevented. If seed may still be produced then appropriate follow-up action will be required to prevent seed set.

(6) Landowners who employ alternative methods to that approved in the grant will do so at their own expense. Landowners who opt for hand removal must have an approved disposal method, and both infestation and disposal sites are subject to inspection.

(7) In cases of noncompliance, where the landowner fails to control A and B designates, legal enforcements by counties and districts for immediate control and containment will be mandatory for all state funded programs.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-155 NOXIOUS WEEDS GRANT PROGRAM—PROJECT MONITORING, EVALUATION AND REPORTING. (1) The ~~((principle))~~ principal investigator shall monitor the progress of the project; evaluate the effects of the project; account for all project funds and expenditures; and submit ~~((an annual))~~ a biennial and/or final report of its findings to the department and state board.

(2) The department shall conduct financial, compliance, or performance audits as necessary to review project accounting, ensure program compliance, and determine project efficiency and effectiveness.

(3) If the department determines that the project's progress effectiveness or fiscal management is deficient,

the department may take one or more of the following actions:

- (a) Advise the project sponsor in writing of the deficiency and direct the necessary corrective action;
- (b) Suspend the project for a period of not more than sixty days during which time the department shall evaluate the project and determine what, if any, corrective action shall be taken to correct the deficiency: PROVIDED, That the department shall notify the project sponsor by certified mail of such suspension and shall forward a copy of such notice to the state board;
- (c) Terminate the project: PROVIDED, That the department shall consult with the state weed board before termination of a project.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-165 NOXIOUS WEEDS GRANT PROGRAM—RECORDS RETENTION, FINAL REPORT, UNUSED ALLOCATED MONEYS. (1) Grant program records shall be retained by the project sponsor and a copy forwarded to the department and the executive secretary upon request upon project completion or termination.

(2) The project sponsor shall submit a financial statement within thirty days and a final report within one hundred eighty days of the completion or termination of a project to the department and the executive secretary which shall include:

- (a) A brief listing of the primary objectives of the project;
- (b) ~~((The results))~~ A review of the effectiveness of the project summarized according to project objectives;
- (c) A brief summary of the public benefits accrued to the state as a result of the project;
- (d) An itemized accounting of all grant moneys spent consistent with the BARS format.

(3) ~~((Unused allocated grant moneys shall be returned to the state grant fund within thirty days of the termination of a project. PROVIDED, That unused allocated moneys shall be returned no later than thirty days before the end of the biennium.))~~ Grant applicants shall notify the department at the earliest possible date, but no later than thirty days from the termination of the project or the end of the biennium, of any allocated grant funds that will not be expended. The director, with the advice of the state board, may reallocate those funds consistent with WAC 16-752-125.

AMENDATORY SECTION (Amending Order 1963, filed 1/29/88)

WAC 16-752-170 NOXIOUS WEEDS GRANT PROGRAM—~~((EMERGENCIES))~~ EMERGENCY AND INTERIM FUNDING. Nothing in this chapter shall prevent the use of available noxious weed grant funds when it is determined by the director with advice of the state board that a noxious weed emergency exists because of:

- (1) The discovery of a new infestation of an A or B designate weed in a county or weed district;

(2) A significant underestimation of the cost of control by the principal investigator due to circumstances beyond his or her control;

(3) The failure of a control strategy to be as efficacious as the investigator and the state board had anticipated.

Interim funding may be provided where unallocated grant funds are available according to the criteria in WAC 16-752-125.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-752-200 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PURPOSE.
- WAC 16-752-201 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—ALLOTMENT.
- WAC 16-752-202 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—APPLICATION.
- WAC 16-752-203 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—REQUIREMENTS.
- WAC 16-752-204 EMERGENCY NOXIOUS WEEDS GRANT PROGRAM—PAYMENT.

WSR 90-20-003

PERMANENT RULES

WASHINGTON STATE PATROL

[Order 90-003—Filed September 20, 1990, 10:39 a.m.]

Date of Adoption: September 7, 1990.

Purpose: Adopt and amend WACs for implementation of chapter 3, Laws of 1990.

Citation of Existing Rules Affected by this Order: Amending WAC 446-20-020, 446-20-285 and 446-20-290.

Statutory Authority for Adoption: Chapter 3, Laws of 1990.

Pursuant to notice filed as WSR 90-15-020 on July 12, 1990.

Effective Date of Rule: Thirty-one days after filing.
September 20, 1990
George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-020 DEFINITIONS. (1) The definitions in RCW 10.97.030 shall apply to these regulations.

(2) "Nonconviction data" has the meaning set forth in RCW 10.97.030(2), but shall not include dismissals following a period of probation, or suspension, or deferral of sentence.

(3) "The administration of criminal justice" has the meaning set forth in RCW 10.97.030(6), but does not include crime prevention activities (if that is the sole function of the program or agency) or criminal defense activities.

(4) The definitions as enumerated in chapter 486, Laws of 1987, and as amended by chapter 3, Laws of

1990, "AN ACT Relating to child and adult abuse information," shall apply whenever applicable in these regulations.

AMENDATORY SECTION (Amending WSR 89-23-017, filed 11/6/89, effective 12/7/89)

WAC 446-20-285 EMPLOYMENT—CONVICTION RECORDS—CHILD AND ADULT ABUSE INFORMATION. After January 1, 1988, certain child and adult abuse conviction information will be furnished by the state patrol upon the submission of a written request of any applicant, business or organization, the state board of education, or the department of social and health services. This information will consist of the following:

(1) Convictions of crimes against children or other persons as defined in RCW 43.43.830(6), and as amended by chapter 3, Laws of 1990;

(2) Department of ~~((licensing))~~ health disciplinary ((board)) authority final decisions of specific findings of physical or sexual abuse or exploitation of a child and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary ((board)) authority final decision; for the businesses and professions defined in chapter 3, Laws of 1990; and

(3) Civil adjudications of child abuse, as amended by chapter 3, Laws of 1990.

This information will be furnished, consistent with the provisions of ~~((chapter 486, Laws of 1987))~~ RCW 43.43.830 through 43.43.840, on an approved request for criminal history information form available from the Washington State Patrol, ~~((P.O. Box 2527))~~ Identification and Criminal History Section, Mailstop QE-02, Olympia, Washington, ((98507-2527)) 98504.

The state patrol shall also furnish any similar records maintained by the Federal Bureau of Investigation or records in custody of the National Crime Information Center, if available, subject to their policies and procedures regarding such dissemination.

(a) The business or organization making such request shall not make an inquiry to the Washington state patrol or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer that an inquiry may be made.

(b) For positive identification, the request for criminal history information form may be accompanied by fingerprint cards of a type specified by the Washington state patrol identification section, and shall contain a certification by the business or organization; the state board of education; or the department of social and health services, that the information is being requested and will be used only for the purposes as enumerated in chapter 486, Laws of 1987.

(c) In the absence of fingerprint cards, the applicant may provide a right thumb fingerprint impression in the area provided on the request for criminal history information form. In the event of a possible match, where the applicant's name and date of birth as submitted varies from that of the record contained by the identification section, the right thumb fingerprint impression will be

used for identification verification purposes only. An exact name and date of birth match will be required for dissemination of conviction information in the absence of a fingerprint card or thumbprint impression for positive identification or verification of record.

(d) After processing a properly completed request for criminal history information form, if the conviction record, disciplinary ~~((board))~~ authority final decision, adjudication record, or equivalent response from a federal law enforcement agency shows no evidence of crimes against persons, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol within fourteen working days of receipt of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period.

(e) The business or organization shall notify the applicant of the state patrol's response within ten calendar days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(f) The business or organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

AMENDATORY SECTION (Amending Order 88-03-A, filed 3/17/88)

WAC 446-20-290 FEES. (1) A nonrefundable fee of ten dollars shall accompany each request for conviction records submitted pursuant to RCW 43.43.815 and chapter 486, Laws of 1987, unless through prior arrangement an account is authorized and established. Fees are to be made payable to the "Washington state patrol," and are to be remitted only by cashier's check, money order or check written on a commercial business account. The Washington state patrol identification section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of these chapters are recovered.

(2) Pursuant to provisions of ~~((chapter 486, Laws of 1987))~~ RCW 43.43.838, no fees will be charged to a nonprofit organization, including school districts and educational service districts, for the request for conviction records.

NEW SECTION

WAC 446-20-500 SEX OFFENDER REGISTRATION. E2SSB 6259, chapter 3, Laws of 1990, "AN ACT Relating to criminal offender" requires any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense as defined in RCW 9.94A.030 to register with the county sheriff for the county of that person's residence. The sheriff is required to forward the registration information to the section within five working days. The state patrol is mandated to maintain a central registry of sex offenders consistent with chapters 10.97, 10.98, and 43.43 RCW. The following regulations implement the provisions of this act.

NEW SECTION

WAC 446-20-510 HISTORY RETENTION. Sex offender registration information will be maintained in the offender's criminal history file according to retention periods outlined in chapter 3, Laws of 1990. Once an offender is registered, a notation of "registered sex offender" shall be printed on the rap sheet for that individual.

NEW SECTION

WAC 446-20-515 PHOTOGRAPH/FINGER-PRINT REQUIREMENT. Registration requires the offender be fingerprinted and photographed and also provide the sheriff with the following information which must be forwarded to the Washington state patrol identification & criminal history section within five working days:

- Name;
- Address;
- Social Security number;
- Place of employment;
- Crime for which convicted;
- Date/place of conviction; and
- Aliases used.

NEW SECTION

WAC 446-20-520 PHOTOGRAPHS. Photographs should be of the polaroid type and in color. These are not to be file photos. A new photo is required.

On the reverse side of the photo, write full name, date of birth, and SID number. Paperclip (no staples please) the photo to the fingerprint card with the registration information completed and forward to Washington State Patrol, Identification & Criminal History Section, Mailstop QE-02, Olympia, WA 98504.

NEW SECTION

WAC 446-20-525 CHANGE OF ADDRESS FORM. Sex offenders who change residence from one county to another are required to register with the sheriff in the county of their new residence and also notify the county sheriff where they were previously registered. A "change of address" form WSP-CRD-502 must be sent to the county sheriff of the former residence and the offender must then register with the county sheriff of the new residence.

Registered sex offenders are required to send written notice of a change of address to the sheriff within ten days of establishing a new residence within the same county. "Change of address" forms must be forwarded to the Washington state patrol identification & criminal history section within five working days.

NEW SECTION

WAC 446-20-530 REFUNDABLE FEE. Agencies are to bill the Washington state patrol for the actual registration cost not to exceed thirty-two dollars for each registration which shall include photographs and fingerprints submitted pursuant to section 403, chapter 3, Laws of 1990. This fee will further ensure that direct

and indirect costs at the county level associated with the provisions of this chapter are refunded by the Washington state patrol on a monthly basis upon receipt of an invoice from the county sheriff indicating the number of registrations submitted.

WSR 90-20-004**PROPOSED RULES****GAMBLING COMMISSION**

[Filed September 20, 1990, 2:28 p.m.]

Original Notice.

Title of Rule: WAC 230-12-200 Prohibited practices—Contracts—Gifts—rebates, etc; 230-20-101 Income from bingo games—Receipting required; 230-20-102 Bingo prizes—Record of winners; 230-20-240 Bingo equipment to be used; 230-20-241 Player selection games; 230-20-246 Manner of conducting bingo; 230-20-698 Electronic crane; 230-25-120 Limits upon amount for rent, lease or similar payments for fund raising events; 230-30-070 Control of prizes; 230-30-200 Punchboard and pull tab business restrictions; 230-30-220 Interest in separate business involving punchboards level prohibited; and repealing WAC 230-20-100.

Purpose: WAC 230-12-200, allows a manufacturer, not connected with the distribution of pull tabs, to lease pull tab equipment; WAC 230-20-101, provides a new method of receipting for bingo income; WAC 230-20-102, adds clarity to record-keeping requirement; WAC 230-20-240, exempts electronically generated tickets from the required separate series number; WAC 230-20-241, clarifies an audit trail and allows for electronically generated receipting; WAC 230-20-246, incorporates to date policy changes and allows a test program to continue for one more year; WAC 230-20-698, provides for an extension of a grandfather provision to allow electronic crane amusement games; WAC 230-25-120, allows a new game at a fund raising event and increases rental maximum allowed; WAC 230-30-070, extends an existing test for one year involving bingo and pull tabs; WAC 230-30-200 and 230-30-220, allows the leasing of EZ-Play electronic pull tab dispensing equipment to licensed operators; and repealing WAC 230-20-100.

Statutory Authority for Adoption: Chapters 9.46, 42.17, and 34.05 RCW.

Statute Being Implemented: Chapter 9.46 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: Rules are necessary to carry out the regulatory function of the agency.

Name of Agency Personnel Responsible for Drafting: Frank L. Miller, Deputy Director, Lacey, 438-7640; Implementation: Ronald O. Bailey, Director, Lacey, 438-7640; and Enforcement: Donn Olson, Assistant Director, Lacey, 438-7654.

Name of Proponent: Washington State Gambling Commission, R & R Investment Corporation and U & I Distributing Inc., private and governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 230-12-200, provides an exception to prohibited practices of manufacturers; WAC 230-20-101, specifies a new method of receipting for bingo activity income, replaces WAC 230-20-100; WAC 230-20-102, provides clarity and easier reference for record-keeping requirements, replaces WAC 230-20-100; WAC 230-20-240, provides for a receipting exemption; WAC 230-20-241, clarification of receipting records-keeping requirements; WAC 230-20-246, allows an extension of a test program and updates policy changes; WAC 230-20-698, allows an extension of a grandfather provision; WAC 230-25-120, adjust fee maximums for rental of games to allow a new fund-raising event game; WAC 230-30-070, extension of a current test; WAC 230-30-200 and 230-30-220, approval request for new pull tab equipment; and repealing WAC 230-20-100.

Proposal Changes the Following Existing Rules: Amended to protect the public and to have consistency with the new APA requirements.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The agency has considered whether these rules are subject to the Regulatory Fairness Act and has determined that they are not because there is no impact to the businesses as a result of this filing.

Hearing Location: Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on November 16, 1990, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-8121, by November 14, 1990.

Date of Intended Adoption: November 16, 1990.

September 20, 1990

Frank L. Miller
Deputy Director

AMENDATORY SECTION (Amending Order 80, filed 12/28/77)

WAC 230-12-200 PROHIBITED PRACTICES—CONTRACTS—GIFTS—REBATES, ETC. (1) No contract shall be made or entered into whereby any operator or distributor agrees to deal in, purchase or operate any particular brand or brands of gambling device or equipment to the exclusion of any other brand of gambling device or equipment(-), except that a licensed manufacturer who has no connection with the distribution of pull tabs may lease pull tab equipment to a licensed operator.

(2) No manufacturer or distributor, or his employee, shall directly or indirectly, solicit, give or offer to, or receive from any other licensee or any employee thereof, any gifts, discounts, loans of money, premiums, rebates, free merchandise of any kind, treats or services of any nature whatsoever; nor shall any licensee or employee thereof, directly or indirectly, solicit, receive from, or give or offer to any manufacturer or distributor, or his employee, any gifts, discounts, loans of money, premiums, rebates, free merchandise of any kind, treats or services of any nature whatsoever. Each licensed manufacturer or distributor of gambling devices, equipment or other gambling paraphernalia selling such items or related services in the state of Washington shall make such items or services available to all persons licensed to sell or operate such items or receive such services in Washington without discrimination and on the same prices and terms for all persons: Provided, That a manufacturer, by policy of the manufacturer, may choose to sell and provide services only to distributors: Provided further, That nondiscriminatory discounts offered to all parties on the same conditions shall be permitted.

(3) No manufacturer or distributor, or distributor's representative, shall sell to any person, or solicit from any person, any order for any device, equipment, merchandise, property or service, contingent upon that person or another purchasing or ordering some other device,

equipment, merchandise, property or service. The price of any such device, equipment, merchandise, property or service charged by the licensee to another person shall not vary depending upon whether or not that person, or another, purchases or orders some other device, equipment, merchandise, property or service.

(4) In selling equipment, fixtures, supplies or commodities other than gambling devices, no manufacturer or distributor shall grant to licensees, nor shall such licensees accept, more favorable credit terms or arrangements than those extended to nonlicensed parties. The price thereof shall be in conformity with the open market price in the locality where sold and the terms of such sales shall not exceed those normally granted in accordance with the customary business practice of the particular trade in the locality where such sales are made.

NEW SECTION

WAC 230-20-101 INCOME FROM BINGO GAMES—RECEIPTING REQUIRED. All income from bingo games shall be accounted for by the licensee at the time the income is received from each individual player: Provided, that Class A and B bingo licensees, organizations conducting bingo under the provisions of RCW 9.46-.0321, and bingo activities conducted at a qualified agricultural fair are exempt from the requirements of this rule if the requirements of WAC 230-08-015 are followed. Each individual player shall be issued a receipt at the time of payment for the amount paid to participate in each game or set of games. This receipt shall be retained by the player as evidence that the number of cards being played have been properly purchased. The following methods are authorized for use to document receipt of bingo income:

(1) Cash register: A cash register receipt may be used to document receipt of bingo income if:

(a) A consecutively numbered receipt is printed and given to the customer. The following information shall appear upon the receipt:

(i) The name of the licensee operating the activity;

(ii) The date;

(iii) The amount of money paid for the opportunity to play each type of game;

(iv) The total amount of money paid; and

(v) The consecutive customer receipt number.

(b) The cash register shall have the ability to assign a consecutive four digit customer receipt number to every sales transaction processed. This numbering system must be of a type that can only be reset by service personnel and does not return to zero at the conclusion of any period of use or power interruption: Provided, that a cash register which does not meet the above standard but has adequate alternative control features may be used if written commission approval is received prior to use;

(c) Cash registers used to record receipts for Class D and above licensees shall have the ability to assign a consecutive three-digit number to notate each time transactions are subtalled or when a set of transactions are totalled and closed.

(d) The cash register shall have sufficient keys to record separately each type of sale as required by WAC 230-08-080;

(e) The cash register must store and compute a total for each type of sale recorded and must be capable of providing such upon request;

(f) If the cash register is electronic, the memory unit must retain all transactions recorded during a session, regardless of whether or not its power source is interrupted;

(g) All cash register receipts for voids, overrings, returns, "no sales" and any other receipts not issued to a player must be retained with the daily bingo records;

(h) All transactions, customer receipt numbers, and control totals must be recorded on the tape retained in the cash register. The internal tape, showing these transactions, shall be retained with the daily records of the licensee for a period of not less than three years; and

(i) If the cash register is used by the licensee for purposes other than recording the receipts from bingo, the internal cash register tapes from all other uses shall be retained for not less than three years and be available upon request.

(2) Tickets: Tickets may be used for receipting of bingo income if the following conditions are met:

(a) All tickets must be printed by a commercial printer with the following information:

(i) A consecutive number of at least four digits; and

(ii) The dollar value or the amount of money represented by each ticket;

(b) Each ticket on a roll shall represent the same specific amount of money;

(c) Tickets shall be issued consecutively from each roll, starting with the lowest numbered ticket;

(d) All tickets purchased or otherwise obtained must be accounted for by the licensee. All tickets purchased or otherwise obtained by the licensee after June 30, 1991 shall be documented on a vendor's invoice. This invoice, or a photo-copy thereof, shall be maintained on the premises and available for inspection. The following information shall be documented on the purchase invoice for each roll of tickets purchased:

- (i) Name of vendor;
- (ii) Name of purchaser;
- (iii) Date of purchase;
- (iv) Number of rolls of tickets purchased; and
- (v) The color, dollar value, total number of tickets, and beginning ticket number for each roll.

(e) A record in a format prescribed by the commission shall be maintained of all tickets on the premises, which are used for income receipting of any type. All information regarding any tickets received by a licensee shall be entered in the log prior to the beginning of the next bingo occasion. The following information must be recorded in the ticket log:

(i) The date each roll of tickets is purchased or obtained by the licensee;

- (ii) The purchase invoice number;
- (iii) The color;
- (iv) The dollar value of the tickets;
- (v) The beginning ticket number;
- (vi) The total number of tickets on each roll; and
- (vii) The individual making the entry into the log shall acknowledge the entry by initialing the log at the time of entry.

(f) The licensee shall record the following information for each separate roll of tickets used to receipt for sales in its daily records:

- (i) The color;
- (ii) The value of each ticket;
- (iii) The lowest numbered ticket issued as a receipt; and
- (iv) The highest numbered ticket issued as a receipt;

(g) Any ticket, not issued as a receipt during a session, that bears a number falling below the highest numbered ticket issued during that session, shall not be used to receipt for any type of income by the licensee and must be retained by the licensee as a part of its daily records;

(3) Electronically generated bingo cards: Electronically generated bingo cards may be used to document receipting of bingo income if the following conditions are met:

(a) All cards generated must be printed on two-part, self-duplicating paper and provide an original and a duplicate copy: Provided, That a single copy card may be used if all data imprinted on the card is also imprinted on a continuous printed transaction journal retained in the card generating device;

(b) The original must be given to the player and the duplicate copy will be retained by the operator as a part of the daily bingo records. The duplicate copy may be retained in the form of a continuous printed transaction journal;

(c) In addition to the duplicate card required by subsection (a) and (b) above, all transactions recorded during a bingo session must be summarized and printed in the form of a permanent record at the end of each session. This record shall provide the following information:

- (i) The beginning card number;
- (ii) The ending card number;
- (iii) The total number of cards sold;
- (iv) The total dollar amount of sales; and
- (v) The number and dollar amount of all voids, overrings, or sale returns.

(d) All electronically generated cards must be imprinted with the following information:

- (i) A consecutive transaction number that does not repeat in less than 999,999 transactions;
- (ii) The name of the licensee operating the activity;
- (iii) The time and date of the transaction;
- (iv) The game number;
- (v) The amount of money paid for the opportunity to play each game;
- (vi) The total amount of money paid; and
- (vii) The bingo numbers selected by the player.

(e) An electronic device used to generate bingo cards must contain the following controls:

(i) A record of all transactions occurring during a session must be retained in memory until the transactions have been totalled, printed, and cleared by the operator, regardless of whether or not the unit's primary power source is interrupted;

(ii) The ability to compute a total of all transactions occurring during the current session and to print out such upon request; and

(iii) The circuitry that maintains and controls the time and date of sale, and transaction number must be secured in a manner that prohibits change or resetting except by qualified service personnel. A detailed record, supported by service documents shall be retained for each service call involving a change of the time, date, or transaction number.

(4) Disposable (throwaway) bingo cards: Disposable bingo cards may be used to receipt for bingo income if the following conditions are met:

(a) Each disposable card and/or sheet of cards must have a unique series number assigned. For purposes of this rule, unique shall mean a number that does not repeat in less than 100,000 occurrences;

(b) Each disposable card within a series of cards shall have a number assigned. This number must be unique to the particular permutation and sequence of bingo game numbers assigned to that card;

(c) Each different color of cards and variation in border patterns shall constitute a different series;

(d) Each disposable card or sheet of cards sold must represent a specific amount of money which has been paid to the licensee and once a price is assigned, each card or sheet of cards must be sold for the same price as each other disposable card or sheet of cards in the same series;

(e) Each disposable card or sheet of cards from the same series shall be consecutively issued;

(f) All disposable cards purchased or otherwise obtained must be accounted for by the licensee. All disposable cards purchased or otherwise obtained by the licensee after June 30, 1991 shall be documented on a vendor's invoice. This invoice, or a photo-copy thereof, shall be maintained on the premises and available for inspection by commission staff. The following information shall be documented on the purchase invoice:

- (i) Name of vendor;
- (ii) Name of purchaser;
- (iii) Date of purchase;
- (iv) Number of series or sets of cards purchased; and

(v) For each series purchased, the series number, the color and/or border pattern, the total number of sheets of cards, the number of cards per sheet, and beginning sheet or card number.

(g) A record in a format prescribed by the commission shall be maintained of all disposable cards purchased or otherwise obtained by the licensee. All information regarding any disposable cards received by the licensee must be recorded in the record prior to the beginning of the next bingo occasion. The following information must be recorded in the disposable card log:

(i) The date each set of disposable cards is purchased or obtained by the licensee;

- (ii) The series number;
- (iii) The color;
- (iv) The number of cards per sheet;
- (v) The beginning card or sheet number;
- (vi) The number of cards or sheets per set; and
- (vii) The individual making the entry into the log shall acknowledge the entry by initialing the log at the time of entry;

(h) The licensee shall record in its daily records the following information for each separate series of disposable cards used to receipt for bingo income:

- (i) Series number;
- (ii) The color;
- (iii) The value of each card or sheet;
- (iv) The beginning card or sheet number; and
- (v) The ending card or sheet number issued as a receipt.

(i) Disposable cards issued for each type of sale shall be recorded separately as required by WAC 230-08-080: Provided, That when more than one card or sheet number appears on a sheet of cards issued, then the primary card or sheet numbering system designated by the manufacturer shall be used to determine the beginning number sold and the ending number sold. Each time the numbering of the sheets breaks in the series a separate entry shall be made in the records.

(j) Disposable cards or sheets of cards, which were not issued as receipts during a session, that bear a number below the highest numbered card or sheet issued shall be retained by the licensee as a part of its daily records, along with any leftover cards, or sheets of cards, not issued from the end of a series, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years.

NEW SECTION

WAC 230-20-102 BINGO PRIZES - RECORD OF WINNERS. All payments of prizes for bingo games shall be accounted for by use of a written receipt: Provided, That Class A and B bingo licensees, organizations conducting bingo under the provisions of RCW 9.46.0321, and bingo activities conducted at a qualified agricultural fair are exempt from all portions of this rule if the requirements of WAC 230-08-015 are followed.

(1) Each winner shall be required to provide proof that they have purchased the winning bingo card. The licensee shall review the prize winner's income receipt and determine that the player has properly purchased all cards played during the games, including the winning card;

(2) Each prize winner shall be positively identified. The licensee shall require such proof of identification as is necessary to establish the prize winner's identity prior to paying any prize. The winner is responsible for furnishing proof to the licensee that all information required by this rule is true and accurate. Prizes may be withheld until the winner has provided adequate identification.

(3) Receipts used to record prizes awarded at bingo games shall be printed by a commercial printer and meet the following standards:

(a) Receipts must be manufactured of two-part, self-duplicating paper that provides for an original and a duplicate copy;

(b) Receipts shall be imprinted with the name of the licensee and a consecutive ascending number that does not repeat in at least 100,000 occurrences: Provided, That Class E and smaller licensees may utilize receipts that are not imprinted with the licensee's name and which the consecutive number does not repeat in at least 1,000 occurrences;

(c) Each receipt shall provide space for the licensee to record the following information:

- (i) The date;
- (ii) The game number;
- (iii) The true name and address of the winner of the prize;
- (iv) A description of the prize won and the licensee's cost of such prize; and
- (v) The initials of the bingo worker verifying the winning card and the cashier paying the prize.

(4) Prize receipts shall be consecutively issued. Prize receipts bearing a number below the highest number issued shall be voided and retained with the daily records.

(5) The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

(6) All prize receipts purchased or otherwise obtained must be accounted for by the licensee. Prize receipts purchased or otherwise obtained by the licensee after June 30, 1991 shall be documented on a vendor's invoice. This invoice, or a photo-copy thereof, shall be maintained on the premises and available for inspection by commission staff. The following information shall be documented on the purchase invoice:

- (a) Name of the vendor;
- (b) Name of the purchasing organization;
- (c) Date of purchase;
- (d) Number of receipts purchased; and
- (e) The beginning receipt number.

AMENDATORY SECTION (Amending Order 182, filed 8/11/88 [8/16/88])

WAC 230-20-240 BINGO EQUIPMENT TO BE USED. The conduct of bingo must include the following required items:

(1) A mechanical device which uses an air flow for mixing and randomly withdrawing balls to determine the letters and numbers to be called must be utilized by all Class D and above operators. This device shall be constructed in a manner that:

(a) Will allow participants full view of the mixing action of the balls; and

(b) The operation cannot be interrupted to change the random placement of the balls at the exit receptacle of the device, except when the device is shut off as allowed by WAC 230-20-246.

(2) A set of seventy-five balls bearing the numbers 1 through 75 and the letters B, I, N, G, and O. The 75 balls shall be available for inspection by the players before a bingo session begins to determine that all are present and in operating condition. Each numbered ball shall be the same weight as each of the other balls and free from any defects.

(3) Flashboards shall be utilized to display numbers called at all Class D and above bingo games. They must be visible to all players and clearly indicate all numbers that have been called: Provided, That malfunctions occurring during a bingo occasion need not be repaired during that occasion, but must be repaired before use on any other occasion;

(4) Except as provided for under WAC 230-20-241, hardcards and disposable bingo cards must be preprinted, manufactured cards and have twenty-five spaces, one of which may be a free space, arranged in five even columns headed with the letters B, I, N, G, and O.

(5) Each set of disposable bingo cards must be consecutively numbered from the first card to the last card, or from the first sheet of cards to the last sheet of cards. Each card or sheet must have printed on its face both its individual card or sheet number, and the series number assigned by the manufacturer to that set of disposable cards: Provided, that cards used in player selection games may be exempted from having separate series numbers if:

(a) The card or sheet numbering system has at least six digits and the numbering sequence for any set of cards of the same color does not repeat in less than 999,999 numbers; and

(b) Cards or sheet of cards of the same color with duplicate numbers, must not be purchased, maintained, and/or utilized on the bingo premises, prior to completing play of all similarly numbered and colored cards.

(c) In the instance of games utilizing electronically generated receipts, the receipt is used as the bingo card, and the receipt numbering sequence does not repeat on an individual game before 999,999 receipts have been issued.

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

AMENDATORY SECTION (Amending Order 182, filed 8/16/88)

WAC 230-20-241 PLAYER SELECTION GAMES. A licensee may offer bingo games in which players are allowed to select their own numbers. In such games, the cards used are not required to have five even columns with preprinted letters if the following conditions are met:

(1) The cards used to conduct the games must have controls that provide an audit trail adequate to determine all winning combinations are valid. The following types of cards are authorized:

(a) ((A-t)) Two part disposable card ((that provides an exact duplicate copy is)) may be used((:)) if:

(i) The cards are printed on two-part, self-duplicating paper which provides for an original and a duplicate copy;

((2)) ii) The disposable card method of receipting for income per WAC 230-20-100 (1)(c) is used. The licensee shall not purchase or use disposable cards without predesignated numbers and letters unless the purchase invoice contains all the items required by WAC 230-20-10((6-(1)(c)(iii)))1 (4). Purchase invoices for all disposable cards, either in play or in the unplayed inventory, are maintained on the premises;

((3)) iii) Players shall mark their numbers on each card in a distinct, clear, and legible manner prior to separation of the duplicate and original. ((n)) No alterations are allowed after separation of the duplicate and original cards. Operators shall establish and set forth in plain view house rules setting out any conditions by which an entry may be added, deleted or changed prior to separation. Any such changes must be verified by a worker authorized by the bingo manager;

((4)) iv) All original cards shall be placed in containers which shall be physically locked and controlled to assure no cards are placed in the container after the first bingo ball is called; and

((5)) v) The player retains and plays the duplicate copy;

(b) Electronically generated cards may be used if:

(i) The electronically generated bingo card method of receipting for income per WAC 230-20-101(3) is used;

(ii) All data required to be printed on the card by WAC 230 20 101 (3)(b) must be legible; and

(iii) Players do not mark or deface the card in any manner which prevents reading of the bingo numbers or any of the data imprinted on the card as set out in WAC 230-20-101 (3)(d).

~~((6)) 2~~ In addition to the requirements of WAC 230-20-246~~(1)((2)) 4~~, a winning card of \$250.00 or more is verified by the winner's signature on the back of the ~~((duplicate copy and)) card~~. Provided, that if a two-part card, allowed by subsection (1)(a) above, is used, the verifying neutral player's name and complete address must be recorded on the back of the original card;

~~((7)) 3~~ All winning cards and the duplicate copies, if required, shall be retained by the operator as a part of their daily bingo records; and

~~((8)) 4~~ Incomplete cards, ~~((and)) cards with alterations which were not verified per subsection ((3)) 1 (c) above, and cards for which all required imprinted date is not displayed and legible shall not be paid as winners. ((Numbers or initials, on the duplicate copy of a card, which were completed by any means other than by the original duplicating function, will be considered an alteration.)) Incomplete, ~~((A))altered, and unreadable cards are the players' responsibility and refunds shall not be allowed: Provided, that a one-for-one exchange may be made by the game management in cases where errors are discovered prior to the start of the game or separation((g)) of the duplicate and original sheets. In this case the operator will mark "void" on the original, initial next to the players initials and maintain the replaced card with their daily bingo records.~~~~

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

AMENDATORY SECTION (Amending Order 196, filed 8/15/89)

WAC 230-20-246 MANNER OF CONDUCTING BINGO. The conducting of a bingo game shall include, but is not limited to the following rules:

(1) All sales of bingo cards shall take place upon the premises during or immediately preceding the session for which the card is being sold;

(2) Bingo cards shall normally be sold and paid for prior to the start of a specified game or specified number of games. Cards may be sold after the start of a game or number of games if the late sale does not allow any player an advantage over any other player;

(3) No operator shall reserve, or allow to be reserved, any bingo card for use by players except braille cards or other cards for use by legally blind or disabled players;

(4) Legally blind players may use their personal braille cards when a licensee does not provide such cards. The licensee shall have the right to inspect, and to reject, any personal braille card. A legally blind or disabled person may use a braille card or reserved hard card in place of a purchased throwaway;

(5) If a licensee has duplicate cards in play, he shall conspicuously post that fact or notify all players;

(6) No two or more sets of disposable cards can be used at the same time if they have identical series numbers;

(7) All cards sold to participate for a specific prize or set of prizes shall be sold for the same price and be distinct and readily distinguished from all other cards in play: Provided, that similar cards used to participate for the same prize or set of prizes may be sold at a discount which is based solely on volume if each separate discount price is recorded using a separate sales identification code and records provide for an audit trail;

(8) Immediately following the drawing of each ball in a bingo game, the caller shall display the ~~((letter)) symbol and/or number on the ball to the participants;~~

~~((8)) 9~~ The ~~((letter)) symbol and/or number on the ball shall be called out prior to the drawing of any other ball;~~

~~((9)) 10~~ After the ~~((letter)) symbol and/or number is called, the corresponding ((letter)) symbol and/or number on the licensee's flash-board, if any, shall be lit for participant viewing;~~

(11) A game ends when a specific pattern has been achieved by a player or a specific number of symbols and/or numbers has been called. Each game shall be played using a separate selection process: Provided that the same or a continuing selection process may be used to play the following games:

(a) Interim or "on-the-way" games; and

(b) Games for which cards are sold for different prices and players win a different prize depending on the price they pay to play.

~~1((9)) 2~~ No bingo game shall be conducted to include a prize determined other than by the matching of ~~((letters)) symbols and/or numbers on a bingo card with ((letters)) symbols and/or numbers called by the licensee, in competition among all players in a bingo~~

game. Provided, that the following activities are considered bingo games when conducted during a bingo occasion and prizes are determined through equal competition among all players paying to participate in that session:

(a) Drawing. Each licensee shall be allowed to award prizes during each bingo session that is determined by a drawing if:

(i) Tickets or other facsimiles used to enter such drawings shall only be awarded to players purchasing cards to play in bingo games;

(ii) A record shall be completed setting out the criterion for granting tickets, the number of tickets awarded during each session, the winning ticket, and all details required by WAC 230-08-080 and WAC 230-20-100. Such record shall be maintained as a part of the daily bingo records;

(iii) Prizes awarded for drawings are limited to maximum of \$500 during any calendar month;

(iv) All prizes awarded are considered bingo game prizes for purposes of prize payout and net income regulation;

(b) Creativity and originality contests (competition to determine the best costume, flower arrangement, cake decorating, ugliest tie, or other activities requiring skill or original thought). A bingo licensee may conduct contests in which players may demonstrate their creativity and originality skills on up to four occasions annually. The following rules must be observed in conducting these contests:

(i) The total value of prizes shall not exceed \$500 during any occasion;

(ii) Only players who have paid to participate in bingo games during the current session may participate in the contest;

(iii) A record shall be completed for each contest setting out the criterion for selecting the winners, the number of participants in the contest, and all details required by WAC 230-08-080 and WAC 230-20-100. Such records shall be maintained as a part of the daily bingo records;

(iv) All prizes awarded are considered bingo game prizes for purposes of prize payout and net income regulation;

~~1((+)) 3~~ The amount of a prize or prizes available for each bingo game shall be established and disclosed to bingo players prior to their purchase of a chance to participate in a bingo game. The amount of a prize may also be determined during the game, using standard bingo equipment and cards if:

(a) A minimum prize is established and disclosed;

(b) All rules of the game are explained in detail to the players; and

(c) All requirements of WAC 230-20-010 are met before cards are purchased.

The director may grant approval of the use of other schemes to determine the dollar amount of a bingo prize after cards are purchased if such schemes: Contain control factors necessary for commission audit; are determined to be primarily of an entertainment nature; do not grant an unfair competitive advantage to any licensee; and do not act to defraud the public.

~~1((2)) 4~~ Immediately upon a bingo player declaring a winning combination of letters and numbers, the winning card shall be verified by a game employee and at least one neutral player;

~~1((3)) 5~~ Upon a bingo player declaring a winning bingo, the next ball out of the machine shall be removed from the machine prior to shutting the machine off and shall be the next ball to be called in the event the declared winning bingo is not valid;

~~1((4)) 6~~ After a winning bingo is validated, the prize shall be awarded in the following manner:

(a) A record of the prize awarded shall be made by completing a prize receipt as required by WAC 230-08-080 and WAC 230-20-10~~((6)) 2~~. The winner's identity shall be verified and the proper name recorded upon the receipt: Provided, that from October 1, 1989, until December 31, 199~~((9)) 1~~, the commission shall conduct a test of an alternative method of maintaining a record of bingo game winners for not more than 100 licensees, all of which receive written permission from the director. During this test all winners of cash prizes, greater than ~~((twenty)) one hundred dollars (\$100)~~ shall be made by payment of a check. The check shall act as a record of the prize awarded. Participants in the test shall use the following control procedures:

(i) Checks must be drawn on the licensee's gambling bank account;

(ii) Checks used must be of a type that provides a duplicate copy. The copies become a part of the daily bingo records and must be maintained as such;

(iii) All original checks must be returned by the bank to the licensee. Original checks shall be available for inspection upon demand by the commission;

(iv) Checks will be made payable only to the winner;

(v) The winning card number, the game number and, if the licensee conducts more than one session a day, the session shall be notated on the check: Provided, that these items may be omitted from the check if a prize record, as prescribed in subsection (viii) below is completed;

(vi) Checks drawn on the licensee's gambling account shall not be cashed or otherwise redeemed by the licensee or concession on the premises;

(vii) Prize winners of ((twenty)) one hundred dollars (\$100) or less may be paid in cash: Provided, that prizes greater than \$100 may be paid by a combination of a check and cash of \$100 or less. If the payment is split, the licensee must prepare a prize record and document all details of the payment, including the check number; ((and)) (viii) ((t)) A prize record will be completed for all prizes paid by cash. The prize record shall be a two-part receipt made of self duplicating paper that provides an original and a duplicate copy. The original shall be given to the customer and the duplicate copy maintained as a part of the daily bingo records. The licensee will record the following on the prize record: the winner's name; the game number; the date; the session, if more than one session is conducted in a day; the number of the winning card; ((and)) the amount won for each specific game; and the check number, if applicable, if the prize was paid by a combination of cash and check. ((on the bingo daily record)) This record shall be initiated by the bingo worker who verifies the winning card and the cashier making the payment;

(ix) A call sheet shall be maintained documenting all numbers called during a game and the sequence they are called: Provided, that a video recording of the game may be used in lieu of maintaining a call sheet and documenting the winning card number required by subsections (v) and (viii) above if: each session is recorded on a separate tape or the breaks between sessions are identified by a count function that allows location of a specific session without viewing the entire tape; the quality of the recording must allow for an observer to note all details of numbers selected, winning card numbers, and the numbers marked by a player; the time and date of the game are an integral part of the recording and displayed in conjunction with the events being recorded; the number of the game is recorded at the start of each game; and tapes are maintained for at least six months;

(x) When disposable cards (throwaways) are used to conduct games, all winning cards or sheets of cards for prizes of over \$100 must be retained as a part of the daily bingo records: Provided, that this requirement applies only to final prizes and does not apply to interim or "on the way" games. The bingo worker who verifies the winning combination and the cashier who makes payment of the prize shall initial the card;

((vii)) xi) When merchandise prizes valued less than \$1,200.00 are awarded, a description of the prize together with the name of the winner will be included with the bingo daily record; and

((viii)) xii) A copy of the game and prizes available schedule shall be included as a part of the bingo daily record.

1((5)) 7) Licensees may award promotional gifts to bingo players on up to six occasions annually if:

(a) Only merchandise with a cost to the licensee of no more than two dollars per gift, are awarded;

(b) A record shall be completed for each session setting out the criterion for selecting the recipients, the number of gifts and total cost of the gifts. Such records shall be maintained as a part of the daily bingo records;

(c) All gifts purchased are considered bingo game prizes for purposes of prize payout and net income regulation;

1((6)) 8) No operator shall engage in any act, practice or course of operation as would operate as a fraud to affect the outcome of any bingo game.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 206, filed 2/14/90)

WAC 230-20-698 ELECTRONIC CRANE AMUSEMENT GAMES - SPECIAL AUTHORIZATION. Electronic crane games that were certified for play in Washington under the provisions of WAC 230-20-699 are authorized to be operated in the locations specified in WAC 230-20-670 until December 31, 199((8)) 1. Locations and operators must be licensed as set forth in WAC 230-04-190 and WAC 230-04-201.

AMENDATORY SECTION (Amending Order 183, filed 9/13/88)

WAC 230-25-120 LIMITS UPON AMOUNT FOR RENT, LEASE OR SIMILAR PAYMENTS FOR FUND RAISING EVENTS. Licensees shall not expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment or service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

(1) Premises and other goods or services: Not more than two hundred dollars for all, or any portion, of any twenty-four hour period.

This maximum fee shall include in addition to the use of the premises themselves any and all goods or services of any kind furnished by the person renting the premises to the licensee, or furnished by anyone with a substantial interest in, or immediate family relationship with, that person: Provided, That the limit shall not include (a) fees for gambling equipment which are governed by the maximums set out in (2) below; or (b) charges for food or drink to the licensee or patrons of the fund raising event when the purchase of such food or drink is not, directly or indirectly, a condition of rental of the premises and the licensee may elect to bring in food and drink from an outside source.

(2) Gambling devices and equipment:

(a) Not more than four hundred dollars from each licensee for all, or any portion of, the first twenty-four hour period for all gambling devices and related equipment to conduct the event, including, but not limited to, cards, dice, cash boxes, shoes, chips, noncoin operated pull tab dispensing devices, pull tab scales, delivery thereof and any schooling in its use. This limitation shall not apply to the sale of pull tabs or the rental of a bingo horse racing device.

(b) Not more than two hundred and twenty-five dollars from each licensee for each succeeding twenty-four hour period, or any portion thereof, for the same kinds of items set out in (a) above.

(3) Individual gambling station:

(a) Not more than thirty dollars for all of the equipment needed to set up each single specific gambling station (such as a single twenty-one table), except for a craps table or a roulette wheel station which shall not exceed \$55 or for a station showing horse racing films with advance betting on the outcome of the races which shall not exceed \$250, or each station facilitating the operation of an electronic horse racing game, with advance betting on the outcome of races, which shall not exceed \$325, for the first twenty-four hour period, or any portion thereof, including, but not limited to, the equipment, delivery and schooling in its use, to an overall maximum for all items of \$400, for each licensee as set out in (2)(a) above.

(b) Not more than twenty dollars for each successive twenty-four hour period or any portion thereof, for the equipment needed to establish each single specific gambling station as set out in (a) above, to an overall maximum of \$225 for each licensee as set out in (2)(b) above.

(4) The maximum charges or limits set out in subsections (1) through (3) above include any amount paid to reserve the use of applicable premises, services or equipment.

No more than 50% of the total allowable fees or charges may be paid in advance of the event. Advance payment shall be made only by check which shall not be drawn or paid more than 90 days prior to the event.

The limits in subsections (2) and (3) above shall not apply to expenditures by the licensee for purchases outright, or construction by the licensee of, gambling equipment.

AMENDATORY SECTION (Amending Order 205 [WSR 90-11-058], filed 2/14/90 [5/15/90], effective 3/17/90 [6/15/90])

WAC 230-30-070 CONTROL OF PRIZES. All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise.

(1) Prizes shall be cash or merchandise only. Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2) Display of prizes:

(a) All prizes shall be displayed in the immediate vicinity of the punchboard or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play.

(b) When the prize is cash it shall be displayed as follows:

(i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and

(ii) If the only prizes which may be won are cash prizes, they shall be clearly and fully described or represented by a coupon displayed upon the prize flare attached to the face or displayed in the immediate vicinity of the pull tab dispensing device.

(c) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises.

(d) Upon determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from any display and present it to the winner.

(e) Upon determination of a winner of any cash prize of five dollars or more, or of any merchandise prize with a retail value of five dollars or more, but prior to award of the prize, the licensee shall conspicuously delete all references to that prize being available to players from any flare, punchboard or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. The prize shall then be paid or delivered to the winner forthwith.

(3) Payment of prizes.

The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) Cash in lieu of merchandise prizes.

No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) Record of winners:

(a) When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in a standard format prescribed by the commission and shall disclose at minimum the following information:

(i) The Washington state identification stamp number of the punchboard or pull tab series from which the prize was won;

(ii) The series number of the pull tab series or punchboard from which the prize was won;

(iii) The name of the punchboard or pull tab series;

(iv) The date the pull tab series or punchboard was placed out for play;

(v) The date the pull tab series or punchboard was removed from play;

(vi) The month, day and year of the win;

(vii) If the prize is cash, the amount of the prize won;

(viii) If the prize is merchandise, a description of the prize won and its retail value;

(ix) The printed full name of the winner;

(x) The current address of the winner which will include the street address, the city and the state.

(xi) It shall be the responsibility of the licensee to determine the identity of the winner and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall require the winner to sign his name in ink on the winning pull tab being presented for payment. The licensee shall not pay out any prize unless and until the winner has fully and accurately furnished to the licensee all information required by this rule to be maintained in the licensee record of the win.

(b) From October 1, 1989, until December 31, ~~((1990))~~ 1991, the commission shall conduct a test of an alternative method of maintaining a record of winners. This test shall not include more than 100 licensees, all of which receive written permission from the director. Charitable or nonprofit licensees participating in this test shall be prohibited from intermingling of funds allowed by WAC 230-08-010(6) and must deposit funds separately and intact as set out in WAC 230-

12-020. All participants shall adhere to alternative requirements for retention of winning tabs or punches required by subsection (6) of this rule and WAC 230-30-072. In addition, effective October 1, 1990, all participants shall use only pull tabs that utilize a secondary verification code to prohibit counterfeiting on tabs that award prizes greater than \$20.00. Such codes shall be approved by the director prior to use within this state. Punchboards are exempt from the secondary verification code requirements. During the period of the test when a person wins a cash prize of over twenty dollars or a merchandise prize with a retail value of more than twenty dollars, the following alternative winners record procedures shall apply:

(i) The winners shall be required to print their name and date of birth, in ink, upon the side of the winning punch or tab opposite the winning symbol(s);

(ii) The licensee or their representative shall then verify the winner's identity and record the date and initial the winning punch or tab.

(6) Retention of records. Every licensee shall keep the record of all prizes awarded in excess of twenty dollars, containing all of the information required in subsection (5) above, and all winning pull tabs or punchboard punches for a period of at least four months following the last day of the month in which it was removed from play and shall display the same to any representative of the commission or law enforcement officials upon demand.

(7) Defacing winning punches or tabs. The licensee shall, within twenty-four hours after a winning pull tab or punch of five dollars or more has been presented for payment, mark or perforate the winning symbols in such a manner that the pull tab or punch cannot be presented again for payment.

(8) Value of merchandise prizes. For purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(9) Spindle, banded, or "jar" type pull tabs played in a manner which awards merchandise prizes only. Pull tab series which award only merchandise prizes valued at no more than five dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall monies collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

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

AMENDATORY SECTION (Amending Order 110, filed 6/16/81 [6/15/81])

WAC 230-30-200 PUNCHBOARD AND PULL TAB BUSINESS RESTRICTIONS. (1) No operator shall buy, receive or otherwise obtain, nor shall any manufacturer or distributor, or anyone connected therewith, sell or deliver any punchboard, pull tab, pull tab dispensing device or related equipment, or merchandise for prizes to be awarded in connection with such activities, to any operator, except a cash ~~((the))~~ basis nor shall any operator permit any manufacturer or distributor or anyone connected therewith, to acquire any interest, including a security interest, in any such equipment or merchandise. A cash basis shall consist of payment in full, either by cash or by check, with payment made to the seller by the operator upon, or prior to, actual physical delivery of the merchandise to the operator: Provided, That when a check is used for payment to constitute a cash basis payment it shall be presented for payment into the banking system by the end of the tenth calendar day following the day the check is written. If an operator can demonstrate by a preponderance of evidence that it has properly made a payment by check, as required by this section, then it will not be held liable for a violation of this rule if the violation is caused solely by the failure of the manufacturer or distributor to deposit the check into the banking system in a timely fashion.

(2) No operator shall accept a loan of money or any thing of value from any manufacturer or distributor, or from anyone connected therewith. No restriction is placed by the tab dispensing equipment to a licensed operator provided the lessor has no connection with the sales or dispensing of pull tabs.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 18, filed 5/21/74)

WAC 230-30-220 INTEREST IN SEPARATE BUSINESS INVOLVING PUNCHBOARDS AND PULL TABS AT A DIFFERENT MARKETING LEVEL PROHIBITED. No manufacturer, distributor or operator of punchboards, pull tabs, pull tab dispensing devices or related equipment shall:

- (1) Have any interest, directly or indirectly, in any other of these businesses operating in whole or in part at a different marketing level;
- (2) Allow any of its officers, or any other person with a substantial interest in such business, to have any interest in any other of these businesses operating in whole or in part at a different marketing level;
- (3) Shall employ any person in any capacity or allow any person to represent the business in any way if such person is also employed by, or represents any other of these businesses operating in whole or in part at a different marketing level;
- (4) Shall allow any other of these businesses operating in whole or in part at a different marketing level, or any person with a substantial interest therein to have any interest directly or indirectly, in it;
- (5) Have any interest, directly or indirectly, in any business of any kind in which any other of these businesses operating in whole or in part at a different marketing level, or any person having a substantial interest therein, also has a substantial interest;
- (6) Allow any other business of any kind in which any other of these businesses, or any person having a substantial interest therein, to have any interest, directly or indirectly, in it;
- (7) For the purposes of this rule, the different marketing levels shall be:
 - (a) Operator;
 - (b) Distributor;
 - (c) Manufacturer;
- (8) This rule shall not prohibit the same person licensed and operating as a manufacturer from being also licensed and operating as a distributor(=), except that a licensed manufacturer of pull tab dispensing equipment which leases equipment to any licensed operator is prohibited from such cross licensing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-20-100 RECEIPTING REQUIRED FOR INCOME AND PRIZES IN BINGO GAMES.

**WSR 90-20-005
RULES COORDINATOR
DEPARTMENT OF TRANSPORTATION**

[Filed September 20, 1990, 2:30 p.m.]

The designated rules coordinator for the Washington State Department of Transportation is Mr. Bill Richeson, Records Manager, Transportation Building, KF-01, Olympia, Washington 98504, phone 753-0316.

Ed W. Ferguson
Deputy Secretary

**WSR 90-20-006
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed September 20, 1990, 3:37 p.m.]

Original Notice.

Title of Rule: Chapter 388-70 WAC, Child welfare services—Foster care adoption services—Services to unmarried parents.

Purpose: To provide guidelines for the provision of nonrecurring adoption costs to families adopting special needs children. To allow a limited number of families the opportunity to receive adoption support services who currently do not qualify because they have already adopted. By statute, an agreement for adoption support must be signed prior to a child's adoption.

Statutory Authority for Adoption: RCW 43.20A.550 and HB 2602.

Statute Being Implemented: RCW 43.20A.550 and HB 2602.

Summary: Will allow the Department of Social and Health Services to reimburse families who adopt special needs children for the cost of finalizing the adoption up to \$2,000. This is retroactive to January 1, 1987, to meet federal Title IV-E requirements. Will allow the Department of Social and Health Services to provide limited adoption support to families who adopted special needs children who in fact should have received adoption support.

Reasons Supporting Proposal: This rule amendment is necessary to implement changes to adoption support program (RCW 74.13.100) mandated by HB 2602.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Vince Collins, Children and Family Services, 586-8200.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, 45 CFR Chapter XIII, Section 1356.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 20, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-520 ADOPTION SUPPORT FOR CHILDREN—DEFINITIONS. As used in these rules:

(1) "Adoption" ~~((shall mean))~~ means the granting of the adoption decree consistent with ~~((the provisions of))~~ chapter ~~((26.32))~~ 26.33 RCW.

(2) "Adoption support payment" ~~((shall mean))~~ means the financial remuneration resulting from an agreement whereby the department continues ~~((some))~~ financial responsibility beyond the legal consummation of the adoption.

(3) "Agreement" ~~((shall mean))~~ means a contract between the prospective adoptive parent~~((s))~~ and the department ~~((to provide))~~ providing adoption support payments following the granting of a decree of adoption.

(4) "Corrective-rehabilitative services" shall include, but not be limited to:

- (a) Medical care~~((:));~~
- (b) Psychological services~~((:));~~
- (c) Physical therapy~~((:));~~
- (d) Prosthesis~~((:));~~
- (e) Speech and hearing therapy~~((:));~~
- (f) Cosmetic surgery; or ~~((orthodontia))~~
- (g) Orthodontia.

(5) "Department" ~~((shall mean))~~ means the department of social and health services.

(6) "Family" ~~((shall mean))~~ means any prospective parent~~((s))~~ having the character, judgment, sense of responsibility and disposition ~~((which makes him or her))~~ making the prospective parent suitable as an adoptive parent of ~~((such))~~ a child ~~((and lacks))~~ but lacking the ~~((financial means fully))~~ necessary resources to care for ~~((such))~~ a hard-to-place for adoption child.

(7) "Hard-to-place for adoption child" means a child registered for three months with the Washington adoption resource exchange (WARE) or the Northwest adoption exchange (NWAEE) without identifying a nonsubsidized adoptive family resource. The child's registration with the exchanges shall not be necessary when:

(a) A foster parent desires to adopt a child having been in the foster parent's home for six months or more before a child is legally free for adoption;

(b) The child has close emotional ties to the current foster family which, if severed, may cause emotional damage to the child; and

(c) The foster family is identified as the adoptive family of choice by the agency staff having responsibility for the child.

(8) "Secretary" ~~((shall mean))~~ means the secretary of department or ~~((his))~~ the secretary's designee.

~~((#))~~ (9) "Special needs" is the designation given to a child by the department when the child presents a specific factor or condition the department reasonably concludes may prevent the child's placement with an adoptive parent without providing adoption support. The child's special need factors or conditions may include but are not limited to:

- (a) Ethnic background;
- (b) Age;
- (c) Inclusion in a sibling group;
- (d) Medical diagnosis; or
- (e) Physical, mental, or emotional handicap.

(10) "The act" means the statutes authorizing adoption support codified as RCW 74.13.100 through 74.13.145.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 1744, filed 12/30/81)

WAC 388-70-530 ADOPTION SUPPORT FOR CHILDREN—ELIGIBLE CHILD. (1) A child ~~((to be considered))~~ the department considers for adoption support ~~((must))~~ shall be registered with the office given administrative authority for the program~~((:));~~

(2) A child meeting the department's eligibility criteria for ~~((registration))~~ ongoing adoption support is ~~((one who))~~ a child:

(a) Who was or is residing in a foster home or a child caring institution or ~~((a child))~~ who, in the judgment of the ~~((secretary))~~ department, is both eligible for, and likely to be placed in, ~~((either))~~ a foster home or a child caring institution~~((:));~~

(b) Who is legally free for adoption~~((, and));~~

(c) Who is ~~((under eighteen))~~ seventeen years of age or younger at the time the contract is signed~~((, and));~~

(d) For whom adoption is the most appropriate plan~~((, and));~~

(e) Who has a "special needs" factor or condition; and

(f) Who is hard-to-place for adoption.

(3) ~~((The child must have been registered for three months with the DSHS adoption exchange or the Washington Adoption Resource Exchange (WARE) in addition to the northwest Adoption Exchange NWAEE in order to demonstrate that a nonsubsidized resource is not available if the plan is regular agency adoption:~~

~~((4) The child must be found to be difficult to place in adoption because of, but not limited to, one or more of the following:~~

~~((a) Physical or mental handicap;~~

~~((b) Emotional disturbance;~~

~~((c) Ethnic background, including race, color or language;~~

~~((d) Age;~~

~~((e) Sibling grouping;~~

~~((5) Registration with the exchanges shall not be necessary when foster parents desire to adopt a child who has been in the foster parent's home for at least six months prior to application to the department. In cases of adoption by foster parents, the following criteria must be met:~~

~~((a) The child must be hard-to-place by virtue of eligibility as defined in subsection (4)(a) through (e) of this section; and~~

~~((b) The child must have close emotional ties to the current foster family which, if severed, could cause emotional damage to the child; and~~

~~((c) The foster family must have been identified as the adoptive family of choice by the agency staff having responsibility for the child))~~ The department may, within limited funds, register a child with the office given administrative authority for the program for a limited adoption support reconsideration program if the child met the criteria for ongoing adoption support in Washington state at the time of the adoption based on documented evidence available at the time of the adoption. The child and the child's family shall be current residents of the state of Washington.

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-540 ADOPTION SUPPORT FOR CHILDREN—APPLICATION. (1) The prospective adoptive family shall apply to the department for adoption support for the child.

(2) The application ~~((with))~~ for ongoing adoption support shall be jointly completed by the prospective adoptive parents and ~~((their))~~ the adoptive parents' referring agency or the department's local office. ~~((The type and amount of support payment requested shall be mutually determined by))~~ The family and the ~~((caseworker))~~ social worker shall mutually determine the type and amount of support payment according to the criteria ~~((m))~~ under WAC 388-70-560.

(3) Those families seeking adoption support reconsideration shall complete the application for adoption support reconsideration. The adoptive family shall provide the department:

(a) A cost estimate of the child's proposed corrective-rehabilitative services;

(b) A current medical evaluation of the child's pre-adoptive special needs, and the current need for medical and counseling services; and

(c) Permission to request and review pre-adoptive information from the adoption agency facilitating the child's adoption.

(4) The adoptive family shall provide the department a copy of the family's most recent federal income tax return~~((, internal revenue service form 1040;))~~ which must accompany the application for adoption support. If the family is not required to file a federal income tax return, ~~((they must))~~ the adoptive family shall submit ~~((such))~~ to the department a financial statement as ~~((is))~~ required ~~((by the department)).~~

AMENDATORY SECTION (Amending Order 1744, filed 12/30/81)

WAC 388-70-550 ADOPTION SUPPORT FOR CHILDREN—TYPES AND AMOUNTS OF PAYMENTS. (1) The ~~((three))~~ two types of support payments are monthly maintenance, ~~((attorney fees and/or court costs;))~~ medical (corrective-rehabilitative) service, or ~~((any))~~ a combination of these.

(2) The department payment for monthly maintenance shall not exceed the monthly cost ~~((standards))~~ for established foster care ~~((established by the department for the department's foster homes. The payment includes regular foster care or))~~ and specialized foster care~~((; where indicated, and clothing and personal incidentals. (See))~~ as required under WAC 388-70-042 and 388-70-048.~~((3))~~

(3) ~~((If the department determines that the prospective adoptive parent(s) cannot, because of limited financial means, pay the cost or the full cost of legal proceedings for the adoption of a hard-to-place~~

child eligible for support under the act and these regulations, the secretary may authorize departmental participation in adoption legal fees as determined by the superior court at the adoption hearing up to two hundred dollars plus court costs for each child or family unit, unless a different arrangement has been made by the department with the family and the family's attorney.

In cases in which the attorney indicates that the fee shall be in excess of two hundred dollars plus costs, a request for departmental participation in that fee must be made to the adoption support program at least three weeks prior to the finalization of the adoption. In any case, the attorney for the adoptive parent(s) shall furnish the department with a certified copy of the decree of adoption containing the finding as to the attorney's fee and an itemized statement of all other costs of the adoption proceedings.

(4)) The medical needs of a child in the adoption support program shall be met from the department's medical services program.

(a) The department's payment of the costs of the child's medical services shall be made directly to the physician or provider of the services according to the department's established procedures.

(b) ~~((Prior to))~~ Before entering an agreement for medical services, ~~((the medical needs of a particular child must be reviewed and approved by))~~ the department's office of personal health services shall review and approve the medical needs of a particular child. Following the department's review and approval, all medical services requested by the adopting parents shall be:

(i) Coordinated through the adoption support program; and

(ii) Furnished according to the department's medical programs when there is no other resource available during the effective period of the family's agreement with the department.

(c) The adoptive family's requests for orthodontics, psychiatric care, physical therapy, and appliances shall require special procedures (~~these~~). The adoptive family's requests shall be submitted to the department and the department's approval obtained before the service is rendered to the adoptive child.

~~((5))~~ (4) The family's ongoing adoption support ~~((payments shall))~~ eligibility may continue ~~((pursuant to the following conditions))~~ if the child:

(a) ~~((The child))~~ Has not ~~((yet))~~ reached ~~((the age of))~~ eighteen years of age, or ~~((the age of))~~ twenty-one years of age if ~~((the following apply))~~:

(i) The child has not yet completed high school or high school equivalent and is a full-time high school student; ~~((and/or~~

(ii) ~~The child is physically or mentally handicapped such that continued assistance is warranted and no other assistance is available))~~;

(b) ~~((The child))~~ If not eighteen years of age, continues to be the adoptive family's legal responsibility ~~((of the adoptive family))~~; and

(c) ~~((The child))~~ Continues ~~((to receive))~~ receiving financial support from the adoptive family.

(5) The department's adoption support reconsideration agreement with the family shall specify the length of time the adoption agreement is in effect.

NEW SECTION

WAC 388-70-595 REIMBURSEMENT FOR NONRECURRING ADOPTION FINALIZATION COSTS. (1) The department shall agree to reimburse an adoptive parent for the adoptive parent's nonrecurring expense payment of the child's legal adoption process when the department determines the child:

(a) Has special needs;

(b) Cannot or should not be returned to the home of the child's parents; and

(c) Cannot be adopted without adoption assistance.

(2) The adoptive parent's nonrecurring adoption costs necessary to complete the adoption process shall include:

(a) Reasonable and necessary adoption fees;

(b) Court costs;

(c) Attorney fees; and

(d) Costs associated with the:

(i) Adoption study;

(ii) Health and psychological examination;

(iii) Supervision of the placement before adoption; and

(iv) Cost of transportation, lodging, and food incurred for the child or adoptive parent while completing preplacement visits.

(3) Before the final decree of adoption, the department and adoptive parent shall sign an agreement specifying the nature and amount of the nonrecurring expenses the department pays. The department and adoptive family agreements for retroactive payment of nonrecurring

adoption costs may be signed for otherwise qualifying adoption occurring after January 1, 1987, and before October 1, 1990.

WSR 90-20-007
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3068—Filed September 20, 1990, 3:38 p.m.]

Date of Adoption: September 20, 1990.

Purpose: To provide guidelines for the provision of nonrecurring adoption costs to families adopting special needs children. To allow a limited number of families the opportunity to receive adoption support services who currently do not qualify because they have already adopted.

Citation of Existing Rules Affected by this Order: Amending chapter 388-70 WAC, Child welfare services—Foster care adoption services—Services to unmarried parents.

Statutory Authority for Adoption: RCW 43.20A.550 and HB 2602.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to implement changes to adoption support program (RCW 74.13.100) mandated by HB 2602.

Effective Date of Rule: September 21, 1990, 12:01 a.m.

September 20, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-520 ADOPTION SUPPORT FOR CHILDREN—DEFINITIONS. As used in these rules:

(1) "Adoption" ~~((shall mean))~~ means the granting of the adoption decree consistent with ~~((the provisions of))~~ chapter ~~((26.32))~~ 26.33 RCW.

(2) "Adoption support payment" ~~((shall mean))~~ means the financial remuneration resulting from an agreement whereby the department continues ~~((some))~~ financial responsibility beyond the legal consummation of the adoption.

(3) "Agreement" ~~((shall mean))~~ means a contract between the prospective adoptive parent ~~((s))~~ and the department ~~((to provide))~~ providing adoption support payments following the granting of a decree of adoption.

(4) "Corrective-rehabilitative services" shall include, but not be limited to:

(a) Medical care ~~((;))~~;

(b) Psychological services ~~((;))~~;

(c) Physical therapy ~~((;))~~;

- (d) Prosthesis(-);
(e) Speech and hearing therapy(-);
(f) Cosmetic surgery; or ((orthodontia))
(g) Orthodontia.

(5) "Department" ~~((shall mean))~~ means the department of social and health services.

(6) "Family" ~~((shall mean))~~ means any prospective parent ~~((s))~~ having the character, judgment, sense of responsibility and disposition ~~((which makes him or her))~~ making the prospective parent suitable as an adoptive parent of ((such)) a child ((and lacks)) but lacking the ((financial means fully)) necessary resources to care for ((such)) a hard-to-place for adoption child.

(7) "Hard-to-place for adoption child" means a child registered for three months with the Washington adoption resource exchange (WARE) or the Northwest adoption exchange (NWAE) without identifying a non-subsidized adoptive family resource. The child's registration with the exchanges shall not be necessary when:

(a) A foster parent desires to adopt a child having been in the foster parent's home for six months or more before a child is legally free for adoption;

(b) The child has close emotional ties to the current foster family which, if severed, may cause emotional damage to the child; and

(c) The foster family is identified as the adoptive family of choice by the agency staff having responsibility for the child.

(8) "Secretary" ~~((shall mean))~~ means the secretary of department or ~~((his))~~ the secretary's designee.

~~((8))~~ (9) "Special needs" is the designation given to a child by the department when the child presents a specific factor or condition the department reasonably concludes may prevent the child's placement with an adoptive parent without providing adoption support. The child's special need factors or conditions may include but are not limited to:

- (a) Ethnic background;
(b) Age;
(c) Inclusion in a sibling group;
(d) Medical diagnosis; or
(e) Physical, mental, or emotional handicap.

(10) "The act" means the statutes authorizing adoption support codified as RCW 74.13.100 through 74.13.145.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 1744, filed 12/30/81)

WAC 388-70-530 ADOPTION SUPPORT FOR CHILDREN—ELIGIBLE CHILD. (1) A child ~~((to be considered))~~ the department considers for adoption support ~~((must))~~ shall be registered with the office given administrative authority for the program ~~((:)).~~

(2) A child meeting the department's eligibility criteria for ~~((registration))~~ ongoing adoption support is ~~((one who))~~ a child:

(a) Who was or is residing in a foster home or a child caring institution or ((a child)) who, in the judgment of

the ((secretary)) department, is both eligible for, and likely to be placed in, ((either)) a foster home or a child caring institution((-));

(b) Who is legally free for adoption((-and));

(c) Who is ((under eighteen)) seventeen years of age or younger at the time the contract is signed((-and));

(d) For whom adoption is the most appropriate plan((-and));

(e) Who has a "special needs" factor or condition; and

(f) Who is hard-to-place for adoption.

(3) ~~((The child must have been registered for three months with the DSHS adoption exchange or the Washington Adoption Resource Exchange (WARE) in addition to the northwest Adoption Exchange NWAE in order to demonstrate that a non-subsidized resource is not available if the plan is regular agency adoption.~~

(4) The child must be found to be difficult to place in adoption because of, but not limited to, one or more of the following:

(a) Physical or mental handicap;

(b) Emotional disturbance;

(c) Ethnic background, including race, color or language;

(d) Age;

(e) Sibling grouping.

(5) Registration with the exchanges shall not be necessary when foster parents desire to adopt a child who has been in the foster parent's home for at least six months prior to application to the department. In cases, of adoption by foster parents, the following criteria must be met:

(a) The child must be hard-to-place by virtue of eligibility as defined in subsection (4)(a) through (c) of this section; and

(b) The child must have close emotional ties to the current foster family which, if severed, could cause emotional damage to the child; and

(c) The foster family must have been identified as the adoptive family of choice by the agency staff having responsibility for the child)) The department may, within limited funds, register a child with the office given administrative authority for the program for a limited adoption support reconsideration program if the child met the criteria for ongoing adoption support in Washington state at the time of the adoption based on documented evidence available at the time of the adoption. The child and the child's family shall be current residents of the state of Washington.

AMENDATORY SECTION (Amending Order 1037, filed 7/29/75)

WAC 388-70-540 ADOPTION SUPPORT FOR CHILDREN—APPLICATION. (1) The prospective adoptive family shall apply to the department for adoption support for the child.

(2) The application ~~((with))~~ for ongoing adoption support shall be jointly completed by the prospective adoptive parents and ((their)) the adoptive parents' referring agency or the department's local office. ((The type and amount of support payment requested shall be mutually determined by)) The family and the ((caseworker)) social worker shall mutually determine the type and

amount of support payment according to the criteria ~~((in))~~ under WAC 388-70-560.

(3) Those families seeking adoption support reconsideration shall complete the application for adoption support reconsideration. The adoptive family shall provide the department:

(a) A cost estimate of the child's proposed corrective-rehabilitative services;

(b) A current medical evaluation of the child's pre-adoptive special needs, and the current need for medical and counseling services; and

(c) Permission to request and review pre-adoptive information from the adoption agency facilitating the child's adoption.

(4) The adoptive family shall provide the department a copy of the family's most recent federal income tax return(, internal revenue service form 1040,) which must accompany the application for adoption support. If the family is not required to file a federal income tax return, ((they must)) the adoptive family shall submit ((such)) to the department a financial statement as ((is)) required ((by the department)).

AMENDATORY SECTION (Amending Order 1744, filed 12/30/81)

WAC 388-70-550 ADOPTION SUPPORT FOR CHILDREN—TYPES AND AMOUNTS OF PAYMENTS. (1) The ~~((three))~~ two types of support payments are monthly maintenance, ~~((attorney fees and/or court costs,))~~ medical (corrective-rehabilitative) service, or ~~((any))~~ a combination of these.

(2) The department payment for monthly maintenance shall not exceed the monthly cost ~~((standards))~~ for established foster care ~~((established by the department for the department's foster homes. The payment includes regular foster care or))~~ and specialized foster care ~~((, where indicated, and clothing and personal incidentals. (Sec)) as required under WAC 388-70-042 and 388-70-048.((+))~~

(3) ~~((If the department determines that the prospective adoptive parent(s) cannot, because of limited financial means, pay the cost or the full cost of legal proceedings for the adoption of a hard-to-place child eligible for support under the act and these regulations, the secretary may authorize departmental participation in adoption legal fees as determined by the superior court at the adoption hearing up to two hundred dollars plus court costs for each child or family unit, unless a different arrangement has been made by the department with the family and the family's attorney.~~

In cases in which the attorney indicates that the fee shall be in excess of two hundred dollars plus costs, a request for departmental participation in that fee must be made to the adoption support program at least three weeks prior to the finalization of the adoption. In any case, the attorney for the adoptive parent(s) shall furnish the department with a certified copy of the decree of adoption containing the finding as to the attorney's fee and an itemized statement of all other costs of the adoption proceedings.

~~((4))~~ The medical needs of a child in the adoption support program shall be met from the department's medical services program.

(a) The department's payment of the costs of the child's medical services shall be made directly to the physician or provider of the services according to the department's established procedures.

(b) ~~((Prior to))~~ Before entering an agreement for medical services, ~~((the medical needs of a particular child must be reviewed and approved by))~~ the department's office of personal health services shall review and approve the medical needs of a particular child. Following the department's review and approval, all medical services requested by the adopting parents shall be:

(i) Coordinated through the adoption support program; and

(ii) Furnished according to the department's medical programs when there is no other resource available during the effective period of the family's agreement with the department.

(c) The adoptive family's requests for orthodontics, psychiatric care, physical therapy, and appliances shall require special procedures(, these). The adoptive family's requests shall be submitted to the department and the department's approval obtained before the service is rendered to the adoptive child.

~~((+))~~ (4) The family's ongoing adoption support ((payments shall)) eligibility may continue ((pursuant to the following conditions)) if the child:

(a) ~~((The child))~~ Has not ((yet)) reached ((the age of)) eighteen years of age, or ~~((the age of))~~ twenty-one years of age if ~~((the following apply:~~

~~((+))~~ The child has not yet completed high school or high school equivalent and is a full-time high school student; ((and/or

~~((+))~~ The child is physically or mentally handicapped such that continued assistance is warranted and no other assistance is available));

(b) ~~((The child))~~ If not eighteen years of age, continues to be the adoptive family's legal responsibility ((of the adoptive family)); and

(c) ~~((The child))~~ Continues ((to receive)) receiving financial support from the adoptive family.

(5) The department's adoption support reconsideration agreement with the family shall specify the length of time the adoption agreement is in effect.

NEW SECTION

WAC 388-70-595 REIMBURSEMENT FOR NONRECURRING ADOPTION FINALIZATION COSTS. (1) The department shall agree to reimburse an adoptive parent for the adoptive parent's nonrecurring expense payment of the child's legal adoption process when the department determines the child:

(a) Has special needs;

(b) Cannot or should not be returned to the home of the child's parents; and

(c) Cannot be adopted without adoption assistance.

(2) The adoptive parent's nonrecurring adoption costs necessary to complete the adoption process shall include:

(a) Reasonable and necessary adoption fees;

(b) Court costs;

- (c) Attorney fees; and
 (d) Costs associated with the:
 (i) Adoption study;
 (ii) Health and psychological examination;
 (iii) Supervision of the placement before adoption;
 and
 (iv) Cost of transportation, lodging, and food incurred for the child or adoptive parent while completing pre-placement visits.
- (3) Before the final decree of adoption, the department and adoptive parent shall sign an agreement specifying the nature and amount of the nonrecurring expenses the department pays. The department and adoptive family agreements for retroactive payment of non-recurring adoption costs may be signed for otherwise qualifying adoption occurring after January 1, 1987, and before October 1, 1990.

WSR 90-20-008
PERMANENT RULES
DEPARTMENT OF LICENSING
 [Filed September 20, 1990, 3:39 p.m.]

Date of Adoption: September 20, 1990.
 Purpose: To adopt WAC 308-14-085 Examination; and 308-14-130 Standards of professional practice.
 Statutory Authority for Adoption: RCW 18.145.050.
 Pursuant to notice filed as WSR 90-14-096 on July 5, 1990.
 Effective Date of Rule: Thirty days after filing.
 September 20, 1990
 Marsha Tadano Long
 Director

NEW SECTION

WAC 308-14-085 EXAMINATION. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be the Washington state statutory examination beginning with the April 1990 examination.

(2) Recognition of the Washington state statutory examination as the Washington certification examination is conditioned upon the examination meeting the following requirements:

- (a) Be a timed tape;
- (b) At least ninety-five percent accuracy is needed to pass the examination;
- (c) Be offered at least twice a year;
- (d) The pass/fail scores of the state certification applicants are provided to the department within two weeks of the date of the examination;
- (e) Supply examinations statistics following each examination; the number scheduled, passed, failed, and failed to appear; and
- (f) The examination security requirements of the department of licensing are met.

(3) State applicants who have previously passed the Washington state department of licensing recognized examination within three years prior to application may be issued certification without additional examination if

certified documentation of the passed examination is provided.

NEW SECTION

WAC 308-14-130 STANDARDS OF PROFESSIONAL PRACTICE. All certified shorthand reporters (CSR) shall comply with the following professional standards except where differing standards are established by court or agency. Failure to comply with the following standards is deemed unprofessional conduct. Certified shorthand reporters shall:

- (1) Include on all transcripts, business cards, and advertisements their CSR reference number.
- (2) Prepare transcripts in accordance with the transcript preparation guidelines established by WAC 308-14-135 or court.
- (3) Preserve and file their shorthand notes in a manner retrievable. Transcribed notes shall be retained for no less than three years. Untranscribed notes shall be retained for no less than ten years or as required by statute, whichever is longer.
- (4) Meet promised delivery dates.
- (5) Prepare accurate transcripts.
- (6) Disclose conflicts, potential conflicts, or appearance of conflicts to all involved parties.
- (7) Be truthful and accurate in advertising qualifications and/or services provided.
- (8) Preserve confidentiality of information in their possession and take all steps necessary to insure its security and privacy.
- (9) Notify all involved parties when transcripts are ordered.
- (10) Notify all involved parties, when a transcript is ordered by a person not involved in the case, before a copy of the transcript is furnished. If any party objects, the transcript is not provided without a court order.
- (11) Give witness/deponent fifteen days to read, correct and sign, before a notary, a correction sheet unless waived by witness or attorney representing the witness.
- (12) Supply certified copies of transcripts to any involved party, upon appropriate request.

WSR 90-20-009
PERMANENT RULES
STATE BOARD FOR
COMMUNITY COLLEGE EDUCATION

[Resolution Nos. 90-42 and 90-43, Order 122—Filed September 20, 1990, 4:02 p.m.]

Date of Adoption: September 13, 1990.

Purpose: To revise and update rules governing community college operations related to admission of students, residency classification, definition of "special funds" for tenure purposes, an exceptional faculty awards program, tuition for certain "ungraded" courses, and waiver of tuition and fees for certain students, and repealing a section.

Citation of Existing Rules Affected by this Order: Repealing WAC 131-12-070; and amending WAC 131-12-010, 131-12-020, 131-16-400, 131-28-026 and

131-28-090; and new sections WAC 131-16-450 and 131-16-500.

Statutory Authority for Adoption: RCW 28B.50.090 (7)(d) and (10), 28B.50.851, chapter 29, Laws of 1990, RCW 28B.15.502(4), 28B.15.522, and 28B.50.140(3).

Pursuant to notice filed as WSR 90-13-095 on June 21, 1990; and WSR 90-16-067, 90-16-068 and 90-16-069 on July 30, 1990.

Changes Other than Editing from Proposed to Adopted Version: In amending WAC 131-12-020 the board deleted four references to the term "federal employee" because it was determined that eligibility of such persons for residency status had been removed from statute by legislative amendment.

Effective Date of Rule: Thirty-one days after filing.

September 20, 1990

Gilbert J. Carbone

Assistant Director

AMENDATORY SECTION (Amending Order 3, filed 6/19/69)

WAC 131-12-010 MINIMUM STANDARDS FOR ADMISSION TO A COMMUNITY COLLEGE.

Any applicant for admission to a community college shall be admitted when, as determined by the chief administrative officer of the district or his (~~authorized representative~~) or her designee, such applicant:

(1) Is competent to profit from the curricular offerings of the college; and

(2) Would not, by his or her presence or conduct, create a disruptive atmosphere within the community college inconsistent with the purposes of the institution; and

(3) Is eighteen years of age or older; or (~~who is a graduate of a high school or whose application, if under eighteen years of age and not a graduate of a high school, has been approved, insofar as acquisition of approval is feasible, by the principal of the high school he is attending or which he last attended~~)

(4) Is a high school graduate; or

(5) Has applied for admission under the provisions of a student enrollment options program such as Running Start or a successor program; or

(6) If not qualified under subsections (1) through (5) of this section, has filed a written release from a public, private, or home school he or she is attending or last attended: PROVIDED, That an applicant transferring from another institution of higher education who meets the above criteria, but who is not in good standing at the time of his transfer may be conditionally admitted to a community college on a probationary status as determined by the chief administrative officer of the community college district or his (~~authorized representative~~) or her designee.

AMENDATORY SECTION (Amending Order 3, filed 6/19/69)

WAC 131-12-020 DEFINITION OF RESIDENT STUDENT AND PROCEDURES FOR CLASSIFICATION. For tuition purposes, an applicant or enrolled student shall be deemed to be a resident student if he or

she has been domiciled in the state of Washington for a full year prior to commencement of the quarter for which (~~he applies or is~~) enrolled, or (~~he~~) is a (~~federal employee~~) military personnel, or a staff member of the community college, or the child or spouse of such (~~federal employee or~~) military personnel residing within the state or of a staff member of the community college. The definition of "domicile" shall be the legal definition.

The following procedures shall be followed by community colleges in making residency classifications:

(1) Upon receipt of an application for admission to the community college the applicant shall be classified as either a resident or nonresident as the facts may indicate.

(2) The notice of acceptance shall be accompanied by a statement of the applicant's residency classification and, in the case of those classified as nonresidents, a statement of the criteria and procedures to be followed for establishing resident status.

(3) Changes in residency classifications of applicants or enrolled students shall be made by the authorized college official as follows:

(a) In the case of applicants or enrolled students who have been classified as nonresident, upon presentation by the applicant or student or an authorized representative of sufficient proof that the applicant or enrolled student has been legally domiciled in the state of Washington for one year, or is a (~~federal employee~~) military personnel, or a staff member of the community college, or the child or spouse of a (~~federal employee or~~) military personnel residing within the state or of a staff member of the community college; and

(b) In the case of applicants or enrolled students who have been classified as residents, upon presentation or discovery of proof that such individual is legally domiciled outside the state of Washington.

(4) In the event of dispute or question regarding the residency status of any applicant or enrolled student, the matter shall be referred to the office of attorney general for advice.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 131-12-070 DEADLINE FOR COMPLIANCE AND FILING WITH DIRECTOR.

AMENDATORY SECTION (Amending Order 67, filed 9/13/77)

WAC 131-16-400 DEFINITION OF "SPECIAL FUNDS" FOR THE PURPOSE OF DETERMINING ELIGIBILITY FOR TENURABLE FACULTY POSITIONS. (1) RCW 28B.50.851 authorizes the state board for community college education to designate certain funds as "special funds" for the purpose of exempting positions funded thereby from the award of community college faculty tenure status as provided in RCW 28B.50.850 through 28B.50.869.

(2) For the purpose of implementing the provisions of RCW 28B.50.851, "special funds" shall be defined as all

funds received by a community college district other than those generated by operating fees and special fees collected by such district pursuant to RCW 28B.15.100 and 28B.15.500 and state general funds appropriated by the legislature and distributed to college districts by the state board.

(3) "Special funds" shall include, but not be limited to, funds received by a community college district through contracts with federal, state, local, or private agencies; grants or gifts from philanthropic organizations; revenue produced by any auxiliary enterprise operated by a college district; federal vocational funds distributed by the commission for vocational education; adult basic education funds distributed by the superintendent of public instruction; and specifically funds received for operating overseas military educational programs.

(4) In order to qualify for the exemption from faculty tenure status, a position must be primarily maintained and funded at least 51% for salary and related benefits by such "special funds" as defined in this section.

(5) Determination of the application of the provisions of this section to any future programs shall be made by the state director consistent with subsections (2) and (3) of this section.

~~((6) Pursuant to chapter 282, Laws of 1977 ex. sess., the provisions of this section shall not be applicable to faculty members holding appointments in an educational program operated in a state correctional institution pursuant to a written contract with a community college district, provided such program has been in existence for five or more years under the administration of one or more community college districts.))~~

NEW SECTION

WAC 131-16-450 EXCEPTIONAL FACULTY AWARDS TRUST FUND. (1) Pursuant to chapter 29, Laws of 1990, the community college exceptional faculty award program shall be subject to the following limitations:

(a) All funds generated by and through this program shall be credited to the college district's exceptional faculty local endowment trust fund, from which only the earnings of such funds may be expended for the purpose of this program.

(b) Authorization to transfer funds from the exceptional faculty award trust fund in the state treasury to a college district endowment fund shall be contingent upon certification by the college district that no less than twenty-five thousand dollars of matching cash donations from private sources has been deposited in the district endowment fund.

(c) Grants to individual colleges shall not exceed:

(i) One grant to each college prior to June 30, 1991, unless all colleges have received one grant each;

(ii) Two grants to each college prior to December 31, 1991; and

(iii) Four grants to each college in any single biennium.

(d) Award of requested grants to colleges shall be contingent upon determination by the state board for

community college education that the request is consistent with and meets the requirements of these guidelines. Further, if grant requests exceed available funds, the state board for community college education shall select the recipients.

(e) Funds granted for the purposes of the faculty awards program shall be held in trust by the district for the college to which such funds were specifically awarded.

(f) Each college district shall establish procedures by which awards may be named in honor of a donor, benefactor, or honoree; may designate the use of funds; and may renew or redesignate the award annually.

(g) By September 1 of each year beginning in 1991, each district shall report to the state board for community college education the amount of contributed endowment funds, their earnings, type of investments, and uses made during the previous fiscal year.

(h) The process for determining awards shall be subject to collective bargaining, except that the amount of individual awards and the recipient(s) shall be determined by the district board of trustees.

(i) Only persons holding faculty assignments as defined by RCW 28B.52.020(2) shall be eligible to receive awards under this section.

(2) The award of exceptional faculty grants from the district endowment fund shall be subject to the following limitations:

(a) The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to make a one time supplement to the salary of the holder or holders of a faculty award, for the duration of the award; or to pay expenses associated with the holder's program area.

(b) Funds from this program shall not be used to supplant existing faculty development funds.

NEW SECTION

WAC 131-16-500 PERMISSIBLE COMPENSATION ELEMENTS FOR COMMUNITY COLLEGE PRESIDENTS. (1) RCW 28B.50.140(3) requires the state board for community college education to adopt rules defining the permissible elements of compensation which college boards may approve for community college presidents.

(2) Compensation (including salary) increases granted in accordance with this section shall not exceed the amount or percentage established for that purpose in the state Omnibus Appropriations Act as allocated to the college boards by the state board for community college education.

(3) For purposes of implementation of RCW 28B.50.140(3), the permissible elements of compensation for community college presidents are defined as: (a) Salary, (b) a stipend to compensate the president for providing and maintaining a private automobile for the president's use on college business, (c) medical, life, accidental death and dismemberment, long-term disability and liability insurance, (d) deferred compensation, (e)

tax-deferred annuities, (f) relocation assistance, (g) deferred payment for accrued annual leave upon termination of employment in accordance with RCW 43.01.041, and (h) deferred payment for accrued sick leave upon retirement in accordance with RCW 41.04.340; provided that benefits listed in (b) through (h) of this subsection shall not affect but may supplement such benefits otherwise applicable to presidents as state employees.

AMENDATORY SECTION (Amending Order 116, Resolution No. 89-16, filed 6/29/89)

WAC 131-28-026 TUITION CHARGES FOR CERTAIN UNGRADED COURSES. (1) When in the judgment of a district board of trustees certain courses should be designated as ungraded courses and offered by tuition rates that differ from the standard rates set by WAC 131-28-025, the board of trustees may propose such designations and tuition levels. Implementation of such proposals shall be contingent upon approval of the state director, who shall review such proposals with respect to the provisions of subsection (2) of this section and with respect to a general standard of system-wide consistency of tuition charges when essentially similar services are provided.

(2) Ungraded courses designated pursuant to subsection (1) of this section shall meet the following qualifications:

(a) The primary intent of offering the course is other than providing academic credit applicable to an associate's or higher degree.

(b) The course has a specialized purpose in that it is intended to meet the unique educational needs of a specific category or group of students.

(c) The course is offered for the purpose of providing the individual student with a discrete skill or basic body of knowledge other than that intended to lead to initial employment.

(d) The course cannot be administered as a contract course pursuant to WAC 131-28-027, 131-32-010, or 131-32-020.

(e) The course is not offered primarily as an integral part of any lower-division curriculum or program.

(f) The course is not one specifically or primarily intended to satisfy requirements for receiving a high school diploma.

(3) For the purposes of this section, ungraded courses shall be defined as those courses classified according to the official course classification taxonomy established by the state board as occupational supplementary, occupational homemaking, academic basic education, or academic general education courses, provided they shall also meet the qualifications set forth in subsection (2) of this section.

(4) For the purpose of implementing WAC 131-28-025(2), the tuition, exclusive of special fees, charged by any Washington community college for the following ungraded courses shall be:

| COURSE FEE | TUITION | | |
|---|---|-------------------------------------|-------------------------|
| | BUILDING FEE | OPERATING FEE | SERVICES AND ACTIVITIES |
| (a) Courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices while indentured with the Washington state apprenticeship council or Federal Bureau of Apprenticeship and Training | \$1.40 per credit | \$3.60 per credit | No charge |
| (b) Department of labor and industries approved industrial first aid courses offered for the purpose of satisfying WISHA first aid certification requirements | Standard rate | Standard rate | No charge |
| (c) Parent education involving cooperative preschool program | The combined standard district charge per credit hour for tuition and operating fees less the preschool cooperative fee, with any remainder divided equally between tuition and operating fee | | No charge |
| (d) Farm management and small business management | ((Standard rate)) \$1.85 per credit | ((Standard rate)) \$9.15 per credit | No charge |
| (e) Adult basic education, English as a second language, and GED preparation courses supported by federal funds ((and English as a second language courses funded from such sources)) | No charge | No charge | No charge |
| (f) Emergency medical technician and paramedic continuing education | \$1.40 per credit | \$3.60 per credit | No charge |
| (g) Courses specifically designed to provide skills and understandings particularly related to the problems of retirement and advanced age | \$1.00 per credit hour | \$1.00 per credit hour | No charge |

| COURSE FEE | TUITION | | |
|---|---------------|---------------|-------------------------|
| | BUILDING FEE | OPERATING FEE | SERVICES AND ACTIVITIES |
| (h) Courses providing advanced training and skill maintenance for journeypersons in cooperation with local joint apprenticeship and training committees | Standard rate | Standard rate | No charge |

(5) Application of this section shall be subject to administrative procedures established by the state director with respect to maximum credit values of such ungraded courses, curriculum, or any unique circumstances related to enrollment in such courses.

(6) Tuition and services and activities fees received pursuant to this section shall be accounted for and deposited in conformance with the provisions of RCW 28B.50.360, 28B.15.031, and 28B.15.041 respectively.

(7) The term "standard rate" as used in this section shall mean the tuition charged for one quarter credit.

AMENDATORY SECTION (Amending Order 116, Resolution No. 89-16, filed 6/29/89)

WAC 131-28-090 TUITION AND FEE WAIVERS FOR UNEMPLOYED AND UNDEREMPLOYED RESIDENT STUDENTS. (1) The purpose of this section is to carry out the intent of the legislature to provide tuition-free educational opportunities for unemployed and underemployed individuals who wish to attend a Washington community college on a space-available basis.

(2) Pursuant to authority granted by (~~chapter 50, Laws of 1984,~~) RCW 28B.15.522 community college districts may waive, in whole or in part, tuition and services and activities fees for any individual who:

(a) Is a resident student as defined by RCW 28B.15.012(2);

(b) Will have attained age twenty-one prior to the first day of instruction on the basis of such waiver;

(c) Has not attended an institution of higher education during the six-month period immediately prior to the first day of instruction, other than pursuant to this section;

(d) Is not receiving or eligible to receive unemployment compensation funded by federal, state matching, or trade readjustment benefit sources;

(e) Has a monthly household income below four hundred sixty-five dollars for a single person and an additional one hundred thirty dollars for each additional household member or the successor values to these amounts as may be subsequently established by the department of social and health services as need standards for assistance determination purposes;

(f) Has been or will have been unemployed for at least six months prior to the first day of instruction or is underemployed as evidenced by monthly income for the preceding six-month period below the level established in (e) of this subsection.

(3) Enrollments made pursuant to this section shall be on a space available basis.

(4) No new course sections shall be created as a result of enrollments based on waivers authorized by this section.

(5) Enrollment information on students registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor be considered in any enrollment statistics which would affect budgetary determinations.

(6) Persons enrolled pursuant to this section shall have the same access to support services as do all other students and shall be subject to all course prerequisites and requirements.

WSR 90-20-010

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-103—Filed September 20, 1990, 4:18 p.m.]

Date of Adoption: September 20, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000R.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable upriver bright chinook and coho are immediately available for harvest at the mouth of the Columbia River and lower river hatchery chinook have cleared the area. This regulation is adopted at the recommendation of the September 19 and 20, 1990, Columbia River Compact meetings.

Effective Date of Rule: Immediately.

September 20, 1990

Sally J. Hicks

for Joseph R. Blum

Director

NEW SECTION

WAC 220-33-01000S COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE. Notwithstanding the provisions of WACs 220-33-005, 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D and 1E except during the times and under the conditions listed:

(1) OPEN TIME PERIODS: 6 PM September 19 to 6 PM September 21, 1990

(a) Allowable Species: Open to the taking of salmon, sturgeon, and shad

(b) *Open Area: 1A except: that portion of area 1A defined as the Grays Bay sanctuary in WAC 220-33-005 remains closed.*

(c) *Allowable Gear: No mesh restriction.*

(2) *OPEN TIME PERIODS: 6 PM September 20 to 6 PM September 21, 1990*

(a) *Allowable species: Open to the taking of salmon, sturgeon, and shad*

(b) *That portion of Area 1B lying downstream from the Wauna Power Line crossing.*

(c) *Allowable Gear: No mesh restriction.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000R COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE (90-102)

WSR 90-20-011
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed September 21, 1990, 9:38 a.m.]

Date of Adoption: September 19, 1990.

Purpose: To establish the Pacific Rim scholarship program.

Statutory Authority for Adoption: Chapter 243, Laws of 1990.

Pursuant to notice filed as WSR 90-16-082 on July 31, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 20, 1990

Ann Daley

Executive Director

STATE OF WASHINGTON
PACIFIC RIM LANGUAGE SCHOLARSHIP
PROGRAM

Chapter 243, Laws of 1990

WAC 250-74

| | |
|----------------|----------------------|
| WAC 250-74-010 | Purpose |
| WAC 250-74-020 | Program Definitions |
| WAC 250-74-030 | Eligibility Criteria |
| WAC 250-74-040 | Selection Criteria |
| WAC 250-74-050 | Administration |
| WAC 250-74-060 | Management of Funds |

NEW SECTION

WAC 250-74-010 PURPOSE. The purpose of this act is to promote international awareness and understanding by encouraging high school students to study pacific rim languages.

NEW SECTION

WAC 250-74-020 PROGRAM DEFINITIONS. (1) "Washington state pacific rim language scholarship" means a scholarship awarded, for a period not to exceed

one year, to a student proficient in speaking one of the following languages: Spanish, Russian, Chinese, or Japanese.

(2) "Institution of higher education" or "institution" shall mean any public university, college, community college, or vocational-technical institute operated by the state of Washington political subdivision thereof, or any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the Northwest Association of Schools and Colleges, providing such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the above named accrediting association.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Student" means a high school senior who is a proficient speaker of a pacific rim language, and who intends to enroll in an institution of higher education within one year of high school graduation.

(5) "Half-time student" means any student enrolled in exactly one-half the credit hour or clock hour load defined by the institution as constituting expected full time progress toward the particular degree or certificate.

NEW SECTION

WAC 250-74-030 ELIGIBILITY CRITERIA. (1) Student Eligibility. In order to be eligible to receive a scholarship under this program, the student must:

(a) Have attended high school in the state of Washington or be a resident of Washington state as defined in RCW 28B.15.011-015 and Chapter 250-18 WAC.

(b) Be a proficient speaker of either Spanish, Russian, Japanese, or Chinese.

(c) Be enrolled at a public or independent college or university in the state of Washington within one year of high school graduation, as at least a half-time student.

(d) Not be involved in a program that includes any religious worship, exercise or instruction or the pursuit of any degree in religious, seminarian, or theological academic studies.

(e) Agree to provide appropriate documentation of undergraduate studies as may be requested by the higher education coordinating board.

NEW SECTION

WAC 250-74-040 SELECTION CRITERIA. (1) Program Advisory and Selection Committee. The board will appoint an advisory committee to advise the board on matters of program administration including, but not limited to, application procedures, selection criteria, fund raising, and program publicity. The advisory committee shall also serve as a screening committee to assist

the board in selecting the students to receive pacific rim language scholarships. The committee membership shall be comprised of leaders in government, business, and education.

(2) Selection of Recipients. Assuming program eligibility criteria are met, the board shall select students who have shown the most improvement in their ability to speak the language during their high school careers. The following additional selection criteria may be employed by the board in ranking applicants:

(a) Commitment to continuing studies in, or use of, one of the following languages: Spanish, Russian, Chinese, or Japanese, or any other pacific rim language;

(b) Commitment to increasing, broadening, or deepening his/her knowledge and understanding of the economics, politics, and cultures of the pacific rim region;

(c) Commitment to use that knowledge to teach within the state or otherwise enrich this state's economic health and cultural understanding;

(d) Superior scholastic achievement;

(e) Honors and awards;

(f) Financial need.

(3) Number of students to be selected. The board shall select up to four students yearly from each congressional district. Of the four students selected, one student shall be a proficient speaker of Spanish, one of Russian, one of Japanese, and one of Chinese.

NEW SECTION

WAC 250-74-050 ADMINISTRATION. (1) Administering Agency. The higher education coordinating board shall administer the pacific rim language scholarship program. The board shall have the following administrative responsibilities:

(a) Publicize the program.

(b) Adopt necessary program guidelines.

(c) Select students to receive the pacific rim languages scholarship, with the assistance of the selection committee created by section 250-74-040, subsection (1) of this act.

(d) Disburse funds to named scholarship recipients.

(e) Maintain records on all pacific rim language scholarship recipients.

(f) Solicit and accept grants and donations from public and private sources for the program.

NEW SECTION

WAC 250-74-060 MANAGEMENT OF FUNDS. The higher education coordinating board may award grants to eligible students from the funds appropriated to the board for this purpose, or from any private donations, or any other funds given to the board for this program.

(1) Scholarship Amounts. The amount of the pacific rim language scholarship awarded an individual shall not exceed one thousand dollars (\$1000) in total.

(2) The scholarship is awarded to a recipient on a one-time, non-renewable basis.

(3) The scholarship shall not be disbursed to the student until the higher education coordinating board has

received verification that the awardee is enrolled as at least a half-time student.

WSR 90-20-012
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed September 21, 1990, 9:40 a.m.]

Date of Adoption: September 19, 1990.

Purpose: To establish the rural physician, pharmacist, and midwife scholarship program.

Statutory Authority for Adoption: Chapter 271, Laws of 1990.

Pursuant to notice filed as WSR 90-16-093 on August 1, 1990.

Effective Date of Rule: Thirty-one days after filing.
September 20, 1990

Ann Daley

Executive Director

STATE OF WASHINGTON
RURAL PHYSICIAN, PHARMACIST, AND
MIDWIFE SCHOLARSHIP PROGRAM
Chapter 271, Laws of 1990

RULES AND REGULATIONS
WAC 250-75

| | |
|----------------|----------------------------|
| WAC 250-75-010 | Purpose |
| WAC 250-75-020 | Authority to Administer |
| WAC 250-75-030 | Definitions |
| WAC 250-75-040 | Eligibility to Participate |
| WAC 250-75-050 | Selection Criteria |
| WAC 250-75-060 | Award Amount |
| WAC 250-75-070 | Repayment Provisions |
| WAC 250-75-080 | Appeals |

NEW SECTION

WAC 250-75-010 PURPOSE. The purpose of the scholarship program is to encourage primary care physicians, pharmacists, and midwives (as defined in chapters 18.50 RCW, 18.57 RCW, 18.64 RCW, 18.71 RCW, and 18.88 RCW,) to serve in rural shortage areas of the state by providing financial support to attend school in the form of a conditional scholarship. Participants shall receive payment from the program for professional training leading to licensure as a physician, osteopathic physician and surgeon, pharmacist, midwife or certified nurse-midwife. The conditional scholarship means a loan that is forgiven in whole or in part if the scholarship recipient serves in a rural physician shortage area, a pharmacist shortage area, or a midwife shortage area in Washington state.

NEW SECTION

WAC 250-75-020 AUTHORITY TO ADMINISTER. The higher education coordinating board is charged with the administration of the rural physician, pharmacist, and midwife scholarship program. These regulations are being adopted pursuant to the authority

of section 5 through 13, chapter 271, laws of 1990, first ex. sess. When a responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his/her designee.

NEW SECTION

WAC 250-75-030 DEFINITIONS. Unless the content clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the higher education coordinating board.

(2) "Department" means the department of health.

(3) "Eligible student" means a student who has been accepted into a program leading to eligibility for licensure under chapter 18.50 RCW, 18.57 RCW, 18.64 RCW, 18.71 RCW or 18.88 RCW.

(4) "Prospective medical student" means an individual identified by a sponsoring community who is seeking admission to a school of medicine or osteopathic school of medicine.

(5) "Medical school" means a medical school or school of osteopathic medicine and surgery accredited by an accrediting association recognized as such in rule by the department.

(6) "Pharmacy school" means a pharmacy school accredited by an accrediting association recognized as such in rule by the department.

(7) "Midwife training program" means a training program approved by the department that leads to licensure as a midwife or certification as a nurse-midwife in the state of Washington.

(8) "Primary care physician" means an individual whose training prepares them for practice in the following areas: family practice, general practice, general internal medicine, ob-gyn, and general pediatrics.

(9) "Rural physicians shortage area" means rural geographic areas where primary care physicians are in short supply as a result of geographic maldistribution and where their limited numbers jeopardize patient care and pose a threat to public health and safety.

(10) "Pharmacist shortage area" means a rural area where pharmacists are in short supply and where their limited numbers jeopardize the public health and safety.

(11) "Midwife shortage area" means a geographic area of the state of Washington where (a) maternity services are in short supply, and (b) midwifery services could help alleviate the shortage.

(12) "Nonshortage rural area" means a nonurban area of the state of Washington that has not been designated a rural physician shortage area.

(13) "Rural areas" means a rural area in the state of Washington as identified by the department.

(14) "Eligible expenses" means legitimate expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board.

(15) "Program" means the rural physician, pharmacist, and midwife scholarship program.

(16) "Scholarship" means a loan that is forgiven in whole or in part if the recipient renders: (a) physician services as a primary care physician in a rural area of the state; (b) pharmacy services as a pharmacist in a

pharmacist shortage area; or (c) midwifery services as a licensed midwife or certified nurse-midwife in a midwife shortage area;

(17) "Sponsoring community" means a rural hospital or hospitals as authorized in chapter 70.41 RCW, a rural health care facility or facilities as authorized in chapter 70.175 RCW, or a city or county government or governments.

(18) "Participant" means an eligible student who has received a scholarship under this chapter.

(19) "Forgiven" or "to forgive" means to render physician services in a rural area, pharmacy services in a pharmacist shortage area, or midwifery services in a midwife shortage area in the state of Washington in lieu of monetary repayment.

(20) "Satisfied" means paid-in-full.

NEW SECTION

WAC 250-75-040 ELIGIBILITY TO PARTICIPATE. To be eligible to apply, an individual must:

(1) Be accepted into or currently enrolled in an accredited program leading to eligibility for licensure in Washington state as a physician, osteopathic physician and surgeon, pharmacist, midwife or certified nurse-midwife;

(2) Submit an application on a form provided by the higher education coordinating board for participation in the rural physician, pharmacist, and midwife scholarship program;

(3) Agree to serve for not less than five years as a primary care physician in a rural shortage area of the state, as a pharmacist in a pharmacist shortage area, or provide midwifery services as a licensed midwife or certified nurse-midwife in a midwife shortage area in the state;

(4) Agree not to discriminate against any person on the basis of his/her ability to pay for services or because payment for the health services provided to the individual will be made under part A or B of Title XVIII of the federal Social Security Act or under a state plan for medical assistance approved under Title XIX of such act;

(5) Agree to accept an assignment under the terms specified in Title XVIII of the federal Social Security Act, section 18.42 (b)(3)(B)(ii);

(6) Agree to enter into an agreement with the state medicaid agency to provide services to individuals entitled to medical assistance under the plan; and

(7) Agree to repay to the program an amount equal to twice the total amount paid by the program on their behalf in addition to the unsatisfied portion of principal and interest as set by state law, if the five year service obligation is not met.

NEW SECTION

WAC 250-75-050 SELECTION CRITERIA. Applicants will be selected for participation in the rural physician, pharmacist, and midwife scholarship program based upon the following criteria:

(1) Applicant Training. The individual's training must be in a program leading to licensure in Washington state

as a physician, osteopathic physician and surgeon, pharmacist, midwife or certified nurse-midwife;

(2) Applicant Qualifications. The board may consider the individual's academic standing, prior experience in a medically underserved or rural shortage area, academic/humanitarian achievements, recommendations, and other criteria related to competence or conduct.

(3) Applicant Relationship with Rural Area. (a) Physicians. For prospective physicians, recipients must declare an interest in serving in rural areas of the state of Washington. Preference for scholarships shall be given to students who reside in rural areas of the state prior to admission to the medical training program. Higher preference shall be given to students seeking admission who are recommended by sponsoring communities and who declare the intent of serving as a primary care physician in a rural area; (b) Pharmacists. For prospective pharmacists, recipients must declare an interest in serving in pharmacist shortage areas of the state of Washington; and (c) Midwives. For prospective midwives, recipients must declare an interest in serving in midwife shortage areas of the state of Washington.

NEW SECTION

WAC 250-75-060 AWARD AMOUNT. The amount of the scholarship awarded a participant shall not exceed \$15,000 per academic year for physicians and \$4,000 per academic year for pharmacists and midwives. The higher education coordinating board may establish awards of less than the maximum amount based upon reasonable levels of expenditures for each of the health professions covered by the program, depending upon the availability of funding. In no case shall the award amount exceed the actual cost of attendance for the particular program. Scholarship awards are intended to meet the eligible expenses of participants. Participants are eligible to receive scholarships for a maximum of five years for physicians and three years for pharmacists and midwives while continually enrolled in an approved medical school, pharmacy school, or midwifery training program.

As part of the award procedure, each participant must sign an agreement with the board which serves as the legal document verifying the participant's understanding of the obligation to serve for five years in a shortage area or repay to the program an amount equal to twice the total amount paid on their behalf in addition to the unsatisfied portion of principal and interest as set by state law. Should the recipient choose not to serve in a shortage area, he/she is obligated to repay to the program an amount equal to three times the principal, plus the interest as set by state law.

NEW SECTION

WAC 250-75-070 REPAYMENT PROVISIONS. Participants shall receive payment from the program for professional training leading to licensure as a physician, osteopathic physician and surgeon, pharmacist, midwife or certified nurse-midwife.

(1) The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a rural physician shortage area, pharmacist shortage area, or midwife shortage area until the entire repayment obligation is satisfied or the participant ceases to so serve.

(2) Participants in the program incur an obligation to repay the scholarship, with interest set by state law, unless they serve for five years in rural physician shortage area, pharmacist shortage areas, or midwife shortage areas in the state of Washington.

(3) Except for circumstances beyond their control, participants who serve less than five years shall be obligated to repay to the program an amount equal to twice the total amount paid by the program on their behalf in addition to the unsatisfied portion of the principal and interest as set by state law.

(4) The terms of the repayment, including deferral of the interest, shall be consistent with the terms of the federal guaranteed loan program.

(5) The period of repayment shall be three years, with payments commencing nine months from the date the participant completes or discontinues the course of study or required residency, or fails to fulfill the five year service obligation.

(6) Upon request of the participant, the higher education coordinating board may waive, in full or in part, the obligation for service or its rights to recover financial damages whenever the board determines that failure to do so was due to circumstances beyond the participant's control. Conditions considered as a waiver from default provisions may include: participant becomes physically impaired to the degree that he/she can no longer function in his/her assigned duties, participant becomes mentally impaired to the degree that he/she can no longer function in his/her assigned duties, or death.

NEW SECTION

WAC 250-75-080 APPEALS. Participants who have been accepted in the rural physician, pharmacist, and midwife scholarship program may request in writing a review of any adverse decision affecting them by requesting such review within 20 days of adverse decision, addressed to the executive director of the higher education coordinating board. The review shall be handled by brief adjudication hearing procedures as outlined in the Administrative Act chapter 34.05 RCW.

WSR 90-20-013

PERMANENT RULES

HIGHER EDUCATION

COORDINATING BOARD

[Filed September 21, 1990, 9:52 a.m.]

Date of Adoption: September 19, 1990.

Purpose: The purpose of this chapter is to comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-11 WAC, Guidelines for SEPA implementation.

Statutory Authority for Adoption: Chapter 43.21C RCW.

Pursuant to notice filed as WSR 90-16-055 on July 27, 1990.

Effective Date of Rule: Thirty-one days after filing.
 September 20, 1990
 James C. Sainsbury
 Deputy Director

**CHAPTER 250-14 WAC
 STATE ENVIRONMENTAL POLICY ACT (SEPA)
 WAC 250-14-010 Purpose and applicability.**

NEW SECTION

WAC 250-14-010 PURPOSE AND APPLICABILITY. It is the policy of the Higher Education Coordinating Board that capital projects proposed and developed or participated in by the Board shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-11 WAC, Guidelines for SEPA Implementation. The Executive Director of the Board is hereby designated as the responsible official for carrying out this policy.

**WSR 90-20-014
 EMERGENCY RULES
 HIGHER EDUCATION
 COORDINATING BOARD
 [Filed September 21, 1990, 9:53 a.m.]**

Date of Adoption: September 19, 1990.

Purpose: The purpose of this chapter is to comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA) and chapter 197-11 WAC, Guidelines for SEPA implementation.

Statutory Authority for Adoption: Chapter 43.21C RCW.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: To establish that capital projects proposed and developed or participated in by the Higher Education Coordinating Board shall comply with the provisions of SEPA prior to potential board action during the ensuing ninety days.

Effective Date of Rule: Immediately.
 September 20, 1990
 James C. Sainsbury
 Deputy Director

**CHAPTER 250-14 WAC
 STATE ENVIRONMENTAL POLICY ACT (SEPA)
 WAC 250-14-010 Purpose and applicability.**

NEW SECTION

WAC 250-14-010 PURPOSE AND APPLICABILITY. It is the policy of the Higher Education Coordinating Board that capital projects proposed and developed or participated in by the Board shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA), and chapter 197-11 WAC, Guidelines for SEPA Implementation. The Executive Director of the Board is hereby designated as the responsible official for carrying out this policy.

**WSR 90-20-015
 PERMANENT RULES
 SUPERINTENDENT OF
 PUBLIC INSTRUCTION**

[Order 24—Filed September 21, 1990, 10:49 a.m.]

Date of Adoption: August 15, 1990.

Purpose: To establish policies and procedures for the issuance of an alien permit and the conversion of certain alien permits to a regular teaching certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 392-193-055.

Statutory Authority for Adoption: RCW 28A.67.020.

Pursuant to notice filed as WSR 90-13-087 on June 20, 1990.

Effective Date of Rule: Thirty-one days after filing.
 September 21, 1990
 Judith A. Billings
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-193-055 NONIMMIGRANT ALIEN PERMITS—REQUIREMENTS. The superintendent of public instruction shall grant a nonimmigrant alien permit to each nonimmigrant alien applicant who is qualified to teach in the common schools of the state under regulations established by the state board of education, (~~who subscribes to the oath or affirmation required by RCW 28A.405.020;~~) and who offers sufficient proof that such applicant has been:

(1) Admitted to the United States for purpose of serving as an exchange teacher. Such nonimmigrant permit for exchange teachers shall be valid for one school year and may be renewed (~~once~~); or

(2) Employed for the sole purpose of serving as a foreign language teacher. Such nonimmigrant permit for a foreign language teacher shall be valid for the same period of time as would be the case if the applicant sought certification solely under the applicable regulations established by the state board of education.

WSR 90-20-016
PERMANENT RULES
DEPARTMENT OF ECOLOGY
 [Filed September 21, 1990, 2:12 p.m.]

Date of Adoption: September 21, 1990.

Purpose: The proposed siting criteria will serve as an initial screen in the consideration of sites for dangerous waste management facilities. The permit amendments address additional engineering and locational factors which are evaluated during the permitting process.

Citation of Existing Rules Affected by this Order: Repealing WAC 173-303-420, Siting standards; and amending WAC 173-303-281, Notice of intent and 173-303-806, Final facility permits; and adopting WAC 173-303-282, Siting criteria and 173-303-355, Superfund Amendments and Reauthorization Act Title III coordination.

Statutory Authority for Adoption: RCW 43.21A.080 and 70.105.210 et seq.

Pursuant to notice filed as WSR 90-10-085 on May 2, 1990.

Changes Other than Editing from Proposed to Adopted Version: The following is a discussion of the changes, other than editing, made to the above-referenced regulations filed with the Code Reviser's Office on May 2, 1990. These changes were made in response to public concerns voiced through written and oral testimony during the formal public review period ending June 22, 1990. The changes have been categorized according to the appropriate section in the regulations.

The underlined words indicate the language added and the strikeouts indicate the language which has been deleted. Following the description of the change is an explanation of the rationale for the change.

WAC 173-303-281 Notice of intent

Subsection (2) Applicability.

This section applies to owners/operators of proposed facilities. This section also applies to existing facilities for which the department receives an application for expansion. This section does not apply to owners/operators of facilities or portions of facilities who are applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to owners/operators of facilities operating under an emergency permit pursuant to WAC 173-303-804 or to persons at facilities conducting on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, sections 3004(u), 3004(v) and 3008(h) of the Resource Conservation and Recovery Act, chapter 70.105 or 70.105D RCW, provided the cleanup activities are being conducted under a consent decree, agreed order, or enforcement order, or is being conducted by the department or United States Environmental Protection Agency. As used in this section:

(a) "Proposed facility" means a facility which has not qualified for interim status under WAC 173-303-805 or for which the department has not issued a final facility

permit under WAC 173-303-806 prior to the effective date of this section;

(b) "Existing facility" means a facility which has qualified for interim status under WAC 173-303-805 or for which the department has issued a final facility permit under WAC 173-303-806 prior to the effective date of this section; and

(c) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit application or final status permit, the addition of a new dangerous waste management process, or an increase in the overall design capacity of existing dangerous waste management processes at a facility.

Rationale for changes: This change should facilitate the cleanup of sites contaminated with hazardous waste. It will simplify the administrative actions for certain cleanup activities and still allow for the protection of human health and the environment.

WAC 173-303-282 Siting criteria.

Subsection (2)(a)

(a) Except as otherwise specifically provided, this action applies to:

(i) Owners/operators of proposed facilities; and

(ii) Owners or operations of existing land-based facilities at which an expansion of the land-based unit is proposed:

Rationale for change: This change will provide clearer guidance as to what kinds of expansions will require compliance with the siting criteria.

Subsection (2)(b)

This section does not apply to:

(i) Owners/operators of facilities or portions of facilities who are applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65;

(ii) Owners/operators of facilities operating under an emergency permit pursuant to WAC 173-303-804;

(iii) Persons at facilities conducting on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, sections 3004(u) 3004(v) and 3008(h) of the Resource Conservation and Recovery Act, chapter 70.105 or 70.105D RCW, provided the cleanup activities are being conducted under a consent decree, agreed order, or enforcement order, or is being conducted by the department or United States Environmental Protection Agency; or

(iv) Persons managing solid wastes who become subject to dangerous waste regulations through amendments to this chapter after the effective date of this section. This provision applies only to those activities operated in accordance with local, state and federal requirements and which were being conducted prior to becoming subject to dangerous waste regulations, chapter 173-303 WAC or expansions, if it can be demonstrated to the satisfaction of the department that the proposed expansion of such activities will provide a net increase in protection to human health and the environment beyond that which is currently provided at the facility; or

(v) Owners/operators of facilities which recycle hazardous waste and;

(A) Are otherwise exempt from regulation by this chapter under 120(4) or 515;

(B) Have notified the department pursuant to WAC 173-303-060, prior to the effective date of this section;

(C) Are currently operating as a recycling facility as of the effective date of this regulation; and

(D) Seek only to obtain a tank or container storage permit to support the recycling operation under this chapter.

Further, significant expansions of such storage facilities meeting the qualifications for this exemption may be considered under subsection (2)(a)(iv) of this section.

Rational for changes: The change to (iii) should facilitate the cleanup of sites contaminated with hazardous waste. It will simplify the administrative actions for certain cleanup activities and still allow for the protection of human health and the environment. The change to (iv) provides a clearer understanding of which activities will be exempt from the siting criteria. The change to (v) allows currently operating recyclers to add a new waste management method (storage) which may be critical to their continued operation. This approach is consistent with the priority waste management scheme found in RCW 70.105.150 which places the highest priority on waste reduction and recycling. The protection to human health and the environment will be assured through the citizen proponent negotiation, State Environmental Policy Act (SEPA), and permitting processes.

Subsection (3)(h)

"Land-based facility" means a dangerous waste management facility which falls under the definition of land disposal as defined in section 3004(k) of the Resource Conservation and Recovery Act. These facilities use the land as an integral part of their waste management method and include, but are not limited to, landfills, surface impoundments, waste piles, and land treatment facilities. For the purposes of this section, this would not include waste piles in which the dangerous wastes are stored inside or under a structure that provides protection from precipitation and when runoff, leachate, or other types of waste dispersal are not generated under any conditions.

Rational for change: Clarify the definition of land-based facility.

Subsection (4)(d)(i) and (ii)

(i) For land-based facilities and incinerators:

(A) The department shall publish a notice of its tentative decision in a daily or weekly newspaper of general circulation in the potentially affected area, and shall give notice by other reasonable methods to persons potentially affected.

(B) The department shall hold a public hearing at a location convenient to the public in the potentially affected area. Notice of the date, time, purpose, and place of the hearing shall be provided in the publication of notice.

(C) The department shall accept comments on its tentative decision for a minimum of forty-five days.

(D) After evaluating all public comments the department will make a final decision in accordance with

chapter 34.05 RCW. The department will either approve or deny the owner/operator's demonstration of compliance.

(ii) For nonland-based facilities, excluding incinerators:

(A) The department shall publish a notice of its tentative decision in a daily or weekly newspaper of general circulation in the potentially affected area, and shall give notice by other reasonable methods to persons potentially affected.

(B) Upon the written request of any interested person, the department may hold a public hearing to consider public comments on the owner or operator's demonstration of compliance. A person requesting the hearing shall state the issues to be raised and explain why written comments would not suffice. In any case, if ten or more persons request a public hearing on the subject of the department's tentative decision, the department shall hold a public hearing for the purpose of receiving comments.

(C) The department shall accept comments on its tentative decision for a minimum of forty-five days.

(D) After evaluating all public comments the department will make a final decision in accordance with chapter 34.05 RCW. The department will either approve or deny the owner or operator's demonstration of compliance.

Rationale for change: Given the controversial nature of incineration proposals and the degree of public concern, it was determined that the requirement for a public hearing on these types of proposals is warranted.

Subsection (6)(a)(iii)

(iii) Slope or soil instability. No dangerous waste management facility shall be located such that the dangerous waste management unit is within an area of slope or soil instability, nor in the areas affected by unstable slope or soil conditions.

Rationale for change: The requirement to exclude dangerous waste management facilities from areas affected by unstable slope or soil conditions is consistent with the objective of providing an additional level of protection to human health and the environment from these geologic hazards.

Subsection (6)(c)(ii)(E)

(E) Special protection areas: Land-based facilities shall not be located within ground water special protection areas designated by ecology under the authority of chapter 90.48 RCW.

Rationale for change: This criterion is consistent with the purpose of chapter 90.48 RCW in protecting the ground waters of the state.

Subsection (6)(e)

(e) Precipitation. The intent of this subsection is to reduce the potential for contaminating waters and soils of the state in the event of a release of dangerous wastes.

Land-based facilities shall not be located in areas having a mean annual precipitation level of greater than one hundred inches. The mean annual precipitation map in the U.S. Geological Survey Water-Resources Investigation Report 84-4279 shall be used to determine whether a land-based facility is proposed to be located in such an area.

Rationale for change: Prohibiting the siting of land-based facilities in areas which experience excessive amounts of rainfall will reduce the risk of hazardous waste migrating into ground water, surface water or soils.

WAC 173-303-355 Superfund Amendments and Reauthorization Act Title III Coordination.

WAC 173-303-355

(1) Owners or operators shall coordinate preparedness and prevention planning and contingency planning efforts, conducted under WAC 173-303-340 and 173-303-350, with local emergency planning committees established pursuant to Title III of the 1986 Superfund Amendments and Reauthorization Act.

(2) Appropriate and generally accepted computer models should be utilized to determine the impacts of a potential catastrophic air release due to fire or explosion, or other accidental releases of hazardous constituents. Evacuation plans prepared pursuant to WAC 173-303-350 (3)(d) shall include those affected persons and areas identified through these modelling efforts.

Rationale for change: This change will encompass a wider range of situations in which a project proponent must determine the impacts of a potential catastrophic air release.

WAC 173-303-806 Final facility permits.

Subsection (4)(a)(xxi)(A)(V)

(V) Demonstrate to the satisfaction of the department that the owner/operator of the dangerous waste management facility has the financial capability to implement the proposed ground water protection plan; and

Rationale for change: This language will provide the public and ecology assurance that in the event of a release of hazardous waste, the owner/operator of the land-based facility will be financially capable of implementing the ground water protection plan.

Subsection (4)(xxi)(B)

(B) The ground water protection program response actions identified in WAC 173-303-806 (4)(a)(xxi)(A)(III) shall be activated if the presence of dangerous waste or dangerous waste constituents have been detected at the point of compliance in accordance with WAC 173-303-645 (9)(g), and shall continue until the concentration of dangerous waste or dangerous waste constituents under WAC 173-303-645(4) are reduced to levels below their respective concentration limits specified in WAC 173-303-645(5).

Rationale for change: This language specifies what part of the ground water protection program must be implemented if the presence of dangerous waste or dangerous waste constituents is detected at the point of compliance.

Subsection (4)(xxii)

(xxii) Additional requirements for incineration facilities. The following actions regarding the protection of human health and the environment must be taken by owners/operators of proposed hazardous waste incineration facilities ~~which are subject to WAC 173-303-282~~

~~(7)(c), and may be required for owner/operators of any other incineration facility. The following actions are required for owners or operations of proposed incineration facilities and may be required for owners or operations of existing incineration facilities.~~

Rationale for change: The high level of public concern regarding incineration facilities has caused the department to require this permit amendment for all proposed hazardous waste incineration facilities. Previously, it was optional for owners/operators of some proposed incineration facilities.

Subsection (4)(xxii)(C)

(C) Impact mitigation plan. Prior to the department issuing a permit, the owner/operator shall submit an impact mitigation plan which demonstrates to the satisfaction of the department that the owner/operator will mitigate all probable significant adverse impacts, including economic, due to facility location and operations. The owner/operator shall use as a basis for identifying probable significant adverse economic impacts those probable economic impacts identified during a public review process, such as the environmental impact statement scoping process, if applicable.

The plan must include, but is not limited to, a description of what the owner/operator will do to reduce or prevent any probable significant impacts before they occur, to mitigate such impacts should they occur, and to ensure the owner/operator has and will have the financial capability to implement such preventative and mitigative measures. Mitigation measures may include, as an element, financial compensation to adversely affected parties.

This plan may be submitted with environmental reports the department requires for compliance with the State Environmental Policy Act, with the written citizen proponent negotiation report and agreements, or with the Part B permit application. If the plan does not demonstrate that the owner/operator is capable of adequately mitigating the identified probable significant adverse economic impacts, the department will require modification of the plan or of the proposed facility location, or will deny the permit application. The department must be satisfied with the plan prior to the issuance of the permit.

~~(C) Impact mitigation. Prior to the department issuing a permit, the owner/operator shall submit an impact mitigation plan which demonstrates to the satisfaction of the department that they have developed and are financially and otherwise prepared to implement a program which will mitigate all probable significant impacts due to facility location and operations.~~

Rationale for change: The revised language in the impact mitigation plan makes it explicitly clear of the department's intent to require that probable significant adverse economic impacts be mitigated.

Subsections (12) and (13)

(12) Grounds for termination. The following are causes for terminating a final facility permit during its term, ~~or for denying a permit application:~~

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers public health or the environment and the hazard can only be controlled by permit modification or termination; or

~~(d) A determination that the permit applicant has failed to satisfy the performance standards of WAC 173-303-283.~~

(13) Grounds for denial. A permit application shall be denied if it is determined that the proposed location and/or activity endangers public health and the environment as demonstrated by the permit applicant's failure to satisfy the performance standards of WAC 173-303-283.

Rationale for change: This language clarifies the department's existing authority to deny a permit application if it is determined that the proposed location endangers human health and the environment.

Effective Date of Rule: Thirty-one days after filing.

September 21, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

WAC 173-303-281 NOTICE OF INTENT. (1) Purpose. The purpose of this section is to provide notification to the department, local communities and the public that the siting of a dangerous waste management facility is being considered. Also, to provide general information about the proposed facility owner/operator, the type of facility and the types of wastes to be managed and compliance with the siting ((standards)) criteria.

(2) Applicability. This section applies to owners ((and)) operators of proposed facilities. This section also applies to ((owners and operators of)) existing facilities ((with interim or final status)) for which the department receives an application for expansion. This section does not apply to owners/operators of facilities or portions of facilities who are applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to owners/operators of facilities operating under an emergency permit pursuant to WAC 173-303-804 or to persons at facilities conducting on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, Sections 3004(u), 3004(v), and 3008(h) of the Resource Conservation and Recovery Act, chapter 70.105 RCW, or chapter 70.105D RCW, provided the cleanup activities are being conducted under a consent decree, agreed order, or enforcement order, or is being conducted by the department or United States Environmental Protection Agency. As used in this section:

(a) "Proposed facility" means a facility ((that does not have interim or final status on the effective date of

~~this section, and for which the owner/operator applies for an interim or final status permit, under WAC 173-303-805 or 173-303-806, after)) which has not qualified for interim status under WAC 173-303-805 or for which the department has not issued a final facility permit under WAC 173-303-806 prior to the effective date of this section;~~

(b) "Existing facility" means a facility ((for which an interim or final status permit has been issued by the department pursuant to WAC 173-303-805 or 173-303-806)) which has qualified for interim status under WAC 173-303-805 or for which the department has issued a final facility permit under WAC 173-303-806 prior to the effective date of this section; and

(c) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit application or final status permit, the addition of a new dangerous waste management process, or an increase in the overall design capacity of existing dangerous waste management processes at a facility. ~~((However, a process or equipment change within the existing handling code (not to include "other") as defined under WAC 173-303-380 (2)(d) will not be considered a new dangerous waste management process.~~

This section does not apply to owners/operators of facilities or portions of facilities applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to mobile facilities for on-site cleanup at treatment, storage or disposal facilities undergoing closure, facilities operating under an emergency permit pursuant to WAC 173-303-804, or facilities for on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, or chapters 70.105, 70.105B, and 90.48 RCW.))

(3) Notice of intent to file for an interim status or a dangerous waste permit.

(a) The notice of intent to be prepared by the owners/operators of the applicable facilities shall consist of:

(i) The name, address, and telephone number of the owner, operator, and corporate officers;

(ii) The location of the proposed facility or expansion on a topographic map with specifications as detailed in WAC 173-303-806 (4)(a)(xviii);

(iii) A brief description of the types and amounts of wastes to be managed annually;

(iv) A brief description of the major equipment items proposed, if any, and the waste management activities requiring a permit or revision of an existing permit;

(v) An environmental checklist from the State Environmental Policy Act rules, chapter 197-11 WAC;

(vi) ((Documentation that the proposed facility or expansion site meets the requirements of WAC 173-303-420, Siting standards. Preliminary ground water characterization based on available data shall also be provided;)) Demonstration of compliance with the siting criteria as required under WAC 173-303-282 (6) and (7). The site conditions with regards to satisfying the criteria are to be assessed as of the date of submittal of the notice of intent to the department;

(vii) For informational purposes a complete summary of compliance violations of permit conditions at hazardous waste management facilities owned or operated by the applicant, its subsidiaries or its parent company, during the ten calendar years preceding the permit application. Along with the summary of compliance violations, as issued by appropriate state or federal regulatory agencies, the applicant shall also submit responses to past violations and any written correspondence with regulatory agencies regarding the compliance status of any hazardous waste management facility owned or operated by the applicant, its subsidiaries or parent company of the owner or operator. A more detailed compliance record must be provided upon request by the department;

(viii) For informational purposes the need for the proposed facility or expansion shall be demonstrated by one of the following methods:

(A) Current overall capacity within Washington is inadequate for dangerous wastes generated in Washington as determined by regional or state dangerous waste management plans; or

(B) The facility is a higher priority management method, as described in RCW 70.105.150, than is currently in place or practical and available for the types of waste proposed to be managed; or

(C) The facility will add to the types of technology available or will reduce cost impacts (not to include transportation costs) to Washington generators for disposal of dangerous wastes; and

(ix) For informational purposes it shall be shown how the capacity of the proposed facility or expansion will affect the overall capacity within the state, in conjunction with existing facilities in Washington.

(b) The notice of intent shall be filed with the department, and copies shall be made available for public review, no less than one hundred fifty days prior to filing an application for a permit or permit revision. Public notification of the notice of intent to file shall be given at the time of filing by announcement in a daily newspaper within the area of the proposed facility or expansion for a minimum of fourteen consecutive days. In addition, the department shall send a copy of the notice of intent to the elected officials of the lead local government and all local governments within the potentially affected area as required by WAC 173-303-902 (5)(b)(i). The department will continue to coordinate with interested local governments throughout the review of the proposal.

(c) Reserved.

NEW SECTION

WAC 173-303-282 SITING CRITERIA. (1) Purpose. This section establishes siting criteria which serve as an initial screen in the consideration of sites for dangerous waste management facilities. The purpose of the siting criteria is to immediately disqualify proposed dangerous waste facility sites in locations considered unsuitable or inappropriate for the management of dangerous wastes. Under RCW 70.105.200 (1)(d), siting criteria cannot prevent existing dangerous waste management facilities from operating at or below their present level of activity.

A proposed site which is not disqualified under these criteria will be further studied to determine if it qualifies under site specific rules. Compliance with the siting criteria does not imply that a given project at a given location poses an acceptable level of risk, nor does it commit the department to the issuance of a dangerous waste permit. Projects that demonstrate compliance with the siting criteria will be subjected to comprehensive environmental and technical review pursuant to applicable laws and regulations before the department makes a final decision on a dangerous waste permit.

The department may deny a permit or require protective measures such as engineering enhancements or increased setback distances from resources in order to ensure protection of human health and the environment.

(2) Applicability.

(a) Except as otherwise specifically provided, this section applies to:

(i) Owners/operators of proposed facilities; and

(ii) Owners or operators of existing land-based facilities at which an expansion of the land based unit is proposed;

(iii) Owners or operators of existing incinerators at which an expansion is proposed; and

(iv) Owners or operators proposing a significant expansion of other existing dangerous waste management facilities not subject to (a)(i), (ii) and (iii) of this subsection, unless the owner/operator can demonstrate to the satisfaction of the department that the proposed expansion will provide a net increase in protection to human health and the environment beyond that which is currently provided at the facility. However, demonstrations under this subsection (iv) shall not result in treatment or storage facilities expanding into land-based or incineration facilities if siting criteria cannot be satisfied.

(b) This section does not apply to:

(i) Owners/operators of facilities or portions of facilities who are applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65;

(ii) Owners/operators of facilities operating under an emergency permit pursuant to WAC 173-303-804;

(iii) Persons at facilities conducting on-site cleanup of sites under the Comprehensive Environmental Response Compensation and Liability Act, Sections 3004(u), 3004(v), and 3008(h) of the Resource Conservation and Recovery Act, chapter 70.105 RCW, or chapter 70.105D RCW, provided the cleanup activities are being conducted under a consent decree, agreed order, or enforcement order, or is being conducted by the department or United States Environmental Protection Agency;

(iv) Persons managing solid wastes who become subject to dangerous waste regulations through amendments to this chapter after the effective date of this section. This provision applies only to those activities operated in accordance with local, state, and federal requirements and which were being conducted prior to becoming subject to Dangerous waste regulations, chapter 173-303 WAC or expansions, if it can be demonstrated to the

satisfaction of the department that the proposed expansion of such activities will provide a net increase in protection to human health and the environment beyond that which is currently provided at the facility; or

(v) Owners/operators of facilities which recycle hazardous waste and:

(A) Are otherwise exempt from regulation by this chapter under 120(4) or 515;

(B) Have notified the department pursuant to WAC 173-303-060, prior to the effective date of this section;

(C) Are currently operating as a recycling facility as of the effective date of this regulation; and

(D) Seek only to obtain a tank or container storage permit to support the recycling operation under this chapter.

Further, significant expansions of such storage facilities meeting the qualifications for this exemption may be considered under subsection (2)(a)(iv) of this section.

(3) Definitions. Any terms used in this section that are not defined below shall have the meanings provided in WAC 173-303-040. For the purposes of this section, the following terms shall have the described meanings:

(a) "Aquifer of beneficial use" means an aquifer that contains sufficient quality and quantity of water to allow it to be withdrawn for beneficial uses which include, but are not limited to, uses for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, or recreational purposes.

(b) "Displacement" means the relative movement of any two sides of a fault measured in any direction.

(c) "Domestic water use" means any water used for human consumption, other domestic activities or live-stock watering for which the department has issued a permit of water right for surface water diversions pursuant to chapter 90.03 RCW, or for a well pursuant to chapter 90.44 RCW, or for which the department has received a well water report pursuant to RCW 18.104-.050, or for any other valid water right claimed in accordance with chapter 90.14 RCW. This does not apply to wells abandoned in compliance with chapter 173-160 WAC.

(d) "Existing facility" means a facility which has qualified for interim status under WAC 173-303-805 or for which the department has issued a final facility permit under WAC 173-303-806, prior to the effective date of this section.

(e) "Expansion" means the enlargement of the land surface area of an existing facility from that described in an interim status permit application or final facility permit, the addition of a new dangerous waste management process, or an increase in overall design capacity of existing dangerous waste management processes at a facility. However, a process or equipment change within the existing handling code (not to include "other") as defined under WAC 173-303-380 (2)(d) will not be considered a new dangerous waste management process.

(f) "Fault" means a fracture along which rocks or soils on one side have been displaced with respect to those on the other side.

(g) "Holocene" means the most recent epoch of the Quaternary period, extending from the end of the Pleistocene to the present.

(h) "Land-based facility" means a dangerous waste management facility which falls under the definition of land disposal as defined in Section 3004(k) of the Resource Conservation and Recovery Act. These facilities use the land as an integral part of their waste management method and include, but are not limited to, landfills, surface impoundments, waste piles, and land treatment facilities. For the purposes of this section, this would not include waste piles in which the dangerous wastes are stored inside or under a structure that provides protection from precipitation and when runoff, leachate, or other types of waste dispersal are not generated under any conditions.

(i) "Nonland based facility" means a facility which does not use the land as an integral part of its waste management method and is not subject to the requirements of WAC 173-303-806 (4)(a)(xxi). These facilities include, but are not limited to, tanks, containers, and incinerators.

(j) "Perennial surface water body" means a surface water body which is normally continuous with natural flows throughout the year or an annually recurring body of water including lakes, rivers, ponds, streams, reservoirs, inland waters, and saltwaters. This does not include roadside ditches or storm drains. However, this definition does apply to irrigation or domestic water supply channels existing, or planned and approved by a governmental agency, at the time an owner/operator submits a notice of intent.

(k) "Preempted facility" means any facility that includes as a significant part of its activities any of the following operations: (i) Landfill; (ii) incineration; (iii) land treatment; (iv) surface impoundment to be closed as a landfill; or (v) waste pile to be closed as a landfill.

(l) "Prime farmland" means the land which has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber or oilseed crops, and is also available for these uses. It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmland has an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. It is permeable to water and air. Prime farmland is not excessively erodible or saturated with water for a long period of time, and it either does not flood frequently or is protected from flooding. Prime farmland shall be determined by those general and specific criteria as defined in the National Soils Handbook, Soil Conservation Service, United States Department of Agriculture, Washington, D.C. and 7 CFR 2.62. Areas of prime farmland are identified in the most recent county soil survey maps prepared by the National Cooperative Soil Survey.

(m) "Proposed facility" means a facility which has not qualified for interim status under WAC 173-303-

805 or for which the department has not issued a final facility permit under WAC 173-303-806 prior to the effective date of this section.

(n) "Public gathering places" means a place such as a public or private health care or child care facility; an educational institution; a church; a government institution not associated with dangerous waste management; or a retail shopping center.

(o) "Residence" means any dwelling including, but not limited to, private homes, rental homes, boarding houses, apartments, motels, or hotels.

(p) "Significant expansion" means an expansion of an existing facility, operating under interim status or a final status permit, that is considered a class three modification as designated by 40 CFR Parts 270.41 and 270.42. Examples include, but are not limited to, a modification or addition of container units resulting in greater than a twenty-five percent increase in the facility's container storage capacity, storage of different wastes in containers that require additional or different management practices from those authorized under interim status or by a final status permit, and a modification or addition of tank units resulting in greater than twenty-five percent increase in the facility's capacity. For the purposes of this section, a single or cumulative increase of greater than twenty-five percent of the process design capacity as described in the facility's original Part A permit application shall be considered a significant expansion.

(q) "Slope and soil instability" means areas for which there is credible evidence of, or the potential for, landslides, slumps, avalanches, earth or mud flows, or other unsuitable slope conditions.

(r) "Subsidence" means areas for which there is credible evidence of, or potential for, sinking of the land surface. Areas of subsurface mines, caves, cavernous materials, or where there has been significant removal of fluids may provide credible evidence of subsidence.

(s) "Wetland" means land transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification a wetland must have one or more of the following three attributes: (i) At least periodically, the land supports predominantly hydrophytes; (ii) the substrate is predominantly undrained hydric soil; and (iii) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year. The Joint Federal Methodology for Identifying and Delineating Wetlands shall be used for defining the upland boundary of wetlands.

(4) Implementation.

(a) Submittal of information to demonstrate compliance. Documentation that a proposed facility or expansion site meets the siting criteria shall be submitted to the department:

(i) In the notice of intent for those facilities for which a notice of intent is filed after the effective date of this section; or

(ii) Within ninety days of the effective date of this section for proposed facilities for which a notice of intent or an application for a Part B permit has been submitted

to the department prior to the effective date of this section.

(b) Consultation by department. The department shall consult with the lead local government as defined in WAC 173-303-902 (4)(h) and consider those local land use, building, fire, air quality, and transportation standards to the extent they add to and do not conflict with the requirements of this section. Such consultation and consideration shall be made prior to the department's rendering of a tentative decision under subsection (4)(c) of this section.

(c) Response by department. Within sixty days of receipt of a demonstration of compliance, the department shall undertake one of the following actions:

(i) Return the demonstration of compliance as incomplete with written comments identifying the need for additional information. The owner or operator may resubmit the demonstration of compliance with complete information; or

(ii) Render a written tentative decision to approve or deny the demonstration of compliance.

(d) Public notice and hearing process. The department in making a tentative decision to approve or deny a demonstration of compliance with this section shall take the following actions:

(i) For land-based facilities and incinerators:

(A) The department shall publish a notice of its tentative decision in a daily or weekly newspaper of general circulation in the potentially affected area, and shall give notice by other reasonable methods to persons potentially affected.

(B) The department shall hold a public hearing at a location convenient to the public in the potentially affected area. Notice of the date, time, purpose, and place of the hearing shall be provided in the publication of notice.

(C) The department shall accept comments on its tentative decision for a minimum of forty-five days.

(D) After evaluating all public comments the department will make a final decision in accordance with chapter 34.05 RCW. The department will either approve or deny the owner/operator's demonstration of compliance.

(ii) For nonland-based facilities, excluding incinerators:

(A) The department shall publish a notice of its tentative decision in a daily or weekly newspaper of general circulation in the potentially affected area, and shall give notice by other reasonable methods to persons potentially affected.

(B) Upon the written request of any interested person, the department may hold a public hearing to consider public comments on the owner or operator's demonstration of compliance. A person requesting the hearing shall state the issues to be raised and explain why written comments would not suffice. In any case, if ten or more persons request a public hearing on the subject of the department's tentative decision, the department shall hold a public hearing for the purpose of receiving comments.

(C) The department shall accept comments on its tentative decision for a minimum of forty-five days.

(D) After evaluating all public comments the department will make a final decision in accordance with chapter 34.05 RCW. The department will either approve or deny the owner or operator's demonstration of compliance.

(5) Appeal of a department decision. Any person who is adversely affected by a decision of the department under this section may appeal the decision to the pollution control hearings board pursuant to the authority of WAC 173-303-845.

(6) Criteria for elements of the natural environment. The following siting criteria establish locations from which facilities are excluded and establish minimum setback distances from identified resources. Unless otherwise stated, setback distances are measured horizontally from the dangerous waste management unit boundary to the identified resource.

These criteria shall be used as an initial screening tool in the selection of sites which may be considered by the department for the purpose of managing dangerous waste. A more comprehensive evaluation of locational factors will occur during the department's review of a permit application. The department may deny a permit or impose additional setback distances or other permit requirements if necessary to protect human health and the environment.

(a) Earth. The intent of this subsection is to reduce the potential for the release of dangerous waste into the environment because of structural damage to facilities subject to the hazards identified below. The owner/operator shall provide supportive geologic, geotechnical, and soils information.

(i) Seismic risk. All dangerous waste management facilities shall be located such that the dangerous waste management unit boundary is located at least five hundred feet from a fault which has had displacement in Holocene times.

(ii) Subsidence. No dangerous waste management facility shall be located such that the dangerous waste management unit is within an area of subsidence.

(iii) Slope or soil instability. No dangerous waste management facility shall be located such that the dangerous waste management unit is within an area of slope or soil instability, nor in the areas affected by unstable slope or soil conditions.

(b) Air. The intent of this subsection is to reduce the potential for further degradation of air quality in areas currently experiencing air quality impacts.

(i) Incineration facilities shall not be located in a Class I Prevention of Significant Deterioration Air Quality Zone designated under the Federal Clean Air Act.

(ii) Incineration facilities shall not be located in a nonattainment area designated by the department unless compensating emission offset can be achieved.

(iii) Proposed incineration facilities shall comply with WAC 173-303-806 (4)(a)(xxii) during the permitting process.

(c) Water. The intent of this subsection is to reduce the potential for contaminating waters of the state in the event of a release of dangerous wastes.

(i) Surface water.

(A) Flood, seiche, and tsunami protection.

(I) No dangerous waste management facility shall be located within the one hundred-year flood plain as indicated in the most current Federal Emergency Management Agency maps.

(II) The owner/operator of a nonland-based facility shall identify whether the facility is intended to be located within the five hundred-year flood plain, as indicated in the most current Federal Emergency Management Agency maps. Nonland-based facilities will require special design features so as to prevent flooding of the dangerous waste management unit in the event of a five hundred-year flood.

(III) Land-based facilities shall not be located within the five hundred-year flood plain as indicated in the most current Federal Emergency Management Agency maps.

(IV) Dangerous waste management facilities shall not be located in areas subject to seiches, or coastal flooding including tsunamis or storm surges as indicated in the most current maps of the National Flood Insurance Program of the Federal Emergency Management Agency.

(B) Perennial surface water bodies.

(I) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from a perennial surface water body.

(II) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from a perennial surface water body.

(C) Surface water supply.

(I) No dangerous waste management facility shall be located in a watershed identified in the report submitted to, and approved by, the department of health under the authority of WAC 248-54-225(3), Watershed control.

(II) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from the nearest surface water intake for domestic water.

(III) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from the nearest surface water intake for domestic water.

(ii) Ground water. To the extent feasible, proponents of land-based facilities should seek sites with natural site characteristics which are capable of providing protection of ground water resources. Natural features such as low permeability soils and substrata, relatively simple geologic formations, and high rates of evapotranspiration in relation to the seasonal occurrence of precipitation are preferable for the locations of land-based facilities. Proposed land-based facilities shall comply with the contingent ground water protection program, WAC 173-303-806 (4)(a)(xxi), during the permitting process.

(A) Depth to ground water.

(I) Nonland-based facilities shall not be located in areas where there is less than ten feet vertical separation between the lowest point of the dangerous waste management unit and the seasonal high water level of the uppermost aquifer of beneficial use.

(II) Land-based facilities shall not be located in areas where there is less than fifty feet vertical separation between the lowest point of the dangerous waste management unit and the seasonal highwater level of the uppermost aquifer of beneficial use.

(B) Sole source aquifer. No land-based facilities shall be located over an area designated as a sole source aquifer under section 1424(e) of the Federal Safe Drinking Water Act (P.L. 93-523).

(C) Ground water management areas. Owners/operators of facilities shall identify whether the proposed facility location is within a ground water management area, as proposed or certified pursuant to RCW 90.44-.130. In order to maintain consistency with the purpose and substantive requirements of certified ground water management area plans, the department may require additional protective measures or reject inconsistent projects.

(D) Ground water intakes.

(I) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from the nearest ground water intake for domestic water.

(II) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from the nearest ground water intake for domestic water.

(E) Special protection areas. Land-based facilities shall not be located within ground water special protection areas designated by ecology under the authority of chapter 90.48 RCW.

(d) Plants and animals: Intent. To reduce the potential for dangerous waste contaminating plant and animal habitat in the event of a release of dangerous wastes.

(i) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from the following areas:

(A) Wetlands;

(B) Designated critical habitat, for federally listed threatened or endangered species, as defined by the Endangered Species Act of 1973 (P.L. 93-205);

(C) Habitat designated by the Washington department of wildlife as habitat essential to the maintenance or recovery of any state listed threatened or endangered wildlife species;

(D) Natural areas which are acquired or voluntarily registered or dedicated by the owner under chapter 79.70 RCW, Natural area preserves; and

(E) State or federally designated wildlife refuge, preserve, or bald eagle protection area.

(ii) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from those areas specified in item (i) above.

(e) Precipitation. The intent of this subsection is to reduce the potential for contaminating waters and soils of the state in the event of a release of dangerous wastes.

Land-based facilities shall not be located in areas having a mean annual precipitation level of greater than one hundred inches. The mean annual precipitation map in the U.S. Geological Survey Water-Resources Investigations Report 84-4279 shall be used to determine

whether a land-based facility is proposed to be located in such an area.

(7) Criteria for elements of the built environment. The following siting criteria establish locations from which facilities are excluded or which require separation from identified land uses. Unless otherwise stated, setback distances are measured horizontally from the dangerous waste management unit boundary to the identified land use.

These criteria shall be used as an initial screening tool in the selection of sites which may be considered by the department for the purpose of managing dangerous waste. A more comprehensive evaluation of locational factors will occur during the department's review of a permit application. The department may deny a permit or impose additional setback distances or other permit requirements if necessary to protect human health and the environment.

(a) Adjacent land use.

(i) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least two hundred feet from the nearest point of the facility property line.

(ii) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from the nearest point of the facility property line.

(b) Special land uses.

(i) Wild and scenic rivers. Dangerous waste management facilities shall not be located within the viewshed of users on wild and scenic rivers designated by the state or federal government.

(ii) Nonland-based facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from the following:

(A) State or federally designated park, recreation area, or national monument;

(B) Wilderness area as defined by the Wilderness Act of 1964 (P.L. 88-577); and

(C) Land identified as prime farmland at the time a notice of intent is submitted to the department.

(iii) Land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from those land uses specified in item (ii) above.

(c) Residences and public gathering places.

(i) Nonland-based facilities with the exception of incineration facilities shall be located such that the dangerous waste management unit boundary is at least five hundred feet from residences or public gathering places.

(ii) Incineration and land-based facilities shall be located such that the dangerous waste management unit boundary is at least one-quarter mile from residences or public gathering places.

(d) Land use compatibility. Owners/operators of nonpreempted facilities shall conform with local land use zoning designation requirements, as approved by the department under chapter 70.105 RCW.

(e) Archeological sites and historic sites. No dangerous waste management facility shall be located in an archeological site or historic site designated by the state or federal government.

NEW SECTION

WAC 173-303-355 SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT TITLE III COORDINATION. (1) Owners or operators shall coordinate preparedness and prevention planning and contingency planning efforts, conducted under WAC 173-303-340 and 173-303-350, with local emergency planning committees established pursuant to Title III of the 1986 Superfund Amendments and Reauthorization Act.

(2) Appropriate and generally accepted computer models should be utilized to determine the impacts of a potential catastrophic air release due to fire, explosion, or other accidental releases of hazardous constituents. Evacuation plans prepared pursuant to WAC 173-303-350 (3)(d) shall include those effected persons and areas identified through these modelling efforts.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-806 FINAL FACILITY PERMITS. (1) Applicability. This section applies to all dangerous waste facilities required to have a final facility permit. The final facility permit requirements are applicable to:

- (a) Final status TSD facilities;
- (b) Special waste management facilities; and
- (c) Certain recycling facilities that are not exempt from the permit requirements.

(2) Application. Any person subject to the permit requirements of this section who intends to operate a new TSD facility must comply with WAC 173-303-281 and apply for a final facility permit. The department may, at any time, require the owner or operator of an existing TSD facility to apply for a final facility permit. Such owner or operator will be allowed one hundred eighty days to submit his application; the department may extend the length of the application period if it finds that there are good reasons to do so. The owner or operator of an existing TSD facility may voluntarily apply for a final facility permit at any time. Any person seeking a final facility permit shall complete, sign, and submit an application to the department. An application shall consist of a Part A permit form (which can be obtained from the department), and the contents of Part B as specified in subsection (4) of this section.

(3) Effective regulations. A final facility permit will include all applicable requirements of this chapter which are in effect on the date that the permit is issued by the department. WAC 173-303-840(7) provides a means for reopening permit proceedings at the discretion of the department where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. Any other changes to the final facility permit will be in accordance with the permit modification requirements of WAC 173-303-830.

(4) Contents of Part B. Part B of a permit application shall consist of the information required in (a) through (h) of this subsection.

(a) General requirements. Part B of the permit application consists of the general information requirements of this subsection, and the specific information requirements in (b) through (h) of this subsection as applicable to the facility. The Part B information requirements presented in (a) through (h) of this subsection, reflect the standards promulgated in WAC 173-303-600. These information requirements are necessary in order for the department to determine compliance with WAC 173-303-600 through 173-303-670. If owners and operators of TSD facilities can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the department and signed in accordance with requirements in WAC 173-303-810(12). Certain technical data, such as design drawings and specifications, and engineering studies shall be certified by a registered professional engineer. The following information is required for all TSD facilities, except as WAC 173-303-600(3) provides otherwise.

(i) A general description of the facility.

(ii) Chemical, biological, and physical analyses of the dangerous waste to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with WAC 173-303-600.

(iii) A copy of the waste analysis plan required by WAC 173-303-300(5) and, if applicable WAC 173-303-300 (5)(g).

(iv) A description of the security procedures and equipment required by WAC 173-303-310, or a justification demonstrating the reasons for requesting a waiver of this requirement.

(v) A copy of the general inspection schedule required by WAC 173-303-320(2): Include where applicable, as part of the inspection schedule, specific requirements in WAC 173-303-395 (1)(d), 173-303-630(6), 173-303-640 (4) and (6), 173-303-650(4), 173-303-655(4), 173-303-660 (4) and (5), 173-303-665(4), and 173-303-670(7).

(vi) A justification of any request for a waiver(s) of the preparedness and prevention requirements of WAC 173-303-340, or a description of the procedures used to comply with these requirements.

(vii) A copy of the contingency plan required by WAC 173-303-350: Include, where applicable, as part of the contingency plan, specific requirements in WAC 173-303-640(8), 173-303-650(5) and 173-303-660(6).

(viii) A description of procedures, structures, or equipment used at the facility to:

(A) Prevent hazards and contain spills in unloading/loading operations (for example, ramps, berms, pavement, special forklifts);

(B) Prevent run-off from dangerous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);

(C) Prevent contamination of water supplies;

(D) Mitigate effects of equipment failure and power outages; and

(E) Prevent undue exposure of personnel to dangerous waste (for example, protective clothing).

(ix) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required to demonstrate compliance with WAC 173-303-395 including documentation demonstrating compliance with WAC 173-303-395 (1)(c).

(x) Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).

(xi) ((Facility location information;

(A) In order to determine the applicability of the earthquake fault criteria (WAC 173-303-420(3)) the owner or operator of a new facility must identify the county in which the facility is proposed to be located.

(Comment: If the county is not listed in WAC 173-303-420 (3)(c), no further information is required to demonstrate compliance with WAC 173-303-420(3).)

(B) If the facility is proposed to be located in a county listed in WAC 173-303-420 (3)(c), the owner or operator shall demonstrate compliance with the seismic standard. This demonstration may be made using either published geologic data or data obtained from field investigations carried out by the applicant. The information provided must be of such quality to be acceptable to geologists experienced in identifying and evaluating seismic activity. The information submitted must show that either:

(I) No faults which have had displacement in Holocene time are present, or no lineations which suggest the presence of a fault (which have displacement in Holocene time) within three thousand feet of a facility are present, based on data from: Published geologic studies, aerial reconnaissance of the area within a five-mile radius from the facility; an analysis of aerial photographs covering a three thousand foot radius of the facility; and if needed to clarify the above data, a reconnaissance based on walking portions of the area within three thousand feet of the facility; or

(II) If faults (to include lineations) which have had displacement in Holocene time are present within three thousand feet of a facility, no faults pass within two hundred feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted, based on data from a comprehensive geologic analysis of the site. Unless a site analysis is otherwise conclusive concerning the absence of faults within two hundred feet of such portions of the facility data shall be obtained from a subsurface exploration (trenching) of the area within a distance no less than two hundred feet from portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such trenching shall be performed in a direction that is perpendicular to known faults (which have had displacement in Holocene time) passing within three thousand feet of the portions of the facility where treatment, storage, or disposal of dangerous waste will be conducted. Such investigation shall document with supporting maps and other analyses, the location of faults found:

(C) Owners and operators of all facilities shall provide an identification of whether the facility is located within a one hundred-year floodplain. This identification must indicate the source of data for such determination and include a copy of the relevant Federal Insurance Administration (FIA) flood map, if used, or the calculations and maps used where an FIA map is not available. Information shall also be provided identifying the one hundred-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, constructing, operating, or maintaining the facility to withstand washout from a one hundred-year flood:

(Comment: Where maps for the National Flood Insurance Program produced by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency are available, they will normally be determinative of whether a facility is located within or outside of the one hundred-year floodplain. However, if the FIA map excludes an area (usually areas of the floodplain less than two hundred feet in width), these areas must be considered and a determination made as to whether they are in the one hundred-year floodplain. Where FIA maps are not available for a proposed facility location, the owner or operator must use equivalent mapping techniques to determine whether the facility is within the one hundred-year floodplain, and if so located, what the one hundred-year flood elevation would be.)

(D) Owners and operators of facilities located in the one hundred-year floodplain must provide the following information:

(I) Engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the site as the consequence of a one hundred-year flood;

(II) Structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., floodwalls, dikes) at the facility and how these will prevent washout;

(III) If applicable, and in lieu of (a)(xi)(E)(I) and (II) of this subsection, a detailed description of procedures to be followed to remove dangerous waste to safety before the facility is flooded, including: Timing of such movement relative to flood levels, including estimated time to move the waste, to show that such movement can be completed before floodwaters reach the facility; a description of the location(s) to which the waste will be moved and demonstration that those facilities will be eligible to receive dangerous waste in accordance with the regulations under this chapter; the planned procedures, equipment, and personnel to be used and the means to ensure that such resources will be available in time for use, and the potential for accidental discharges of the waste during movement.

(E) Owners and operators of all facilities shall provide all information necessary to demonstrate compliance with the shoreline siting standards of WAC 173-303-420(5):

(F) The owner or operator of a new disposal facility must provide all information necessary to demonstrate compliance with the sole source aquifer siting standards

of WAC 173-303-420(6).)) Seismic risk consideration. The owner/operator of a proposed facility or expansion of an existing facility shall identify the seismic risk zone in which the facility is intended to be located. Where state or local maps are not available, United States Geological Survey Open File Report number 82-1033 may be used to identify seismic risk zones. The owner/operator shall demonstrate that the facility can and will be designed to resist seismic ground motion and that the design is sufficient to withstand the maximum horizontal acceleration of a design earthquake specified in the demonstration.

(xii) An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the TSD facility in a safe manner as required to demonstrate compliance with WAC 173-303-330. A brief description of how training will be designed to meet actual job tasks in accordance with requirements in WAC 173-303-330 (1)(d).

(xiii) A copy of the closure plan and, where applicable, the post-closure plan required by WAC 173-303-610 (3) and (8). Include, where applicable, as part of the plans, specific requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), and 173-303-665(6).

(xiv) For dangerous waste disposal units that have been closed, documentation that notices required under WAC 173-303-610(10) have been filed.

(xv) The most recent closure cost estimate for the facility prepared in accordance with WAC 173-303-620(3) and a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(4). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvi) Where applicable, the most recent post-closure cost estimate for the facility prepared in accordance with WAC 173-303-620(5) plus a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(6). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvii) Where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of WAC 173-303-620(8). For a new facility, documentation showing the amount of insurance meeting the specification of WAC 173-303-620 (8)(a) and, if applicable, WAC 173-303-620 (8)(b), that the owner or operator plans to have in effect before initial receipt of dangerous waste for treatment, storage, or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in WAC 173-303-620 (8)(c).

(xviii) A topographic map showing a distance of one thousand feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours must be shown on the map. The contour interval must be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with

an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of TSD facilities located in mountainous areas should use large contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (A) Map scale and date;
- (B) One hundred-year floodplain area;
- (C) Surface waters including intermittent streams;
- (D) Surrounding land uses (residential, commercial, agricultural, recreational);
- (E) A wind rose (i.e., prevailing windspeed and direction);
- (F) Orientation of the map (north arrow);
- (G) Legal boundaries of the TSD facility site;
- (H) Access control (fences, gates);
- (I) Injection and withdrawal wells both on-site and off-site;

(J) Buildings; treatment, storage, or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads, storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);

(K) Barriers for drainage or flood control; and

(L) Location of operational units within the TSD facility site, where dangerous waste is (or will be) treated, stored, or disposed (include equipment clean-up areas).

(Note - For large TSD facilities the department will allow the use of other scales on a case-by-case basis.)

(xix) Applicants may be required to submit such information as may be necessary to enable the department to carry out its duties under other state or federal laws as required.

(xx) Additional information requirements. The following additional information regarding protection of ground water is required from owners or operators of dangerous waste surface impoundments, waste piles, land treatment units, and landfills except as otherwise provided in WAC 173-303-645 (1)(b):

(A) A summary of the ground water monitoring data obtained during the interim status period under 40 CFR 265.90 through 265.94, where applicable;

(B) Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including ground water flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

(C) On the topographic map required under (a)(xviii) of this subsection, a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under WAC 173-303-645(6), the proposed location of ground water monitoring wells as required under WAC 173-303-645(8), and, to the extent possible, the information required in (a)(xx)(B) of this subsection;

(D) A description of any plume of contamination that has entered the ground water from a regulated unit at the time that the application was submitted that:

(I) Delineates the extent of the plume on the topographic map required under (a)(xviii) of this subsection;

(II) Identifies the concentration of each constituent throughout the plume or identifies the maximum concentrations of each constituent in the plume. (Constituents are those listed in WAC 173-303-9905, and any other constituents not listed there which have caused a managed waste to be regulated under this chapter.);

(E) Detailed plans and an engineering report describing the proposed ground water monitoring program to be implemented to meet the requirements of WAC 173-303-645(8);

(F) If the presence of dangerous constituents has not been detected in the ground water at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a detection monitoring program which meets the requirements of WAC 173-303-645(9). This submission must address the following items specified under WAC 173-303-645(9):

(I) A proposed list of indicator parameters, waste constituents, or reaction products that can provide a reliable indication of the presence of dangerous constituents in the ground water;

(II) A proposed ground water monitoring system;

(III) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

(IV) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data;

(G) If the presence of dangerous constituents has been detected in the ground water at the point of compliance at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a compliance monitoring program which meets the requirements of WAC 173-303-645(10). The owner or operator must also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of WAC 173-303-645(11) except as provided in WAC 173-303-645(9)(h)(v). Alternatively, the owner or operator can obtain written authorization in advance from the department to submit a proposed permit schedule for development and submittal of such information. To demonstrate compliance with WAC 173-303-645(10), the owner or operator must address the following items:

(I) A description of the wastes previously handled at the facility;

(II) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(III) A list of constituents and parameters for which compliance monitoring will be undertaken in accordance with WAC 173-303-645 (8) and (10);

(IV) Proposed concentration limits for each dangerous constituent and parameter, based on the criteria set forth in WAC 173-303-645 (5)(a), including a justification for establishing any alternate concentration limits;

(V) Detailed plans and an engineering report describing the proposed ground water monitoring system, in accordance with the requirements of WAC 173-303-645(8); and

(VI) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data; and

(H) If dangerous constituents or parameters have been measured in the ground water which exceed the concentration limits established under WAC 173-303-645(5), Table 1, or if ground water monitoring conducted at the time of permit application under 40 CFR 265.90 through 265.94 at the waste boundary indicates the presence of dangerous constituents from the facility in ground water over background concentrations, the owner or operator must submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of WAC 173-303-645(11). However, an owner or operator is not required to submit information to establish a corrective action program if he demonstrates to the department that alternate concentration limits will protect human health and the environment after considering the criteria listed in WAC 173-303-645(5). An owner or operator who is not required to establish a corrective action program for this reason must instead submit sufficient information to establish a compliance monitoring program which meets the requirements of WAC 173-303-645 (10) and (a)(xx)(F) of this subsection. To demonstrate compliance with WAC 173-303-645(11), the owner or operator must address, at a minimum, the following items:

(I) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(II) The concentration limit for each dangerous constituent and parameter found in the ground water as set forth in WAC 173-303-645(5);

(III) Detailed plans and an engineering report describing the corrective action to be taken;

(IV) A description of how the ground water monitoring program will demonstrate the adequacy of the corrective action; and

(V) The permit may contain a schedule for submittal of the information required in (a)(xx)(H)(III) and (IV) of this subsection, provided the owner or operator obtains written authorization from the department prior to submittal of the complete permit application.

(xxi) Contingent ground water protection program. The following actions are required for owners or operators of proposed land-based facilities and may be required for owners/operators of existing land-based facilities, except as provided in WAC 173-303-645 (1)(b).

(A) Contingent ground water protection program. The owner or operator shall develop a contingent ground water protection program. The purpose of this program will be to prevent the migration of dangerous waste or dangerous waste constituents from waste management units to the nearest hydraulically downgradient receptor at any time during the life of the facility. For the purposes of this subsection, the downgradient receptor shall be the facility property line, perennial surface water or domestic well, whichever is nearest to the dangerous waste management unit. The contingent ground water protection program shall at a minimum:

(I) Define the local and regional hydrogeologic characteristics. The contingent ground water protection program shall be based on a sufficient understanding of site geology, hydrology, and other factors to allow evaluation of its adequacy by the department. Site characterization shall be performed in sufficient detail to provide, at a minimum, the following information: Site geostatigraphy; site hydrostratigraphy; identification of aquifers, aquitards, and aquicludes; flow models for each stratum (i.e., porus media or fracture flow); the distribution of vertical and horizontal hydraulic conductivity; effective porosity; horizontal and vertical hydraulic gradients; ground water travel time to receptors; and heterogeneity for each stratigraphic unit. Site interpretative models shall include ranges of tested values: The provisions of WAC 173-303-806 (4)(a)(xx) and 173-303-645, shall be used as guidance in the development of the contingent ground water protection program.

(II) Identify the range of potential release scenarios that could occur during facility operation and the postclosure care period. The scenarios shall incorporate the intended design(s) of the dangerous waste management unit(s), wastes to be placed in the dangerous waste management unit(s), waste and leachate chemistry, waste, and soil and rock geochemical interactions, and the results of site characterization pursuant to WAC 173-303-806 (4)(a)(xx) and (xxi);

(III) Include specific physical action to be taken if dangerous waste or dangerous waste constituents are detected in one or more of the monitoring wells. The physical actions shall be based upon engineering feasibility studies describing remedial actions established from site specific conditions and waste features. Such actions may include installation of a pump and treat system between the monitoring well and the receptor or installation of a section of slurry wall to decrease ground water travel times. The description of the systems shall also provide how the remediation system will achieve cleanup, its efficiency, and the timeframes involved;

(IV) Incorporate the design, construction, and sampling methods outlined in WAC 173-303-645 (8)(c), (d), (e), (f), and (g);

(V) Demonstrate to the satisfaction of the department that the owner/operator of the dangerous waste management facility has the financial capability to implement the proposed ground water protection plan; and

(VI) Include reporting procedures to the department.

(B) The response actions identified in WAC 173-303-806 (4)(a)(xxi)(A)(III) shall be activated if the presence of dangerous waste or dangerous waste constituents have been detected at the point of compliance in accordance with WAC 173-303-645 (9)(g), and shall continue until the concentration of dangerous waste or dangerous waste constituents under WAC 173-303-645(4) are reduced to levels below their respective concentration limits specified in WAC 173-303-645(5).

(C) If the owner/operator does not demonstrate that the ground water protection program will prevent the migration of dangerous waste or its constituents to the nearest receptor, the department will require corrections to be made in the protection program, increase setbacks from the nearest receptor, or deny the permit.

(xxii) Additional requirements for incineration facilities. The following actions regarding the protection of human health and the environment must be taken by owners/operators of proposed hazardous waste incineration facilities and may be required for owners or operators of existing incineration facilities.

(A) Ambient monitoring program. The owner/operator shall be required to develop an ambient monitoring program. The purpose of this ambient monitoring program will be to: Gather baseline environmental information characterizing on-site and off-site environmental conditions prior to facility operation; and, to identify and measure changes in the environment which may be linked to the construction and operation of the facility. The ambient monitoring program shall, at a minimum:

(I) Include a characterization of facility emission sources and pathways of contaminant transport.

(II) Characterize local and regional ecosystems, including agricultural, and their sensitivity to the potential contaminants from the facility.

(III) Incorporate the findings of the environmental impact statement's health risk assessment and/or other assessments specific to the proposal or available to the scientific community regarding emissions from dangerous waste management facilities and their potential human health and environmental effects.

(IV) Identify sensitive indicator plants and animals for biomonitoring, identify specific chemical constituents of concern, sampling locations, sampling frequency, sampling and analytical methods, chain of custody procedures, quality assurance/quality control procedures, reporting times, recordkeeping procedures, and data evaluation procedures.

(B) Environmental review procedures. The owner/operator shall establish procedures to allow for public review of facility operation and all monitoring data required by the facility's permit. In developing this process, the owner/operator shall, at a minimum:

(I) Coordinate this effort with the public and interested local organizations;

(II) Identify the informational needs of the community and develop a public information process which meets these needs; and

(III) Develop procedures allowing full access by the public to all monitoring data required by the permit.

(C) Impact mitigation plan. Prior to the department issuing a permit, the owner/operator shall submit an impact mitigation plan which demonstrates to the satisfaction of the department that the owner/operator will mitigate all probable significant adverse impacts, including economic, due to facility location and operations. The owner/operator shall use as a basis for identifying probable significant adverse economic impacts those probable economic impacts identified during a public review process, such as the environmental impact statement scoping process, if applicable.

The plan must include, but is not limited to, a description of what the owner/operator will do to reduce or prevent any probable significant impacts before they occur, to mitigate such impacts should they occur, and to ensure the owner/operator has and will have the financial capability to implement such preventative and

mitigative measures. Mitigation measures may include, as an element, financial compensation to adversely affected parties.

This plan may be submitted with environmental reports the department requires for compliance with the State Environmental Policy Act, with the written citizen proponent negotiation report and agreements, or with the Part B permit application. If the plan does not demonstrate that the owner/operator is capable of adequately mitigating the identified probable significant adverse economic impacts, the department will require modification of the plan or of the proposed facility location, or will deny the permit application. The department must be satisfied with the plan prior to the issuance of the permit.

(b) Specific Part B information requirements for containers. Except as otherwise provided in WAC 173-303-600(3), owners or operators of facilities that store containers of dangerous waste must provide the following additional information:

(i) A description of the containment system to demonstrate compliance with WAC 173-303-630(7). Show at least the following:

(A) Basic design parameters, dimensions, and materials of construction including allowance for a twenty-five-year, twenty-four-hour storm;

(B) How the design promotes positive drainage control or how containers are kept from contact with standing liquids in the containment system;

(C) Capacity of the containment system relative to the volume of the largest container to be stored;

(D) Provisions for preventing or managing run-on;

(E) How accumulated liquids can be analyzed and removed to prevent overflow; and

(F) A description of the building or other protective covering for EHW containers;

(ii) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with WAC 173-303-630 (7)(c), including:

(A) Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

(B) A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids;

(iii) A description of the procedures for labeling containers;

(iv) Sketches, drawings, or data demonstrating compliance with WAC 173-303-630(8) (location of buffer zone and containers holding ignitable or reactive wastes) and WAC 173-303-630 (9)(c) (location of incompatible wastes), where applicable; and

(v) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with WAC 173-303-630 (9)(a) and (b), and 173-303-395 (1)(b) and (c).

(c) Specific Part B information requirements for tanks. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use tanks to store or treat dangerous waste must provide the following information:

(i) A written assessment that is reviewed and certified by an independent, qualified, registered professional engineer as to the structural integrity and suitability for handling dangerous waste of each tank system, as required under WAC 173-303-640 (2) and (3);

(ii) Dimensions and capacity of each tank;

(iii) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

(iv) A diagram of piping, instrumentation, and process flow for each tank system;

(v) A description of materials and equipment used to provide external corrosion protection, as required under WAC 173-303-640 (3)(a)(iii)(B);

(vi) For new tank systems, a detailed description of how the tank system(s) will be installed in compliance with WAC 173-303-640 (3)(b), (c), (d), and (e);

(vii) Detailed plans and a description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of WAC 173-303-640 (4)(a), (b), (c), (d), (e), and (f);

(viii) For tank systems for which a variance from the requirements of WAC 173-303-640(4) is sought (as provided by WAC 173-303-640 (4)(g)):

(A) Detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous waste or dangerous constituents into the ground water or surface water during the life of the facility; or

(B) A detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment.

(ix) Description of controls and practices to prevent spills and overflows, as required under WAC 173-303-640 (5)(b);

(x) For tank systems in which ignitable, reactive, or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of WAC 173-303-640 (9) and (10);

(xi) A description of the marking and/or labeling of tanks; and

(xii) Tank design to prevent escape of vapors and emissions of acutely or chronically toxic (upon inhalation) EHW.

(d) Specific Part B information requirements for surface impoundments. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store, treat, or dispose of dangerous waste in surface impoundments must provide the following additional information:

(i) A list of the dangerous wastes placed or to be placed in each surface impoundment;

(ii) Detailed plans and an engineering report describing how the surface impoundment is or will be designed, constructed, operated and maintained to meet the requirements of WAC 173-303-650(2). This submission must address the following items as specified in WAC 173-303-650(2):

(A) The liner system (except for an existing portion of a surface impoundment), including the certification required by WAC 173-303-650 (2)(a)(i)(D) for EHW management. If an exemption from the requirement for a liner is sought as provided by WAC 173-303-650 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituents into the ground water or surface water at any future time;

(B) Prevention of overtopping; and

(C) Structural integrity of dikes;

(iii) If any exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-650(3), detailed plans and an engineering report explaining the location of the saturated zone in relation to the surface impoundment, and the design of a double-liner system that incorporates a leak detection system between the liners;

(iv) A description of how each surface impoundment, including the liner and cover systems and appurtenances for control of overtopping, will be inspected in order to meet the requirements of WAC 173-303-650 (4)(a) and (b). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) A certification by a qualified engineer which attests to the structural integrity of each dike, as required under WAC 173-303-650 (4)(c). For new units, the owner or operator must submit a statement by a qualified engineer that he will provide such a certification upon completion of construction in accordance with the plans and specifications;

(vi) A description of the procedure to be used for removing a surface impoundment from service, as required under WAC 173-303-650 (5)(b) and (c). This information should be included in the contingency plan submitted under (a)(vii) of this subsection;

(vii) A description of how dangerous waste residues and contaminated materials will be removed from the unit at closure, as required under WAC 173-303-650 (6)(a)(i). For any wastes not to be removed from the unit upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-650 (6)(a)(ii) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(viii) If ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how WAC 173-303-650(7) will be complied with;

(ix) If incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment, an explanation of how WAC 173-303-650(8) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how the surface impoundment is or will be designed to meet the requirements of WAC 173-303-650(9).

(e) Specific Part B information requirements for waste piles. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store

or treat dangerous waste in waste piles must provide the following additional information:

(i) A list of dangerous wastes placed or to be placed in each waste pile;

(ii) If an exemption is sought to WAC 173-303-660(2), and 173-303-645 as provided by WAC 173-303-660 (1)(c), an explanation of how the standards of WAC 173-303-660 (1)(c) will be complied with;

(iii) Detailed plans and an engineering report describing how the pile is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(2). This submission must address the following items as specified in WAC 173-303-660(2):

(A) The liner system (except for an existing portion of a pile), including the licensed engineer's certification when required by WAC 173-303-660 (2)(c). If an exemption from the requirement for a liner is sought, as provided by WAC 173-303-660 (2)(d), the owner or operator must submit detailed plans and engineering and hydrogeologic reports, as applicable, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding units associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iv) If an exemption from WAC 173-303-645 is sought as provided by WAC 173-303-660 (3) or (4), submit detailed plans and an engineering report describing how the requirements of WAC 173-303-660 (3)(a) or (4)(a) will be complied with;

(v) A description of how each waste pile, including the liner and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of WAC 173-303-660(5). This information should be included in the inspection plan submitted under (a)(v) of this subsection. If an exemption is sought to WAC 173-303-645 pursuant to WAC 173-303-660(4), describe in the inspection plan how the inspection requirements of WAC 173-303-660 (4)(a)(iii) will be complied with;

(vi) If treatment is carried out on or in the pile, details of the process and equipment used, and the nature and quality of the residuals;

(vii) If ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of WAC 173-303-660(7) will be complied with;

(viii) If incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how WAC 173-303-660(8) will be complied with;

(ix) A description of how dangerous waste, waste residues and contaminated materials will be removed from the waste pile at closure, as required under WAC 173-303-660 (9)(a). For any waste not to be removed from the waste pile upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-665 (6)(a) and (b) will be

complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a waste pile that is not enclosed (as defined in WAC 173-303-660 (1)(c)) is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(10).

(f) Specific Part B information requirements for incinerators. Except as WAC 173-303-670(1) provides otherwise, owners and operators of facilities that incinerate dangerous waste must fulfill the informational requirements of (f) of this subsection.

(i) When seeking an exemption under WAC 173-303-670 (1)(b) (ignitable or reactive wastes only):

(A) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is ignitable; or

(B) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is reactive for characteristics other than those listed in WAC 173-303-090 (7)(a)(iv) and (v), and will not be burned when other dangerous wastes are present in the combustion zone; or

(C) Documentation that the waste is a dangerous waste solely because it possesses the characteristic of ignitability, as determined by the tests for characteristics of dangerous waste under WAC 173-303-090; or

(D) Documentation that the waste is a dangerous waste solely because it possesses the reactivity characteristics listed in WAC 173-303-090 (7)(a)(i), (ii), (iii), (vi), (vii), and (viii), and that it will not be burned when other dangerous wastes are present in the combustion zone.

(ii) Submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with WAC 173-303-807.

(iii) In lieu of a trial burn, the applicant may submit the following information;

(A) An analysis of each waste or mixture of wastes to be burned including:

(I) Heating value of the waste in the form and composition in which it will be burned;

(II) Viscosity (if applicable), or description of physical form of the waste, and specific gravity of the waste;

(III) An identification of any dangerous organic constituents listed in WAC 173-303-9905 or, if not listed, which cause the waste(s) to be regulated, which are present in the waste to be burned, except that the applicant need not analyze for constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The waste analysis must rely on analytical techniques specified in WAC 173-303-110(3), or their equivalent;

(IV) An approximate quantification of the dangerous constituents identified in the waste, within the precision produced by the analytical methods specified in WAC 173-303-110(3); and

(V) A quantification of those dangerous constituents in the waste which may be designated as principal organic dangerous constituents (PODC's) based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in WAC 173-303-670(4);

(B) A detailed engineering description of the incinerator, including:

(I) Manufacturer's name and model number of incinerator;

(II) Type of incinerator;

(III) Linear dimension of incinerator unit including cross sectional area of combustion chamber;

(IV) Description of auxiliary fuel system (type/feed);

(V) Capacity of prime mover;

(VI) Description of automatic waste feed cutoff system(s);

(VII) Stack gas monitoring and pollution control monitoring system;

(VIII) Nozzle and burner design;

(IX) Construction materials; and

(X) Location and description of temperature, pressure, and flow indicating devices and control devices;

(C) A description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data should include those items listed in (f)(iii)(A) of this subsection. This analysis should specify the principal organic dangerous constituents (PODC's) which the applicant has identified in the waste for which a permit is sought, and any differences from the PODC's in the waste for which burn data are provided;

(D) The design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

(E) A description of the results submitted from any previously conducted trial burn(s) including:

(I) Sampling and analysis techniques used to calculate performance standards in WAC 173-303-670(4); and

(II) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

(F) The expected incinerator operation information to demonstrate compliance with WAC 173-303-670 (4) and (6), including:

(I) Expected carbon monoxide (CO) level in the stack exhaust gas;

(II) Waste feed rate;

(III) Combustion zone temperature;

(IV) Indication of combustion gas velocity;

(V) Expected stack gas volume, flow rate, and temperature;

(VI) Computed residence time for waste in the combustion zone;

(VII) Expected hydrochloric acid removal efficiency;

(VIII) Expected fugitive emissions and their control procedures; and

(IX) Proposed waste feed cutoff limits based on the identified significant operating parameters;

(G) Such supplemental information as the department finds necessary to achieve the purposes of this subsection;

(H) Waste analysis data, including that submitted in (f)(iii)(A) of this subsection, sufficient to allow the department to specify as permit principal organic dangerous constituents (permit PODC's) those constituents for which destruction and removal efficiencies will be required; and

(I) Test protocols and sampling and analytical data to demonstrate the designation status under WAC 173-303-070 of:

- (I) Incinerator ash residues, if any; and
- (II) Residues from the air pollution control devices.

(iv) The department shall approve a permit application without a trial burn if the department finds that:

- (A) The wastes are sufficiently similar; and
- (B) The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under WAC 173-303-670(6)) operating conditions that will ensure that the performance standards in WAC 173-303-670(4) will be met by the incinerator.

(g) Specific Part B information requirements for land treatment facilities. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use land treatment to dispose of dangerous waste must provide the following additional information:

(i) A description of plans to conduct a treatment demonstration as required under WAC 173-303-655(3). The description must include the following information:

(A) The wastes for which the demonstration will be made and the potential dangerous constituents in the waste;

(B) The data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or operating data);

(C) Any specific laboratory or field test that will be conducted, including:

(I) The type of test (e.g., column leaching, degradation);

(II) Materials and methods, including analytical procedures;

(III) Expected time for completion; and

(IV) Characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;

(ii) A description of a land treatment program, as required under WAC 173-303-655(2). This information must be submitted with the plans for the treatment demonstration, and updated following the treatment demonstration. The land treatment program must address the following items:

(A) The wastes to be land treated;

(B) Design measures and operating practices necessary to maximize treatment in accordance with WAC 173-303-655 (4)(a) including:

(I) Waste application method and rate;

(II) Measures to control soil pH;

(III) Enhancement of microbial or chemical reactions; and

(IV) Control of moisture content;

(C) Provisions for unsaturated zone monitoring, including:

(I) Sampling equipment, procedures, and frequency;

(II) Procedures for selecting sampling locations;

(III) Analytical procedures;

(IV) Chain of custody control;

(V) Procedures for establishing background values;

(VI) Statistical methods for interpreting results; and

(VII) The justification for any dangerous constituents recommended for selection as principal dangerous constituents, in accordance with the criteria for such selection in WAC 173-303-655 (6)(a);

(D) A list of dangerous constituents reasonably expected to be in, or derived from, the wastes to be land treated based on waste analysis performed pursuant to WAC 173-303-300;

(E) The proposed dimensions of the treatment zone;

(iii) A description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of WAC 173-303-655(4). This submission must address the following items:

(A) Control of run-on;

(B) Collection and control of run-off;

(C) Minimization of run-off of dangerous constituents from the treatment zone;

(D) Management of collection and holding facilities associated with run-on and run-off control systems;

(E) Periodic inspection of the unit. This information should be included in the inspection plan submitted under (a)(v) of this subsection; and

(F) Control of wind dispersal of particulate matter, if applicable;

(iv) If food-chain crops are to be grown in or on the treatment zone of the land treatment unit, a description of how the demonstration required under WAC 173-303-655(5) will be conducted including:

(A) Characteristics of the food-chain crop for which the demonstration will be made;

(B) Characteristics of the waste, treatment zone, and waste application method and rate to be used in the demonstration;

(C) Procedures for crop growth, sample collection, sample analysis, and data evaluation;

(D) Characteristics of the comparison crop including the location and conditions under which it was or will be grown; and

(E) If cadmium is present in the land treated waste, a description of how the requirements of WAC 173-303-655 (5)(b) will be complied with;

(v) A description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the post-closure care period, as required under WAC 173-303-655 (8)(a)(viii) and (c)(ii). This information should be included in the closure plan and, where applicable, the post-closure care plan submitted under (a)(xiii) of this subsection;

(vi) If ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of WAC 173-303-655(9) will be complied with; and

(vii) If incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how WAC 173-303-655(10) will be complied with.

(viii) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-655(12).

(h) Specific Part B information requirements for landfills. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that dispose of dangerous waste in landfills must provide the following additional information;

(i) A list of the dangerous wastes placed or to be placed in each landfill or landfill cell;

(ii) Detailed plans and an engineering report describing how the landfill is or will be designed, constructed, operated and maintained to comply with the requirements of WAC 173-303-665(2). This submission must address the following items as specified in WAC 173-303-665(2):

(A) The liner system and leachate collection and removal system (except for an existing portion of a landfill), including the licensed engineer's certification required by WAC 173-303-665 (2)(a)(i). If an exemption from the requirements for a liner and a leachate collection and removal system is sought, as provided by WAC 173-303-665 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituent into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding facilities associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iii) If an exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-665(3), the owner or operator must submit detailed plans and an engineering report explaining the location of the saturated zone in relation to the landfill, the design of a double-liner system that incorporates a leak detection system between the liners, and a leachate collection and removal system above the liners;

(iv) A description of how each landfill, including the liner and cover systems, will be inspected in order to meet the requirements of WAC 173-303-665(4). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) Detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with WAC 173-303-665 (6)(a), and a description of how each landfill will be maintained and monitored after closure in accordance with WAC 173-303-665 (6)(b) and (c). This information should be included in the closure and post-closure plans submitted under (a)(xiii) of this subsection;

(vi) If ignitable or reactive wastes will be landfilled, an explanation of how the standards of WAC 173-303-665(7) will be complied with;

(vii) If incompatible wastes, or incompatible wastes and materials will be landfilled, an explanation of how WAC 173-303-665(8) will be complied with;

(viii) If bulk of noncontainerized liquid waste or wastes containing free liquids is to be landfilled, an explanation of how the requirements of WAC 173-303-665(9) will be complied with;

(ix) If containers of dangerous waste are to be landfilled, an explanation of how the requirements of WAC 173-303-665(10) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-665(11).

(5) Construction. A person may begin physical construction of a new facility, or of new portions of an existing facility if the new portions would amount to reconstruction under interim status (WAC 173-303-805(7)), only after complying with WAC 173-303-281, submitting Part A and Part B of the permit application and receiving a final facility permit. All permit applications must be submitted at least one hundred eighty days before physical construction is expected to begin.

(6) Reapplications. Any dangerous waste facility with an effective final facility permit shall submit a new application one hundred eighty days prior to the expiration date of the effective permit, unless the department grants a later date provided that such date will never be later than the expiration date of the effective permit.

(7) Continuation of expiring permits.

(a) When the owner/operator submits a timely application for a final facility permit and the application is determined by the department to be complete pursuant to subsection (8) of this section, the facility is allowed to continue operating under the expiring or expired permit until the effective date of the new permit.

(b) When the facility is not in compliance with the conditions of the expiring or expired permit, the department may choose to do any of the following:

(i) Initiate enforcement action based upon the permit which has been continued;

(ii) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(iii) Issue a new permit with appropriate conditions; and/or

(iv) Take other actions authorized by this chapter.

(8) Completeness. The department shall not issue a final facility permit before receiving a complete application, except for permits by rule or emergency permits. An application for a permit is complete when the application form and any supplemental information has been submitted to the department's satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity.

(9) Recordkeeping. Applicants shall keep records of all data used to complete the permit applications, and any supplemental information submitted to the department for a period of at least three years from the date the application is signed.

(10) General permit conditions. All final facility permits shall contain general permit conditions described in WAC 173-303-810.

(11) Permit duration.

(a) Final facility permits shall be effective for a fixed term not to exceed ten years.

(b) The department may issue any final facility permit for a duration that is less than the full allowable term.

(c) The term of a final facility permit shall not be extended beyond ten years, unless otherwise authorized under subsection (7) of this section.

(12) Grounds for termination. The following are causes for terminating a final facility permit during its term(~~, or for denying a permit application~~):

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers public health or the environment and the hazard can only be controlled by permit modification or termination(~~; or~~

~~(d) A determination that the permit applicant has failed to satisfy the performance standards of WAC 173-303-283).~~

(13) Grounds for denial. A permit application shall be denied if it is determined that the proposed location and/or activity endangers public health and the environment as demonstrated by the permit applicant's failure to satisfy the performance standards of WAC 173-303-283.

(14) Permit changes. All final facility permits shall be subject to the requirements of permit changes, WAC 173-303-830.

~~((+4))~~ (15) Procedures for decision making. Issuance of final facility permits will be subject to the procedures for decision making described in WAC 173-303-840.

~~((+5))~~ (16) Other requirements for final special waste and recycling facility permits. In lieu of issuing a final special waste or recycling facility permit, the department may, after providing opportunity for public comment in accordance with WAC 173-303-840, defer to a permit already issued under other statutory authority administered by the department (such as the State Water Pollution Control Act, chapter 90.48 RCW, the State Clean Air Act, chapter 70.94 RCW, etc.) which incorporates the requirements of this section, and WAC 173-303-500 through 173-303-525 for recycling facilities or WAC 173-303-550 through 173-303-560 for special waste facilities.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 173-303-420 SITING STANDARDS.

WSR 90-20-017

PERMANENT RULES

DEPARTMENT OF HEALTH

[Order 090—Filed September 21, 1990, 3:02 p.m.]

Date of Adoption: August 20, 1990.

Purpose: To establish in WAC the rules for licensure of medical test sites for implementation of chapter 70.42 RCW.

Statutory Authority for Adoption: Chapter 70.42 RCW.

Pursuant to notice filed as WSR 90-14-128 on July 5, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 248-38-010 (4)(g), definition of Category I, changed "Group A strep. screen by direct antigen test" to "Direct strep. antigen test"; this wording brings it in line with CLIA '88, which includes all direct strep. antigen tests, not just Group A strep., in Category I; WAC 248-38-010(14), added new definition, "forensic" means investigative testing in which the results are never used for health care or treatment, or referral to health care or treatment, of the individual; WAC 248-38-010(15), definition of medical test site or test site, added to "A medical test site does not mean": (b) A facility or site performing tests solely for forensic purposes. The intent of the legislature, as listed in chapter 70.42 RCW, is to improve health care through uniform test site licensure and regulation. After conferring with the Attorney General's Office and the Department of Corrections, it is the department's understanding that testing performed solely for forensic purposes is never used for health care or treatment of an individual; WAC 248-38-060 (4)(b), advanced registered nurse practitioner was inadvertently omitted from the copy filed with the code reviser; language inserted to specify that advanced registered nurse practitioners, recognized under chapter 18.88 RCW, Registered nurses, when they are functioning as the principle health care provider, limited to the tests performed on patients within the legal scope of their practice; WAC 248-38-070(3), changed the word "require" to "request" the following written information to accompany a test requisition, this allows the medical test site to request the information, but if it is not included the test may still be performed if indicated; WAC 248-38-090 (5)(j)(i)(D), changed "positive and negative reference organisms" to "positive and negative controls": Allows medical test sites to perform the direct antigen detection systems without having to keep stock cultures of live organisms on hand; and WAC 248-38-120 (1)(i), added to the definition of "direct staff time": "Including travel time and expenses" to clarify that this is included with the on-site follow up visit.

Effective Date of Rule: Thirty-one days after filing.

September 20, 1990

Pam Campbell Mead
for Kristine M. Gebbie
Secretary

Chapter 248-38 WAC
MEDICAL TEST SITE RULES

NEW SECTION

WAC 248-38-001 PURPOSE. The purpose of this chapter is to implement chapter 70.42 RCW, by establishing minimum licensing standards for medical test sites, consistent with federal law and regulation, related to quality control, quality assurance, recordkeeping, personnel requirements, proficiency testing, and licensure waivers.

NEW SECTION

WAC 248-38-010 DEFINITIONS. For the purpose of chapter 70.42 RCW and this chapter, the following words and phrases have these meanings unless the context clearly indicates otherwise.

(1) "Accreditation body" means a public or private organization or agency which accredits, certifies, or licenses medical test sites, by establishing and monitoring standards judged by the department to be consistent with federal law and regulation, and this chapter.

(2) "Authorized person" means any individual allowed by Washington state law or rule to order tests or receive test results.

(3) "Case" means any slide or group of slides, from one patient specimen source, submitted to a medical test site, at one time, for the purpose of cytological or histological examination.

(4) "Category I" means a medical test site performing one or more of the following tests, in addition to any or all tests listed under WAC 248-38-030(10), but none of the tests described under subsection (5) of this section for Category II:

(a) Culture for colony counts for urinary tract infections, not including identification and susceptibility testing;

(b) Blood glucose using reagent strip by instrumentation;

(c) Manual or instrumentation hematology or coagulation;

(d) Chemistry tests, limited to glucose, blood urea nitrogen, creatinine, uric acid, sodium, potassium;

(e) Throat culture screen for beta-hemolytic streptococcus using differentiation discs;

(f) Cholesterol screening, limited to qualitative and semi-quantitative determinations;

(g) Direct streptococcal antigen test.

(5) "Category II" means a medical test site performing any test, other than or in addition to any or all of the tests listed under subsection (4) of this section for Category I and under WAC 248-38-030(10).

(6) "Certificate of waiver" means a medical test site performing one or more of the tests listed under WAC 248-38-030(10), but none of the tests described under subsections (4) and (5) of this section for Category I or Category II.

(7) "Days" means calendar days.

(8) "Department" means the department of health.

(9) "Designated specialty test site supervisor" means an available individual, designated in writing by the

owner of the medical test site, meeting the qualifications and performing the duties of a designated test site supervisor, as described in this chapter for an assigned specialty or subspecialty.

(10) "Designated test site supervisor" means the available individual responsible for the technical functions of the medical test site and meeting the department qualifications under this chapter.

(11) "Disciplinary action" means license or certificate of waiver denial, suspension, condition, revocation, civil fine, or any combination of the preceding actions, taken by the department against a medical test site.

(12) "Facility" means one or more locations where tests are performed, within one campus or complex, under one owner.

(13) "Federal law and regulation" means Public Law 100-578, Clinical Laboratory Improvement Amendments of 1988, Public Health Service Act, and regulations implementing the federal amendments.

(14) "Forensic" means investigative testing in which the results are never used for health care or treatment, or referral to health care or treatment, of the individual.

(15) "May" means permissive or discretionary on the part of the department.

(16) "Medical test site" or "test site" means any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A medical test site does not mean:

(a) A facility or site, including a residence, where a test approved for home use by the Federal Food and Drug Administration is used by an individual to test himself or herself without direct supervision or guidance by another and where this test is not part of a commercial transaction; or

(b) A facility or site performing tests solely for forensic purposes.

(17) "Owner" means the person, corporation, or entity legally responsible for the business requiring licensure or a certificate of waiver as a medical test site under chapter 70.42 RCW.

(18) "Person" means any individual, public organization, private organization, agent, agency, corporation, firm, association, partnership, or business.

(19) "Principle health care provider" means the attending physician or other health care provider recognized as primarily responsible for diagnosis and treatment of a patient or, in the absence of such, the health care provider initiating diagnosis, testing or therapy for a patient.

(20) "Provisional license" or "provisional certificate of waiver" means an interim approval issued by the department to the owner of a medical test site.

(21) "Recordkeeping" means books, files, or records necessary to show compliance with the quality control and quality assurance requirements under this chapter.

(22) "Shall" means compliance is mandatory.

(23) "Site" means one or more locations where tests are performed, under one owner, changing or extending location to perform tests on a regular or intermittent basis.

(24) "Specialty" means a group of similar subspecialties or tests. The specialties for a medical test site are as follows:

- (a) Chemistry;
- (b) Cytogenetics;
- (c) Diagnostic immunology;
- (d) Immunohematology;
- (e) Hematology;
- (f) Histocompatibility;
- (g) Microbiology;
- (h) Pathology; and
- (i) Radiobioassay.

(25) "Subspecialty" means a group of similar tests. The subspecialties of a specialty for a medical test site are as follows, for:

(a) Chemistry, the subspecialties are routine chemistry, endocrinology, toxicology, urinalysis, and other chemistry;

(b) Diagnostic immunology, the subspecialties are syphilis serology, general immunology, HIV, and alpha fetoprotein;

(c) Immunohematology, the subspecialties are blood group and Rh typing, antibody identification, crossmatching, transfusion services and blood banking, and other immunohematology;

(d) Hematology, the subspecialties are routine hematology, coagulation, and other hematology;

(e) Microbiology, the subspecialties are bacteriology, mycology, parasitology, virology, and mycobacteriology; and

(f) Pathology, the subspecialties are histopathology, diagnostic cytology, and oral pathology.

(26) "Supervision" means authoritative procedural guidance by a qualified individual, assuming the responsibility for the accomplishment of a function or activity by technical personnel.

(27) "Technical personnel" means individuals employed to perform any test or part of a test.

(28) "Test" means any examination or procedure conducted on a sample taken from the human body, including screening.

NEW SECTION

WAC 248-38-020 LICENSURE OF THE MEDICAL TEST SITES. (1) After July 1, 1990, no person shall advertise, operate, manage, own, conduct, open, or maintain a medical test site without first obtaining from the department, a license or a certificate of waiver as described under chapter 70.42 RCW and this chapter.

(2) Applicants requesting a medical test site license or renewal shall:

(a) Submit a completed application and fee to the department on forms furnished by the department, including signature of the owner; and

(b) Furnish full and complete information to the department in writing, as required for proper administration of rules implementing chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned, or projected;

(iv) Names and qualifications including educational background, training, and experience of the designated test site supervisor, and any designated specialty test site supervisor;

(v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Name and type of proficiency testing program or programs used by the medical test site;

(vii) Other information as required to implement chapter 70.42 RCW; and

(viii) Methodologies for tests performed, when the department determines the information is necessary, consistent with federal law and regulation.

(3) The department shall also issue a license for a medical test site if the medical test site:

(a) Is accredited, certified, or licensed by an accreditation body under WAC 248-38-040; and

(b) Submits the following to the department for department approval:

(i) Information defined under subsection (2)(a) and (b) of this section;

(ii) Copies of the most recent graded proficiency testing results; and

(iii) Proof of accreditation, certification, or licensure by an accreditation body including a copy of the most recent:

(A) On-site inspection results;

(B) Statement of deficiencies;

(C) Plan of correction for the deficiencies cited; and

(D) Any disciplinary action and results of any disciplinary action taken by the accreditation body against the medical test site; or

(iv) Authorization for an accreditation body to submit to the department such records or other information about the medical test site required for the department to determine whether or not standards are consistent with chapter 70.42 RCW and this chapter.

(4) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current license.

(5) The department shall:

(a) Issue or renew a license for the medical test site, valid for two years, when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (6) of this section;

(b) Terminate a provisional license, at the time a two-year license for the medical test site is issued;

(c) Establish fees to be paid under WAC 248-38-120;

(d) Prohibit transfer or reassignment of a license without thirty days prior written notice to the department and the department's approval;

(e) Examine records of the medical test site, if the department believes a person is conducting tests without an appropriate license;

(f) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of post-mark; and

(ii) Comply within a specified time, not to exceed sixty days, after department approval of a written plan of correction;

(g) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

(a) Issue a provisional license, valid for a period of time not to exceed two years from date of issue, to a medical test site applying for licensure for the first time;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required under subsection (2)(a) and (b) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department, in writing, of:

(a) The date of opening or closing the medical test site; and

(b) Any change in the information related to license application, excluding tests which would not affect category change, within thirty days after the change, unless specifically stated otherwise under chapter 70.42 RCW or this chapter.

NEW SECTION

WAC 248-38-030 WAIVER FROM LICENSURE OF MEDICAL TEST SITES. (1) The department shall grant a certificate of waiver to a medical test site performing only the tests listed under this section.

(2) Applicants requesting a certificate of waiver or renewal shall:

(a) Submit a completed application and fee for initial certificate of waiver or renewal to the department on forms furnished by the department, including signature of the owner; and

(b) Furnish full and complete information to the department in writing, as required for proper administration of rules to implement chapter 70.42 RCW including:

(i) Name, address, and phone number of the medical test site;

(ii) Name, address, and phone number of the owner of the medical test site;

(iii) Number and types of tests performed, planned or projected;

(iv) Names and qualifications including educational background, training and experience of the designated test site supervisor;

(v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;

(vi) Other information as required to implement chapter 70.42 RCW; and

(vii) Methodologies for tests performed, when the department determines the information is necessary consistent with federal law and regulation.

(3) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current certificate of waiver.

(4) The department shall:

(a) Grant a certificate of waiver or renewal of a certificate of waiver for the medical test site valid for two years when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (5) of this section;

(b) Terminate a provisional certificate of waiver at the time a two-year certificate of waiver for the medical test site is issued;

(c) Establish fees to be paid under WAC 248-48-120; and

(d) Prohibit transfer or reassignment of a certificate of waiver without thirty days prior written notice to the department and the department's approval.

(5) If the department has reason to believe a waived site is conducting tests requiring a license, the department shall:

(a) Conduct on-site reviews of the medical test site;

(b) Examine records of the medical test site;

(c) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of post-mark; and

(ii) Comply within a specified time not to exceed sixty days after department approval of a written plan of correction;

(d) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

(a) Grant a provisional certificate of waiver to a medical test site, applying for a certificate of waiver for the first time, valid for a period of time not to exceed two years from date of issue;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required under subsection (2)(a) and (b) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department, in writing of:

(a) The date of opening or closing the medical test site; and

(b) Any change in the information related to certificate of waiver application, excluding tests which would not effect category change or licensure, within thirty days after the change, unless specifically stated otherwise under chapter 70.42 RCW and this chapter.

(10) The department shall grant a certificate of waiver if the medical test site performs only the tests listed in this section and no other tests unless specifically disallowed or allowed under federal law and regulation:

(a) Microscopic examination:

(i) For pinworms by adhesive method;

(ii) Of urine sediment;

(iii) Of wet mounts;

(iv) Of potassium hydroxide (KOH) preparations;

(v) For fern tests;

(vi) Of gram stains, limited to discharges and exudates;

(vii) Of nasal smears by Hansel or Wright-Giemsa stain;

(b) Any microscopic examination by an individual meeting the qualifications of a designated test site supervisor, only when the same individual diagnoses and treats his or her own patients;

(c) Examination of urine by reagent strip or tablet methods;

(d) Urine specific gravity;

(e) Examination of whole blood by visual reading of reagent strip or tablet methods, limited to whole blood glucose;

(f) Examination of whole blood, limited to blood glucose, using instrumentation approved for home use by the Federal Food and Drug Administration and performed in the patient's residence;

(g) Qualitative serum and urine pregnancy test kits, excluding instrumentation methods;

(h) Micro hematocrit, spun hematocrit;

(i) Erythrocyte sedimentation rate;

(j) Qualitative examination of stool specimens for occult blood;

(k) Primary inoculation of bacteriological or mycological media for visual reading of a color reaction only;

(l) Semen analysis;

(m) Screening tests for Sick cell, other than electrophoresis methods;

(n) Ovulation test using visual color test for human luteinizing hormone;

(o) Whole blood clotting time;

(p) Antistreptolysin O (ASO) screen by slide agglutination test or equivalent;

(q) C reactive protein (CRP) screen by slide agglutination test or equivalent;

(r) Rheumatoid factor screen by slide agglutination test or equivalent; and

(s) Infectious mononucleosis screen by slide agglutination test or equivalent.

(11) The department shall use the following criteria when determining additional waived tests not listed under subsection (10) of this section, which are determined to have insignificant risk of an erroneous result, including those which:

(a) Are approved by the Federal Food and Drug Administration for home use;

(b) Are so simple and accurate as to render the likelihood of erroneous result negligible, judged by the department to require three or less of the following functions:

(i) Calculation;

(ii) Specimen or reagent preparation;

(iii) Six or more steps in the test procedure;

(iv) Calibrated or volumetric measurement;

(v) Independent judgment other than a single observation and recording of results;

(vi) External calibration;

(vii) External quality control; and

(viii) Equipment maintenance;

(c) Pose no reasonable risk of harm to the patient if performed incorrectly.

(12) If the medical test site performs tests not included under subsection (10) of this section, the owner shall apply for licensure as defined under chapter 70.42 RCW and this chapter.

NEW SECTION

WAC 248-38-040 APPROVAL OF ACCREDITATION BODIES. (1) The department recognizes the following accreditation bodies under RCW 70.42.040:

(a) United States Department of Health and Human Services, Health Care Financing Administration (HCFA);

(b) National Institute on Drug Abuse;

(c) United States Food and Drug Administration, limited to the manufacture of blood and blood products.

(2) If the owner or applicant of a medical test site requests the department to consider accreditation bodies not currently approved by the department under this section, the owner or applicant shall:

(a) Apply for acceptance of a specified accreditation body for a medical test site with the department;

(b) Require the accreditation body to submit to the department a copy of the rules, regulations, and standards used by the accreditation body;

(c) Agree to and request on-site inspections of the medical test site by the accrediting body, at a frequency similar to department inspections of medical test sites; and

(d) Agree to submit to the department within thirty days of application for licensure or renewal of licensure, information required under WAC 248-38-020 (3)(b)(i) through (iv).

(3) The department shall:

(a) Require the accreditation body to demonstrate to the department the use of accreditation, certification, or licensure standards consistent with federal law and regulations, and this chapter;

(b) Require department-approved accreditation bodies to submit changes in standards to the department at least thirty days before changes are effective;

(c) Review accreditation standards of bodies approved under subsection (1) of this section when changes are made in standards;

(d) Require the accreditation body to demonstrate to the department the use of on-site inspectors with qualifications meeting or exceeding the requirements as follows:

(i) Qualifies as a designated test site supervisor or specialty test site supervisor as defined under chapter 70.42 RCW and this chapter; or

(ii) Qualifies with any of the requirements in 42 CFR 405.1313;

(e) Require the accreditation bodies to agree in writing to allow the department to have jurisdiction to investigate complaints, do random on-site inspections and take disciplinary action against a medical test site if indicated.

(4) The department may deny or terminate the license for a medical test site, if the owner or applicant fails to authorize the accreditation body to notify the department of the test site's compliance with the standards of the accreditation body.

(5) The department shall notify the medical test site if an accreditation body loses department acceptance of approval as an accreditation body for the medical test site.

(6) The owner or applicant of a medical test site shall reapply for licensure within thirty days, if the acceptance of approval of the accreditation body for the medical test site is denied or terminated.

NEW SECTION

WAC 248-38-050 PROFICIENCY TESTING.

(1) Except where there is no available proficiency test, each licensed medical test site shall demonstrate satisfactory participation in a department-approved proficiency testing program appropriate for the test or tests performed on-site, excluding waived tests as listed under WAC 248-38-030(10).

(2) The department, upon request, shall furnish a list of the approved proficiency testing programs under RCW 70.42.050.

(3) The department may approve the owner or applicant's use of a specific proficiency testing program when the program:

(a) Assures the quality of test samples;

(b) Appropriately evaluates the testing results;

(c) Identifies performance problems in a timely manner;

(d) Has the technical ability required to prepare and distribute samples;

(e) Uses methods assuring samples mimic actual patient specimens when possible and where applicable;

(f) Uses homogenous samples if applicable;

(g) Maintains stability of samples within the time frame specified in written instructions for analysis by proficiency testing participants;

(h) Provides necessary documentation to establish requirements under this section;

(i) Uses an appropriate process for determining the correct answer for each sample; and

(j) Uses at least two samples per test each quarter if applicable.

(4) The medical test site shall:

(a) Assure testing of proficiency testing samples in a similar manner as patient specimens are tested, unless otherwise specifically requested by the proficiency testing program;

(b) Assure testing of proficiency testing samples on-site by the technical personnel performing examinations on patient specimens;

(c) Maintain documentation of the:

(i) Test methodology;

(ii) Identification of technical personnel performing the tests; and

(iii) Reporting of results of the proficiency testing samples; and

(d) Provide a copy of the graded proficiency testing results to the department.

(5) The department shall evaluate by using the following grading criteria:

(a) An evaluation of scores for the last four shipments of proficiency testing samples including:

(i) Tests;

(ii) Subspecialties; and

(iii) Specialties;

(b) Maintenance of a minimum acceptable score for satisfactory participation as follows:

(i) Seventy-five percent for all tests, subspecialties, and specialties except for human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and immunohematology; and

(ii) One hundred percent for all tests, subspecialties, and specialties for HIV/AIDS and immunohematology;

(c) A grade of marginal performance occurs when:

(i) An unsatisfactory score is obtained on any single test in a shipment for immunohematology or HIV/AIDS; or

(ii) For all other tests, subspecialties, or specialties if:

(A) Unsatisfactory scores are obtained in any specialty or subspecialty on two of any three successive shipments;

(B) An unsatisfactory score is obtained on a single test on two of any three successive shipments; or

(C) An unsatisfactory score is obtained in two or more specialties or subspecialties in a single shipment;

(d) A grade of unsatisfactory performance occurs when:

(i) Unsatisfactory shipment scores are obtained on a single test or in a specialty or subspecialty on three of any four successive shipments; or

(ii) A medical test site takes unacceptable action to correct marginal performance.

(6) For marginal performance on proficiency testing samples the following department and medical test site actions shall occur:

(a) The department shall mail a cautionary letter and a statement of deficiencies to the owner and to the designated test site supervisor;

(b) The medical test site shall respond by submitting a plan of correction within fifteen days from receipt of notice, to the department; and

(c) Following department evaluation of the plan of correction, the department shall mail written notice to the medical test site of acceptance or nonacceptance.

(7) In addition the department may require the owner of the medical test site demonstrating marginal performance in any identified test, subspecialty or specialty, to provide or ensure:

(a) Additional training of personnel;

(b) Necessary technical assistance to meet the requirements of the proficiency testing program and the department;

(c) Participation in a program of additional proficiency testing, if available; or

(d) Any combination of training, technical assistance, or testing described under (a), (b), and (c) of this subsection.

(8) For unsatisfactory performance on proficiency testing samples the department shall send to the owner and designated test site supervisor by certified mail:

(a) A letter identifying the particular problem;

(b) A statement of deficiencies;

(c) Acknowledgement of previous contacts; and

(d) A notice to the medical test site to cease performing the identified test, subspecialty, or specialty.

(9) The owner shall notify the department within fifteen days of the receipt of the notice of the decision to voluntarily stop performing tests on patient specimens for the identified test, subspecialty, or specialty.

(10) The owner may petition the department for reinstatement of approval to perform tests on patient specimens after demonstrating satisfactory performance on two successive shipments of proficiency testing samples for the identified test, subspecialty, or specialty.

(11) The department shall notify the owner in writing, within fifteen days of receipt of petition, of the decision related to the request for reinstatement.

NEW SECTION

WAC 248-38-060 PERSONNEL. (1) Owners shall ensure medical test sites have:

(a) A designated test site supervisor responsible for:

(i) The overall technical supervision and management of the test site personnel; and

(ii) Performing and reporting of testing procedures;

(b) Technical personnel, competent to perform tests and report test results.

(2) Owners of medical test sites shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(b) Use infection control standards and educational material consistent with the approved curriculum manual "Know - HIV/AIDS prevention education for health care facility employees," May 31, 1989, published by the department office on HIV/AIDS.

(3) Designated test site supervisors shall:

(a) Establish and approve policies for:

(i) Performing, recording, and reporting of tests;

(ii) Maintaining an ongoing quality assurance program;

(iii) Supervision of testing; and

(iv) Compliance with chapter 70.42 RCW and this chapter;

(b) Evaluate, verify, and document the following related to technical personnel:

(i) Education, experience, and training in test performance and reporting tests results;

(ii) Sufficient numbers to cover the scope and complexity of the services provided;

(iii) Access to training appropriate for the type and complexity of the test site services offered; and

(iv) Maintenance of competency to perform test procedures and report test results;

(c) Be present, on call, or delegate the duties of the designated test site supervisor to a designated specialty test site supervisor or an on-site technical person during testing.

(4) The designated test site supervisor shall meet one or more of the following qualifications:

(a) A licensed professional under chapter 18.71 RCW Physicians; chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery;

(b) A licensed professional under chapter 18.32 RCW, Dentistry; chapter 18.22 RCW, Podiatry; chapter 18.36A RCW, Naturopathy; and advanced registered nurse practitioner, recognized under chapter 18.88 RCW, Registered Nurses, when they are functioning as the principle health care provider, limited to the tests performed on patients within the legal scope of their practice; or

(c) Individuals meeting the requirements consistent with 42 CFR 405.1312 (b)(1-5).

(5) The designated test site supervisor or designated specialty test site supervisor shall meet the appropriate requirements under 42 CFR 405.1314(b) if the medical test site performs tests in any of the following specialties or subspecialties:

(a) Cytology;

(b) Histopathology, excluding dermatopathology;

(c) Oral pathology;

(d) Histocompatibility;

(e) Cytogenetics; or

(f) Transfusion services and blood banking.

NEW SECTION

WAC 248-38-070 RECORDKEEPING. The medical test site shall:

(1) Unless specified otherwise in subsection (2)(a), (b), and (c) of this section, maintain documentation for two years of:

- (a) Test requisitions or equivalent;
- (b) Test reports;
- (c) Quality control; and
- (d) Quality assurance.

(2) Maintain documentation of:

(a) The items listed in subsection (1)(a), (b), (c), and (d) of this section for transfusion services and blood banking for five years;

(b) Abnormal cytology and all histology reports for ten years; and

(c) Normal cytology reports for three years.

(3) Request the following written information to accompany a test requisition:

(a) Patient's name or other method of specimen identification;

(b) Name or other suitable identifier of the authorized person ordering the test;

(c) Date of specimen collection, and time if appropriate;

(d) Source of specimen, if appropriate;

(e) Type of test ordered;

(f) Sex and age of the patient, if appropriate; and

(g) For cytology and histology specimens:

(i) Pertinent clinical information; and

(ii) For pap smears:

(A) The last menstrual period; and

(B) Indication whether the patient has history of cervical cancer or its precursors.

(4) Assure specimen records include:

(a) A medical test site identification;

(b) The patient's name or other method of specimen identification;

(c) The date the specimen was received at the medical test site, and time if appropriate; and

(d) The reason for specimen rejection or limitation.

(5) Assure that test reports:

(a) Are maintained in a manner permitting identification and reasonable accessibility;

(b) Are released only to authorized persons or designees;

(c) Include the name of the medical test site, or where applicable, the name of each medical test site performing each test;

(d) Include the date reported; and

(e) Include the time reported, if appropriate.

(6) Assure cytology reports:

(a) Distinguish between unsatisfactory specimen and negative results; and

(b) Contain narrative descriptions for any abnormal results, such as the Bethesda system of terminology as published in the Journal of the American Medical Association, 1989, Volume 262, pages 931-934, for any abnormal results.

(7) Establish and make available reference ranges for use by authorized persons ordering or utilizing the test results.

(8) Issue corrected reports when indicated.

(9) Maintain appropriate documentation of:

(a) Temperature-controlled spaces and equipment;

(b) Preventive maintenance activities;

(c) Equipment function checks;

(d) Procedure calibrations;

(e) Validation, precision, and accuracy checks;

(f) Expiration date, lot numbers, and other pertinent

information for:

(i) Reagents;

(ii) Solutions;

(iii) Culture media;

(iv) Controls, as defined in WAC 248-38-090;

(v) Calibrators, as defined in WAC 248-38-090;

(vi) Standards, as defined in WAC 248-38-090;

(vii) Reference materials, as defined in WAC 248-38-090; and

(viii) Other testing materials;

(g) Testing of quality control samples; and

(h) Any remedial action taken in response to quality control, quality assurance, personnel, and proficiency testing.

NEW SECTION

WAC 248-38-080 QUALITY ASSURANCE. (1) The medical test site shall establish and implement a written quality assurance plan, including policies and procedures, designed to:

(a) Monitor, evaluate, and review quality control, proficiency testing data, and test results;

(b) Identify and correct problems;

(c) Establish and maintain accurate, reliable, and prompt reporting of test results;

(d) Verify all tests performed and reported by the medical test site conform to specified performance criteria in quality control under WAC 248-38-090; and

(e) Establish and maintain the adequacy and competency of the technical personnel.

(2) The quality assurance plan shall include mechanisms or systems to:

(a) Establish and apply criteria for specimen acceptance and rejection;

(b) Notify the appropriate individuals as soon as possible when test results indicate potential life-threatening conditions;

(c) Assess problems identified during quality assurance reviews and discuss them with the appropriate staff;

(d) Evaluate all test reporting systems to verify accurate and reliable reporting, transmittal, storage, and retrieval of data;

(e) Document all corrective actions taken to:

(i) Identify problems or potential problems; and

(ii) Implement corrective actions;

(f) Make available appropriate instructions for specimen collection, handling, preservation, and transportation.

(3) The owner shall maintain adequate space, facilities, and essential utilities for the performance and reporting of tests.

(4) The medical test site shall establish policies and procedures for infectious and hazardous medical wastes consistent with local, state, and federal authorities.

NEW SECTION

WAC 248-38-090 QUALITY CONTROL. (1) For the purpose of this section, the following words and phrases have the following meanings, unless the context clearly indicates another meaning:

(a) "ABO, A, A₁, B, O, anti-A, anti-B, anti-D, anti Rh₀, Rh₀ (D), HLA, HLA-A, B, and DR" means taxonomy classifications for blood groups, types, cells, sera, or antisera;

(b) "Calibrator" means a material, solution, or lyophilized preparation designed to be used in calibration. The values or concentrations of the analytes of interest in the calibration material are known within limits ascertained during its preparation or before use;

(c) "Control" means a material, solution, lyophilized preparation, or pool of collected serum designed to be used in the process of quality control. The concentrations of the analytes of interest in the control material are known within limits ascertained during its preparation or before routine use;

(d) "Control slide" means a preparation fixed on a glass slide used in the process of quality control;

(e) "Reference material" means a material or substance, calibrator, control or standard where one or more properties are sufficiently well established for use in calibrating a process or for use in quality control;

(f) "Standard" means a reference material of fixed and known chemical composition capable of being prepared in essentially pure form, or any certified reference material generally accepted or officially recognized as the unique standard for the assay regardless of level or purity of the analyte content.

(2) The medical test site shall use quality control procedures providing and assuring accurate and reliable test results and reports, meeting the requirements of this chapter.

(3) The medical test site shall have written procedures and policies available in the work area including:

(a) Analytical methods used by the technical personnel;

(b) Specimen processing procedures;

(c) Preparation of solutions, reagents, and stains;

(d) Calibration procedures;

(e) Proper maintenance of equipment;

(f) Quality assurance policies;

(g) Quality control procedures;

(h) Corrective actions when quality control results deviate from expected values or patterns;

(i) Procedures for reporting test results;

(j) Limitations of methodologies; and

(k) Alternative or backup methods for performing tests including the use of a reference facility if applicable.

(4) The medical test site shall perform quality control complying with the requirements of this section for each specialty and subspecialty as follows:

(a) At least as frequently as specified in this section;

(b) More frequently if recommended by the manufacturer of the instrument or test procedure;

(c) More frequently if specified by the medical test site; or

(d) Less frequently only when the medical test site documents satisfactory performance and receives prior approval from the department.

(5) The medical test site shall:

(a) Perform procedural calibration or recalibration, if applicable, to instrument or method used, when:

(i) A new lot number of reagents for a procedure is introduced;

(ii) There is major preventive maintenance or replacement of critical parts of equipment or instrumentation;

(iii) Controls begin to reflect an unusual trend or are outside acceptable range limits;

(iv) Recommended by the manufacturer; or

(v) Specified by the medical test site's established schedule.

(b) If patient values are above the maximum or below the minimum calibration point or the linear range:

(i) Report the patient results as greater than the upper limit or less than the lower limit or an equivalent designation; or

(ii) Use an appropriate procedure to rerun the sample allowing results to fall within the established linear range;

(c) For quantitative tests:

(i) Include two reference materials of different concentrations each day of testing unknown samples, if these reference materials are available; or

(ii) Have an equivalent mechanism to assure the quality, accuracy, and precision of the test, if reference materials are not available;

(d) For qualitative tests, include positive and negative reference material each day of testing unknown samples;

(e) Determine the statistical limits for each lot number of unassayed reference materials through repeated testing;

(f) Use the manufacturer's reference material limits for assayed material, provided they are:

(i) Verified by the medical test site; and

(ii) Appropriate for the methods and instrument used by the medical test site;

(g) Report patient results only when reference materials are within acceptable limits;

(h) Establish and make readily available reference material limits;

(i) Use materials within their documented expiration date, unless the test site provides evidence the materials are stable and reliable beyond the expiration date;

(j) For microbiology:

(i) Check each batch or shipment of reagents, discs, stains, antisera, and identification system for reactivity with positive and negative reference organisms including:

(A) Each time of use for fluorescent stains and Deoxyribonucleic Acid (DNA) probes based on radioisotope methods;

(B) Each week of use for reagents and stains;

(C) Each month of use for antisera; and

(D) Each week of use for direct antigen detection systems, using positive and negative controls that evaluate both the extraction and reaction phase;

(ii) Check each new batch of media and each new lot of antimicrobial discs or other testing systems, before initial use and each week of testing using approved reference organisms, when testing antimicrobial susceptibility;

(iii) Document zone sizes or minimum inhibitory concentration for reference organisms are within established limits;

(iv) Have available and use appropriate stock organisms for quality control purposes;

(v) Have available a collection of slides, photographs, gross specimens, or text books for reference sources to aid in identification of microorganisms;

(vi) Document appropriate steps in the identification of microorganisms on patient specimens;

(vii) Check each batch or shipment of noncommercial media for sterility, ability to support growth, and if appropriate, selectivity, inhibition, or biochemical response;

(viii) If commercially manufactured media quality control results are used:

(A) Keep records of the manufacturer's quality control results;

(B) Document visual inspection of the media before use; and

(C) Follow the manufacturer's specifications for using the media;

(ix) When performing parasitology:

(A) Use a calibrated ocular micrometer for determining the size of ova and parasites, if size is a critical parameter; and

(B) Check permanent stains using reference materials, each month of use;

(k) For syphilis serology:

(i) Use equipment, glassware, reagents, reference materials, and techniques conforming to manufacturers' specifications;

(ii) Perform serologic tests on unknown specimens concurrently with a positive serum reference material with known titer or graded reactivity and a negative reference material; and

(iii) Employ reference materials for all test components to ensure reactivity;

(l) For general immunology:

(i) Perform serologic tests on unknown specimens with a positive and a negative reference material;

(ii) Employ reference materials for all test components to ensure reactivity; and

(iii) Report test results only when the predetermined reactivity pattern of the reference material is observed;

(m) For chemistry, when performing blood gas analysis, include:

(i) A two-point calibration and a reference material each eight hours of testing; and

(ii) A one-point calibration or reference material each time patient samples are tested; or

(iii) Another calibration and reference material schedule, approved by the department as equivalent to this subsection;

(n) For hematology and coagulation:

(i) Use one level of reference material each day of testing patient samples for manual blood counts; and

(ii) Use two levels of reference materials each day of testing for:

(A) Instrumentation methods; and

(B) Manual tilt tube method for coagulation.

(o) For immunohematology, for the services offered:

(i) Perform ABO grouping by testing unknown red cells with Federal Food and Drug Administration approved anti-A and anti-B grouping sera;

(ii) Confirm ABO grouping of unknown serum with known A₁ and B red cells;

(iii) Determine the Rh₀(D) group by testing unknown red cells with anti-D (anti Rh₀) blood grouping serum;

(iv) Employ a control system capable of detecting false positive Rh test results, when required by the manufacturer; and

(v) Perform quality control checks of cells and antisera each day of use;

(p) For transfusion services:

(i) Perform ABO grouping, Rh₀(D) typing, antibody detection, and identification and compatibility testing as described by the Food and Drug Administration under 21 CFR Part 606, with the exception of 21 CFR Part 606.20a, Personnel, and 21 CFR Part 640; and

(ii) Collect, store, process, distribute and date blood and blood products as described by the Food and Drug Administration under 21 CFR Parts 606, 610.53 and 640;

(q) For histopathology:

(i) Use positive control slides for each special stain to check for intended level of reactivity;

(ii) Retain stained slides at least ten years and specimen blocks at least two years from the date of examination; and

(iii) Retain remnants of tissue specimens in an appropriate preserved state until the portions submitted for microscopic examination have been examined and diagnosed;

(r) For cytology:

(i) Develop criteria for submission of material and the assessment of the adequacy of the sample submitted, including notifying the physician;

(ii) Retain all negative slides for three years from the date of examination of the slide;

(iii) Retain all abnormal slides for ten years from the date of examination;

(iv) Include in quality control the rescreening and documentation of benign gynecological slides as follows:

(A) One hundred percent of slides from patient with a known history of cervical cancer or its precursors;

(B) Selection of benign slides for a total rescreening of a minimum of ten percent of all benign slides including patients identified in (r)(iv)(A) of this subsection; or

(C) Another method demonstrating equivalent effectiveness in discovering errors;

(v) Review prior cytologic specimens or records of previous reviews, if available, for each abnormal cytology result;

(vi) Correlate abnormal cytology reports with prior cytology reports and with histopathology reports, if available, and determine the cause of any discrepancies;

- (vii) Document reviews of negative slides from cases known to have a history of abnormal slides;
- (viii) Evaluate and document technical personnel slide examination performance; and
- (ix) Evaluate and document significant discrepancies in examination of cytology slides;
 - (s) For histocompatibility:
 - (i) Use applicable quality control standards for immunohematology, transfusion services, and diagnostic immunology as described in this chapter;
 - (ii) For renal allotransplantation:
 - (A) Have available and follow criteria for:
 - (I) Selecting appropriate patient serum samples for crossmatching;
 - (II) The technique used in crossmatching;
 - (III) Preparation of donor lymphocytes for crossmatching;
 - (IV) Reporting crossmatch results;
 - (V) The preparation of lymphocytes for Human Leukocyte Antigen HLA-A, B and DR typing;
 - (VI) Selecting typing reagents; and
 - (VII) The assignment of HLA antigens;
 - (B) Have available serum specimens for all potential transplant recipients at initial typing, for periodic screening, for pretransplantation crossmatch, and following sensitizing events;
 - (C) Have appropriate storage and maintenance of both recipient sera and reagents;
 - (D) Indicate, when applicable:
 - (I) Source;
 - (II) Bleeding date;
 - (III) Identification number; and
 - (IV) Volume remaining for reagent typing sera inventory;
 - (E) Properly label and store:
 - (I) Cells;
 - (II) Complement;
 - (III) Buffers;
 - (IV) Dyes; and
 - (V) Reagents;
 - (F) Type all potential transplant recipient cells and cells from organ donors referred to the medical test site;
 - (G) Have adequate reagent trays for typing recipient and donor cells to define all HLA-A, B, and DR specificities as required to determine splits and cross-reactivity;
 - (H) Have a written policy establishing when antigen redefinition and retyping are required;
 - (I) Screen recipient sera for preformed antibodies with a suitable lymphocyte panel;
 - (J) Use a suitable cell panel for screening patient sera containing all the major HLA specificities and common splits;
 - (K) Use the mixed lymphocyte culture, or equivalent, to determine cellularly defined antigens;
 - (L) Include positive and negative reference materials on each tray; and
 - (M) Participate in at least one national or regional cell exchange program, if available, or develop an exchange system with another medical test site;

- (iii) When performing only transfusions, other nonrenal transplantation, excluding bone marrow transplants, or disease-associated studies, meet all the requirements specified in this section except for the requirements for the performance of mixed lymphocyte cultures; and

- (iv) Test donor for HIV reactivity;
- (t) For cytogenetics:
 - (i) Document the number of:
 - (A) Metaphase chromosome spreads and cells counted and karyotyped; and
 - (B) Chromosomes counted for each metaphase spread;
 - (ii) Assure an adequate number of karyotypes are prepared for each patient, according to the indication given for performing cytogenetics study;
 - (iii) Use an adequate patient identification system for:
 - (A) Patient specimens;
 - (B) Photographs, photographic negatives, or computer stored images of metaphase spreads and karyotypes;
 - (C) Slides; and
 - (D) Records;
 - (iv) Include in the final report:
 - (A) The number of cells counted and karyotyped; and
 - (B) An interpretation of the karyotypes findings;
 - (v) Use appropriate nomenclature on final reports;
 - (u) For radiobioassay and radioimmunoassay:
 - (i) Check the counting equipment for stability each day of use with radioactive standards or reference sources; and
 - (ii) Meet Washington state radiation standards described under chapter 70.98 RCW, and chapter 402-10 through 402-24, 402-32 through 402-34, 402.62, and 402-70 WAC.
 - (6) If a medical test site performs cytology examinations, the designated test site supervisor or designated specialty test site supervisor shall:
 - (a) Confirm all gynecological smears interpreted to be outside normal limits;
 - (b) Review all nongynecological cytological preparations; and
 - (c) Sign or initial all reports from (a) or (b) of this subsection.
 - (7) Technical personnel shall examine, unless federal law and regulation specify otherwise, no more than one hundred and twenty cytological slides in a twenty-four hour period and in no less than a six hour period, consisting of:
 - (a) No more than eighty unevaluated cytological slides per day; and
 - (b) No more than forty slides for quality control purposes.

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

NEW SECTION

- WAC 248-38-100 DISCIPLINARY ACTION.**
- (1) The department may take disciplinary action against a medical test site if the medical test site fails to meet the requirements of chapter 70.42 RCW or this chapter; or if an applicant, owner, designated test site supervisor, designated specialty test site supervisor, or any technical

personnel of the medical test site violates any provision of chapter 70.42 RCW or this chapter.

(2) The department may take the following disciplinary actions individually or in any combination:

(a) Denial of a license to a medical test site applicant when the applicant:

(i) Refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(ii) Had a license revoked for cause and never reissued under chapter 70.42 RCW;

(iii) Knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;

(iv) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;

(v) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department; or

(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business;

(b) Place conditions on a license limiting or cancelling a test site's authority to conduct any test or group of tests when the owner or applicant:

(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(ii) Knowingly or with reason to know made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;

(iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;

(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;

(v) Willfully prevented or interfered with preservation of evidence of a known violation of this chapter or the rules adopted under chapter 70.42 RCW; or

(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business;

(c) Suspend a medical test site license when the owner or applicant:

(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;

(iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;

(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;

(v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(vi) Misrepresented or was fraudulent in any aspect of the owner or applicant's business;

(vii) Used false or fraudulent advertising; or

(viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;

(d) Revoke a medical test site license when the owner or applicant:

(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;

(iii) Refused to allow representatives of the department to examine any book, record, or file required by this chapter;

(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of a representative of the department;

(v) Willfully prevented or interfered with preservation of evidence of a known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business;

(vii) Used false or fraudulent advertising; or

(viii) Failed to pay any civil monetary penalty assessed by the department under chapter 70.42 RCW within twenty-eight days after the assessment becomes final;

(e) Impose monetary penalties of up to ten thousand dollars per day that a owner or applicant:

(i) Failed or refused to comply with the requirements of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(ii) Knowingly, or with reason to know, made a false statement of a material fact in the application for a license or in any data attached or in any record required by the department;

(iii) Refused to allow representatives of the department to examine any book, record, or file required under this chapter;

(iv) Willfully prevented, interfered with, or attempted to impede in any way, the work of any representative of the department;

(v) Willfully prevented, or interfered with, preservation of evidence of any known violation of chapter 70.42 RCW or the rules adopted under chapter 70.42 RCW;

(vi) Misrepresented or was fraudulent in any aspect of the owner's or applicant's business; or

(vii) Used false or fraudulent advertising.

(3) The department may summarily suspend or revoke a license when it finds continued licensure of a test site immediately jeopardizes the public health, safety, or welfare.

(4) The department shall give written notice of any disciplinary action taken by the department to the owner or applicant for licensure, including notice of the opportunity for a hearing.

NEW SECTION

WAC 248-38-110 ADJUDICATIVE PROCEEDINGS. (1) A license owner or applicant contesting a disciplinary action shall, within twenty-eight days of receipt of the department's decision, file a written application for an adjudicative proceeding with the Legal Support Section, P.O. Box 2245, Olympia, WA 98507-2245. The application shall include or have attached:

- (a) A specific statement of the issue or issues and law involved;
- (b) The grounds for contesting the department decision; and
- (c) A copy of the contested department decision.

(2) The adjudicative proceeding is governed by chapter 34.05 RCW, the Administrative Procedure Act, this chapter, and chapter 248-08 WAC.

If a provision of this chapter conflicts with chapter 248-08 WAC, the provision in this chapter governs.

(3) Any test site in receipt of a denial, condition, suspension, or revocation of its license, or a civil monetary penalty upheld after administrative review may, within sixty days of the administrative determination, petition the superior court for review of the decision.

NEW SECTION

WAC 248-38-120 FEES. (1) For the purpose of this section, the following words and phrases have the following meanings:

(a) "Accredited by organization" means a testing site is accredited, certified, or licensed by an organization meeting the requirements of WAC 248-38-040, Approval of accreditation bodies;

(b) "Category I (A)" means a medical test site in Category I performing less than five thousand total tests per year or three or less specialties;

(c) "Category I (B)" means a medical test site in Category I performing five thousand to thirty thousand total tests per year or four to five specialties;

(d) "Category I (C)" means a medical test site in Category I performing greater than thirty thousand total tests per year or six or more specialties;

(e) "Category II (A)" means a medical test site in Category II performing less than ten thousand total tests per year or three or less specialties;

(f) "Category II (B)" means a medical test site in Category II performing ten thousand to fifty thousand total tests per year or four to five specialties;

(g) "Category II (C)" means a medical test site in Category II performing greater than fifty thousand total tests per year or six or more specialties;

(h) "Temporary" means a Category I or II medical test site performing testing at locations separate from the medical test sites permanent location with a frequency of five times a year or less;

(i) "Direct staff time" means all state employees' work time, including travel time and expenses, involved in the following functions associated with medical test site licensure:

- (i) On-site follow up visit;

(ii) Telephone contacts and staff or management conferences in response to a deficiency statement or complaint; and

(iii) Preparation and participation in a continuing education or training event for a medical test site.

(2) The department shall assess and collect biennial fees for medical test sites as follows:

(a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;

(b) Prorate fees for the remainder of the biennial period, when the owner or applicant applies for a license or certificate of waiver during a biennium;

(c) Adjust fees when a medical test site increases or decreases the complexity or volume of testing;

(d) Determine fees according to criteria below:

- (i) Certificate of waiver \$100 per year or \$200 per biennium;
- (ii) Category I (A) 400 per year or 800 per biennium;
- (iii) Category I (B) 500 per year or 1000 per biennium;
- (iv) Category I (C) 600 per year or 1200 per biennium;
- (v) Category II (A) 500 per year or 1000 per biennium;
- (vi) Category II (B) 700 per year or 1400 per biennium;
- (vii) Category II (C) 850 per year or 1700 per biennium;
- (viii) Site:
 - (A) One instrument 200 per year or 400 per biennium;
 - (B) Each additional instrument 100 per year or 200 per biennium;
 - (ix) Temporary 50 per year or 100 per biennium;
 - (x) Cytology only 450 per year or 900 per biennium;
 - (xi) Cytology in a Category II medical test site 250 per year or 500 per biennium;
- (xii) Accredited by Organization:
 - (A) Category I 400 per year or 800 per biennium;
 - (B) Category II 500 per year or 1000 per biennium;
 - (C) HCFA 50 per year or 100 per biennium;
- (xiii) Follow up survey for deficiencies direct staff time;
- (xiv) Complaint investigation direct staff time;
- (xv) Continuing education direct staff time.

(3) The department shall exclude from fee charges the women, infant, and children (WIC) programs performing hematocrit testing only for food distribution purposes.

**WSR 90-20-018
PERMANENT RULES
DEPARTMENT OF HEALTH
(Board of Nursing)**

[Order 091—Filed September 21, 1990, 3:03 p.m.]

Date of Adoption: July 27, 1990.

Purpose: To implement the provisions of chapter 18.52A RCW and the Federal Omnibus Budget Reconciliation Act of 1987 (OBRA).

Statutory Authority for Adoption: RCW 18.88.080.

Pursuant to notice filed as WSR 90-10-084 on May 2, 1990; and WSR 90-12-115 on June 6, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 21, 1990

Patricia O. Brown
Executive Secretary

NEW SECTION

WAC 308-173-210 STANDARDS OF PRACTICE AND COMPETENCIES OF NURSING ASSISTANTS. The following standards are supported by statements of the competencies that a nursing assistant

must hold to meet the standard to be certified to practice in the state of Washington. The competencies are statements of skills and knowledge, and are written as descriptions of behaviors which can be observed and measured. All competencies are performed, as per RCW 18.52B.030, under the direction and supervision of a licensed (registered) nurse or licensed practical nurse. The level or depth of accomplishment of any given competency is as appropriate to the "assisting" role of basic nursing care under supervision of the licensed nurse.

(1) Basic technical skills. The nurse assistant demonstrates basic technical skills which facilitates an optimal level of functioning for the client, recognizing individual, cultural, and religious diversity. Competencies:

(a) Demonstrates proficiency in cardiopulmonary resuscitation (CPR).

(b) Takes and records vital signs.

(c) Measures and records height and weight.

(d) Measures and records fluid and food intake and output of client.

(e) Recognizes and reports abnormal signs and symptoms of common diseases and conditions.

(f) Demonstrates sensitivity to client's emotional, social, and mental health needs.

(g) Makes observations of client's environment to ensure safety and comfort of client.

(h) Participates in care planning and nursing reporting process.

(2) Personal care skills. The nurse assistant demonstrates basic personal care skills. Competencies:

(a) Assists client with bathing, mouth care, and skin care.

(b) Assists client with grooming and dressing.

(c) Provides toileting assistance to client.

(d) Assists client with eating and hydration.

(e) Utilizes proper feeding techniques.

(3) Mental health and social service needs. The nurse assistant demonstrates the ability to identify the psychosocial characteristics of all clients including persons with mental retardation, mental illness, dementia, Alzheimer's disease, and related disorders. Competencies:

(a) Modifies his/her own behavior in response to the client's behavior.

(b) Identifies adaptations necessary to accommodate the aging process.

(c) Provides training in, and the opportunity for, self care according to clients' capabilities.

(d) Demonstrates skills supporting client's personal choices.

(e) Identifies ways to use the client's family as a source of emotional support for the patient.

(4) Basic restorative services. The nurse assistant incorporates principles and skills of restorative nursing in providing nursing care. Competencies:

(a) Demonstrates knowledge and skill in using assistive devices in ambulation, eating, and dressing.

(b) Demonstrates knowledge and skill in the maintenance of range of motion.

(c) Demonstrates proper techniques for turning/positioning client in bed and chair.

(d) Demonstrates proper techniques for transferring client.

(e) Demonstrates knowledge about methods for meeting the elimination needs of clients.

(f) Demonstrates knowledge and skill for the care and use of prosthetic devices.

(5) Clients' rights and promotion of clients' independence. The nurse assistant demonstrates behavior which maintains and respects clients' rights and promotes clients' independence, regardless of race, religion, lifestyle, sexual preference, disease process, or ability to pay. Competencies:

(a) Recognizes that the client has the right to participate in decisions about his/her care.

(b) Recognizes and respects the clients' need for privacy and maintenance of confidentiality.

(c) Promotes and respects the client's right to make personal choices to accommodate their needs.

(d) Reports client's concerns.

(e) Provides assistance in getting to and participating in activities.

(f) Provides care of client's personal possessions.

(g) Provides care which maintains the client free from abuse, mistreatment or neglect; and reports any instances to appropriate facility staff.

(h) Maintains the client's environment and care through appropriate nurse assistant behavior so as to minimize the need for physical and chemical restraints.

(6) Communication and interpersonal skills. The nurse assistant uses communication skills effectively in order to function as a member of the nursing team. Competencies:

(a) Reads, writes, speaks, and understands English at the level necessary for performing duties of the nursing assistant.

(b) Listens and responds to verbal and nonverbal communication in an appropriate manner.

(c) Recognizes how one's own behavior influences client's behavior and know resources for obtaining assistance in understanding client's behavior.

(d) Makes adjustments for client's physical or mental limitations.

(e) Uses terminology accepted in the nursing facility to record and report observations and pertinent information.

(f) Records and reports observations, actions, and information accurately and timely.

(g) Demonstrates ability to explain policies and procedures before and during care of the client.

(7) Infection control. The nurse assistant uses procedures and techniques to prevent the spread of microorganisms. Competencies:

(a) Uses principles of medical asepsis and demonstrates infection control techniques and universal precautions.

(b) Explains how disease causing microorganisms are spread; lists ways that HIV and Hepatitis B can spread from one person to another.

(c) Demonstrates knowledge of cleaning agents and methods which destroy microorganisms on surfaces.

(8) Safety/emergency procedures. The nurse assistant demonstrates the ability to identify and implement safety/emergency procedures. Competencies:

- (a) Provides adequate ventilation, warmth, light, and quiet measures.
- (b) Uses measures that promote comfort, rest, and sleep.
- (c) Promotes clean, orderly, and safe environment and equipment for the client.
- (d) Identifies and utilizes measures for accident prevention.
- (e) Identifies and demonstrates principles of body mechanics.
- (f) Demonstrates proper use of protective devices in care of clients.
- (g) Demonstrates knowledge of fire and disaster procedures.
- (h) Identifies and demonstrates principles of health and sanitation in the service of food.
- (i) Demonstrates the proper use and storage of cleaning agents and other potentially hazardous materials.
- (9) Rules and regulations knowledge. The nurse assistant demonstrates knowledge of and is responsive to the laws and regulations which affect his/her practice including but not limited to: Client abuse and neglect, client complaint procedures, workers right to know, and the Uniform Disciplinary Act.

NEW SECTION

WAC 308-173-220 PURPOSE OF REVIEW AND APPROVAL OF CERTIFIED NURSING ASSISTANT TRAINING PROGRAMS. The board of nursing approves curriculum in nursing assistant education programs qualifying for admission to examination for certification for the following purposes:

- (1) To assure preparation for safe practice as a nursing assistant by setting minimum standards for education programs.
- (2) To provide guidance for the development of new training programs.
- (3) To facilitate the career mobility of certified nursing assistants in articulating into nursing educational programs in other levels of nursing.
- (4) To identify training standards and achieved competencies of certified nursing assistants in the state of Washington for the purpose of interstate communications and endorsements.

NEW SECTION

WAC 308-173-230 REQUIREMENTS FOR NURSING ASSISTANT EDUCATION AND TRAINING PROGRAM APPROVAL. Those institutions or facilities seeking approval to offer a program of training which qualifies graduates to apply for certification, in addition to other agency program approval requirements, must:

- (1) Request an application/guidelines packet from department of health, professional licensing. The packet will include forms and instructions for the program to submit:
 - (a) Program objectives.

(b) Curriculum content outline.

- (c) Qualifications of program director and additional instructional staff.
- (d) Agency agreements as appropriate.
- (e) A sample lesson plan for one unit.
- (f) A sample skills checklist.
- (g) Description of physical resources.
- (h) Statement of assurance of compliance with administrative guidelines.

(2) If a program currently in existence as an approved program on the date of implementation of this code, submit the completed application, including all forms, fees, and assurances as specified, within sixty days of the effective date of the code for review for reapproval of the program.

(3) If a program not currently holding approval status, submit the completed application packet and fees as instructed, with all forms and assurances as specified, sixty days prior to the anticipated start date of the first class offered by the institution.

(4) Agree to on-site survey of the training program, as requested by the board, on a date mutually agreed upon by the institution and the board. This on-site visit will be coordinated with other on-site review requirements when possible.

(5) Provide review and update of program information every year, or as requested by the board or educational agency.

(6) Comply with any future changes in education standards and guidelines in order to maintain approved status.

(7) Notify the board and education agency of any changes in overall curriculum plan or major curriculum content changes prior to implementation.

(8) Notify the board and education agency of changes in program director or instructors.

NEW SECTION

WAC 308-173-240 DENIAL OF APPROVAL OR WITHDRAWAL OF APPROVAL FOR PROGRAMS FOR WHICH THE BOARD IS THE APPROVING AUTHORITY. (1) The board may deny approval to new programs when it determines that a nursing assistant training program fails substantially to meet the standards for training as contained in WAC 308-173-260 through 308-173-280. All such board actions shall be in accordance with the Washington Administrative Procedure Act and/or the administrative rules and regulations of the board.

(2) The board may withdraw approval from existing programs when it determines that a nursing education program fails substantially to meet the standards for nursing assistant training as contained in WAC 308-173-260 through 308-173-280. All such actions shall be effected in accordance with the Administrative Procedure Act and/or the administrative rules and regulations of the board.

NEW SECTION

WAC 308-173-245 REINSTATEMENT OF APPROVAL. The board may consider reinstatement of

withdrawn approval of a nursing assistant training program upon submission of satisfactory evidence that the program meets the standards of nursing assistant training, WAC 308-173-260 through 308-173-280.

NEW SECTION

WAC 308-173-250 APPEAL OF BOARD DECISIONS. A nursing assistant training program deeming itself aggrieved by a decision of the board affecting its approval status shall have the right to appeal the board's decision in accordance with the provisions of chapter 18.88 RCW and the Administrative Procedure Act, chapter 34.05 RCW.

NEW SECTION

WAC 308-173-255 CLOSING OF AN APPROVED NURSING ASSISTANT TRAINING PROGRAM. When a governing institution decides to close a program it shall notify the board in writing, stating the reason and the date of intended closing.

NEW SECTION

WAC 308-173-260 PROGRAM DIRECTORS AND INSTRUCTORS IN APPROVED TRAINING PROGRAMS. (1) The program director will be a registered nurse licensed in the state of Washington.

(2) The program director will meet the minimum qualifications for instructors as required by the superintendent of public instruction in chapter 180-77 WAC or the state board for community college education in chapter 131-16 WAC.

(3) The program director will complete a "train-the-trainer" program approved by the state or have demonstrated competence to teach adults as defined by the state.

(4) The program director will have a minimum of three years of experience as an RN, of which at least one year will be in direct patient care.

(5) Program director responsibilities:

(a) Develop and implement a curriculum which meets as a minimum the requirements of WAC 308-173-270.

(b) Assure compliance with and assume responsibility for all regulations as stipulated in WAC 308-173-265 through 308-173-280.

(c) Directly supervise each course offering.

(d) Create and maintain an environment conducive to teaching and learning.

(e) Select and supervise all other instructors involved in the course, to include clinical instructors.

(f) Assure that students are not asked to, nor allowed to, perform any clinical skill with patients or clients until first demonstrating the skill satisfactorily to an instructor in a practice setting.

(g) Assure evaluation of competency of knowledge and skills of students before issuance of verification of completion of the course.

(h) Assure that students receive a verification of completion when requirements of the course have been satisfactorily met.

(6) Additional instructional staff:

(a) The program director may select instructional staff to assist in the teaching of the course, teaching in their area of expertise.

(b) All instructional staff must have a minimum of one year experience within the past three years in caring for the elderly and/or chronically ill of any age.

A guest lecturer, or individual with expertise in a specific course unit may be utilized for the teaching of that unit, following the program director's review of the currency of the content.

(c) All instructional staff must be, where applicable, currently licensed, registered, and/or certified in their field in the state of Washington.

(d) Instructional staff may assist the program director in development of curriculum, teaching modalities, and evaluation but will in all cases be under the supervision of the program director.

NEW SECTION

WAC 308-173-265 STUDENTS (TRAINEES) IN APPROVED TRAINING PROGRAMS. (1) Students shall register with the department within three days of hire at a health care facility.

(2) Students shall wear name tags which clearly identify them as students or trainees at all times in interactions with patients, clients, and families.

NEW SECTION

WAC 308-173-270 CORE CURRICULUM IN APPROVED TRAINING PROGRAMS. (1) Curriculum will be competency based; that is composed of learning objectives and activities that will lead to the attainment of knowledge and skills required for the graduate to demonstrate mastery of the core competencies CNAs must hold, as per WAC 308-173-210.

(2) The program director will determine the amount of time required in the curriculum to achieve the objectives as above. The time designated will be expected to vary with characteristics of the learners and teaching/learning variables. In no case will the hours be less than eighty-five hours total, comprised of no less than thirty-five hours of classroom training and no less than fifty hours of clinical training.

(a) Of the thirty-five hours of classroom training, no less than seven hours must be in AIDS education and training, in the subject areas of: Epidemiology, pathophysiology, infection control guidelines, testing and counseling, legal and ethical issues, medical records, clinical manifestations and diagnosis, treatment and disease management, and psychosocial and special group issues.

(b) Training to orient the student to the health care facility and facility policies and procedures are not to be included in the minimum hours above.

(3) Each unit of the core curriculum will have:

(a) Behavioral objectives, that is statements of specific observable actions and behaviors that the learner is to perform or exhibit.

(b) An outline of information the learner will need to know in order to meet the objectives.

(c) Learning activities (that is, lecture, discussion, readings, film, clinical practice, etc.) that are designed to enable the student to achieve the stated objectives.

(4) Clinical teaching in a given competency area will be closely correlated with classroom teaching, to facilitate the integration of knowledge with manual skills.

(a) An identified instructor(s) will supervise clinical teaching/learning at all times. At no time will the ratio of students to instructor exceed ten students to one instructor in the clinical setting.

(5) The curriculum will include evaluation processes to assure mastery of competencies. Written and oral tests and clinical practical demonstrations are common methods. Students will not be asked to, nor allowed to, perform any clinical skill on patients or clients until first demonstrating the skill satisfactorily to an instructor in the practice setting.

NEW SECTION

WAC 308-173-275 PHYSICAL RESOURCES FOR APPROVED EDUCATION PROGRAMS. (1) Classroom facilities must provide adequate space, lighting, comfort, and privacy for effective teaching and learning.

(2) Adequate classroom resources, such as chalkboard, AV materials, written materials, etc., with which to accomplish program objectives must be available.

(3) Adequate resources must also be provided for teaching and practice of clinical skills and procedures, before implementation of such skills with patients or residents.

NEW SECTION

WAC 308-173-280 ADMINISTRATIVE PROCEDURES FOR APPROVED NURSING ASSISTANT TRAINING PROGRAMS. (1) A student file will be established and maintained for each student enrolled which includes dates attended, evaluation (test) results, a skills evaluation checklist with dates of skills testing and signature of evaluator, and documentation of successful completion of the course, or other outcome.

Each student file will be maintained by the institution for a period of thirty-five years, and copies of documents made available to students who request them.

(2) Verification of successful completion of the course of training will be provided to the board of nursing on forms provided by the board.

(3) For those programs based in a health care facility: Training evaluation and verification of successful completion of the course, including mastery of the required knowledge and skills, will be determined by the program director separately from other employee/employer issues. Verification of completion will not be withheld from a student who has successfully met the requirements of the course.

(4) Programs which are not sponsored by a health care facility, must submit with their application for approval an affiliation agreement between the educational institution and the health care facility which will provide the program access to the experience needed for clinical

teaching. This agreement must specify the rights and responsibilities of both parties, students and clients.

(5) Failure to adhere to administrative requirements for programs may result in withdrawal of approval status by the board.

WSR 90-20-019

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-105—Filed September 21, 1990, 3:21 p.m.]

Date of Adoption: September 21, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-24-02000A.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable number of coho are available in the waters south of Leadbetter Point. It is anticipated that harvest pressure in the area has relaxed to allow a continuing fishery in this area. In order to meet conservation constraints careful monitoring of this fishery will continue through September 23, 1990, at which time the 50 coho daily catch ceiling will be reviewed. A harvestable number of fish have been allotted to conduct a limited participation fishery (WAC 220-24-05000A [220-24-50000A]) in order to access the condition of the local stocks. This regulation is consistent with federal regulation.

Effective Date of Rule: Immediately.

September 21, 1990

William Koss

for Joseph R. Blum

Director

NEW SECTION

WAC 220-24-02000B LAWFUL ACTS—TROLL FISHERY. *Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020 and WAC 220-24-030, effective immediately it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in the waters west of the Bonilla-Tatoosh Line, the Pacific Ocean north of Cape Falcon and south of the U.S.-Canada border, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:*

(1) *Effective 12:01 a.m. September 19, 1990, until further notice it is lawful to fish for and possess salmon taken from the above waters which lie inside 3 miles, south of Cape Alava and north of the southern end of Destruction Island. Prior to selling, all fish must be sampled by a Washington Department of Fisheries Port sampler in LaPush. All fish must be landed and sold on*

a Washington State Fish Receiving Ticket in the ports of Neah Bay, LaPush, or Westport.

(1a) Only those 15 licensed fishers who have been issued a special permit validation dated August 15 or later by the Washington Department of Fisheries pursuant to WAC 220-24-50000A, may participate in this limited fishery.

(1b) The above open area will close permanently, when a coho quota of 3000 fish or a chinook guideline of 1000 fish has been caught.

(2) Effective 12:01 AM September 22, 1990, until further notice, it is lawful to fish for salmon taken from the above waters which lie south of Leadbetter Point, except for those waters of a conservation zone at the mouth of the Columbia River bounded by a line projected six miles due west from North Head along 46 18'00" north latitude to 124 13'18" west longitude, thence southerly along a line 167 degrees true to 46 11'06" north latitude, 124 11'00" west longitude (the Columbia River Buoy), thence northeasterly along the Red Buoy Line to the tip of the south jetty from which conservation zone no salmon may be taken. No participation vessel may catch, possess or land more than a total of 50 coho salmon daily.

(3) Lawful terminal gear is restricted to single point, single shank barbless hooks.

(4) No chinook salmon less than 28 inches in total length or 21.5 inches head-off length may be retained and no coho salmon less than 16 inches in total length or 12 inches head-off length may be retained.

(5) It is unlawful to fish for or possess salmon taken for commercial purposes with any gear other than troll gear in the open fishery area.

(6) It is unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, or 4 or land in the State of Washington any salmon taken for commercial purposes contrary to the provisions of Chapter 220-33 WAC or Chapter 220-47 WAC relative to seasons and species provided for in this section.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000A **LAWFUL ACTS—TROLL FISHERY (90-98)**

WSR 90-20-020

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-104—Filed September 21, 1990, 3:24 p.m.]

Date of Adoption: September 21, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-607.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the

public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Area 7A provide protection for United States and Canadian origin chinook stocks. Openings in Area 7E provide opportunity to harvest non-Indian allocation of chinook destined for East Sound. Openings in Areas 7 and 7A provide opportunity to harvest non-Indian allocation of United States and Canadian origin coho, per preseason agreement. Openings in Areas 6D, 7B, 8A, 8D, 10, 11, 12, 12A and 12B provide opportunity to harvest non-Indian allocation of coho destined for Strait, Nooksack-Samish, Stillaguamish-Snohomish, South Sound and Hood Canal regions of origin. In season area and maximum mesh restrictions in Area 7B are necessary to reduce incidental chinook harvest. In season restriction in Area 7E is necessary to protect milling chinook. In season restriction in Area 10 is necessary to provide commercial/recreational gear separation. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 23, 1990.

September 21, 1990

William Koss

for Joseph R. Blum

Director

NEW SECTION

WAC 220-47-608 **PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 23, 1990, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic 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 mesh and area restrictions:

* Area 6D – Gillnets using 5-inch minimum mesh and fishing no more than 900 feet of net, and Purse Seines using the 5-inch strip, may fish continuously from 12:01 AM Sunday September 23 through 4 PM Friday October 26.

* Area 7A, in that portion north and west of the East Point Line (as described in WAC 220-47-269). – Under the control of the Pacific Salmon Commission. Drift gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

* Area 7 and 7A – Reef Nets may fish from 5 AM to 9 PM daily, Saturday September 29 and Monday October 1.

* Area 7B – Gillnets using 5-inch minimum, 6-inch maximum mesh and Purse Seines may fish continuously through 4 PM Friday October 26. This opening excludes that portion of area 7B south of a line projected from Governors Point to the most northerly tip of Vendovi Island.

* Area 7E – Gillnets using 7-inch minimum mesh and Purse Seines may fish from 5 PM Sunday September 23

to 12 noon Friday September 28. This opening excludes those waters of area 7E north of a line projected due east from the southernmost tip of Madrona Point and closed within a 200 foot radius of the Glenwood Springs Hatchery ladder.

* Areas 8A, 8D, 10 and 11 - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM Monday September 24 and Gillnets using 5-inch minimum mesh may fish from 5 PM Monday September 24 to 9 AM Tuesday September 25. This opening excludes those waters of area 10 east of a line projected from Alki Pt. to the light at Fourmile Rock.

* Areas 12 and 12B - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM daily, Monday and Tuesday September 24 and 25 and Gillnets using 5-inch minimum mesh may fish from 5 PM to 9 PM nightly, Monday and Tuesday nights September 24 and 25.

* Area 12A - Gillnets using 5-inch minimum mesh and Purse Seines using the 5-inch strip may fish from 5 PM Sunday September 23 to 12 noon Friday September 28.

* Areas 4B, 5, 6, 6A, 6B, 6C, 7C, 7D, 8, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 23, 1990:

WAC 220-47-607 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (90-95)

WSR 90-20-021

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-106—Filed September 21, 1990, 3:26 p.m.]

Date of Adoption: September 21, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-33-01000S.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable number of coho and lower river wild and upriver bright stocks of fall chinook are available in the lower Columbia River. Lower river hatchery fall chinook which required protection have exited the mainstem and are protected in tributaries or river mouth sanctuaries. Recommendation

of the September 20, 1990, Columbia River Compact meeting.

Effective Date of Rule: 6:00 p.m., September 23, 1990.

September 21, 1990

William Koss

for Joseph R. Blum

Director

NEW SECTION

WAC 220-33-01000T COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE. Notwithstanding the provisions of WAC's 220-33-005, 220-33-010, 220-33-020, and 220-33-030, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River SMCRA 1A, 1B, 1C, 1D and 1E except during the times and under the conditions listed:

(1) ALLOWABLE SPECIES: Open to the taking of salmon, sturgeon, and shad.

(2) OPEN TIME PERIODS:

6 PM September 23 to 6 PM September 28, 1990

6 PM October 1 to 6 PM October 5, 1990

(3) OPEN AREA: SMCRA 1A, 1B, 1C, 1D, and 1E

(4) ALLOWABLE GEAR: No special mesh restriction except: 8 inch minimum mesh in Shad Area 2S.

(5) The following river mouth sanctuaries as defined in WAC 220-33-005 remain closed to fishing.

Grays, Abernathy, Elokomin-B, Cowlitz, Kalama-B, Washougal, Gnat Creek, Sandy, Lewis-B defined as those waters of the Columbia River near the mouth of the Lewis River lying easterly of lines projected from river marker "79" to the Red Buoy No. 4 thence to the fishing boundary marker on Bachelor Island, and Big Creek defined as those waters of Calander and Big Creek sloughs east from boundary markers at the west end of Minaker Island, upstream to deadline markers approximately 1/4 mile east of Big Creek.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000S COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE (90-103)

WSR 90-20-022

RULES COORDINATOR

DEPARTMENT OF

GENERAL ADMINISTRATION

[Filed September 21, 1990, 3:28 p.m.]

I am writing to inform you that Ted Masumoto, assistant director for administrative services, will continue to serve as the rules coordinator for the Department of General Administration.

K. Wendy Holden
Director

WSR 90-20-023**ATTORNEY GENERAL OPINION****Cite as: AGO 1990 No. 9**

[September 21, 1990]

LICENSES—BOARD OF REGISTRATION FOR ARCHITECTS—ARCHITECT—ENGINEERS—BUILDINGS—CITIES AND TOWNS—COUNTIES

1. A registered architect or professional engineer must sign and stamp or seal each individual page containing a building construction drawing, or revision thereto, prepared or reviewed by him or her and submitted or permitted to be submitted in support of an application for a building permit, unless the activities are exempt from the requirement that drawings be signed and stamped or sealed by reason of RCW 18.08.410 or 18.43.130 (1)-(7), (9).

2. In the absence of one of the exemptions in RCW 18.08.410, a person who is not a registered professional architect or professional engineer violates RCW 18.08.310 by preparing a design or construction drawing for a building and submitting that design, or permitting that design or drawing to be submitted, in support of a building application.

3. Under RCW 18.08.460(1) a local building official may accept a request for a building permit and issue the permit based on a design or construction drawing that does not bear the signature and stamp or seal of a registered architect or registered professional engineer, even if the activities are subject to the requirement that drawings be signed and stamped or sealed.

Requested by:

Mary Faulk, Director
Department of Licensing
Highways-Licenses Building
Olympia, Washington 98504

WSR 90-20-024**RULES COORDINATOR****DEPARTMENT OF****NATURAL RESOURCES****(Forest Practices Board)**

[Filed September 24, 1990, 1:08 p.m.]

In accordance with RCW 34.05.310(3), the rules coordinator for the Forest Practices Board is Dan Bigger, Forest Practices Specialist, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, (206) 753-5315 or scan 234-5315.

Brian Boyle
Commissioner of Public Lands
Chairman
Forest Practices Board

WSR 90-20-025**NOTICE OF PUBLIC MEETINGS****SEATTLE COMMUNITY COLLEGES**

[Memorandum—September 20, 1990]

In compliance with the Open Meeting Law notice provisions, the board of trustees of Seattle Community College District has scheduled a retreat, to begin at 8:00 a.m. on October 3 and last until 3:00 p.m. on October 4, 1990, to be held at Silverdale on the Bay, 3073 Bucklin Hill Road, Silverdale, WA 98383.

WSR 90-20-026**PROPOSED RULES****DEPARTMENT OF REVENUE**

[Filed September 24, 1990, 2:06 p.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-231 Tax on internal distribution.

Purpose: This WAC is amended to delete sections invalidated by the Washington Supreme Court.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: RCW 82.04.270.

Summary: To eliminate a deduction for internal distributions on which a supplier previously paid a wholesaling tax.

Reasons Supporting Proposal: Mandated by Washington Supreme Court.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #205, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

Rule is necessary because of state court decision, 114 Wn.2d 182.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule explains the tax liability of persons subject to the internal distributions tax of RCW 82.04.270. The rule previously provided for a deduction from the tax if a previous supplier other than a Washington manufacturer had paid a wholesaling tax. This deduction was invalidated by the Washington Supreme Court and is being removed from the rule.

Proposal Changes the Following Existing Rules: The deduction previously in the rule is deleted.

No small business economic impact statement is required for this proposal by chapter 19.85.RCW.

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses.

A small business economic impact statement is not required for the following reason: During fiscal year 1989 1,013 companies, registered under 152 different three-digit standard industrial classifications, reported tax liability under the Internal Distribution rule. The amendments to this rule affects less than 10% of the businesses in any one three-digit standard industrial classification.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on November 7, 1990, at 9:00 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, 415 General Administration Building, Mailstop AX-02, Olympia, WA 98504, by November 7, 1990.

Date of Intended Adoption: November 14, 1990.

September 24, 1990

Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order ET 83-1, filed 3/30/83)

WAC 458-20-231 TAX ON INTERNAL DISTRIBUTION. (1) INTRODUCTION. The intent of RCW 82.04.270 is to impose a tax equal to the wholesaler's tax upon persons doing functions essentially the same as those of a wholesaler, but not making sales. Persons engaged in the business of distributing ~~((in this state))~~ articles of tangible personal property owned by them from their own warehouse or other central location in this state to two or more of their own retail stores or outlets ~~((though no change in title or ownership to such property occurs))~~ in this state are taxable under the internal distribution classification of the business and occupation tax ~~((on the value of the articles so distributed, the intent being to impose a tax equal to the wholesaler's tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales. The internal distribution)).~~ This tax ~~((is applicable))~~ applies to transfers of merchandise from a central location ~~((which were))~~ to retail outlets even if the goods are preordered ~~((for a receiving retail outlet even if))~~ and there is no inspection or opening of cartons or boxes at or by the central location. ~~((The tax may also be applicable to transfers by a retail outlet to two or more other retail outlets which are under the same ownership:))~~

(2) WAREHOUSE OR OTHER CENTRAL LOCATION. The term "warehouse or other central location" generally means any facility regardless of the type of activity conducted there, which is operated in this state by a person who distributed tangible personal property from that facility to two or more of his or her own retail stores or outlets.

~~((The said))~~ (a) This term includes any retail outlet ~~((irrespective of))~~ no matter how the distributed goods ~~((may be))~~ are inventoried or stored at such outlet. The term includes any facility, central distributing point, building, loading platform and adjacent areas operated by the taxpayer where articles of tangible personal property are received and from which they are distributed. Such facilities, distributing points, buildings, platforms and areas are included within the term regardless of how long such property may remain at such places and regardless of the nature of the activity performed at such places with respect to such property.

~~((The said))~~ (b) This term also includes any manufacturing or processing facility operated by the taxpayer from which such distribution is made. The term does not include facilities operated by other persons at which team track deliveries are made into trucks for distribution to retail outlets nor does it include any individual trucks owned by the taxpayer from which deliveries are made at facilities or places not owned by the taxpayer to other trucks for distribution to retail outlets.

(3) TWO OR MORE RETAIL STORES OR OUTLETS. The term "two or more of their own retail stores or outlets" means two or more retail stores operated within this state separate and apart from any "warehouse or other central location." The term does not include a retail store or retail outlet, a part of which is operated as a warehouse from which distribution is made. However, a retail store or outlet will be counted as separate and apart, even though it may be located within the same premises or under the same roof as a warehouse or central location, if it is operated separately, as evidenced for example by separate employee payrolls, accounting records, inventory control, or clearly defined work and retail sale areas. The term does not include ~~((delivery))~~ trucks or vans used solely for delivery purposes. The term does include trucks or vans from which sales are made at retail such as sales of safety shoes or food through catering vans. The term "retail store or outlet" does not include vending machines or similar devices through which sales are ~~((activated))~~ made by coin deposits. However, the term includes business establishments ~~((retailing diversified))~~ which sell goods to consumers primarily through the use of such devices.

~~((a))~~ Transfers of merchandise for sale on consignment are not subject to the internal distributions tax when the merchandise is delivered to retail outlets operated by another retailer. Such transfers are not taxable because delivery is not made to the distributors own retail stores or outlets.

~~((b))~~ Shipments directly to a consumer from a warehouse or central location are not subject to the internal distributions tax even if the billing to the consumer is made from a branch location of the distributor. There must be a physical delivery of the merchandise to the branch location for the internal distributions tax to apply.

(4) ARTICLES OF TANGIBLE PERSONAL PROPERTY. The term "articles of tangible personal property" means all ~~((commodities))~~ goods distributed from a warehouse or central location for sale, including particular articles which may be distributed to only one of two or more retail stores or outlets.

(5) TAXABLE DISTRIBUTIONS. In cases where the taxpayer sells at both wholesale and retail, the internal distribution tax will not ~~((be applicable))~~ apply with respect to articles distributed for sale at wholesale and upon the sale of which tax will be due under the classification wholesaling—other. ~~((Further, the internal distribution tax will not be applicable where the person liable for the tax can show by proper invoice, or by certification from his vendor that he has purchased such property from a wholesaler who has paid the business and occupation tax to the state upon the sale of such property to such person. The tax is applicable, however, to transfers of merchandise purchased from manufacturers in this state, as defined in RCW 82.04.110; even though the manufacturer may have paid business and occupation tax on the manufacture and sale of such merchandise. When transfers of all merchandise purchased from a particular vendor will be exempt from the internal distribution tax under the conditions set forth above, certification by the vendor may be in blanket form covering all prior and subsequent transactions between the taxpayer and the certifying vendor. In such case, the certificate should be in substantially the following form:~~

CERTIFICATE OF VENDOR—INTERNAL DISTRIBUTION TAX

The undersigned vendor hereby certifies that he is registered with the department of revenue of the State of Washington under Certificate No. and that he has paid, or will pay, the applicable Business and Occupation Tax (chapter 82.04 RCW) upon all sales heretofore or hereafter made to

Date

Signed
For
Position or Title

~~((a))~~ Articles distributed from independent manufacturers or distributors directly to the taxpayer's retail stores or outlets, or the taxpayer's retail customers are not taxable distributions by the taxpayer. ~~((Articles distributed from independent manufacturers or distributors directly to the taxpayer's retail stores or outlets are not taxable distributions by the taxpayer.))~~ Only the first distribution of seasonal or other goods from a warehouse or central location is taxable, whether or not such goods were originally received in a retail store and later transferred to the warehouse or central location from which taxable distribution is later made.

(6) DETERMINATION OF THE VALUE OF THE ARTICLES DISTRIBUTED. The value of articles distributed shall correspond as nearly as possible to gross proceeds of sales at wholesale in this state by other taxpayers of similar articles of like quality and character and in similar quantities. ~~((Taxpayers may determine the value of articles distributed by one of the following methods:))~~

(7) METHODS FOR DETERMINING TAXABLE VALUE. One of the following methods must be used for determining the taxable value of internal distributions.

(a) METHOD 1. COST ~~((—(A) COST))~~ OF PRODUCTION. The value of articles distributed may be computed upon the basis of the cost of manufacturing or producing such articles. In such case there shall be included every item of cost attributable to the particular article or articles manufactured or produced, including direct and indirect overhead costs and the cost of transportation to the local distribution point. In such event tax liability accrues during the period in which the articles are distributed.

~~((B))~~ (b) METHOD 2. PURCHASE PRICE. The value of articles distributed may be computed upon the basis of purchase price including delivery costs of such articles delivered at the local distribution point. The purchase price must include the amount of state and federal excise taxes imposed upon the distributor for the sale, handling or distribution of the articles distributed, whether such taxes are paid by the distributor to his vendor, or are paid by him directly to the taxing body. In such event tax liability accrues during the period in which the articles were purchased, even though the particular articles purchased may not be distributed until a later date. (Not available to those who manufacture or produce the articles distributed.)

(c) METHOD ((2)) 3. INVOICE PRICE TO RETAIL STORE. The value of articles distributed may be computed upon the basis of charges or memorandum invoices rendered to the retail stores at the time the articles are distributed, providing the amount of such charges or invoices is not less than the cost price of such articles. In computing the cost price, there must be included the amount of state and federal excise taxes imposed upon the distributor for the sale, handling or distribution of the articles distributed, whether such taxes are paid by the distributor to his vendor, or are paid by him directly to the taxing body. In such event tax liability accrues during the period in which the articles are distributed.

(d) METHOD ((3)) 4. RETAIL SELLING PRICE LESS 15%. The value of articles distributed may be computed upon the basis of the retail selling price less 15%. In such event tax liability accrues during the period in which the articles are sold at retail.

(e) METHOD ((4)) 5. CORRESPONDING WHOLESALE SALES. The value of articles distributed may be determined according to the gross proceeds of sales of similar articles of like quality, character and quantity where bona fide wholesale sales are made during the same period, either by the taxpayer or by others, and providing a general standard price is established for such articles during said period. In such event tax liability accrues during the period in which the articles are distributed.

(8) ELECTION TO BE MADE. A taxpayer may elect to report upon the basis of any one of the ~~((four))~~ five above methods, providing that the method elected shall be applied to all articles distributed, and after such election is made such taxpayer shall not be permitted to change to any other method without securing the written consent of the department of revenue. ~~((A taxpayer may use both method 1A and 1B if conditions warrant.))~~ Intricate or unusual problems concerning determination of the value of articles distributed should be submitted to the department for special ruling.

(a) The statute provides that the internal distributions tax may not be assessed twice to the same person for the same article. In ~~((the))~~ the absence of separate accounting for articles upon which the tax has or has not been paid, ~~((determination may be based upon the))~~ the taxpayer may use percentage formula computed according to a factual segregation of articles distributed for a test period of at least two representative months. Any such formula is subject to approval by the department.

WSR 90-20-027

NOTICE OF PUBLIC MEETINGS
WASHINGTON INSTITUTE
OF APPLIED TECHNOLOGY
[Memorandum—September 24, 1990]

BOARD OF DIRECTORS MEETING
Wednesday, September 26, 1990
7:30 a.m.

WIAT Sixth Floor Boardroom

Next meeting: The next regularly scheduled meeting of the board of directors is Wednesday, November 28, 1990, at 7:30 a.m., in the WIAT boardroom.

WSR 90-20-028
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
[Memorandum—September 24, 1990]

BOARD OF TRUSTEES
September 28, 1990
Louise Anderson Hall
First Floor Lounge

Breakfast will be served to board members prior to the meeting at 8:00 a.m., L.A. Hall.

WSR 90-20-029
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Filed September 24, 1990, 2:14 p.m.]

Date of Adoption: September 18, 1990.

Purpose: To comply with actions taken by the Board of Boiler Rules.

Citation of Existing Rules Affected by this Order: Amending WAC 296-104-170 Shop inspections; and 296-104-400 Stamping of boilers and unfired pressure vessels.

Statutory Authority for Adoption: RCW 70.79.040.

Pursuant to notice filed as WSR 90-16-066 on July 30, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 18, 1990

Robert Reid
Chairman

AMENDATORY SECTION (Amending Order 78-3, filed 2/22/78)

WAC 296-104-170 INSPECTION OF SYSTEMS—SHOP INSPECTIONS. Shop inspections shall be as outlined in the applicable sections of the ASME Code. Only inspectors holding a national board commission and a commission issued by the state of Washington shall make shop inspections in this state. Upon request from a boiler or pressure vessel manufacturer holding an ASME Certificate of Authorization within the jurisdiction, the department shall provide inspection services as required by the ASME Code. The manufacturer receiving such inspection services shall reimburse the department for the time and expenses in accordance with the fee schedule established in WAC 296-104-700.

AMENDATORY SECTION (Amending Part VI, filed 3/23/60)

WAC 296-104-400 EXISTING INSTALLATIONS—STAMPING OF EXISTING BOILERS AND UNFIRED PRESSURE VESSELS. Each existing boiler and unfired pressure vessel shall be identified by a serial number of the state of Washington. The number will be assigned by the chief inspector and applied by an authorized inspector. The stamping shall be

kept free of paint and lagging so that it will be plainly visible and easily read by the inspectors. Stamp shall be as outlined in WAC ((296-104-060)) 296-104-140.

WSR 90-20-030
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 90-108—Filed September 24, 1990, 3:24 p.m.]

Date of Adoption: September 24, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-24-02000B.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A harvestable number of coho are available in the waters south of Leadbetter Point. It is anticipated that harvest pressure in the area has relaxed to allow a continuing fishery in this area. The available harvest allows the landing limit to be expanded to 100 coho. A harvestable number of fish have been allotted to conduct a limited participation fishery (WAC 220-24-05000A [220-24-50000A]) in order to access the condition of the local stocks. This regulation is consistent with federal regulations.

Effective Date of Rule: 12:01 a.m., September 25, 1990.

September 24, 1990

Gene DiDonato

for Joseph R. Blum

Director

NEW SECTION

WAC 220-24-02000C LAWFUL ACTS—TROLL FISHERY. Notwithstanding the provisions of WAC 220-24-010, WAC 220-24-020 and WAC 220-24-030, effective immediately it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in the waters west of the Bonilla-Tatoosh Line, the Pacific Ocean north of Cape Falcon and south of the U.S.-Canada border, or waters west of a line drawn true north-south through Buoy 10 at the mouth of the Columbia River except as provided for in this section:

(1) Effective 12:01 a.m. September 25, 1990, until further notice it is lawful to fish for and possess salmon taken from the above waters which lie inside 3 miles, south of Cape Alava and north of the southern end of Destruction Island. All fish must be landed and sold on a Washington State Fish Receiving Ticket in the ports of Neah Bay, LaPush, or Westport.

(1a) Only those 15 licensed fishers who have been issued a special permit validation dated August 15 or later by the Washington Department of Fisheries pursuant to

WAC 220-24-50000A, may participate in this limited fishery.

(1b) The above open area will close 11:59 p.m. October 31, 1990 permanently, or when a coho quota of 3000 fish or a chinook guideline of 1000 fish has been caught.

(2) Effective 12:01 AM September 25, 1990, until 11:59 p.m. October 15, 1990 or when a coho quota of 24,600 or the overall chinook quota of 37,500 is taken it is lawful to fish for salmon taken from the above waters which lie south of Leadbetter Point, except for those waters of a conservation zone at the mouth of the Columbia River bounded by a line projected six miles due west from North Head along 46 18' 00" north latitude to 124 13' 18" west longitude, thence southerly along a line 167 degrees true to 46 11' 06" north latitude, 124 11' 00" west longitude (the Columbia River Buoy), thence northeasterly along the Red Buoy Line to the tip of the south jetty from which conservation zone no salmon may be taken. No participating vessel may catch, possess or land more than a total of 100 coho salmon daily.

(3) Lawful terminal gear is restricted to single point, single shank barbless hooks.

(4) No chinook salmon less than 28 inches in total length or 21.5 inches head-off length may be retained and no coho salmon less than 16 inches in total length or 12 inches head-off length may be retained.

(5) It is unlawful to fish for or possess salmon taken for commercial purposes with any gear other than troll gear in the open fishery area.

(6) It is unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, or 4 or land in the State of Washington any salmon taken for commercial purposes contrary to the provisions of Chapter 220-33 WAC or Chapter 220-47 WAC relative to seasons and species provided for in this section.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 25, 1990:

WAC 220-24-02000B LAWFUL ACTS—TROLL FISHERY (90-105)

WSR 90-20-031
PERMANENT RULES
PARKS AND RECREATION
COMMISSION

[Filed September 25, 1990, 8:22 a.m.]

Date of Adoption: September 21, 1990.

Purpose: Brings state parks into compliance with Department of Labor and Industries rules regarding dress standards for park aides.

Citation of Existing Rules Affected by this Order:
New section WAC 352-32-011.

Statutory Authority for Adoption: RCW 43.51.040.

Pursuant to notice filed as WSR 90-16-105 on August 1, 1990.

Effective Date of Rule: Thirty-one days after filing.
September 21, 1990
Jack Shreve
Vice Chair
for Moyes Lucas
Chairman

NEW SECTION

WAC 352-32-011 DRESS STANDARDS. (1) In order to identify temporary field operations personnel to the public for their safety and welfare, it is necessary for selected employees to furnish and wear apparel that will comply with a generally accepted dress standard common to the outdoor recreation industry.

(2) The apparel for male and female park aides shall consist of green full length trousers of varying style, tan long or short sleeve shirt/blouse, and agency supplied logos must be applied as directed. If approved by the park manager, green walking/hiking shorts may be substituted for the full length trousers when appropriate for public contact type work.

WSR 90-20-032
PERMANENT RULES
PARKS AND RECREATION
COMMISSION

[Filed September 25, 1990, 8:23 a.m.]

Date of Adoption: September 21, 1990.

Purpose: Establishes a central filing system for public access to official public records at state parks.

Citation of Existing Rules Affected by this Order: Amending chapter 352-40 WAC.

Statutory Authority for Adoption: RCW 43.51.040.

Pursuant to notice filed as WSR 90-16-106 on August 1, 1990.

Effective Date of Rule: Thirty-one days after filing.
September 21, 1990

Jack Shreve
Vice Chair
for Moyes Lucas
Chairman

NEW SECTION

WAC 352-40-125 PURPOSE OF RECORDS INDEX. The purpose of this section is to implement the provisions of RCW 42.17.260 which requires all state agencies to establish and implement a system of indexing records.

This chapter sets forth rules to implement the provision in RCW 42.17.260 which applies to the Washington state parks and recreation commission.

NEW SECTION

WAC 352-40-127 DEFINITIONS IN RECORDS INDEX. Whenever used in this chapter the following terms shall have the meanings herein defined unless the context clearly indicates otherwise.

(1) Washington Administrative Codes. Commission adopted administrative regulations are codified as the Washington Administrative Code. They apply to the general public, the commission, and its staff; they are legal basis for park staff to enforce rules and are often adopted to implement a state statute. There are normally multiple subjects covered in one regulation, addressing agency operation in detail.

(2) Commission policies. Commission policies are broad statements from the commission to the agency director and staff. These are codified in the commission's policy manual. They provide the criteria for carrying out a course of action which may or may not be directed by a statute or regulation. They are not directive on the general public. Commission policies assist commission staff as a guideline when dealing with the general public. They could eventually result in the creation of a statute or regulation which would make them enforceable upon the general public. Each policy normally addresses one subject.

(3) Administrative policies. Administrative policies are broad statements from the director to the agency staff, providing general guidance on a specific subject. They may or may not be directed by a statute, a regulation, or commission policy. They are not directive on the general public. These policies assist staff as guidance when dealing with the general public. They could eventually result in the creation of a statute or regulation which would make them enforceable on the general public. Each policy normally covers only one subject.

(4) Agency procedures. Agency procedures are originated by any agency division. They are written communications of an approved system or method to accomplish one or more purposes. They may or may not establish specific responsibilities. They are not directive upon the general public. They assist staff as a guide when dealing with the general public. They could eventually result in the creation of a statute or regulation which would make them enforceable upon the general public. Each procedure covers only one subject.

(5) Memorandums of understanding (MU). Memorandums of understanding are originated by any agency unit. They are written communications outlining a mutually agreed upon interpretation of another communication, oral or written. They may or may not establish specific responsibilities. They are directive only upon the signatories of the MU and/or upon the signatories' staff. They assist staff as a guide when dealing with the general public.

They could eventually result in the creation of a statute or regulation which would make them enforceable upon the general public; or in the creation of an administrative policy or agency procedure which would be directive upon other staff within the agency. Each MU normally covers only one subject.

(6) Operations directives. Operations directives are originated by the operations division. They are written communications outlining an interpretation of another communication, oral or written. They may or may not establish specific responsibilities. They are directive only upon the signature of the assistant director of operations.

They assist staff as a guide when dealing with the general public.

They could eventually result in the creation of a statute or regulation which would make them enforceable upon the general public; or in the creation of an administrative policy or agency procedure which would be directive upon other staff within the agency. Each directive normally covers only one subject.

(7) Official public record (OPR). Official public records include those listed above and those records which:

- (a) Financially obligate the agency;
- (b) Document legal actions or transactions; and/or
- (c) Are required by statute.

These records are to be retained for at least six years.

(8) Office files and memorandums. Office files and memorandums are all other documents beyond the official public records, which do not need to be retained for six years.

(9) Central file. The central file is intended to protect, retain, and make accessible those records of organizational, historical, and statutory importance to the agency.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

~~WAC 352-40-130 SYSTEM OF INDEXING RECORDS ((INDEX)). ((1) Index. The commission has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:~~

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

~~(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;~~

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

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

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

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

~~(2) Availability. The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection:)) Agency records are indexed and retained as follows:~~

The index for commission policies, administrative policies, agency procedures, memorandums of understanding, and operations directives is located in the central files office. Office files and memoranda, and official public records as defined by RCW 42.17.260, are retained in

the agency and their locations are identified by the existing central files index coding system.

Such records are the responsibility of the individual agency divisions to inventory, maintain, and dispose. Record descriptions, retention, and authorization disposition are listed on the records inventory schedule of each office of record and are located in the central files office.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-140 LOCATION OF RECORD INDEXES AND COMMUNICATIONS. All communications with the commission including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973, and these rules, requests for copies of the commission's decisions, commission policies, administrative policies, agency procedures, memorandums of understanding, operations directives, official public records, office files and memorandums, and agency record indexes and other matters, shall be addressed as follows: Washington State Parks and Recreation Commission, c/o Public Records Officer, ((P.O. Box 1128, Olympia, Washington 98504)) 7150 Cleanwater Lane, Mailstop KY-11, Olympia, WA 98504-5711.

AMENDATORY SECTION (Amending Appendix A, filed 7/25/73)

WAC 352-40-900 REQUEST FOR PUBLIC RECORD—FORM.

TO: Washington State Parks and Recreation Commission

Attn: Public Records Officer
((P.O. Box 1128
Olympia, Washington 98504))
7150 Cleanwater Lane
Mailstop KY-11
Olympia, WA 98504-5711

Name of requestor:

Address or requestor:
(Street)
.....
(City) (State) (Zip)

Date of request:
(Month) (Day) (Year)

Time of request:
A.M.
P.M.
(Hour)

What information is requested?
.....
.....
.....

Is information indexed?

If so, how?

Are copies requested?
If so, how many?
Total pages?
Fee charged (Pages x \$.....)

AGREEMENT TO PROTECT RECORDS FROM USE FOR COMMERCIAL PURPOSES

I hereby agree that the list of individuals and/or information provided to me by the shall not be used for any commercial purpose by myself or by any organizations I represent.

Requester

SUBSCRIBED AND SWORN TO before me this day of, 19..

NOTARY PUBLIC in and for the state of Washington, residing at

WSR 90-20-033
RULES COORDINATOR
TRANSPORTATION COMMISSION
[Filed September 25, 1990, 2:14 p.m.]

The designated rules coordinator for the Washington State Transportation Commission is Mr. Bill Richeson, Records Manager, Transportation Building, Mailstop KF-01, Olympia, Washington 98504, phone (206) 753-0316.

Anna Peterson
Administrator

WSR 90-20-034
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 90-107-Filed September 25, 1990, 2:16 p.m.]

Date of Adoption: September 24, 1990.
Purpose: Personal use rules.
Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000R and 220-57-42500T.
Statutory Authority for Adoption: RCW 75.08.080.
Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A small number of harvestable summer/fall chinook are available for harvest. This regulation is consistent with agreed to management plans with Puget Sound Tribes and the Pacific Fisheries Management Council. Harvestable numbers of chum salmon are available in Skagit River.
Effective Date of Rule: Immediately.

September 24, 1990
William Koss
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000D SALTWATER SEASONS AND BAG LIMITS-SALMON Notwithstanding the provisions of WAC 220-56-190:

- (1) Effective immediately through September 30, 1990, it is unlawful to fish for or possess salmon for personal use from Marine Code Areas 5, 6, 8-1, 8-2, and 9 except: open Saturday through Thursday, weekly. Special daily bag limit: 2 salmon
(2) Effective immediately through September 30, 1990 it is lawful to fish for or possess salmon for personal use in Marine Code Area 7. Special daily bag limit: 2 salmon

NEW SECTION

WAC 220-57-42500U SKAGIT RIVER Notwithstanding the provisions of WAC 220-57-425, effective immediately through December 31, 1990, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Skagit River except as provided for in this section:

The following waters are open:

- (1) Downstream from the mouth of the Cascade River to the mouth of the Baker River: Bag Limit C, except up to two chum salmon may be retained in the daily limit. Chinook salmon over 24 inches in length and coho salmon over 20 inches in length must be released immediately.
(2) Downstream from the mouth of the Baker River to the mouth of Gilligan Creek: Bag Limit A, except not more than one coho salmon over 20 inches in length may be retained in the daily bag limit, and all chinook salmon over 24 inches in length must be released immediately.
(3) Downstream from the mouth of Gilligan Creek to the mouth of the Skagit River: Bag Limit A, except not more than one coho salmon over 20 inches in length and one chinook over 24 inches in length may be retained in the daily bag limit.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 220-56-19000R SALTWATER SEASONS AND BAG LIMITS-SALMON (90-40)
WAC 220-57-42500T SKAGIT RIVER (90-40)

WSR 90-20-035
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed September 25, 1990, 2:53 p.m.]

Original Notice.

Title of Rule: Hospital licensing, chapter 248-18 WAC. New sections WAC 248-18-228 Dialysis service, 248-18-731 Dialysis facility, 248-18-226 Critical care, 248-18-556 Critical care facility, 248-18-231 Long-term care service and 248-18-820 Long-term care unit; amending WAC 248-18-040 Personnel, 248-18-035 Infection control and 248-18-001 Definitions; and repealing WAC 248-18-245, 248-18-225, 248-18-555 and 248-18-230.

Purpose: To update nine sections of minimum standards for health and safety of patients in hospitals and to repeal four outdated sections.

Statutory Authority for Adoption: RCW 70.41.030.

Statute Being Implemented: Chapter 70.41 RCW.

Summary: Hospital licensing standards are put in place for renal dialysis services and construction of facilities. Standards for critical care operation and construction are established to replace narrower focus of acute cardiac care. Long-term care standards replace outdated nursing home unit standards. Infection control and personnel sections amended to reflect current knowledge in infectious disease control. Definitions are amended to reflect new definitions of terms used in more than one section of chapter 248-18 WAC.

Reasons Supporting Proposal: Amendments and modifications of rules necessary to maintain standards of hospitalization required for safe, adequate care of patients under RCW 70.41.030.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Lewis, 1112 South Quince, ET-31, 753-5851.

Name of Proponent: Facilities Licensing and Certification Division, Department of Health, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rules put in place hospital licensing standards for renal dialysis services and facilities. No rules presently exist. Outdated cardiac care rules are replaced by operational and construction standards for critical care and expanded focus on all types of critical care. Infection control standards were made less stringent to reflect current scientific knowledge on control of infections in hospitals. Long-term care standards were updated to be consistent with free standing long-term care standards for operation and construction. Anticipated effects: Consistent standards for safe, adequate care and treatment of patients; and establish minimum safety requirements for renal dialysis in hospitals.

Proposal Changes the Following Existing Rules: Establishes new safety/health standards for renal dialysis consistent with free standing facilities; updates and broadens focus of safety/health requirements for critical care services and facilities; requirements for employee screening and infection control less stringent and consistent with federal mandates from CDC; and expands

rules for hospital personnel to include requirements under RCW 70.41.200 and chapter 43.43 RCW.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department considered whether this rule is subject to the Regulatory Fairness Act and determined it is not because no hospital licensed under chapter 70.41 RCW meets all three criteria in the definition of "small business" under RCW 43.31.025, as required under chapter 19.85 RCW.

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington, on November 16, 1990, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Olympia, WA 98504, by November 15, 1990.

Date of Intended Adoption: November 23, 1990.

September 19, 1990

Pam Campbell Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 010, filed 11/1/89, effective 12/2/89)

WAC 248-18-001 DEFINITIONS. For the purposes of chapter 248-18 WAC and chapter 70.41 RCW, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise. All adjectives and adverbs such as adequate, approved, suitable, properly, or sufficient used in these regulations to qualify a requirement shall be determined by the department.

(1) "Abuse" means the injury or sexual abuse of a patient under circumstances indicating the health, welfare, and safety of the patient is harmed. Person "legally responsible" shall include a parent, guardian, or an individual to whom parental or guardian responsibility is delegated (e.g., teachers, providers of residential care and treatment, and providers of day care):

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

(b) "Emotional abuse" means verbal behavior, harassment, or other actions which may result in emotional or behavioral problems, physical manifestations, disordered or delayed development.

(2) "Accredited" means approved by the joint commission on accreditation of hospitals or the bureau of hospitals of the American Osteopathic Association.

(3) ("~~Acute cardiac care unit~~" means an intensive care unit for patients with heart problems:

(~~4~~) "Adolescent" means an individual during that period of life beginning with the appearance of secondary sex characteristics and ending with the cessation of somatic growth.

((~~5~~)) (4) "Agent," when used in a reference to a medical order or a procedure for a treatment, means any power, principle, or substance, whether physical, chemical, or biological, capable of producing an effect upon the human body.

((~~6~~)) (5) "Alterations":

(a) "Alterations" means changes requiring construction in existing hospitals.

(b) "Minor alterations" means any physical or functional modification within existing hospitals not changing the approved use of the room or area. (Minor alterations performed under this definition do not require prior review of the department as specified in WAC 248-18-510 (3)(a); however, this does not constitute a release from other applicable requirements.)

((~~7~~)) (6) "Area" means a portion of a room containing the equipment essential to carrying out a particular function and separated from other facilities of the room by a physical barrier or adequate space, except when used in reference to a major section of the hospital.

((~~8~~)) (7) "Authenticate" means to authorize or validate an entry in a record by:

(a) A signature including first initial, last name, and discipline; or

(b) A unique identifier allowing identification of the responsible individual.

((9)) (8) "Bathing facility" means a bathtub or shower and does not include sitz baths or other fixtures designated primarily for therapy.

((10)) (9) "Birthing room" or "labor, delivery, recovery (LDR) room" or "labor-delivery-recovery-postpartum (LDRP) room" means a room designed and equipped to provide care of a woman, fetus, and newborn and to accommodate her support persons during the complete process of vaginal childbirth.

((11)) (10) "Children" means young persons of either sex between infancy and adolescence.

((12)) (11) "Clean" means space or spaces and/or equipment for storage and handling of supplies and/or equipment which are in a sanitary or sterile condition, when the word is used in reference to a room, area, or facility.

(12) "Critical care" means a special physical and functional nursing unit for the segregation, concentration, and close or continuous observation and care of patients critically, acutely, or seriously ill and in need of intensive, highly skilled services.

(13) "Department" means the Washington state department of health.

(14) "Dentist" means an individual licensed under chapter 18.32 RCW.

(15) "Diagnostic radiologic technician" means an individual:

(a) Certified or eligible for certification as a diagnostic radiologic technologist under chapter 18.84 RCW; or

(b) Trained by a radiologist and approved by a radiologist member of medical staff to perform specified diagnostic radiologic procedures.

(16) "Dialysis facility" means a separate physical and functional nursing unit of the hospital serving patients receiving renal dialysis.

(17) "Dialysis station" means an area designed, equipped, and staffed to provide dialysis services for one patient.

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

((17)) (19) "Double-checking" means verification of patient identity, agent to be administered, route, quantity, rate, time, and interval of administration by two persons legally qualified to administer prior to administration of the agent.

((18)) (20) "Drug administration" means an act in which a single dose of a prescribed drug or biological is given to a patient by an authorized person in accordance with all laws and regulations governing such acts. The complete act of administration entails:

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

(b) Reviewing the label on the container with a verified transcription, a direct copy or the original medical practitioner's orders;

(c) Giving the individual dose to the proper patient; and

(d) Properly recording the time and dose given.

((19)) (21) "Drug dispensing" means an act entailing the interpretation of an order for a drug or biological and, pursuant to that order, proper selection, measuring, labeling, packaging, and issuance of the drug for a patient or for a service unit of the facility.

((20)) (22) "Easily cleanable" means of material or finish and so fabricated to allow complete removal of residue by normal cleaning methods.

((21)) (23) "Electrical receptacle outlet" means an outlet where one or more electrical receptacles are installed.

((22)) (24) "Facilities" means a room or area and equipment serving a specific function.

((23)) (25) "Faucet controls" means wrist, knee, or foot control of the water supply:

(a) "Wrist control" means water supply controls not exceeding four and one-half inches overall horizontal length designed and installed to be operated by the wrists;

(b) "Knee control" means the water supply is controlled through a mixing valve designed and installed to be operated by the knee;

(c) "Foot control" means the water supply control is through a mixing valve designed and installed to be operated by the foot.

((24)) (26) "Governing body" means the person or persons responsible for establishing the purposes and policies of the hospital.

((25)) (27) "Grade" means the level of the ground adjacent to the building measured at required windows. The ground must be level or slope downward for a distance of at least ten feet from the wall of the building. From there the ground may slope upward not greater than an average of one foot vertical to two feet horizontal within a distance of eighteen feet from the building.

((26)) (28) "Handwashing facility" means a lavatory or a sink properly designed and equipped to serve for handwashing purposes.

((27)) (29) "He, him, his, or himself" means a person of either sex, male, or female, and does not mean preference for nor exclude reference to either sex.

((28)) (30) "High-risk infant" means an infant, regardless of gestational age or birth weight, whose extrauterine existence is compromised by a number of factors, prenatal, natal, or postnatal needing special medical or nursing care.

((29)) (31) "Hospital" means any institution, place, building, or agency providing accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this chapter does not include:

(a) Hotels, or similar places furnishing only food and lodging, or simply domiciliary care;

(b) Clinics, or physicians' offices where patients are not regularly kept as bed patients for twenty-four hours or more;

(c) Nursing homes, as defined and which come within the scope of chapter 18.51 RCW;

(d) Maternity homes, which come within the scope of chapter 18.46 RCW;

(e) Psychiatric or alcoholism hospitals, which come within the scope of chapter 71.12 RCW; nor

(f) Any other hospital or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, mental retardation, convulsive disorders, or other abnormal mental conditions.

(g) Furthermore, nothing in this chapter shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denominations.

((30)) (32) "Infant" means a baby or very young child up to one year of age.

((31)) (33) "Infant station" means a space for a bassinet, incubator, or equivalent, including support equipment used for the care of an individual infant.

~~((32) "Intensive care unit" means a special physical and functional unit for the segregation, concentration, and close or continuous nursing observation and care of patients critically, seriously, or acutely ill, and in need of intensive, highly skilled nursing service.~~

((33)) (34) "Intermediate care nursery" means an area designed, organized, staffed, and equipped to provide constant care and treatment for mild to moderately ill infants not requiring neonatal intensive care, but requiring or may require physical support and treatment beyond support required for a normal neonate and may include the following:

(a) Electronic cardiorespiratory monitoring;

(b) Gavage feedings;

(c) Parenteral therapy for administration of drugs; and

(d) Respiratory therapy with intermittent mechanical ventilation not to exceed a continuous period of twenty-four hours for stabilization when trained staff are available.

((34)) (35) "Investigational drug" means any article not approved for use in the United States, but for which an investigational drug application (IND) is approved by the Food and Drug Administration.

((35)) (36) "Island tub" means a bathtub placed in a room to permit free movement of a stretcher, patient lift, or wheelchair to at least one side of the tub, and movement of people on both sides and at the end of the tub.

((36)) (37) "Lavatory" means a plumbing fixture of adequate design and size for washing hands.

((37)) (38) "Legend drugs" means any drugs required by state law or regulation of the state board of pharmacy to be dispensed on prescription only or are restricted to use by practitioners only.

((38)) (39) "Licensed practical nurse," abbreviated L.P.N., means an individual licensed under provisions of chapter 18.78 RCW.

((39)) (40) "May" means permissive or discretionary on the part of the board or the department.

((40)) (41) "Medical staff" means physicians and may include other practitioners appointed by the governing body to practice within the parameters of governing body and medical staff bylaws.

((41)) (42) "Movable equipment" means equipment not built-in, fixed, or attached to the building.

((42)) (43) "Neglect" means mistreatment or maltreatment; an act or omission evincing a serious disregard of consequences of a magnitude constituting a clear and present danger to an individual patient's health, welfare, and safety.

(a) "Physical neglect" means physical or material deprivation (e.g., lack of medical care, lack of supervision necessary for patient level of development, inadequate food, clothing, or cleanliness).

(b) "Emotional neglect" means acts such as rejection, lack of stimulation, or other acts of commission or omission which may result in emotional or behavioral problems, physical manifestations, and disorderly development.

((43)) (44) "Nuclear medicine technologist" means an individual certified or eligible for certification as a nuclear medicine technologist under chapter 18.84 RCW.

((44)) (45) "Neonate" or "newborn" means a newly born infant through the twenty-seventh day of life or under twenty-eight days of age.

((45)) (46) "Neonatal intensive care nursery" means an area designed, organized, equipped, and staffed to provide constant nursing and medical care and treatment for high-risk infants who may require:

(a) Continuous ventilatory support, twenty-four hours per day;

(b) Intravenous fluids or parenteral nutrition;

(c) Preoperative and postoperative monitoring when anesthetic other than local is administered; or

(d) Cardiopulmonary or other life support on a continuing basis.

((46)) (47) "Neonatologist" means a pediatrician who is board certified in neonatal-perinatal medicine or board eligible in neonatal-perinatal medicine, provided the period of eligibility does not exceed three years, as defined and described in Directory of Residency Training Programs by the Accreditation Council for Graduate Medical Education, American Medical Association, 1981-1982 or the American Osteopathic Association Yearbook and Directory, 1981-1982.

((47)) (48) "Newborn care" means provision of nursing and medical services described by the hospital and appropriate for well and convalescing infants including supportive care, ongoing physical assessment, and resuscitation.

((48)) (49) "New construction" means any of the following:

(a) New buildings to be used as hospitals;

(b) Additions to existing buildings to be used as hospitals;

(c) Conversion of existing buildings or portions thereof for use as hospitals;

(d) Alterations.

((49)) (50) "Nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

((50)) (51) "Nursing unit, general" means a separate physical and functional unit of the hospital including a group of patient rooms, ancillary and administrative, and service facilities necessary to provide nursing service to the occupants of these patient rooms. Facilities serving other areas of the hospital and creating traffic unnecessary to the functions of the nursing unit are excluded.

((51)) (52) "Observation room" means a room for close nursing observation and care of one or more outpatients for a period of less than twenty-four consecutive hours.

((52)) (53) "Obstetrical area" means the portions or units of the hospital designated or designed for care and treatment of women during the antepartum, intrapartum, and postpartum periods, and/or areas designed as nurseries for care of newborns.

((53)) (54) "Occupational therapist" means an individual licensed under the provisions of chapter 18.59 RCW.

((54)) (55) "Patient" means an individual receiving (or has received) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative health services at the hospital. "Outpatient" means a patient receiving services that generally do not require admission to a hospital bed for twenty-four hours or more.

((55)) (56) "Patient care areas" means all nursing service areas of the hospital where direct patient care is rendered and all other areas of the hospital where diagnostic or treatment procedures are performed directly upon a patient.

((56)) (57) "Pediatrician" means a physician:

(a) Having successfully completed a residency program approved by the American Board of Pediatrics as described in the Directory of

Residence Training Programs Accredited by the Accreditation Council for Graduate Medical Education, American Medical Association, 1981-1982; or

(b) Approved by the American Osteopathic Board of Pediatrics as described in the American Osteopathic Association Yearbook and Directory, 1981-1982; and

(c) Board certified or board eligible for period not to exceed three years.

((57)) (58) "Pediatric service" means any diagnostic, treatment, or care service provided for infants, children, or adolescents.

((58)) (59) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

((59)) (60) "Pharmacist" means an individual licensed by the state board of pharmacy to engage in the practice of pharmacy under the provisions of chapter 18.64 RCW as now or hereafter amended.

((60)) (61) "Pharmacy" means the central area in a hospital where drugs are stored and are issued to hospital departments or where prescriptions are filled.

((61)) (62) "Physical barrier" means a partition or similar space divider designed to prevent splash or spray between room areas.

((62)) (63) "Physical therapist" means an individual licensed under provisions of chapter 18.74 RCW.

((63)) (64) "Physician" means an individual licensed under provisions of chapter 18.71 RCW, Physicians, or chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery.

((64)) (65) "Physician's assistant" means an individual who is not a physician but practices medicine under provisions, rules, and regulations of chapter 18.71A RCW, or provisions, rules, and regulations under chapter 18.57A RCW.

((65)) (66) "Physician member of medical staff qualified in nuclear medicine" means a physician with staff privileges who is:

(a) Certified or eligible for certification by the American Board of Radiology (ABR) or the American Board of Nuclear Medicine (ABNM) in radiologic physics including diagnostic, therapeutic, and medical nuclear physics; and

(b) Included in the 1987-1989 list of board-certified physicians maintained by ACR Professional Bureau, 1899 Preston White Drive, Reston, VA 22091.

((66)) (67) "Prescription" means an order for drugs for a specific patient given by a licensed physician, dentist, or other individual legally authorized to write prescriptions, transmitted to a pharmacist for dispensing to the specific patient.

((67)) (68) "Protocols" and "standing order" mean written descriptions of actions and interventions for implementation by designated hospital personnel under defined circumstances and authenticated by a legally authorized person under hospital policy and procedure.

((68)) (69) "Psychiatric unit" means a separate portion of the hospital specifically reserved for the care of psychiatric patients (a part of which may be unlocked and a part locked), as distinguished from "seclusion rooms" or "security rooms" as defined in this section.

((69)) (70) "Psychiatrist" means a physician having successfully completed a three-year residency program in psychiatry and is eligible for certification by the American Board of Psychiatry and Neurology as described in the Directory of Residency Training Programs Accredited by the Accreditation Council for Graduate Medical Education, American Medical Association, 1981-1982, or eligible for certification by the American Osteopathic Board of Neurology and Psychiatry as described in the American Osteopathic Association Yearbook and Directory, 1981-1982.

((70)) (71) "Psychologist" means an individual licensed as a psychologist in the state of Washington under provisions of chapter 18.83 RCW.

((71)) (72) "Radiation oncologist" means a physician who successfully completed an approved residency program in therapeutic radiology and is either board certified or eligible for board certification in radiation oncology by:

(a) The American Board of Radiology described under Directory of Residency Programs Accredited by the Accreditation Council for Graduate Medical Education, American Medical Association, 1981-82, with:

(i) Certification in use of both external and brachytherapy techniques; and

(ii) Continuing education requirements of the board met; or

(b) The American Osteopathic Board of Radiology described in the American Osteopathic Association Yearbook and Directory, 1981-82 with:

(i) Certification in use of both external and brachytherapy techniques; and

(ii) Continuing education requirements of the board met.

~~((72))~~ (73) "Radiologist" means a physician who is board certified or eligible for certification in radiology and meeting continuing education requirements of:

(a) The American Board of Radiology described under Directory of Residency Programs Accredited by the Accreditation Council for Graduate Medical Education, American Medical Association, 1981-82; or

(b) The American Osteopathic Board of Radiology described under American Osteopathic Association Yearbook and Directory, 1981-82.

~~((73))~~ (74) "Recreational therapist" means an individual with a bachelors degree including a major or option in therapeutic recreation or recreation for the ill and handicapped.

~~((74))~~ (75) "Recovery unit" means a special physical and functional unit for the segregation, concentration, and close or continuous nursing observation and care of patients for a period of less than twenty-four hours immediately following anesthesia, obstetrical delivery, surgery, or other diagnostic or treatment procedures which may produce shock, respiratory obstruction or depression, or other serious states.

~~((75))~~ (76) "Referred outpatient diagnostic service" means a service provided to an individual receiving medical diagnosis, treatment, and other health care services from one or more sources outside the hospital limited to diagnostic tests and examinations:

(a) Not involving administration of a parenteral injection, the use of a local or general anesthesia or the performance of a surgical procedure; and

(b) Ordered by a health care practitioner, legally permitted to order such tests and examinations, to whom the hospital reports the findings and results of the tests and examinations.

~~((76))~~ (77) "Registered nurse" means an individual licensed under the provisions of chapter 18.88 RCW and practicing in accordance with the rules and regulations promulgated thereunder.

~~((77))~~ (78) "Restraint" means any apparatus used for the purpose of preventing or limiting free body movement. This shall not be interpreted to include a safety device as defined herein.

~~((78))~~ (79) "Room" means a space set apart by floor-to-ceiling partitions on all sides with proper access to a corridor and with all openings provided with doors or windows.

~~((79))~~ (80) "Rooming-in" means an arrangement for mother and infant to room together with provision for family interaction within the hospital setting.

~~((80))~~ (81) "Safety device" means a device used to safeguard a patient who, because of developmental level or condition, is particularly subject to accidental self-injury.

~~((81))~~ (82) "Seclusion room" means a small, secure room specifically designed and organized to provide for temporary placement, care, and observation of one patient and further providing an environment with minimal sensory stimuli, maximum security and protection, and visualization of the patient by authorized personnel and staff. Doors of seclusion rooms shall be provided with staff-controlled locks. There shall be security reliefs in the door or equivalent means affording visibility of the occupant at all times. Inside or outside rooms may be acceptable.

~~((82))~~ (83) "Security room" means a patient sleeping room designed, furnished, and equipped to provide maximum safety and security, including window protection or security windows and a lockable door with provision for observation of room occupant.

~~((83))~~ (84) "Self-administration of drugs" means a patient administering or taking his or her own drugs from properly labeled containers: PROVIDED, That the facility maintains the responsibility for seeing the drugs are used correctly and the patient is responding appropriately.

~~((84))~~ (85) "Sensitive area" means a room used for surgery, obstetrical delivery, nursery, post-anesthesia recovery, special procedures where invasive techniques are used, or critical care including, but not limited to, intensive and cardiac care.

~~((85))~~ (86) "Shall" means compliance is mandatory.

~~((86))~~ (87) "Should" means a suggestion or recommendation, but not a requirement.

~~((87))~~ (88) "Sinks":

(a) "Clinic service sink (siphon jet)" means a plumbing fixture of adequate size and proper design for waste disposal with siphon jet or similar action sufficient to flush solid matter of at least two and one-eighth inch diameter.

(b) "Scrub sink" means a plumbing fixture of adequate size and proper design for thorough washing of hands and arms, equipped with knee, foot, electronic, or equivalent control, and gooseneck spout.

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

~~((88))~~ (89) "Social worker" means an individual holding a masters degree in social work from a graduate school of social work approved by the council on social work education.

~~((89))~~ (90) "Soiled" (when used in reference to a room, area, or facility) means space and equipment for collection or cleaning of used or contaminated supplies and equipment or collection or disposal of wastes.

~~((90))~~ (91) "Stretcher" means a four-wheeled cart designed to serve as a litter for the transport of an ill or injured individual in a horizontal or recumbent position.

~~((91))~~ (92) "Surgical procedure" means any manual or operative procedure performed upon the body of a living human being for the purpose of preserving health, diagnosing or curing disease, repairing injury, correcting deformity or defect, prolonging life or relieving suffering, and involving any of the following:

(a) Incision, excision, or curettage of tissue or an organ;

(b) Suture or other repair of tissue or an organ including a closed as well as an open reduction of a fracture;

(c) Extraction of tissue including the premature extraction of the products of conception from the uterus; or

(d) An endoscopic examination with use of a local or general anesthesia.

~~((92))~~ (93) "Therapeutic radiologic technologist" means an individual certified or eligible for certification as a therapeutic radiologic technologist under chapter 18.84 RCW.

~~((93))~~ (94) "Through traffic" means traffic for which the origin and destination are outside the room or area serving as a passageway.

~~((94))~~ (95) "Toilet" means a room containing at least one water closet.

~~((95))~~ (96) "Tuberculous patient" means an individual receiving diagnostic or treatment services because of suspected or known tuberculosis.

~~((96))~~ (97) "Water closet" means a plumbing fixture for defecation fitted with a seat and device for flushing the bowl of the fixture with water.

~~((97))~~ (98) "Window" means a glazed opening in an exterior wall.

(a) "Maximum security window" means a window that can only be opened by keys or tools under the control of personnel. The operation shall be restricted to prohibit escape or suicide. Where glass fragments may create a hazard, safety glazing and other appropriate security features shall be incorporated. Approved transparent materials other than glass may be used.

(b) "Relief" means a glazed opening in an interior partition between a corridor and a room or between two rooms to permit viewing.

(c) "Security window" means a window designed to inhibit exit, entry, and injury to a patient, incorporating approved, safe transparent material.

AMENDATORY SECTION (Amending Order 4, filed 10/12/89, effective 11/12/89)

WAC 248-18-035 INFECTION CONTROL PROGRAM.

~~((The hospital shall have a continuing infection control program. The responsibility for the infection control program shall be vested in an infection control committee which shall include the hospital administrator or his designee and representatives of the medical staff and the nursing department.~~

~~(1) The infection control committee shall establish and maintain:~~

~~(a) A current system for discovering, reporting, investigating and reviewing infections among patients and personnel and maintaining records on such infections;~~

~~(b) A current system for surveillance of food handling practices, care and handling of medical supplies and equipment, laundry, house-keeping and maintenance in relation to potential for transmission of infection;~~

~~(c) Current written policies and procedures designed to ensure adherence to recognized standards of medical asepsis in all patient care services;~~

~~(d) Current written policies and procedures designed to ensure observance of recognized standards of isolation technique in the care of any patient with a known or suspected communicable disease (including infected lesions or wounds); and~~

(c) A current system for reporting communicable diseases in accordance with regulations of the state board of health, chapter 248-100 WAC.

(2) The infection control committee shall meet on a regular basis not less than quarterly and shall hold special meetings when necessary to meet their responsibilities in dealing with infection control problems.

Written minutes of all meetings of the infection control committee shall be kept on file.

(3) Hospitals shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310, and

(b) Use infection control standards and educational material consistent with the approved curriculum manual Know - HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.) Each hospital shall maintain an effective hospital wide program for the surveillance, prevention, and control of infection including:

(1) Designation of an infection control committee to oversee the program with:

(a) Multidisciplinary membership on the committee including representatives from medical staff, nursing, administration, and persons directly responsible for management of the infection control program;

(b) Description of the program approved by the committee and including surveillance, prevention, and control activities;

(c) Delegation of authority, approved in writing by administrative and medical staff, to institute surveillance, prevention, and control measures when there is reason to believe any patient or personnel may be at risk of infection;

(d) Regularly scheduled meetings at least quarterly;

(e) Maintenance of written minutes and reports of findings presented during committee meetings; and

(f) A method for forwarding recommendations to the medical staff, nursing, administration, quality assurance, and other committees and departments as appropriate.

(2) Management of the infection control program by one or more persons with documented evidence of qualifications related to infection surveillance, prevention, and control including:

(a) Education;

(b) Training;

(c) Certification; or

(d) Supervised experience.

(3) Establishing the following components of the infection control program:

(a) Review of patient and personnel infections, as appropriate, to determine whether an infection is nosocomial using definitions and criteria established by the committee;

(b) Written policies and procedures describing the types of surveillance carried out to monitor:

(i) Rates of nosocomial infections;

(ii) Systems used to collect and analyze data; and

(iii) Activities to prevent and control infections;

(c) A system for reporting communicable diseases and following requirements under chapter 248-100 WAC, Communicable and certain other diseases;

(d) A procedure for reviewing and approving infection control aspects of policies and procedures used in each area of the hospital;

(e) Provision of consultation regarding patient care practices, equipment, and supplies influencing risk of infection;

(f) Provision of consultation regarding appropriate procedures and products used for cleaning, disinfection, and sterilization;

(g) Provision of information on infection control for orientation and in-service education of employees, and nonemployees performing direct patient care;

(h) Development of recommendations, consistent with federal, state, and local laws and rules, on methods for the proper disposal to prevent unsafe or unsanitary conditions related to:

(i) Sewage;

(ii) Solid and liquid wastes; and

(iii) Infectious wastes including safe management of sharps;

(i) Defining indications for specific precautions to prevent transmission of infections;

(j) Coordinating of or cooperating with the employee health activities relating to control of hospital exposure and transmission of infections to or from employees and others performing patient services;

(k) Designing and monitoring of the physical environment of the hospital for infectious disease control.

(4) Provision of the following in any hospital providing inpatient services for tuberculous patients:

(a) Designated patient rooms for patients with suspected or known infectious tuberculosis including:

(i) Ventilation to maintain a negative pressure condition in each patient room relative to adjacent spaces, except bath and toilet areas with:

(A) Air movement or exhaust from the patient room to the out-of-doors;

(B) Ventilation at the rate of six air changes per hour, exhaust; and

(C) Make-up or supply air from adjacent ventilated spaces permitted only when a minimum of two air changes is tempered with outside air;

(ii) Ultraviolet generator irradiation as follows:

(A) Use of ultraviolet fluorescent fixtures with lamps emitting wave length of 253.7 nanometers to irradiate ceiling and upper space of patient room;

(B) The average reflected irradiance approximately 0.2 microwatts per square centimeter in the room at the five foot level;

(C) Fixture installation conforming to the recommendations of the Illuminating Engineering Society Handbook, 5th edition, section 25, "Ultraviolet Energy";

(D) Lamps changed as recommended by the manufacturer;

(E) Transfer of discharge information to the health department of the patient's county of residence;

(c) Mantoux tuberculin skin testing of employees in contact with infectious tuberculosis cases within one year of contact if regularly working in areas described under subsection (4)(a)(i) and (ii) of this section.

(d) Tuberculin skin testing employees as required by the local health officer or the department for contact investigations. Positive skin tests for contact investigations are 5 mm induration read at forty-eight to seventy-two hours.

(5) Implementation of a human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) education plan including:

(a) Verifying or arranging for appropriate education and training of personnel on the prevention, transmission, and treatment of HIV and AIDS consistent with RCW 70.24.310; and

(b) Use of infection control standards and educational material consistent with the department-approved curriculum manual KNOW - HIV/AIDS, Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

AMENDATORY SECTION (Amending Order 2362, filed 4/2/86)

WAC 248-18-040 PERSONNEL. (1) ((There)) Hospitals shall ((be)) employ sufficient qualified personnel to ((properly)) operate each department of the hospital with verification of required license, certification, or registration.

(2) ((The department of nursing shall be under the direction of a registered nurse. There shall be an adequate number of registered nurses on duty at all times.

(3) All nonprofessional employees performing nursing service functions shall be under the direct supervision of a registered nurse.

(4) Each employee shall have on employment a tuberculin skin test by the Mantoux method. A nonsignificant (negative) skin test is defined as less than ten millimeters of induration read at forty-eight to seventy-two hours. Employees with nonsignificant reactions to the first test who are thirty-five years of age or older shall have a second test one to three weeks after the first test. Significant (positive) reactors to either test shall have a chest x-ray within thirty days. A record of test results, reports of x-ray findings, or exemptions to such shall be kept in the facility. A copy of this record shall be supplied to the employee.

Exemptions:

(a) New employees who can document a significant Mantoux test in the past shall be excluded from screening.

(b) Facilities approved under WAC 248-18-245 to care for tuberculous patients and have had a confirmed tuberculous case within the last year shall annually tuberculin skin test employees who normally work in the approved area unless the employee has a documented significant reaction. Other facilities shall tuberculin skin test employees as deemed necessary for contact investigation by a local health officer.

(c) An employee stating the tuberculin skin test by the Mantoux method would present a hazard to his or her health because of conditions peculiar to his or her own physiology may present supportive

medical data to this effect to the tuberculosis control program, health services division, department of social and health services. The department will decide whether the waiver should be granted to the individual at employee and will notify the employee accordingly. Any employee granted a waiver from the tuberculin skin test shall have a chest x-ray taken in lieu thereof.

(5) Employees with a communicable disease in an infectious stage shall not be on duty.)) Hospitals shall ensure that nonemployees providing direct patient care comply with hospital policies and procedures.

(3) Hospitals shall establish written job descriptions for each job classification, minimally including:

(a) Job title, reporting relationships, summary of duties and responsibilities, and qualifications; and

(b) Provisions for review every two years with revision when necessary.

(4) Hospitals shall:

(a) Ensure a periodic performance appraisal of employees and volunteers related to:

(i) Satisfactory performance of assigned tasks; and

(ii) Competence in delivering health care services;

(b) Document background checks required under RCW 43.43.830 through 43.43.842 for all prospective employees and volunteers who may have regularly scheduled unsupervised access to:

(i) Children under sixteen years of age;

(ii) Groups of children under certain circumstances;

(iii) The elderly;

(iv) The developmentally disabled;

(v) Individuals declared mentally incompetent or unable to participate in consent to care given; and

(vi) Others as required under chapter 43.43 RCW;

(c) Designate an employee responsible for volunteer services and activities;

(d) Plan and implement orientation and education programs minimally to include:

(i) New employee and volunteer orientation for:

(A) Organizational structure;

(B) Building layout;

(C) Infection control;

(D) Safety, including the fire and disaster plan;

(E) Policies and procedures; and

(F) Equipment pertinent to the job;

(ii) Employee continuing education for maintaining and improving skills;

(iii) Documentation of orientation, in-service, and continuing education for employees; and

(iv) HIV/AIDS training for employees as specified under WAC 248-18-035;

(e) Establish a nursing service under the direction of a registered nurse to:

(i) Provide for adequate numbers of registered nurses on duty at all times; and

(ii) Require registered nurse supervision of employees and others performing nursing service functions;

(f) Ensure adequate supervision of employees and nonemployees;

(g) Maintain a current employee call back list for disasters;

(h) Require each employee to have on employment a tuberculin skin test by the Mantoux method within thirty days of employment and as follows:

(i) For new employees, a negative skin test is defined as less than ten millimeters of induration read at forty-eight to seventy-two hours. Employees with negative reactions to the first test and thirty-five years of age or older shall have a second test one to three weeks after the first test;

(ii) New employees with positive reactions to either test shall have a chest x-ray within thirty days. Hospitals shall:

(A) Retain records of test results, reports of x-ray findings, exceptions, or exemptions in the facility; and

(B) Provide a copy of test results to the employee;

(iii) Exclude from skin testing:

(A) New employees documenting a positive Mantoux test in the past;

(B) New employees providing documentation of meeting requirements under subsection (4)(h)(i) and (ii) of this section within the six months preceding the date of employment; and

(C) An employee with a written waiver from the department after stating the tuberculin skin test by the Mantoux method presents a

hazard to his or her health and presenting supportive medical data to the department tuberculosis control program;

(i) Document the following when individuals request tuberculosis skin test waivers from the department:

(i) Department notification of the individual requesting a waiver from tuberculosis skin testing and department decision; and

(ii) Department advice to the individual employee and the hospital regarding department screening requirements if a waiver is granted.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 248-18-245 CARE OF TUBERCULOSIS PATIENTS.

NEW SECTION

WAC 248-18-226 CRITICAL CARE SERVICE. Hospitals providing any critical care service shall provide:

(1) An electrocardiographic monitor with an oscilloscope, a rate meter connected to a recorder, and an audio alarm system for each bed used for critical care;

(2) Equipment and supplies in the critical care area or available in the hospital for use in the area appropriate to meet patient needs consistent with the nature and scope of critical care services defined by the hospital including:

(a) Twelve lead electrocardiographs;

(b) Tracheostomy set;

(c) Infusion pumps dedicated for use in critical care;

(d) Gastric suction equipment;

(e) External and internal pacemaker insertion equipment and supplies;

(3) Emergency medical supplies and equipment available to critical care within sixty seconds including:

(a) Direct current defibrillator with synchronization capabilities;

(b) Intubation supplies and equipment;

(c) Emergency cart with appropriate drugs and supplies;

(d) Chest tube insertion supplies;

(e) Intravenous, intra-arterial, and central venous access supplies consistent with the nature and scope of critical care services offered;

(4) Adequate, accessible, available means of administering oxygen, medical air, and continuous ventilatory support and providing suction;

(5) Electrical capacity and outlets sufficient to accommodate electrical equipment at each bedside, with emergency power for lighting and critical care equipment;

(6) A communication system within the area for:

(a) Patients to summon assistance for routine patient care; and

(b) Summoning appropriate personnel in emergencies;

(7) Movable beds with:

(a) A secure braking and locking device;

(b) Easily adjustable positioning to meet patient needs;

(c) The head of the bed easily accessible for resuscitation and/or other emergency procedures; and

(d) Removable head board or equivalent;

(8) Written policies and procedures established and implemented pertinent to patient care within the critical care service area which are:

(a) Made known to hospital and medical staff; and

(b) Readily available to all persons functioning within the area;

(9) Medical oversight or direction in the critical care service area by a physician member of the medical staff with functions and responsibilities delineated by the hospital governing body and medical staff bylaws;

(10) Description of all physicians' privileges and responsibilities for patients within the critical care unit;

(11) Written hospital policies and procedures established and implemented including:

(a) Criteria and priorities for admission, discharge, and transfer of patients;

(b) A requirement for a physician's examination of each patient immediately prior to admission to the critical care unit or as soon as possible thereafter as defined by the hospital;

(c) Delivery of patient care minimally including:

(i) The use of specialized medical equipment;

(ii) The performance of specific patient care procedures; and

(iii) The delineation of who may perform which procedures;

(d) Protocols to guide the actions of personnel when a medical emergency is imminent or arises and a physician is not present;

- (e) Visitor and traffic control in the critical care area; and
- (f) The role of the critical care area in the hospital disaster plans;
- (12) At least two nursing personnel skilled and trained in care of critical care patients on duty in the hospital at all times and:
 - (a) Immediately available to provide care to patients admitted to the critical care area;
 - (b) Trained and current in cardiopulmonary resuscitation;
 - (c) Including at least one registered nurse with:
 - (i) Training in the safe and effective use of the specialized equipment and procedures employed in the particular area; and
 - (ii) Successful completion of an advanced cardiac life support training program as defined and approved by the hospital or certified by the American Heart Association unless other personnel certified in advanced life support by the American Heart Association are immediately available to critical care.

NEW SECTION

WAC 248-18-556 **CRITICAL CARE FACILITIES.** Hospitals planning new construction of critical care facilities shall:

- (1) Follow general design requirements for architectural components, electrical service, lighting, call systems, hardware, interior finishes, heating, plumbing, sewerage, ventilation/air conditioning, and signage under WAC 248-18-719.
- (2) Meet general requirements for certain service facilities under WAC 248-18-711 (3) or (4), (6), (7), (8) or (9), (10) and (11) including nourishment facilities and ice machine in a clean room with combined use or sharing permitted if:
 - (a) The critical care facility has fewer than five beds; and
 - (b) The service facilities:
 - (i) Are in close proximity to the beds; and
 - (ii) Provide sufficient space for critical care functions.
 - (3) Provide a critical care facility with:
 - (a) Location to avoid traffic and penetration of objectionable heat or noise or odors from other areas of the hospital;
 - (b) A water closet, clinic sink, hopper, or equivalent with bedpan-flushing device for disposing of patient wastes, in a room directly accessible to each critical care patient room;
 - (c) A staff toilet; and
 - (d) Charting areas.
 - (4) Provide patient rooms with:
 - (a) Location of patient rooms and placement of beds in rooms to provide for direct visibility of patients from nurses' station or equivalent unless there is provision for indirect viewing of patients by mirror system or television;
 - (b) Maximum capacity of two beds per room and a ratio of at least one single room for every three planned critical care beds;
 - (c) Minimum usable floor space per bed of one hundred fifty square feet, exclusive of areas taken up by passage door swings, closets, wardrobes, portable lockers, and toilet rooms;
 - (d) Spacing of at least:
 - (i) Four feet or more between side of bed and wall;
 - (ii) Six feet or more between foot of bed and wall; and
 - (iii) Eight feet or more between beds in multibed rooms;
 - (e) Equipment as follows:
 - (i) Curtains or equivalent means of providing visual privacy;
 - (ii) Clocks with sweep second hands and lapse timer functions or equivalent;
 - (iii) One lavatory per room; and
 - (iv) An electrocardiographic monitor with oscilloscope at least five inches wide with an audio alarm system for each bed;
 - (f) Uncarpeted floors.
 - (5) Provide nurses' station or equivalent with:
 - (a) Location to provide direct visibility of each patient unless a mirror system or television is provided;
 - (b) Space for patient monitoring equipment including:
 - (i) Slave oscilloscope with audio alarm for continuous display of each patient's electrocardiogram;
 - (ii) Rate meter; and
 - (iii) Recorder;
 - (c) Wall-mounted clock with sweep second hand or equivalent;
 - (d) Charting surface or equivalent; and
 - (e) Combined use or sharing permitted if:
 - (i) The critical care facility has fewer than five beds; and
 - (ii) The nurses' station or equivalent:
 - (A) Is located in close proximity to the beds; and
 - (B) Provides sufficient space for critical care functions.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 248-18-225 ACUTE CARDIAC CARE UNIT.
- WAC 248-18-555 INTENSIVE CARE UNIT.

NEW SECTION

WAC 248-18-228 **RENAL DIALYSIS SERVICES.** Hospitals providing renal dialysis services shall:

- (1) Reuse dialyzers only when the cleaning and sterilization procedure meets guidelines under Association for Advancement of Medical Instrumentation (AAMI), July 1986, "Recommended Practices for Re-use of Hemodialyzers";
- (2) Provide adequate space for:
 - (a) Equipment and supplies necessary for the dialyzing patient;
 - (b) Preparation of materials necessary for dialysis; and
 - (c) Cleaning and disinfecting equipment;
- (3) Provide water treatment, if necessary to ensure water quality, meeting recommendations under AAMI guidelines under subsection (1) of this section;
- (4) Test water for bacterial contamination monthly and chemical purity as required under AAMI, July 1986;
- (5) Test dialysis machine for bacterial contamination monthly or demonstrate a quality assurance program establishing effectiveness of disinfection methods and intervals;
- (6) Take appropriate measures to prevent contamination, including backflow prevention under chapter 248-54 WAC, between:
 - (a) Dialysis machines;
 - (b) Dialysis machines and potable water supply; and
 - (c) Dialysis machine, drain line, and sewer;
- (7) Provide for the availability of any special dialyzing solutions required by a patient;
- (8) Meet requirements under WAC 248-18-001 through 248-18-445.

NEW SECTION

WAC 248-18-731 **DIALYSIS FACILITIES.** Hospitals planning new construction of dialysis facilities shall:

- (1) Follow general design requirements for architectural components, electrical service, lighting, call systems, hardware, interior finishes, heating, plumbing, sewerage, ventilation/air conditioning, and signage under WAC 248-18-719 with:
 - (a) Air changes in patient areas equivalent to a treatment room;
 - (b) Capture hoods in equipment cleanup or dialyzer reuse preparation rooms:
 - (i) Capable of maintaining formaldehyde levels less than 0.5 parts per million in the rooms; and
 - (ii) Exhausting directly to outdoors;
 - (c) Plumbing for each dialysis station providing:
 - (i) A water supply system or mechanism capable of meeting the flow and pressure requirements of the manufacturer for each machine;
 - (ii) A waste line serving dialysis equipment with an unalterable air gap or equivalent to prevent backflow;
 - (iii) Connections to the dialysis equipment or equivalent to prevent backflow; and
 - (iv) Piping and fittings used for all dialysis functions conforming to National Sanitation Foundation Standard No. 14 titled "Plastics Piping Components", August 1986;
 - (d) Electrical services providing:
 - (i) A minimum of four single electrical receptacles on emergency power at each dialysis station;
 - (ii) At least two of the electrical receptacles per station on emergency power connected to a dedicated branch circuit;
 - (iii) Lighting in each dialysis facility on emergency power; and
 - (iv) Ground fault circuit interrupter protection for all electrical outlet services in dialysis stations and wet areas.
- (2) Meet general requirements for certain service facilities under WAC 248-18-711 (3) or (4), (6), (7), (8) or (9), (10), and (11) which may be shared with any immediately adjacent facility and including:
 - (a) Lockable storage for patient valuables unless provided elsewhere under hospital policy;
 - (b) Chemical storage in an area within a room; and
 - (c) Cleanup room for dialysis equipment meeting requirements of WAC 248-18-711 (5)(b), (c), and (d) with eyewash equipment located within the dialysis facility.

- (3) Provide a dialysis facility with:
 - (a) Location to avoid through traffic;
 - (b) Uncarpeted floors in patient care and wet areas;
 - (c) Coat hook or equivalent for hanging full length garments;
 - (d) A medical emergency signal device;
 - (e) A patient waiting area;
 - (f) Work station for staff with writing surfaces and storage for supplies;
 - (g) Patient preparation areas:
 - (i) Adjacent to dialysis stations;
 - (ii) With provisions for:
 - (A) Privacy;
 - (B) Handwashing; and
 - (C) Storage;
 - (h) Privacy areas for interviewing and consultation which may be shared;
 - (i) Toilet or toilets in or convenient to the dialysis facility including at least one wheelchair accessible toilet; and
 - (j) Patient training room with a lavatory if home training is planned.
 - (4) Provide dialysis stations including:
 - (a) Minimum square feet per dialysis station of:
 - (i) Seventy square feet excluding aisles when the service uses recliner chairs; and
 - (ii) Eighty square feet excluding aisles when the service uses beds;
 - (b) Lavatory adjacent to each dialysis station; and
 - (c) A patient nurse call.

NEW SECTION

WAC 248-18-231 LONG-TERM CARE SERVICES. (1) Hospitals providing inpatient long-term care services shall:

- (a) Meet requirements under WAC 248-18-190;
- (b) Require an assessment of each patient by a registered nurse upon admission to determine immediate care needs;
- (c) Require documentation of the initial plan of care in the patient's medical record;
- (d) Make the plan of care accessible to direct caregivers who have a need to know in order to provide actual health care services to the patient;
- (e) Establish a plan of care individualized to the needs of each patient and:
 - (i) Developed by those disciplines involved in a patient's care;
 - (ii) Implemented in conjunction with a registered nurse responsible for total care of the patient for the duration of hospitalization in a long-term care service unit or area; and
 - (iii) Maintained in a confidential manner;
- (f) Require a physician's order for use of any physical restraint restricting freedom of movement or position change, including the specific reason, type, and location of restraint, and:
 - (i) Establish and follow a policy on release of patients from physical restraints for specified intervals and monitoring of patients in restraints;
 - (ii) Require documentation in a patient's medical record of patient's restraint - release time intervals;
 - (iii) Document reason for use of any restraint on a patient in the patient care plan.
- (2) Hospitals providing long-term care shall establish written policies and procedures specifying:
 - (a) Rights of patients including:
 - (i) Informing each patient of individual rights at the time of admission;
 - (ii) Documenting evidence of informing a legally delegated person about a patient's rights when a patient is unable to receive and understand the information;
 - (b) A mechanism to:
 - (i) Identify social and emotional needs of the patients;
 - (ii) Refer patients in need of social services to appropriate social agencies.
 - (3) Hospitals with inpatient long-term care services shall provide:
 - (a) An activities program designed to encourage each long-term care patient to maintain or attain normal activity and achieve an optimal level of independence;
 - (b) A community dining area;
 - (c) Handrails on both sides of all patient access corridors;
 - (d) Patient bathrooms and toilets arranged to accommodate wheelchair patients;
 - (e) A shower stall accommodating a shower chair on the same level and convenient to patient rooms.

(4) Hospitals providing long-term care services and permitting pets shall:

- (a) Require and provide for humane care and maintenance of pets under conditions prohibiting animals, except for fish in an aquarium, in rooms or areas for:
 - (i) Food storage and preparation;
 - (ii) Group dining areas during the times food is served and consumed;
 - (iii) Cleaning and storage of cooking and eating utensils;
 - (iv) Linen storage or laundry;
 - (v) Drug or sterile supply storage; and
 - (vi) Patient bedrooms if the condition of a patient in the room contraindicates the presence of the animal;
- (b) Permit seeing eye, hearing, and assistance dogs as needed;
- (c) Provide reasonable opportunity for a patient to have regular contact with animals, if the patient desires;
- (d) Consider preferences of the long-term care patients through a long-term care resident council, poll, or other means;
- (e) Ensure the presence of animals does not compromise the rights, preferences, and medical requirements of individual patients;
- (f) Permit animals such as dogs, cats, fish, gerbils, hamsters, guinea pigs, and birds;
- (g) Require veterinarian certification of psittacine birds certified free of psittacosis or other diseases and meeting United States Department of Agriculture (USDA) quarantine procedures;
- (h) Require regularly scheduled veterinarian examinations and appropriate immunizations for animals living on the premises, with records retained in the hospital;
- (i) Keep animals living on the premises clean and free of external parasites such as fleas and ticks.

NEW SECTION

WAC 248-18-820 LONG-TERM CARE UNIT. Hospitals planning new construction of long-term care facilities of ten or more beds shall:

- (1) Follow general design requirements for architectural components, electrical service, lighting, call systems, hardware, interior finishes, heating, plumbing, sewerage, ventilation/air conditioning, and signage under WAC 248-18-719;
- (2) Provide and meet general requirements for certain service facilities under WAC 248-18-711 (3) or (4), (6), (7), (8) or (9), (10), and (11) including:
 - (a) Locks on all doors for housekeeping, medications, storage, and utility rooms;
 - (b) Controlled access locks on medication rooms;
 - (c) A housekeeping supply room on or adjacent to each facility;
 - (d) Linen storage in a clean room; and
 - (e) General storage space of not less than four square feet per bed within the hospital in addition to closets and equipment storage provided in the long-term care service area;
 - (3) Provide long-term care facilities with:
 - (a) Location of facilities described under subsection (2)(a) through (c) of this section on the same floor as long-term care beds;
 - (b) Location to minimize through traffic and penetration of objectionable noise, odors, or heat from other areas of the hospital;
 - (c) Wheelchair accessible patient toilets including:
 - (i) Water closets in a ratio of at least one per four beds;
 - (ii) Bedpan flushing equipment;
 - (iii) Accessibility from each patient room;
 - (iv) Lavatory in each toilet; and
 - (v) Grab bars properly located and securely mounted on each side of the water closet;
 - (d) At least one wheelchair accessible toilet opening directly from the main corridor;
 - (e) Handrails along both sides of all patient use corridors:
 - (i) Mounted at thirty-two to thirty-four inches above the floor;
 - (ii) With ends returned to the walls; and
 - (iii) Projecting a maximum of three and one-half inches from the wall;
 - (f) Patient bathing facilities including:
 - (i) Showers or tubs in a ratio of one per fifteen beds;
 - (ii) At least one emersion bathing fixture accessible from two sides and one end for wheelchairs and stretchers;
 - (iii) One roll-in shower or equivalent designed:
 - (A) For ease of shower chair entry;
 - (B) With bulk heads a maximum of thirty-four inches high providing for toe space;

(C) With properly sloped and drained floor to prevent the flow of water outside the stall while providing for safe use of a shower chair within the stall; and

(D) With the water inlet approximately four and one-half feet from floor level and a flexible hose approximately five feet long including a lightweight, shampoo-type, spray attachment;

(g) Grab bars including:

(i) One horizontal grab bar a minimum of forty-eight inches long at the side of each standard bathtub with an "L" shaped bar at the faucet end;

(ii) At least one horizontal grab bar at the faucet end of each peninsular bathtub; and

(iii) Horizontal grab bar on two sides of each shower stall with an "L" shaped bar on the shower head side;

(h) Nourishment room in each facility including:

(i) Space for waste containers;

(ii) Equipment:

(A) Refrigerator;

(B) Ice machine;

(C) Sink with work counter; and

(D) Storage for utensils and foodstuffs;

(i) Waiting room or area;

(4) Provide patient rooms with:

(a) Maximum capacity of two beds per patient room;

(b) Minimum usable floor space per bed exclusive of areas taken up by passage door swings, closets, wardrobes, portable lockers, and toilet rooms of:

(i) Eighty-five square feet in multibed rooms; and

(ii) One hundred square feet in one-bed rooms;

(c) Minimum dimensions of:

(i) Eleven feet for multibed rooms; and

(ii) Three feet between the sides and the foot of the bed and any wall, fixed obstruction, or other bed;

(d) Space for wheelchair storage;

(e) Equipment including:

(i) The provision for patient privacy in all rooms;

(ii) One wardrobe, closet, or locker per bed for hanging of full-length garments and a securable drawer for personal effects; and

(iii) A lavatory in each multibed room;

(5) Provide a nurses station or equivalent including:

(a) A charting surface;

(b) Confidential storage for patients' medical records;

(c) Storage for charting supplies;

(d) Clock; and

(e) Telephone;

(6) Provide staff facilities including:

(a) A toilet;

(b) Securable storage for purses and personal effects apart from storage for patient care supplies and equipment;

(c) An office for confidential management and staff communications; and

(d) A conference room for confidential staff and family communication;

(7) Provide suitably equipped patient areas in the long-term care facility for:

(a) Dining room;

(b) Recreational activity; and

(c) Dayroom with windows;

(8) Provide occupational therapy and physical therapy facilities as described under WAC 248-18-675 either in the long-term care unit or elsewhere in the hospital;

(9) Include the following features if planning to provide a protective facility for cognitively impaired patients:

(a) Corridors with the following minimum widths:

(i) Ten feet;

(ii) Eight feet for a circular route allowing the patient to return to the patient's starting point without reversing direction; or

(iii) As permitted under chapter 248-14 WAC specifically for construction of facilities for the cognitively impaired;

(b) Floors, walls, and ceiling surfaces displaying contrasting colors for identification;

(c) Door thresholds of one-half inch or less;

(d) Exits secured by alarms or doors requiring cognitive ability to open or other methods provided doors release upon activation of the fire alarm system and upon loss of power;

(e) Instruction labels on door release devices requiring direction for use;

(f) Secured outdoor space and walkways, when outdoor space is provided, including:

(i) Walls or fences at least six feet high and designed to prevent climbing and penetration;

(ii) Ambulation area with:

(A) Walking surfaces firm, stable, and free from abrupt changes in elevation; and

(B) Slip-resistant surfaces on areas subject to wet conditions;

(iii) Exits from the secured outdoor spaces and walkways releasing automatically upon activation of fire alarm signal or upon loss of power.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 248-18-230 NURSING HOME UNIT.

WSR 90-20-036

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed September 25, 1990, 2:58 p.m.]

Original Notice.

Title of Rule: New section WAC 468-06-140 Indexes.

Purpose: A system of indexing for identification and location of final orders, declaratory orders, interpretive statements and policy statements required in RCW 42-17.260 (4)(b), (c), (d) and (e).

Statutory Authority for Adoption: RCW 34.05.220 and 42.17.250.

Statute Being Implemented: RCW 34.05.220 and 42.17.250.

Summary: Describes the accessibility of final orders, declaratory orders, interpretive statements and policy statements to interested persons.

Reasons Supporting Proposal: This rule is necessary to adopt procedures to make final orders, declaratory orders, interpretive statements and policy statements available to the public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: William D. Richeson, Administrative Services, (206) 753-0316.

Name of Proponent: Department of Transportation, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Transportation Building, Commission Board Room, Olympia, Washington 98504, on November 9, 1990, at 10:00 a.m.

Submit Written Comments to: William D. Richeson, Department of Transportation, Olympia, Washington 98504, by November 7, 1990.

Date of Intended Adoption: November 9, 1990.

September 24, 1990

Ed W. Ferguson

Deputy Secretary

NEW SECTION

WAC 468-06-140 INDEXES. (1) A system of indexing for identification and location of the following records is hereby established by the department. Such records shall include the following:

(a) Final orders entered after June 30, 1990, issued in adjudicative proceedings as defined in RCW 34.05.010(1) that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(b) Declaratory orders entered after June 30, 1990, that contain an analysis or decision of substantial importance to the agency in carrying out its duties.

(c) Interpretive statements as defined in RCW 34.05.010(8).

(d) Policy statements entered after June 30, 1990, as defined in RCW 34.05.010(14).

(2) A system of indexing shall be as follows:

(a) The indexing system will be administered by the department's rules coordinator and located in the transportation building in Olympia, Washington.

(b) Copies of all indexes shall be available for public inspection and copying in the manner provided for the inspection and copying of public records.

(c) The rules coordinator shall establish and maintain a separate index for each item contained in subsections (1)(a) through (d) of this section as follows:

(i) The index shall list all final orders and declaratory orders selected by the department that contain decisions of substantial importance to the agency which orders shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the issue or issues and relevant citations of law.

(ii) Interpretative statements and policy statements shall be indexed by the applicable program administered by the department.

(d) The rules coordinator shall update all indexes at least once a year and shall revise such indexes when deemed necessary by the department.

WSR 90-20-037
RULES COORDINATOR
DEPARTMENT OF PERSONNEL
 [Filed September 25, 1990, 3:30 p.m.]

In accordance with RCW 34.05.310, this is to notify you that the following individual is the Department of Personnel's rules coordinator for the remainder of 1990: Lori Parker, Human Resource Assistant, Department of Personnel, Compensation and Classification Division, 521 Capitol Way South, Mailstop FE-11, Olympia, WA 98504.

Dee W. Henderson
 Director

WSR 90-20-038
PROPOSED RULES
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed September 25, 1990, 4:03 p.m.]

Continuance of WSR 90-14-086.
 Title of Rule: WAC 296-116-300 Pilotage rates for the Puget Sound pilotage district.
 Purpose: To provide a transportation fee in Port Angeles for the Puget Sound pilotage district.
 Statutory Authority for Adoption: RCW 88.16.035.
 Statute Being Implemented: RCW 88.16.035.

Summary: The pilotage rates for the Puget Sound pilotage district failed to contain a transportation fee for Port Angeles.

Reasons Supporting Proposal: Vessels routinely use the berths in Port Angeles, necessitating the need for the transportation charge.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Admiral Chet Richmond, Pier 52, Seattle, 464-7818.

Name of Proponent: Port Angeles Pilots Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-116-300 establishes the tariffs for pilotage services performed aboard vessels in the Puget Sound pilotage district. Although vessels routinely dock in Port Angeles, there was no transportation fee included for Port Angeles.

Proposal Changes the Following Existing Rules: The proposed amendment to the rule establishes a ten dollar fee for Port Angeles.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Conference Room, Pier 52, 801 Alaskan Way, Seattle, WA 98104, on November 8, 1990, at 9 a.m.

Submit Written Comments to: Admiral Chet Richmond, by October 29, 1990.

Date of Intended Adoption: November 8, 1990.
 September 24, 1990
 Marjorie Smitch
 Assistant Attorney General

Reviser's note: Please refer to WSR 90-20-115 filed on October 2, 1990, for withdrawal of this continuance.

WSR 90-20-039
PERMANENT RULES
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed September 25, 1990, 4:04 p.m.]

Date of Adoption: September 13, 1990.
 Purpose: To incorporate the 1990 legislative changes to RCW 88.16.070 as well as add the requirement of a current radar endorsement.

Citation of Existing Rules Affected by this Order: Amending WAC 296-116-360.

Statutory Authority for Adoption: RCW 88.16.070.

Pursuant to notice filed as WSR 90-16-108 on August 1, 1990.

Changes Other than Editing from Proposed to Adopted Version: The requirement of a first class pilotage endorsement was deleted.

Effective Date of Rule: Thirty-one days after filing.
 September 24, 1990
 Marjorie Smitch
 Assistant Attorney General

AMENDATORY SECTION (Amending Order 88-6, Resolution No. 88-6, filed 4/13/88)

WAC 296-116-360 EXEMPT VESSELS. Under the authority of RCW 88.16.070, application may be made to the board of pilotage commissioners to seek exemption from the pilotage requirements for the operation of a limited class of small passenger vessels or yachts, which are not more than five hundred gross tons (international), do not exceed two hundred feet in length, and are operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia. The owners or operators of such vessel or vessels must:

(1) Seek exemption at least sixty days prior to planned vessel operations in the Puget Sound pilotage district.

(2) Submit the petition requesting exemption to the chairperson, Washington state board of pilotage commissioners, with details concerning description of the vessel, the contemplated use of vessel, the proposed area of operation, the name and address of the vessel's owner, and the dates of planned operations. The board shall hold a hearing at a regularly scheduled board meeting to consider such exemption request.

The board, when granting such an exemption, may establish such conditions they deem necessary so that such an exemption shall not be detrimental to the public interest in regard to safe operation preventing loss of human lives, loss of property, and protecting the marine environment of the state of Washington.

One such condition shall be that the master of the vessel, shall at all times, hold as a minimum, a United States government license as a master of ocean or near coastal ((of)) steam or motor vessels of not more than sixteen hundred gross tons ((inspected vessel)) or as a master of inland steam or motor vessels of not more than sixteen hundred gross tons, such license to include a current radar endorsement.

The board shall annually, or at any other time when in the public interest, review any exemptions granted to the specified class of small vessels to ensure that each exempted vessel remains in compliance with the original exemption and any conditions to the exemption. The board shall have the authority to revoke such exemption when there is not continued compliance with the requirements for exemption.

WSR 90-20-040
PROPOSED RULES
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed September 25, 1990, 4:05 p.m.]

Original Notice.

Title of Rule: WAC 296-116-120 Job description—Physical examination.

Purpose: The 1990 legislature amended the Pilotage Act and established sanctions for vessel pilots who are convicted of any offense involving drugs or the personal

consumption of alcohol while on duty. The proposed rule change establishes the reporting requirement of convictions as well as authorizes the board to independently check with the appropriate authorities.

Statutory Authority for Adoption: RCW 88.16.090(6) and 88.16.100(4).

Statute Being Implemented: RCW 88.16.090(6) and 88.16.100(4).

Summary: The proposed regulation establishes the pilot/applicant's reporting requirement of convictions of offenses involving drugs or the personal consumption of alcohol while on duty. Reporting shall be required on the annual physical exam form at the time of the exam. The rule authorizes the board to independently check with the appropriate authorities.

Reasons Supporting Proposal: Assure most highly qualified and competent individuals are piloting vessels in Washington waters.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Admiral Chet Richmond, Pier 52, Seattle, 464-7818.

Name of Proponent: Washington State Board of Pilotage Commissioners, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The 1990 legislature amended the Pilotage Act and established sanctions for vessel pilots who are convicted of any offense involving drugs or the personal consumption of alcohol while on duty. The proposed rule change establishes the reporting requirement of convictions.

Proposal does not change existing rules.

Reporting shall be required on the annual physical exam form at the time of exam. The rule authorizes the board to independently check with the appropriate authorities also.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Conference Room, Pier 52, Colman Dock, 801 Alaskan Way, on November 8, 1990, at 9 a.m.

Submit Written Comments to: Peggy Larson, by October 29, 1990.

Date of Intended Adoption: November 8, 1990.

September 24, 1990

Marjorie T. Smitch

Assistant Attorney General

AMENDATORY SECTION (Amending WSR 90-13-065, filed 6/18/90, effective 7/19/90)

WAC 296-116-120 JOB DESCRIPTION—PHYSICAL EXAMINATION—HEALTH REQUIREMENTS. (1) A Washington state licensed marine pilot, under the authority of the master, directs ships into and out of harbors, estuaries, straits, sounds, rivers, lakes, and bays using a specialized knowledge of local conditions including winds, weather, tides, and current; Orders officers and helmsman by giving course and speed changes and navigates ship to avoid conflicting marine traffic, congested fishing fleets, reefs, outlying shoals and other hazards to shipping; utilizes aids to navigation, such as lighthouses and buoys. Utilizes ship's bridge equipment, including radar, fathometer, speed log, gyro, magnetic compass, whistle or horn and other navigational equipment as needed. Required to use ship's radio equipment in contacting U.S. Coast Guard vessel traffic system and other ships while

ship is in transit. Directs ship's officers, crewmen, and tug boat captains as necessary, when ships are transiting bridges, narrow waterways, anchoring, docking, and undocking. Must perform duties day or night in all weather conditions, including high winds, fog, mist, rain-fall, falling snow and other adverse conditions, as encountered. In order to safely perform the foregoing duties, a Washington state licensed marine pilot shall:

(a) Be physically qualified to possess a U.S. Coast Guard master's license, as required by the state of Washington.

(b) Be capable of boarding a vessel from and leaving a vessel into a pilot boat via a Jacob's ladder and a gangway. A Jacob's ladder involves a vertical climb or descent of up to nine meters and requires both physical energy and mental judgment.

(c) Be capable of moving to a more desirable vantage point in a timely manner, so as to avoid a close quarters situation when the physical characteristics of the ship or cargo obstruct the pilot's field of vision.

(d) Be able to meet the necessary eye-sight and hearing requirements to carry out marine pilotage duties.

(e) Have mental reflexes capable of allowing decisions to be made without delay. This is imperative in all aspects of ship handling.

(f) Be capable of withstanding mental stresses which may occur with a vessel in lowered visibility, in a close quarters situation or when docking or undocking.

(g) Be capable of working efficiently and effectively at any time of the day or night, including irregular and unscheduled hours, after sufficient rest.

(h) Possess mental maturity and show mental responsibility.

(2) In order to determine the physical fitness of persons to serve as licensed pilots under the provisions of the pilotage act, all licensed pilots and applicants shall be required to pass a general physical examination annually within forty-five days prior to the date their annual state pilot license fee is due. The physical examination required of all pilots and initial applicants shall demonstrate that he/she is fully able to carry out the duties of a pilot. The examination shall assure that one's abilities as a pilot will not be impaired by eye-sight, hearing or other bodily function. As part of this examination pilots and applicants shall have completed on a form provided by the board a detailed report of physical examination. Each pilot is required to report on the form any convictions of offenses involving drugs or the personal consumption of alcohol which occurred while on duty within the prior twelve months. Applicants for a license must report on the form any and all convictions of offenses involving drugs or the personal consumption of alcohol which occurred within the twelve months prior to the date of their application. This form shall be prepared by the examining physician and shall be submitted to the board along with a letter stating his/her findings/recommendations as to the ability of the pilot or applicant to safely perform the pilotage duties based on the job description for a Washington state licensed marine pilot and the standards set forth below. The examining physician should review these standards and review the job description in subsection (1) of this section before making findings/recommendations as to the medical fitness of the applicant. A medical/occupational history form will be completed and signed by the initial applicant for review of the physician prior to the initial examination. The board may in its discretion check with the appropriate authorities for any convictions of offenses involving drugs or the personal consumption of alcohol in the prior twelve months. The detailed report of physical examination is a confidential record and will not be available for public inspection. Such examination shall be obtained at the expense of the licensed pilot or applicant from a physician or physicians designated in advance by the board. The secretary of the board shall give each pilot or applicant reasonable written notice of the date when any such physical examination becomes due and shall specify the name of the physicians then approved by the board to conduct such physical examination.

(3) Based upon the findings/recommendations of the examining physician and review by the board, the board will make the determination as to the applicant or pilot's fitness to perform the duties of a pilot. This determination will be made within ninety days after each annual physical examination.

(4) The purpose of the history and physical examination is to detect the presence of physical, mental, or organic defects of such character and extent as to affect an individual's ability to pilot a vessel safely. The examination will be made carefully and at least as complete as indicated by the form provided by the board. History of certain defects may be cause for rejection of the initial applicant or indicate the need

for making certain laboratory tests or a further and more stringent examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects should be discussed with the applicant or pilot who should be advised to take the necessary steps to ensure correction, particularly of those which, if neglected, might lead to a condition likely to affect the ability to perform the duties of a pilot.

(5) The board has determined which physical conditions may be permanently disqualifying for initial applicants as well as which conditions may be permanently disqualifying for renewal of license. Certain conditions are not necessarily disqualifying, for renewal of licensure only, when, based on the knowledge and experience of the examining physician these conditions can be managed medically and without threat to the pilot's ability to perform the duties of a pilot. An individual may be disqualified when, in the opinion of the examining physician, there is reasonable probability that a condition can occur suddenly and without warning which would render the applicant incapable of promptly responding, both mentally and physically to emergency situations. When certain conditions exist the medical examiner may recommend either:

(a) A permanent disqualification; or

(b) A temporary disqualification until which time the condition is either corrected or medically managed.

(6) Initial applicants will be required to take a test indicating they are free of illegal substance abuse. Testing will be for the presence of Cocaine, Opiates, Marijuana (THC), Amphetamines and PCP (phenylclidine). Testing will be in accordance with the Department of Transportation (Coast Guard) guidelines outlined in the Federal Register 46 CFR 4, 5, and 16. Urine specimens are to be analyzed by a laboratory that meets DHHS regulations set forth by the National Institute of Drug Abuse (NIDA).

Chain of custody forms and instructions for collection and transport to a NIDA approved laboratory can be obtained from:

Laboratory of Pathology
Nordstrom Medical Tower
P.O. Box 14950
Seattle, WA 98114-0950
(206) 386-2872

(7) The conditions in these standards are listed according to the International Classification of Diseases (ICD). Some categories may not apply to the standards set forth and therefore may be absent in some listings. However, all categories should be taken into consideration by the examining physician.

(a) Infectious and parasitic diseases.

(b) Neoplasms.

(c) Endocrine, nutritional, metabolic, and immunity disorders.

(d) Diseases of the blood and blood forming organs.

(e) Mental disorders.

(f) Diseases of the nervous system and sense organs.

(g) Diseases of the respiratory system.

(h) Diseases of the digestive system.

(i) Diseases of the genitourinary system.

(j) Complications of pregnancy, childbirth, and the puerperium.

(k) Diseases of the skin and subcutaneous tissues.

(l) Diseases of the musculoskeletal system and connective tissues.

(m) Congenital anomalies.

(n) Certain conditions originating in the perinatal period.

(o) Symptoms, signs, and other ill defined conditions.

(p) Injury and poisonings.

(8) The guidelines for recommended visual standards are based on the necessity of a pilot to be able to safely perform the duties of a pilot, including functioning under all emergency conditions aboard the vessel. Consideration must be given to the pilot's previously demonstrated ability to perform his or her pilotage duties.

(a) The visual acuity of an applicant shall be at least 20/200 in each eye uncorrected and correctable to at least 20/40 in each eye as determined by Snellen test or its equivalent unless applicant qualifies for a waiver from the Officer in Charge, Marine Inspection, or the Commandant, U.S. Coast Guard.

(b) The initial applicant should have normal color vision per pseudo isochromatic plates, Ishihara or Keystone test. If the initial applicant fails this test, the Farnsworth or Williams Lantern tests or their equivalent may be used to determine the initial applicant's ability to distinguish primary colors.

(c) Loss of vision in one eye may not be disqualifying if one eye passes the test required for the better eye of the applicant with binocular vision and the applicant has had sufficient time to develop and demonstrate adequate judgment of distances.

(d) Applicants who wear corrective lenses and meet the qualifications in (a) of this subsection are medically fit to carry out pilotage duties only while wearing their corrective lenses and if they have with them, while on duty, a spare pair of correcting lenses that provide at least the same visual acuity.

(9) Baseline audiograms shall be performed on all entry level applicants. All licensed pilots will be tested annually, with the first audiogram considered baseline. Each ear will be tested separately using properly calibrated equipment which meets ANSI (American National Standards Institute) standards criteria for background noise in audiometric rooms. Testing should not be performed unless the applicant has been free of work noise or intense noise for a period of at least fourteen hours prior to testing. Should the applicant have a current condition which can cause a temporary hearing loss, such as cold, the applicant should be rescheduled for testing in two weeks, or until such condition is resolved. Testing will be performed by a licensed audiologist, otolaryngologist, physician with sufficient training in conducting and interpreting audiograms, or a technician who is currently certified by the Council for Accreditation in Occupational Hearing Conservation (CAOHC).

(a) A baseline audiogram is required on all initial applicants. The first audiogram performed on a currently licensed pilot shall be considered the baseline audiogram.

(b) Applicants having hearing threshold levels that do not exceed 40 dB at frequencies of 500, 1000, 2000, 3000 Hz in either ear are considered to have normal hearing for communication purposes.

(c) Annual audiograms will be performed thereafter for the purposes of comparison to baseline. A significant threshold shift is defined as a change averaging more than 10 dB from baseline in the frequencies of 500, 1000, 2000, and 3000 Hz and requires further evaluation by a physician, otolaryngologist, or audiologist and preventive action taken on the part of the pilot.

(d) Mechanical acoustical devices (hearing aids) are not disqualifying but should not be worn in areas of high background noise levels in order to prevent further deterioration of his/her hearing.

(e) An applicant must minimally be able to hear an average conversational voice in a quiet room while standing with his/her back turned at a distance of eight feet.

(10) Below is a list of conditions which can be absolutely disqualifying for initial licensure as a maritime pilot. The list of causes for disqualification is not all inclusive or intended to be complete, but represents the types of conditions that would interfere with the safe performance of pilotage duties. This guide is not intended to replace the physician's professional judgment. Rather, it calls for the physician and the board to closely examine whether the applicant can safely perform the tasks outlined in the job description of a Washington state licensed marine pilot. The examining physician should also be aware that a second opinion concerning the diagnosis may be sought in cases of unfavorable determinations. A condition should only be considered disqualifying while such condition persists. Following corrective medical action the applicant should be encouraged to apply for reentry.

Conditions Which Can Be Absolutely Disqualifying For Initial Licensure

1. Infectious and parasitic diseases – Any communicable disease in its communicable or carrier stage.
2. Neoplasms – Malignant diseases of all kinds in any location.
3. Endocrine, nutritional, metabolic, and immunity disorders – Diabetes requiring insulin or hypoglycemic drugs; cirrhosis of the liver; alcohol abuse (unless abstinence for two years).
4. Diseases of the blood and blood forming organs – Hemophilia; acute or chronic significant anemias.
5. Mental disorders – Severe personality disorders; use of illegal drugs; dementia of Alzheimer's type, senility, psychosis.
6. Diseases of the nervous system and sense organs – Epilepsy or any convulsive disorder resulting in an altered state of consciousness, regardless of control; disturbance of balance; multiple sclerosis; Meniere's syndrome.
7. Diseases of the circulatory system – Multiple myocardial infarctions or cardiac class II or IV (NYHA); hypotension with syncopal episodes; varicose veins if associated with edema, skin ulceration or residual scars. Recurrent thromboembolic conditions.

8. Diseases of the respiratory system – Active pulmonary tuberculosis Class IV respiratory impairment; permanent tracheostomy.

9. Diseases of the genitourinary system – Chronic renal failure; permanent ureterostomy.

10. Complications of pregnancy, childbirth, and the puerperium – Pregnancy is not in itself disqualifying, if, in the opinion of the examining physician and the applicant's obstetrician determine that the pilotage duties can be safely carried out without risk to the mother or fetus and without risk to the safety of the vessel, crew, and property.

11. Diseases of the skin and subcutaneous tissues – There are no absolute exclusions listed for diseases of the skin unless, in the opinion of the examining physician, a condition exists that would interfere with the performance of pilotage duties.

12. Diseases of the musculoskeletal system and connective tissues – Lupus erythematosus, disseminated; amputation of any portion of a limb, resection of a joint, artificial joint or absence of the toes which would preclude the ability to run, walk, balance oneself, grasp and climb ladder rungs; chronic low back pain that is disabling to the degree of interfering with job requirements.

13. Congenital anomalies – Any existing condition that, in the opinion of the examining physician, would interfere with the safe performance of pilotage duties.

14. Symptoms, signs, and other ill defined conditions – Serious degree of stuttering or speech impediment sufficient to interfere with communication; alcoholism; drug addiction, other than tobacco or caffeine.

15. Injury or poisonings – May be temporarily disqualifying until condition resolved without disabling sequelae.

(11) Below is a list of conditions which can be absolutely disqualifying for relicensure as a maritime pilot. The list of causes for disqualification is not all inclusive or intended to be complete, but represent the types of conditions that would interfere with the safe performance of pilotage duties. This guide is not intended to replace the physician's professional judgment. Rather, it calls for the physician and the board to closely examine whether the applicant can continue to safely perform the tasks outlined in the job description of a Washington state licensed marine pilot. The examining physician should also be aware that a second opinion concerning diagnosis may be sought in cases of unfavorable determinations.

Conditions Which Can Be Absolutely Disqualifying For Relicensure

1. Neoplasms – Malignancies with metastases.
2. Endocrine, nutritional, metabolic, and immunity disorders – Cirrhosis of the liver with hepatic failure.
3. Diseases of the blood and blood forming organs – Hemophilia; acute leukemia.
4. Mental disorders – Severe personality disorders; senility; dementia of Alzheimer's type psychosis.
5. Diseases of the nervous system and sense organs – Disturbance of balance, permanent and untreatable Meniere's syndrome.
6. Diseases of the circulatory system – Multiple myocardial infarctions or cardiac Class III or IV (NYHA); hypotension with syncopal episodes; varicose veins if associated with edema, skin ulceration or residual scars. Recurrent thromboembolic conditions.
7. Diseases of the respiratory system – Active pulmonary tuberculosis; Class IV respiratory impairment.
8. Diseases of the genitourinary system – Chronic renal failure; permanent ureterostomy.
9. Complications of pregnancy, childbirth, and puerperium – Pregnancy is not in itself disqualifying, if, in the opinion of the examining physician and the applicant's obstetrician determine that the pilotage duties can be safely carried out without risk to the mother or fetus and without risk to the safety of the vessel, crew and property.
10. Diseases of the skin and subcutaneous tissues – There are no absolute exclusions for diseases of the skin unless, in the opinion of the examining physician, a condition exists that would interfere with the performance of pilotage duties.
11. Diseases of the musculoskeletal and connective system – Lupus erythematosus, disseminated; amputation of any portion of a limb, resection of a joint, artificial joint or absence of the toes which would preclude the ability to run, walk, balance oneself, grasp, and climb ladder rungs. Chronic low back pain that is disabling to the degree of interfering with job requirements.
12. Symptoms, signs, and other ill defined conditions – Serious degree of stuttering or speech impediment sufficient to interfere with

communication; alcoholism; drug addiction, other than tobacco or caffeine. Current need to use methadone, antabuse, antidepressants, anti-anxiety drugs.

13. Injury or poisonings - May be temporarily disqualifying until condition resolved without disabling sequelae.

(12) Some conditions may develop during the course of employment that would be absolutely disqualifying for initial licensure. In evaluating the impact of such a condition on an existing pilot, the examining physician and the board should take into consideration the pilot's past experience, effectiveness of performance and predictability of his/her performance. The board may waive certain duties of a pilot as outlined in the job description contained in subsection (1) of this section. The list of conditions requiring in-depth evaluation is not all inclusive or intended to be complete, but represent the types of conditions that might interfere with the safe performance of pilotage duties. The examining physician should also be aware that a second opinion concerning the diagnosis may be sought in cases of unfavorable determinations.

Conditions Requiring In-depth Evaluation

1. Neoplasms - Malignancies of any kind.
2. Endocrine, nutritional, metabolic, and immunity disorders - Diabetes requiring hypoglycemic drugs; cirrhosis of the liver.
3. Diseases of the blood and blood forming organs - Chronic leukemia.
4. Mental disorders - Anxiety reactions; depression.
5. Diseases of the nervous system and sense organs - Disturbance of balance; multiple sclerosis; epilepsy or any convulsive disorder resulting in an altered state of consciousness.
6. Diseases of the circulatory system - Uncontrolled hypertension; varicose veins; pacemaker, demand.
7. Diseases of the respiratory system - Respiratory impairment; permanent tracheostomy.
8. Diseases of the digestive system - Permanent colostomy; permanent ileostomy.
9. Complications of pregnancy, childbirth, and the puerperium - Pregnancy.
10. Diseases of the skin and subcutaneous tissues - Any skin disorders that, in the opinion of the examining physician, may interfere with the performance of pilotage duties.
11. Diseases of the musculoskeletal system and connective tissues - Lupus erythematosus, disseminated; artificial joints; chronic low back pain.
12. Injury or poisonings - May be temporarily disqualifying until condition resolved without disabling sequelae.
13. A pilot may be temporarily relieved of pilotage duties until such time as a disqualifying condition is resolved or medically managed and with frequent evaluation by the examining physician or specialist. In this case, the board, after consulting with the physician, will determine the frequency of medical examinations. A condition should only be considered disqualifying while such a condition persists. Following corrective medical action, the individual may be removed from temporary disqualification. Provided that, if a temporary disqualifying condition continues for longer than two years from the time the pilot is initially relieved of pilotage duties, the board, in its discretion and after a full review of all relevant factors, may make a determination that the condition is permanently disqualifying.

WSR 90-20-041
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed September 25, 1990, 4:11 p.m.]

Original Notice.

Title of Rule: WAC 314-12-020 Applicants—Qualifications—Finger printing—Criminal history record information checks—Continuing conditions—Agreements—Reconsideration of denied applicants.

Purpose: To use consistent language in all the regulations that describe and/or define ownership interests.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.010 (2)(b).

Summary: Changes requirement from ten percent or more to more than ten percent to match the statute.

Reasons Supporting Proposal: Makes statute and WAC consistent.

Name of Agency Personnel Responsible for Drafting: Carol J. Smith, 1025 East Union, Olympia, Mailstop ES-31, 753-6259; Implementation: Lester C. Dalrymple and Gary Gilbert, 1025 East Union, Olympia, Mailstop ES-31, 753-6259; and Enforcement: Gary Gilbert, 1025 East Union, Olympia, Mailstop ES-31, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Rule clarifies the qualifications of a liquor license applicant.

Proposal Changes the Following Existing Rules: Changes persons who are required to submit information from those who hold ten percent or more stock, to those that hold more than ten percent stock.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Number of persons reporting will be reduced, not increased.

Hearing Location: Liquor Control Board, 5th Floor Board Room, 1025 East Union, Olympia, WA 98504, on November 7, 1990, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Public Information Officer, by November 7, 1990.

Date of Intended Adoption: November 7, 1990.

September 25, 1990
Paula O'Connor
Chairman

[AMENDATORY SECTION (Amending Order 129, Resolution No. 138, filed 9/7/83)]

WAC 314-12-020 APPLICANTS—QUALIFICATIONS—FINGERPRINTING—CRIMINAL HISTORY RECORD INFORMATION CHECKS—CONTINUING CONDITIONS—AGREEMENTS—RECONSIDERATION OF DENIED APPLICANTS. (1) Where a married person is an applicant for, or holder of a license, the spouse of such applicant, if the parties are maintaining a marital community, shall be required to have the same qualifications as the applicant.

(2) The board may require, as a condition precedent to the original issuance or transfer of any annual license, fingerprinting information checks on any person not previously licensed by the board. In addition to the applicant, fingerprinting and criminal history record information checks may be required of the applicant's spouse. In the case of a corporation, fingerprinting and criminal history record information checks may be required of its present and any subsequent officers, manager, and stockholders who hold ~~((ten percent or))~~ more than ten percent of the total issued and outstanding stock of the applicant corporation if such persons have not previously had their fingerprints recorded with the board. In the case of a partnership, fingerprinting and criminal history record information checks may be required of all general partners and their spouses. Such fingerprints as are required by the board shall be submitted on forms provided by the board to the Washington state 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 arrests and convictions of the individuals fingerprinted. The applicant shall give full cooperation to the board and shall assist the board in all aspects of the fingerprinting and criminal history record information check. The applicant may be required to pay a minimal fee to the agency which performs the fingerprinting and criminal history process.

(3) The restrictions on license issuance specified in RCW 66.24.101(2) shall be construed to be continuing conditions for retaining an existing license and any licensed person who ceases to be eligible to hold any license already issued.

(4) An applicant for any license or permit issued by the liquor application for such license or permit, shall, upon request, submit in writing the entire agreement between such applicant for license or permit, and the attorney or agent. No part of any compensation agreed upon, paid or received, is determined to be excessive, the board reserves the right to refuse to consider the application for such license or permit.

(5) The board, in considering an application for a license, may require, in addition to all other information requested concerning the proposed licensed premises (see WAC 314-12-035), that the applicant justify the issuance of the license sought based on an analysis of population trends compared to licenses in the area, any uniqueness of the proposed operation, any unusual circumstances present, plus any other information the applicant(s) may feel will justify the issuance of the license sought.

(6) The board may, at its discretion and for good cause shown, reconsider a denied application upon receipt of new information within sixty days of the original date. Such reconsiderations are not considered part of the normal license application procedure and must be justified on an individual basis. Should the board determine to reconsider a denied application, notice of such reconsideration shall be given to those persons and/or entities entitled to receive notice of an original license application pursuant to RCW 66.24.010(8). Such notice shall be given at least twenty days prior to final determination of the reconsideration. Additionally, at the same time the notice is given, a press release will be issued informing the public of the impending reconsideration.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 90-20-042
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed September 25, 1990, 4:12 p.m.]

Original Notice.

Title of Rule: WAC 314-12-070 Transfer of licenses.

Purpose: Provide guideline to applicants who are purchasing an existing liquor licensed business or changing stock ownership of a currently licensed business.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.010.

Summary: The rule as proposed waives \$75.00 fee under certain circumstances, clarifies stock changes to be reported, and defines principal officers for reporting purposes.

Reasons Supporting Proposal: Confusion in who needs to report and when, will be eliminated. Eliminates refunding of fees. Saves time and resources for applicants and agency.

Name of Agency Personnel Responsible for Drafting: Carol J. Smith, 1025 East Union, Olympia, 753-6259; Implementation: Lester C. Dalrymple and Gary Gilbert, 1025 East Union, Olympia, 753-6259 and 586-3052; and Enforcement: Gary Gilbert, 1025 East Union, Olympia, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Rule provides for submission of documents and notification of changes to liquor licensed establishments. Subsection (1) provides general information; subsection (2) describes partnerships; subsection (3) provides for changes to corporate licenses; and subsection (4) prohibits license transfer until any pending violations are resolved.

Proposal Changes the Following Existing Rules: Proposed changes will eliminate \$75.00 for dropping an approved officer, clarify stock changes to be reported and defines principal officers. Anticipated effect is to clarify what is needed and when. The number of fees waived is insignificant. Prior to June 1988, the fee was returned. From June 1988 to July 1990, the fee was retained.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Requirements for reduction of a fee payment for certain circumstances and clarifying existing policy with a WAC. No economic impact.

Hearing Location: Liquor Control Board, 5th Floor Board Room, 1025 East Union, Olympia, WA 98504, on November 7, 1990, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Public Information Officer, by November 7, 1990.

Date of Intended Adoption: November 7, 1990.

September 25, 1990

Paula O'Connor
Chairman

AMENDATORY SECTION (Amending Order 226, Resolution No. 235, filed 7/23/87)

WAC 314-12-070 TRANSFER OF LICENSES. (1) No transfer of any license shall be made except in conformance with RCW 66.24.010, and subject to the following conditions:

(a) The holder of the license shall execute an assignment and transfer upon a form prescribed by the board, and the assignee and transferee shall then make application for approval of such assignment and transfer;

(b) Except as authorized by WAC 314-12-025, the transferee shall not take possession of the premises, nor exercise any of the privileges of a licensee, nor shall such assignment and transfer be effective until the board shall have approved the same;

(c) In approving any assignment and transfer of licenses, the board reserves the right to impose special conditions as to the future connection of the former licensee or any of his employees with the licensed business as in its judgment the circumstances may justify;

(d) A change of trade name may be made coincident with the transfer of the license without any additional fee.

(2) The sale of a partnership interest or any change in the partners, either by withdrawal or addition or otherwise, shall be considered an assignment and transfer of the licenses held by the partnership and subject to the regulations applicable to assignment and transfer of licenses.

(3) If the licensee is a corporation, whether as sole licensee or in conjunction with other entities, a change in ownership of any stock shall ~~((not))~~ be deemed a corporate change, not a transfer of a license. ~~((- PROVIDED, HOWEVER, That pursuant to the provisions of RCW 66.24.025(2);))~~ The licensed corporation shall report to and obtain written approval from the board, for any proposed change in principal officers and/or the proposed sale of more than ten percent of the

corporation's outstanding and/or issued stock (~~(of a licensed corporation or any proposed change in the principal officers of a licensed corporation must be reported to the board on forms prescribed by it)) before any such changes are made. The board may inquire into all matters in connection with any such sale of stock or proposed change in officers (~~and the written consent of the board must be obtained before any such changes are made~~). The board will waive the fee for a corporate change when the proposed change consists solely of dropping an approved officer.~~

(4) For purposes of this regulation:

(a) "principal officer" shall mean the president, vice president, secretary, and treasurer, or the equivalent in title, for a publicly traded corporation, and president, vice president, secretary, treasurer, or the equivalent in title, and all other officers who hold more than ten percent of the corporate stock, for a privately held corporation.

(b) the "proposed sale of more than ten percent of the stock" will be calculated as a cumulative total and must be reported to the board when the accumulation of stock transfers or newly issued stock totals more than ten percent of the outstanding and/or issued stock of the licensed corporation.

(5) (4) If a licensee has an unresolved violation charge pending, no action will be taken by the board on an application to transfer the liquor license to another until such time as a final disposition has been made of the pending violation charge.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 90-20-043
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed September 25, 1990, 4:13 p.m.]

Original Notice.

Title of Rule: WAC 314-12-033 Limited partnership.

Purpose: To use consistent language in all the regulations that describe and/or define ownership interests.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.24.010 (2)(b).

Summary: The rule as proposed changes ownership criteria of a limited partner as copartners from less than ten percent to more than ten percent. Changes from negative to positive statement.

Reasons Supporting Proposal: Makes all ownership types meet the same criteria instead of a different definition for a corporate owner than a partnership.

Name of Agency Personnel Responsible for Drafting: Carol J. Smith, 1025 East Union, Olympia, 753-6259; Implementation: Lester C. Dalrymple and Gary Gilbert, 1025 East Union, Olympia, 753-6259 and 586-3052; and Enforcement: Gary Gilbert, 1025 East Union, Olympia, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provides a guideline for reporting the partner interest of a limited partnership. Emphasis is to identify entities who may exercise control via ownership

and to investigate for legal conflict; such as a retail licensee who also holds a nonretail license. Proposed change will reduce the number of individuals investigated and the number of persons required to provide personal and criminal information. Makes language consistent for stockholders and partners.

Proposal Changes the Following Existing Rules: Changes definition of copartner from an owner of ten percent or more, to an owner of more than ten percent.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Number of persons reporting will be reduced, not increased.

Hearing Location: Liquor Control Board, 5th Floor Board Room, 1025 East Union, Olympia, WA 98504, on November 7, 1990, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Public Information Officer, by November 7, 1990.

Date of Intended Adoption: November 7, 1990.

September 25, 1990

Paula O'Connor
Chairman

[AMENDATORY SECTION] (Amending Order 105, Resolution No. 114, filed 6/23/82)

WAC 314-12-033 LIMITED PARTNERSHIPS. In the licensing of limited partnerships, the following will apply:

(1) The limited partnership business to be licensed shall be controlled by a general partner or partners who shall qualify as "copartners" under RCW 66.24.010.

(2) A limited partner shall (~~(not)~~) be considered within the meaning of the term "copartner" as used in RCW 66.24.010(2) (~~(if)~~) when the limited partner has (~~(less)~~) more than ten percent interest (~~(of an investment type only)~~) in the business to be licensed (~~(and has no)~~) or may exert control over the operation of the business either individually or collectively with other limited partners.

(3) As a required part of an application for the licensing of a limited partnership, all general partners shall submit affidavits specifying the nature of the interests of any and all limited partners in the business and certifying that no limited partner has any control, either individually or collectively with other limited partners, over the operation of the business to be licensed and further certifying that limited partner has any financial interest which would be disqualifying under RCW 66.28.010. Similar affidavits may be required, in the discretion of the board, from any limited partner about whom there exists any question concerning ownership interest in, or control of, the business to be licensed or about whom there exists any question concerning possibly disqualifying financial interests under RCW 66.28.010.

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

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 90-20-044
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
[Filed September 26, 1990, 8:10 a.m.]

Date of Adoption: September 26, 1990.

Purpose: This rule implements the collection of a \$35.00 annual fee from known and potential hazardous waste generators. This revises the rule adopted by emergency on July 13, 1990.

Citation of Existing Rules Affected by this Order:
Amending chapter 173-305 WAC.

Statutory Authority for Adoption: Chapter 114, Laws of 1990 (ESHB 2390).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The fee was first due July 31, 1990, which followed the effective date of March 21, 1990, for ESHB 2390 by only four months. Subsequent actions by the Departments of Ecology and Revenue extended the due date to October 1, 1990, requiring this amended emergency rule.

Effective Date of Rule: Immediately.

September 26, 1990

Fred Olson

Deputy Director

Chapter 173-305 WAC
HAZARDOUS WASTE FEE REGULATION

NEW SECTION

WAC 173-305-01001 PURPOSE. This chapter implements the provisions of RCW 70.95E.010 through 70.95E.020 and RCW 70.95E.040 through 70.95E.100, establishing a means for funding technical assistance and compliance education assistance to hazardous substance users and waste generators in this state. The purpose of this chapter is to describe to whom the base fee will be assessed, the amount of the base fee, provisions for exemption from and enforcement of base fee assessments, responsibilities of the departments of ecology and revenue, and procedures for adjusting the base fee. Copies of all rules, regulations, or statutes cited in this chapter are available for inspection at the Department of Ecology, Mailstop PV-11, Olympia, WA, 98504-8711.

NEW SECTION

WAC 173-305-01501 APPLICABILITY. The requirements of WAC 173-305-010 through 173-305-070 apply to all persons who are known or potential generators, including state and local entities as well as instrumentalities of the United States.

NEW SECTION

WAC 173-305-02001 DEFINITIONS. Any terms not specifically defined in this section shall, for the purposes of this chapter, have the same meaning as given in WAC 173-303-040. The following terms are defined for the purposes of this chapter:

(1) "Additional fee" means the annual fee imposed under chapter 70.95E RCW against hazardous waste generators and hazardous substance users required to prepare plans.

(2) "Base fee" means the annual fee imposed under chapter 70.95E RCW against known and potential generators of hazardous waste doing business in the state of Washington.

(3) "Business activities" means activities of any person who is "engaging in business" as the term is defined in chapters 82.04 and 82.16 RCW.

(4) "Dangerous waste" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

(a) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

(b) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means.

Dangerous wastes shall specifically include those wasted designated as dangerous by rules adopted pursuant to chapter 70.105 RCW.

(5) "Department" means the department of ecology.

(6) "Emissions" means the substances released to the environment which must be reported under Toxic Chemical Release Reporting, 40 CFR Part 372.

(7) "EPA/state identification number" means the number assigned by the EPA (environmental protection agency) or by the department of ecology to each generator and/or transporter and treatment, storage and/or disposal facility.

(8) "Extremely hazardous waste" means any dangerous waste which

(a) will persist in a hazardous form for several years or more at a disposal site and which in its persistent form

(i) presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic make-up of man or wildlife, and

(ii) is highly toxic to man and wildlife

(b) if disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment.

Extremely hazardous waste shall specifically include those wastes designated as extremely hazardous by rules adopted pursuant to chapter 70.105 RCW.

(9) "Facility" means any geographical area that has been assigned as EPA/state identification number or in the case of a hazardous substance user, means all buildings, equipment, structures, and other stationary items located on a single site or on contiguous or adjacent sites and owned or operated by the same person.

(10) "Generate" means any act or process which produces hazardous waste or first causes a hazardous waste to become subject to regulation.

(11) "Hazardous waste" means and includes all dangerous and extremely hazardous wastes but for the purposes of this chapter excludes all radioactive wastes or substances composed of both radioactive and hazardous components.

(12) "Interrelated facility" means multiple facilities owned or operated by the same person

(13) "Known generators" means persons that have notified the department, have received an EPA/state identification number and generate quantities of hazardous waste regulated under chapter 70.105 RCW.

(14) "Person" means an individual, trust, firm, joint stock company, partnership, association, state, public or private or municipal corporation, commission, political subdivision of a state, interstate body, the federal government including any agency or officer thereof, and any Indian tribe or authorized tribal organization.

(15) "Plan" means the plan provided for in RCW 70.95C.200.

(16) "Potential generators" means all persons whose primary business activities are identified by the department to be likely or possible to generate any quantity of hazardous wastes.

(17) "Price deflator" means the United States department of commerce bureau of economic analysis, "Implicit Price Deflator for Gross National Product" for "Government Purchases of Goods and Services," for "State and Local Government."

(18) "Primary business activity" means a business activity which accounts for more than 50% of a business' total gross receipts or in the case of more than two business activities, the activity which accounts for the largest gross receipts. Where a business engages in multiple activities and one or more of those activities generate hazardous waste, the gross receipts from all waste generating activities will be combined to determine their ratio to the total gross receipts of the business.

(19) "Recycled for beneficial use" means the use of hazardous waste, either before or after reclamation, as a substitute for a commercial product or raw material, but does not include: (a) Use constituting disposal; (b) incineration; or (c) use as a fuel.

(20) "Substantially similar processes" means processes that are essentially interchangeable, inasmuch as they use similar equipment and materials and produce similar products or services and generate similar wastes.

(21) "Waste generation site" means any geographical area that has been assigned an EPA/state identification number.

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

NEW SECTION

WAC 173-305-03001 FEES. (1) The fee imposed is a \$35.00 (or as adjusted by WAC 173-305-070) annual fee payable by known and potential generators of hazardous waste. The fee for the 1990 fee period shall be due on October 1, 1990 for any known or potential generator operating in Washington after March 22, 1990. The fee for the 1991 calendar year, and the 1990 fee period for any known or potential generator who began business after October 1, 1990, shall be due February 28, 1992. The annual fee for calendar year 1992 and each calendar year thereafter shall be due on February 28 of the next succeeding year.

(2) The department will determine known generators based on the most current verified information available to the department.

(3) The department has determined potential generators to be those persons engaged in any of the following primary business activities:

Table 1

Primary Business Activities of Potential Generators

Primary business activities Description

SOIL PREPARATION SERVICES: Includes establishments primarily engaged in application of fertilizer, seed bed preparation, and other services for improving the soil for crop planting such as weed control.

CROP PROTECTING SERVICES: Includes establishments primarily engaged in performing crop protecting services such as disease, weed and insect control.

METAL MINING: Includes establishments primarily engaged in mining, developing mines, or exploring for metallic minerals. These ores are valued chiefly for the metals contained, to be recovered for use as such or as constituents of alloys, chemicals, pigments, or other products. Includes mills which crush, grind, wash, dry, sinter, calcine, or leach ore, or perform gravity separation or flotation operations.

GENERAL BUILDING CONTRACTORS: Includes general contractors and operative builders primarily engaged in the construction of nonresidential buildings.

HEAVY CONSTRUCTION, EXCLUDING BUILDINGS: Includes general contractors primarily engaged in heavy construction other than building, such as highways and streets, bridges, sewers, railroads, irrigation projects, flood control projects and marine construction, and special trade contractors primarily engaged in activities of a type that are clearly specialized to such heavy construction and are not normally performed on buildings or building-related projects.

PAINTING: Includes special trade contractors primarily engaged in painting.

FLOOR LAYING AND OTHER FLOOR WORK, NOT ELSEWHERE CLASSIFIED: Includes special trade contractors primarily engaged in the installation of asphalt tile, linoleum, and resilient flooring, in laying, scraping, and finishing parquet and other hardwood flooring.

CONCRETE WORK: Includes special trade contractors primarily engaged in concrete work, including portland cement and asphalt.

BEVERAGES: Includes establishments primarily engaged in manufacturing malt beverages or malt byproducts; manufacturing wines, brandy, and brandy spirits including the blending of wines; manufacturing alcoholic liquors by distillation or by mixing liquors and other ingredients; manufacturing soft drinks and carbonated waters; and manufacturing flavoring extracts, syrups, powders, and related products.

TEXTILE MILL PRODUCTS: Includes establishments primarily engaged in performing any of the following operations: (1) preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage; (2) manufacturing broadwoven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yard; (3)

dyeing and finishing fiber, yarn, fabrics, and knit apparel; (4) coating, waterproofing, or otherwise treating fabrics; (5) the integrated manufacture of knit apparel and other finished articles from yarn; and (6) the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles.

LOGGING: Includes establishments primarily engaged in cutting timber and in producing rough, round, hewn, or riven primary forest or wood raw materials, or in producing wood chips in the field.

SAWMILLS AND PLANING MILLS, GENERAL: Includes establishments primarily engaged in sawing rough lumber and timber from logs and bolts, or resawing cants and flitches into lumber, including box lumber and softwood cut stock; planing mills combined with sawmills; and separately operated planing mills which are engaged primarily in producing surfaced lumber and standard workings or patterns of lumber. This industry includes establishments primarily engaged in sawing lath and railroad ties and in producing tobacco hogshead stock, wood chips, and snow fence lath.

HARDWOOD DIMENSION AND FLOORING MILLS: Includes establishments primarily engaged in manufacturing hardwood dimension lumber and workings therefrom; and other hardwood dimension, semifabricated or ready for assembly; hardwood flooring; and wood frames for household furniture.

MILLWORK: Includes establishments primarily engaged in manufacturing fabricated wood millwork, including wood millwork covered with materials such as metal and plastics. Planing mills primarily engaged in producing millwork are included in this industry.

WOOD KITCHEN CABINETS: Includes establishments primarily engaged in manufacturing wood kitchen cabinets and wood bathroom vanities, generally for permanent installation.

HARDWOOD VENEER AND PLYWOOD: Includes establishments primarily engaged in producing commercial hardwood veneer and those primarily engaged in manufacturing commercial plywood or prefinished hardwood plywood. This includes nonwood backed or faced veneer and nonwood faced plywood.

SOFTWOOD VENEER AND PLYWOOD: Includes establishments primarily engaged in producing commercial softwood veneer and plywood, from veneer produced in the same establishment or from purchased veneer.

WOOD PRESERVING: Includes establishments primarily engaged in treating wood, sawed or planed in other establishments, with creosote or other preservatives to prevent decay and to protect against fire and insects. This industry also includes the cutting, treating, and selling of poles, posts, and piling, but establishments primarily engaged in manufacturing other wood products, which they may also treat with preservatives, are not included.

RECONSTITUTED WOOD PRODUCTS: Includes establishments primarily engaged in manufacturing reconstituted wood products. Important products of this industry are hardboard, particleboard, insulation board, medium density fiberboard, waferboard, and oriented strandboard.

WOOD PRODUCTS, NOT ELSEWHERE CLASSIFIED: Includes establishments primarily engaged in manufacturing wood products, not elsewhere classified, and products from rattan, reed, splint, straw, veneer, veneer strips, wicker, and willow.

FURNITURE AND FIXTURES: Includes establishments primarily engaged in manufacturing household, office, public building, and restaurant furniture; and office and store fixtures.

PAPER AND ALLIED PRODUCTS: Includes establishments primarily engaged in the manufacture of pulps from wood and other cellulose fibers, and from rags; the manufacture of paper and paperboard; and the manufacture of paper and paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes, and envelopes. Also included are establishments primarily engaged in manufacturing bags of plastics film and sheet.

PRINTING AND PUBLISHING: Includes establishments primarily engaged in printing by one or more common processes, such as letterpress; lithography (including offset), gravure, or screen; and those establishments which perform services for the printing trade, such as bookbinding and platemaking and also includes establishments engaged in publishing and printing newspapers, books, and periodicals.

CHEMICALS AND ALLIED PRODUCTS: Includes establishments primarily engaged in producing basic chemicals, and establishments manufacturing products by predominantly chemical processes.

PETROLEUM REFINING AND RELATED INDUSTRIES: Includes establishments primarily engaged in petroleum refining, manufacturing paving and roofing materials, and compounding lubricating oils and greases from purchased materials.

RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS: Includes establishments primarily engaged in manufacturing products from plastics resins and from natural, synthetic, or reclaimed rubber, gutta percha, balata, or butta siak.

STONE, CLAY, AND GLASS PRODUCTS: Includes establishments primarily engaged in manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand.

PRIMARY METAL INDUSTRIES: Includes establishments primarily engaged in smelting and refining ferrous and nonferrous metals from ore, pig, or scrap; in rolling, drawing, and alloying metals; in manufacturing castings and other basic metal products; and in manufacturing nails, spikes, and insulated wire and cable. This group includes the production of coke.

FABRICATED METAL PRODUCTS: Includes establishments primarily engaged in fabricating ferrous and nonferrous metal products, such as metal cans, tinware, handtools, cutlery, general hardware, nonelectric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, ordnance (except vehicles and guided missiles), and a variety of metal and wire products, not elsewhere classified.

INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT: Includes establishments primarily engaged in manufacturing industrial and commercial machinery and equipment and computers.

ELECTRONIC AND OTHER ELECTRICAL EQUIPMENT AND COMPONENTS, EXCEPT COMPUTER EQUIPMENT: Includes establishments primarily engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and writing equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies.

TRANSPORTATION EQUIPMENT: Includes establishments primarily engaged in manufacturing equipment for transportation of passengers and cargo by land, air, and water. Important products produced by establishments classified in this major group include motor vehicles, aircraft, guided missiles, and space vehicles, ships, boats, railroad equipment, and miscellaneous transportation equipment, such as motorcycles, bicycles, and snowmobiles.

INSTRUMENTS, MEASURING, ANALYZING, AND CONTROLLING PHOTOGRAPHIC, MEDICAL, AND OPTICAL GOODS; WATCHES AND CLOCKS: Includes establishments primarily engaged in manufacturing instruments (including professional and scientific) for measuring, testing, analyzing, and controlling, and their associated sensors and accessories; optical instruments and lenses; surveying and drafting instruments; hydrological, hydrographic, meteorological, and geophysical equipment; search, detection, navigation, and guidance systems and equipment; surgical, medical, and dental instruments, equipment, and supplies; ophthalmic goods; photographic equipment and supplies; and watches and clocks.

JEWELRY, SILVERWARE, AND PLATED WARE: Includes establishments primarily engaged in manufacturing jewelry and other articles made of precious metals with or without stones; and includes manufacturing flatware, hollowware, ecclesiastical ware, trophies, trays, and related products made of sterling silver, of metal plated with silver, gold, or other metal; of nickel silver, of pewter, or of stainless steel.

TOYS AND SPORTING GOODS: Includes establishments primarily engaged in manufacturing sporting and athletic goods such as fishing tackle, golf and tennis goods, skis and skiing equipment.

SIGNS AND ADVERTISING SPECIALTIES: Includes establishments primarily engaged in manufacturing electrical, mechanical, cutout, or plate signs and advertising displays, including neon signs, and advertising specialties.

RAILROAD TRANSPORTATION: Includes establishments furnishing transportation by line-haul railroad, and switching and terminal establishments.

LOCAL AND INTERURBAN PASSENGER TRANSIT: Includes establishments primarily engaged in furnishing local and suburban passenger transportation.

MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING: Includes establishments furnishing local or long-

distance trucking or transfer services, or those engaged in refrigerated storage of farm products. The operation of terminal facilities for handling freight, with or without maintenance facilities, is also included.

WATER TRANSPORTATION: Includes establishments primarily engaged in freight and passenger transportation on the open seas or inland waters, and establishments furnishing such incidental services as lighterage, towing, and canal operation. This major group also includes excursion boats, sightseeing boats, and water taxis.

TRANSPORTATION BY AIR: Includes establishments primarily engaged in furnishing domestic and foreign transportation by air and also those operating airports and flying fields and furnishing terminal services.

ELECTRIC SERVICES: Includes establishments primarily engaged in the generation, transmission, and/or distribution of electric energy for sale.

COMBINATION ELECTRIC AND GAS, AND OTHER UTILITY SERVICES: Includes establishments providing electric or gas services in combination with other services.

SANITARY SERVICES: Includes establishments primarily engaged in the collection and disposal of wastes conducted through a sewer system; and includes establishments primarily engaged in the collection and disposal of refuse by processing or destruction or in the operation of incinerators, waste treatment plants, landfills, or other sites for disposal of such materials.

MOTOR VEHICLES, PARTS, AND SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of new and used passenger automobiles, trucks, trailers, and other motor vehicles, including motorcycles, motor homes, and snowmobiles; the wholesale distribution of motor vehicle supplies, accessories, tools and equipment except tires; and new motor vehicle parts; the distribution at wholesale or retail of used motor vehicle parts and those primarily engaged in dismantling motor vehicles for the purpose of selling parts.

ELECTRICAL APPARATUS AND EQUIPMENT, WIRING SUPPLIES, AND CONSTRUCTION MATERIALS: Includes establishments primarily engaged in the wholesale distribution of electrical power equipment for the generation, transmission, distribution, or control of electric energy; electrical construction materials for outside power transmission lines and for electrical systems; and electric light fixtures and bulbs.

MACHINERY, EQUIPMENT, AND SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of construction or mining cranes, excavating machinery and equipment, power shovels, road construction and maintenance machinery, tractor-mounting equipment and other specialized machinery and equipment used in the construction, mining, and logging industries; distribution of agricultural machinery and equipment for use in the preparation and maintenance of the soil, the planting and harvesting of crops, and other operations and processes pertaining to work on the farm or the lawn or garden; and dairy and other livestock equipment; wholesale distribution of industrial machinery and equipment.

MISCELLANEOUS DURABLE GOODS: Includes establishments primarily engaged in assembling, break-ing up,

sorting, and wholesale distribution of scrap and waste materials.

CHEMICALS AND ALLIED PRODUCTS: Includes establishments primarily engaged in the wholesale distribution of plastics materials, and of unsupported plastics film, sheets, sheeting, rods, tubes, and other basic forms and shapes; whole distribution of chemicals and allied products, such as acids, industrial and heavy chemicals, dye stuffs, industrial salts, rosin, and turpentine.

PETROLEUM AND PETROLEUM PRODUCTS: Includes establishments primarily engaged in the wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas, from bulk liquid storage facilities; wholesale distribution of petroleum and petroleum products, except those with bulk liquid storage facilities. Included are packaged and bottled petroleum products distributors, truck jobbers, and others marketing petroleum and its products at wholesale, but without bulk liquid storage facilities.

FARM SUPPLIES: Includes establishments primarily engaged in the wholesale distribution of fertilizers, agricultural chemicals, and pesticides.

NEW AND USED CAR DEALERS: Includes establishments primarily engaged in the retail sale of new automobiles or new and used automobiles. These establishments frequently maintain repair departments and carry stocks of replacement parts, tires, batteries, and automotive accessories.

GASOLINE SERVICE STATIONS: Includes gasoline service stations primarily engaged in selling gasoline and lubricating oils.

LAUNDRY, CLEANING, AND GARMENT SERVICES: Includes establishments primarily engaged in operating mechanical laundries with steam or other power, linen supply; coin-operated laundries and drycleaning; drycleaning plants, except rug cleaning; carpet and upholstery cleaning; and industrial launderers. Establishments that solely operate coin-operated washing machines and dryers are not included.

DISINFECTING AND PEST CONTROL SERVICES: Includes establishments primarily engaged in disinfecting dwelling and other buildings, and in termite, insect, rodent, and other pest control, generally in dwellings or other buildings.

MISCELLANEOUS EQUIPMENT RENTAL AND LEASING: Includes establishments primarily engaged in renting or leasing equipment, except medical equipment, which as a result of maintenance activities generate hazardous wastes such as waste solvents or waste petroleum products.

TRUCK RENTAL AND LEASING, WITHOUT DRIVERS: Includes establishments primarily engaged in short-term rental or extended-term leasing of trucks, truck tractors, or semitrailers without drivers.

AUTOMOTIVE REPAIR SHOPS: Includes establishments primarily engaged in the repair of automotive tops, bodies, and interiors, or automotive painting and refinishing; customizing automobiles, trucks, and vans except on a factor basis; the installation, repair, or sale and installation of automotive exhaust systems; the repairing and retreading of automotive tires; installation, repair, or sales and installation of automotive glass; installation,

repair, or sales and installation of automotive transmission; general automotive repair; specialized automotive repair, such as fuel service (carburetor repair), brake relining, front end and wheel alignment, and radiator repair.

MISCELLANEOUS REPAIR SHOPS AND RELATED SERVICES: Includes establishments primarily engaged in general repair work by welding, including automotive welding; rewinding armatures and rebuilding or repairing electric motors; specialized repair services, such as bicycle repair, leather goods repair, lock and gun repair, including the making of lock parts or gun parts to individual order; musical instrument repair; septic tank cleaning; farm machinery repair; furnace cleaning; motorcycle repair; tank truck cleaning; taxidermist; tractor repair, and typewriter repair.

HOSPITALS: Includes establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical services, and other hospital services, as well as continuous nursing services; providing general medical and surgical services and other hospital services; providing diagnostic medical services and inpatient treatment for the mentally ill; providing diagnostic services, treatment, and other hospital services for specialized categories of patients, except mental.

MEDICAL LABORATORIES: Includes establishments primarily engaged in providing professional analytic or diagnostic services to the medical profession, or to the patient on prescription of a physician.

COLLEGES, UNIVERSITIES, PROFESSIONAL SCHOOLS, AND JUNIOR COLLEGES: Colleges, universities, and professional schools furnishing academic courses and granting academic degrees; or junior colleges and technical institutes furnishing academic, or academic and technical, courses, and granting associate academic degrees, certificates, or diplomas.

RESEARCH AND TESTING SERVICES: Includes establishments primarily engaged in commercial physical and biological research and development on a contract or fee basis; or performing noncommercial research into and dissemination of, information for public health, education, or general welfare; or providing testing services.

ENVIRONMENTAL QUALITY: Government establishments primarily engaged in regulation, planning, protection and conservation of air and water resources; solid waste management; water and air pollution control and prevention; flood control; drainage development, and consumption of water resources; coordination of these activities at intergovernmental levels; research necessary for air pollution abatement and control and conservation of water resources; and government establishments primarily engaged in regulation, supervision and control of land use, including recreational areas; conservation and preservation of natural resources; control of wind and water erosion; and the administration and protection of publicly and privately owned forest lands, including pest control. Planning, management, regulation, and conservation of game, fish, and wildlife populations, including wildlife management areas and field stations; and other matters relating to the protection of fish, game, and wildlife. Establishments which only provide information and education services to others are not included.

NATIONAL SECURITY: Includes establishments of the armed forces, including the National Guard, primarily engaged in national security and related activities.

(4) A potential generator shall be exempt from the fee if the potential generator is entitled to the exemption in RCW 82.04.300 in the current calendar year.

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

NEW SECTION

WAC 173-305-04001 PENALTY FOR FAILURE TO PAY THE FEE. If a known or potential generator fails to pay all or any part of a fee imposed under this chapter, the department of revenue shall charge a penalty of three times the amount of the unpaid fee. The department of revenue shall waive any penalty in accordance with RCW 82.32.105. See: WAC 458-20-228 for a discussion of the circumstances under which a penalty may be waived.

NEW SECTION

WAC 173-305-05001 ADJUSTMENT OF FEES. On an annual basis, the department shall adjust the base fee by conducting the calculation in subsection (1) of this section and taking the actions set forth in subsection (2) of this section:

(1) In November of each year, the base fee, or the fee as subsequently adjusted by this section, shall be multiplied by a factor equal to the most current quarterly "price deflator" available, divided by the "price deflator" used in the numerator the previous year. However, the "price deflator" used in the denominator for the first adjustment shall be divided by the second quarter "price deflator" for 1990.

(2) Each year by March 1, the schedule, as adjusted in subsection (1) of this section, will be published. The department will round the published fees to the nearest dollar.

NEW SECTION

WAC 173-305-06001 GENERAL ADMINISTRATIVE PROVISIONS. The provisions of chapter 82.32 RCW, except RCW 82.32.050 and RCW 82.32.090, may apply to the administration of this fee. Requests for administrative review should be directed to the Department of Revenue, Taxpayer Accounts Administration, Mailstop AX-02, Olympia, Washington 98504-0090.

NEW SECTION

WAC 173-305-07001 RESPONSIBILITIES OF THE DEPARTMENTS OF ECOLOGY AND REVENUE. (1) The legislature has provided that the primary responsibilities of the department of ecology are to provide the department of revenue with a list of known generators, and to determine the primary business activities of potential generators.

(2) The legislature has provided that the primary responsibility of the department of revenue is to collect the

fees from known and potential generators as identified in subsection (1) of this section.

(3) The department of ecology will periodically amend the list of primary business activities of potential generators by reviewing the most current verified information that is available to the department.

WSR 90-20-045 PROPOSED RULES COMMITTEE FOR DEFERRED COMPENSATION

[Filed September 26, 1990, 8:49 a.m.]

Original Notice.

Title of Rule: Amending certain sections of Title 154 WAC.

Purpose: Modifications to eliminate unnecessary restrictions; to keep terminology consistent; to clarify; and general housekeeping changes.

Statutory Authority for Adoption: Chapter 41.04 RCW.

Statute Being Implemented: RCW 41.04.640.

Summary: The rule provides state employees to forgo a portion of salary by salary reduction agreement used to reimburse dependent care expenses. The rule specifies procedures for participating and benefits and reductions which will result by participating.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lee Dreisbach, Director and Mary Bush, Program Manager, Olympia, (206) 586-4980.

Name of Proponent: Committee for Deferred Compensation, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To clarify wording to be consistent and make modifications to eliminate unnecessary restrictions.

Proposal Changes the Following Existing Rules: Broadens interpretations of existing rules; eliminates some restrictions; and keeps terminology consistent.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Committee for Deferred Compensation, 2600 Martin Way, Suite "D", Olympia, WA 98504, on November 6, 1990, at 8:30 a.m.

Submit Written Comments to: Lee Dreisbach, Director, Committee for Deferred Compensation, 2600 Martin Way, Suite "D", Olympia, WA 98504, by November 5, 1990.

Date of Intended Adoption: November 6, 1990.

September 26, 1990

Mary Bush
Program Manager

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-110-030 GENERAL DESCRIPTION OF PLAN. The dependent care assistance salary reduction plan subsidizes the cost of dependent care, enabling employees to be gainfully employed. The

plan allows an eligible employee of the state of Washington to set aside a "before tax" portion of the employee's gross salary ~~((f.c.))~~ before federal income and Social Security taxes~~((t))~~ to be used to reimburse that employee's dependent care expenses.

The amount which may be reduced from salary and excluded from income is subject to annual fixed dollar and earned income limitations. The participant must incur and obtain reimbursement in an amount at least equal to the amount of salary reduction for the plan year or the unused portion of the amount excluded is forfeited.

Salary reduced under the plan continues to be included as regular compensation for the purpose of computing state benefits and is only excluded for purposes of computing federal income and Social Security taxes (OASI or FICA).

AMENDATORY SECTION (Amending Order 89-04, filed 5/8/89)

WAC 154-120-015 ~~((DEPENDENT))~~ ELIGIBLE PERSON(S). ~~((Dependent))~~ Eligible person(s) means:

(1) An individual with respect to whom the participant is entitled to a dependency exemption under Internal Revenue Code section 151(c) and who is:

- (a) Under the age of thirteen; or
- (b) Physically or mentally incapable of self-care (regardless of age);

or

(2) The spouse of a participant, if such spouse is physically or mentally incapable of self-care.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-120-020 DEPENDENT CARE EXPENSES. "Dependent care expenses" means amounts paid for the care of ~~((a dependent))~~ an eligible person in the participant's home (including amounts paid for related household services) or for care at a dependent care facility which meets all ~~((applicable))~~ federal requirements ~~((of state and local law or is exempt from such requirements under state or local law))~~, except that the following items shall not be considered dependent care expenses:

(1) Amounts paid to a person with respect to whom the participant or participant's spouse is entitled to claim an exemption for Federal Income Tax purposes;

(2) Amounts paid to a child of the participant who is eighteen years of age or younger;

(3) Amounts paid by an employer of the spouse or by an educational institution where the spouse is an enrolled student.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-120-055 PLAN YEAR. "Plan year" means January 1 through December 31 ~~((except that the first plan year will commence August 1, 1988, and end December 31, 1988))~~.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-130-010 PARTICIPATION IN PLAN. An eligible employee may elect to become a participant by entering a salary reduction agreement during the open enrollment period or within ~~((thirty))~~ sixty days of becoming an eligible employee, or at any time as a result of a qualifying change in family status set forth in WAC 154-130-030. ~~((For))~~ The ~~((first plan year the))~~ open enrollment period ~~((will be from July 1 through July 26, 1988, and))~~ for ~~((succeeding))~~ each plan year~~((s))~~ will be the month of November. A participant may first incur reimbursable dependent care expenses on the first day of the month following completion of the salary reduction agreement~~((, but in no event prior to August 1, 1988))~~. Salary reduction agreement forms are available through the ~~((employee's benefits, payroll or personnel authority))~~ committee for deferred compensation. The enrollment process shall be deemed complete on the date the ~~((employee's payroll authority))~~ committee for deferred compensation receives a completed salary reduction agreement form from the employee.

AMENDATORY SECTION (Amending WSR 89-20-022, filed 9/27/89, effective 10/28/89)

WAC 154-130-020 SALARY REDUCTION AGREEMENT. The salary reduction agreement is a contract whereby the employee elects irrevocably to forgo future wage payments from the employer in

an amount equal to the maximum elected for the plan year. The reduction will be taken in equal amounts for each pay period during the plan year or, in the case of an employee who becomes eligible during the plan year, the remaining portion of the plan year. The agreement will require a participant to provide the Social Security number of the participant and the ~~((participant's spouse, if any,))~~ names and birth dates of dependents regarding whom reimbursement of dependent care expenses will be sought, and medical, family, and other information deemed necessary by the committee for the operation of the plan. Pursuant to federal income tax regulations, once a salary reduction agreement has been entered for a plan year it may not be revoked except in the event of a change in family status as defined in WAC 154-130-030. A participant who separates from service and returns to service with the employer during the same plan year may participate upon return only to the extent allowed by Treasury Department regulations promulgated under sections 125 and 129 of the Internal Revenue Code.

AMENDATORY SECTION (Amending WSR 89-20-022, filed 9/27/89, effective 10/28/89)

WAC 154-130-030 CHANGES IN FAMILY STATUS. A participant is permitted to revoke a salary reduction agreement after the period of coverage has commenced and to enter a new salary reduction agreement regarding the remainder of the plan year if both the revocation and new election are on account of and consistent with any of the following changes in family status:

- (1) Marriage;
- (2) Divorce or legal separation;
- (3) Death of a spouse or dependent;
- (4) Birth or adoption of a child or addition of a dependent to the eligible employee's household;
- (5) Termination of employment of a spouse;
- (6) Employment of an unemployed spouse; and
- (7) A change in the eligible employee's or eligible employee's spouse's working hours which significantly alters the need for dependent care~~((, e.g.))~~; example: A shift from full time to part time, part time to full time, or a change to or from leave without pay status.

(8) Such other events that the committee determines will permit a change or revocation of an election during a plan year under regulations and rulings of the Internal Revenue Service.

An eligible employee may also become a participant in the plan on the basis of a change in family status.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-140-010 PLAN BENEFITS. Benefits under the plan include and are limited to the reimbursement of dependent care expenses ~~incurred for the care of eligible persons~~. Such expenses must be incurred during the plan year. They are deemed to be incurred at the time the services to which the expenses relate are rendered. Only expenses which meet the criteria specified under section 129 of the Internal Revenue Code are eligible for reimbursement. Reimbursement of such expenses is limited to the participant's dependent care account balance.

AMENDATORY SECTION (Amending WSR 89-20-022, filed 9/27/89, effective 10/28/89)

WAC 154-140-030 REDUCTION OF BENEFITS. The committee may reduce the salary reduction amount of ~~((x))~~ participants ~~((and the corresponding benefit payable to such participant))~~ to the extent necessary to assure ~~((that))~~ the plan does not discriminate in favor of highly-compensated ~~((employees in violation of sections 89,))~~ persons who are the subject of a particular nondiscrimination test being applied under section 125((;)) or 129 of the Internal Revenue Code((;)) (or any other applicable provision of law). ((Any such reduction of benefits shall be made on a reasonable and nondiscriminatory basis. The discrimination testing day, to the extent one is required by sections 89, 125, or 129 of the Internal Revenue Code, shall be May 31 of each plan year.)) When such reductions are necessary they shall be made pro rata to the amounts elected by the participants who are members of the participant group which is the subject of the particular nondiscrimination requirement.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-150-010 SUBMITTAL OF CLAIMS. Claims for ~~((reimbursement of))~~ dependent care expenses must be submitted on reimbursement claim forms and directed to the committee ~~((on reimbursement forms provided by the committee through the agency benefits, payroll or personnel authority))~~ for deferred compensation. The reimbursement form shall be completed, signed, and accompanied by bills, invoices, receipts, copies of cancelled checks, or a statement signed by the provider of the services showing the amounts of dependent care expenses for which reimbursement is sought.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-150-020 PAYMENT OF CLAIMS. The committee will review and reimburse claims ~~((at least monthly))~~ each week during the plan year to the extent funds are available in the participant's dependent care account. After all funds in a participant's account are expended, any claims remaining at the plan year end will be cancelled. In no event can these claims be resubmitted the next plan year, nor are any unpaid claims the employer's liability.

AMENDATORY SECTION (Amending Resolution No. 88-2, filed 5/11/88)

WAC 154-200-020 NONASSIGNABILITY OF RIGHTS. The right of any participant to receive any reimbursement under the plan shall not be alienable by the participant by assignment or any other method, and will not be subject to be taken by his/her creditors by any process whatsoever, and any attempt to cause such right to be so subjected will not be recognized, except to such extent as may be required by law.

WSR 90-20-046
RULES COORDINATOR
DEPARTMENT OF
COMMUNITY DEVELOPMENT
(Building Code Council)
(Public Works Board)

[Filed September 26, 1990, 11:04 a.m.]

In accordance with RCW 34.05.310, the rules coordinator for the Department of Community Development is Cathie Halpin, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504, phone (206) 753-5625 or scan 234-5625.

The rules coordinator for the State Building Code Council is Linda Ramsey, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504, phone (206) 586-3423 or scan 321-3423.

The rules coordinator for the Public Works Board is Pete Butkus, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504, phone (206) 586-0663 or scan 321-0663.

Chuck Clarke
Director

WSR 90-20-047
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 90-109—Filed September 26, 1990, 2:46 p.m.]

Date of Adoption: September 26, 1990.

Purpose: Commercial fishing regulations.
 Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-36-02300B.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The permanent regulation fishery is being delayed one day to reflect the final pre-season agreement with the Quinault Tribe. This regulation will eliminate overlap of treaty and nontreaty fishing opportunity.

Effective Date of Rule: Immediately.

September 26, 1990
 Judith Merchant
 Deputy
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-36-02300C GRAYS HARBOR SALMON - FALL FISHERY Notwithstanding the provisions of WAC 220-36-023, and WAC 220-36-031, effective immediately through 6 PM October 6, 1990, it is unlawful to fish for, or possess salmon and sturgeon taken for commercial purpose from any Grays Harbor Salmon Management and Catch Reporting Area except SMCRA 2C is open to gill net gear 6 PM October 3 through 6 PM October 6, 1990.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-36-02300B GRAYS HARBOR SALMON - FALL FISHERY (90-90)

WSR 90-20-048
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 90-111—Filed September 26, 1990, 2:47 p.m.]

Date of Adoption: September 26, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-44-05000F.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Pacific Fisheries Management Council has concluded that the nontrawl gear

sablefish quota will not be landed before the end of the year unless the present 200 pound trip limit is increased to 2000 pounds per year. The trip limit restrictions on trawl caught sablefish is necessary to reduce landing so that the 1990 coastwide trawl sablefish quota will not be exceeded before the end of the year. This regulation provides for harvest of existing quotas without impacting nonharvestable stocks. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council.

Effective Date of Rule: 12:01 a.m., October 3, 1990.
September 26, 1990
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-44-05000G COASTAL BOTTOM-FISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 AM, October 3, 1990, until further notice it is unlawful to possess, transport through the water of the state, or land in any Washington State port bottomfish taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

(1) **Widow Rockfish (*Sebastes entomelas*)** – 15,000 pounds per vessel trip per week, Wednesday through the following Tuesday. A fisherman may choose to make one landing of 25,000 pounds per vessel trip biweekly, defined as Wednesday through the second Tuesday following, by filing a declaration of intent. There is no limit on the number of landings less than 3000 pounds.

(2) **Shortbelly rockfish (*Sebastes alutus*) and idiot rockfish (*Sebastes* spp.)** – no maximum poundage per vessel trip, no minimum size.

(3) **Pacific ocean perch (*Sebastes alutus*)** – No restrictions on landings up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of the total weight of fish on board. Under no circumstances may a vessel land more than 3,000 pounds of Pacific ocean perch in any one vessel trip.

(4) **All other species of rockfish (includes all rockfish except Pacific ocean perch (*Sebastes alutus*), widow rockfish (*Sebastes entomelas*), shortbelly rockfish (*Sebastes jordani*) and idiot rockfish (*Sebastes* spp.))** – 25,000 pounds of all other species of rockfish combined per vessel trip per calendar week, defined as Wednesday through the following Tuesday, of which no more than 3,000 pounds or 20 percent, whichever is greater, may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1990 declaration of intent, may make either one landing of no more than 50,000 pounds of all other species of rockfish combined per vessel trip biweekly, defined as Wednesday through the second Tuesday following of which no more than 3,000 pounds or 20 percent, whichever is greater, may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species of rockfish in any one

calendar week of which no more than 1,500 pounds or 20 percent, whichever is greater, in any one landing may be yellowtail rockfish. It is unlawful for any vessel to make other than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, if no declaration to land other species of rockfish twice weekly has been made.

(5) **Deepwater Complex – Sablefish, Dover Sole, and Thorneyhead (of Idiot) Rockfish (*Sepabtelobus* spp.)** – Fishers are limited to 15,000 pounds of the deepwater complex per vessel trip per calendar week, defined as Wednesday through the following Tuesday except that a fisher having made a 1990 declaration of intent, may make either one landing of no more than 30,000 pounds of the deepwater complex per vessel trip biweekly, defined as Wednesday through the second Tuesday following or two landings of not more than 7,500 pounds of the deepwater complex in any one calendar week. No restrictions on landings of up to 1000 pounds of the deepwater complex.

(a) **Sablefish taken from trawl vessels** – Landings above 1000 pounds allowed only if sablefish represent 25 percent or less of the total combined round weight of the deepwater complex onboard. Minimum size 22 inches in length, unless dressed in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. To convert to round weight from dressed weight multiply the dressed weight by 1.75. Trawl vessels are allowed an incidental catch less than the minimum size, of 1,000 pounds or 25 percent of the total combined round weight of the deep water complex on board but not to exceed 5,000 pounds per trip. This undersize sablefish incidental allowance is inclusive with the weekly trip limit.

(b) **Non-Trawl Vessels** – Vessel trip limit, 2000 pounds round weight. Minimum size 22 inches in length, unless dressed, in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. Non-trawl vessels are allowed an incidental catch less than the minimum size of 1,500 pounds. To convert to round weight from dressed weight, multiply the dressed weight by 1.75.

(6) **1990 Declarations of Intent** – A 1990 Declaration of Intent must be made to make other than one vessel trip per week and land in excess of the minimum amounts as provided for in this section. The new declaration form must be completed as provided for in this subsection. The 1990 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 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 with the department in the above manner. The declaration to stop such fishing and begin one vessel trip per calendar week fishing must be received prior to the beginning of the week in which the

one vessel trip per calendar week fishing will resume. The date of first landing will determine the beginning of bi-weekly periodicity. Biweekly periodicity will restart after a landing that occurs more than four calendar weeks after the immediate prior landing. A calendar week is defined as Wednesday through the following Tuesday.

(7) 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.

(8) 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 spelling errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM October 3, 1990:

WAC 220-44-05000F COASTAL BOTTOMFISH CATCH LIMITS (90-60)

**WSR 90-20-049
PERMANENT RULES
DEPARTMENT OF HEALTH
(Medical Disciplinary Board)**

[Order 092—Filed September 26, 1990, 3:02 p.m.]

Date of Adoption: August 17, 1990.

Purpose: To have current information on all licensees in the state of Washington for mailing of official business.

Statutory Authority for Adoption: Chapter 18.72 RCW.

Pursuant to notice filed as WSR 90-14-080 on July 3, 1990.

Effective Date of Rule: Thirty-one days after filing.
September 20, 1990
Michael Sasynuik, M.D.
Chairman

NEW SECTION

WAC 320-08-002 RESPONSIBILITY FOR MAINTAINING MAILING ADDRESS ON FILE WITH THE BOARD. It is the responsibility of each licensee to maintain a current mailing address on file with the board. The mailing address on file with the board shall be used for mailing of all official matters from the board to the licensee. If charges against the licensee are mailed by certified mail to the address on file with the board and returned unclaimed or are unable to be delivered for any reason, then the board shall proceed against the licensee by default under RCW 34.05.440.

WSR 90-20-050

**PROPOSED RULES
STATE TOXICOLOGIST**

[Filed September 26, 1990, 3:31 p.m.]

Original Notice.

Title of Rule: Administration of breath test program, chapters 448-12 and 448-13 WAC.

Purpose: Means by which methods, procedures, equipment, personnel and written protocols are approved by the State Toxicologist for use in the administration of breath tests for alcohol content.

Statutory Authority for Adoption: RCW 46.61.506(3).

Statute Being Implemented: Chapter 46.61 RCW.

Summary: Various aspects of the breath alcohol test program are defined and the provisions which are required to ensure precise, accurate and fair tests are described.

Reasons Supporting Proposal: Administrative and internal policy changes in the breath test program in response to the tenor of various district court decisions.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry K. Logan, Ph.D., Harborview Medical Center, Seattle, (206) 223-3536.

Name of Proponent: Barry K. Logan Ph.D., State Toxicologist, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: In response to the prevailing legal climate, a review of existing WAC provisions has resulted in this clarification of the intent and administration of several aspects of the breath alcohol test program. The rules set out [out] in detail, the means by which the State Toxicologist reviews, approves and sets standards for the administration of the breath test program.

Proposal Changes the Following Existing Rules: Clarification of existing rules, and detailed and precise definitions of responsibilities of State Toxicologist.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: November 7, 1990, Washington State Patrol, West 6403 Rowand Road, Spokane, WA 99204; and on November 9, 1990, King County Medical Examiners Office, Harborview Medical Center, 325 9th Avenue, Seattle, WA 98104.

Submit Written Comments to: State Toxicologist, Harborview Medical Center, 325 Ninth Avenue, Seattle, WA 98104, by November 9, 1990.

Date of Intended Adoption: November 16, 1990.
September 25, 1990
Barry K. Logan Ph.D.
State Toxicologist

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 448-12-010 BREATHALYZER APPROVED.
- WAC 448-12-015 CHECKING OF BREATHALYZER MACHINES.
- WAC 448-12-016 CERTIFICATIONS.

- WAC 448-12-020 ADMINISTRATION OF BREATHALYZER TEST.
- WAC 448-12-030 INSTRUCTORS.
- WAC 448-12-040 MAINTENANCE OPERATORS.
- WAC 448-12-050 OPERATORS.
- WAC 448-12-055 REVIEW OF QUALIFICATIONS.
- WAC 448-12-060 PERMIT CARDS.
- WAC 448-12-070 COURSE APPROVAL.
- WAC 448-12-075 MINIMUM COURSE REQUIREMENTS.
- WAC 448-12-080 INSTRUCTION.
- WAC 448-12-090 ADDRESS FOR CORRESPONDENCE.
- WAC 448-12-100 NAMES OF INSTRUCTORS.
- WAC 448-12-210 BAC VERIFIER DATAMASTER, INFRARED BREATH TEST INSTRUMENT APPROVED.
- WAC 448-12-220 TEST DEFINED.
- WAC 448-12-230 ADMINISTRATION OF BREATH TEST ON BAC VERIFIER DATAMASTER INSTRUMENT.
- WAC 448-12-240 INSTRUCTORS.
- WAC 448-12-250 OPERATORS.
- WAC 448-12-260 REVIEW OF QUALIFICATIONS.
- WAC 448-12-270 PERMIT CARDS.
- WAC 448-12-280 COURSE APPROVAL.
- WAC 448-12-290 MINIMUM COURSE REQUIREMENTS.
- WAC 448-12-300 INSTRUCTION.
- WAC 448-12-320 ADDRESS FOR CORRESPONDENCE.
- WAC 448-12-330 NAMES OF INSTRUCTORS.
- WAC 448-12-340 EFFECTIVE DATE.

Chapter 448-13 WAC
ADMINISTRATION OF BREATH TEST PROGRAM

NEW SECTION

WAC 448-13-010 APPROVAL OF BREATH TEST INSTRUMENTS. Pursuant to RCW 46.61.506, the BAC Verifier DataMaster is the only infrared breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A breath alcohol simulator will be attached to each instrument to provide a known external standard as defined in WAC 448-13-020(11). The breath alcohol simulator used must be on the National Highway Transportation Safety Administration (NHTSA) conforming products list.

NEW SECTION

- WAC 448-13-020 DEFINITIONS. (1) "Accuracy" means the proximity of a measured value to a reference value.
- (2) "Alcohol" means the unique chemical compound ethyl alcohol.
- (3) "Blank test" means the testing of a DataMaster instrument to ensure that no alcohol from a previous test can interfere with a person's breath test.
- (4) "Breath alcohol analysis" means analysis of a sample of a person's expired breath, using a breath testing instrument designed for this purpose, which instrument is approved by the state toxicologist, in order to determine the alcohol concentration in that breath sample.
- (5) "Breath test document" means the triplicate form which is printed by the BAC Verifier DataMaster on the completion of a breath alcohol test.
- (6) "Calibration" means the process of standardizing the DataMaster using a certified simulator solution to allow by proportion, the measurement of the alcohol concentration of a person's breath.
- (7) "Certification" in reference to a breath test means the process of approving or disapproving a breath test, by the operator, based on the information on a breath test document when a test is conducted according to the approved procedure pursuant to WAC 448-13-030 and 448-13-040.
- "Certification" in reference to a simulator solution means one having been prepared and tested according to an approved protocol.
- "Certification" in reference to an operator, solution changer, instructor, or technician means an individual possessing written authorization from the state toxicologist.
- (8) "Concentration" means the weight amount of alcohol, expressed in grams, contained in two hundred ten liters of breath or alcohol/vapor.
- (9) "Data base" means information collected for the purposes of statistical analysis of patterns of drinking and driving in the state of Washington.

(10) "Data entry" means the process of providing information through a keyboard to the BAC Verifier DataMaster for the purposes of (a) identifying a breath test document to an individual, and (b) statistical analysis.

(11) "External standard test" means the use of a breath simulator to provide a known alcohol vapor concentration to test the accuracy and proper working order of the DataMaster at the time of a person's breath test. The external standard test does not calibrate the DataMaster.

(12) "Internal standard test" means the use of a quartz filter to provide a check that the instrument has maintained calibration since the last time calibration was performed and is in proper working order at the time of the test.

(13) "Precision" means the ability of a technique to perform a measurement reproducibly.

(14) "Procedure" and "method" are used interchangeably to indicate a series of steps which, when carried out as directed, constitute the means by which a given task is performed in a reproducible manner.

(15) "Protocol" means the written record of any method or procedure.

(16) "Quality assurance program" means an ongoing program designed to perform preventative maintenance and identify potential defects before they affect the operation of the instrument.

(17) "Software" means the computer program stored in the DataMaster which allows it to operate.

(18) "Valid breath sample" means a sample of a person's breath provided in such a manner to be accepted for analysis by the BAC Verifier DataMaster.

NEW SECTION

WAC 448-13-030 ADMINISTRATION OF BREATH TEST ON THE BAC VERIFIER DATAMASTER. The following method for performing a breath test is approved by the state toxicologist pursuant to WAC 448-13-120 and includes the following safeguards to be observed by the operator prior to the test being performed. It must be determined that: (1) The person does not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test; and (2) the subject does not have any foreign substances, not to include dental work, fixed or removable, in his or her mouth at the beginning of the fifteen minute observation period. Such determination shall be made by either an examination of the mouth or a denial by the person that he or she has any foreign substances in mouth. A test mouthpiece is not to be considered a foreign substance for purposes of this section. The test is to be conducted by following the instructions displayed by the instrument. The temperature of the solution in the simulator prior to the start of the test must be thirty-four degrees centigrade plus or minus 0.2 degrees centigrade. During the test the person will be required to provide at least two valid breath samples. A refusal to provide a valid breath sample at any point during the test will constitute a refusal. The results of the test will be provided in the form of a printout on a breath test document. These results will indicate the grams of alcohol per two hundred ten liters of breath.

NEW SECTION

WAC 448-13-040 TEST DEFINED. The test of a person's breath for alcohol concentration using the BAC Verifier DataMaster shall consist of the person insufflating deep lung air samples at least twice into the instrument, sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample to permit the instrument to measure each sample individually. The two valid breath samples will constitute one test.

The BAC Verifier DataMaster will perform this test according to the following protocol when being employed to measure an individual's breath alcohol concentration. Any test not performed according to the following protocol is not a valid test. Successful compliance with each step of this protocol is determined from an inspection of the breath test document. These steps are necessary to ensure accuracy, precision, and confidence in each test.

- Step 1. Data entry.
- Step 2. Blank test with a result of .00.
- Step 3. Internal standard verified.
- Step 4. First breath sample provided by subject.
- Step 5. Blank test with a result of .00.
- Step 6. External standard simulator solution test. The result of this test must be between 0.090 and 0.110 inclusive.

- Step 7. Blank test with a result of .00.
 Step 8. Second breath sample provided by subject.
 Step 9. Blank test with a result of .00.
 Step 10. Printout of results on a breath test document.

NEW SECTION

WAC 448-13-050 VALIDITY AND CERTIFICATION OF TEST RESULTS. A test shall be a valid test and so certified by the BAC Verifier DataMaster operator, if the requirements of WAC 448-13-030 and 448-13-040 are met, and in addition the following criteria for precision and accuracy, as determined solely from the breath test document, are met:

- (1) The internal standard test results in the message "verified."
- (2) The results of both breath samples are within, and inclusive of, plus or minus ten percent of the average of the two measurements. The upper and lower limits of this range shall be based on a three-digit average and shall be truncated to two digits (i.e., the extra digit will be ignored).
- (3) The simulator external standard result lies between .090 to .110 inclusive.
- (4) All four blank tests give results of .00.

If these criteria are met, then these and no other factors are necessary to indicate the proper working order of the instrument, and so certify it, at the time of the breath test.

NEW SECTION

WAC 448-13-060 EXTERNAL STANDARD SIMULATOR SOLUTION. In order to validate and certify the proper working order of the BAC Verifier DataMaster at the time of a person's breath test, the external standard simulator solution will be tested, separated by blank tests, between the two valid breath samples provided by the subject per WAC 448-13-020(18) and 448-13-040. This test of the external standard simulator solution concentration, by the infrared technique employed by the BAC Verifier DataMaster, will confirm the certification of the person's test results as they appear on the breath test document, provided that the results of such analysis also meet the criteria of WAC 448-13-050. At such time as the concentration of the external standard simulator solution measured by the DataMaster approaches the lower acceptable limit of .090, the solution will be discarded and replaced with a new solution which meets the criteria of WAC 448-13-070. As the concentration of the external standard simulator solution is expected to change during its use, it is the position of the state toxicologist that collection and reanalysis of the external standard simulator solution by any method following its removal would serve no useful purpose, and would have no bearing on the results of any certified breath test conducted at any prior time.

NEW SECTION

WAC 448-13-070 PREPARATION AND CERTIFICATION OF EXTERNAL STANDARD SIMULATOR SOLUTION. The external standard simulator solutions shall be prepared by the forensic toxicology staff in the state toxicology laboratory, using standard laboratory procedures, in such a manner that when used in a BAC Verifier DataMaster the external standard test performed as part of a person's breath test pursuant to WAC 448-13-040, will read between .090 and .110 inclusive, at the time of the test. The protocol which shall be followed for the preparation and certification of the external standard simulator solution will be that protocol currently approved and authorized by the state toxicologist according to WAC 448-13-120 and conforming to WAC 448-14-010. Details of the currently approved and authorized protocols are available upon request from the office of the state toxicologist.

NEW SECTION

WAC 448-13-080 SOFTWARE. The software which shall be used in the data collection by, in the operation of, and in the measurements made by the BAC Verifier DataMaster, will be those versions currently approved for use by the state toxicologist. A list of those versions of software currently approved for use can be obtained from the office of the state toxicologist.

NEW SECTION

WAC 448-13-090 USE OF THE DATA BASE ON THE BAC VERIFIER DATAMASTER. The specific purpose of the data base

functions of the BAC Verifier DataMaster is to provide statistical analysis and remote monitoring of the instruments to determine their current operational status. The information contained in the data base is separate from, and does not affect the results of, any individual breath test. As such the presence or absence of data base information does not compromise the validity of a breath test certified per WAC 448-13-050.

NEW SECTION

WAC 448-13-100 QUALITY ASSURANCE PROGRAM. Technicians authorized per WAC 448-13-160 and 448-13-170 shall carry out on a regular periodic basis a quality assurance program which shall include recalibration, and checks of components and function of every BAC Verifier DataMaster instrument used for evidential breath testing purposes in the state of Washington. The protocol which shall be followed for quality assurance will be that protocol currently approved and authorized by the state toxicologist pursuant to WAC 448-13-120.

Upon successfully meeting all the requirements of the quality assurance program, the instrument is approved by the state toxicologist for use over a period of not more than one year, or until such time as one of the following operations is required: Replacement of the central processing unit (CPU) board, replacement of the infrared detector, replacement of the infrared detector block, replacement of the infrared detector board, replacement or updating of the software, disassembly and then reassembly of the sample chamber, or recalibration. On successful completion of the quality assurance inspection, the instrument is approved for use for a further one-year period. The BAC Verifier DataMaster Certification documents described in CrRLJ 6.13(c) may be used to indicate compliance with this quality assurance program.

NEW SECTION

WAC 448-13-110 BLOOD/BREATH CORRELATION STUDIES. Blood/breath correlation studies are not required to be conducted as part of the breath test program in the state of Washington. These studies may be used for experimental purposes to investigate the blood/breath ratio for a given individual at a given time. Such studies can not be used to establish or otherwise determine the proper working order of a breath test instrument.

NEW SECTION

WAC 448-13-120 REVIEW, APPROVAL, AND AUTHORIZATION OF PROTOCOLS OF PROCEDURES AND METHODS BY THE STATE TOXICOLOGIST. The state toxicologist shall review, approve, and authorize such protocols of procedures and methods (of his own promulgation or submitted to him by outside agencies or individuals) required in the administration of the breath test program. Such review, approval, and authorization will be so signified by a signed statement attached to each protocol, and kept on file in the office of the state toxicologist. These protocols will be updated as necessary to improve the quality of the breath test program in light of new findings in the scientific literature or from peer discussion, or the availability of superior equipment or services. Information concerning currently approved protocols can be obtained on application to the office of the state toxicologist.

NEW SECTION

WAC 448-13-130 INSTRUCTORS. The state toxicologist shall certify persons found by him to be competent and qualified, as "instructors." Instructors are authorized to administer breath tests for alcohol concentration using the BAC Verifier DataMaster infrared breath testing instrument and are further authorized to train and certify as operators, subject to approval by the state toxicologist, those persons the instructor finds qualified to administer the breath test utilizing the BAC Verifier DataMaster breath test instrument. A list of instructors shall be maintained in the office of the state toxicologist.

If an instructor fails or refuses to demonstrate to the state toxicologist or to his representative, that they have the ability to adequately perform their responsibilities as an instructor, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-140 OPERATORS. The state toxicologist, or instructors on his behalf, shall certify as "operators" persons found by

them to be competent and qualified to administer breath tests for alcohol concentration using the BAC Verifier DataMaster infrared breath testing instrument. Persons who have attended courses in the operation of the BAC Verifier DataMaster infrared breath testing instrument taught by an instructor qualified by the state toxicologist, upon certification of attendance and qualification, shall be designated as "operators." A list of persons so certified shall be maintained in the office of the state toxicologist.

If an operator fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as an operator, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-150 SOLUTION CHANGERS. The state toxicologist, or instructors on his behalf, shall certify as "solution changers" operators found by them to be competent and qualified. In addition to being qualified as "operators" these persons must receive approved instruction covering the changing of simulator external standard solutions for the BAC Verifier DataMaster infrared breath testing instrument, taught by an instructor qualified by the state toxicologist. A list of persons so certified shall be maintained in the office of the state toxicologist.

If a solution changer fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as a solution changer, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-160 TECHNICIANS. The state toxicologist shall certify as "technicians" such persons found by him to be competent and qualified to maintain the proper working order of the BAC Verifier DataMaster infrared breath testing instrument, through adjustment, repair, and regular service. Further, technicians are authorized by the state toxicologist to perform the procedures approved for periodic quality assurance of the BAC Verifier DataMaster infrared breath testing instruments as required pursuant to WAC 448-13-090. A list of technicians shall be maintained in the office of the state toxicologist.

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-13-170 PERMIT CARDS. The state toxicologist shall authorize the issuance to persons deemed qualified as "instructors," "operators," "solution changers" or "technicians," a wallet-sized card bearing his or her name and designation. Permit cards shall bear the signature or facsimile signature of the state toxicologist and may bear the instructor's signature. Such permit cards shall expire three years after the date on the card, unless renewed for a like three-year period.

NEW SECTION

WAC 448-13-180 COURSE APPROVAL AND REQUIREMENTS. Prior to conducting a course for the training of operators of the BAC Verifier DataMaster, instructors shall submit to the state toxicologist for approval, the curriculum to be used in the course. If the curriculum is approved, subsequent courses embodying the same curriculum may be conducted without individual approval of each course. The course of training may include the following:

- (1) Theory of operation;
- (2) Detailed procedure of operation;
- (3) Practical experience;
- (4) Written examination; and
- (5) Practical examination.

NEW SECTION

WAC 448-13-190 ADDRESS FOR CORRESPONDENCE. Persons seeking information regarding currently approved protocols and procedures, or information regarding those persons currently authorized as operators, instructors, solution changers, or technicians for the BAC Verifier DataMaster, shall direct their request to the

State Toxicologist, State Toxicology Laboratory, Harborview Medical Center ZA-88, 325 9th Avenue, Seattle, Washington 98104.

NEW SECTION

WAC 448-13-200 EFFECTIVE DATE. These provisions, WAC 448-13-010 through and including WAC 448-13-210, will be adopted and in full force and effect for all aspects of the operation of the breath alcohol concentration test program in the state of Washington from December 17, 1990. These new provisions are not retroactive and will not apply to the interpretation of results from any breath test conducted prior to December 17, 1990.

WSR 90-20-051

PROPOSED RULES

DEPARTMENT OF LICENSING

(Real Estate Commission)

[Filed September 27, 1990, 2:44 p.m.]

Original Notice.

Title of Rule: WAC 308-124-005 Organization; housekeeping and address changes; WAC 308-124-007 Meetings; housekeeping changes; WAC 308-124-021 Definitions; housekeeping changes; WAC 308-124-200 Corporate or copartnership applicants for licenses—Proof required; subsections (2) housekeeping changes and (4) deletions of subsections to make the rule consistent with biennial renewals; WAC 308-124-420 Application for broker license examination, other qualification or related experience; housekeeping and address changes; WAC 308-124A-450 Examination procedures; housekeeping changes; WAC 308-124A-460 Real estate brokers and salespersons and land development representative fees; amends fees to establish biennial fees based on annual fees and adds introductory reference to land development fee; WAC 308-124B-120 Change of office location; housekeeping changes; WAC 308-124C-010 Licensee's responsibilities; subsection (4) requires brokers provide copies of required records upon demand by Department of Licensing. This will facilitate the Department of Licensing investigation and audit process; WAC 308-124C-020 Required records; subsection (1)(e), (2)(b), (c) and (d) clarification of required records procedure; WAC 308-124D-050 Property management agreements and disclosures; subsection (5) this requires that all amendments to property managements are in writing; WAC 308-124E-013 Administration of funds held in trust—Real estate and business opportunity transactions; housekeeping changes; WAC 308-124H-021 Approval of courses; subsections (1), (2) and (4) provide for approval of real estate education courses by director's designee, reduce deadlines for approval process; WAC 308-124H-220 Approval of schools; provide for approval of real estate education schools by director's designee; reduce deadline for approval process; WAC 308-124H-260 Required publication; subsection (6) housekeeping changes; and WAC 308-124H-520 Approval of instructors; subsections (1), (2), (4), (5), (6) and (7) provide for approval of real estate education instructors by director's designee and reduce deadline approval process.

Purpose: See Title of Rule above.

Statutory Authority for Adoption: RCW 18.85.040.

Statute Being Implemented: RCW 18.85.040, 18.85-.140 and 18.85.310.

Summary: See Title of Rule above.

Reasons Supporting Proposal: See Title of Rule above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bob Mitchell, 2424 Bristol Court, Olympia, WA 98504, 586-4681.

Name of Proponent: Department of Licensing, Real Estate Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Title of Rule above.

Proposal Changes the Following Existing Rules: See Title of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Licensing Training Room, 421 Black Lake Boulevard, Olympia, WA 98504, on November 14, 1990, at 9:00 a.m.

Submit Written Comments to: Bob Mitchell, 2424 Bristol Court, Olympia, WA 98504, by November 8, 1990.

Date of Intended Adoption: November 14, 1990.

September 26, 1990

Linda M. Moran

Assistant Attorney General

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124-005 ORGANIZATION. The principal location of the Real Estate Program (~~(Management)~~) is (~~(on the Fourth Floor, Quince Street Building, 1300 Quince Street)~~) at 2424 Bristol Court, Olympia, Washington 98504. A Spokane office is at East 11530 Sprague Avenue, Spokane, Washington 99206.

~~((Real estate program management of the business and professions administration of))~~ The department of licensing administers the Washington real estate license law, chapter 18.85 RCW. The real estate commission, composed of the director of the department of licensing and six commission members, appointed by the governor from the real estate industry, prepares or reviews and approves examination questions for license applicants, holds real estate education conferences, advises the director as to the issuance of rules and regulations governing the activities of real estate brokers and salespersons and performs such other duties and functions as prescribed by chapter 18.85 RCW. Submissions and requests for information regarding real estate licenses, the real estate commission, or the real estate program, may be sent in writing to the Real Estate Program (~~(Manager)~~), Department of Licensing, P.O. Box (~~(9649)~~) 9015, Olympia, Washington 98504.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124-007 MEETINGS. The real estate commission meets quarterly or at the call of the director. Individuals desiring to be informed as to date, time (~~(and)~~), place and agenda of the meeting must make a written request to the real estate program (~~(manager)~~).

AMENDATORY SECTION (Amending Order PM 811, filed 12/7/88)

WAC 308-124-021 DEFINITIONS. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.85 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Designated broker" is the natural person designated by a corporation or partnership to act as a broker on behalf of the corporation

or partnership. The designated broker must be an officer of the corporation or a general partner of the partnership and must be separately qualified for licensure as a real estate broker.

(3) "Principal owner" is a person who owns or controls, directly or indirectly, ten percent or more of a real estate brokerage, regardless of whether such interest stands in the person's true name or in the name of a nominee.

(4) "Individual broker" is the natural person who owns a sole proprietorship brokerage company and is the licensed broker of the firm.

(5) "Incorporated associate broker" is the natural person qualified as a broker who works with a broker and who is licensed as a corporation and whose license states that he or she is associated with a broker.

~~(6) ("Real estate program manager" is the person appointed by the director of the department of licensing to administer the real estate program of the department of licensing;~~

~~(7))~~ "Affiliated licensees" are the natural persons licensed as salespersons, associate brokers, incorporated associate brokers, and/or branch managers employed by a real estate broker and who are licensed to represent a broker in the performance of any of the acts specified in chapter 18.85 RCW.

AMENDATORY SECTION (Amending Order PM 775, filed 9/30/88)

WAC 308-124A-200 CORPORATE OR COPARTNERSHIP APPLICANTS FOR LICENSES—PROOF REQUIRED. The minimum qualifications for a corporation or partnership to receive a broker's license are:

(1) An officer in the corporation or a general partner in the partnership, as the case may be, shall be designated as the broker and shall separately qualify for a valid broker's license. The corporation or partnership and the designated broker are required to pay only a single license and license renewal fee.

(2) The applicant shall furnish a character and credit rating of the designated broker, officers, and principal owners of the corporation directly involved in the company's Washington real estate activity and, in the case of a partnership, the general partners and all principal owners. A new credit rating is not required if one has been (~~((fitted))~~) filed with the department within the preceding eighteen months.

(3) If the applicant is a partnership, it shall furnish a copy of its partnership agreement.

(4) Licenses issued to corporations and partnerships expire (~~(one)~~) two years from (~~((the))~~) the date of issuance which date will (~~((henceforth))~~) be the renewal date(~~(-PROVIDED, That current licenses with an expiration date of December 31, 1987, will expire as follows:~~

~~(a) Corporations and partnerships whose name begins with A through F will be issued with an expiration date of December 31, 1988;~~

~~(b) Corporations and partnerships whose name begins [with] G through L will be issued [with] an expiration date of January 31, 1989;~~

~~(c) Corporations and partnerships whose name begins [with] M through R will be issued [with] an expiration date of February 28, 1989;~~

~~(d) Corporations and partnerships whose name begins [with] S through Z will be issued [with] an expiration date of March 31, 1989).~~

(5) If a corporation applies for licensure as an incorporated associate broker, the associate broker shall be the sole licensee of the corporation. The renewal period for the incorporated associated broker shall be the same as the renewal period for corporations or partnerships under this chapter.

AMENDATORY SECTION (Amending Order PM 775, filed 9/30/88)

WAC 308-124A-420 APPLICATION FOR BROKER LICENSE EXAMINATION, OTHER QUALIFICATION OR RELATED EXPERIENCE. Applications for a real estate broker license examination by persons who do not possess two years of actual experience as a full-time real estate salesperson as required by RCW 18.85-.090 which show other and similar qualifications, or qualification by reason of practical experience in a business allied with or related to real estate shall be submitted to the Real Estate Program (~~(Manager)~~), P.O. Box (~~(9012)~~) 9021, Olympia, Washington 98504. The application shall be accompanied by a letter requesting approval of alternative qualifications or experience and indicating the basis for such approval. The letter must include a detailed personal history or work resume, with appropriate documentation, and a letter from each of five

business associates describing from personal knowledge the qualifications and experience of the applicant. The following guidelines are provided as examples of experience which may qualify in lieu of two years of full-time sales experience:

(1) Post-secondary education with major study in real estate together with one year experience as a real estate salesperson or one year experience under the provisions of subsections (2) - (7) below.

(2) Experience as an attorney at law with practice in real estate transactions for not less than one year.

(3) Five years' experience, with decision responsibility, in closing real estate transactions for escrow companies, mortgage companies, or similar institutions.

(4) Five years' experience as an officer of a commercial bank, savings and loan association, title company or mortgage company, involving all phases of real estate transactions.

(5) Five years' experience as a real property fee appraiser or salaried appraiser for a governmental agency.

(6) Five years' experience in all phases of land development, construction, financing, selling and leasing of residences, apartments or commercial buildings.

(7) Five years' experience in real estate investment, property management, or analysis of investments or business opportunities.

All time periods suggested in these guidelines shall be within the last seven years prior to the date of application.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124A-450 EXAMINATION PROCEDURES. (1) Each applicant will be required to present one piece of positive identification which bears a photograph of the applicant. In the event the applicant has no photo identification, the applicant will be required to make prior arrangements with the ~~((licensing division))~~ department not later than ten working days prior to the examination. Failure to produce the required identification will result in the applicant being refused admission to the examination.

(2) Applicants will be required to refrain from talking to other examinees during the examination unless specifically directed or permitted to do so by a test monitor. Any applicant observed talking or attempting to give or receive information; using unauthorized materials during any portion of the examination; or removing test booklets and/or notes from the testing room will be subject to denial of a license.

(3) Applicants who participate in disruptive behavior during the examination will be required to turn in their test materials to the test monitor and leave the examination site. Their opportunity to sit for the examination will be forfeited. Their answer sheet will be voided. A voided answer sheet will not be scored and the examination fee will not be refunded. A candidate must then reapply to take the examination.

AMENDATORY SECTION (Amending WSR 90-02-048, filed 12/29/89, effective 1/29/90)

WAC 308-124A-460 REAL ESTATE BROKERS AND SALESPERSONS AND LAND DEVELOPMENT REPRESENTATIVE FEES. The following fees for a two-year period shall be charged by ~~((the))~~ professional licensing ~~((division))~~ services of the department of licensing~~((:))~~:

| Title of Fee | Fee |
|---|---------------------------------|
| Real estate broker: | |
| Application/examination | \$ 85.00 |
| Reexamination | 85.00 |
| Walk-in for examination | 25.00 |
| Original license | ((80.00)) 160.00 |
| License renewal | ((80.00)) 160.00 |
| Late renewal with penalty | ((105.00)) 185.00 |
| Duplicate license | 25.00 |
| Certification | 25.00 |
| Name or address change, transfer or license activation | 25.00 |

| Title of Fee | Fee |
|---|------------------------------------|
| Real estate broker - Branch office: | |
| Original license | ((5-75.00)) \$150.00 |
| License renewal | ((75.00)) 150.00 |
| Late renewal with penalty | ((100.00)) 175.00 |
| Duplicate license | 25.00 |
| Name or address change | 25.00 |
| Real estate salesperson: | |
| Application/examination | \$ 85.00 |
| Reexamination | 85.00 |
| Walk-in for examination | 25.00 |
| Original license | ((50.00)) 100.00 |
| License renewal | ((50.00)) 100.00 |
| Late renewal with penalty | ((75.00)) 125.00 |
| Duplicate license | 25.00 |
| Certification | 25.00 |
| Name or address change, transfer or license activation | 25.00 |

The following fee shall be charged annually for land development representatives:

| | |
|--|-------|
| Land development representative: Registration | 25.00 |
|--|-------|

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124B-120 CHANGE OF OFFICE LOCATION. The real estate broker shall notify the ~~((director))~~ department of the change of location and mailing address of the broker's office by promptly filing a completed change of address application with the department together with the return of all licenses and payment of the correct fees.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124C-010 LICENSEE'S RESPONSIBILITIES. (1) The real estate broker shall be responsible for the custody, safety and correctness of entries of all required real estate records. The broker retains this responsibility even though another person or persons may be assigned by the broker the duties of preparation, custody or recording.

(2) It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 18.85 RCW.

(3) It is the responsibility of each and every licensee to keep the director informed of his or her current home address.

(4) It is the broker's responsibility to ensure accessibility of their offices and records to auditors of the department. The broker shall provide copies of required records upon demand by the director or the director's authorized representative.

AMENDATORY SECTION (Amending Order 138R, filed 2/21/86)

WAC 308-124C-020 REQUIRED RECORDS. The minimum real estate records the real estate broker shall be required to keep are as follows:

- (1) Bank trust account records:
 - (a) Duplicate receipt book or cash receipts journal recording all receipts;
 - (b) Prenumbered checks with check register, cash disbursements journal or check stubs;
 - (c) Validated duplicate bank deposit slips;
 - (d) Client's accounting ledger summarizing all moneys received and all moneys disbursed for each real estate or business opportunity transaction or each property management account, contract or mortgage collection account;
 - (e) In conjunction with (d) ~~((above))~~ of this subsection, separate ledger sheets for each tenant (including security deposit), lessee, vendee or mortgagor; for automated systems, the ledger sheets may be a computer generated printout which contains required entries;

(f) Reconciled bank statements and ~~((canceled))~~ cancelled checks for all trust bank accounts.

(2) Other records:

(a) A transaction folder containing all agreements, contracts, documents, leases, closing statements and correspondence for each real estate or business opportunity transaction, and for each rental, lease, contract or mortgage collection account;

~~(b) ((Reconciled bank statements and cancelled checks for all bank accounts of the real estate firm;~~

~~(c))~~ The original lease document may be maintained "on-site" for those brokers who utilize the services of a resident manager: PROVIDED, That a source document is maintained at the brokers office which contains the name and address of the tenant; address of the leased premises, if different from the tenant's address; duration of the lease; rental amount; the amount(s) of any and all deposits made by the tenant and the purpose of said deposits; the location where said deposits are being held; and any modification of the terms of the original lease document;

~~((d))~~ (c) The original lease document may be maintained at a branch office: PROVIDED, That a source document is maintained at the main office which contains the information filled in the blank spaces by the tenant and property manager;

(d) All required records shall be maintained at one location where the broker is licensed. This location may be the main or any branch office. (c) and (d) of this subsection address property management records being maintained "on-site." For sales transactions, a copy of the earnest money agreement, a copy of the final settlement statement, and any addenda related to the accounting or disposition of client funds shall be at the same location where the trust bank account records are maintained.

AMENDATORY SECTION (Amending Order PM 683, filed 10/7/87)

WAC 308-124D-050 PROPERTY MANAGEMENT AGREEMENTS AND DISCLOSURES. (1) All properties managed by the broker must be supported by a written management agreement signed by the owner and broker and retained. The management agreement must state as a minimum: (a) The broker's compensation (b) the type (i.e., apartments, industrial) and number of individual units in the project or square footage (if other than residential) (c) whether or not the broker is authorized to collect funds and disburse funds and for what purposes (d) authorization, if any, to hold security deposits and the manner in which security deposits may be disbursed and (e) the frequency of furnishing summary statements to the owner.

(2) All properties rented or leased by the firm must be supported by a written rental or lease agreement.

(3) Each owner of property managed by the broker must be provided a summary statement as provided in the property management agreement for each property managed showing: (The broker is to retain a true copy of this statement).

(a) Balance carried forward from previous summary statement.

(b) Total rent receipts.

(c) Owner contributions.

(d) Other itemized receipts.

(e) Itemization of all expenses paid.

(f) Ending balance.

(g) Number of units rented or square footage if other than residential.

(4) The broker may provide other services to owners of properties managed provided full disclosure to the owner is provided in writing of the broker's relationship with any and all persons providing such services, prior disclosure of fees charged, and permission is granted by the owner.

(5) Any amendment or modification to the property management agreement must be made in written form and signed by the owner and the broker and retained.

AMENDATORY SECTION (Amending Order PM 775, filed 9/30/88)

WAC 308-124E-013 ADMINISTRATION OF FUNDS HELD IN TRUST—REAL ESTATE AND BUSINESS OPPORTUNITY TRANSACTIONS. The procedures in this section are applicable to funds received by the broker in connection with real estate sales or business opportunity transactions or options thereon. These procedures

are in addition to the requirements of the general trust account procedures contained in WAC 308-124E-012.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts for real estate sales or business opportunity transactions shall be interest bearing demand deposit accounts. These accounts shall be established as described in RCW 18.85.310 and this section.

(a) The broker shall maintain a pooled interest bearing trust account ~~((identified as))~~ identified as housing trust fund account for deposit of trust funds which are five thousand dollars or less.

Interest income from this account will be paid to the department by the depository institution in accordance with RCW 18.85.310(7) after deduction of reasonable bank service charges and fees, which shall not include check printing fees or fees for bookkeeping systems. The department shall remit the funds to the state treasurer.

(b) The agent shall disclose in writing to the party depositing more than five thousand dollars that the party has an option between (i) and (ii) below;

(i) All trust funds not required to be deposited in the account specified in ~~((subsection))~~ (a) of this ~~((section))~~ subsection shall be deposited in a separate interest-bearing trust account for the particular party or party's matter on which the interest will be paid to the party(ies); or

(ii) In the pooled interest-bearing account specified in ~~((subsection))~~ (a) of this ~~((section))~~ subsection if the parties to the transaction agree in writing.

(c)(i) For accounts established as specified in ~~((subsection))~~ (a) of this ~~((section))~~ subsection, the broker will maintain an additional ledger card with the heading identified as "Housing trust account interest." As the monthly bank statements are received, indicating interest credited, the broker will post the amount to the pooled interest ledger card. When the bank statement indicates that the interest was paid to the state or bank fees were charged, the broker will debit the ledger card accordingly.

(ii) For accounts established as specified in ~~((subsection))~~ (b)(i) of this ~~((section))~~ subsection, the interest earned or bank fees charged will be posted to the individual ledger card.

(d) When the bank charges/fees exceed the interest earned, causing the balance to be less than trust account liability, the broker shall within one banking day after receipt of such notice, deposit funds from the brokers business account or other non-trust account to bring the trust account into balance with outstanding liability. The broker may be reimbursed by the party depositing the funds for these charges for accounts established as specified in ~~((subsection))~~ (b)(i) of this ~~((section))~~ subsection, if the reimbursement is authorized in writing by the party depositing the funds. For accounts established under ~~((subsection))~~ (a) of this ~~((section))~~ subsection, the broker will absorb the excess bank charges/fees as a business expense.

(2) A separate check shall be drawn on the real estate trust bank account, payable to the broker as licensed, for each commission earned, after the final closing of the real estate or business opportunity transaction. Each commission check shall be identified to the transaction to which it applies.

(3) No disbursements from the real estate trust bank account shall be made in advance of closing of a real estate or business opportunity transaction or before the happening of a condition set forth in the earnest money agreement, to any person or for any reason, without a written release from both the purchaser and seller; except that

(i) If the agreement terminates according to its own terms prior to closing, disbursement of funds shall be made as provided by the agreement without a written release; and

(ii) Funds may be disbursed to the escrow agent designated in writing by the purchaser and seller to close the transaction, reasonably prior to the date of closing in order to permit checks to clear.

(4) When a transaction provides for the earnest money deposit/note or other instrument to be held by a party other than the broker, the broker shall deliver the deposit to the party designated to hold the funds, unless the parties to the transaction instruct otherwise in writing. The delivery shall be made within one banking day after all parties to the transaction have signed the agreement. A dated receipt will be obtained and placed in the transaction file.

Chapter 308-124H WAC
REAL ESTATE COURSE SCHOOL AND INSTRUCTOR APPROVAL—~~((REGULATION))~~ EDUCATION OF REAL ESTATE BROKERS AND SALESPERSONS

AMENDATORY SECTION (Amending WSR 90-10-010, filed 4/20/90, effective 8/1/90)

WAC 308-124H-021 APPROVAL OF COURSES. (1) Each application for approval of a course shall be submitted to the department on the appropriate application form provided by the department (~~(by the established deadline)~~). The most recent application form (~~(should)~~) shall be obtained from the department prior to submission.

(2) The director or designee shall approve, disapprove, or conditionally approve applications (~~(upon the advice and recommendation of)~~) based upon criteria established by the commission. The director or designee shall approve only complete applications which (~~(in the opinion of the director)~~) meet the requirements of this chapter.

(3) Upon approval, disapproval or conditional approval, the applicant will be so advised in writing by the department. Notification of disapproval shall include the reasons therefor.

(4) (~~(Review of applications will be scheduled for the first regularly scheduled meeting of the commission to be held thirty days following receipt of the application by the department. Only complete applications for approval shall be accepted by the commission.~~)

(5)) Approval shall expire two years after the effective date of approval. If an application for renewal of approval is submitted at least thirty days prior to the expiration date, approval shall remain in effect until action to approve or disapprove the application is taken by the director. Renewal of approval is processed in the same manner as applications for approval.

AMENDATORY SECTION (Amending WSR 90-10-010, filed 4/20/90, effective 8/1/90)

WAC 308-124H-220 APPROVAL OF SCHOOLS. (1) Each application for approval of a school shall be submitted to the department on the appropriate application form provided by the department (~~(by the established deadline)~~). The most recent application form (~~(should)~~) shall be obtained from the department prior to submission.

(2) The director or designee shall approve, disapprove, or conditionally approve (~~(such)~~) applications based upon (~~(the advice and recommendation of)~~) criteria established by the commission. The director or designee shall approve only complete applications which (~~(in the opinion of the director)~~) meet the requirements of this chapter.

(3) Upon approval, disapproval, or conditional approval the applicant will be so advised in writing by the department. Notification of disapproval or conditional approval shall include the reasons therefor.

(4) (~~(Review of applications will be scheduled for the first regularly scheduled meeting of the commission to be held thirty days following receipt of the application by the department. Only complete applications for approval shall be accepted by the commission.~~)

(5)) No school for which approval is required shall promote a course for clock hour credit prior to approval of the school.

(~~(6))~~) (5) No school shall allow an instructor for whom approval is required to supervise a course for clock hour credit prior to approval of the instructor.

(~~(7))~~) (6) No school shall issue to a student certification for completion of an approved course unless the course had been approved prior to the first day of instruction.

(~~(8))~~) (7) Approval shall expire two years after the effective date of approval. If an application for renewal of approval is submitted at least thirty days prior to the expiration date, approval shall remain in effect until action to approve or disapprove the application is taken by the director. Renewal of approval is processed in the same manner as applications for approval.

(~~(9))~~) (8) School names submitted that are similar to those previously approved shall not be granted approval.

AMENDATORY SECTION (Amending WSR 90-10-010, filed 4/20/90, effective 8/1/90)

WAC 308-124H-260 REQUIRED PUBLICATION. Each school shall have available to prospective and enrolled students a publication containing the following information:

- (1) Date of publication;
- (2) Name and address of school. The name of the administrator and telephone number(s) of the school's administrative offices;
- (3) A list of courses, including the clock hours approved for each course and the specific educational requirements under chapter 18.85 RCW that will be met by completion of the course. Such lists shall be accurate as of the date of publication;
- (4) Description of all course prerequisites;

- (5) The school's policy regarding:
 - (a) Admission procedure;
 - (b) Causes for dismissal and conditions for readmission;
 - (c) Attendance requirements, leave, absences, makeup work, and tardiness;

(d) Standards of progress required of the student, including a definition of the grading system of the school, the minimum grades considered satisfactory, and the conditions for reentrance for those students whose course of study is interrupted;

(e) Refund policy of registration or tuition fees, record retrieval fee, or any other charges, including procedures a student shall follow to cancel enrollment before or after instruction has begun;

(6) The statement that: "This school is approved under chapter 18.85 RCW; inquiries regarding this or any other real estate school may be made to the: Washington State Department of Licensing, (~~(Professional Licensing Services)~~) Real Estate(~~(/Escrow/Appraiser Section)~~) Program, P.O. Box 9012, Olympia, Washington 98504 (~~((206/753-0775))~~)";

(7) Dated supplements or errata sheets so as to maintain accuracy of the information in the publication, which shall clearly indicate that such information supersedes that which it contradicts and/or replaces elsewhere in the publication.

AMENDATORY SECTION (Amending WSR 90-10-010, filed 4/20/90, effective 8/1/90)

WAC 308-124H-520 APPROVAL OF INSTRUCTORS. (1) Each application for approval of an instructor shall be submitted to the department on the appropriate application form provided by the department (~~(and filed by the established deadline)~~). The most recent application form (~~(should)~~) shall be obtained from the department prior to submission.

(2) The director or designee shall approve, disapprove, or conditionally approve instructor applications based upon (~~(the advice and recommendation of)~~) criteria established by the commission. The director or designee shall approve only complete applications which (~~(in the opinion of the director)~~) meet the requirements of this chapter.

(3) Upon approval, disapproval or conditional approval, the applicant will be so advised in writing by the department. Notification of disapproval or conditional approval shall include the reasons therefor.

(4) (~~(Review of applications will be scheduled for the first regularly scheduled meeting of the commission to be held thirty days following receipt of the application by the department. Only complete applications for approval shall be accepted by the commission.~~)

(5)) Approval shall expire two years after effective date of approval. If an application for renewal of approval is submitted at least thirty days prior to the expiration date, approval shall remain in effect until action to approve or disapprove the application is taken by the director. Renewal of approval is processed in the same manner as applications for approval.

(~~(6))~~) (5) No instructor for whom approval is required shall supervise a course for clock hour credit prior to approval of the instructor.

(~~(7))~~) (6) Applicants shall identify on the application form the specific course he or she proposes to teach.

WSR 90-20-052

**PREPROPOSAL COMMENTS
DEPARTMENT OF HEALTH
(Chiropractic Disciplinary Board)**

[Filed September 27, 1990, 3:07 p.m.]

Subject of Possible Rule Making: The board is soliciting comments on the subject of proposed amendments to WAC 113-12-101 Billing.

Persons may comment on this subject by attending informational gathering meetings, at Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, on November 17, 1990, and at the Tacoma Sheraton, 1320 Broadway Plaza, Tacoma, WA 98402, on October 30, 1990.

September 24, 1990
 Connie M. Glasgow
 Program Manager

WSR 90-20-053
RULES COORDINATOR
DEPARTMENT OF HEALTH
 [Filed September 27, 1990, 3:10 p.m.]

The previously published notice WSR 90-02-004 is hereby amended as follows: Leslie Baldwin is the designated rules coordinator for the Department of Health and the following boards and councils with statutory rule adoption authority: Washington State Board of Health, Chiropractic Disciplinary Board, Chiropractic Examining Board, Dental Disciplinary Board, Dental Examining Board, Council on Hearing Aids, Board of Massage, Medical Disciplinary Board, Board of Medical Examiners, Board of Nursing, Board of Examiners for Nursing Home Administrators, Board of Occupational Therapy Practice, Optometry Board, Board of Osteopathic Medicine and Surgery, Board of Pharmacy, Board of Physical Therapy, Podiatric Medical Board, Board of Practical Nursing, Examining Board of Psychology, and Veterinarian Board of Governors.

Her office is located at 1300 S.E. Quince Street, EY-16, Olympia, WA 98504 and her phone number is 206-586-6894.

Kristine M. Gebbie
 Secretary

WSR 90-20-054
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
 [Order 90-44—Filed September 27, 1990, 3:20 p.m.]

Date of Adoption: September 27, 1990.

Purpose: Repealing chapter 173-305 WAC.

Statutory Authority for Adoption: ESHB 2390, chapter 114, Laws of 1990.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This completes the emergency filing WSR 90-20-044 dated September 26, 1990, and supersedes the emergency filing WSR 90-15-025 dated July 13, 1990.

Effective Date of Rule: Immediately.

September 27, 1990
 Fred Olson
 Deputy Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-305-010 PURPOSE.
 WAC 173-305-015 APPLICABILITY.
 WAC 173-305-020 DEFINITIONS.
 WAC 173-305-030 GENERATOR FEES.
 WAC 173-305-040 SCHEDULE OF GENERATOR FEES.
 WAC 173-305-050 COORDINATION WITH THE DEPARTMENT OF REVENUE.
 WAC 173-305-060 FACILITY FEES.
 WAC 173-305-070 SCHEDULE OF FACILITY FEES.
 WAC 173-305-080 ASSESSMENTS FOR COMBINED SITES.
 WAC 173-305-090 ADJUSTMENT OF FEES AND LIMITS.

WSR 90-20-055
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 3076—Filed September 27, 1990, 4:36 p.m.]

Date of Adoption: September 27, 1990.

Purpose: To implement federally mandated JOBS program pursuant to the Family Support Act of 1988, PL 100-485 and to repeal obsolete WAC 388-24-107.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-24-107.

Statutory Authority for Adoption: RCW 74.04.050.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This rule is necessary to implement federal law and receive federal matching funds for AFDC employment and training programs.

Effective Date of Rule: September 29, 1990, 12:01 a.m.

September 27, 1990
 Leslie F. James, Director
 Administrative Services

Chapter 388-47 WAC
JOBS OPPORTUNITIES AND BASIC SKILLS
TRAINING PROGRAM

NEW SECTION

WAC 388-47-010 JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM (JOBS)—AUTHORITY AND PURPOSE. (1) The job opportunities and basic skills training program (JOBS) is established under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for the JOBS

program are described under Part 45, Code of Federal Regulations, Section 250.

(2) The purpose of the JOBS program is to:

(a) Encourage and assist needy children and parents, applying for or receiving assistance under the aid to families with dependent children (AFDC) program, to become economically independent through employment and training; and

(b) Obtain the education, training, and employment needed avoiding long-term welfare dependence.

(3) The department is the Title IV-A and Title IV-F agency, and has sole authority to carry out the JOBS program.

NEW SECTION

WAC 388-47-020 JOBS PROGRAM—DEFINITIONS. Except as specified in this chapter, the terms used in chapter 388-47 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC.

(1) "Basic literacy level" means a minimum literacy level allowing a person to function at a level equivalent to grade 8.9.

(2) "Component" means any of the services or activities available under the JOBS program.

(3) "CWEP" means the community work experience program.

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

(5) "Education and training" means an activity below the post secondary level the department determines appropriate to a participant's employment goal. Education and training includes, but is not limited to:

(a) High school education or education designed preparing a person to qualify for a high school equivalency certificate;

(b) Basic and remedial education providing a person with a basic literacy level; and

(c) Education in English proficiency enabling a participant to understand, speak, read, or write the English language commensurate with the participant's employment goal.

(6) "Employability plan" means a written plan with any relevant supporting documents the department and a JOBS participant enters into and is designed to lead to economic self-sufficiency.

(7) "Intensive job search" means an active, directed, documented efforts to secure employment. This activity may be a group or an individual search.

(8) "Job readiness training" means training activities that help prepare participants for work by assuring that participants are familiar with general work place expectations and exhibit work behavior and attitudes necessary to compete successfully in the labor market.

(9) "Satisfactory progress in secondary and post-secondary education." There are two measures of satisfactory progress:

(a) Qualitative which means a grade point average sufficient to graduate; and

(b) Quantitative which means taking sufficient credit hours to be in full-time status as established by the institution, except that it shall be determined that satisfactory progress is being accomplished when the following mitigating circumstances exist:

(i) When school is coupled with another component;

(ii) School is coupled with work study, study hall, internship, or other activity approved in the employability plan;

(iii) Course work is only available for a lesser number of hours; or

(iv) When the course of study is available only at less hours.

(10) "On-the-job training" means job training in partially subsidized employment intended to develop into a full-time unsubsidized job.

(11) "Participant" means an applicant or recipient of AFDC volunteering for or required to engage in, JOBS program activities and is so engaged.

(12) "Post-secondary education" means education and training beyond high school. Post-secondary education must be provided by:

(a) An institution of higher education defined under section 1210(a) or section 481 (a)(b) or (c) of the Higher Education Act of 1965, as amended; or

(b) A vocational school meeting the provisions of section 435 (b) or (c) of the Higher Education Act of 1965, as amended; or

(c) A public institution the state legally authorizes to provide such a program within the state.

(13) "Self-initiated training" means education and training or post-secondary education a potential JOBS participant initiates before participation in a JOBS program.

(14) "Work supplementation program" means an on-the-job training program subsidized by AFDC grant funds leading to a full-time unsubsidized job.

(15) "Little or no work experience" means, for purposes of defining membership in a target group, having less than either of the following within the last year:

(a) Three consecutive months of full-time paid employment;

(b) Six months of paid employment of at least seventy-five hours per month.

NEW SECTION

WAC 388-47-030 ASSESSMENT. (1) The assessment is the first step in the process to help the person identify steps needed to achieve self-sufficiency. Assessment is a joint process conducted with the participant which to the maximum extent possible will identify and respond to the person's support service needs, educational, training and occupational skills, aptitudes and preferences.

(2) Assessment will be conducted for all persons within a reasonable time period prior to participation in any JOBS component.

(3) Initial assessment will be conducted by the department and will include appraisal of a person's needs for social services enabling participation in a JOBS component including but not limited to:

(a) Child care;

- (b) Transportation requirements;
- (c) Physical health;
- (d) Legal problems;
- (e) Family problems; and
- (f) Other factors perceived to require social services intervention prior to participation in a JOBS component.

(4) Employability assessment will be conducted by the contractor and will follow the initial assessment and will include, but is not limited to, appraisal of the person's:

(a) Proficiencies, skills, deficiencies, and prior work experience;

(b) Educational and supportive service needs; and

(c) Literacy level and English language proficiency.

(d) Testing services will be available for aptitude, literacy, interest and educational achievement. Testing tools used will be those generally accepted in the academic or employment and training industry.

(5) Completion of the assessment process will provide the information needed on which to base an employability plan.

NEW SECTION

WAC 388-47-050 EMPLOYABILITY PLAN. (1) The employability plan will be developed jointly with the participant within a reasonable time period prior to participation. To the maximum extent possible an employability plan will identify and respond to the participant's support service needs, educational, training and occupational skills, aptitudes and preferences. An employability plan shall include, but not be limited to:

(a) An employment goal;

(b) Necessary supportive social services to enable JOBS participation;

(c) JOBS activities and components to be undertaken; and

(d) Labor market information related to the identified goal including:

(i) Average wage for the goal occupation.

(ii) Wage needed for economic self sufficiency for the participant.

(2) The plan will identify approved components necessary to achieve self sufficiency when a goal has been specified.

NEW SECTION

WAC 388-47-070 JOBS PROGRAM—PRIORITY OF SERVICES. Participation in JOBS activities shall be in accordance with the priorities of service set forth in this section and based on criteria for approval of participation in individual JOBS components.

(1) The department shall give first priority for participation to volunteers in the target groups. Target groups include:

(a) An AFDC recipient and applicant who received AFDC assistance for thirty-six or more of the preceding sixty months;

(b) A custodial parent twenty-four years of age or younger who did not complete high school and is not enrolled in high school, or a high school equivalent, at the time of application;

(c) A custodial parent twenty-four years of age or younger having little or no work experience in the preceding year; or

(d) A member of a family where the youngest child is within two years of ineligibility for AFDC because of age.

(2) The department shall give second priority to other volunteers.

(3) The department shall give third priority to nonexempt persons in a target group who do not volunteer.

(4) The department shall give fourth priority to other nonexempt persons who do not volunteer.

(5) An AFDC applicant or recipient may volunteer for one or more JOBS components.

NEW SECTION

WAC 388-47-100 JOBS PROGRAM—PARTICIPATION REQUIREMENTS AND EXEMPTIONS.

(1) Applicants for, and recipients of, AFDC shall participate in JOBS activities including orientation, assessment, and employability development planning as a condition of eligibility for receipt of AFDC benefits, provided:

(a) All volunteers statewide for JOBS activities have been served or have been offered substantive JOBS program participation;

(b) There is a JOBS program administered in the community services office in the area the applicant or recipient resides; and

(c) The department guarantees child care and other support services necessary for participation in JOBS activities for approved plans and in accordance with the approved plan.

(2) A person shall be considered exempt and shall not be required to participate in JOBS if the person is:

(a) A child under sixteen years of age or under eighteen years of age attending full time elementary, secondary, vocational, or technical school;

(b) Ill, when the department determines on the basis of medical evidence or other sound basis, the illness or injury is serious enough to temporarily prevent entry into employment or training;

(c) Incapacitated, when the department verifies a physical or mental impairment, a physician or licensed or certified psychologist determines the incapacitation prevents the individual from engaging in employment or training under JOBS. This may include a period of recuperation after childbirth if prescribed by a physician;

(d) Sixty years of age or older;

(e) Residing in a location remote from a JOBS services site:

(i) A location is remote when a person must spend two hours or more round trip by reasonably available public or private transportation, exclusive of time necessary to transport a child to and from a child care facility; however

(ii) When normal round-trip commuting time in the area is two hours or more, the round-trip commuting time shall not exceed the accepted community standards.

(f) Needed in the home to care for another ill or incapacitated household member, as a physician or a licensed or certified psychologist determines, and no other

appropriate member of the household is available to provide the needed care;

(g) Working thirty or more hours a week;

(h) In the last six months of pregnancy, as medically verified beginning with the month following the month of required participation;

(i) The parent or other caretaker relative of a child two years of age or younger and personally providing care for the child; or

(j) The parent or other caretaker relative personally providing care for a child five years of age or younger unless the department assures:

(i) Child care is guaranteed; and

(ii) Participation in JOBS is not required for more than twenty hours per week.

(A) Only one parent or other caretaker relative in a case may be exempt under WAC 388-47-100 (2)(i).

(B) When a family is eligible for AFDC by reason of the unemployment of the parent who is the principal earner, only one parent may be exempt under WAC 388-47-100 (2)(i).

(k) A full-time volunteer serving under the Volunteers In Service to America (VISTA), under Title I of the Domestic Volunteer Service Act of 1973.

(3) The department shall:

(a) Re-evaluate an exemption when the condition is expected to terminate, but no less frequently than at the redetermination of AFDC eligibility; and

(b) Promptly notify the recipient and appropriate service providers of a change in the recipient's exemption status.

(4) An applicant or recipient, claiming exemption from JOBS participation requirements, shall be considered exempt until the department determines the status.

(5) Indian tribes operating a tribal JOBS program shall determine exemption and participation requirements of their tribal members applying for or receiving AFDC.

(6) An applicant or recipient of AFDC shall not be required to participate in the JOBS program until notified by the department or the tribal entity operating a tribal JOBS program.

(7) When a qualifying parent in an AFDC-E family refuses or fails without good cause to participate in the JOBS program as required, the second parent shall be required to participate.

NEW SECTION

WAC 388-47-105 JOBS PROGRAM—REQUIRED NOTICES. (1) The department shall at the time of application or redetermination inform AFDC applicants and recipients, in writing and orally, of the availability of JOBS program activities and supportive services they are eligible for, and agency and participant responsibilities, including:

(a) Education, employment and training;

(b) Supportive services including, but not limited to, informing of available child care options, how to select, obtain and assist in obtaining appropriate child care, child care during participation, transitional child care, transitional health care, transportation and other work-related services;

(c) The rights, responsibilities, and obligations of participants, including but not limited to:

(i) Grounds for exemption from participation;

(ii) Consequences for refusing or failing to participate, including the effect on volunteers; and

(iii) Requirement that the second parent in an AFDC-E family participate in JOBS if the qualifying parent is required to participate and fails or refuses to do without good cause, and consequences for failure of the second parent to so participate.

(d) The types and locations of child care services reasonably accessible to participants; and

(e) The obligation of the department to provide services to participants under this section.

(2) The department shall provide written notice to applicants and recipients of AFDC of the opportunity to participate in JOBS:

(a) Within one month of the determination of eligibility for AFDC; and

(b) Provide a clear description of how to enter the JOBS program.

NEW SECTION

WAC 388-47-107 NOTICE OF EMPLOYABILITY PLAN DECISIONS. (1) Enrollees shall be notified in writing of decisions regarding the denial of employability plans including intentions to terminate services to support a plan. Such notification shall include:

(a) Activities denied;

(b) Specific reasons for each denial; and

(c) Amount of funds, level of incentives or other services denied.

(2) Enrollees shall be notified within ten days of the decision of denial.

(3) Enrollees shall be informed in the written notice of their right to appeal any part of the decision.

NEW SECTION

WAC 388-47-110 JOBS PROGRAM—EDUCATION PARTICIPATION. (1) The department will encourage a custodial parent to engage in an educational activity designed to achieve a high school education or qualify for a high school equivalency certificate when the custodial parent is not yet twenty years of age, has not completed a high school education or its equivalent, and is not otherwise exempt from participation.

(a) For purposes of subsection (1) of this section, custodial parent means the parent living with the child, including custodial parents exempt because of the youngest child's age.

(b) The department will encourage the custodial parent's full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent. This includes a person who may be exempt because of the youngest child's age.

(c) The department may exclude a seventeen years of age or younger custodial parent from this provision providing any of the following exist:

(i) The determination is based upon an individual assessment, and does not rely solely on grade completion; or

(ii) The person is participating in another activity which will lead to self-sufficiency; or

(iii) The school or training institution refuses to admit the participant and alternative resources are not available; or

(iv) Provision is made for the individual to engage in an educational activity, or in skills training combined with education.

(d) The department will encourage a custodial parent eighteen or nineteen years of age to participate in training or work activities, subject to the twenty hour limit in WAC 388-47-100 (2)(j)(ii), instead of educational activities required in subsection (1) of this section if one of the following conditions is met:

(i) The parent fails to make good progress in the educational activity; or

(ii) The department determines, based on an educational assessment and the employment goal, participation in educational activities is inappropriate for the parent. Such determination must occur before an educational activity assignment and must be based on an employment goal described in the employability plan.

(2) The department will encourage full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent for a person twenty years of age or older, not having a high school diploma or the equivalent, and not otherwise exempt from JOBS participation.

(3) The department will encourage educational activities as one component in a JOBS participant's employability plan, in accordance with the priorities in WAC 388-47-070.

NEW SECTION

WAC 388-47-115 FUNDING APPROVAL OF EDUCATION AND JOBS COMPONENTS. (1) For the purpose of plan approval initial approving authority begins with the Employment Security Department. The Department of Social and Health Services shall:

(a) Review approved plans within 30 calendar days of initial approval.

(b) Review disapproved plans within ten calendar days of denial.

(c) Review if the plan clearly violates department policy or whether the department has information which clearly indicates a concern with the plan.

(d) Joint agency administrative review will be conducted at the local level of any initial approval with which the department does not concur.

(2) The department shall limit plan approval subject to the availability of funds and to a specific component.

(3) Funding approval and JOBS program approval for participants in a tribal JOBS program shall be subject to the provisions of this section.

(4) The department shall fund approvable JOBS plan components in accordance with the following priorities:

(a) First priority shall be given to participants in an approved educational, training or employment plan

whose OPPORTUNITIES or JOBS plan is in process and is being re-authorized;

(b) Second priority shall be given to volunteers included in the target groups specified under WAC 388-47-070(1);

(c) Third priority shall be given to job ready participants volunteering for intensive job search, on-the-job training or the work supplementation program, if such participation will provide a direct path to employment;

(d) Fourth priority shall be given to all other recipients.

(5) The department shall create a local obligational register and a local waiting list for the JOBS program. The waiting list shall be ranked by priority. Ranking within each priority shall be on a first come first served basis using the date of request for participation in JOBS.

(6) If the funds appropriated for JOBS are available, the department shall approve the plan for the highest ranked person on the waiting list and obligate sufficient funds from the obligational register to cover the cost of:

(a) Training or education, component costs, child care, and support services necessary to complete the approved plan; or

(b) For participants in a tribal JOBS program, the cost of child care and support services necessary to complete the approved plan.

(7) The department shall limit plan approval through the end of the state biennium. In obligating funds, the department shall obligate funds through the completion of the plan or the end of the biennium, whichever is earlier. Priority for subsequent years is established in subsection (4) of this section.

(8) The department's approval of a plan shall be by specific components. Requests to change to another component shall be subject to the availability of funds and other applicable criteria for component approval. If the department does not approve a change in components because of lack of funds, the department shall place the person on waiting list.

(9) For self-initiated training that is approvable, the department will place the person on the local waiting list and if funds are available provide necessary child care and support services as provided in the approved plan. The department shall not pay for tuition, books, or other fees.

(10) A participant may choose to participate in training without child care and support services. For such persons, the department shall:

(a) Place the person on the local waiting list;

(b) Approve the plan subject to review of child care and support service needs when partial funds are available; and

(c) At such time as funds are available to fund the remainder of the plan, support services will be offered.

(11) Participants shall utilize other funding sources such as Pell grants before JOBS funds are used. Plan approval shall be pended until grant or aid resources have been determined.

(12) Total JOBS costs shall not exceed the maximum of four thousand five hundred dollars per participant excluding child care.

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

NEW SECTION

WAC 388-47-120 JOBS PROGRAM—OTHER EDUCATION AND TRAINING. (1) Post secondary education is an appropriate plan for:

(a) Recipients who have completed high school and been tested for literacy; and

(b) Recipients who have demonstrated an aptitude for the education or training proposed;

(c) Recipients whose long term goal requires substantial additional education and training.

(2) Post secondary education included in the employability plan shall be approved on a first come, first served basis within available funds. Plans denied for lack of funding will be placed on a waiting list.

(3) The department may approve post-secondary education included in the employability plan except when an assessment does not support the plan for any of the following reasons:

(a) The department is not allowed to approve education or training at a pervasively sectarian institution. A pervasively sectarian institution is defined by any of the following:

(i) Mandates chapel attendance;

(ii) Requires prayer as a part of class attendance; or

(iii) Hires staff or faculty on the basis of religious affiliation.

(b) Objective indicators such as tests or prior high school completion determine the participant lacks the aptitude, skills, and abilities to complete the training;

(c) The participant possesses skills to support her family or to achieve self-sufficiency in the current local labor market;

(d) The occupational goal would not lead to self-sufficiency;

(e) Comparable training is available at lower cost to the JOBS program from another institution or employer;

(f) The training does not meet the definition of satisfactory progress; or

(g) The component includes post-graduate education other than a teaching certificate.

(4) Participants may pursue post-secondary education which is not approved by the department. Such training may be approved by the JOBS program if sufficient progress toward self-sufficiency can be demonstrated.

(5) The department may terminate services in support of an approved activity if the participant does not maintain satisfactory progress as specified in the employability plan or does not participate in the educational or training activity.

(a) If support services are terminated an alternative plan shall be offered; and

(b) Termination of support services requires advance written notice;

(c) Eligibility for child care, transportation, and other support services shall be in accordance with applicable WAC;

(d) Participants shall have the right to appeal decisions made under this subsection through the fair hearings process.

(6) The department may approve self-initiated training subject to the same criteria as training developed as part of the employability plan process. The following conditions apply to the participant's self-initiated training:

(a) If the department approves self-initiated training or education, other JOBS activities may not be permitted to interfere with the approved education or training; and

(b) The JOBS program shall not pay the costs of tuition, books and fees for self-initiated training.

NEW SECTION

WAC 388-47-125 JOBS PROGRAM—COMMUNITY WORK EXPERIENCE PROGRAM. An AFDC recipient may volunteer for the community work program (CWEP) component. CWEP is offered in the Mount Vernon and Wenatchee community services offices.

(1) CWEP may be an appropriate component for a participant who has:

(a) Achieved basic literacy and high school completion, or who has spent at least six months making an effort to achieve such completion; or

(b) Little or no recent work experience.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available, or projected to be available, in the local labor market;

(c) Participant can be reasonably expected to achieve completion of the component;

(d) Component is reasonable accessible within the local labor market; and

(e) Assignments to CWEP positions take into consideration the participant's prior training, proficiency, experience, skills, basic literacy, interests, and barriers to employment; and

(f) Component participation meets the conditions of funding in WAC 388-47-115.

(3) The department shall provide for coordination among CWEP and other JOBS component activities ensuring job placement has priority over participation in CWEP.

(4) A participant's CWEP component shall be limited to projects serving a useful public purpose in public or private nonprofit agencies.

(5) The maximum number of hours in a month a person is scheduled to work in a CWEP position is the number of hours resulting from dividing the family's AFDC monthly grant by the greater of:

(a) Federal minimum wage; or

(b) Applicable state minimum wage;

(c) The rate of pay for individuals employed in the same or similar occupation by the same employer at the same site.

(6) A person should not be assigned to a CWEP position for more than nine months and participation in this component may be for less than nine months.

(7) The maximum number of hours in a month a person may be required to participate in CWEP shall not exceed one hundred twenty-four hours.

(8) That portion of a recipient's aid the state is reimbursed by a child support collection except for the fifty dollars pass-through shall be excluded in determining the maximum number of hours worked.

(9) The department shall:

(a) Provide for a re-assessment and revision, as appropriate, of the participant's employability plan after each six months of CWEP participation;

(b) Ensure CWEP positions do not fill established, unfilled position vacancies in the work site;

(c) Require appropriate standards of health, safety, and other reasonable conditions applicable to the work performance;

(d) Ensure a participant is not required to perform tasks in a way related to political, electoral, or partisan activities, or which would result in displacement of a person currently employed;

(e) Ensure a position has not been developed in response to the existence of a strike, lockout, or other bona fide labor dispute or violate any existing labor agreement between an employee and an employer;

(f) Provide support services enabling a person's participation, according to provisions in chapter 388-51 WAC;

(g) Not require the use of the participant's assistance or income or resources to pay participation costs;

(h) Ensure CWEP assignments shall not require a participant to travel unreasonable distances from home or to remain away from home overnight without the participant's consent; and

(i) Ensure agencies utilizing CWEP participants provide worker's compensation coverage through the department of labor and industries on the same basis as regular employees.

NEW SECTION

WAC 388-47-127 JOBS PROGRAM—WORK EXPERIENCE. An AFDC recipient may volunteer for participation in the work experience (WEX) component.

(1) WEX may be an appropriate component for a participant who has:

(a) Achieved basic literacy and high school completion, or who has spent at least six months making an effort to achieve such completion; and

(b) Little or no work experience.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available, or projected to be available in the local labor market;

(c) Participant can be reasonably expected to achieve completion of the plan;

(d) Component is reasonable accessible within the local labor market; and

(e) Meets conditions of funding in WAC 388-47-115; and

(f) WEX placements take into consideration the participant's prior training, proficiency, experience, basic literacy, interests, and barriers to employment.

(3) The department shall provide coordination among WEX and other JOBS component activities ensuring an AFDC recipient's job placement has priority over participation in WEX.

(4) The department shall limit WEX assignment to projects serving a useful public purpose in public and private non-profit organizations.

(5) The department shall limit WEX assignments to not more than twenty-six weeks per enrollment.

(6) The department shall assure;

(a) An assessment is provided following the completion of each WEX;

(b) Support services will be provided to WEX participants according to chapter 388-51 WAC;

(c) Agencies providing recipients WEX opportunities shall offer Workers' Compensation coverage on the same basis as regular employees;

(d) WEX provides appropriate standards of health, safety, and other reasonable working conditions at the work site;

(e) Participants are not required to perform tasks related to, political or partisan activities;

(f) WEX positions shall not exist as the result of a strike, lockout, or other bona fide labor dispute, and shall not violate any existing labor agreement between an employee and the employer;

(g) WEX positions shall not result in the displacement of a currently employed person;

(h) A participant shall not be required to use income or resources to pay participation costs; and

(i) WEX assignments shall not require a participant to travel unreasonable distances from home or to remain away from home overnight without the participant's consent.

(7) WEX assignments shall not be for more than one hundred twenty-four hours in any month.

NEW SECTION

WAC 388-47-130 JOBS PROGRAM READINESS TRAINING—JOB READINESS TRAINING—INTENSIVE JOB SEARCH. (1) A person may volunteer to participate in intensive job readiness training or job search. Job readiness training will generally precede intensive job search.

(2) Job readiness training is appropriate for all recipients planning to enter a job search component. Those with a firm job lead, or with good job search skills may want to skip this component, but it will be made available to all recipients entering job search who want it.

(3) Job readiness training may include any of the following:

(a) Self-esteem building;

(b) Job search techniques;

(c) Resume writing skills;

(d) Skills on how to reach the hidden job market;

(e) Employer expectations; and

(f) Labor market information.

(4) Job search is appropriate for those recipients who have achieved basic literacy and high school completion, and who have recent work experience in the field they intend to look for work. Because entry into JOBS components is voluntary, those refusing other forms of education and training should be approved to look for work.

(5) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component is appropriate in order to access employment available or projected to be available in the local labor market;

(c) Participant can be reasonably expected to achieve employment in the desired fields; and

(d) Meets the conditions of funding in WAC 388-47-115.

(6) For an initial intensive job search period, a person may participate in the program for eight consecutive weeks from the date the person makes a written request for AFDC providing:

(a) No person shall be required to participate in job search;

(b) The department may not delay the processing of a person's application for AFDC due to participation in job search; and

(c) The department may terminate job search if the assessment determines another JOBS activity is more appropriate.

(7) The subsequent job search component may not exceed eight weeks participation in any twelve-month period.

(8) The department may provide additional job search beyond that under subsections (1) and (2) of this section providing:

(a) Such job search shall be part of an education, training, or employment activity; and

(b) The job search is designed to improve the person's employment prospects.

NEW SECTION

WAC 388-47-135 JOBS PROGRAM—ON-THE-JOB TRAINING. (1) This component is generally appropriate for those recipients who have completed high school, achieved basic literacy, and have work experience in the field they have chosen. However, they will generally have a training deficiency such as having worked on outdated equipment, or not having worked in the field in the last year.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available or projected to be available in the local labor market;

(c) Participant can be reasonably expected to complete the component;

(d) Component is reasonably accessible within the local labor market; and

(e) Meets the conditions of funding in WAC 388-47-115.

(3) A person may volunteer for on-the-job training (OJT), and shall be compensated:

(a) At the same rates, including benefits and periodic increases, as similarly situated employees or trainees; and

(b) In accordance with applicable law, but in no event less than the higher of the federal minimum wage or applicable state or local minimum wage law.

(4) Those OJT participants eligible for AFDC will receive support services and child care as approved for this component.

(5) If an OJT participant becomes ineligible for AFDC due to earned income rules or, in the case of a principal earner in an unemployed parent case, the one hundred hour rule, such individual shall:

(a) Remain a JOBS participant for the duration of the OJT; and

(b) Be eligible for support services as described under chapter 388-51 WAC.

(6) The department shall ensure the participant's OJT assignments meet the following conditions:

(a) State, or local safety and health standards;

(b) Assignments are not related to political, electoral, religious, or partisan activities;

(c) The employer shall provide industrial insurance coverage as required under Title 51 RCW; and

(d) The employer shall provide a recipient unemployment compensation coverage as required under Title 50 RCW.

(7) No work assignment under this program shall result in:

(a) The displacement of any currently employed worker or position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of job existing contracts for services or collective bargaining agreements;

(b) The employment or assignment of a participant or the filling of a position when:

(i) Any other individual is on layoff from the same or any equivalent position; or

(ii) The employer has terminated the employment of any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created with a participant subsidized under the program.

(c) Any infringement of the promotional opportunities of any currently employed individual.

(8) Funds available to carry out the program may not be used to assist, promote, or deter union organizing.

NEW SECTION

WAC 388-47-140 JOBS PROGRAM—WORK SUPPLEMENTATION PROGRAM. The department may operate the work supplementation program (WSP) for JOBS participants. The department's WSP is a voluntary program and participants in WSP are considered employed and will receive support services and child care as appropriate to support the approved component.

(1) An eligible employer shall certify to the department that the employee's employment complies with the following conditions:

(a) Work conditions are reasonable and not in violation of applicable federal, state, or local safety and health standards;

(b) Assignments are not related to political, electoral, or partisan activities;

(c) The employer shall provide industrial insurance coverage as required under Title 51 RCW;

(d) The employer shall provide a participant unemployment compensation coverage as required under Title 50 RCW;

(2) No work assignment under this program shall result in:

(a) The displacement of any currently employed worker or position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing contracts for services or collective bargaining agreements;

(b) The employment or assignment of a participant or the filling of a position when:

(i) Any other individual is on layoff from the same or any equivalent position; or

(ii) The employer has terminated the employment of any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created with a participant subsidized under the program.

(c) Any infringement of the promotional opportunities of any currently employed individual.

(3) Funds available to carry out the program may not be used to assist, promote, or deter union organizing.

(4) When a job does not last six months following the subsidization period, the department shall recover state supplement wages from an employer from the beginning of the subsidization period unless the employee:

(a) Voluntarily quits; or

(b) Is discharged for good cause due to misconduct, felony, or gross misdemeanor as determined under chapter 50.20 RCW.

(5) Jobs shall have promotional opportunities or reasonable opportunities for an employee's wage increase.

(6) Employers shall pay fifty percent or more of the employee's total wages.

(7) A participant shall be considered an AFDC recipient and remain eligible for Medicaid benefits even if the participant does not receive a residual cash grant.

NEW SECTION

WAC 388-47-200 JOBS PROGRAM—GOOD CAUSE FOR REFUSAL OR FAILURE TO PARTICIPATE. (1) The department is responsible for determining whether a person has good cause for refusal or failure to participate in an assigned JOBS component or activity, or to accept or retain employment.

(2) The determination of good cause shall include, but is not limited to the department independently:

(a) Determining if the person intentionally refused or failed to participate in JOBS;

(b) Documenting efforts to resolve the issues prior to conciliation;

(c) Reviewing the case record to determine potential causes for refusal or failure to meet program requirements and if the person may have had good cause for non participation.

(3) Good cause shall include, but is not limited to:

(a) A person is the parent or other needy caretaker of a child five years of age or younger and the activity or employment requires such individual to work more than twenty hours per week. This subsection shall not apply to a person subject to provisions as required under WAC 388-47-110 (1) and (2);

(b) A person's employment results in the family of the participant experiencing a net loss of income. A net loss of income results if the family's gross income, less necessary work-related expenses, is less than the cash assistance the person was receiving before employment. The participant's grant income includes, but is not limited to, earnings, unearned income, and cash assistance;

(c) A person's physical, mental, or emotional inability to perform the required activity;

(d) A person's court-ordered appearance or temporary incarceration;

(e) Exigent personal or family circumstances which would interfere with successful participation;

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

(g) Inclement weather preventing a person, and others similarly situated, from traveling to or participating in the prescribed activity;

(h) Breakdown in child care arrangements, or child care not available enabling participation;

(i) The nature of the required activity is hazardous to the participant;

(j) A person's required activity interrupt a program in process for permanent rehabilitation or self-support or conflicts with an imminent likelihood of re-employment in the person's regular occupation;

(k) Nonreceipt of participation requirements or a notice of appointment with program staff;

(l) Availability of a position because of a labor dispute; or

(m) A person's refusal to accept major medical treatment, for example major surgery, needed for employability;

(n) Supportive services enabling participation are not available;

(o) A person is homeless;

(p) An employer discriminating in terms of age, sex, race, color, religion, national or ethnic origin, physical or mental handicap, political affiliation, or marital status;

(q) Working hours or nature of employment interfere with the participant's religious observances, convictions, or beliefs as a member of a bona fide religious organization;

(r) Work involves conditions in violation of applicable health and safety standards;

(s) The employment, or offer of employment, does not provide for workers' compensation or other benefits afforded to a person similarly situated working for the same employer;

(t) The employment would cause a person to violate the terms of the person's existing union membership;

(u) As a condition of employment, the person is required to join, resign from, or refrain from joining any legitimate labor organization; or

(v) The employment involves unreasonable demands or conditions, such as working without getting paid on schedule, or the employment exceeds the daily or weekly hours customary to the occupation;

(w) The wages of the employment do not meet minimum wage standards or are not customary for such work in the community. This does not apply to CWEP, as participants do not receive a wage;

(x) Refusal by an AFDC-E qualifying parent to accept employment of one hundred hours or more per month, the wages for which, less mandatory payroll deductions and necessary work-related expenses, would not equal or exceed the family's AFDC cash benefits. This does not apply to CWEP, which does not involve wages.

(4) If the department can not determine that good cause exists, it shall notify the person in writing of the opportunity to explain the circumstances, if any, which may constitute good cause for non participation in JOBS. The notice shall:

(a) Provide ten days advance notice of an appointment to discuss potential good cause;

(b) Provide a description of the program requirement the individual failed to meet;

(c) Inform the person of the right to provide an explanation of why they failed to meet the program requirement;

(d) Inform the person that lack of good cause may result in the AFDC grant being reduced;

(e) Inform the person of the right to conciliation;

(f) Inform the person that failure to respond to appointments to determine good cause will result in a good cause determination made from available information.

(5) If good cause is established and/or if the problem causing non compliance has been resolved the person shall be so notified in writing and when appropriate that the person can resume participation without further action.

NEW SECTION

WAC 388-47-210 JOBS PROGRAM—SANCTIONS FOR REFUSAL OR FAILURE TO PARTICIPATE. (1) When an AFDC recipient required to participate in the JOBS program refuses or fails to participate in JOBS without good cause, the following sanctions shall apply during the following periods:

(a) For the first failure to comply, until the failure to comply ceases;

(b) For the second such failure to comply, until the failure to comply ceases or three months, whichever is longer;

(c) For a subsequent failure to comply, until the failure to comply ceases, or six months, whichever is longer.

(2) Failure to participate is a consistent pattern of non-cooperation in JOBS and includes, but is not limited to:

(a) Failure to meet the requirements for orientation, assessment, and employability development planning;

(b) Not appearing for appointments with JOBS staff;

(c) Not appearing for appointments with other than JOBS staff when referred for employment related activity, including social services; or

(d) Not accepting or continuing any required JOBS component activity.

(3) During the sanction period, the department shall not take into account the:

(a) Person's needs in determining the family's need for assistance and the amount of the assistance payment; or

(b) If the individual is the qualifying parent in a family eligible for the AFDC due to an unemployed parent, needs of the second parent in determining the family's need for assistance and the amount of the assistance payment unless the second parent is participating in the JOBS program.

(4) If the person's is the only dependent child, the department shall not take into account the person's needs in determining the family's need for assistance and the amount of the assistance payment.

(5) If a sanction is applied to the only caretaker relative in the family, the department may continue to make payments:

(a) For the remaining members of the assistance unit in the form of protective payments; or

(b) If a protective payee cannot be identified, on behalf of the remaining members of the assistance unit, to the sanctioned caretaker relative.

(6) The department shall notify, in writing, a person whose failure or refusal continues for three months of the person's option to end the sanction. The department's notice shall advise the sanctioned person may terminate:

(a) The first or second sanction by participating in the JOBS program or accepting employment; and

(b) A subsequent sanction after six months have elapsed by participating in the program or accepting employment.

(7) Imposition of sanction shall be preceded by a timely written notice of adverse action pursuant to WAC 388-33-376. Such notice shall contain:

(a) An explanation of the reasons for the proposed action;

(b) The factual reasons for the determination that the person failed to participate in JOBS without good cause;

(c) An explanation of the rights to a fair hearing and continued benefits;

(d) An explanation of how the sanction can be terminated by complying with program requirements;

(e) In the case of a household receiving AFDC due to the unemployment of a parent, an explanation of the sanction and benefit reduction to the second parent and the right of that parent to stop application of the sanction against the second parent by participating in the JOBS program.

(8) No sanction shall be imposed until conciliation has been attempted.

NEW SECTION

WAC 388-47-215 JOBS PROGRAM—COMPLAINTS AND GRIEVANCES. (1) The department

shall, at the time of assignment, inform a person volunteering for or participating in a JOBS activity or component of the person's right to file a complaint or grievance with the department regarding the person's participation.

(a) The department shall pursue the grievance in accordance with standard grievance procedures.

(b) The department shall further inform a person that filing such a complaint or grievance shall not preclude the person's rights to request a fair hearing by the department on the issue.

(2) An individual shall not be relieved of required JOBS activities pending the results of a filed grievance or request for a grievance hearing.

NEW SECTION

WAC 388-47-220 JOBS PROGRAM—CONCILIATION AND FAIR HEARINGS. (1) When the department has determined that a participant has refused or failed to participate without good cause in the JOBS program, the department shall conduct conciliation prior to the imposition of any sanction. Conciliation includes, but is not limited to:

(a) Identification of the problem;

(b) Review of case record to determine potential causes for refusal or failure to meet program requirements; and

(c) Efforts to resolve the issues.

(2) Prior to commencing conciliation the department must provide written notice containing:

(a) The matter in dispute;

(b) The person's right to a conciliation period not to exceed thirty calendar days from the date of notice;

(c) The scheduling of an interview;

(d) The consequences of failing to resolve the dispute;

(e) The right to a fair hearing if the dispute can not be resolved through conciliation.

(3) Such notice shall be mailed within ten working days of identification of the dispute by the participant or the department.

(4) Conciliation is designed to resolve disagreements or misunderstandings over JOBS participation before they result in a sanction. The department shall:

(a) Accomplish conciliation through a face-to-face meeting with the person;

(b) Arrange a telephone interview with the person if a face-to-face meeting is not possible;

(c) Continue conciliation if the participant is unable to be contacted. Additional attempts will be made and should continue for thirty days from the date of the first attempt is made;

(d) Conciliation should determine if the situation is a result of a misunderstanding or failed communication and can therefore be resolved;

(e) During the conciliation interview, explain the individual's rights and responsibilities under JOBS, including the consequences of continued refusal to participate;

(f) Specify a person aggrieved or disadvantaged by the conciliation process, or a decision resulting from the

conciliation process, may appeal through the department's standard grievance or fair hearing process.

(5) If successfully resolved no additional adverse action is taken by the department.

(6) If unsuccessfully concluded, conciliation may be terminated at or before expiration of 30 days from commencement by one of the following methods:

(a) Written request by the person to terminate conciliation; or

(b) Documented reasons by JOBS staff indicating the dispute cannot be resolved by conciliation.

(7) Either the department or the JOBS participant can initiate conciliation. A participant may request conciliation of any dispute orally or in writing by notifying the department that conciliation is desired and specifying the matter to be addressed.

(8) When conciliation ends and a notice of adverse action is issued, the affected person may contest the department's proposed sanction. If the person's adverse action is not contested within ten days of issuance, the department's sanction shall be imposed under WAC 388-47-210.

(9) If a dispute is not resolved through conciliation, the department shall provide the person with an opportunity for a fair hearing. If the affected person requests a fair hearing, assistance may not be suspended, reduced, discontinued, or terminated until the fair hearing is concluded.

NEW SECTION

WAC 388-47-300 INDIAN TRIBAL JOBS PROGRAMS. (1) A person on AFDC required to participate in JOBS, and a member of an Indian tribe operating a tribal JOBS program, shall be referred to their tribal JOBS program if the person resides in the geographic area served by the tribal JOBS program.

(2) The tribe shall be responsible for determining a person's good cause for nonparticipation.

(3) The department shall remove from the AFDC grant the needs of a person whom the tribe determines has not participated and who did not have good cause for nonparticipation.

(4) Within available funding and on a first-come-first-serve basis, the department shall provide child care, according to chapter 388-51 WAC, necessary for a tribal member to participate in the tribe's JOBS program. Under chapter 388-51 WAC, a participant in the tribal JOBS program shall be eligible for transitional child care.

(5) A participant in the tribal JOBS program shall receive all other supportive services from the tribal JOBS program.

(6) As a condition of eligibility for AFDC, the department may require an applicant and recipient living within the designated service area of a tribal JOBS program to provide the department their membership status in that tribe. The department shall explain to the person the reason for the request is to determine whether the person is to receive JOBS services from the department or the tribe.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-57-011 WASHINGTON EMPLOYMENT OPPORTUNITIES PROGRAM (OPPORTUNITIES).

WAC 388-57-040 WORK INCENTIVE PROGRAM (WIN)—AUTHORITY.

WAC 388-57-057 WORK INCENTIVE PROGRAM—CERTIFICATION AND SUPPORTIVE SERVICES.

WAC 388-57-059 WIN PROGRAM—GRIEVANCES.

WAC 388-57-063 WIN PROGRAM—FAILURE TO PARTICIPATE.

WAC 388-57-066 WIN PROGRAM—NOTICE OF INTENDED DEREGISTRATION.

WAC 388-57-067 WIN PROGRAM—SANCTION.

WAC 388-57-071 WORK INCENTIVE PROGRAM—GOOD CAUSE.

WAC 388-57-074 OPPORTUNITIES program—Exemption and hearings.

WAC 388-57-097 COMMUNITY WORK EXPERIENCE PROGRAM (CWEP).

WAC 388-57-100 EMPLOYMENT SEARCH PROGRAM (ESP).

WAC 388-57-105 TITLE IV-A EMPLOYMENT PROGRAMS—COMPLAINTS AND GRIEVANCES.

WAC 388-57-112 TITLE IV-A EMPLOYMENT PROGRAMS—FAILURE TO PARTICIPATE WITHOUT GOOD CAUSE.

WAC 388-57-115 TITLE IV-A EMPLOYMENT PROGRAMS—SANCTION.

WAC 388-57-117 OPPORTUNITIES program—Effect of sanction on AFDC.

WAC 388-57-120 EMPLOYMENT PARTNERSHIP PROGRAM (EPP)—AUTHORITY.

WAC 388-57-122 ELIGIBLE PARTICIPANTS.

WAC 388-57-123 EMPLOYMENT PARTNERSHIP PROGRAM—ELIGIBLE EMPLOYERS.

WAC 388-57-124 EMPLOYMENT PARTNERSHIP PROGRAM—CONDITIONS OF EMPLOYMENT.

WAC 388-57-125 EMPLOYMENT PARTNERSHIP PROGRAM—FUNDING AND PAYMENT.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E-REGISTRATION AND PARTICIPATION IN EMPLOYMENT PROGRAMS.

WSR 90-20-056**EMERGENCY RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES****(Public Assistance)**

[Order 3077—Filed September 27, 1990, 4:39 p.m.]

Date of Adoption: September 27, 1990.

Purpose: To implement federal Family Support Act of 1988, support services for JOBS program.

Statutory Authority for Adoption: RCW 74.04.050.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This rule amendment is necessary to implement federal law and receive federal matching funds for JOBS program.

Effective Date of Rule: September 29, 1990, 12:01 a.m.

September 27, 1990

Leslie F. James, Director
Administrative Services

Chapter 388-51 WAC
**JOB OPPORTUNITIES AND BASIC SKILLS
TRAINING PROGRAM
CHILD CARE AND OTHER WORK-RELATED
SUPPORTIVE SERVICES
AND TRANSITIONAL CHILD CARE**

NEW SECTION

WAC 388-51-010 CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE SERVICES—AUTHORITY AND PURPOSE. (1) Child care and other work-related supportive service for a participant in the JOBS program is authorized under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act, and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for support services are in Part 45, Code of Federal Regulations, Section 255.

(2) The purpose of this program is to provide child care and other support services for a family:

(a) Receiving and, in some cases, applying for aid to families with dependent children (AFDC); and

(b) Participating in the JOBS program according to chapter 388-47 WAC.

NEW SECTION

WAC 388-51-020 DEFINITIONS. Except as specified in this chapter, terms used under chapter 388-51 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC, and the JOBS program set forth under chapter 388-47 WAC.

(1) "Applicable standards" means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

(2) "Support services" means child care, and other services provided for under federal law, that may be required enabling an AFDC applicant or recipient to pursue employment, education, and training under chapter 388-47 WAC.

NEW SECTION

WAC 388-51-040 ASSURANCES. The department shall assure:

(1) Supportive services needed to enable a participant with an approved employability plan to participate in accordance with that approved plan in the JOBS program;

(2) Child care services meet applicable standards of state or tribal law;

(3) An entity providing child care allows parental access;

(4) The child's individual needs are taken into account when the department provides or arranges for child care and other supportive services; and

(5) Child care provided or claimed for payment is related to a person's JOBS program participation or employment hours.

NEW SECTION

WAC 388-51-100 CHILD CARE—PAYMENT.

(1) The department's payment for child care may not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) For purposes of education and training.

(a) The department's payment for child care for a JOBS participant shall be made to the provider in the case of center care, or family day care.

(b) The department's payment to a JOBS program participant shall be by reimbursement in the case of in-home care.

(3) The department shall consider child care costs for a working AFDC recipient as an income disregard in accordance with WAC 388-28-570.

NEW SECTION

WAC 388-51-150 OTHER SUPPORTIVE SERVICES. The department may provide other supportive services, payment, or reimbursement for other supportive services enabling a person's participation in a JOBS program. The participant's supportive services shall be subject to maximum limits set by the department. The department's services include, but are not limited to:

(1) Transportation costs;

(2) Tools and equipment;

(3) License fees including union initiation fees and driver licenses required by law, employer, or union; and

(4) One-time work-related expenses necessary for a participant to accept or maintain employment. The participant's expenses shall be:

(a) Required for the type of work;

(b) Provided only when other funds are not available; and

(c) Allowed when the participant has a bona fide job expecting to last thirty days or more.

NEW SECTION

WAC 388-51-200 TRANSITIONAL SUPPORTIVE SERVICES. The department may provide ninety or more days of transitional supportive services to a JOBS participant entering employment.

WSR 90-20-057

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

[Filed September 27, 1990, 4:40 p.m.]

Original Notice.

Title of Rule: WAC 388-24-107 Eligibility conditions applicable to AFDC-R and AFDC-E registration and participation in employment programs; and new chapter 388-47 WAC, Job opportunities and basic skills training program (JOBS).

Purpose: To implement federally mandated JOBS program pursuant to the Family Support Act of 1988, PL 100-485 and to repeal obsolete WAC 388-24-107.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: New chapter 388-47 WAC provides for implementation of federal JOBS program.

Reasons Supporting Proposal: This rule is necessary to implement federal law and receive federal matching funds for AFDC employment and training programs.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Anderson, Income Assistance, 753-4920.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Public Law 100-485.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on December 11, 1990, at 10:00 a.m.; at the Seattle Public Library, 1000 Fourth Avenue, on December 12, 1990, at 10:00 a.m.; and at the Holiday Inn, East 110 4th Avenue, Glacier Room, Spokane, on December 13, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by December 13, 1990.

Date of Intended Adoption: December 31, 1990.

September 27, 1990

Leslie F. James, Director
Administrative Services

Chapter 388-47 WAC
JOBS OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM

NEW SECTION

WAC 388-47-010 JOB OPPORTUNITIES AND BASIC SKILLS TRAINING PROGRAM (JOBS)—AUTHORITY AND PURPOSE. (1) The job opportunities and basic skills training program (JOBS) is established under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for the JOBS program are described under Part 45, Code of Federal Regulations, Section 250.

(2) The purpose of the JOBS program is to:

(a) Encourage and assist needy children and parents, applying for or receiving assistance under the aid to families with dependent children (AFDC) program, to become economically independent through employment and training; and

(b) Obtain the education, training, and employment needed avoiding long-term welfare dependence.

(3) The department is the Title IV-A and Title IV-F agency, and has sole authority to carry out the JOBS program.

NEW SECTION

WAC 388-47-020 JOBS PROGRAM—DEFINITIONS. Except as specified in this chapter, the terms used in chapter 388-47 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC.

(1) "Basic literacy level" means a minimum literacy level allowing a person to function at a level equivalent to grade 8.9.

(2) "Component" means any of the services or activities available under the JOBS program.

(3) "CWEP" means the community work experience program.

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

(5) "Education and training" means an activity below the post secondary level the department determines appropriate to a participant's employment goal. Education and training includes, but is not limited to:

(a) High school education or education designed preparing a person to qualify for a high school equivalency certificate;

(b) Basic and remedial education providing a person with a basic literacy level; and

(c) Education in English proficiency enabling a participant to understand, speak, read, or write the English language commensurate with the participant's employment goal.

(6) "Employability plan" means a written plan with any relevant supporting documents the department and a JOBS participant enters into and is designed to lead to economic self-sufficiency.

(7) "Intensive job search" means an active, directed, documented efforts to secure employment. This activity may be a group or an individual search.

(8) "Job readiness training" means training activities that help prepare participants for work by assuring that participants are familiar with general work place expectations and exhibit work behavior and attitudes necessary to compete successfully in the labor market.

(9) "Satisfactory progress in secondary and post-secondary education." There are two measures of satisfactory progress:

(a) Qualitative which means a grade point average sufficient to graduate; and

(b) Quantitative which means taking sufficient credit hours to be in full-time status as established by the institution, except that it shall be determined that satisfactory progress is being accomplished when the following mitigating circumstances exist:

(i) When school is coupled with another component;

(ii) School is coupled with work study, study hall, internship, or other activity approved in the employability plan;

(iii) Course work is only available for a lesser number of hours; or

(iv) When the course of study is available only at less hours.

(10) "On-the-job training" means job training in partially subsidized employment intended to develop into a full-time unsubsidized job.

(11) "Participant" means an applicant or recipient of AFDC volunteering for or required to engage in, JOBS program activities and is so engaged.

(12) "Post-secondary education" means education and training beyond high school. Post-secondary education must be provided by:

(a) An institution of higher education defined under section 1210(a) or section 481 (a)(b) or (c) of the Higher Education Act of 1965, as amended; or

(b) A vocational school meeting the provisions of section 435 (b) or (c) of the Higher Education Act of 1965, as amended; or

(c) A public institution the state legally authorizes to provide such a program within the state.

(13) "Self-initiated training" means education and training or post-secondary education a potential JOBS participant initiates before participation in a JOBS program.

(14) "Work supplementation program" means an on-the-job training program subsidized by AFDC grant funds leading to a full-time unsubsidized job.

(15) "Little or no work experience" means, for purposes of defining membership in a target group, having less than either of the following within the last year:

(a) Three consecutive months of full-time paid employment;

(b) Six months of paid employment of at least seventy-five hours per month.

NEW SECTION

WAC 388-47-030 ASSESSMENT. (1) The assessment is the first step in the process to help the person identify steps needed to achieve self-sufficiency. Assessment is a joint process conducted with the participant which to the maximum extent possible will identify and respond to the person's support service needs, educational, training and occupational skills, aptitudes and preferences.

(2) Assessment will be conducted for all persons within a reasonable time period prior to participation in any JOBS component.

(3) Initial assessment will be conducted by the department and will include appraisal of a person's needs for social services enabling participation in a JOBS component including but not limited to:

(a) Child care;

(b) Transportation requirements;

(c) Physical health;

(d) Legal problems;

(e) Family problems; and

(f) Other factors perceived to require social services intervention prior to participation in a JOBS component.

(4) Employability assessment will be conducted by the contractor and will follow the initial assessment and will include, but is not limited to, appraisal of the person's:

(a) Proficiencies, skills, deficiencies, and prior work experience;

(b) Educational and supportive service needs; and

(c) Literacy level and English language proficiency.

(5) Testing services will be available for aptitude, literacy, interest and educational achievement. Testing tools used will be those generally accepted in the academic or employment and training industry.

(6) Completion of the assessment process will provide the information needed on which to base an employability plan.

NEW SECTION

WAC 388-47-050 EMPLOYABILITY PLAN. (1) The employability plan will be developed jointly with the participant within a reasonable time period prior to participation. To the maximum extent possible an employability plan will identify and respond to the participant's support service needs, educational, training and occupational skills, aptitudes and preferences. An employability plan shall include, but not be limited to:

(a) An employment goal;

(b) Necessary supportive social services to enable JOBS participation;

(c) JOBS activities and components to be undertaken; and

(d) Labor market information related to the identified goal including:

(i) Average wage for the goal occupation.

(ii) Wage needed for economic self sufficiency for the participant.

(2) The plan will identify approved components necessary to achieve self sufficiency when a goal has been specified.

NEW SECTION

WAC 388-47-070 JOBS PROGRAM—PRIORITY OF SERVICES. Participation in JOBS activities shall be in accordance with the priorities of service set forth in this section and based on criteria for approval of participation in individual JOBS components.

(1) The department shall give first priority for participation to volunteers in the target groups. Target groups include:

(a) An AFDC recipient and applicant who received AFDC assistance for thirty-six or more of the preceding sixty months;

(b) A custodial parent twenty-four years of age or younger who did not complete high school and is not enrolled in high school, or a high school equivalent, at the time of application;

(c) A custodial parent twenty-four years of age or younger having little or no work experience in the preceding year; or

(d) A member of a family where the youngest child is within two years of ineligibility for AFDC because of age.

(2) The department shall give second priority to other volunteers.

(3) The department shall give third priority to nonexempt persons in a target group who do not volunteer.

(4) The department shall give fourth priority to other nonexempt persons who do not volunteer.

(5) An AFDC applicant or recipient may volunteer for one or more JOBS components.

NEW SECTION

WAC 388-47-100 JOBS PROGRAM—PARTICIPATION REQUIREMENTS AND EXEMPTIONS. (1) Applicants for, and recipients of, AFDC shall participate in JOBS activities including orientation, assessment, and employability development planning as a condition of eligibility for receipt of AFDC benefits, provided:

(a) All volunteers statewide for JOBS activities have been served or have been offered substantive JOBS program participation;

(b) There is a JOBS program administered in the community services office in the area the applicant or recipient resides; and

(c) The department guarantees child care and other support services necessary for participation in JOBS activities for approved plans and in accordance with the approved plan.

(2) A person shall be considered exempt and shall not be required to participate in JOBS if the person is:

(a) A child under sixteen years of age or under eighteen years of age attending full time elementary, secondary, vocational, or technical school;

(b) Ill, when the department determines on the basis of medical evidence or other sound basis, the illness or injury is serious enough to temporarily prevent entry into employment or training;

(c) Incapacitated, when the department verifies a physical or mental impairment, a physician or licensed or certified psychologist determines the incapacitation prevents the individual from engaging in employment or training under JOBS. This may include a period of recuperation after childbirth if prescribed by a physician;

(d) Sixty years of age or older;

(e) Residing in a location remote from a JOBS services site:

(i) A location is remote when a person must spend two hours or more round trip by reasonably available public or private transportation, exclusive of time necessary to transport a child to and from a child care facility; however

(ii) When normal round-trip commuting time in the area is two hours or more, the round-trip commuting time shall not exceed the accepted community standards.

(f) Needed in the home to care for another ill or incapacitated household member, as a physician or a licensed or certified psychologist determines, and no other appropriate member of the household is available to provide the needed care;

(g) Working thirty or more hours a week;

(h) In the last six months of pregnancy, as medically verified beginning with the month following the month of required participation;

(i) The parent or other caretaker relative of a child two years of age or younger and personally providing care for the child; or

(j) The parent or other caretaker relative personally providing care for a child five years of age or younger unless the department assures:

(i) Child care is guaranteed; and

(ii) Participation in JOBS is not required for more than twenty hours per week.

(A) Only one parent or other caretaker relative in a case may be exempt under WAC 388-47-100 (2)(i).

(B) When a family is eligible for AFDC by reason of the unemployment of the parent who is the principal earner, only one parent may be exempt under WAC 388-47-100 (2)(i).

(k) A full-time volunteer serving under the Volunteers In Service to America (VISTA), under Title I of the Domestic Volunteer Service Act of 1973.

(3) The department shall:

(a) Re-evaluate an exemption when the condition is expected to terminate, but no less frequently than at the redetermination of AFDC eligibility; and

(b) Promptly notify the recipient and appropriate service providers of a change in the recipient's exemption status.

(4) An applicant or recipient, claiming exemption from JOBS participation requirements, shall be considered exempt until the department determines the status.

(5) Indian tribes operating a tribal JOBS program shall determine exemption and participation requirements of their tribal members applying for or receiving AFDC.

(6) An applicant or recipient of AFDC shall not be required to participate in the JOBS program until notified by the department or the tribal entity operating a tribal JOBS program.

(7) When a qualifying parent in an AFDC-E family refuses or fails without good cause to participate in the JOBS program as required, the second parent shall be required to participate.

NEW SECTION

WAC 388-47-105 JOBS PROGRAM—REQUIRED NOTICES. (1) The department shall at the time of application or redetermination inform AFDC applicants and recipients, in writing and orally, of the availability of JOBS program activities and supportive services they are eligible for, and agency and participant responsibilities, including:

(a) Education, employment and training;

(b) Supportive services including, but not limited to, informing of available child care options, how to select, obtain and assist in obtaining appropriate child care, child care during participation, transitional child care, transitional health care, transportation and other work-related services;

(c) The rights, responsibilities, and obligations of participants, including but not limited to:

(i) Grounds for exemption from participation;

(ii) Consequences for refusing or failing to participate, including the effect on volunteers; and

(iii) Requirement that the second parent in an AFDC-E family participate in JOBS if the qualifying parent is required to participate and fails or refuses to do without good cause, and consequences for failure of the second parent to so participate.

(d) The types and locations of child care services reasonably accessible to participants; and

(e) The obligation of the department to provide services to participants under this section.

(2) The department shall provide written notice to applicants and recipients of AFDC of the opportunity to participate in JOBS:

(a) Within one month of the determination of eligibility for AFDC; and

(b) Provide a clear description of how to enter the JOBS program.

NEW SECTION

WAC 388-47-107 NOTICE OF EMPLOYABILITY PLAN DECISIONS. (1) Enrollees shall be notified in writing of decisions regarding the denial of employability plans including intentions to terminate services to support a plan. Such notification shall include:

(a) Activities denied;

(b) Specific reasons for each denial; and

(c) Amount of funds, level of incentives or other services denied.

(2) Enrollees shall be notified within ten days of the decision of denial.

(3) Enrollees shall be informed in the written notice of their right to appeal any part of the decision.

NEW SECTION

WAC 388-47-110 JOBS PROGRAM—EDUCATION PARTICIPATION. (1) The department will encourage a custodial parent to engage in an educational activity designed to achieve a high school education or qualify for a high school equivalency certificate when the custodial parent is not yet twenty years of age, has not completed a high school education or its equivalent, and is not otherwise exempt from participation.

(a) For purposes of subsection (1) of this section, custodial parent means the parent living with the child, including custodial parents exempt because of the youngest child's age.

(b) The department will encourage the custodial parent's full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent. This includes a person who may be exempt because of the youngest child's age.

(c) The department may exclude a seventeen years of age or younger custodial parent from this provision providing any of the following exist:

(i) The determination is based upon an individual assessment, and does not rely solely on grade completion; or

(ii) The person is participating in another activity which will lead to self-sufficiency; or

(iii) The school or training institution refuses to admit the participant and alternative resources are not available; or

(iv) Provision is made for the individual to engage in an educational activity, or in skills training combined with education.

(d) The department will encourage a custodial parent eighteen or nineteen years of age to participate in training or work activities, subject to the twenty hour limit in WAC 388-47-100 (2)(j)(ii), instead of educational activities required in subsection (1) of this section if one of the following conditions is met:

(i) The parent fails to make good progress in the educational activity; or

(ii) The department determines, based on an educational assessment and the employment goal, participation in educational activities is inappropriate for the parent. Such determination must occur before an educational activity assignment and must be based on an employment goal described in the employability plan.

(2) The department will encourage full-time participation, as defined by the educational provider, in educational activities directed toward the attainment of a high school diploma or its equivalent for a person twenty years of age or older, not having a high school diploma or the equivalent, and not otherwise exempt from JOBS participation.

(3) The department will encourage educational activities as one component in a JOBS participant's employability plan, in accordance with the priorities in WAC 388-47-070.

NEW SECTION

WAC 388-47-115 FUNDING APPROVAL OF EDUCATION AND JOBS COMPONENTS. (1) For the purpose of plan approval initial approving authority begins with the Employment Security Department. The Department of Social and Health Services shall:

(a) Review approved plans within 30 calendar days of initial approval.

(b) Review disapproved plans within ten calendar days of denial.

(c) Review if the plan clearly violates department policy or whether the department has information which clearly indicates a concern with the plan.

(d) Joint agency administrative review will be conducted at the local level of any initial approval with which the department does not concur.

(2) The department shall limit plan approval subject to the availability of funds and to a specific component.

(3) Funding approval and JOBS program approval for participants in a tribal JOBS program shall be subject to the provisions of this section.

(4) The department shall fund approvable JOBS plan components in accordance with the following priorities:

(a) First priority shall be given to participants in an approved educational, training or employment plan whose OPPORTUNITIES or JOBS plan is in process and is being re-authorized;

(b) Second priority shall be given to volunteers included in the target groups specified under WAC 388-47-070(1);

(c) Third priority shall be given to job ready participants volunteering for intensive job search, on-the-job training or the work supplementation program, if such participation will provide a direct path to employment;

(d) Fourth priority shall be given to all other recipients.

(5) The department shall create a local obligational register and a local waiting list for the JOBS program. The waiting list shall be ranked by priority. Ranking within each priority shall be on a first come first served basis using the date of request for participation in JOBS.

(6) If the funds appropriated for JOBS are available, the department shall approve the plan for the highest ranked person on the waiting list and obligate sufficient funds from the obligational register to cover the cost of:

(a) Training or education, component costs, child care, and support services necessary to complete the approved plan; or

(b) For participants in a tribal JOBS program, the cost of child care and support services necessary to complete the approved plan.

(7) The department shall limit plan approval through the end of the state biennium. In obligating funds, the department shall obligate funds through the completion of the plan or the end of the biennium, whichever is earlier. Priority for subsequent years is established in subsection (4) of this section.

(8) The department's approval of a plan shall be by specific components. Requests to change to another component shall be subject to the availability of funds and other applicable criteria for component approval. If the department does not approve a change in components because of lack of funds, the department shall place the person on waiting list.

(9) For self-initiated training that is approvable, the department will place the person on the local waiting list and if funds are available provide necessary child care and support services as provided in the approved plan. The department shall not pay for tuition, books, or other fees.

(10) A participant may choose to participate in training without child care and support services. For such persons, the department shall:

(a) Place the person on the local waiting list;

(b) Approve the plan subject to review of child care and support service needs when partial funds are available; and

(c) At such time as funds are available to fund the remainder of the plan, support services will be offered.

(11) Participants shall utilize other funding sources such as Pell grants before JOBS funds are used. Plan approval shall be pending until grant or aid resources have been determined.

(12) Total JOBS costs shall not exceed the maximum of four thousand five hundred dollars per participant excluding child care.

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

NEW SECTION

WAC 388-47-120 JOBS PROGRAM—OTHER EDUCATION AND TRAINING. (1) Post secondary education is an appropriate plan for:

(a) Recipients who have completed high school and been tested for literacy; and

(b) Recipients who have demonstrated an aptitude for the education or training proposed;

(c) Recipients whose long term goal requires substantial additional education and training.

(2) Post secondary education included in the employability plan shall be approved on a first come, first served basis within available funds. Plans denied for lack of funding will be placed on a waiting list.

(3) The department may approve post-secondary education included in the employability plan except when an assessment does not support the plan for any of the following reasons:

(a) The department is not allowed to approve education or training at a pervasively sectarian institution. A pervasively sectarian institution is defined by any of the following:

(i) Mandates chapel attendance;

(ii) Requires prayer as a part of class attendance; or

(iii) Hires staff or faculty on the basis of religious affiliation.

(b) Objective indicators such as tests or prior high school completion determine the participant lacks the aptitude, skills, and abilities to complete the training;

(c) The participant possesses skills to support her family or to achieve self-sufficiency in the current local labor market;

(d) The occupational goal would not lead to self-sufficiency;

(e) Comparable training is available at lower cost to the JOBS program from another institution or employer;

(f) The training does not meet the definition of satisfactory progress; or

(g) The component includes post-graduate education other than a teaching certificate.

(4) Participants may pursue post-secondary education which is not approved by the department. Such training may be approved by the JOBS program if sufficient progress toward self-sufficiency can be demonstrated.

(5) The department may terminate services in support of an approved activity if the participant does not maintain satisfactory

progress as specified in the employability plan or does not participate in the educational or training activity.

(a) If support services are terminated an alternative plan shall be offered; and

(b) Termination of support services requires advance written notice;

(c) Eligibility for child care, transportation, and other support services shall be in accordance with applicable WAC;

(d) Participants shall have the right to appeal decisions made under this subsection through the fair hearings process.

(6) The department may approve self-initiated training subject to the same criteria as training developed as part of the employability plan process. The following conditions apply to the participant's self-initiated training:

(a) If the department approves self-initiated training or education, other JOBS activities may not be permitted to interfere with the approved education or training; and

(b) The JOBS program shall not pay the costs of tuition, books and fees for self-initiated training.

NEW SECTION

WAC 388-47-125 JOBS PROGRAM—COMMUNITY WORK EXPERIENCE PROGRAM. An AFDC recipient may volunteer for the community work program (CWEP) component. CWEP is offered in the Mount Vernon and Wenatchee community services offices.

(1) CWEP may be an appropriate component for a participant who has:

(a) Achieved basic literacy and high school completion, or who has spent at least six months making an effort to achieve such completion; or

(b) Little or no recent work experience.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available, or projected to be available, in the local labor market;

(c) Participant can be reasonably expected to achieve completion of the component;

(d) Component is reasonable accessible within the local labor market; and

(e) Assignments to CWEP positions take into consideration the participant's prior training, proficiency, experience, skills, basic literacy, interests, and barriers to employment; and

(f) Component participation meets the conditions of funding in WAC 388-47-115.

(3) The department shall provide for coordination among CWEP and other JOBS component activities ensuring job placement has priority over participation in CWEP.

(4) A participant's CWEP component shall be limited to projects serving a useful public purpose in public or private nonprofit agencies.

(5) The maximum number of hours in a month a person is scheduled to work in a CWEP position is the number of hours resulting from dividing the family's AFDC monthly grant by the greater of:

(a) Federal minimum wage; or

(b) Applicable state minimum wage;

(c) The rate of pay for individuals employed in the same or similar occupation by the same employer at the same site.

(6) A person should not be assigned to a CWEP position for more than nine months and participation in this component may be for less than nine months.

(7) The maximum number of hours in a month a person may be required to participate in CWEP shall not exceed one hundred twenty-four hours.

(8) That portion of a recipient's aid the state is reimbursed by a child support collection except for the fifty dollars pass-through shall be excluded in determining the maximum number of hours worked.

(9) The department shall:

(a) Provide for a re-assessment and revision, as appropriate, of the participant's employability plan after each six months of CWEP participation;

(b) Ensure CWEP positions do not fill established, unfilled position vacancies in the work site;

(c) Require appropriate standards of health, safety, and other reasonable conditions applicable to the work performance;

(d) Ensure a participant is not required to perform tasks in a way related to political, electoral, or partisan activities, or which would result in displacement of a person currently employed;

(e) Ensure a position has not been developed in response to the existence of a strike, lockout, or other bona fide labor dispute or violate any existing labor agreement between an employee and an employer;

(f) Provide support services enabling a person's participation, according to provisions in chapter 388-51 WAC;

(g) Not require the use of the participant's assistance or income or resources to pay participation costs;

(h) Ensure CWEP assignments shall not require a participant to travel unreasonable distances from home or to remain away from home overnight without the participant's consent; and

(i) Ensure agencies utilizing CWEP participants provide worker's compensation coverage through the department of labor and industries on the same basis as regular employees.

NEW SECTION

WAC 388-47-127 JOBS PROGRAM—WORK EXPERIENCE. An AFDC recipient may volunteer for participation in the work experience (WEX) component.

(1) WEX may be an appropriate component for a participant who has:

(a) Achieved basic literacy and high school completion, or who has spent at least six months making an effort to achieve such completion; and

(b) Little or no work experience.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available, or projected to be available in the local labor market;

(c) Participant can be reasonably expected to achieve completion of the plan;

(d) Component is reasonable accessible within the local labor market; and

(e) Meets conditions of funding in WAC 388-47-115; and

(f) WEX placements take into consideration the participant's prior training, proficiency, experience, basic literacy, interests, and barriers to employment.

(3) The department shall provide coordination among WEX and other JOBS component activities ensuring an AFDC recipient's job placement has priority over participation in WEX.

(4) The department shall limit WEX assignment to projects serving a useful public purpose in public and private non-profit organizations.

(5) The department shall limit WEX assignments to not more than twenty-six weeks per enrollment.

(6) The department shall assure:

(a) An assessment is provided following the completion of each WEX;

(b) Support services will be provided to WEX participants according to chapter 388-51 WAC;

(c) Agencies providing recipients WEX opportunities shall offer Workers' Compensation coverage on the same basis as regular employees;

(d) WEX provides appropriate standards of health, safety, and other reasonable working conditions at the work site;

(e) Participants are not required to perform tasks related to, political or partisan activities;

(f) WEX positions shall not exist as the result of a strike, lockout, or other bona fide labor dispute, and shall not violate any existing labor agreement between an employee and the employer;

(g) WEX positions shall not result in the displacement of a currently employed person;

(h) A participant shall not be required to use income or resources to pay participation costs; and

(i) WEX assignments shall not require a participant to travel unreasonable distances from home or to remain away from home overnight without the participant's consent.

(7) WEX assignments shall not be for more than one hundred twenty-four hours in any month.

NEW SECTION

WAC 388-47-130 JOBS PROGRAM READINESS TRAINING—JOB READINESS TRAINING—INTENSIVE JOB SEARCH. (1) A person may volunteer to participate in intensive job readiness training or job search. Job readiness training will generally precede intensive job search.

(2) Job readiness training is appropriate for all recipients planning to enter a job search component. Those with a firm job lead, or with good job search skills may want to skip this component, but it will be made available to all recipients entering job search who want it.

(3) Job readiness training may include any of the following:

- (a) Self-esteem building;
- (b) Job search techniques;
- (c) Resume writing skills;
- (d) Skills on how to reach the hidden job market;
- (e) Employer expectations; and
- (f) Labor market information.

(4) Job search is appropriate for those recipients who have achieved basic literacy and high school completion, and who have recent work experience in the field they intend to look for work. Because entry into JOBS components is voluntary, those refusing other forms of education and training should be approved to look for work.

(5) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component is appropriate in order to access employment available or projected to be available in the local labor market;

(c) Participant can be reasonably expected to achieve employment in the desired fields; and

(d) Meets the conditions of funding in WAC 388-47-115.

(6) For an initial intensive job search period, a person may participate in the program for eight consecutive weeks from the date the person makes a written request for AFDC providing:

(a) No person shall be required to participate in job search;

(b) The department may not delay the processing of a person's application for AFDC due to participation in job search; and

(c) The department may terminate job search if the assessment determines another JOBS activity is more appropriate.

(7) The subsequent job search component may not exceed eight weeks participation in any twelve-month period.

(8) The department may provide additional job search beyond that under subsections (1) and (2) of this section providing:

(a) Such job search shall be part of an education, training, or employment activity; and

(b) The job search is designed to improve the person's employment prospects.

NEW SECTION

WAC 388-47-135 JOBS PROGRAM—ON-THE-JOB TRAINING. (1) This component is generally appropriate for those recipients who have completed high school, achieved basic literacy, and have work experience in the field they have chosen. However, they will generally have a training deficiency such as having worked on outdated equipment, or not having worked in the field in the last year.

(2) Component approval will be based on a determination that:

(a) Component participation will assist the participant in achieving self-sufficiency;

(b) Component content is appropriate in order to access employment available or projected to be available in the local labor market;

(c) Participant can be reasonably expected to complete the component;

(d) Component is reasonably accessible within the local labor market; and

(e) Meets the conditions of funding in WAC 388-47-115.

(3) A person may volunteer for on-the-job training (OJT), and shall be compensated:

(a) At the same rates, including benefits and periodic increases, as similarly situated employees or trainees; and

(b) In accordance with applicable law, but in no event less than the higher of the federal minimum wage or applicable state or local minimum wage law.

(4) Those OJT participants eligible for AFDC will receive support services and child care as approved for this component.

(5) If an OJT participant becomes ineligible for AFDC due to earned income rules or, in the case of a principal earner in an unemployed parent case, the one hundred hour rule, such individual shall:

(a) Remain a JOBS participant for the duration of the OJT; and

(b) Be eligible for support services as described under chapter 388-51 WAC.

(6) The department shall ensure the participant's OJT assignments meet the following conditions:

(a) State, or local safety and health standards;

(b) Assignments are not related to political, electoral, religious, or partisan activities;

(c) The employer shall provide industrial insurance coverage as required under Title 51 RCW; and

(d) The employer shall provide a recipient unemployment compensation coverage as required under Title 50 RCW.

(7) No work assignment under this program shall result in:

(a) The displacement of any currently employed worker or position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing contracts for services or collective bargaining agreements;

(b) The employment or assignment of a participant or the filling of a position when:

(i) Any other individual is on layoff from the same or any equivalent position; or

(ii) The employer has terminated the employment of any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created with a participant subsidized under the program.

(c) Any infringement of the promotional opportunities of any currently employed individual.

(8) Funds available to carry out the program may not be used to assist, promote, or deter union organizing.

NEW SECTION

WAC 388-47-140 JOBS PROGRAM—WORK SUPPLEMENTATION PROGRAM. The department may operate the work supplementation program (WSP) for JOBS participants. The department's WSP is a voluntary program and participants in WSP are considered employed and will receive support services and child care as appropriate to support the approved component.

(1) An eligible employer shall certify to the department that the employee's employment complies with the following conditions:

(a) Work conditions are reasonable and not in violation of applicable federal, state, or local safety and health standards;

(b) Assignments are not related to political, electoral, or partisan activities;

(c) The employer shall provide industrial insurance coverage as required under Title 51 RCW;

(d) The employer shall provide a participant unemployment compensation coverage as required under Title 50 RCW;

(2) No work assignment under this program shall result in:

(a) The displacement of any currently employed worker or position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing contracts for services or collective bargaining agreements;

(b) The employment or assignment of a participant or the filling of a position when:

(i) Any other individual is on layoff from the same or any equivalent position; or

(ii) The employer has terminated the employment of any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created with a participant subsidized under the program.

(c) Any infringement of the promotional opportunities of any currently employed individual.

(3) Funds available to carry out the program may not be used to assist, promote, or deter union organizing.

(4) When a job does not last six months following the subsidization period, the department shall recover state supplement wages from an employer from the beginning of the subsidization period unless the employee:

(a) Voluntarily quits; or

(b) Is discharged for good cause due to misconduct, felony, or gross misdemeanor as determined under chapter 50.20 RCW.

(5) Jobs shall have promotional opportunities or reasonable opportunities for an employee's wage increase.

(6) Employers shall pay fifty percent or more of the employee's total wages.

(7) A participant shall be considered an AFDC recipient and remain eligible for Medicaid benefits even if the participant does not receive a residual cash grant.

NEW SECTION

WAC 388-47-200 JOBS PROGRAM—GOOD CAUSE FOR REFUSAL OR FAILURE TO PARTICIPATE. (1) The department is responsible for determining whether a person has good cause for refusal or failure to participate in an assigned JOBS component or activity, or to accept or retain employment.

(2) The determination of good cause shall include, but is not limited to the department independently:

(a) Determining if the person intentionally refused or failed to participate in JOBS;

(b) Documenting efforts to resolve the issues prior to conciliation;

(c) Reviewing the case record to determine potential causes for refusal or failure to meet program requirements and if the person may have had good cause for non participation.

(3) Good cause shall include, but is not limited to:

(a) A person is the parent or other needy caretaker of a child five years of age or younger and the activity or employment requires such individual to work more than twenty hours per week. This subsection shall not apply to a person subject to provisions as required under WAC 388-47-110 (1) and (2);

(b) A person's employment results in the family of the participant experiencing a net loss of income. A net loss of income results if the family's gross income, less necessary work-related expenses, is less than the cash assistance the person was receiving before employment. The participant's grant income includes, but is not limited to, earnings, unearned income, and cash assistance;

(c) A person's physical, mental, or emotional inability to perform the required activity;

(d) A person's court-ordered appearance or temporary incarceration;

(e) Exigent personal or family circumstances which would interfere with successful participation;

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

(g) Inclement weather preventing a person, and others similarly situated, from traveling to or participating in the prescribed activity;

(h) Breakdown in child care arrangements, or child care not available enabling participation;

(i) The nature of the required activity is hazardous to the participant;

(j) A person's required activity interrupt a program in process for permanent rehabilitation or self-support or conflicts with an imminent likelihood of re-employment in the person's regular occupation;

(k) Nonreceipt of participation requirements or a notice of appointment with program staff;

(l) Availability of a position because of a labor dispute; or

(m) A person's refusal to accept major medical treatment, for example major surgery, needed for employability;

(n) Supportive services enabling participation are not available;

(o) A person is homeless;

(p) An employer discriminating in terms of age, sex, race, color, religion, national or ethnic origin, physical or mental handicap, political affiliation, or marital status;

(q) Working hours or nature of employment interfere with the participant's religious observances, convictions, or beliefs as a member of a bona fide religious organization;

(r) Work involves conditions in violation of applicable health and safety standards;

(s) The employment, or offer of employment, does not provide for workers' compensation or other benefits afforded to a person similarly situated working for the same employer;

(t) The employment would cause a person to violate the terms of the person's existing union membership;

(u) As a condition of employment, the person is required to join, resign from, or refrain from joining any legitimate labor organization; or

(v) The employment involves unreasonable demands or conditions, such as working without getting paid on schedule, or the employment exceeds the daily or weekly hours customary to the occupation;

(w) The wages of the employment do not meet minimum wage standards or are not customary for such work in the community. This does not apply to CWEP, as participants do not receive a wage;

(x) Refusal by an AFDC-E qualifying parent to accept employment of one hundred hours or more per month, the wages for which, less mandatory payroll deductions and necessary work-related expenses, would not equal or exceed the family's AFDC cash benefits. This does not apply to CWEP, which does not involve wages.

(4) If the department can not determine that good cause exists, it shall notify the person in writing of the opportunity to explain the circumstances, if any, which may constitute good cause for non participation in JOBS. The notice shall:

(a) Provide ten days advance notice of an appointment to discuss potential good cause;

(b) Provide a description of the program requirement the individual failed to meet;

(c) Inform the person of the right to provide an explanation of why they failed to meet the program requirement;

(d) Inform the person that lack of good cause may result in the AFDC grant being reduced;

(e) Inform the person of the right to conciliation;

(f) Inform the person that failure to respond to appointments to determine good cause will result in a good cause determination made from available information.

(5) If good cause is established and/or if the problem causing non compliance has been resolved the person shall be so notified in writing and when appropriate that the person can resume participation without further action.

NEW SECTION

WAC 388-47-210 JOBS PROGRAM—SANCTIONS FOR REFUSAL OR FAILURE TO PARTICIPATE. (1) When an AFDC recipient required to participate in the JOBS program refuses or fails to participate in JOBS without good cause, the following sanctions shall apply during the following periods:

(a) For the first failure to comply, until the failure to comply ceases;

(b) For the second such failure to comply, until the failure to comply ceases or three months, whichever is longer;

(c) For a subsequent failure to comply, until the failure to comply ceases, or six months, whichever is longer.

(2) Failure to participate is a consistent pattern of non-cooperation in JOBS and includes, but is not limited to:

(a) Failure to meet the requirements for orientation, assessment, and employability development planning;

(b) Not appearing for appointments with JOBS staff;

(c) Not appearing for appointments with other than JOBS staff when referred for employment related activity, including social services; or

(d) Not accepting or continuing any required JOBS component activity.

(3) During the sanction period, the department shall not take into account the:

(a) Person's needs in determining the family's need for assistance and the amount of the assistance payment; or

(b) If the individual is the qualifying parent in a family eligible for the AFDC due to an unemployed parent, needs of the second parent in determining the family's need for assistance and the amount of the assistance payment unless the second parent is participating in the JOBS program.

(4) If the person's is the only dependent child, the department shall not take into account the person's needs in determining the family's need for assistance and the amount of the assistance payment.

(5) If a sanction is applied to the only caretaker relative in the family, the department may continue to make payments:

(a) For the remaining members of the assistance unit in the form of protective payments; or

(b) If a protective payee cannot be identified, on behalf of the remaining members of the assistance unit, to the sanctioned caretaker relative.

(6) The department shall notify, in writing, a person whose failure or refusal continues for three months of the person's option to end the sanction. The department's notice shall advise the sanctioned person may terminate:

(a) The first or second sanction by participating in the JOBS program or accepting employment; and

(b) A subsequent sanction after six months have elapsed by participating in the program or accepting employment.

(7) Imposition of sanction shall be preceded by a timely written notice of adverse action pursuant to WAC 388-33-376. Such notice shall contain:

(a) An explanation of the reasons for the proposed action;

(b) The factual reasons for the determination that the person failed to participate in JOBS without good cause;

(c) An explanation of the rights to a fair hearing and continued benefits;

(d) An explanation of how the sanction can be terminated by complying with program requirements;

(e) In the case of a household receiving AFDC due to the unemployment of a parent, an explanation of the sanction and benefit reduction to the second parent and the right of that parent to stop application of the sanction against the second parent by participating in the JOBS program.

(8) No sanction shall be imposed until conciliation has been attempted.

NEW SECTION

WAC 388-47-215 JOBS PROGRAM—COMPLAINTS AND GRIEVANCES. (1) The department shall, at the time of assignment, inform a person volunteering for or participating in a JOBS activity or component of the person's right to file a complaint or grievance with the department regarding the person's participation.

(a) The department shall pursue the grievance in accordance with standard grievance procedures.

(b) The department shall further inform a person that filing such a complaint or grievance shall not preclude the person's rights to request a fair hearing by the department on the issue.

(2) An individual shall not be relieved of required JOBS activities pending the results of a filed grievance or request for a grievance hearing.

NEW SECTION

WAC 388-47-220 JOBS PROGRAM—CONCILIATION AND FAIR HEARINGS. (1) When the department has determined that a participant has refused or failed to participate without good cause in the JOBS program, the department shall conduct conciliation prior to the imposition of any sanction. Conciliation includes, but is not limited to:

(a) Identification of the problem;

(b) Review of case record to determine potential causes for refusal or failure to meet program requirements; and

(c) Efforts to resolve the issues.

(2) Prior to commencing conciliation the department must provide written notice containing:

(a) The matter in dispute;

(b) The person's right to a conciliation period not to exceed thirty calendar days from the date of notice;

(c) The scheduling of an interview;

(d) The consequences of failing to resolve the dispute;

(e) The right to a fair hearing if the dispute can not be resolved through conciliation.

(3) Such notice shall be mailed within ten working days of identification of the dispute by the participant or the department.

(4) Conciliation is designed to resolve disagreements or misunderstandings over JOBS participation before they result in a sanction. The department shall:

(a) Accomplish conciliation through a face-to-face meeting with the person;

(b) Arrange a telephone interview with the person if a face-to-face meeting is not possible;

(c) Continue conciliation if the participant is unable to be contacted. Additional attempts will be made and should continue for thirty days from the date of the first attempt is made;

(d) Conciliation should determine if the situation is a result of a misunderstanding or failed communication and can therefore be resolved;

(e) During the conciliation interview, explain the individual's rights and responsibilities under JOBS, including the consequences of continued refusal to participate;

(f) Specify a person aggrieved or disadvantaged by the conciliation process, or a decision resulting from the conciliation process, may appeal through the department's standard grievance or fair hearing process.

(5) If successfully resolved no additional adverse action is taken by the department.

(6) If unsuccessfully concluded, conciliation may be terminated at or before expiration of 30 days from commencement by one of the following methods:

(a) Written request by the person to terminate conciliation; or

(b) Documented reasons by JOBS staff indicating the dispute cannot be resolved by conciliation.

(7) Either the department or the JOBS participant can initiate conciliation. A participant may request conciliation of any dispute orally or in writing by notifying the department that conciliation is desired and specifying the matter to be addressed.

(8) When conciliation ends and a notice of adverse action is issued, the affected person may contest the department's proposed sanction. If the person's adverse action is not contested within ten days of issuance, the department's sanction shall be imposed under WAC 388-47-210.

(9) If a dispute is not resolved through conciliation, the department shall provide the person with an opportunity for a fair hearing. If the affected person requests a fair hearing, assistance may not be suspended, reduced, discontinued, or terminated until the fair hearing is concluded.

NEW SECTION

WAC 388-47-300 INDIAN TRIBAL JOBS PROGRAMS. (1) A person on AFDC required to participate in JOBS, and a member of an Indian tribe operating a tribal JOBS program, shall be referred to their tribal JOBS program if the person resides in the geographic area served by the tribal JOBS program.

(2) The tribe shall be responsible for determining a person's good cause for nonparticipation.

(3) The department shall remove from the AFDC grant the needs of a person whom the tribe determines has not participated and who did not have good cause for nonparticipation.

(4) Within available funding and on a first-come-first-serve basis, the department shall provide child care, according to chapter 388-51 WAC, necessary for a tribal member to participate in the tribe's JOBS program. Under chapter 388-51 WAC, a participant in the tribal JOBS program shall be eligible for transitional child care.

(5) A participant in the tribal JOBS program shall receive all other supportive services from the tribal JOBS program.

(6) As a condition of eligibility for AFDC, the department may require an applicant and recipient living within the designated service area of a tribal JOBS program to provide the department their membership status in that tribe. The department shall explain to the person the reason for the request is to determine whether the person is to receive JOBS services from the department or the tribe.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-57-011 WASHINGTON EMPLOYMENT OPPORTUNITIES PROGRAM (OPPORTUNITIES).

WAC 388-57-040 WORK INCENTIVE PROGRAM (WIN)—AUTHORITY.

WAC 388-57-057 WORK INCENTIVE PROGRAM—CERTIFICATION AND SUPPORTIVE SERVICES.

WAC 388-57-059 WIN PROGRAM—GRIEVANCES.

WAC 388-57-063 WIN PROGRAM—FAILURE TO PARTICIPATE.

WAC 388-57-066 WIN PROGRAM—NOTICE OF INTENDED DEREGISTRATION.

WAC 388-57-067 WIN PROGRAM—SANCTION.

WAC 388-57-071 WORK INCENTIVE PROGRAM—GOOD CAUSE.

WAC 388-57-074 OPPORTUNITIES program—Exemption and hearings.

WAC 388-57-097 COMMUNITY WORK EXPERIENCE PROGRAM (CWEP).

WAC 388-57-100 EMPLOYMENT SEARCH PROGRAM (ESP).

WAC 388-57-105 TITLE IV—A EMPLOYMENT PROGRAMS—COMPLAINTS AND GRIEVANCES.

WAC 388-57-112 TITLE IV—A EMPLOYMENT PROGRAMS—FAILURE TO PARTICIPATE WITHOUT GOOD CAUSE.

WAC 388-57-115 TITLE IV—A EMPLOYMENT PROGRAMS—SANCTION.

WAC 388-57-117 OPPORTUNITIES program—Effect of sanction on AFDC.

WAC 388-57-120 EMPLOYMENT PARTNERSHIP PROGRAM (EPP)—AUTHORITY.

WAC 388-57-122 ELIGIBLE PARTICIPANTS.

WAC 388-57-123 EMPLOYMENT PARTNERSHIP PROGRAM—ELIGIBLE EMPLOYERS.

WAC 388-57-124 EMPLOYMENT PARTNERSHIP PROGRAM—CONDITIONS OF EMPLOYMENT.

WAC 388-57-125 EMPLOYMENT PARTNERSHIP PROGRAM—FUNDING AND PAYMENT.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E-REGISTRATION AND PARTICIPATION IN EMPLOYMENT PROGRAMS.

WSR 90-20-058
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 27, 1990, 4:41 p.m.]

Original Notice.

Title of Rule: New chapter 388-51 WAC, Job opportunities and basic skills training program child care and other work-related supportive services and transitional child care.

Purpose: To implement federal Family Support Act of 1988, support services for JOBS program.

Statutory Authority for Adoption: RCW 74.04.050.

Statute Being Implemented: RCW 74.04.050.

Summary: Chapter 388-51 WAC provides for child care and other support services to support AFDC participants in JOBS program.

Reasons Supporting Proposal: This rule amendment is necessary to implement federal law and receive federal matching funds for JOBS program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ken Anderson, Income Assistance, 753-4920.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Public Law 100-485, October 13, 1988.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on December 11, 1990, at 10:00 a.m.; at the Seattle Public Library, 1000 Fourth Avenue, on December 12, 1990, at 10:00 a.m.; and at the Holiday Inn, East 110 4th Avenue, Glacier Room, Spokane, on December 13, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by December 13, 1990.

Date of Intended Adoption: December 31, 1990.

September 27, 1990

Leslie F. James, Director
Administrative Services

Chapter 388-51 WAC
**JOB OPPORTUNITIES AND BASIC SKILLS TRAINING
PROGRAM**
**CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE
SERVICES**
AND TRANSITIONAL CHILD CARE

NEW SECTION

WAC 388-51-010 CHILD CARE AND OTHER WORK-RELATED SUPPORTIVE SERVICES—AUTHORITY AND PURPOSE. (1) Child care and other work-related supportive service for a participant in the JOBS program is authorized under P.L. 100-485, as amended, 102 Stat. 2343, amending Title IV of the Social Security Act, and establishing Title IV-F. The short title is the Family Support Act of 1988. Federal regulations for support services are in Part 45, Code of Federal Regulations, Section 255.

(2) The purpose of this program is to provide child care and other support services for a family:

(a) Receiving and, in some cases, applying for aid to families with dependent children (AFDC); and

(b) Participating in the JOBS program according to chapter 388-47 WAC.

NEW SECTION

WAC 388-51-020 DEFINITIONS. Except as specified in this chapter, terms used under chapter 388-51 WAC shall have the same meaning applied to the AFDC program, and as terms defined under chapter 388-22 WAC, and the JOBS program set forth under chapter 388-47 WAC.

(1) "Applicable standards" means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

(2) "Support services" means child care, and other services provided for under federal law, that may be required enabling an AFDC applicant or recipient to pursue employment, education, and training under chapter 388-47 WAC.

NEW SECTION

WAC 388-51-040 ASSURANCES. The department shall assure:

(1) Supportive services needed to enable a participant with an approved employability plan to participate in accordance with that approved plan in the JOBS program;

(2) Child care services meet applicable standards of state or tribal law;

(3) An entity providing child care allows parental access;

(4) The child's individual needs are taken into account when the department provides or arranges for child care and other supportive services; and

(5) Child care provided or claimed for payment is related to a person's JOBS program participation or employment hours.

NEW SECTION

WAC 388-51-100 CHILD CARE—PAYMENT. (1) The department's payment for child care may not exceed the local market rate for child care. The department shall establish the market rate based on representative samples of local child care providers.

(2) For purposes of education and training.

(a) The department's payment for child care for a JOBS participant shall be made to the provider in the case of center care, or family day care.

(b) The department's payment to a JOBS program participant shall be by reimbursement in the case of in-home care.

(3) The department shall consider child care costs for a working AFDC recipient as an income disregard in accordance with WAC 388-28-570.

NEW SECTION

WAC 388-51-150 OTHER SUPPORTIVE SERVICES. The department may provide other supportive services, payment, or reimbursement for other supportive services enabling a person's participation in a JOBS program. The participant's supportive services shall be subject to maximum limits set by the department. The department's services include, but are not limited to:

- (1) Transportation costs;
- (2) Tools and equipment;
- (3) License fees including union initiation fees and driver licenses required by law, employer, or union; and
- (4) One-time work-related expenses necessary for a participant to accept or maintain employment. The participant's expenses shall be:
 - (a) Required for the type of work;
 - (b) Provided only when other funds are not available; and
 - (c) Allowed when the participant has a bona fide job expecting to last thirty days or more.

NEW SECTION

WAC 388-51-200 TRANSITIONAL SUPPORTIVE SERVICES. The department may provide ninety or more days of transitional supportive services to a JOBS participant entering employment.

WSR 90-20-059
RULES COORDINATOR
COMMITTEE FOR
DEFERRED COMPENSATION

[Filed September 28, 1990, 9:30 a.m.]

Mary Bush, Program Manager, has been appointed agency state rules coordinator for the Committee for Deferred Compensation by its director, Mr. Lee Dreisbach. My business office mailing address is 2600 Martin Way, Suite D, PO-11, Olympia, WA 98504-6711, (206) 586-4980, scan 321-4980, FAX (206) 586-5474.

Mary Bush
Program Manager

WSR 90-20-060
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION

[Memorandum—September 27, 1990]

The Interagency Committee for Outdoor Recreation will meet November 8-9, 1990, in Olympia, Washington, at the Westwater Inn, Evergreen Park Drive S.W., beginning at 9:00 a.m. on Thursday. The funding schedule is as follows: 10:00 a.m., Thursday, November 8, local agencies grant-in-aid projects; 2:00 p.m., Thursday, November 8, nonhighway road projects (NOVA); and 9:00 a.m., Friday, November 9, off-road vehicle and planning projects (NOVA).

WSR 90-20-061

PROPOSED RULES
DEPARTMENT OF
COMMUNITY DEVELOPMENT
(Fire Protection Services Division)

[Filed September 28, 1990, 9:45 a.m.]

Original Notice.

Title of Rule: Chapter 212-12 WAC, Fire marshal standards, adoption of fire safety standards applicable to transient accommodations, nursing homes, hospitals, boarding homes, private establishments, maternity homes, agencies licensed by the Department of Social and Health Services and the Department of Health, schools under the jurisdiction of the Superintendent of Public Instruction and private schools.

Purpose: Update WAC to include the 1988 editions of the Uniform Building Code and Uniform Fire Code, as specified in chapter 19.27 RCW.

Statutory Authority for Adoption: RCW 70.62.290, 18.51.140, 70.41.080, 18.20.130, 71.12.485, 18.46.110, chapter 74.15 RCW, RCW 74.32.040 through 74.32.055, 74.13.031, 48.48.045, and 28A.02.201.

Statute Being Implemented: Same as above.

Summary: Update state fire marshal regulations to the current editions of the Uniform Building Code and the Uniform Fire Code.

Reasons Supporting Proposal: To be consistent with the provisions of chapter 19.27 RCW and the code editions administered by city, town and county code officials.

Name of Agency Personnel Responsible for Drafting: Mike Paddock, 1112 South Quince Street, Olympia, 98504, (206) 753-1296; **Implementation and Enforcement:** R. Kent DeWitt, 9th and Columbia Building, Olympia, 98504, (206) 753-3605.

Name of Proponent: Department of Community Development, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 212-12 WAC will adopt the 1988 editions of the Uniform Building Code and Uniform Fire Code and their standards as well as the 1988 edition of the Life Safety Code to be administered at the Department of Community Development, fire protection services division (state fire marshal's office) in facilities where the state fire marshal has inspection and/or plan review responsibilities. The purpose of this rule is to adopt standards that are currently being used by city, town, and county building and fire officials and is compatible with the language in chapter 19.27 RCW. The anticipated effects of this rule include lessening of the confusion and frustration caused to architects, engineers, owners, and property managers trying to build facilities to two different code editions.

Proposal Changes the Following Existing Rules: All references to earlier editions of the Uniform Building Code, Uniform Fire Code and the Life Safety Code will be updated to the 1988 editions.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: 9th and Columbia Building, Conference Room, 5th Floor 5-A, Olympia, Washington, on November 15, 1990, at 9:30 to 12:00.

Submit Written Comments to: Mike Paddock, 1112 South Quince Street, Mailstop ET-12, Olympia, WA 98504-4151, by November 5, 1990.

Date of Intended Adoption: November 15, 1990.

September 25, 1990

R. Kent DeWitt
Chief Deputy
State Fire Marshal

AMENDATORY SECTION (Amending Order FM-77-2, filed 11/17/77)

WAC 212-12-010 ADOPTION OF FIRE SAFETY STANDARDS[—EFFECTIVE DATE]. (1) Application. This regulation shall apply to:

- (a) Transient accommodations (RCW 70.62.290).
- (b) Nursing homes (RCW 18.51.140).
- (c) Hospitals (RCW 70.41.080).
- (d) Boarding homes (RCW 18.20.130).
- (e) Private establishments; i.e. private, mental, and alcoholic hospitals (RCW 71.12.485).
- (f) Maternity homes (RCW 18.46.110).
- (g) Agencies licensed by the department of social and health services and the department of health pursuant to chapter 74.15 RCW, RCW 74.32.040 through 74.32.055, and 74.13.031, except foster family homes and child placing agencies.
- (h) Schools under the jurisdiction of the superintendent of public instruction and the state board of education (RCW 48.48.045).
- (i) Private schools (RCW 28A.02.201).

(2) Purpose. The purpose of these standards is to specify measures which will provide a reasonable degree of public safety from fire without involving hardship or interference with the normal use and occupancy of a building.

(3) Fire safety standards. The fire safety standards of the state fire marshal shall be as follows:

(a) The fire safety standards or applicable portions thereof as found or referenced in the State Building Code Act, chapter 19.27 RCW, including:

- (i) The Uniform Building Code, 1988 edition.
- (ii) The Uniform Building Code standards, 1988 edition.
- (iii) The Uniform Fire Code, 1988 edition and all appendices thereto.
- (iv) The Uniform Fire Code standards, 1988 edition.
- (v) Chapter 51-16 WAC.

(b) The ((+1976)) 1988 edition of the National Fire Protection Association Life Safety Code 101.

(c) Those standards of the National Fire Protection Association applicable to and expressly or impliedly referenced in the Life Safety Code.

(d) Chapter 212-12 WAC, standards for fire protection.

(4) Enforcement. Enforcement of these fire safety standards shall be as follows:

(a) New construction or major remodeling shall be in conformance with the Uniform Building Code, as administered by the local official having jurisdiction and the state fire marshal.

(b) Operation and maintenance shall be in conformance with the Uniform Fire Code, as administered by the local official having jurisdiction and the state fire marshal.

(c) Existing buildings shall be governed by local codes and the Uniform Building Code, section 104(c), the Uniform Fire Code and the Life Safety Code.

(d) Existing licensed occupancies previously approved by the state fire marshal as in conformance with the standards then in effect shall have their existing use or occupancy continued, provided such continued use is not dangerous to life and is acceptable to the local fire and building officials having jurisdiction.

(e) An existing occupancy, licensed as in conformance with a previous edition of ((the Life Safety Code)) any fire safety standard identified in subsection (3) of this section, may opt to conform to the most recent edition of ((the Life Safety Code)) any fire safety standard identified in subsection (3) of this section, but only if the most recent code is used in its entirety as the applicable code for the occupancy.

(f) Occupancies, operations or processes not specifically covered elsewhere, in which the state fire marshal has responsibilities for the removal of fire hazards, shall be conducted and/or maintained in accordance with ((the latest edition of the National Fire Protection Association Fire Codes)) any fire safety standard identified in subsection (3) of this section shall be deemed prima facie evidence of good practice.

(g) Where there is a conflict between a general requirement and a special requirement for an individual occupancy, the special requirement shall be applicable.

(h) In case of a conflict between the fire safety standards identified in subsection (3) of this section, the first named standard shall apply as follows:

(i) State fire marshal regulations, chapter 212-12 WAC, standards for fire protection.

(ii) Uniform Building Code.

(iii) Uniform Fire Code.

(iv) Life Safety Code.

Reviser's note: The brackets and enclosed material in the caption of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 90-20-062

EMERGENCY RULES SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 32—Filed September 28, 1990, 10:45 a.m.]

Date of Adoption: September 28, 1990.

Purpose: Amending WAC 392-171-371 to conform to federal special education regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 392-171-371.

Statutory Authority for Adoption: RCW 28A.13.070(7).

Removes the requirement that parents requesting an independent assessment of a handicapped student indicate the area of the district's assessment with which they disagree.

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Office of Special Education Programs, United States Department of Education has indicated Education of the Handicapped, Title VI-B, funds will not be awarded until this revision is completed.

Effective Date of Rule: Immediately.

September 28, 1990

Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 17, filed 7/25/90, effective 7/25/90)

WAC 392-171-371 INDEPENDENT EDUCATIONAL ASSESSMENT. (1) General.

(a) *The parent(s) of a student (or the adult student) made a focus of concern and assessed or any student reassessed has the right to obtain an independent educational assessment, subject to subsections (3) and (4) of this section.*

(b) Each school district shall provide to parents, (or adult students) on request, information about where an independent educational assessment may be obtained.

(c) For the purposes of this section:

(i) "Independent educational assessment" means an assessment conducted by a qualified examiner who is not employed by the school district responsible for the education of the student in question; and

(ii) "Public expense" means that the school district either pays for the full cost of the assessment or assures that the assessment is otherwise provided at no cost to the parent (or to the adult student).

(2) Parent/adult student right to assessment at public expense. A parent (or the adult student) has the right to an independent educational assessment at public expense if the parent (or the adult student) disagrees with the assessment results obtained by the school district, as follows:

(a) The parent(s) (or the adult student) should provide a written or verbal notice to the school district superintendent or special education director which:

(i) ~~((Specifies the portion(s) of the assessment results with which))~~ Indicates that the parent((s)) (or the adult student) disagrees with the district's assessment, and

(ii) Requests an independent educational assessment at public expense;

(b) The school district shall have the prior opportunity to initiate and conduct a hearing pursuant to WAC 392-171-531 et seq. to show that its assessment is appropriate: **PROVIDED**, That the school district shall provide the parent(s) (or the adult student) written notice of the election to initiate a hearing no later than the tenth day after the date of receipt of the parent's (or adult student's) notice of disagreement;

(c) If the final decision pursuant to WAC 392-171-521 et seq. is that the school district's assessment is appropriate, the parent (or adult student) still has the right to an independent educational assessment, but not at public expense; and

(d) If the district elects not to hold a hearing or is not upheld by the final decision, the parent's (or adult student's) request for an independent assessment shall be provided at public expense in accordance with the same criteria which the district uses when it initiates an assessment including, but not limited to, the location of the assessment and the qualifications of the examiner.

(3) Parent/adult student initiated assessment. If the parent (or adult student) obtains an independent educational assessment at private expense, the results of the assessment:

(a) Shall be considered by the school district in any decision made with respect to the provision of special education and related services to the student; and

(b) May be presented as evidence at such hearings regarding that student as may be conducted pursuant to WAC 392-171-521 et seq.

(4) Requests for assessment by hearing officers. If a hearing officer requests an independent educational assessment as part of a hearing, the cost of the assessment shall be at public expense.

WSR 90-20-063

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Filed September 28, 1990, 2:23 p.m.]

Date of Adoption: September 27, 1990.

Purpose: Personal use fishing rule.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-25500H and amending WAC 220-56-255.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The allowable catch of halibut has nearly been taken and allowing the fishery to continue increases the risk of overharvest of this species. This rule is adopted at the recommendation of the International Pacific Halibut Fisheries Commission and is consistent with federal law.

Effective Date of Rule: 12:01 a.m., October 1, 1990.

September 27, 1990

Judith Merchant

for Joseph R. Blum

Director

NEW SECTION

WAC 220-56-25500I **HALIBUT—SEASONS.** Notwithstanding the provisions of WAC 220-56-255, effective 12:01 AM, October 1, 1990, until further notice it is unlawful to fish for or possess halibut taken for personal use.

REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. October 1, 1990.

WAC 220-56-25500H **HALIBUT—SEASONS.** (90-75)

WSR 90-20-064

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-112—Filed September 28, 1990, 2:25 p.m.]

Date of Adoption: September 28, 1990.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-608.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity

to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Area 7A provides protection for United States and Canadian origin chinook stocks. Openings in Areas 7 and 7A provide opportunity to harvest non-Indian allocation of United States and Canadian origin coho, per preseason agreement. Openings in Areas 6D, 7B, 8A, 8D, 10, 11, 12, 12A and 12B provide opportunity to harvest non-Indian allocation of coho destined for Strait, Nooksack-Samish, Stillaguamish-Snohomish, South Sound and Hood Canal regions of origin. In-season restriction in Area 10 is necessary to provide commercial/recreational gear separation. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., September 30, 1990.

September 28, 1990
Gene DiDonato
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-609 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday September 30, 1990, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic 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 mesh and area restrictions:

* Area 6D - Gillnets using 5-inch minimum mesh and fishing no more than 900 feet of net, and Purse Seines using the 5-inch strip, may fish continuously from 12:01 AM Sunday September 23 Through 4 PM Friday October 26.

* Area 7A, in that portion north and west of the East Point Line (as described in WAC 220-47-269) - Under the control of the Pacific Salmon Commission. Drift Gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

* Areas 7 and 7A - Reef Nets may fish from 5 AM to 9 PM Monday October 1.

* Area 7B - Gillnets using 5-inch minimum mesh and Purse Seines may fish continuously through 4 PM Friday October 26.

* Areas 8A and 8D - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM daily, Tuesday and Wednesday October 2 and 3 and Gillnets using 5-inch minimum mesh may fish from 5 PM to 9 AM nightly, Monday and Tuesday nights October 1 and 2.

* Areas 10 and 11 - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM Tuesday October 2 and Gillnets using 5-inch minimum mesh may fish from 5 PM Monday October 1 to 9 AM Tuesday October 2. This opening excludes those waters of area 10 east of a line projected from Alki Pt. to the light at Fourmile Rock.

* Areas 12, 12A and 12B - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM daily, Tuesday,

Wednesday and Thursday October 2, 3 and 4 and Gillnets using 5-inch minimum mesh may fish from 5 PM to 9 AM nightly, Monday, Tuesday and Wednesday nights October 1, 2 and 3.

* Areas 4B, 5, 6, 6A, 6B, 6C, 7C, 7D, 7E, 8, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday September 30, 1990:

WAC 220-47-608 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (90-104)

WSR 90-20-065

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed September 28, 1990, 2:56 p.m.]

Original Notice.

Title of Rule: New WAC 388-83-026 Availability of resources—General.

Purpose: To incorporate into the rules a provision to allow persons to be eligible for medical care when making a bona fide effort to convert a noncash resource into cash.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The department shall not consider nonexempt noncash resources, that cannot be converted into cash within twenty working days, available as long as the person is making a bona fide effort to convert the resource into cash.

Reasons Supporting Proposal: This rule is necessary to establish a new rule in Title 388 WAC on Availability of resources—General. This rule applies to medical assistance programs and allows a person to be resource eligible when making a bona fide effort to convert a nonexempt noncash resource into cash.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, state plan noncash resource revision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990
Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-83-026 AVAILABILITY OF RESOURCES-GENERAL. (1) To be eligible for medical care, a person's resources shall not exceed the specified limits for the appropriate eligibility standards for non-cash or cash assistance categorically needy, medically needy, qualified Medicare beneficiaries, or qualified working disabled individual groups.

(2) In establishing eligibility for medical care, the department shall consider only those resources actually available or in hand that a person or spouse:

- (a) Owns;
- (b) Has the authority or power to convert to cash, or cash; and
- (c) Is not legally restricted from using for the person's support and maintenance.

(3) In establishing eligibility for medical assistance for non-cash assistance categorically and medically needy persons, the department shall not consider non-cash resources, that cannot be converted into cash within twenty work days, available to the extent that there is an ongoing bona fide effort to convert the non-cash resources into cash.

WSR 90-20-066
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3079—Filed September 28, 1990, 2:58 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To assure consistency of payment for covered services.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-115 Payment—Organ transplantation.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to add cornea, heart-lung, kidney-pancreas, and single lung to the organ transplantation procedures the department pays for.

Effective Date of Rule: September 29, 1990, 12:01 a.m.

September 28, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2495, filed 6/1/87)

WAC 388-87-115 PAYMENT—ORGAN TRANSPLANTATION. The department shall pay for organ transplantation procedures:

- (1) Only to medical centers that:
 - (a) Meet the standards established by the department; and
 - (b) Enter into a special agreement with the department.
- (2) Limited to the cornea, heart, heart-lung, single lung, kidney, kidney-pancreas, pancreas, liver, and bone marrow.

WSR 90-20-067
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 2:59 p.m.]

Original Notice.

Title of Rule: WAC 388-87-115 Payment—Organ transplantation.

Purpose: To assure consistency of payment for covered services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The department shall pay for organ transplantation procedures limited to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

Reasons Supporting Proposal: This rule amendment is necessary to add cornea, heart-lung, kidney-pancreas, and single lung to the organ transplantation procedures the department pays for.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2495, filed 6/1/87)

WAC 388-87-115 PAYMENT—ORGAN TRANSPLANTATION. The department shall pay for organ transplantation procedures:

- (1) Only to medical centers that:
 - (a) Meet the standards established by the department; and
 - (b) Enter into a special agreement with the department.
- (2) Limited to the cornea, heart, heart-lung, single lung, kidney, kidney-pancreas, pancreas, liver, and bone marrow.

WSR 90-20-068
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 3080—Filed September 28, 1990, 3:00 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To update RCW references and add the mailstop to the mailing address.

Citation of Existing Rules Affected by this Order: Amending WAC 275-16-105.

Statutory Authority for Adoption: RCW 81.02.412 [43.20B.335].

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to update RCW references after the RCW was recodified.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

WAC 275-16-105 PETITION FOR REVIEW. (1) After a finding of responsibility becomes final in accordance with RCW ((71-02-413)) 43.20B.340, the responsible party may petition for a review of such findings to the secretary. The petitioner must show a substantial change in the financial ability of the estate to pay the charges in a petition for review. The burden of proof of a change in financial ability rests with the petitioner.

(2) A petition for review shall be in writing and to the following address:

Secretary, DSHS
 Attn: Determination Officer
 P.O. Box 9768 MS HJ-21
 Olympia, WA 98504

(3) The determination officer, upon receipt of the petition for review, may conduct or cause to have conducted such investigation as may be necessary to verify the alleged changes in financial status or to determine any other facts which would bear upon the financial ability of the estate to pay.

(4) Based upon the review of the facts, the determination officer may modify or vacate the NFR under the provisions of RCW ((71-02-415)) 43.20B.350.

(5) The NFR will not be modified or vacated, if such modification or vacation inflicts or causes the loss of Medicaid eligibility; jeopardizes the eligibility for other third-party benefits; or has the potential end result of diminishing or jeopardizing the recovery of hospitalization cost by the department without a clear showing of real benefit, financial or otherwise, to the patient and/or responsible relatives.

(6) Nothing herein is intended to preclude the reinvestigation and/or review of the finding of responsibility by the department of its own volition.

WSR 90-20-069
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed September 28, 1990, 3:01 p.m.]

Original Notice.

Title of Rule: WAC 275-16-105 Petition for review.

Purpose: To update RCW references and add the mailstop to the mailing address.

Statutory Authority for Adoption: RCW 81.02.412 [43.20B.335].

Statute Being Implemented: RCW 81.02.412 [43.20B.335].

Summary: Updates RCW references: RCW 71.02.413 to 43.20B.340 and RCW 71.02.415 to 43.20B.350. Also, adds the mailstop to the mailing address.

Reasons Supporting Proposal: This amendment is necessary to update RCW references after the RCW was recodified.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cynthia Karwoski, Financial Recovery, 586-1520.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

WAC 275-16-105 PETITION FOR REVIEW. (1) After a finding of responsibility becomes final in accordance with RCW ((71-02-413)) 43.20B.340, the responsible party may petition for a review of such findings to the secretary. The petitioner must show a substantial change in the financial ability of the estate to pay the charges in a petition for review. The burden of proof of a change in financial ability rests with the petitioner.

(2) A petition for review shall be in writing and to the following address:

Secretary, DSHS
Attn: Determination Officer
P.O. Box 9768 MS HJ-21
Olympia, WA 98504

(3) The determination officer, upon receipt of the petition for review, may conduct or cause to have conducted such investigation as may be necessary to verify the alleged changes in financial status or to determine any other facts which would bear upon the financial ability of the estate to pay.

(4) Based upon the review of the facts, the determination officer may modify or vacate the NFR under the provisions of RCW ((71-02-415)) 43.20B.350.

(5) The NFR will not be modified or vacated, if such modification or vacation inflicts or causes the loss of Medicaid eligibility; jeopardizes the eligibility for other third-party benefits; or has the potential end result of diminishing or jeopardizing the recovery of hospitalization cost by the department without a clear showing of real benefit, financial or otherwise, to the patient and/or responsible relatives.

(6) Nothing herein is intended to preclude the reinvestigation and/or review of the finding of responsibility by the department of its own volition.

WSR 90-20-070
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3082—Filed September 28, 1990, 3:02 p.m.]

Date of Adoption: September 28, 1990.

Purpose: Adds community health worker visits as a service for pregnant women; and changes the name of the approving agency to the Division of Parent-Child Health Services.

Citation of Existing Rules Affected by this Order: Amending WAC 388-86-024.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to add community health worker visits as an enhanced benefit for pregnant women.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2885, filed 10/27/89, effective 11/27/89)

WAC 388-86-024 ENHANCED BENEFITS FOR PREGNANT WOMEN. (1) The department shall provide enhanced benefits to a Medicaid recipient during each pregnancy and through the end of the month containing the sixtieth day after the pregnancy ends.

(2) The enhanced benefits include:

(a) Maternity support services, by a provider approved by the ((bureau)) division of parent-child health services, consisting of:

- (i) Nursing assessment and/or counseling visit;
 - (ii) Psychosocial assessment and/or counseling visit;
 - (iii) Nutrition assessment and/or counseling visit;
- ((and))

(iv) Community health worker visit; and

(v) Child birth/parenting education.

(b) Outpatient alcohol and drug treatment consisting of:

(i) A chemical dependency assessment by an Alcohol and Drug Abuse Treatment and Service Act assessment center as defined under chapter 275-19 WAC; and

(ii) Chemical dependency treatment.

(c) Vitamins and nonprescription drugs as listed in the department's formulary; and

(d) Transportation as provided under WAC 388-86-085.

(3) The recipient has the freedom of choice:

(a) To receive maternity support services;

(b) Of qualified maternity support services providers; and

(c) To be referred for outpatient alcohol and drug treatment, unless ordered by the court.

(4) The department shall pay per recipient a maximum of:

(a) Ten contacts for assessment/counseling and community health worker visits under subsection (2)(a) of this section. The department shall pay for additional contacts when the maternity support services provider documents the need for additional contacts;

(b) One contact for child birth/parenting education;

(c) One contact for an alcohol and drug treatment assessment under subsection (2)(b) of this section; and

(d) Two hundred hours of outpatient chemical dependency treatment.

((5) ~~With prior approval, the department may pay for additional recipient contacts under subsection (4) of this section.~~)

WSR 90-20-071
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 3:03 p.m.]

Original Notice.

Title of Rule: WAC 388-86-024 Enhanced benefits for pregnant women.

Purpose: Adds community health worker visits as a service for pregnant women; and changes the name of the approving agency to the Division of Parent-Child Health Services.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Maternity support benefits include community health worker visits.

Reasons Supporting Proposal: This rule amendment is necessary to add community health worker visits as an enhanced benefit for pregnant women.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2885, filed 10/27/89, effective 11/27/89)

WAC 388-86-024 ENHANCED BENEFITS FOR PREGNANT WOMEN. (1) The department shall provide enhanced benefits to a Medicaid recipient during each pregnancy and through the end of the month containing the sixtieth day after the pregnancy ends.

(2) The enhanced benefits include:

(a) Maternity support services, by a provider approved by the ~~((bureau))~~ division of parent-child health services, consisting of:

- (i) Nursing assessment and/or counseling visit;
- (ii) Psychosocial assessment and/or counseling visit;
- (iii) Nutrition assessment and/or counseling visit; ~~((and))~~
- (iv) Community health worker visit; and
- (v) Child birth/parenting education.

(b) Outpatient alcohol and drug treatment consisting of:

(i) A chemical dependency assessment by an Alcohol and Drug Abuse Treatment and Service Act assessment center as defined under chapter 275-19 WAC; and

(ii) Chemical dependency treatment.

(c) Vitamins and nonprescription drugs as listed in the department's formulary; and

(d) Transportation as provided under WAC 388-86-085.

(3) The recipient has the freedom of choice:

- (a) To receive maternity support services;
- (b) Of qualified maternity support services providers; and
- (c) To be referred for outpatient alcohol and drug treatment, unless ordered by the court.

(4) The department shall pay per recipient a maximum of:

(a) Ten contacts for assessment/counseling and community health worker visits under subsection (2)(a) of this section. The department shall pay for additional contacts when the maternity support services provider documents the need for additional contacts;

(b) One contact for child birth/parenting education;

(c) One contact for an alcohol and drug treatment assessment under subsection (2)(b) of this section; and

(d) Two hundred hours of outpatient chemical dependency treatment.

~~((5) With prior approval, the department may pay for additional recipient contacts under subsection (4) of this section.))~~

WSR 90-20-072
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3081—Filed September 28, 1990, 3:11 p.m.]

Date of Adoption: September 28, 1990.

Purpose: Conform rules to the provisions of EHB 2888 relating to the child support schedule, termination of stepparent liability and credit for disability benefit payments; simplify and clarify existing language; and establish criteria for setting liability for birth cost in an administrative proceeding to establish a support obligation.

Citation of Existing Rules Affected by this Order: Amending chapter 388-11 WAC, Child support—Obligations.

Statutory Authority for Adoption: Chapter 2, Laws of 1990 1st ex. sess.

Pursuant to notice filed as WSR 90-15-010 on July 9, 1990; and WSR 90-19-101 on September 19, 1990.

Changes Other than Editing from Proposed to Adopted Version: The proposed version of WAC 388-11-015 requires the department to give a responsible parent credit against the parent's support obligation for social security and labor and industry disability benefits made on behalf of the parent's child. The adopted version provides for notice of the credit to the custodial parent and an opportunity to request an adjudicative proceeding the [to] contest the credit; and the proposed version of WAC 388-11-195, 388-11-200 and 388-11-205 direct the department to use the Washington state child support schedule in setting child support obligation under chapter 388-11 WAC. The proposed rules also contain instructions and standards for using the schedule. The adopted version clarifies that the requirement to use the schedule applies in all steps of the administrative process to establish support obligations under chapter 388-11 WAC. Therefore, the reference to the "department" is changed to the "Office of Support Enforcement and the presiding or review officer."

The principal reasons for adopting these [are] as follows: The changes in WAC 388-11-015 provide protection for the custodial parent against department errors in the application and computation of the credit; and the changes in WAC 388-11-195, 388-11-200 and 388-11-205 assure that the department will apply the support schedule in a consistent and appropriate manner in all steps of the administrative establishment process.

Effective Date of Rule: Thirty-one days after filing.

September 28, 1990
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-011 DEFINITIONS. For purposes of this chapter and chapters 388-13 and 388-14 WAC, the following definitions shall apply:

(1) ("~~Locate~~" shall mean service of the notice and finding of financial responsibility in a manner prescribed by ~~WAC 388-11-040~~).

(2) "~~Reasonable efforts to locate~~" shall mean any of the following actions taken on a case:

(a) Mailing of the notice and finding of financial responsibility by certified mail, return receipt requested to an address, reasonably believed by office of support enforcement to be a mailing address of the responsible parent; or

(b) Referral to a sheriff, other server of process or locate service or other agent or employee of the department for locate activities if the responsible parent is not located under subsection (1)(a) of this section, or if no known mailing address exists but the information which office of support enforcement has, reasonably indicates that the responsible parent can be located; or

(c) When service cannot be accomplished, tracing activity as follows:

(i) Checking of local telephone directories and attempts by telephone or mail to contact the applicant/recipient, applicant/custodian, relatives of the responsible parent, past or present employers, or the postal authorities when appropriate;

(ii) Contacting state agencies, union, financial, or fraternal organizations available on the local level to which the responsible parent is known to have had contact or membership;

(iii) Automated periodic searches for identification information recorded by other state agencies, federal agencies, credit bureaus, or other electronic record keeping agencies or entities.

(d) Referral to state parent locator service when tracing efforts under subsection (1)(c) of this section are exhausted;

(e) Referral to the attorney general, a prosecuting attorney, the IV-D agency of another state, or the Internal Revenue Service for specific legal or collection action.

(3) "~~The date the state assumes responsibility for the support of a dependent child on whose behalf support is sought~~" shall mean the date payment of an AFDC-R, AFDC-E, AFDC-FC, a state only foster care, or a family independence program grant is authorized. For purposes of this chapter, the state shall continue to be responsible for the support of a dependent child until public assistance or family independence program payments terminate, or support enforcement services terminate, whichever occurs later.

(4) "~~Department~~" means the state department of social and health services.

(5) "~~Secretary~~" means the secretary of the department of social and health services or the secretary's designee or authorized representative.

(6) "~~Dependent child~~" means any person under the age of twenty-one not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States.

(7) "~~Superior court order~~" means any judgment, decree, or order of a Washington state superior court or another state's court of comparable jurisdiction establishing a support obligation and ordering payment thereon of a set or determinable amount. An order that fails to expressly require payment of support by a responsible parent or that fails to specifically relieve a responsible parent of a support obligation is not a superior court order. For purposes of this chapter, an order entered by any state under the Uniform Reciprocal Enforcement of Support Act (URESA) is not a superior court order.

(8) "~~Administrative order~~" means any determination, finding, decree, or order for support issued pursuant to RCW 74.20A.055, or by an agency of another state pursuant to a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support money to satisfy the support obligation. Such administrative order shall include an agreed settlement or consent order entered under WAC 388-11-150 or a notice and finding of financial responsibility that has become final by operation of law.

(9) "~~Support obligation~~" means the obligation to provide for the necessary care, support, and maintenance, including responsibility for medical support, of a dependent child or other person as required by statutes and the common law of this or another state.

(10) "~~Responsible parent~~" means the natural parent, adoptive parent, or responsible stepparent from whom the department seeks support for a dependent child.

(11) "~~Responsible stepparent~~" means any spouse, under RCW 26.16.205, who lives or has lived in a family unit with a person who is either a mother, father, or adoptive parent, and that person's dependent child or children, and such status shall continue until the relationship is terminated by death or dissolution of marriage.

(12) "~~Support money~~" means any money or in-kind providings paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such money intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.

(13) "~~Current~~" and/or "~~future~~" support means support money paid to satisfy the support obligation for the present month as opposed to satisfaction of a support debt.

(14) "~~Support debt~~" means any delinquent amount of support money which is due, owing, and unpaid under a superior court order or an administrative order, a debt for the payment of expenses for the reasonable or necessary care, support and maintenance, including medical expenses, of a dependent child or other person for whom a support obligation is owed, or a debt under RCW 74.20A.100 or 74.20A.270. Support debt also includes any accrued interest, fees, or penalties charged on a support debt, and attorneys' fees and other costs of litigation

awarded in an action to establish and enforce a support obligation or support debt.

(15) "~~Arrears, "delinquency," "past support,"~~ shall all mean the amount owed for a period of time prior to the instant month.

(16) "~~Good cause~~" means there is substantial reason or legal justification for delay, including a showing of those grounds enumerated in Civil Rule 60.

(17) "~~Assignment pursuant to RCW 74.20A.040~~" shall mean the assignment made by an applicant/custodian of support rights pursuant to WAC 388-14-310.

(18) "~~Fraud for the purposes of WAC 388-11-115~~ means:

(a) ~~The representation of the existence or nonexistence of a fact;~~

(b) ~~Its materiality;~~

(c) ~~Its falsity;~~

(d) ~~The speaker's knowledge of its truth;~~

(e) ~~His or her intent that it should be acted on by the person to whom it is made;~~

(f) ~~Ignorance of its falsity on the part of the person to whom it is made;~~

(g) ~~The latter's reliance on the truth of the representation;~~

(h) ~~His or her right to rely upon it; and~~

(i) ~~His or her subsequent damage.~~

(19) "~~State~~" means any state or political subdivision, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(20) "~~Residential parent~~" means the parent with whom the child resides a majority of the time, or who is designated as, or deemed to be, the custodian of the child under RCW 26.09.285.

(21) "~~Agreed settlement~~" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall be effective without the approval of an administrative law judge.

(22) "~~Consent order~~" means the informal disposition of a contested case by written agreement between a responsible parent and the office of support enforcement which establishes the existence of a support obligation and orders payment thereon. Such agreement shall require the approval of an administrative law judge to be effective.

(23) "~~Extraordinary medical expenses~~" means all medical costs of a dependent child, not covered by insurance, which exceed a total of two hundred dollars for the year.

(24) "~~Medical costs~~" means doctor and hospital bills, prescription costs, and dental costs including orthodontia.

(25) "~~Medical support~~" means medical costs incurred for and/or health insurance coverage for the benefit of a dependent child)) "Accrued debt" means a debt for the payment of expenses for the reasonable or necessary care, support, and maintenance, including birth costs, of a dependent child owed by a person having signed an affidavit acknowledging paternity which has been filed with the state office of vital statistics.

(2) "Administrative order" means a determination, finding, decree, or order for support issued under RCW 74.20A.055 or by another state agency under a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support money to satisfy current support or a support debt. The administrative order shall include:

(a) An agreed settlement or consent order entered under WAC 388-11-150; or

(b) A notice and finding of financial responsibility or a notice and finding of parental responsibility that has become final by operation of law.

(3) "Agreed settlement" means the informal disposition of a contested case by written agreement between a responsible parent and OSE establishing a support obligation and ordering payment. The agreement shall be effective without the presiding officer's approval.

(4) "Arrears, "delinquency," and "past support" means the amount owed for a period of time before the instant month.

(5) "Assignment" means, under RCW 74.20A.040, the assignment made by an applicant/custodian of support rights under WAC 388-14-310.

(6) "Birth costs" mean the reasonable and necessary costs associated with the birth of a child, including costs of the mother's pregnancy and confinement.

(7) "Consent order" means the disposition of a contested case by written agreed order between a responsible parent and OSE establishing a support obligation and ordering payment. The agreed order shall require the presiding officer's approval.

(8) "Current support" or "future support" means support money paid to satisfy the support obligation for the present month as opposed to satisfaction of a support debt.

(9) "Date the state assumes responsibility for the support of a dependent child on whose behalf support is sought" means the date payment of an AFDC-R, AFDC-E, AFDC-FC, a state only foster care, or a family independence program grant is authorized. For purposes of this chapter, the state shall continue to be responsible for the support of a dependent child until public assistance or family independence program payments terminate, or support enforcement services terminate, whichever occurs later.

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

(11) "Dependent child" means a person:

(a) Seventeen years of age or younger who is not self-supporting, married, or a member of the United States armed forces;

(b) Eighteen years of age or older for whom a court order requires support payments past eighteen years of age or older; or

(c) Eighteen years of age or older, but under nineteen years of age, for whom an administrative support order exists if the child is:

(i) A full-time student; and

(ii) Reasonably expected to complete secondary school or the equivalent level of vocational or technical training

before the end of the month in which the child becomes nineteen years of age.

(12) "Fraud" means, for the purposes of WAC 388-11-115:

(a) The representation of the existence or nonexistence of a fact;

(b) Its materiality;

(c) Its falsity;

(d) The speaker's knowledge of its truth;

(e) His or her intent that it should be acted on by the person to whom it is made;

(f) Ignorance of its falsity on the part of the person to whom it is made;

(g) The latter's reliance on the truth of the representation;

(h) His or her right to rely upon it; and

(i) His or her subsequent damage.

(13) "Good cause for failure to make a timely request for an adjudicative proceeding" means there is substantial reason or legal justification for delay, including a showing of those grounds enumerated in Civil Rule 60.

(14) "Health care costs" means medical, dental, and optometrical costs and expenses.

(15) "Locate" means service of the notice and finding of financial responsibility or the notice and finding of parental responsibility in a manner prescribed by WAC 388-11-040.

(16) "Medical support" means health care costs incurred for and health insurance coverage for a dependent child's benefit.

(17) "Other ordinary expense" means an expense incurred by a responsible parent:

(a) Directly benefiting a dependent child; and

(b) Relating to the parent's residential time or visitation with a child.

(18) "Reasonable efforts to locate" means any of the following actions taken by the office of support enforcement (OSE):

(a) Mailing the notice and finding of financial responsibility or the notice and finding of parental responsibility by certified mail, return receipt requested, to the responsible parent;

(b) Referral to a sheriff, other server of process or locate service, or department employee for locate activities;

(c) Tracing activity as follows:

(i) Checking local telephone directories and attempts by telephone or mail to contact the applicant/recipient, applicant/custodian, relatives of the responsible parent, past or present employers, or the postal authorities;

(ii) Contacting state agencies, union, financial, or fraternal organizations;

(iii) Periodic searches for identification information recorded by other state agencies, federal agencies, credit bureaus, or other record keeping agencies or entities;

(iv) Case maintenance in OSE's automated locate program.

(d) Referral to state or federal parent locator service;

(e) Referral to the attorney general, a prosecuting attorney, the IV-D agency of another state, or the Internal Revenue Service for specific legal or collection action; or

(f) Attempts to confirm the existence of and to obtain a copy of a paternity acknowledgment.

(19) "Residential parent" means a parent with whom a child resides a majority of the time, or who is designated as or deemed to be the child's custodian under RCW 26.09.285.

(20) "Responsible parent" means the natural parent, adoptive parent, responsible stepparent, or a person having signed an affidavit acknowledging paternity which has been filed with the state office of vital statistics, from whom the department seeks support for a dependent child.

(21) "Responsible stepparent" means a stepparent having established an in loco parentis relationship with the dependent child or children.

(a) The status shall continue until the relationship is terminated by death, dissolution of marriage, or by superior court order as provided under RCW 26.16.205.

(b) A rebuttable presumption of an in loco parentis relationship is created when the stepparent:

(i) Lives with the child and the parent; or

(ii) Provides care, support, or guidance for the child.

(22) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

(23) "State" means a state or political subdivision, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(24) "Superior court order" means a judgment, decree, or order of a Washington state superior court or another state's court of comparable jurisdiction:

(a) Establishing a support obligation and ordering payment thereon of a set or determinable amount; or

(b) Specifically relieving a responsible parent of a support obligation.

(25) "Support debt" means:

(a) A delinquent amount of support money due, owing, and unpaid under a superior court order or an administrative order;

(b) A debt for the payment of expenses for the reasonable or necessary care, support and maintenance, including health care, birth costs, child care, special child rearing expenses, and an accrued debt under RCW 74.20A.056, of a dependent child or other person for whom a support obligation is owed;

(c) A debt under RCW 74.20A.100 or 74.20A.270; or

(d) Accrued interest, fees, or penalties charged on a support debt, and attorneys' fees and other costs of litigation awarded in an action under Title IV-D of the Social Security Act establishing and enforcing a support obligation or support debt.

(26) "Support money" means money paid to satisfy a support obligation whether named child support, spousal support, alimony, maintenance, medical support, birth costs, or other money intended to satisfy a support obligation for a person or satisfy wholly or partly a support debt.

(27) "Support obligation" means the obligation to provide for the necessary care, support, and maintenance, including health care, birth costs, child care and special child rearing expenses of a dependent child or other person as required by law.

AMENDATORY SECTION (Amending order 2689, filed 8/30/88)

WAC 388-11-015 CREDITS (~~ALLOWABLE IN~~) ALLOWED—DEBT SATISFACTION (~~OF DEBT~~). (1) (~~Under RCW 74.20.101;~~) After the office of support enforcement (OSE) serves a notice and finding of financial responsibility or a notice and finding of parental responsibility on the responsible parent, (~~satisfaction of~~) the responsible parent may only obtain credit against the parent's current and future support obligation (~~may be obtained only~~);

(a) By cash, check, or money order payments through (~~the office of support enforcement~~) OSE or payment of health insurance premiums; or

(b) As provided under subsections (3) and (6) of this section.

(2) (~~The office of support enforcement~~) OSE shall allow credit against (~~the~~) a responsible parent's support debt for family (~~necessaries~~) needs provided directly to (~~the~~) a caretaker/custodian, (~~or children~~) a child, or provided through a vendor(~~s~~) or third (~~parties~~) party only if:

(a) The items are provided (~~prior to~~) before service of the notice and finding of financial responsibility or the notice and finding of parental responsibility on (~~the~~) a responsible parent; (~~and~~)

(b) (~~The~~) A responsible parent proves the items(~~; when~~) provided (~~;~~) were intended to satisfy the responsible parent's support obligation; and

(c) The items are food, clothing, shelter, or medical attendance directly related to the care, support, and maintenance of (~~the children~~) a child.

(3) After service of the notice (~~and finding of financial responsibility~~), a parent may obtain credit against (~~their~~) the parent's current support obligation only if:

(a) The department determines there:

(i) Is no prejudice to (~~the~~);

(A) A custodial parent, a child, or other person; or

(B) An agency entitled to receive the support payments(~~; or to the children, and that there~~);

(ii) Are special circumstances of an equitable nature (~~which justify~~) justifying credit for (~~such~~) payments(~~; or~~);

(b) A court of competent jurisdiction determines credit should be granted after a hearing (~~at which~~) where all interested parties were given an opportunity to be heard.

(4) The (~~burden of proving that~~) parent shall prove credit should be given (~~is on the parent claiming credit~~) for the payments.

(5) Credit for shelter payments made (~~prior to~~) before service of the notice (~~and finding of financial responsibility~~) shall not be (~~credited against any debt for any period determined under chapter 388-11 WAC in an amount~~) greater than the shelter allocation in the public assistance standards for the (~~same~~) period when payments were made or one-half of the actual shelter payment (~~made~~), whichever is the greater. (~~Any credit given shall be classified as a payment of child support and shall be treated consistent with rules of eligibility in effect at the time of payment. No credit~~) The

department shall (~~be allowed~~) not allow credit for shelter payments made after service of the notice (~~and finding of financial responsibility~~).

(6)(a) Effective July 1, 1990, and for months thereafter, the department shall give credit for disability benefits made on behalf of the responsible parent's child by:

(i) Labor and industries or a self-insurer under chapter 51.32 RCW; or

(ii) The Social Security Administration.

(b) The department shall only give credit against the current support obligation owed for the month in which the benefit is paid.

(c) A responsible parent must prove payment of these benefits.

(d) A responsible parent has no right to reimbursement of disability benefits because of a credit allowed under this subsection.

(e) The department shall mail a notice of credit to the custodial parent if the department gives the responsible parent credit for disability benefits under this section without giving the custodial parent an opportunity to object. The notice shall state the amount of the credit and advise the custodial parent that the parent may request an adjudicative proceeding to contest the credit.

(i) The custodial parent shall file a written application for an adjudicative proceeding with the office of support enforcement within twenty-three days of the date of mailing of the notice.

(ii) If the custodial parent files an application for an adjudicative proceeding, the department shall give the responsible parent notice of and an opportunity to participate in the proceeding.

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-030 NOTICE AND FINDING OF FINANCIAL RESPONSIBILITY. (1) The office of support enforcement's (OSE) notice and finding of financial responsibility shall (~~set forth the office of support enforcement's finding of responsibility as follows~~) include the:

(a) (~~The~~) Amount the responsible parent owes as (~~an accrued~~) a support debt, and a (~~statement of the~~) demand for payment (~~thereon~~);

(b) (~~The~~) Amount the responsible parent should pay for current and future support using:

(i) (~~Under WAC 388-11-200~~) Actual income, if (~~current income information is~~) known; (~~or~~)

(ii) (~~Under WAC 388-29-100 if~~) Inputed income (~~is unknown~~); or

(iii) Income from the approximate median net income chart, when actual income is not known and cannot be inputed.

(c) (~~The~~) Responsible parent's responsibility for medical support under WAC 388-11-215.

(2) (~~The~~) OSE's notice and finding of financial responsibility shall also include the following information, when known:

(a) The residential parent's name (~~of the residential parent~~) and Social Security number;

(b) Each child's name, birthdate, and Social Security number ~~((of the child or children))~~ on whose behalf support is ~~((being))~~ sought;

(c) The responsible parent's name, address, and Social Security number ~~((of the responsible parent))~~;

(d) The responsible parent's employer; and

(e) A statement that:

(i) If the responsible parent objects to all or ~~((any))~~ part of the notice and finding of financial responsibility, ~~((he or she))~~ the responsible parent shall have a right, for not more than twenty days from date of service, to request a hearing to show cause why the ~~((responsible parent should not be determined to be liable for any or all of the debt, past and future))~~ finding of responsibility or the amounts stated are incorrect;

(ii) ~~((Any))~~ The responsible parent shall serve a written objection ~~((shall be communicated, in writing, and served))~~ on the ~~((district))~~ OSE field office ~~((of the office of support enforcement))~~ issuing the notice and finding of financial responsibility;

(iii) The support debt or current support amount become final and subject to collection action without further action or notice if the responsible parent fails to object in writing, within twenty days ~~((to the support debt and the current support amounts stated in the notice and finding of financial responsibility, the support debt and/or current support amount shall become final and subject to collection action without further action or notice))~~;

(iv) OSE may issue a notice of payroll deduction ~~((may be issued))~~ under chapter 26.23 RCW or take other income withholding action under chapters 26.18 or 74.20A RCW ~~((may be taken))~~, without further notice to the responsible parent, ~~((if a support payment is more than fifteen days past due in an amount equal to or greater than the support payable for one month))~~ at any time;

(v) After service of the notice, the responsible parent shall make all payments ~~((made which are))~~ intended to satisfy a current support obligation ~~((and/or))~~ or support debt alleged in the notice ~~((must be made))~~ directly to ~~((the office of support enforcement))~~ OSE. OSE shall not credit payments made to any other party ~~((will not be credited))~~ against the support obligation whether or not ~~((such))~~ the payment is in cash, check, money order, in-kind services, merchandise, or anything else of value, except as provided under WAC ~~((388-11-030))~~ 388-11-015.

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-155 DURATION OF OBLIGATION. (1) ~~((The))~~ A responsible parent's obligation to pay support under an administrative order shall continue in effect until:

(a) Superseded by a superior court order;

(b) Modified ~~((pursuant to))~~ under WAC 388-11-140;

(c) The child reaches ~~((the age of majority))~~ eighteen years of age;

(d) The child is emancipated;

(e) The child is married; ~~((or))~~

(f) The child becomes a member of the United States armed forces;

(g) The child or the responsible parent die;

(h) A responsible stepparent's marriage is dissolved;

or

(i) A superior court order terminates the responsible parent's liability as provided under RCW 26.16.205.

(2) As an exception to the above rule, a responsible parent's obligation to pay support under an administrative order shall continue and/or may be established for a dependent child who is:

(a) Under nineteen years of age; and

(b) A full-time student reasonably expected to complete a program of secondary school or the equivalent level of vocational or technical training before the end of the month in which ~~((he or she))~~ the student becomes nineteen years of age.

(3) A responsible parent's obligation to pay support under an administrative order shall be temporarily suspended when:

(a) The responsible parent resides with the child for whom support is sought for purposes other than visitation; or

(b) The responsible parent reconciles with the child and the residential parent.

(4) If ~~((the))~~ circumstances ~~((which cause))~~ causing a responsible parent's support obligation to be temporarily suspended change, the support obligation shall resume. ~~((The office of support enforcement))~~ OSE shall serve the responsible parent with a notice informing ~~((him or her))~~ the parent to resume payments if ~~((it))~~ OSE has previously notified the parent in writing to stop making payments.

~~((5))~~ The responsible parent's obligation to provide support under an administrative order shall cease to accrue when:

(a) The child or the responsible parent dies; or

(b) A responsible stepparent's marriage is dissolved.)

AMENDATORY SECTION (Amending Order 1305, filed 6/15/78)

WAC 388-11-170 COLLECTION OF DEBTS DETERMINED. ~~((Whenever an order designating the amount of periodic payments to be made to satisfy a past liability or periodic future support obligation has not been complied with, the accrued debt, not paid, and any current delinquency.))~~ (1) As authorized under chapters 26.18, 26.23, 74.20, and 74.20A RCW, the office of support enforcement (OSE) shall take action enforcing and collecting support obligations. OSE may take collection action against the responsible parent's income and assets to collect a support debt even if the parent makes payments under a support order, unless OSE agrees, in writing, to limit OSE's right to take action.

(2) If a responsible parent fails to make the total support payment when due under an administrative order:

(a) The entire support debt shall become due in full; and

(b) The portion of the administrative order designating periodic payments to satisfy ~~((past, accrued liability))~~ the support debt shall be deemed ~~((to be))~~ vacated

without the necessity of further action by the (~~hearing examiner~~) presiding officer.

(3) After (~~such vacation~~) vacating, the presiding officer may not stop collection action (~~pursuant to chapter 74.20A RCW~~) by (~~the office of support enforcement as authorized representative of the secretary as to debts determined, accrued, and unpaid may not be stayed by the hearing examiner~~) OSE and the action is subject only to review by the superior court (~~pursuant to~~) under RCW 74.20A.200 or other applicable state statutes.

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-195 (~~ECONOMIC TABLE~~) WASHINGTON STATE CHILD SUPPORT SCHEDULE. (1) (~~As of~~) Effective July 1, 1988, (the department) office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall use (the economic table adopted by) the Washington state child support schedule (commission) to assess all child support obligations, including obligations owed for periods before July 1, 1988. This (economic table) schedule is incorporated by reference.

(2) (~~The economic table is expanded as follows:~~

(a) ~~If the combined income of the responsible parent and any residential parent is five hundred dollars, then the responsible parent's basic support obligation shall be seventy-five percent of the amount it would be if the parents' income was six hundred dollars; if four hundred dollars, then fifty percent; and if less than four hundred dollars, then twenty-five dollars per month per child.~~

(b) ~~If support is sought for six children, then the responsible parent's basic support obligation for each child shall be eighty-five percent of the amount it would be for a child of the same age under the economic table for five children;~~

(c) ~~If support is sought for seven children, then the responsible parent's basic support obligation for each child shall be seventy-five percent of the amount it would be for a child of the same age under the economic table for five children; and~~

(d) ~~If support is sought for eight or more children, then the responsible parent's basic support obligation for each child shall be sixty-five percent of the amount it would be for a child of the same age under the economic table for five children.)~~ State public policy intends:

(a) Support orders be adequate to meet a child's basic needs and provide additional support commensurate with the parent's income, resources, and standard of living; and

(b) (~~To give preference for supporting~~) Dependent children be supported from the funds of (their) the responsible parents, when possible.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-200 FINANCIAL WORKSHEET CALCULATIONS. (1) (~~The department shall require~~) A responsible parent(s) and any residential parent(s to each) shall complete a financial worksheet under penalty of perjury when (a hearing) an adjudicative proceeding has been requested or when support is determined by consent order or agreed settlement. The (department) office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall only accept (those) approved worksheets (that are approved by the Washington state child support schedule commission) under chapter 26.19 RCW. The (department) OSE may complete a worksheet on behalf of a residential parent (who receives) receiving public assistance or (who resides) residing in another state.

(2) A parent shall include as gross income money from any source, including, but not limited to(;;):

- (a) Salaries(;;);
- (b) Wages(;;);
- (c) Commissions(;;);
- (d) Bonuses(;;);
- (e) Deferred compensation(;;);
- (f) Overtime(;;);
- (g) Dividends(;;);
- (h) Interest(;;);
- (i) Trust income(;;);
- (j) Severance pay(;;);
- (k) Annuities(;;);
- (l) Capital gains(;;);
- (m) Social security benefits(;;);
- (n) Worker's compensation(;;);
- (o) Unemployment compensation(;;);
- (p) Disability insurance benefits(;;);
- (q) Gifts(;;); and
- (r) Prizes.

(3) A parent shall disclose the receipt of AFDC, SSI, general assistance, and food stamps(~~and spousal maintenance from any relationship~~), but (~~such~~) these benefits shall not be counted as income or used as a reason for deviation from the economic table.

(4) A parent shall deduct only income taxes, FICA, mandatory pension plan payments, mandatory union/professional dues, (~~spousal maintenance for other relationships~~) nonrecurring overtime/bonus income, and nonrecurring gifts and prizes from gross income. A self-employed parent shall deduct normal business expenses and self-employment taxes.

(5) (~~The department~~) OSE and the presiding or review officer shall impute income to (any) a parent (who is) voluntarily unemployed or underemployed as follows:

(a) For a parent who quit (~~their~~) the parent's last job without cause, was fired for cause, or (chooses) chooses not to work, impute income equal to the amount of the parent's last full-time wage;

(b) For a parent (~~who is~~) voluntarily working less than full time, (for whatever reason) impute income equal to the amount the parent would earn if working

full time at ~~((their))~~ the parent's present job. Do not consider ~~((a))~~ the parent underemployed if employed on a full-time basis;

(c) For a parent ~~((who is))~~ unemployed through no personal fault ~~((of their own))~~, impute income equal to ~~((their))~~ the parent's earning potential. Presume ~~((each))~~ a parent capable of full-time employment at ~~((at least))~~ the minimum wage;

(d) Impute no income to a residential parent ~~((who receives))~~ receiving public assistance if ~~((that))~~ the parent ~~((is in compliance))~~ complies with all assistance program job search, education, ~~((and/or))~~ or training requirements ~~((of the assistance program))~~. Presume ~~((any))~~ a residential parent receiving public assistance ~~((to be))~~ in compliance with the requirements of ~~((that))~~ the program;

(e) Impute no income to ~~((a))~~ an unemployable parent ~~((who is unemployable))~~. Lack of employment opportunities alone shall not render a parent unemployable.

(6) If a parent's actual income is unknown and there is insufficient information to impute income, OSE and the presiding or review officer shall apply the approximate median net income chart published in the Washington state child support schedule.

AMENDATORY SECTION (Amending Order 2689, filed 8/30/88)

WAC 388-11-205 ASSESSING SUPPORT. (1) The ~~((department))~~ office of support enforcement (OSE) and the presiding or review officer in an adjudicative proceeding under this chapter shall determine the net income of a responsible parent and any residential parent according to WAC 388-11-200.

(2) ~~((The department))~~ OSE and the presiding or review officer shall determine the basic support obligation:

(a) Based on the combined net incomes of ~~((the))~~ a responsible parent and any residential parent, rounded to the nearest one hundred dollars;

(b) For each child, according to the economic table and the total number of children on whose behalf support is sought;

(c) In total; and ~~((then))~~

(d) Allocate between the parents based on each parent's share of the total combined net income.

(3) ~~((The department))~~ OSE and the presiding or review officer shall adjust ~~((the))~~ a responsible parent's share of the basic support obligation to reflect circumstances in ~~((their))~~ the parent's household and the household of any residential parent. ~~((Such adjustments shall not reduce the responsible parent's share of the basic support obligation by more than fifty percent, nor increase it by more than fifty percent. The department shall make adjustments only for the reasons and in the amounts listed below))~~ OSE and the presiding or review officer may, their discretion, deviate from the amount of child support calculated using the standard calculation. No deviation from the standard may be made without specific reasons for these deviations set forth in the order and supported by the evidence. Reasons for deviation include:

(a) ~~((If the responsible parent is legally obligated to support and is in fact supporting another child in addition to the child on whose behalf support is sought, and~~

(i) ~~If such child lives outside the responsible parent's own household, then reduce the responsible parent's share of the basic support obligation ten percent for each such child;~~

(ii) ~~If such child lives in the responsible parent's own household and receives child support from another parent, receives SSI, SSA, or VA benefits, works at least half-time, or also lives with its other parent, then reduce the responsible parent's share of the basic support obligation five percent for each such child; and/or~~

(iii) ~~If such child lives in the responsible parent's household and has no other source of support other than the responsible parent, then reduce the responsible parent's share of the basic support obligation fifteen percent for each such child.)~~ The existence of another dependent child for whom a responsible or residential parent has a duty to support;

(b) ~~((If the residential parent is legally obligated to support one or more children living in their home or elsewhere who are not children of the responsible parent, then increase the responsible parent's share of the support obligation five percent))~~ The existence of another adult in the household of the responsible or residential parent;

(c) ~~((If a))~~ Recurrent income received by the child on whose behalf support is sought ((receives SSI, services from the department's division of developmental disabilities, special educational services from a public school, or has special medical needs, then increase the responsible parent's share of the support obligation five percent));

(d) ~~((If the responsible parent lives with another adult, regardless of whether than [that] adult contributes to their household, then increase the responsible parent's share of the support obligation five percent. However, if the other adult is the responsible parent's spouse and is unemployable, no increase shall occur))~~ Extraordinary debt, not voluntarily incurred by the responsible or residential parent;

(e) ~~((If the residential parent lives with another adult, regardless of whether that adult contributes to their household, then reduce the responsible parent's share of the support obligation five percent. However, if the other adult is the residential parent's spouse and is unemployable, then no reduction shall occur))~~ Wealth of the responsible or residential parent;

(f) ~~((If a child on whose behalf support is sought has their own recurrent income equal to at least the amount the responsible parent would be obligated to pay for him or her under the economic table, then reduce the responsible parent's share of the support obligation five percent))~~ Unavoidable living costs exceeding twice the need standard of WAC 388-29-100 for the responsible or residential parent;

(g) ~~((If the responsible parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable debts included are not limited to:~~

(i) Medical bills;

- ~~(ii) Court-ordered restitution; and~~
- ~~(iii) Civil judgments.~~

~~(h) If the residential parent has extraordinary debt not voluntarily incurred which exceeds fifty percent of their annual gross income, then increase the responsible parent's share of the support obligation five percent. Countable debts include, but are not limited to:~~

- ~~(i) Medical bills;~~
- ~~(ii) Court-ordered restitution; and~~
- ~~(iii) Civil judgments.~~

~~(i) If the responsible parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then increase the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:~~

- ~~(i) Equity in real or personal property;~~
- ~~(ii) Stocks or bonds;~~
- ~~(iii) Automobiles, recreational vehicles, or boats;~~
- ~~(iv) Artwork;~~
- ~~(v) Pension or insurance plans; and/or~~
- ~~(vi) IRAs, bank accounts, or cash.~~

~~(j) If the residential parent has wealth in the form of assets equal to fifty percent or more of their annual gross income, then reduce the responsible parent's share of the support obligation five percent. Countable assets include, but are not limited to:~~

- ~~(i) Equity in real or personal property;~~
- ~~(ii) Stocks or bonds;~~
- ~~(iii) Automobiles, recreational vehicles, or boats;~~
- ~~(iv) Artwork;~~
- ~~(v) Pension or insurance plans; and~~
- ~~(vi) IRAs, bank accounts, or cash.~~

~~(k) If for reasons beyond the responsible parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then reduce the responsible parent's share of the support obligation five percent. Countable living costs are limited to reasonable amounts for:~~

- ~~(i) Food;~~
- ~~(ii) Clothing;~~
- ~~(iii) Shelter;~~
- ~~(iv) Utilities;~~
- ~~(v) Medical attendance; and~~
- ~~(vi) Job-related transportation.~~

~~(l) If for reasons beyond the residential parent's control, their living costs exceed twice the need standard level of WAC 388-29-100 for their household size, then increase the responsible parent's share of the support obligation five percent. Countable costs are limited to reasonable amounts for:~~

- ~~(i) Food;~~
- ~~(ii) Clothing;~~
- ~~(iii) Shelter;~~
- ~~(iv) Utilities;~~
- ~~(v) Medical attendance; and~~
- ~~(vi) Job-related transportation.~~

~~(m) If a child on whose behalf support is sought would receive greater benefits under a proposed tax planning scheme than that which would be assessed under the economic table, then reduce the responsible parent's share of the support obligation five percent;~~

~~(n) If unusual circumstances exist in the responsible parent's household that warrant adjustment, then reduce the responsible parent's share of the support obligation five percent. This subsection may be applied to the responsible parent's circumstances only once;~~

~~(o) If unusual circumstances exist in the residential parent's household that warrant adjustment, then increase the responsible parent's share of the support obligation five percent. This subsection may be applied to the residential parent's circumstances only once)) Any other unusual circumstances existing for the responsible or residential parent.~~

~~(4) If requested ((by any parent or their agent)), ((the department)) OSE and the presiding or review officer shall ((determine)):~~

~~(a) Assess responsibility for known health care, day care, and special child rearing expenses ((for such items as day care, tuition, extraordinary uninsured medical expenses, and long distance transportation. The department shall allocate these)) under the Washington state child support schedule, worksheet A, part II;~~

~~(b) Apportion responsibility for unknown and or future health care, day care, and special child-rearing expenses between the parents in the same proportion as the basic support obligation; and~~

~~(c) Assess responsibility for birth costs under WAC 388-11-220(5).~~

~~(5) ((The department shall add the responsible parent's share of the basic support obligation, as adjusted above, to their share of any special child rearing expenses. Reduce the sum of these amounts by any:~~

~~(a) Direct payments the responsible parent currently makes to third parties for special child-rearing expenses;~~

~~(b) Amounts the responsible parent is obligated under WAC 388-11-215 to pay for health insurance; and/or~~

~~(c) Residential credits for a child who stays overnight with the responsible parent more than twenty-five percent of the time. This reduction shall be unavailable if the child on whose behalf support is sought receives AFDC or if insufficient funds are available to meet the basic needs of the child in the house receiving the support.~~

~~(6) The)) A responsible parent's total support obligation shall consist of:~~

~~(a) ((Their)) The responsible parent's adjusted share of the basic support obligation;~~

~~(b) Amounts the responsible parent is obligated to pay for health insurance; and~~

~~(c) Amounts the responsible parent is obligated to pay for special child-rearing expenses.~~

~~((7) The)) (6) A responsible parent shall pay ((any amounts they are determined to owe for)) health insurance premiums directly to ((their)) the responsible parent's insurance provider. The responsible parent shall pay all other amounts ((they are determined to owe)), including ((any)) amounts currently paid to third parties for special child-rearing expenses, to ((the office of support enforcement)) OSE.~~

~~((8) The)) (7) A responsible parent's total administrative support obligation shall not exceed fifty percent~~

of ~~((their))~~ the responsible parent's net income ~~(-How-
ever, this)~~ unless the presiding officer finds the fifty
percent limitation shall not apply ((if) because:

(a) The responsible parent ~~((is determined to have))~~
has wealth;

(b) A child on whose behalf support is sought ~~((is de-
termined to have))~~ has special medical or educational
needs;

(c) The department assesses support for five or more
children ~~((is sought));~~ or

(d) There are special child-rearing expenses ~~((are
assessed)).~~

(8) When the parents' combined monthly net income
exceeds the highest level in the economic table, set sup-
port at the schedule amount for that income level plus
any additional amount supported by written findings of
fact.

(9) In cases where the department is assessing a child
support debt for a dependent child placed in foster care
or living with a non-needy relative, calculate the support
obligation using the child support schedule as follows:

(a) Combine the net income of both parents in the
"father" column on the worksheet and attribute no in-
come in the "mother" column when the responsible par-
ents reside together;

(b) Calculate each parent's support obligation inde-
pendently and attribute no income to the other parent
when the responsible parents do not reside together; and

(c) Assess support only for the child named in the
notice.

AMENDATORY SECTION (Amending Order 2689,
filed 8/30/88)

WAC 388-11-210 ADMINISTRATIVE OR-
DERS. Every administrative order shall include the:

(1) ~~((The))~~ Responsible parent's and residential par-
ent's net income ~~((of the responsible parent and any res-
idential parent));~~

(2) ~~((The))~~ Amount of the responsible parent's share
of the basic support obligation without adjustments;

(3) ~~((The))~~ Amount of the responsible parent's share
of the basic support obligation after adjustments;

(4) ~~((The))~~ Specific reasons for deviation, if the ad-
justed amount is different than the unadjusted amount;

(5) ~~((The))~~ Total amount of the responsible parent's
support obligation;

(6) ~~((The))~~ Specific day of the month on which the
support payment is due;

(7) ~~((The))~~ Responsible parent's Social Security
number, residence address, and the name of ~~((his or
her))~~ the responsible parent's employer;

(8) ~~((The))~~ Residential parent's Social Security
number;

(9) ~~((The))~~ Names, birthdates, and Social Security
numbers, if any, of the dependent ~~((children and))~~ child;

(10) ~~((A))~~ Disposition of the responsible parent's ob-
ligation to provide health insurance under WAC 388-
11-215(-);

(11) ~~((A))~~ Statement that the responsible parent shall
make ~~((his or her))~~ the responsible parent's payment to
the Washington state support registry;

(12) ~~((A))~~ Statement that the department may issue a
notice of payroll deduction under chapter 26.23 RCW or
may take other income withholding action under chap-
ters 26.18 or 74.20A RCW at any time, without further
notice to the responsible parent ~~((, if a support payment
is more than fifteen days past due in an amount equal to
or greater than the support payable for one month));~~

(13) ~~((A))~~ Statement that each parent shall notify the
Washington state support registry of ~~((any))~~ a change in
resident address; ~~((and))~~

(14) ~~((A))~~ Statement that a support obligation estab-
lished under this chapter shall continue until:

(a) Modified under WAC 388-11-140;

(b) Superseded by a superior court order; or

(c) The child for whom support is assessed reaches the
age of majority or is emancipated; and

(15) Statement that the responsible parent is liable for
the following costs based on the parent's proportionate
share of the basic support obligation, if these costs are
known when the order is entered:

(a) Health care costs, including extraordinary health
care costs, not covered by health insurance;

(b) Day care expenses; and

(c) Approved special child rearing expenses.

AMENDATORY SECTION (Amending Order 2689,
filed 8/30/88)

WAC 388-11-215 HEALTH INSURANCE. (1)
~~((Any))~~ A parent owing a duty of support shall be obli-
gated to provide health insurance for ~~((his or her))~~ the
parent's dependent child if the coverage is:

(a) Available or becomes available through employ-
ment or is union related; and

(b) Available at a cost not greater than twenty-five
percent of the parent's basic support obligation.

(2) ~~((When))~~ Following the entry of an administrative
order requiring health insurance ~~((for the dependent
child is available to the responsible parent through em-
ployment or through some other group insurance organ-
ization, unless the residential parent has satisfactory
health insurance other than Medicaid for the child)),~~ the
responsible parent shall within twenty days:

(a) Provide health insurance coverage; ~~((and))~~

(b) Provide proof of ~~((such))~~ coverage to the office of
support enforcement ~~((within ten days))~~ (OSE). Proof of
coverage shall include, but not be limited to, documen-
tation showing the:

(i) ~~((The subscriber or policy holder through whom))~~
Name of the insurer providing the health insurance ~~((is
available))~~ coverage;

(ii) ~~((The))~~ Names of the beneficiaries covered;

(iii) ~~((The))~~ Policy number; ~~((and))~~

(iv) Coverage is current; and

(v) Name and address of the responsible parent's
employer.

(c) Inform OSE if coverage is not currently available.

(3) If health insurance coverage for the child is not
immediately available, the responsible parent shall pro-
vide for coverage during the next open enrollment period
and submit proof of ~~((such))~~ coverage as required under
subsection (2)(b) of this section.

~~(4) ((When health insurance to cover a dependent child is not available to the responsible parent through employment or through any other group insurance organization, the responsible parent shall, within ten days:~~

~~(a) Notify the office of support enforcement when such health insurance coverage becomes available; and~~

~~(b) Provide proof of such coverage as required under subsection (2)(b) of this section:~~

~~(5)) A responsible parent shall only be entitled to the reduction for health insurance premiums paid if:~~

~~(a) The responsible parent submits proof of coverage to ((the office of support enforcement)) OSE as required under WAC 388-11-215; ((and))~~

~~(b) The responsible parent pays the required premium; and~~

~~(c) If the responsible parent fails to submit proof or pay the premium, ((the office of support enforcement)) OSE shall collect the adjusted basic support obligation without a reduction for health insurance premium payments.~~

~~(5) Health insurance shall not include medical assistance provided by the department under Chapter 74.09 RCW.~~

NEW SECTION

WAC 388-11-220 LIABILITY FOR BIRTH COSTS. (1) The department may assess a responsible parent's liability for a dependent child's birth costs, not covered by health insurance, if there is no superior court order assessing or relieving the responsible parent of liability for birth costs. The department shall assess liability for birth costs based on the parent's proportionate share of the basic support obligation for the child, except as provided under subsection (4) of this section. Medical assistance provided by the department under chapter 74.09 RCW is not health insurance.

(2) The office of support enforcement (OSE) may serve an affidavit of birth costs on the responsible parent by certified mail to the parent's last known address if the actual costs of birth were not included in the notice and finding of parental responsibility.

(3) OSE may take action to collect the birth costs under chapter 26.23 and 74.20A RCW:

(a) Twenty days after service of the affidavit of birth costs or service of a notice and finding of parental responsibility stating birth costs, unless the responsible parent requests an adjudicative proceeding under subsection (4) of this section; or

(b) After the entry of a support order requiring payment of birth costs.

(4) A responsible parent may request an adjudicative proceeding seeking a reduction of, or relief from, the parent's liability for birth costs. The department shall:

(a) Assess liability for birth costs in the lesser of the following amounts:

(i) The actual birth costs the department paid; or

(ii) Twenty-five percent of the greater of the:

(A) Responsible parent's annual net income; or

(B) Approximate median net annual income for a person in the responsible parent's age group as published in the Washington state support schedule.

(b) Relieve the responsible parent from liability based on a written finding supported by evidence the parent is unemployable and disability benefits are the parent's only source income.

WSR 90-20-073
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3078—Filed September 28, 1990, 3:12 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To incorporate into the rules a provision to allow persons to be eligible for medical care when making a bona fide effort to convert a noncash resource into cash.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to establish a new rule in chapter 388-83 WAC on Availability of resources—General. This rule applies to medical assistance programs and allows a person to be resource eligible when making a bona fide effort to convert a nonexempt noncash resource into cash.

Effective Date of Rule: September 29, 1990, 12:01 a.m.

September 28, 1990
Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 388-83-026 AVAILABILITY OF RESOURCES—GENERAL. (1) To be eligible for medical care, a person's resources shall not exceed the specified limits for the appropriate eligibility standards for non-cash or cash assistance categorically needy, medically needy, qualified Medicare beneficiaries, or qualified working disabled individual groups.

(2) In establishing eligibility for medical care, the department shall consider only those resources actually available or in hand that a person or spouse:

(a) Owns;

(b) Has the authority or power to convert to cash, or cash; and

(c) Is not legally restricted from using for the person's support and maintenance.

(3) In establishing eligibility for medical assistance for non-cash assistance categorically and medically needy persons, the department shall not consider non-cash resources, that cannot be converted into cash within twenty work days, available to the extent that there is an ongoing bona fide effort to convert the non-cash resources into cash.

WSR 90-20-074
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3071—Filed September 28, 1990, 3:13 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To update the thrifty food plan standards effective October 1, 1990, according to food and nutrition service's directive.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-550 Monthly allotments.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to reflect the increase in the thrifty food plan standards effective October 1, 1990.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2894, filed 11/1/89, effective 12/2/89)

WAC 388-49-550 MONTHLY ALLOTMENTS.

(1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

| <u>Household Size</u> | <u>Thrifty Food Plan</u> |
|------------------------|-------------------------------|
| 1 | ((99)) <u>105</u> |
| 2 | ((182)) <u>193</u> |
| 3 | ((260)) <u>277</u> |
| 4 | ((331)) <u>352</u> |
| 5 | ((393)) <u>418</u> |
| 6 | ((472)) <u>502</u> |
| 7 | ((521)) <u>555</u> |
| 8 | ((596)) <u>634</u> |
| 9 | ((671)) <u>713</u> |
| 10 | ((746)) <u>792</u> |
| Each additional member | +((75)) <u>79</u> |

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

WSR 90-20-075
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3070—Filed September 28, 1990, 3:16 p.m.]

Date of Adoption: September 28, 1990.

Purpose: The purpose of all changes is to conform existing regulations on nursing facility maintenance of personal funds of residents to federal requirements contained in the nursing home reform statute (OBRA '87, Section 4211). The changes must be implemented by October 1, 1990, in order to receive federal financial participation (FFP).

Citation of Existing Rules Affected by this Order: Amending chapter 388-96 WAC, Nursing home—Accounting—Reimbursement.

Statutory Authority for Adoption: RCW 74.46.800, 74.42.620 and 74.09.120.

Pursuant to notice filed as WSR 90-17-138 on August 22, 1990.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 34.05.380 (3)(a), such action is required by the state or federal constitution, a statute, or court order. These amendments must be made effective October 1, 1990, according to federal statute COBRA of 1987, Section 4211.

Effective Date of Rule: October 1, 1990.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2485, filed 4/20/87)

WAC 388-96-366 FACILITY RECORDS ((FOR RECIPIENT)) AND HANDLING OF RESIDENT

MONEYS. (1) A nursing facility may not require residents to deposit personal funds with the facility. A facility may hold a resident's personal funds only if the resident or resident's guardian provides written authorization.

(2) Once a nursing facility accepts the written authorization of the resident or resident's guardian, the facility shall hold, safeguard, and account for such personal funds under an established system in accordance with this chapter. The ((provider)) nursing facility shall establish and maintain as a service to the ((recipients)) residents a bookkeeping system, incorporated in the business records and adequate for audit, for all ((recipient)) resident moneys ((entrusted to and)) received by the facility ((for the recipients)).

((2) The bookkeeping system must include any recipient who is:

(a) Incapable of handling his or her own money and whose guardian, relative, department economic and social service office administrator, or physician makes written request of the facility to accept this responsibility, if the social security form SSA-780, "certificate of applicant for benefits on behalf of another," is utilized as documentation, it must be signed by one of the persons designated in this subparagraph.

(b) Capable of handling his or her own money, but requests the facility in writing to accept this responsibility:))

(3) ((It shall be the responsibility of the provider to)) The nursing facility shall maintain ((such)) the resident's or guardian's written authorization in the ((recipient's)) resident's file. The facility shall deposit any resident's personal funds in excess of fifty dollars in an interest-bearing resident personal fund account or accounts, separate from any of the facility's operating accounts, and credit all interest earned on an account to the account. With respect to any other personal funds, the facility shall keep such funds in a noninterest-bearing account or petty cash fund maintained for residents.

(4) The ((recipient must be given)) facility shall give the resident at least a quarterly reporting of all financial transactions ((in their trust account)) involving personal funds held for the resident by the facility. The facility shall send the representative payee, the guardian, ((and/)) or other designated agents of the ((recipient must be sent)) resident a copy of the quarterly accounting report.

(5) The ((contractor)) nursing facility shall further maintain((- adequate for audit,)) a written record ((for each recipient)) of all personal property deposited with the ((contractor)) facility for safekeeping by or for ((a recipient and)) the resident. The facility shall issue or obtain written receipts upon taking possession or disposing of such property((- retaining)) and retain copies((-)) and/or originals of such receipts. The facility shall maintain records adequate for audit.

(6) The facility shall purchase a surety bond, or otherwise provide assurances or security satisfactory to the department, to assure the security of all personal funds of residents deposited with the facility.

AMENDATORY SECTION (Amending Order 2275, filed 8/21/85)

WAC 388-96-369 THE ((PROVIDER)) NURSING FACILITY SHALL MAINTAIN A SUBSIDIARY LEDGER WITH AN ACCOUNT FOR EACH ((RECIPIENT)) RESIDENT FOR WHOM THE ((PROVIDER)) FACILITY HOLDS MONEY ((IN TRUST)). (1) The facility shall assure a full and complete separate accounting of each resident's personal funds. Each account record and related supporting information and documentation shall:

(a) Be maintained at the facility;
(b) Be kept current;
(c) Be balanced each month; and
(d) Show in writing and in detail, with supporting verification, all moneys received on behalf of the individual ((patient)) resident and the disposition of all moneys so received.

(2) Each account shall be reasonably accessible to the resident or the resident's guardian or legal representative and shall be available for audit and inspection by a department representative ((and be)). Each account shall be maintained for a minimum of four years. ((The)) A Medicaid provider ((further agrees to)) shall notify each Title XIX Medicaid recipient or guardian and the community services office of the department when((:

(a) The account of any individual certified on or before December 31, 1973, whose award letter indicates a limit of two hundred dollars cash, reaches the sum of one hundred seventy-five dollars.

The community services office will reevaluate the status of each recipient certified under the eligibility criteria prior to January 1, 1974, who has an award letter specifying a two hundred dollars cash limit.

(b) The account of any individual certified on or after January 1, 1974, whose resources are within one hundred dollars of the amount listed on the award letter)) the amount in the account of any Title XIX Medicaid recipient reaches two hundred dollars less than the applicable dollar resource limit for supplemental security income (SSI) eligibility set forth in Title XVI of the Social Security Act.

(3) When notice is given under subsection (2) of this section, the facility shall notify the recipient or guardian that if the amount in the account, in addition to the value of the recipient's other nonexempt resources, reaches the dollar resource limit determined under Title XVI, the recipient may lose eligibility for SSI medical assistance or benefits under Title XVI.

((c)) (4) ((For both groups, the)) Accumulation toward the Title XVI limit, after the recipient's admission to the facility, is permitted only from savings from the clothing and personal incidentals allowance and other income which the department specifically designates as exempt income ((from time to time)).

((d)) (5) No ((patient account)) resident funds may be overdrawn (show a debit balance). If a ((patient)) resident wants to spend an amount greater than ((in such patient's trust account)) the facility is holding for the resident, the home may provide money from its own funds and collect the debt by installments from that

portion of the ~~((patient's))~~ resident's allowance remaining at the end of each month. No interest may be charged to ~~((patients))~~ residents for such loans.

~~((3))~~ (6) The facility may not impose a charge against the personal funds of a Medicare or Medicaid recipient for any item or service for which payment is made under the Title XVIII Medicare program or the Title XIX Medicaid program. In order to ensure that ~~((patient trust accounts))~~ Medicaid recipients are not charged for services provided under the Title XIX program, any charge for medical services otherwise properly made to a ~~((patient's trust account must))~~ recipient's personal funds shall be supported by a written denial from the department.

(a) Mobility aids including walkers, wheelchairs, or crutches requested for the exclusive use by a Medicaid recipient ~~((must))~~ shall have a written denial from the department of social and health services before a ~~((patient trust account can))~~ recipient's personal funds may be charged.

(b) Requests for medically necessary services and supplies not funded under the provisions of chapter 388-96 WAC or chapter 388-86 WAC (reimbursement rate or coupon system) ~~((must))~~ shall have a written denial from the department before a ~~((patient trust account can))~~ Medicaid recipient's personal funds may be charged.

(c) A written denial from the department is not required when the pharmacist verifies that a drug is not covered by the program ~~((f))~~, e.g., items on the FDA list of ineffective or possible effective drugs, nonformulary over-the-counter (OTC) medications~~((t))~~. The pharmacist's notation to this effect is sufficient.

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

WAC 388-96-372 THE ~~((PROVIDER))~~ NURSING FACILITY MAY MAINTAIN A PETTY CASH FUND ORIGINATING FROM ~~((TRUST MON- EYS))~~ RESIDENT PERSONAL FUNDS OF AN AMOUNT REASONABLE AND NECESSARY FOR THE SIZE OF THE FACILITY AND THE NEEDS OF THE ~~((PATIENTS))~~ RESIDENTS, NOT TO EXCEED \$500.00. (1) This petty cash fund shall be an imprest fund. All moneys over and above the ~~((trust fund))~~ petty cash ~~((amount))~~ limit of 500.00 shall be deposited intact in ~~((a trust fund checking))~~ an interest bearing account or accounts maintained for resident personal funds, separate and apart from any other bank account ~~((or accounts))~~ of the facility or other facilities. All interest earned on an account containing resident personal funds shall be credited to such account.

(2) Cash deposits of recipient allowances must be made intact to the ~~((trust))~~ resident personal fund account within one week from the time that payment is received from the department, Social Security Administration, or other payor.

(3) Any related bankbooks, bank statements, checkbook, check register, and all voided and cancelled checks, shall be made available for audit and inspection by a department representative, and shall be maintained by the home for not less than four years.

(4) No service charges for such checking account shall be paid by ~~((recipient trust moneys))~~ residents or deducted from resident personal funds.

(5) The ~~((trust))~~ resident personal fund account or accounts per bank shall be reconciled monthly to the ~~((trust account))~~ resident personal funds per ~~((patient))~~ resident ledgers.

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

WAC 388-96-375 ~~((TRUST MONEYS))~~ RESIDENT PERSONAL FUNDS CONTROL/DISBURSEMENT. ~~((Trust moneys))~~ Personal funds shall be held ~~((in trust))~~ and used for the benefit of the resident and are not to be turned over to anyone other than the ~~((recipient))~~ resident or ~~((his or her))~~ the resident's guardian without the written consent of the ~~((recipient))~~ resident, ~~((his or her))~~ the resident's designated agent as appointed by power of attorney, or appropriate department of social and health services personnel as designated by the CSO administrator.

(1) When ~~((moneys are))~~ money is received, a receipt ~~((should))~~ shall be filled out in duplicate~~((:))~~:

(a) One copy ~~((should))~~ shall be given to the person making payment or deposit~~((:))~~; and

(b) The other copy ~~((should))~~ shall be retained in the receipt book for easy reference.

(2) Checks received by ~~((patients must))~~ residents shall be endorsed by the ~~((patient))~~ resident. Schedule I-A(6e) of the agreement states in part: "Each patient receiving a check or state warrant is responsible for endorsement by his own signature. Only when the patient is incapable of signing his name may the Provider assume the responsibility of securing the patient's mark "X" followed by the name of the patient and the signature of two witnesses."

(3) If both ~~((the general fund))~~ a facility operating account and ~~((the trust))~~ a resident personal fund account are at the same bank, the ~~((trust))~~ resident portion of checks which include care payments can be deposited directly to ~~((trust))~~ the resident account by including a ~~((trust))~~ resident account deposit slip for the correct amount with the checks and the ~~((general))~~ operating account deposit slip.

(4) The ~~((patient's trust account))~~ resident's ledger sheet ~~((must))~~ shall be credited with the allowance received. This ~~((should))~~ shall be referenced with the receipt number and ~~((must))~~ shall be supported by a copy of the deposit slip (one copy for all deposits made).

AMENDATORY SECTION (Amending Order 1114, filed 4/21/76)

WAC 388-96-378 ~~((TRUST MONEYS))~~ RESIDENT PERSONAL FUNDS AVAILABILITY. ~~((Moneys so))~~ Funds held ~~((in trust))~~ for any ~~((recipient))~~ resident shall be available for ~~((his or her))~~ the resident's personal and incidental needs when requested by the ~~((recipient))~~ resident or one of the individuals designated in WAC 388-96-375.

AMENDATORY SECTION (Amending Order 1114, filed 4/21/76)

WAC 388-96-381 PROCEDURE FOR REFUNDING ((TRUST MONEY)) RESIDENT PERSONAL FUNDS. (1) When a ((recipient)) resident is discharged ((and/)) or transferred, the balance of the ((recipient's trust account will)) resident's personal funds shall be returned to the individual((s within one week)) designated in WAC 388-96-375 within one week and a receipt obtained. In some cases it may be advisable to mail the refund to the ((recipient's)) resident's new residence.

AMENDATORY SECTION (Amending Order 2573, filed 12/23/87)

WAC 388-96-384 LIQUIDATION OR TRANSFER OF ((TRUST FUND)) RESIDENT PERSONAL FUNDS. (1) ((Expired patient. The provider shall obtain a receipt from next of kin, guardian, or duly qualified agent when releasing the balance of money held in trust. If there is no identified next of kin, guardian, or duly qualified agent, the contractor shall contact the CSO in writing within seven days for assistance in the release of the money held in trust. A check or other document showing payment to such next of kin, guardian, or duly qualified agent will serve as a receipt)) Upon the death of a resident, the facility shall promptly convey the resident's personal funds held by the facility with a final accounting of such funds to the individual administering the resident's estate.

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

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

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

(b) If the ((patient)) resident cannot be located after ninety days, the nursing ((home)) facility shall notify the department of revenue of the existence of "abandoned property," outlined in chapter ((63.28)) 63.29 RCW. The nursing ((home)) facility shall deliver to the department of revenue the balance of the ((patient's trust fund account)) resident's personal funds within twenty days following such notification.

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

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

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

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

WSR 90-20-076
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3069—Filed September 28, 1990, 3:19 p.m.]

Date of Adoption: September 28, 1990.

Purpose: The revision will clarify the department's authority to require specific additional information of applicants, licensees, and others including psychiatric, psychological, medical and other types of evaluations; and make clear that noncompliance with Indian child welfare laws is cause for revocation, denial or suspension of a license.

Citation of Existing Rules Affected by this Order: Amending chapter 388-73 WAC, Child care agencies.

Statutory Authority for Adoption: RCW 74.15.030.

Pursuant to notice filed as WSR 90-16-026 on July 20, 1990; and WSR 90-19-102 on September 19, 1990.

Changes Other than Editing from Proposed to Adopted Version: The phrase "or Reapplication" is added to the title of WAC 388-73-022. Adding this phrase is not a substantive change. The section has always been interpreted, without challenge, to apply to relicensing as well as initial licensing. Adding the words "or Reapplication" will make it consistent with WAC 388-150-070, currently in the process of adoption; and the phrase "or have a charge pending" is added to WAC 388-73-030. Adding the phrase makes this WAC section consistent with RCW 74.15.030, chapter 43.43 RCW, and chapter 388-330 WAC. The statement is true and has force and effect even if it were not included here, but omitting it may lead to some impressions to the contrary.

Effective Date of Rule: Thirty-one days after filing.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-022 APPLICATION OR REAPPLICATION FOR LICENSE OR CERTIFICATION—INVESTIGATION. (1) ((Persons)) A person or organization((s)) applying for a license or for certification under this chapter shall ((do so));

(a) Submit the application on forms ((and)) prescribed by the department;

(b) Comply with department procedures ((prescribed by the department));

(c) Initiate the application ((shall be made by and)) in the name of the person or ((persons or)) legal entity ((which shall be)) responsible for the operation of the ((facility)) agency; and ((shall))

(d) Include with the application:

(i) Employment and educational history of the person ((or persons)) charged with the active management of the agency((-The application shall also be accompanied by));

(ii) Completed forms enabling the department to ((complete));

(A) Perform a criminal history check ((and));

(B) Check ~~((of))~~ the central registry of child abuse for each staff or volunteer of the agency having unmonitored access to ~~((children))~~ the child, expectant mother~~((s))~~, or developmentally disabled person~~((s))~~; and ~~((to))~~

(C) Share this information with the applicant or licensee.

(2) The department may:

(a) Require ~~((such))~~ additional information from ~~((individual))~~ the applicant~~((s))~~, licensee, their staff, and a member of their household as ~~((it))~~ the department deems necessary including, but not limited to:

(i) Sexual deviancy evaluations;

(ii) Substance and alcohol abuse evaluations;

(iii) Psychiatric evaluations;

(iv) Psychological evaluations; and

(v) Medical evaluations.

~~((The department may))~~ Perform ~~((such))~~ corollary investigations of the applicant~~((s))~~, licensee~~((s))~~, their staff, and member~~((s))~~ of their households as ~~((it))~~ the department deems necessary, including accessing of criminal histories and law enforcement files.

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-030 GENERAL QUALIFICATIONS OF LICENSEE, PERSONS ON THE PREMISES. (1) The licensee, staff, and other person~~((s))~~ on the premises shall be a person~~((s))~~ of good character.

(2) The licensee shall demonstrate that ~~((he/she))~~ the licensee, child care staff, volunteer~~((s))~~, and other ~~((persons who have))~~ person having access to ~~((persons))~~ a person under care have the understanding, ability, physical health, emotional stability, and personality suited to meet the physical, mental, emotional, and social needs of ~~((persons))~~ the person under care.

(3) The licensee, staff, and other person~~((s))~~ on the premises shall not:

(a) Have been convicted of or have a charge pending of child abuse and/or any crime involving physical harm to another person; nor

(b) Have been found to be a perpetrator of substantiated child abuse.

(4) The department may, at any time, require the licensee or person on the premises to provide additional information so the department can determine whether the licensee, child care staff, volunteer, and other person having access to children in care meet the qualifications in subsections (1), (2), and (3) of this section. This information may include, but is not limited to:

(a) Sexual deviancy evaluations;

(b) Substance and alcohol abuse evaluations;

(c) Psychiatric evaluations;

(d) Psychological evaluations; and

(e) Medical evaluations.

AMENDATORY SECTION (Amending Order 2995, filed 2/5/90, effective 3/1/90)

WAC 388-73-036 LICENSURE—DENIAL, SUSPENSION, OR REVOCATION. (1) Before granting a license and as a condition for continuance of a license, the department shall consider the ability of each applicant, licensee, and ~~((the))~~ chief executive officer, if any, to operate the agency ~~((in accordance with))~~ under the law and this chapter. Such persons shall be considered separately and jointly as applicants or licensees and if any one be deemed disqualified by the department in accordance with chapter 74.15 RCW or this chapter, the ~~((license))~~ department may ~~((be denied))~~ deny, ~~((suspended))~~ suspend, ~~((revoked))~~ revoke, or not ~~((renewed))~~ renew the license.

(a) The department shall disqualify any individual engaging in illegal use of drugs or excessive use of alcohol.

(b) The department shall disqualify any individual convicted of a felony or released from a prison within seven years of the date of application for the license because of the conviction, if:

(i) The conviction is reasonably related to the competency of the person to exercise responsibilities for ownership, operation, or administration of an agency; and

(ii) The department determines, after investigation, the person has not been sufficiently rehabilitated to warrant public trust.

(c) The department shall not grant a license to an ~~((individual))~~ applicant who, in this state or elsewhere:

(i) Has been denied a license to operate ~~((a facility))~~ an agency for the care of children, expectant mothers, or developmentally disabled adults; or

(ii) Had a license to operate such ~~((a facility))~~ an agency suspended or revoked.

(d) An ~~((individual))~~ applicant may establish by clear, cogent, and convincing evidence the ability to operate an agency under this chapter. The department may waive the provision in subsection (1)(c) of this section and license the ~~((individual))~~ applicant.

(2) ~~((A license))~~ The department may ~~((be denied))~~ deny, ~~((suspended))~~ suspend, ~~((revoked))~~ revoke, or not ~~((renewed))~~ renew a license for failure to comply with the provisions of chapter 74.15 RCW, and rules contained in this chapter. ~~((A license))~~ The department shall ~~((be denied))~~ deny, ~~((suspended))~~ suspend, ~~((revoked))~~ revoke, or not ~~((renewed))~~ renew for any of the following reasons:

(a) Obtaining or attempting to obtain a license by fraudulent means or misrepresentation including:

(i) Making materially false statements on the application; or

(ii) Material omissions which would influence appraisal of the applicant's suitability.

(b) Permitting, aiding, or abetting the commission of any illegal act on the premises;

(c) Permitting, aiding, or abetting the abuse, neglect, exploitation, or cruel or indifferent care to ~~((persons))~~ a person under care;

(d) Repeatedly:

(i) Providing insufficient personnel relative to the number and types of persons under care; or

(ii) Allowing ~~((persons))~~ a person unqualified by training, experience, or temperament to care for or be in contact with the person~~((s))~~ under care.

(e) Misappropriation of the property of ~~((persons))~~ a person under care;

(f) Failure or inability to exercise fiscal responsibility and accountability in respect to operation of the agency;

(g) Failure to provide adequate supervision to ~~((persons))~~ a person under care;

(h) Refusal to admit authorized representatives of the department or state fire marshal to inspect the premises;

(i) Refusal to permit authorized representatives of the department to have access to the records necessary for the operation of the ~~((facility))~~ agency or to permit ~~((them))~~ the department representatives to interview agency staff and clients; ~~((and))~~

(j) Knowingly having an employee or volunteer on the premises who has made misrepresentation or significant omissions on ~~((his or her))~~ the application for employment or volunteer service; and

(k) Refusal or failure to supply necessary additional department-requested information.

(3) A license may be denied, suspended, revoked, or not renewed for violation of any condition or limitation upon licensure including, but not limited to, providing care for:

(a) More children than the number for which the ~~((facility))~~ agency is licensed; or

(b) Children of ages different from the ages for which the ~~((facility))~~ agency is licensed.

(4) The department's notice of a denial, revocation, suspension, or modification of a license is governed by RCW 43.20A.205. The provider's right to an adjudicative proceeding is in the same law.

(a) A provider contesting a department licensing decision shall within twenty-eight days of receipt of the decision:

(i) File a written application for an adjudicative proceeding by a method showing proof of receipt with the office of appeals; and

(ii) Include in or with the application:

(A) A specific statement of the issue or issues and law involved;

(B) The grounds for contesting the department decision; and

(C) A copy of the department decision being contested.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20A.205, this chapter, and chapter 388-08 WAC. If any provision of this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

(4) The department may deny, suspend, revoke, or not renew a license when the agency fails to comply with the federal Indian Child Welfare Act, P.L. 95-608, chapters 13.04 and 13.34 RCW, WAC 388-73-044, Special Requirements Regarding American Indians, or WAC 388-70-600 through 388-70-640, relating to local Indian child welfare advisory committees.

WSR 90-20-077
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 3:20 p.m.]

Original Notice.

Title of Rule: WAC 388-49-110 Verification; and 388-49-590 Monthly reporting.

Purpose: To reduce requirements to obtain the minimum verifications allowed by federal law or necessitated by high quality control error rates.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-110(3) is amended to delete "Resources" and "Loans" from the list of items to be verified. It adds "Resources of an alien's sponsor" to comply with federal requirements; and WAC 388-49-590(3) is amended to delete specific information which is already specified in WAC 388-49-110(5). The language inserted refers to that WAC section.

Reasons Supporting Proposal: This rule amendment is necessary to bring food stamp program rules into alignment with minimum requirements set by federal regulations and necessitated to address high quality control error findings.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mick Determan, Income Assistance, 753-4005.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-110 VERIFICATION. (1) ~~((Sources of verification))~~ The department shall ((be)) verify household eligibility from the following sources:

(a) Documentary evidence;

(b) Collateral contacts; and

(c) Scheduled home visits.

(2) The household has primary responsibility for providing documentary evidence. The department shall offer to assist in obtaining documentary evidence if it would be difficult or impossible for the household to obtain in a timely manner.

(3) At initial application, the department shall verify:

- (a) Identity of:
 (i) The person making the application; or
 (ii) The authorized representative and the head of household.
 (b) Immigration status of all alien household members;
 (c) Residency;
~~((d)) Resources;~~
~~(e) Loans;~~
~~(f)) (d) Gross nonexempt income;~~
~~((g)) Shelter expenses if the expense could result in a deduction;~~
~~(h)) (e) Actual utility expenses in excess of the standard utility allowance as specified in WAC 388-49-505;~~
~~((i)) (f) Medical care expenses;~~
~~((j)) (g) Dependent care expenses;~~
~~((k)) Household size;~~
~~(l) Household composition; and~~
~~(m)) (h) Disability((-)); and~~
 (i) Resources of an alien's sponsor.

(4) At recertification, the department shall verify a change in income, medical expenses, or actual utility expenses claimed by a household if the source has changed or the amount has changed by more than twenty-five dollars since the verification was completed.

(5) The department shall verify for monthly reporting households the following factors on a monthly basis:

- (a) Gross nonexempt income;
 (b) Utility expenses unless the standard utility allowance is used;
 (c) Medical expenses per WAC ~~((388-49-500(4)))~~ 388-49-500(6);
 (d) Alien status, Social Security number, residency, and citizenship if changed;
 (e) All other questionable information.
 (6) The department shall verify questionable information.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2974, filed 5/1/90, effective 6/1/90)

WAC 388-49-590 MONTHLY REPORTING. (1) The department shall require the following households to return a completed monthly report by the fifth day of the process month describing the household circumstances during the budget month:

(a) A household with earned income or with a recent work history except a:

- (i) Migrant or seasonal farm worker household; or
 (ii) Household in which all members are homeless individuals; or
 (iii) Household with a recent work history in which all adult members are elderly or disabled.

(b) An AFDC household subject to monthly reporting.

(2) A household with a recent work history shall report for two months:

(a) Beginning the month following the month of opening at initial application, or

(b) After the last month of earnings during the certification period.

(3) The department shall require a household reporting monthly to verify ~~((information necessary to:~~

~~(a) Determine the household's eligibility; and~~
~~(b) Compute the household's benefits))~~ the factors specified in WAC 388-49-110(5).

(4) The department shall notify a household if:

- (a) Its monthly report is late.
 (b) Its monthly report is incomplete, or
 (c) Additional information is needed.

(5) If the household furnishes a completed report to the department by the end of the process month, the department shall:

- (a) Accept the monthly report, and
 (b) Continue benefits if the household remains eligible.

(6) The department shall terminate a household failing to return a completed report by the end of the process month.

(7) The department shall not require a household that reports monthly to report changes before reporting on the monthly report.

WSR 90-20-078
 EMERGENCY RULES
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3073—Filed September 28, 1990, 3:21 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To reduce requirements to obtain the minimum verifications allowed by federal law or necessitated by high quality control error rates.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-110 Verification; and 388-49-590 Monthly reporting.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to bring food stamp program rules into alignment with minimum requirements set by federal regulations and necessitated to address high quality control error findings.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-110 VERIFICATION. (1) ~~((Sources of verification))~~ The department shall ((be)) verify household eligibility from the following sources:

- (a) Documentary evidence;
 (b) Collateral contacts; and
 (c) Scheduled home visits.

(2) The household has primary responsibility for providing documentary evidence. The department shall offer to assist in obtaining documentary evidence if it would be difficult or impossible for the household to obtain in a timely manner.

(3) At initial application, the department shall verify:

- (a) Identity of:
 (i) The person making the application; or
 (ii) The authorized representative and the head of household.

(b) Immigration status of all alien household members;

- (c) Residency;
~~((d)) Resources;~~
~~(e) Loans;~~

~~(f)) (d) Gross nonexempt income;~~
~~((g)) Shelter expenses if the expense could result in a deduction;~~

~~(h)) (e) Actual utility expenses in excess of the standard utility allowance as specified in WAC 388-49-505;~~

- ~~((i)) (f) Medical care expenses;~~
~~((j)) (g) Dependent care expenses;~~

- ~~((k) Household size;~~
~~(l) Household composition; and~~
~~(m)) (h) Disability(-); and~~
(i) Resources of an alien's sponsor.

(4) At recertification, the department shall verify a change in income, medical expenses, or actual utility expenses claimed by a household if the source has changed or the amount has changed by more than twenty-five dollars since the verification was completed.

(5) The department shall verify for monthly reporting households the following factors on a monthly basis:

- (a) Gross nonexempt income;
 (b) Utility expenses unless the standard utility allowance is used;
 (c) Medical expenses per WAC ~~((388-49-500(4)))~~
388-49-500(6);
 (d) Alien status, Social Security number, residency, and citizenship if changed;
 (e) All other questionable information.

(6) The department shall verify questionable information.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2974, filed 5/1/90, effective 6/1/90)

WAC 388-49-590 MONTHLY REPORTING. (1) The department shall require the following households to return a completed monthly report by the fifth day of the process month describing the household circumstances during the budget month:

- (a) A household with earned income or with a recent work history except a:
 (i) Migrant or seasonal farm worker household; or
 (ii) Household in which all members are homeless individuals; or
 (iii) Household with a recent work history in which all adult members are elderly or disabled.

(b) An AFDC household subject to monthly reporting.

(2) A household with a recent work history shall report for two months:

- (a) Beginning the month following the month of opening at initial application, or
 (b) After the last month of earnings during the certification period.

(3) The department shall require a household reporting monthly to verify ~~((information necessary to:~~

- ~~(a) Determine the household's eligibility, and~~
~~(b) Compute the household's benefits))~~ the factors specified in WAC 388-49-110(5).

(4) The department shall notify a household if:

- (a) Its monthly report is late,
 (b) Its monthly report is incomplete, or
 (c) Additional information is needed.

(5) If the household furnishes a completed report to the department by the end of the process month, the department shall:

- (a) Accept the monthly report, and

(b) Continue benefits if the household remains eligible.

(6) The department shall terminate a household failing to return a completed report by the end of the process month.

(7) The department shall not require a household that reports monthly to report changes before reporting on the monthly report.

WSR 90-20-079
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3072—Filed September 28, 1990, 3:22 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To authorize the department to increase food stamp program net and gross income limits, standard and shelter deductions; and to implement new verification rules.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-500 Income—Deductions; and 388-49-510 Income eligibility standards.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to provide compliance with Code of Federal Regulations by updating the standards. The department is adopting a new policy significantly reducing mandatory verification.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3012, filed 5/31/90, effective 7/1/90)

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 ~~((twelve))~~
sixteen 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);

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when 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 an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred (~~seventy-seven~~) eighty-six dollars; and

(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) A household's 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 the:

- (i) Household intends to return to the home;
- (ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and
- (iii) 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 the household:

- (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 provide excess medical (~~and/or~~) or shelter deductions effective with supplemental security income (SSI) eligibility when households:

(a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;

(b) Receive food stamps as a nonassistance household until becoming categorically eligible; or

(c) Become categorically eligible after denial of nonassistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

- (a) Reimbursement; or

(b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

(6) 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 claims 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; and~~

(~~(d)~~) (b) 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.

(7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

AMENDATORY SECTION (Amending Order 2901, filed 11/17/89, effective 12/18/89)

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 | \$ ((648)) <u>681</u> |
| 2 | ((869)) <u>913</u> |
| 3 | ((1,090)) <u>1,144</u> |
| 4 | ((1,311)) <u>1,376</u> |
| 5 | ((1,532)) <u>1,608</u> |
| 6 | ((1,753)) <u>1,840</u> |
| 7 | ((1,974)) <u>2,072</u> |
| 8 | ((2,195)) <u>2,304</u> |
| 9 | ((2,416)) <u>2,536</u> |
| 10 | ((2,637)) <u>2,768</u> |
| Each additional person | + ((221)) <u>232</u> |

Net Monthly Income Standard

| <u>Household Size</u> | <u>Maximum Standard</u> |
|------------------------|-------------------------|
| 1 | \$((499)) <u>524</u> |
| 2 | ((669)) <u>702</u> |
| 3 | ((839)) <u>880</u> |
| 4 | ((1,009)) <u>1,059</u> |
| 5 | ((1,179)) <u>1,237</u> |
| 6 | ((1,349)) <u>1,415</u> |
| 7 | ((1,519)) <u>1,594</u> |
| 8 | ((1,689)) <u>1,772</u> |
| 9 | ((1,859)) <u>1,951</u> |
| 10 | ((2,029)) <u>2,130</u> |
| Each additional person | +((170)) <u>179</u> |

WSR 90-20-080
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 3:24 p.m.]

Original Notice.

Title of Rule: WAC 388-49-500 Income—Deductions; and 388-49-510 Income eligibility standards.

Purpose: To authorize the department to increase food stamp program net and gross income limits, standard and shelter deductions; and to implement new verification rules.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Effective October 1, 1990, the following food stamp program income and income deduction standards are updated to comply with Code of Federal Regulations: Net and gross income standard and shelter deduction. The new amended rules rescind mandatory verification of shelter and utility costs unless questionable.

Reasons Supporting Proposal: This rule is necessary to provide compliance with Code of Federal Regulations by updating the standards. The department is adopting a new policy significantly reducing mandatory verification.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dan Ohlson, Income Assistance, 753-1354.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m., 12:01 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health

Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3012, filed 5/31/90, effective 7/1/90)

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 ((~~twelve~~)) sixteen 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);

(c) A dependent care deduction of the actual amount incurred not to exceed one hundred sixty dollars per dependent when 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 an elderly or disabled household member;

(e) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, and dependent care deductions. The shelter deduction shall not exceed one hundred ((~~seventy-seven~~)) eighty-six dollars; and

(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) A household's 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 the:

(i) Household intends to return to the home;
 (ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) 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 the household:

(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 provide excess medical ((~~and/or~~)) or shelter deductions effective with supplemental security income (SSI) eligibility when households:

(a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;

(b) Receive food stamps as a nonassistance household until becoming categorically eligible; or

(c) Become categorically eligible after denial of nonassistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

(a) Reimbursement; or

(b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

(6) 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 claims 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; and~~

~~((d)) (b) 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.~~

(7) If medical reimbursement cannot be verified, the department shall certify the household without allowing the deduction, except in prospective budgeting.

AMENDATORY SECTION (Amending Order 2901, filed 11/17/89, effective 12/18/89)

WAC 388-49-510 INCOME ELIGIBILITY STANDARDS. (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households containing an elderly or disabled member as provided in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

Gross Monthly Income Standard

| <u>Household Size</u> | <u>Maximum Standard</u> |
|------------------------|----------------------------|
| 1 | \$ ((648)) 681 |
| 2 | ((869)) 913 |
| 3 | ((1,090)) 1,144 |
| 4 | ((1,311)) 1,376 |
| 5 | ((1,532)) 1,608 |
| 6 | ((1,753)) 1,840 |
| 7 | ((1,974)) 2,072 |
| 8 | ((2,195)) 2,304 |
| 9 | ((2,416)) 2,536 |
| 10 | ((2,637)) 2,768 |
| Each additional person | ((221)) 232 |

Net Monthly Income Standard

| <u>Household Size</u> | <u>Maximum Standard</u> |
|------------------------|----------------------------|
| 1 | \$ ((499)) 524 |
| 2 | ((669)) 702 |
| 3 | ((839)) 880 |
| 4 | ((1,009)) 1,059 |
| 5 | ((1,179)) 1,237 |
| 6 | ((1,349)) 1,415 |
| 7 | ((1,519)) 1,594 |
| 8 | ((1,689)) 1,772 |
| 9 | ((1,859)) 1,951 |
| 10 | ((2,029)) 2,130 |
| Each additional person | ((170)) 179 |

WSR 90-20-081
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 3:27 p.m.]

Original Notice.

Title of Rule: WAC 388-49-080 Expedited service.

Purpose: To reduce requirements to obtain the minimum verifications allowed by federal law or necessitated by high quality control error rates.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-080 (4)(a) is amended to delete "household's" and replace it with "applicant's." This will comply with federal regulations and make this section consistent with requirements found in other sections of the food stamp program manual; subsection (4)(b) is amended to add the requirement to verify the head of household and the authorized representative when the authorized representative applies for the household. This complies with federal regulations; subsection (4)(c) is amended to specify the WAC section which describes required verifications; subsection (4)(e) is amended to add "nonexempt" to describe household members; subsection (5)(c)(ii) is amended to state "on or after the sixteenth" for clarity; and subsection (5) and (6) substitutes "second" for "subsequent" for clarity.

Reasons Supporting Proposal: This rule amendment is necessary to bring food stamp program rules into alignment with minimum requirements set by federal regulations and necessitated to address high quality control error findings.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mick Determan, Income Assistance, 753-4005.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3013, filed 5/31/90, effective 7/1/90)

WAC 388-49-080 EXPEDITED SERVICE. (1) The department shall provide expedited service for applying households when the household:

- (a) Has liquid resources of one hundred dollars or less; and
- (b) Has gross monthly income under one hundred fifty dollars; or
- (c) Has combined gross income and liquid resources which are less than the household's current monthly rent or mortgage and actual utilities costs; or
- (d) Includes all members who are homeless individuals; or
- (e) Includes a destitute migrant or seasonal farm worker whose liquid resources do not exceed one hundred dollars.

(2) The department shall provide food stamps to households eligible for expedited service((s)) by the end of the fifth calendar day following the date the application was filed.

(3) The department shall provide food stamps to residents of drug and alcohol treatment centers and group living arrangements eligible for expedited service, by the fifth calendar day following the date of application.

(4) When certifying a household eligible for expedited service, the department shall:

(a) Verify the ~~((household's))~~ applicant's identity through readily available documentary evidence, or if this is unavailable, through a collateral contact; or

(b) Verify the identity of the authorized representative who applies on behalf of the household; and

(c) Make a reasonable effort to ~~((verify residence, income, liquid resources, and all other required verifications))~~ complete verification as described in WAC 388-49-110 within the expedited processing standards;

~~((e))~~ (d) Require the applicant to register for work unless exempt or the authorized representative is applying for the household;

~~((d))~~ (e) Attempt to register other nonexempt household members for work without delaying expedited benefits;

~~((e))~~ (f) Issue benefits within five calendar days for expedited service; and

~~((f))~~ (g) Assist the household in obtaining necessary verification.

(5) The department shall certify an expedited service household:

(a) Based on certification periods in WAC 388-49-160 when all necessary verification is provided; or

(b) For one month when necessary verification is postponed; or

(c) For the month of application and the ~~((subsequent))~~ second month when:

(i) Verification is postponed; and

(ii) The application is received on or after the ~~((fifteenth))~~ sixteenth of the month.

(6) The department shall, after postponed verification is received for cases certified under subsection (5)(c), issue the ~~((subsequent))~~ second month's benefits:

(a) Within five working days from receipt of the verification; or

(b) The first working day of the ~~((subsequent))~~ second month, whichever is later.

(7) There is no limit to the number of times a household may receive expedited service provided:

(a) The household completes the postponed verification requirements, or

(b) The household was certified under the thirty-day processing standard since the last expedited certification.

(8) The department shall conduct an out-of-office interview and complete the application process within the expedited service standard when a household is entitled to expedited service and a waiver of the office interview.

Purpose: To reduce requirements to obtain the minimum verifications allowed by federal law or necessitated by high quality control error rates.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-080 Expedited service.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to bring food stamp program rules into alignment with minimum requirements set by federal regulations and necessitated to address high quality control error findings.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 3013, filed 5/31/90, effective 7/1/90)

WAC 388-49-080 EXPEDITED SERVICE. (1) The department shall provide expedited service for applying households when the household:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross income and liquid resources which are less than the household's current monthly rent or mortgage and actual utilities costs; or

(d) Includes all members who are homeless individuals; or

(e) Includes a destitute migrant or seasonal farm worker whose liquid resources do not exceed one hundred dollars.

(2) The department shall provide food stamps to households eligible for expedited service((s)) by the end of the fifth calendar day following the date the application was filed.

(3) The department shall provide food stamps to residents of drug and alcohol treatment centers and group living arrangements eligible for expedited service, by the fifth calendar day following the date of application.

(4) When certifying a household eligible for expedited service, the department shall:

(a) Verify the ~~((household's))~~ applicant's identity through readily available documentary evidence, or if this is unavailable, through a collateral contact; or

(b) Verify the identity of the authorized representative who applies on behalf of the household; and

(c) Make a reasonable effort to ~~((verify residence, income, liquid resources, and all other required verifications))~~ complete verification as described in WAC 388-49-110 within the expedited processing standards;

~~((e))~~ (d) Require the applicant to register for work unless exempt or the authorized representative is applying for the household;

WSR 90-20-082
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3074—Filed September 28, 1990, 3:28 p.m.]

Date of Adoption: September 28, 1990.

~~((d))~~ (e) Attempt to register other nonexempt household members for work without delaying expedited benefits;

~~((e))~~ (f) Issue benefits within five calendar days for expedited service; and

~~((f))~~ (g) Assist the household in obtaining necessary verification.

(5) The department shall certify an expedited service household:

(a) Based on certification periods in WAC 388-49-160 when all necessary verification is provided; or

(b) For one month when necessary verification is postponed; or

(c) For the month of application and the ~~((subsequent))~~ second month when:

(i) Verification is postponed; and

(ii) The application is received on or after the ~~((fifteenth))~~ sixteenth of the month.

(6) The department shall, after postponed verification is received for cases certified under subsection (5)(c), issue the ~~((subsequent))~~ second month's benefits:

(a) Within five working days from receipt of the verification; or

(b) The first working day of the ~~((subsequent))~~ second month, whichever is later.

(7) There is no limit to the number of times a household may receive expedited service provided:

(a) The household completes the postponed verification requirements, or

(b) The household was certified under the thirty-day processing standard since the last expedited certification.

(8) The department shall conduct an out-of-office interview and complete the application process within the expedited service standard when a household is entitled to expedited service and a waiver of the office interview.

WSR 90-20-083

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed September 28, 1990, 3:29 p.m.]

Original Notice.

Title of Rule: WAC 388-49-400 Resources—Allowable maximums; and 388-49-420 Resources—Nonexempt.

Purpose: To reduce mandatory verification requirements to verify only if information is questionable. Mandatory verifications required by federal regulations and/or necessitated by high quality control error rates are retained.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-400 is amended to change mandatory verification of ownership and value of all resources to verify ownership and value, if questionable; and 388-49-420 is amended to change mandatory verification of accessibility of jointly owned to verify, if questionable, the ownership.

Reasons Supporting Proposal: This rule is necessary to reduce resource verification requirements to questionable information, mandatory verifications required by federal regulations and/or necessitated by high quality control error rates.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Lou Percival, Income Assistance, 753-4918.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-400 RESOURCES—ALLOWABLE MAXIMUMS. (1) Categorically eligible households, as defined in WAC 388-49-180, do not have to meet the resource limits or definitions in this section.

(2) Households not categorically eligible shall not exceed maximum allowable nonexempt resources of:

(a) Three thousand dollars for any household with a person sixty years of age or over, and

(b) Two thousand dollars for all other households.

(3) The department shall verify, if questionable, ownership and the value of all resources for households not categorically eligible.

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-420 RESOURCES—NONEXEMPT. (1) The department shall consider the following resources nonexempt:

(a) Liquid resources;

(b) Real and personal property not exempted by WAC 388-49-410; and

(c) Money secured in the form of a lump sum.

(2) The value of a nonexempt resource, except for licensed vehicles as specified in WAC 388-49-430, shall be its equity value.

(3) ~~The department shall exempt funds having been commingled in an account with nonexempt funds for more than six months.~~

(4) The department shall consider resources owned jointly by separate households available in their entirety to each household, unless ~~((it can be verified))~~:

(a) The resource is inaccessible to one of the households(-); and

(b) Ownership is verified, if questionable.

(5) The department shall consider resources of the following persons as available to the remaining household members:

(a) Ineligible aliens; or

(b) Persons disqualified for failure to meet Social Security number requirements; or

(c) Persons disqualified for intentional program violation; or

(d) Persons who fail to sign the application attesting to their citizenship or alien status.

(6) The department shall consider resources, reduced by one thousand five hundred dollars, of an alien sponsor and spouse, if living together, available to the alien household for three years following the alien's admission to the United States for permanent residence.

WSR 90-20-084
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3075—Filed September 28, 1990, 3:30 p.m.]

Date of Adoption: September 28, 1990.

Purpose: To reduce mandatory verification requirements to verify only if information is questionable. Mandatory verifications required by federal regulations and/or necessitated by high quality control error rates are retained.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-400 Resources—Allowable maximums; and 388-49-420 Resources—Nonexempt.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule amendment is necessary to reduce resource verification requirements to questionable information, mandatory verifications required by federal regulations and/or necessitated by high quality control error rates.

Effective Date of Rule: October 1, 1990, 12:01 a.m.

September 28, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-400 RESOURCES—ALLOWABLE MAXIMUMS. (1) *Categorically eligible households, as defined in WAC 388-49-180, do not have to meet the resource limits or definitions in this section.*

(2) *Households not categorically eligible shall not exceed maximum allowable nonexempt resources of:*

(a) *Three thousand dollars for any household with a person sixty years of age or over, and*

(b) *Two thousand dollars for all other households.*

(3) *The department shall verify, if questionable, ownership and the value of all resources for households not categorically eligible.*

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-420 RESOURCES—NONEXEMPT. (1) *The department shall consider the following resources nonexempt:*

(a) *Liquid resources;*

(b) *Real and personal property not exempted by WAC 388-49-410; and*

(c) *Money secured in the form of a lump sum.*

(2) *The value of a nonexempt resource, except for licensed vehicles as specified in WAC 388-49-430, shall be its equity value.*

(3) *The department shall exempt funds having been commingled in an account with nonexempt funds for more than six months.*

(4) *The department shall consider resources owned jointly by separate households available in their entirety to each household, unless ((it can be verified));*

(a) *The resource is inaccessible to one of the households(-);, and*

(b) *Ownership is verified, if questionable.*

(5) *The department shall consider resources of the following persons as available to the remaining household members:*

(a) *Ineligible aliens; or*

(b) *Persons disqualified for failure to meet Social Security number requirements; or*

(c) *Persons disqualified for intentional program violation; or*

(d) *Persons who fail to sign the application attesting to their citizenship or alien status.*

(6) *The department shall consider resources, reduced by one thousand five hundred dollars, of an alien sponsor and spouse, if living together, available to the alien household for three years following the alien's admission to the United States for permanent residence.*

WSR 90-20-085
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 28, 1990, 3:31 p.m.]

Original Notice.

Title of Rule: WAC 388-49-550 Monthly allotments.

Purpose: To update the thrifty food plan standards effective October 1, 1990, according to food and nutrition service's directive.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: WAC 388-49-550 is amended to increase the thrifty food plan standards effective October 1, 1990.

Reasons Supporting Proposal: This rule is necessary to reflect the increase in the thrifty food plan standards effective October 1, 1990.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Lou Percival, Income Assistance, 753-2439.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

September 28, 1990

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2894, filed 11/1/89, effective 12/2/89)

WAC 388-49-550 MONTHLY ALLOTMENTS. (1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

| <u>Household Size</u> | <u>Thrifty Food Plan</u> |
|------------------------|--------------------------|
| 1 | ((99)) 105 |
| 2 | ((+82)) 193 |
| 3 | ((260)) 277 |
| 4 | ((331)) 352 |
| 5 | ((393)) 418 |
| 6 | ((472)) 502 |
| 7 | ((521)) 555 |
| 8 | ((596)) 634 |
| 9 | ((671)) 713 |
| 10 | ((746)) 792 |
| Each additional member | +((75)) 79 |

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The allotment shall be based upon a thirty-day month.

(b) No allotment shall be issued for less than ten dollars.

(4) The department shall issue a full month allotment to migrant and seasonal farmworker households applying within thirty days after a prior certification ends.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when no allotment shall be issued for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

Purpose: To clarify what constitutes unlawful advertising and pricing practices.

Citation of Existing Rules Affected by this Order: Amending WAC 308-66-150.

Statutory Authority for Adoption: RCW 46.70.160 - 46.70.180.

Pursuant to notice filed as WSR 90-12-089 on June 4, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 308-66-152(1), "...shall include but not be limited to..." has been changed to, "...shall include, but are not limited to..." This change is to make the wording more clear and consistent with the wording in the beginning of subsection (2) on the same page; WAC 308-66-152(1), in the middle of the section a ", " has been added following the word, "represented". This was done to improve readability of the section; WAC 308-66-152(2), "...include but are not limited..." has been changed to "...include, but are not limited to..." This change is to make the wording and punctuation identical to the opening portion of subsection (1); WAC 308-66-152(2), the last sentence of the section was deleted. That sentence read, "If a dealer advertises "collateral financing" or that collateral will be required, the dollar value of the required collateral shall be stated in the advertisement." It was determined that it would not be deceptive if a dealer did advertise collateral financing, but did not go ahead and state the required dollar value of that collateral; WAC 308-66-152 (3)(a)(iii), in the middle of the paragraph the word, "requires" was determined incorrect and was changed to, "require"; WAC 308-66-152 (4)(a), the wording, "...at the time the advertisement is placed", was added for clarity; WAC 308-66-152 (4)(c), originally read as, "Advertising any offer in connection with the sale of the vehicle or model or type of vehicle without disclosing any limitations on the offer:" That was determined as too vague, so was changed to, "Advertising any offer in connection with the sale of a vehicle or model or type of vehicle without disclosing any material limitations, including, but not limited to, the time limit, or that there is no time limit on the offer;"; WAC 308-66-152 (4)(i), the word, "particular" was replaced with the word, "specific", for clarity; WAC 308-66-152 (4)(1)(i), the phrase, "all component figures and" was added. The original language would have allowed an advertisement such as, "\$12,500 includes rebate", would have been legal. The components of that total price, such as the amount of the rebate, would not be disclosed: WAC 308-66-152 (4)(1)(ii), the phrase, "all component figures and" was added. To ensure more proper disclosure of price (as outlined above; WAC 308-66-152 (4)(m)(i), the words, "or cost", have been deleted. RCW 46.70.180 (1)(d) confines computations of vehicle prices to the exact amount of the factory invoice, so wording in this section was changed to conform to the RCW; WAC 308-66-152 (4)(iii), consistent with the preceding subitem (i), the words, "or "cost", have been deleted from the first and second sentences of that section. Also, the last word of the first sentence was a typographical error and has been changed from, "dealer", to, "manufacturer". The second word in the second sentence of the section has

WSR 90-20-086
PERMANENT RULES
DEPARTMENT OF LICENSING
[Filed September 28, 1990, 3:47 p.m.]

Date of Adoption: September 25, 1990.

been changed from, "calculating" to, "computing" to be more consistent with the wording in RCW 46.70.180 (1)(d). The phrase, "other manufacturer incentives", has been moved from the end of the second sentence of the section and inserted behind the phrase, "...must exclude dealer holdbacks,....," increase clarity and emphasis; WAC 308-66-152 (4)(r), the word, "loan" was deleted and replaced with the word, "interest", to make the wording of the section more consistent and clear; WAC 308-66-152 (6)(d), the last three words of the section, "using that term", were deleted. The new language in an earlier section, WAC 308-66-152 (3)(b), states that, "...annual percentage rate may be abbreviated..."; and WAC 308-66-152 (6)(f), the word, "and" has been added at the end of that section to improve readability.

The two following changes have been made in the proposed rules in order to better serve the intent and purpose of the advertising rules: WAC 308-66-152 (4)(g), the language proposed at the hearing read as follows: "Advertising a used vehicle as defined in RCW 46.04.660, or a new vehicle demonstrator as defined in WAC 308-66-110, without designating the vehicle as "used," "demo," or "demonstrator";." Testimony at the hearing brought out the fact that anytime a not-new vehicle was advertised, the advertisement would have been required to carry one of the three designated terms. This would clearly have been pointless burden for the majority of used car ads. To require the term, "used" in ads for vehicles more than two years old would be unnecessary. The section was changed to reflect the wording and intent of the language which is in the present WAC. That wording is as follows: "To advertise a not-new vehicle manufactured less than two years prior to the date of the advertisement without designating the vehicle as "used", "demo", or "demonstrator". For purposes of adequate disclosure, the appropriate quoted term must be employed. Other descriptive words, such as "executive", "lease", or "rental", may be used in conjunction therewith, but not so as to create ambiguity as to whether a said vehicle is new, is used, or is a demonstrator; and WAC 308-66-152 (4)(i)(ii), the proposed rule considered at the July hearing contained a sentence at the end of this section which read as follows: "PROVIDED, That a dealer need not designate the number available or identify the vehicles available if, in fact, an unlimited supply of such vehicles are available for immediate delivery;." Concerns which became evident during and subsequent to the hearing relate to general inability to enforce this section. First, there is no such thing as an "unlimited supply" of vehicles available to any dealer. Second, the purpose of this section is ensure that the specific vehicles advertised can be identified, regardless of the quantity. As a result, after consulting with legal, investigative and administrative staff, the last sentence was deleted.

Effective Date of Rule: Thirty-one days after filing.

September 25, 1990

Mary Faulk
Director

AMENDATORY SECTION (Amending Order MV-446, filed 9/16/77)

WAC 308-66-150 (~~(UNLAWFUL)~~) WARRANTY PRACTICES. (~~((1))~~ ~~Examples of unlawful acts or practices, as defined by RCW 46.70.180 (1)(a) shall include but not be limited to representations such as "no down payment," "a dollar down," "five dollars down," "take-over payments," and "no cash needed," and others of similar nature if either secondary financing or initial payment of any amount in excess of that represented is required from the purchaser. A dealer's plan to have all or a portion of the selling price financed by a third party does not relieve him of his obligation to refrain from this prohibited type of advertising.~~

(2) ~~Examples of unlawful acts or practices as defined by RCW 46.70.180 (1)(b), shall include but not be limited to representations such as "one hundred percent financing" if the terms of the purchase involve more than one security agreement and payments to more than one financing institution. When collateral in addition to the vehicle is required, it shall be listed on the security agreement containing the vehicle's description, not on a separate agreement. If a dealer advertises "collateral financing" or that collateral will be required, the dollar value of the required collateral shall be stated in the advertisement.~~

(3) ~~It shall be considered misleading within the meaning of RCW 46.70.180(1) to advertise with words, phrases or initials not easily seen and comprehended by persons other than those closely allied with the vehicle industry, for example, the initials: "o.a.c.," or "c.f." or "f.o.b.," without explaining the meaning thereof within the same advertisement or instrument. The word "reprocessed" shall not be used unless the vehicle has actually been rebuilt in a factory-type process.~~

(4) ~~It shall be considered false or deceptive within the meaning of RCW 46.70.180(1):~~

(a) ~~To advertise a used vehicle for sale that is not available.~~

(b) ~~To advertise a new vehicle as available for immediate delivery if it is available only on order.~~

(c) ~~To sell a particular vehicle at a higher price than advertised:~~

(i) ~~The only addition to the advertised price shall be the selling price of additional equipment ordered by the purchaser, sales tax, and license fees.~~

(ii) ~~"Additional equipment ordered by the purchaser" shall not include options installed on the vehicle at the time of advertising.~~

(iii) ~~"Advertised price" shall not be expressed as a combination of~~

(A) ~~Dollar figures and words, or~~

(B) ~~Dollar figures and dollar figures unless the total dollar figure is expressed.~~

(d) ~~To advertise that "any deal will be accepted" or words to that effect.~~

(e) ~~To cause an advertisement to be placed by a dealer or salesman that does not identify the dealer by his complete business name, or by the word "dealer."~~

(f) ~~For a dealer to incorporate in his name any term or designation which would have a tendency to mislead~~

others as to the true nature of the business, such as the use of "wholesale," when a dealer's business is substantially retail, or "discount," when the price and policy of a dealer does not provide actual discounts.

(g) To advertise a not-new vehicle manufactured less than two years prior to the date of the advertisement without designating the vehicle as "used," "demo," or "demonstrator." For purposes of adequate disclosure, the appropriate quoted term must be employed. Other descriptive words, such as "executive," "lease," "rental," may be used in conjunction therewith, but not so as to create ambiguity as to whether a said vehicle is new, is used, or is a demonstrator.

(h) To advertise a specific price for a model or type of vehicle without:

(i) Designating the number of vehicles available at that price, and

(ii) Clearly identifying the vehicles available by vehicle identification number or license plate number.

PROVIDED, HOWEVER, That a dealer need not designate the number available or identify the vehicles available if, in fact, an unlimited supply of such vehicles are available for immediate delivery.

(5) It shall be considered false, misleading and deceptive for the seller to act or fail to act in violation of any disclosure provision of Title I of the "Federal Consumer Credit Protection Act" [P.L. 90-321, 82 Stat. 146, 15 USC 1601], popularly known as the "Truth in Lending Act," or in violation of the regulations prescribed by the Board of Governors of the Federal Reserve System to carry out the purposes of that title [12 CFR 226], or in violation of chapter 63.14 RCW, "Retail Installment Sales of Goods and Services."

(6) It shall be considered false, deceptive, or misleading within the meaning of RCW 46.70.180(1) to advertise in violation of any of the following provisions:

(a) No advertisement to aid, promote, or assist directly or indirectly any extension of credit may state:

(i) That a specific amount of credit or installment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or installments for that period and in that amount; or

(ii) That no down payment or that a specified down payment will be accepted in connection with any extension of credit unless the creditor usually and customarily accepts or will accept down payment in that amount.

(b) No advertisement to aid, promote, or assist directly or indirectly any credit sale of a vehicle shall state:

(i) The rate of a finance charge unless it states the rate of that charge expressed as an "annual percentage rate," using that term;

(ii) The amount of the down payment required or that no down payment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless it states all of the following items:

(A) The cash price or the amount of the loan, as applicable;

(B) The amount of the down payment required or that no down payment is required, as applicable.

(C) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;

(D) The amount of the finance charge expressed as an annual percentage rate;

(E) The deferred payment price or the sum of the payments, as applicable.

(c) No advertisement for the lease of a vehicle containing an option to purchase in which one of the following is used shall be made unless all of the following are disclosed:

(i) The full term of the lease;

(ii) The amount of each lease payment;

(iii) The number of lease payments;

(iv) The total amount of lease payments; and

(v) The residual balance due at the end of the lease necessary to purchase the vehicle.

(d) No advertisement to aid, promote or assist directly or indirectly in providing financing for a residual balance may be used unless it contains all the items required by (b):

(7)) (1) It shall not be considered unlawful under the provisions of RCW 46.70.180 ((7)) (11)(f) for a vehicle manufacturer to provide under the terms of any warranty that a purchaser of a vehicle must make warranty claims against only the manufacturer of an integral part of a vehicle if the manufacturer of that integral part has assumed a direct warranty obligation thereon to the purchaser and does, in fact, provide facilities or agencies within the states of Washington, Oregon or Idaho to discharge such warranty obligation.

((8)) (2) No manufacturer need make reimbursement under RCW 46.70.101 ((3)) (2)(j) except to dealers selling its product at retail or to the dealers holding units purchased from the manufacturer for resale at retail: PROVIDED, HOWEVER, That if the warranty agreement between the dealer and the manufacturer requires prior approval by the manufacturer, such approval must be given within a reasonable time and in no event later than ten days, except in emergency situations where the life, health, or safety of the occupant or owner requires immediate action.

NEW SECTION

WAC 308-66-152 UNLAWFUL PRACTICES.

(1) Examples of unlawful acts or practices, as defined by RCW 46.70.180 (1)(a), include, but are not limited to representations such as "no down payment," "a dollar down," "five dollars down," "take-over payments," "no cash out of your pocket," "no cash needed," and others of similar nature if either secondary financing or initial payment of any amount, including factory rebates in excess of that represented, is required from the purchaser. A dealer's plan to have all or a portion of the selling price financed by a third party does not relieve the dealer of an obligation to refrain from this prohibited type of advertising. When any of these representations are made a payment disclosure shall be made as contained in subsection (6) of this section.

(2) Examples of unlawful acts or practices as defined by RCW 46.70.180 (1)(b), include, but are not limited

to representations such as "one hundred percent financing" if the terms of the purchase involve more than one security agreement and payments to more than one financing institution. When collateral in addition to the vehicle is required, it shall be listed on the security agreement containing the vehicle's description, not on a separate agreement.

(3) It shall be considered false, deceptive or misleading, and thereby unlawful, to advertise with words, phrases, or initials which are not clear and conspicuous and easily comprehended by persons other than those closely allied with the vehicle industry.

(a) Clear and conspicuous within an advertisement shall mean:

(i) In the case of a television advertisement, the information required to be disclosed shall be completely disclosed audibly, visually, or a combination thereof.

(A) If made visually, shall be made in a type size sufficiently large to be read with reasonable ease; shall appear on the television screen for at least seven seconds; shall be in print type of a color or shade that contrasts readily with the background; shall not be obscured by other words or images appearing on the television screen; and

(B) If made audibly, shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average television listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(ii) In the case of a radio advertisement, the information required to be disclosed shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average radio listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(iii) In the case of a printed advertisement, the information required to be disclosed shall be made in a type size which shall be sufficiently large to be read with reasonable ease and shall be made in relatively close proximity to each of the terms which require that the disclosures be made; disclosures shall be made in such color and contrast so as not to be obscured by other words or pictures appearing in the advertisement.

(b) Examples of words, phrases, or initials which are not easily comprehended by persons other than those closely allied with the vehicle industry, and that may not be used without explaining their meaning in the same advertisement, include but are not limited to: Executive; capitalized cost reduction, o.a.c., c.f., f.o.b. The words annual percentage rate may be abbreviated to read A.P.R. or apr.

(4) Examples of false, deceptive or misleading, and thereby unlawful statements or representations within the meaning of RCW 46.70.180(1) include, but are not limited to:

(a) Advertising a used vehicle for sale that is not available at the time the advertisement is placed;

(b) Advertising a new vehicle as available for immediate delivery if it is available only on order;

(c) Advertising any offer in connection with the sale of a vehicle or model or type of vehicle without disclosing any material limitations, including, but not limited

to, the time limit, or that there is no time limit on the offer;

(d) Advertising using a picture:

(i) Of a new vehicle which does not substantially show the same vehicle offered for sale; or

(ii) Of a used vehicle which is not the same vehicle offered for sale;

(e) Causing an advertisement to be placed by a dealer or dealer representative that does not identify the dealer by his/her complete business name, or by the word "dealer" or abbreviation "DLR";

(f) Incorporating in the dealer's name any term or designation which would have a tendency to mislead others as to the true nature of the business, such as the use of "wholesale," when a dealer's business is substantially retail, or "discount" when the price and policy of a dealer does not provide substantial discounts;

(g) Advertising a not-new vehicle manufactured less than two years prior to the date of the advertisement without designating the vehicle as "used," "demo," or "demonstrator." For purposes of adequate disclosure, the appropriate quoted term must be employed. Other descriptive words, such as "executive," "lease," or "rental" may be used in conjunction therewith, but not so as to create ambiguity as to whether a said vehicle is new, used, or a demonstrator.

(h) Advertising a "rebuilt vehicle" for sale with knowledge as defined in RCW 46.70.101(1)(b)(xi) that the vehicle is rebuilt, without clearly and conspicuously disclosing "rebuilt" in the advertisement;

(i) Advertising a specific price for a specific vehicle or model or type of vehicle without designating the number of vehicles available at that price, and;

(i) Without clearly identifying the vehicles available by complete vehicle identification number, license plate number; or

(ii) Without clearly and conspicuously stating in the advertisement that such vehicle identification or license plate number for each advertised vehicle is available from the dealer upon request, and requiring that the dealer using this method of identifying vehicles keep the media advertising copy along with the vehicle identification number or license plate number of each advertised vehicle offered for a specific price. Such records shall be retained for one year following the advertisement. Dealers shall also date and post a written copy of the advertisement text and list of vehicle identification numbers or license plate numbers in a conspicuous public area at their place of business for the duration of the vehicle's availability at the advertised price;

(j) Selling a particular vehicle at a higher price than advertised, regardless of trade-in allowance;

(k) Adding charges, costs, or items to the advertised price other than the selling price of additional equipment ordered by the purchaser, sales tax, and license fees. "Additional equipment ordered by the purchaser" shall not include options already installed on the vehicle at the time of advertising;

(l) Expressing "advertised price" as a combination of:

(i) Dollar figures and words unless all component figures and the total dollar figure is expressed; or

(ii) Dollar figures and dollar figures unless all component figures and the total dollar figure is expressed;

(m) Advertising that a new vehicle or model or type of vehicle will be sold for a certain amount above or below invoice or cost without:

(i) Disclosing the actual dollar amount being referred to as "invoice";

(ii) Stating the final, total price for each vehicle, which may exclude sales taxes and license fees; and

(iii) Computing invoice as the actual cost to the dealer to get each vehicle from the manufacturer.

In computing "invoice" the dealer may include the actual cost of transportation of the vehicle from the manufacturer to the dealer, but must exclude dealer holdbacks, other manufacturer incentives, optional advertising fees, dealer overhead expenses, and other similar expenses;

(n) Advertising that a new or used vehicle is reduced in price from a former price, or that the advertised price is a percentage of dollar amount savings from a former price, or words to that effect, unless the seller actually recently advertised or has records showing that vehicle has been offered for sale at the former price;

(o) Advertising or offering:

(i) Any rebate that is not an authorized manufacturer's rebate paid directly to the consumer, which the consumer may apply to the purchase; and

(ii) Any manufacturer's rebate for which the manufacturer requires any financial participation by the dealer, without also clearly and conspicuously stating the following disclosure: "Dealer participation in this rebate program may increase vehicle price before rebate";

(p) Advertising that "any written price quote will be beaten," "any deal will be accepted," or that a dollar amount is guaranteed on any "push, pull or drag," trade-in, or words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(q) Advertising a vehicle or model or type of vehicle as being available at "lowest cost," "best deal" or other words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(r) Advertising an interest rate that is adjustable without clearly and conspicuously disclosing that the interest rate is adjustable;

(s) Advertising a vehicle or model or type of vehicle for sale at a financing rate which has been bought down by the dealer, without disclosing the actual annual percentage rate.

(5) No advertisement to aid, promote, or assist directly or indirectly any extension of credit may state:

(a) That a specific amount of credit or installment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or installments for that period and in that amount; or

(b) That no down payment or that a specified down payment will be accepted in connection with any extension of credit unless the creditor usually and customarily accepts or will accept down payment in that amount.

(6) Any advertisement to aid, promote, or assist directly or indirectly any credit sale of a vehicle shall state clearly and conspicuously all of the following items:

(a) The cash price or the amount of the loan as applicable;

(b) The amount or percentage of the down payment required, or that no down payment is required, as applicable;

(c) The number, amount, and frequency of payments scheduled to repay the indebtedness if the credit is extended;

(d) The amount of the finance charge expressed as an annual percentage rate;

(e) The deferred payment price or the sum of the payments as applicable;

(f) The specific model or type of vehicle(s) to which the advertised offer applies; and

(g) Any other conditions material to the advertised offer.

(7) Any advertisement to aid, promote, or assist directly or indirectly a consumer lease with option to purchase must state clearly that the advertisement offers a lease with option to purchase rather than a vehicle sale.

WSR 90-20-087

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed September 28, 1990, 4:05 p.m.]

Continuance of WSR 90-17-155.

Title of Rule: WAC 390-20-110 Forms for lobbyist employer's report.

Purpose: Amend lobbyist employer reporting Form L-3.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: These rules adopt the reporting form for lobbyist employers to report expenditures for lobbying.

Reasons Supporting Proposal: Both the public interest and that of the reporting clientele are served when more reliable information is presented in a simple, direct format.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Olympia, 3-1111.

Name of Proponent: [Public Disclosure Commission], governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rules reorganize the reporting Form L-2, eliminates the reporting of nonessential information and promotes simplified recordkeeping and more accurate reporting.

Proposal Changes the Following Existing Rules: Reorganization of forms and implementation of policy decisions.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, FJ-42, 711 Capitol Way, Olympia, on October 23, 1990, at 9:00 a.m.

Submit Written Comments to: Graham E. Johnson, by October 22, 1990.

Date of Intended Adoption: October 23, 1990.

September 27, 1990

Graham E. Johnson

Executive Director

WSR 90-20-088

PERMANENT RULES

PUBLIC DISCLOSURE COMMISSION

[Filed September 28, 1990, 4:11 p.m.]

Date of Adoption: September 25, 1990.

Purpose: Clarification of statutory language, WAC 390-16-308 and 390-16-310; and amend existing forms for clarity, WAC 390-20-020.

Citation of Existing Rules Affected by this Order: Amending WAC 390-20-020 Forms for lobbyist report of expenditures.

Statutory Authority for Adoption: RCW 42.17.370.

Pursuant to notice filed as WSR 90-17-156 and 90-17-155 on August 22, 1990.

Effective Date of Rule: Thirty-one days after filing.

September 27, 1990

Graham E. Johnson

Executive Director

NEW SECTION

WAC 390-16-308 IDENTIFICATION OF SOURCE OF CONTRIBUTION. To identify the source of a contribution received by check or other written instrument, a candidate or treasurer shall ascertain the source of the contribution or type of business entity and apply the following:

Provided, that in cases where the source of the contribution is known and differs from the guidelines set forth below, the known source of the contribution shall be reported;

Provided further, that contributions made by or through a lobbyist shall identify the true and actual source of the funds for whom the contribution was made.

(1) A contribution drawn upon a single account shall be attributed to the account holder as identified by the name printed on the face of the check or negotiable instrument.

(2) A contribution drawn upon a joint account shall be attributed in equal proportion to each of the account holders as identified by the names printed on the face of the check or negotiable instrument unless the candidate or treasurer is notified in writing that the contribution should be allocated in different proportions.

(3) A contribution made by a sole proprietor or drawn upon the account of a business which is a sole proprietorship shall be attributed to the owner of the business entity.

(4) A contribution drawn upon the account of a partnership shall be attributed to the partnership as a separate entity except that;

Any check drawn upon the partnership account but which is to be paid from the capital account of one or more individual partners shall identify at the time of transmittal to the candidate or treasurer the name(s) of the contributing partner(s) and shall be attributed to the contributing partner(s).

(5) A contribution drawn upon the account of a corporation, union, association or other similar organization shall be attributed to the corporation, union, association or other similar organization as a separate entity except that;

(a) a contribution drawn upon the account of a wholly owned or controlled subsidiary shall identify the name of the parent or controlling corporation and the contribution shall be attributed to the parent or controlling corporation;

(b) a contribution drawn upon the account of a controlled union subdivision shall identify the name of the controlling union and the contribution shall be attributed to the controlling union;

(c) a contribution drawn upon the account of a controlled subdivision of an association or other similar organization shall name the controlling association or other similar organization and the contribution shall be attributed to the controlling association.

(d) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by:

(i) Whether the corporation or organization owns a controlling interest in the voting stock or securities of the subsidiary or subdivision;

(ii) Whether the corporation or organization has the authority or ability to direct or participate in the governance of the subsidiary or subdivision through provisions of constitutions, bylaws, contracts or other rules, or through formal or informal practices or procedures;

(iii) Whether the corporation or organization has the authority or ability to hire, appoint, demote or otherwise control the officers or other decisionmaking employees or members of the subsidiary or subdivision;

(iv) Whether the corporation or organization has common or overlapping membership with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities.

(v) Whether the corporation or organization has common or overlapping officers or employees with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities;

(vi) Whether the corporation or organization provides funds or goods in a significant amount or on an ongoing basis through direct or indirect payments to the subsidiary or subdivision.

(6) Contributions made by political committees established, financed, maintained, or controlled by any corporation, organization, or any other person, including any parent, subsidiary, branch, division, department, or local

unit of such person, shall be considered to have been made by a single political committee.

NEW SECTION

WAC 390-16-310 LIMITATION ON CONTRIBUTIONS. The limitations on contributions as provided in RCW 42.17.105(8) shall be applied as follows:

(1) The limitation on contributions shall apply to a "candidate" as that term is defined in RCW 42.17.020(5) when the candidate is contributing to his or her own campaign using his or her own personal funds.

(2) The limitations on contributions shall apply separately to the contributions made by each spouse.

(3) Minor children (children under 18 years of age) may make contributions which do not exceed the limitations on contributions if the contribution is properly attributed to the minor child and if;

(a) The decision to contribute is made knowingly and voluntarily by the minor child;

(b) The funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as income earned by the child, the proceeds of a trust for which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(c) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual.

(4) Contributions from a business organized as a sole proprietorship and contributions from the owner of the sole proprietorship shall be aggregated for purposes of determining the limitations of contributions under to RCW 42.17.105(8).

(5) The limitations on contributions shall apply separately to the contributions made by a partnership from the contributions made by an individual partner except that;

Contributions made from or charged against the capital account of an individual partner shall be aggregated with the partner's individual contributions for purposes of determining the limitations on contributions under RCW 42.17.105(8).

(6) The limitations on contributions shall apply separately to the contributions made by a corporation, union, association or other similar organization from the contributions made by the subsidiary corporation, or subdivision of the union, association or other similar organization except that;

(a) A contribution from a wholly owned or controlled subsidiary corporation or subdivision of a union, association or other similar organization shall be aggregated with the contributions of the parent or controlling corporation or organization for purposes of determining the limitations on contributions under RCW 42.17.105(8).

(b) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity, if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by the factors set forth in WAC 390-20-300 (i)-(vi).

(7) The limitation on contributions shall apply separately to political committees except that;

Political committees which are established, financed, maintained or controlled by any corporation, organization or any other person, including any parent, subsidiary, branch, division, department, or local unit of such persons shall be aggregated and considered as having been made by a single political committee for purposes of determining the limitations on contributions under RCW 42.17.105(8).

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

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-020 FORMS FOR LOBBYIST REPORT OF EXPENDITURES. The official form for the lobbyist report of expenditures is designated "L-2([±])", revised ((~~11/82~~))9/90. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

13. EXPENDITURES FOR ENTERTAINMENT (INCLUDING LOBBYIST'S EXPENSE) EXCEEDING \$25 PER OCCASION PAID BY LOBBYIST OR EMPLOYER

| DATE | NAMES OF ALL PERSONS ENTERTAINED | PLACE (NAME AND CITY) | SPONSORING EMPLOYER | AMOUNT \$ |
|---------------------------------|----------------------------------|-----------------------|---------------------|--------------|
| () CONTINUED ON ATTACHED PAGES | | | | |

14. CONTRIBUTIONS OF MONEY, LOANS, GIFTS, PROMOTIONAL ITEMS OR OTHER PERSONAL PROPERTY TO OR ON BEHALF OF ANY FEDERAL, STATE OR LOCAL CANDIDATE; ANY ELECTED OFFICIAL, OFFICER OR EMPLOYEE OF ANY STATE OR LOCAL GOVERNMENT AGENCY; OR POLITICAL COMMITTEE IN SUPPORT OF OR OPPOSITION TO ANY BALLOT PROPOSITION OR CANDIDATE. ITEMIZE EACH \$25 OR MORE.

| DATE | NAME OF INDIVIDUAL OR COMMITTEE RECEIVING BENEFIT | EMPLOYER FOR WHOM CONTRIBUTION WAS MADE | AMOUNT \$ |
|---------------------------------|---|---|--------------|
| () CONTINUED ON ATTACHED PAGES | | | |

TOTAL SMALL GIFTS AND PROMOTIONAL ITEMS NOT ITEMIZED (NO RECEIPT OVER \$25 PER YEAR)

IF CONTRIBUTIONS WERE MADE BY A POLITICAL ACTION COMMITTEE ASSOCIATED, AFFILIATED OR SPONSORED BY YOUR EMPLOYER, SHOW NAME OF THE PAC BELOW. (INFORMATION REPORTED BY PAC ON C-4 REPORT NEED NOT BE AGAIN INCLUDED IN THIS L-2 REPORT.)

() CONTINUED ON ATTACHED PAGES PAC NAME: _____

15. SUBJECT MATTER OF PROPOSED LEGISLATION OR OTHER LEGISLATIVE ACTIVITY OR RULEMAKING THE LOBBYIST WAS SUPPORTING OR OPPOSING.

| SUBJECT MATTER OR ISSUE | LEGISLATIVE COMMITTEE OR STATE AGENCY CONSIDERING MATTER |
|---------------------------------|--|
| () CONTINUED ON ATTACHED PAGES | |

IF YOU HAVE LOBBIED BOTH THE LEGISLATURE AND STATE AGENCIES, ESTIMATE THE PERCENTAGE OF YOUR TIME OR LOBBYING EFFORT DEVOTED TO EACH:

LEGISLATURE _____% STATE AGENCIES _____%

LOBBYIST REPORTING INSTRUCTIONS

WHO MUST REPORT

Any person registered as a lobbyist under RCW 42.17.150

WHAT TO REPORT

See RCW 42.17 and PDC instruction booklet for detailed reporting requirements.

WHEN TO REPORT

1. Reports are due within 15 days after the end of each calendar month whether or not there have been expenditures, so long as you remain registered as a lobbyist.
2. Reports postmarked later than the 15th may subject you to penalties prescribed by law.

WHERE TO REPORT

Public Disclosure Commission, 403 Evergreen Plaza Building, Olympia, Washington 98504.

Questions about reporting should be addressed to:
PUBLIC DISCLOSURE COMMISSION

403 EVERGREEN PLAZA
OLYMPIA, WASHINGTON
98504 206-753-1111

RCW 42.17.230 Duties of lobbyists. A person required to register as a lobbyist under this chapter shall also have the following obligations, the violation of which shall constitute cause for revocation of his registration, and may subject such person and such person's employer, if such employer aids, abets, ratifies or confirms any such act, to other civil liabilities, as provided by this chapter.

(1) Such persons shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the financial reports required to be made under this chapter for a period of at least five years from the date of the filing of the statement containing such items, which accounts, bills, receipts, books, papers and documents shall be made available for inspection by the commission at any time. Provided, That if a lobbyist is required under the terms of his employment contract to turn any records over to his employer, responsibility for the preservation of such records under this subsection shall rest with such employer.

(2) In addition, a person required to register as a lobbyist shall not:

- (a) Engage in any activity as a lobbyist before registering as such;
- (b) Knowingly deceive or attempt to deceive any legislator as to any fact pertaining to any pending or proposed legislation.
- (c) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its defeat;
- (d) Knowingly represent an interest adverse to any of his employers without first obtaining such employer's written consent thereto after full disclosure to such employer of such adverse interest.
- (e) Exercise any undue influence, extortion, or unlawful retaliation upon any legislator by reason of such legislator's position with respect to, or his vote upon, any pending or proposed legislation.

STATE OF WASHINGTON

LOBBYIST MONTHLY EXPENSE REPORT

| | | |
|-----------|----------------|--------------------|
| L2 | PDC OFFICE USE | PM DATE |
| | | REC'D DATE |
| | | BUSINESS TELEPHONE |

1. LOBBYIST NAME _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

2. THIS REPORT IS FOR THE PERIOD _____ (MONTH) _____ (YEAR) OR THIS REPORT CORRECTS OR AMENDS THE REPORT FOR _____ (MONTH) _____ (YEAR)

| ALL COMPLETE THIS PART | | COMPLETE IF YOU HAVE MORE THAN ONE EMPLOYER | | | |
|--|-------------------------|---|------------|------------|--|
| EXPENDITURES BY OR ON BEHALF OF LOBBYIST FOR LOBBYING | | AMOUNT PAID ON BEHALF OF OR ATTRIBUTED TO EACH EMPLOYER | | | |
| CATEGORY OF EXPENSE | TOTAL AMOUNT THIS MONTH | EMPLOYER 1 | EMPLOYER 2 | EMPLOYER 3 | Amount Not Attributed to a Specific Employer |
| 3. PERSONAL EXPENSES (For Lobbying) | | | | | |
| a. FOOD AND REFRESHMENTS (not included in #5 below) | | | | | |
| b. TRAVEL FOR SELF | | | | | |
| c. Subtotal Personal expenses | | | | | |
| 4. ADVERTISING, PRINTING, INFORMATIONAL LITERATURE | | | | | |
| 5. ENTERTAINMENT (Incl. food/refreshment. Itemize on reverse) | | | | | |
| 6. TRAVEL AND LODGING FOR OTHERS (Attach list showing name of persons) | | | | | |
| 7. CONTRIBUTIONS, GIFTS, LOANS (Itemize on reverse) | | | | | |
| 8. OTHER EXPENSES OR SERVICES | | | | | |
| 9. COMPENSATION FOR LOBBYING (Salary, wages, retainer) | | | | | |
| 10. TOTAL EXPENSES AND COMPENSATION THIS MONTH | * | * | * | * | * |

BE SURE TO CHECK ADDITION * THE TOTAL ATTRIBUTED TO EACH EMPLOYER PLUS THE AMOUNT WHICH CANNOT BE ATTRIBUTED TO A SPECIFIC EMPLOYER SHOULD EQUAL TOTAL EXPENSES AND COMPENSATION THIS MONTH

EMPLOYERS' NAMES

NO. 1 _____

NO. 2 _____

NO. 3 _____

11. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION AS A LOBBYIST FOR THE FOLLOWING EMPLOYERS):

I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new L-1 report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

REMARKS OR EXPLANATION OF INFORMATION IN THIS REPORT

CERTIFICATION

12. I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified.

LOBBYIST'S SIGNATURE _____ DATE _____

(ATTACH ADDITIONAL PAGE(S) IF YOU LOBBY FOR MORE THAN THREE EMPLOYERS)



POLITICAL DISCLOSURE COMMISSION
403 EVERGREEN PLAZA, FJ-42
OLYMPIA, WASHINGTON 98504-3342
Telephone (206) 753-1111

Form
L2
1/91

PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist name. _____
 Mailing address. _____
 City. _____ State. _____ ZIP _____

2. This report is for the period _____ (Month) _____ (Year) This report corrects or amends the report for _____ (Month) _____ (Year) Business telephone. ()

| ALL COMPLETE THIS PART | | COMPLETE IF YOU HAVE MORE THAN ONE EMPLOYER | | | |
|---|--|--|--------------------------------|--------------------------------|--------------------------------|
| Include all expenditures by lobbyist and lobbyist's employer for or on behalf of the lobbyist incurred during the reporting period. | | Amount attributed to each employer. | | | |
| EXPENSE CATEGORY | TOTAL AMOUNT THIS MONTH All employers plus own expense (Columns a + b + c + d and attached pages) | Amounts paid from lobbyist's own funds, not reimbursed or attributed to an employer. Column A | Employer No. _____ Column B | Employer No. _____ Column C | Employer No. _____ Column D |
| 3. COMPENSATION earned from employer for lobbying this period (salary, wages, retainer) | | X | | | |
| 4. PERSONAL EXPENSES for travel, food and refreshments | | | | | |
| 5. ENTERTAINMENT, GIFTS, TRAVEL for legislators, state officials, their families (Itemize on reverse--#13) | | | | | |
| 6. CONTRIBUTIONS to elected officials, candidates and political committees (Itemize on reverse--#14) | | | | | |
| 7. ADVERTISING, PRINTING, INFORMATIONAL LITERATURE | | | | | |
| 8. OTHER EXPENSES AND SERVICES (Itemize on reverse--#15) | | | | | |
| 9. TOTAL COMPENSATION AND EXPENSES INCURRED THIS MONTH | | | | | |

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
 No. (B) _____
 No. (C) _____
 No. (D) _____

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
 Subject Matter, Issue or Bill No. _____ Legislative Committee or State Agency Considering Matter _____ Employer Represented _____

INFORMATION CONTINUED ON ATTACHED PAGES

Estimate the percentage of your time or lobbying effort devoted to: the Legislature _____% State Agencies _____%.

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
 Date registration ends: _____ Employer's name: _____
 I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION

I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified.
 LOBBYIST'S SIGNATURE _____ DATE _____

13. Expenditures for entertainment (including lobbyist's expense exceeding \$25 per occasion paid by lobbyist or employer) and for gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses costing over \$25) provided to legislators, state officials, state employees and members of their immediate families.

| Date. | Names of all persons entertained or provided gifts | Place (name and city). | Sponsoring employer. | Amount. |
|-------|--|------------------------|----------------------|---------|
| | | | | |

Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

| Date. | Name of individual or committee receiving benefit. | Employer for whom contribution was made. | Amount. |
|-------|--|--|---------|
| | | | |

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC name: _____

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printings costs listed in Item 7).

| Recipient's name and address | Employer for whom expense was incurred or lobbying done. Briefly describe purpose of expense. | Amount. |
|------------------------------|---|---------|
| | | |

Continued on attached page.

WSR 90-20-089
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed October 1, 1990, 10:55 a.m.]

Original Notice.

Title of Rule: Special fuel tax rule amendment to WAC 308-77-250 Power take-off use.

Purpose: To implement section 1, chapter 185, Laws of 1990.

Statutory Authority for Adoption: RCW 82.38.260.

Statute Being Implemented: Chapter 185, Laws of 1990.

Summary: Amends the existing rule to include pumping of milk by power take-off units as subject to fuel tax exemption.

Reasons Supporting Proposal: To reflect the exemption recently granted by chapter 185, Laws of 1990.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ildefonso L. Origenes, 2nd Floor, Highways-Licenses Building, Olympia, Washington, (206) 753-6860.

Name of Proponent: Fuel Tax Section, Vehicle Services, Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The pumping of milk by a power take-off unit is merely added to the existing rule as also subject to the exemptions from fuel tax to conform with the recently enacted bill.

Proposal Changes the Following Existing Rules: Only to the extent that an additional exemption is added to the existing rule to conform with statute.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: 2nd Floor Conference Room, Highways-Licenses Building, Olympia, Washington 98504, on November 9, 1990, at 10:30 a.m.

Submit Written Comments to: Fuel Tax Section, P.O. Box 9228, Olympia, WA 98504, by November 8, 1990.

Date of Intended Adoption: November 13, 1990.

October 1, 1990
 Merle M. Steffenson
 Administrator

AMENDATORY SECTION (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-250 POWER TAKE-OFF USE. (1) Tax refund may be claimed for special fuel purchased inclusive of tax which is used in a motor vehicle equipped with a power take-off unit to operate auxiliary equipment provided the fuel used for the power take-off operation is supplied from a tank which is not connected with a tank supplying fuel to propel the vehicle on the highway, or the fuel used to operate auxiliary equipment by the power take-off is accurately measured by metering device that has been specifically approved by the department, and in certain motor vehicles, when established by the following formula:

(a) For special fuel used in pumping propane, or fuel or heating oils, or milk picked up from a farm or dairy storage tank by a power take-

off unit on a delivery truck, at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered or milk picked up. Pumping of gasoline, or other refined petroleum products or any other product, is a taxable use and does not qualify for a refund. Propane and fuel oil delivery truck operators must maintain records which show the total gallons of propane, or fuel or heating oils pumped by each vehicle for which refund or credit is claimed together with supporting meter readings.

(b) For special fuel used in operating a power take-off unit on a cement mixer truck or a load compactor on a garbage truck at the rate of twenty-five percent of the total gallons of fuel used in each truck. Garbage trucks with power take-off units which operate a dump box, hoist or other type of lift do not qualify for a refund. Cement mixer truck and garbage truck operators must maintain records which show the total gallons of fuel used and the total miles traveled for each vehicle.

(2) Deductions may be claimed on the user's tax report for the gallons of special fuel exempt from tax as provided in subsections (1)(a) and (b) of this section.

(3) All claims must be accompanied by purchase invoices to cover the total gallons of special fuel purchased, except that invoices for special fuel used in propane or fuel oil delivery trucks or when measured by a metering device need only be equal to or greater than the gallons claimed as refundable.

(4) A schedule of vehicle operations shall support each claim for refund.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 90-20-090
PERMANENT RULES
STATE BOARD OF EDUCATION
 [Filed October 1, 1990, 10:59 a.m.]

Date of Adoption: September 28, 1990.

Purpose: To repeal WAC 180-86-115 in order to comply with the Washington State Supreme Court's *Cowles v. Brouillet* decision.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-86-115.

Statutory Authority for Adoption: RCW 28A.70.005.

Pursuant to notice filed as WSR 90-17-151 on August 22, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 1, 1990
 Monica Schmidt
 Executive Director
 Secretary

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-86-115 INVESTIGATORY FILES—ESTABLISHMENT, SECURITY, DISCLOSURE, RETENTION, AND DESTRUCTION.

WSR 90-20-091
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Order 90-14—Filed October 1, 1990, 4:45 p.m., effective November 15, 1990]

Date of Adoption: October 1, 1990.

Purpose: Chapter 296-24 WAC, General safety and health standards, new sections to Part A-4, Safety procedures; WAC 296-24-110 through 296-24-119, are federal-initiated changes to be "at-least-as-effective-as" the federal final rule published in Federal Register Volume 54, Number 169, dated September 1, 1989. These new standards detail safety requirements for the control of hazardous energy and address practices and procedures that are necessary to disable machinery or equipment and prevent the release of potentially hazardous energy while maintenance and service activities are performed; and chapter 296-62 WAC, General occupational health standards, amendments to Part P, Hazardous waste and emergency response, are federal-initiated changes to remain "at-least-as-effective-as" the federal final rule published in Federal Register Volume 55, Number 72, dated April 13, 1990. These amendments were made to remove, correct or clarify typographical errors, incorrect citations, and certain ambiguities which could prove to be misleading. Additional amendments to WAC 296-62-300, 296-62-3020, 296-62-3040, 296-62-3050, 296-62-3110 and 296-62-3112, are state-initiated changes to correct references, relocate subsections and incorporate WISHA Regional Directive 90-3 into the standards. New section WAC 296-62-07354 is a state-initiated change to include nonmandatory appendices to WAC 296-62-07347, Inorganic arsenic. The changes are for the convenience of the stakeholder and ensure the information in the appendices is readily available and accessible.

Citation of Existing Rules Affected by this Order: WAC 296-62-300, 296-62-3020, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3110, 296-62-3112, 296-62-3140, 296-62-3160, 296-62-3170, 296-62-3180, and 296-62-3190.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Pursuant to notice filed as WSR 90-15-065 on July 18, 1990.

Changes Other than Editing from Proposed to Adopted Version: Chapter 296-62 WAC, General occupational health standards, as a result of written correspondence received from OSHA, chapter 296-62 WAC, Part P relating to hazardous waste and emergency response, the following changes have been made: The words "positive pressure" and "supplied-air respirator" are added in WAC 296-62-3160 (2)(c) and (e)(ii). The addition of this material does not change compliance requirements. Existing narrative in WAC 296-62-3110 (4) and (5) have been relocated and renumbered to WAC 296-62-3140 (7) and (8). The training covered by these two subsections is training required for certain operations conducted under Resource Conservation and Recovery

Act operations and not general training required for all hazardous waste operations and emergency response.

Effective Date of Rule: November 15, 1990.

October 1, 1990

Joseph A. Dear

Director

PART A-4

SAFETY PROCEDURES

NEW SECTION

WAC 296-24-110 THE CONTROL OF HAZARDOUS ENERGY (LOCKOUT/TAGOUT).

NEW SECTION

WAC 296-24-11001 SCOPE, APPLICATION, AND PURPOSE. (1) Scope. This standard covers the operation, servicing and maintenance of all machines, equipment and systems in which the start up, or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

(2) Application.

(a) This standard applies to the control of energy during servicing and/or maintenance of machines and equipment and systems.

(b) Normal production operations are not covered by this standard where no personnel exposure exists. Servicing and/or maintenance which takes place during normal production operations is covered by this standard when:

(i) An employee is required to remove or bypass a guard or other safety device; or

(ii) An employee is required to place any part of his or her body into an area on a machine or piece of equipment where work is actually performed upon the material being processed (point of operation) or where an associated danger zone exists during a machine operating cycle. Exception: Minor tool changes and adjustments, and other minor servicing activities, which take place during normal production operations, are not covered by this standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternative measures which provide effective protection and/or personnel exposure does not exist. See Appendix B for running adjustment procedures.

(c) This standard does not apply to the following:

(i) When the vertical standard in Title 296 WAC for an industry requires a lockout or tagout control program, the vertical standard shall be used.

(ii) Work on cord and plug connected electric equipment when exposure to the hazards of unexpected energization or start up of the equipment is controlled by the unplugging of the equipment from the energy source and by the plug being under the exclusive control of the employee performing the servicing or maintenance.

(iii) Hot tap operations involving transmission and distribution systems for substances such as gas, steam, water, or petroleum products when they are performed

on pressurized pipelines, provided that the employer demonstrates that:

- (A) Continuity of service is essential; and
- (B) Shutdown of the system is impractical; and
- (C) Documented procedures are followed, and special equipment is used which will provide proven effective protection for employees; and
- (D) The employees involved are specifically trained and qualified on the equipment and procedures to be used.

(3) Purpose. This section requires employers to establish a written lockout/tagout program, train affected employees and ensure that adequate procedures are used for affixing appropriate lockout devices or tagout devices to energy isolating devices, and to otherwise disable machines, equipment or systems to prevent unexpected energization, start-up, or release of stored energy in order to prevent injury to employees.

NEW SECTION

WAC 296-24-11003 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Affected employee. Any person whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him/her to be in an area potentially influenced by the servicing or maintenance being performed.

(2) Authorized/designated individual shall mean an individual who is qualified by reason of training and to whom the authority and responsibility to perform a specific assignment has been given by the owner/management.

(3) Authorized employer representative shall mean an individual who is specifically qualified by reason of training and to whom owner/management has designated authority and responsibility for a specific assignment.

(4) Capable of being locked out. An energy isolating device will be considered to be capable of being locked out either if it is designed with a hasp or other attachment or integral part to which, or through which, a lock can be affixed, or if it has a locking mechanism built into it. Other energy isolating devices will also be considered to be capable of being locked out, if lockout can be achieved without the need to dismantle, rebuild, or replace the energy isolating device or permanently alter its energy control capability.

(5) Energized. Connected to an energy source or containing residual or stored energy.

(6) Energy isolating device. A mechanical device that physically prevents the transmission or release of energy, including but not limited to the following: A manually operated electrical circuit breaker; a disconnect switch; a manually operated switch by which the conductors of a circuit can be disconnected from all ungrounded supply conductors and, in addition, no pole can be operated independently; a slide gate; a slip blind; a line valve; a block; and any similar device used to block or isolate energy. The term does not include a push button, selector switch, remote control switches, automatic circuit activating devices, and other control circuit type devices.

(7) Energy source. Any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal or other energy, including gravity.

(8) Hot tap. A procedure used in the repair, maintenance, and services activities on a piece of equipment (pipelines, vessels, or tanks) under pressure, in order to install connections or appurtenances. It is commonly used to replace or add sections of pipeline without the interruption of service for air, gas, water, steam, and petrochemical distribution systems.

(9) Lockout. The placement of a lockout device on an energy isolating device, in accordance with an established procedure, ensuring that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

(10) Lockout device. A device that utilizes a lock, either key or combination type, to hold an energy isolating device in the safe position.

(11) Normal production operations. The utilization of a machine or equipment to perform its intended production function.

(12) Servicing and/or maintenance. Workplace activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment. These activities include lubrication, cleaning, or unjamming of machines or equipment and making adjustments or tool changes, where the employee may be exposed to the unexpected energization or startup of the equipment or release of hazardous energy.

(13) Setting up. Any work performed to prepare a machine or equipment to perform its normal production operation.

(14) Tagout. The placement of a tagout device on an energy isolating device, in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed.

(15) Tagout device. A prominent warning device, such as a tag and a means of attachment, which can be securely fastened to an energy isolating device in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed in accordance with approved company procedures.

NEW SECTION

WAC 296-24-11005 GENERAL REQUIREMENTS. Energy control program.

(1) The employer shall establish a written program consisting of an energy control procedure and employee training to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, start up, or release of stored energy could occur and cause injury, the machine, equipment, system, or process shall be isolated, and rendered inoperative, in accordance with this Part A-4.

(2) Lockout/tagout.

(a) If an energy isolating device is not capable of being locked out, the employer's energy control program shall utilize a tagout system.

(b) If an energy isolating device is capable of being locked out, the employer's energy control program shall utilize lockout unless the employer can demonstrate that the utilization of a tagout system will provide full employee protection as set forth in subsection (3) of this section.

(c) After the effective date of this section, whenever major replacement, repair, renovation, relocation, or modification of machines or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment shall be designed to accept a lockout device.

(3) Full employee protection.

(a) When a tagout device is used on an energy isolating device which is capable of being locked out, the tagout device shall be attached at the same location that the lockout device would have been attached, and the employer shall demonstrate that the tagout program will provide a level of safety equivalent to that obtained by using a lockout program.

(b) In demonstrating that a level of safety is achieved in the tagout program which is equivalent to the level of safety obtained by using a lockout program, the employer shall demonstrate full compliance with all tagout-related provisions of this standard together with such additional elements as are necessary to provide the equivalent safety available from the use of a lockout device.

NEW SECTION

WAC 296-24-11007 ENERGY CONTROL PROCEDURE. (1) Procedures shall be developed, documented, and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section. Exception: The employer need not document the required procedure for a particular machine or equipment when all of the following elements exist:

(a) The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees;

(b) The machine or equipment has a single energy source which can be readily identified and isolated;

(c) The isolation and locking out of that energy source will completely deenergize and deactivate the machine or equipment;

(d) The machine or equipment is isolated from that energy source and locked out during servicing or maintenance;

(e) A single lockout device will achieve a locked-out condition;

(f) The lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance;

(g) The servicing or maintenance does not create hazards for other employees.

(2) The written procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous

energy, and the means to enforce compliance including, but not limited to, the following:

(a) A specific statement of the intended use of the procedure;

(b) Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;

(c) Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and

(d) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

NEW SECTION

WAC 296-24-11009 PROTECTIVE MATERIALS AND HARDWARE. (1) Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware shall be provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources.

(2) Lockout devices and tagout devices shall be singularly identified; shall be the only device(s) used for controlling energy; shall not be used for other purposes; and shall meet the following requirements:

(a) Durable.

(i) Lockout devices and tagout devices, including the attachment means, shall be capable of withstanding the environment to which they are exposed for the maximum period of time that exposure is expected.

(ii) Tagout devices shall be constructed and printed so that exposure to weather conditions or wet and damp locations will not cause the message on the tag to become illegible.

(iii) Tags shall not deteriorate when used in corrosive environments such as areas where acid and alkali chemicals are handled and stored.

(b) Standardized. Lockout and tagout devices shall be standardized within the facility in at least one of the following criteria: Color; shape; or size; and additionally, in the case of tagout devices, print and format shall be standardized.

(i) Employers should be guided by WAC 296-24-140, Specifications for accident prevention signs and tags, when designing/selecting the content and format of tagout devices.

(c) Substantial.

(i) Lockout devices. Lockout devices shall be substantial enough to prevent removal without the use of excessive force or unusual techniques, such as with the use of bolt cutters or other metal cutting tools.

(ii) Tagout devices. Tagout devices, including their means of attachment, shall be substantial enough to prevent inadvertent or accidental removal. Tagout device attachment means shall be of a nonreusable type, attachable by hand, self-locking, and nonreleasable with a minimum unlocking strength of no less than 50 pounds and having the general design and basic characteristics of being at least equivalent to a one-piece, all-environment-tolerant nylon cable tie.

(d) Identifiable. Lockout devices and tagout devices shall indicate the identity of the employee applying the device(s).

(3) Tagout devices shall warn against hazardous conditions if the machine or equipment is energized and shall include a legend such as the following: Do not start, do not open, do not close, do not energize, do not operate.

NEW SECTION

WAC 296-24-11011 PERIODIC INSPECTION.
(1) The employer shall conduct a periodic inspection of the energy control procedure(s) at least annually to ensure that the procedure and the requirements of this standard are being followed.

(a) The periodic inspection shall be performed by an authorized employee other than the one(s) utilizing the energy control procedure being inspected.

(b) The periodic inspection shall be designed to correct any deviations or inadequacies observed.

(c) Where lockout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.

(d) Where tagout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized and affected employee, of that employee's responsibilities under the energy control procedure being inspected, and the elements set forth in WAC 296-24-11013.

(2) The employer shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment on which the energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

NEW SECTION

WAC 296-24-11013 TRAINING AND COMMUNICATION. (1) The employer shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of energy controls are required by employees. The training shall include the following:

(a) Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

(b) Each affected employee shall be instructed in the purpose and use of the energy control procedure.

(c) All other employees whose work operations are or may be in an area where energy control procedures may be utilized, shall be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked out or tagged out.

(2) When tagout systems are used, employees shall also be trained in the following limitations of tags:

(a) Tags are essentially warning devices affixed to energy isolating devices, and do not provide the physical restraint on those devices that is provided by a lock.

(b) When a tag is attached to an energy isolating means, it is not to be removed without authorization of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise defeated.

(c) Tags must be legible and understandable by all authorized employees, affected employees, and all other employees whose work operations are or may be in the area, in order to be effective.

(d) Tags and their means of attachment must be made of materials which will withstand the environmental conditions encountered in the workplace.

(e) Tags may evoke a false sense of security, and their meaning needs to be understood as part of the overall energy control program.

(f) Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use.

(3) Employee retraining.

(a) Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

(b) Additional retraining shall also be conducted whenever a periodic inspection reveals, or whenever the employer has reason to believe, that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.

(c) The retraining shall reestablish employee proficiency and introduce new or revised control methods and procedures, as necessary.

(4) The employer shall certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name and dates of training.

NEW SECTION

WAC 296-24-11015 SPECIFIC PROCEDURES.

(1) Energy isolation. Implementation of lockout or the tagout system shall be performed only by authorized/designated employees.

(2) Notification of employees. Affected employees shall be notified by the authorized employer representative of the application and removal of lockout devices or tagout devices. Notification shall be given before the controls are applied, and after they are removed from the machine or equipment.

(3) Application of control. The established procedure for the application of energy control (implementation of lockout or tagout system procedures) shall cover the following elements and actions and shall be done in the following sequence:

(a) Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee shall have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.

(b) Machine or equipment shutdown. The machine or equipment shall be turned off or shut down using the procedures required by this standard. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of equipment deenergization.

(c) Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).

(4) Lockout or tagout device application.

(a) Lockout or tagout devices shall be affixed to each energy isolating device by authorized employees.

(b) Lockout devices, where used, shall be affixed in a manner to that will hold the energy isolating devices in a "safe" or "off" position.

(c) An information tag shall be attached to each lockout point. This tag shall comply with all minimum requirements for tagout devices, see WAC 296-24-11009.

(d) Tagout devices, where used, shall be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited.

(i) Where tagout devices are used with energy isolating devices designed with the capability of being locked but where padlocking is infeasible, the tag attachment shall be fastened at the same point at which the lock would have been attached. Note: See WAC 296-24-11005.

(ii) Where a tag cannot be affixed directly to the energy isolating device, the tag shall be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.

(5) Stored energy.

(a) Following the application of lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy shall be relieved, disconnected, restrained, blocked, and otherwise rendered safe.

(b) If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation shall be continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.

(6) Verification of isolation. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee shall verify that isolation and deenergization of the machine or equipment have been accomplished.

(7) Release from lockout or tagout. Before lockout or tagout devices are removed and energy is restored to the machine or equipment, procedures shall be followed and actions taken by the authorized employee(s) to ensure the following:

(a) The machine or equipment. The work area shall be inspected to ensure that nonessential items have been removed and to ensure that machine or equipment components and guards are operationally intact.

(b) Employees.

(i) The authorized employee representative shall ensure that the work area is checked to assure that all employees are safely positioned or removed.

(ii) Before lockout or tagout devices are removed and before machines or equipment are energized, affected employees shall be notified that the lockout or tagout devices have been removed.

(c) Lockout or tagout devices removal. Each lockout or tagout device shall be removed from each energy isolating device by the employee who applied the device. Exception: When the authorized employee who applied the lockout or tagout device is not available to remove it, that device may be removed under the direction of the employer, provided that specific procedures and training for such removal have been developed, documented, and incorporated into the employer's energy control program. The employer shall demonstrate that the specific procedure provides equivalent safety to the removal of the device by the authorized employee who applied it. The specific procedure shall include at least the following elements:

(i) Verification by the employer that the authorized employee who applied the device is not at the facility;

(ii) Making all reasonable efforts to contact the authorized employee to inform him/her that his/her lockout or tagout device has been removed; and

(iii) Ensuring that the authorized employee has this knowledge before he/she resumes work at that facility.

NEW SECTION

WAC 296-24-11017 ADDITIONAL REQUIREMENTS. (1) Testing or positioning of machines, equipment, or components thereof.

In situations in which lockout or tagout devices must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine, equipment or component thereof, the following sequence of actions shall be followed:

(a) Clear the machine or equipment of tools and materials in accordance with WAC 296-24-11015;

(b) Remove employees from the machine or equipment area in accordance with WAC 296-24-11015;

(c) Remove the lockout or tagout devices as specified in WAC 296-24-11917;

(d) Energize and proceed with testing or positioning;

(e) Deenergize all systems and reapply energy control measures in accordance with this Part A-4 to continue the servicing and/or maintenance.

(2) Outside personnel (contractors, etc.).

(a) Whenever outside servicing personnel are to be engaged in activities covered by the scope and application of this standard, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

(b) The outside employer shall assure that all outside personnel shall comply with all requirements of the on-site employer's lockout/tagout control program.

(c) Deviations from the on-site employer's control program are not permissible without specific prior approval.

(3) Group lockout or tagout.

(a) When servicing and/or maintenance is performed by a crew, craft, department or other group, they shall utilize a procedure which affords the employees a level of protection equivalent to that provided by the implementation of a personal lockout or tagout device.

(b) Group lockout or tagout devices shall be used in accordance with the procedures required by this section including, but not necessarily limited to, the following specific requirements:

(i) Primary responsibility is vested in an authorized employee for all employees working under the protection of a group lockout or tagout device (such as an operations lock); and

(ii) Provision for the authorized employee to ascertain the exposure status of individual group members with regard to the lockout or tagout of the machine or equipment; and

(iii) When more than one crew, craft, department, etc., is involved, job-associated lockout or tagout control responsibility shall be assigned to an authorized employee designated to coordinate affected work forces and ensure continuity of protection; and

(iv) Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained.

(4) Shift or personnel changes. Specific procedures shall be utilized during shift or personnel changes to ensure the continuity of lockout or tagout protection, including provision for the orderly transfer of lockout or tagout devices between off-going and oncoming employees, to minimize exposure to hazards from the unexpected energization, start-up of the machine or equipment, or release of stored energy.

NEW SECTION

WAC 296-24-119 APPENDICES.

APPENDIX A

Appendix A is a nonmandatory appendix intended as an illustrative example to assist employers in setting up the company's individual minimum deactivating and control program. Nothing in this appendix is intended to either add or detract from any requirements of this Part A-4.

(1) General.

(a) Lockout is the preferred method of isolating machines or equipment from energy sources. To assist employers in developing a procedure which meets the requirements of the standard, however, the following simple procedure is provided for use in both lockout or tagout programs. This procedure may be used when there are limited number or types of machines or equipment or there is a single power source. For more complex systems, a more comprehensive procedure will need to be developed, documented, and utilized.

Lockout (or Tagout) Procedure for (Name of Company).

(2) Purpose.

(a) This procedure establishes the minimum requirements for the lockout or tagout of energy isolating devices. It shall be used to ensure that the machine or equipment are isolated from all potentially hazardous energy, and locked out or tagged out before employees perform any servicing or maintenance activities where the unexpected energization, start-up or release of stored energy could cause injury (Type(s) and Magnitude(s) of Energy and Hazards).

(3) Responsibility.

(a) Appropriate employees shall be instructed in the safety significance of the lockout (or tagout) procedure (Name(s)/Job Title(s) of employees authorized to lockout or tagout). Each new or transferred affected employee and other employees whose work operations are or may be in the area shall be instructed in the purpose and use of the lockout or tagout procedure (Name(s)/Job Title(s) of affected employees and how to notify).

(4) Preparation for Lockout or Tagout.

(a) Make a survey to locate and identify all isolating devices to be certain which switch(s), valve(s) or other energy isolating devices apply to the equipment to be locked or tagged out. More than one energy source (electrical, mechanical, or others) may be involved. (Type(s) and Location(s) of energy isolating means).

(5) Sequence of Lockout or Tagout System Procedure.

(a) Notify all affected employees that a lockout or tagout system is going to be utilized and the reason therefor. The authorized employee shall know the type and magnitude of energy that the machine or equipment utilizes and shall understand the hazards thereof.

(b) If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open toggle switch, etc.)

(c) Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy (such as that in springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc. (Type(s) of Stored Energy—methods to dissipate or restrain).

(d) Lockout and/or tagout the energy isolating devices with assigned individual lock(s) or tag(s) (Method(s) Selected; i.e., locks tags, additional safety measures, etc.)

(e) After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, operate the push button or other normal operating controls to make certain the equipment will not operate (Type(s) of Equipment checked to ensure disconnections).

CAUTION: Return operating control(s) to "neutral" or "off" position after the test.

(f) The equipment is now locked out or tagged out.

(6) Restoring Machines or Equipment to Normal Production Operations.

(a) After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.

(b) After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices. Operate the energy isolating devices to restore energy to the machine or equipment.

(7) Procedure Involving More Than One Person.

(a) In the preceding steps, if more than one individual is required to lockout or tagout equipment, each shall place his/her own personal lockout device or tagout device on the energy isolating device(s). When an energy isolating device cannot accept multiple locks or tags, a multiple lockout or tagout device (hasp) may be used. If lockout is used, a single lock may be used to lockout box or cabinet which allows the use of multiple locks to secure it. Each employee will then use his/her own lock to secure the box or cabinet. As each person no longer needs to maintain his or her lockout protection, that person will remove his/her lock from the box or cabinet (Name(s)/Job Title(s) of employees authorized for group lockout or tagout).

(8) Basic Rules for Using Lockout or Tagout System Procedure.

(a) All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating device when it is locked or tagged out.

LOCKOUT (OR TAGOUT) PROCEDURE

Entry No. (Description)

1. Name of Company
2. Type(s) and Magnitude(s) of energy and hazards
3. Names(s)/Job Title(s) of employees authorized to lockout or tagout
4. Name(s)/Job Title(s) of affected employees and how to notify
5. Type(s) and Location of energy isolating means
6. Type(s) of Stored Energy—method to dissipate or restrain
7. Method(s) Selected i.e., locks, tags, additional safety measures, etc.
8. Type(s) of Equipment checked to ensure disconnections
9. Name(s)/Job Title(s) of employees authorized for group lockout or tagout

APPENDIX B

RUNNING ADJUSTMENT PROCEDURES – NONMANDATORY APPENDIX

(1) Running Adjustment Procedures are intended to be limited to applications which require energizing the equipment in order to complete a task which cannot be accomplished while the equipment is locked out. Typical examples could include:

- (a) A machine which must be in motion to make final adjustments of moving elements;
- (b) A machine which must be in motion to remove production materials;
- (c) A machine which must be in motion to "thread on" new carrier ropes, belts or clothing elements;
- (d) An electrical circuit which must be energized to test for continuity;

(e) A pipeline system which must be filled for testing or inspection purposes.

(2) When standard lockout procedures cannot be used to accomplish the necessary task, the following procedures shall be used to minimize the possibility of personnel exposure:

(a) The operating control(s) shall only be operated by a qualified operator/craftsman;

(b) The qualified operator/craftsman shall attend the control(s) at all times when the controls are not locked out;

(c) The equipment shall be operated at the slowest speed possible consistent with the task to be performed;

(d) All personnel shall remain in view of the person operating the controls or other means of communication shall be established;

(e) Extension tools which minimize personnel exposure shall be used where possible;

(f) All personnel shall be thoroughly trained in the exact procedure to be followed;

(g) All personnel shall be positioned beyond the reach of other machine elements or sections which are not locked out and may offer the potential for exposure. In any instance where a necessary work position offers exposure to other sections or elements of the machine, such other sections shall be locked out before exposure occurs;

(h) Anytime that communications are lost between the operator and work crews or anytime that established and authorized procedures cannot be followed, all work offering potential exposure shall be stopped until agreement is reached on exactly how to proceed.

APPENDIX C

GROUP LOCKOUT PROCEDURES
(aka. ganglock or lockbox procedures)

NONMANDATORY APPENDIX

(1) Application.

(a) Lockbox procedures are intended and must be designed to provide positive isolation at any identified worksite without the necessity for every workman to apply personal lockout devices on every control device which could otherwise influence his/her individual worksite(s). Lockbox procedures are most useful in applications such as (but not limited to) the following:

(i) Multiple crews/crafts or multiple employers working on same job/machine/system;

(ii) Complex machines/systems with multiple controls, particularly when control locations are broadly spaced out or remote from the actual worksite(s).

(b) The following appendix text is purposely detailed because it has been conclusively established that all items listed need to be addressed in the employer's lockbox control program if the procedure is going to be successful in achieving assured isolation for all potentially influenced personnel.

(2) Program requirements.

(a) The employer's detailed lockbox procedure must be formally produced, employees and supervisors trained and adequate equipment provided prior to permitting any personnel to work under any form of an alternative lockout procedure.

(b) Overall procedural authority and responsibility must be vested in a designated and specifically qualified area supervisor or job lockout coordinator for each shutdown conducted under lockbox procedures.

(c) Each lockbox shutdown shall be conducted with a shutdown checklist. Every control necessary to assure isolation at all permissible worksites must be listed on the checklist. Where numerical identification system is used, controls shall be listed by both identification system and common language name.

(i) The responsible area supervisor, with assistance as necessary, must review the job shutdown checklist to assure that it is accurate and complete before each shutdown.

(ii) Each item on the job lockout checklist shall have boxes or space for the lockout crew to sign off when individual items are deactivated, locked out and tested.

(d) The minimum permissible lockout crew shall be not less than (2) two fully qualified employees.

(i) The job supervisor/designated lockout coordinator must participate as one member of the lockout crew which deactivates, secures and tests each control on the checklist. He/she must at least observe the test sequence on each control.

(ii) Additional qualified employees may be added to the lockout crew as job demands or special circumstances dictate.

(e) When the shutdown job will include work performed by personnel who are not within the owner's full-time employee group (typically service reps, contract mechanics, laborers or engineers), the lockout crew:

(i) Must be supplemented by a specifically designated and qualified supervisor or leadman from each outside employer; or

(ii) The designated control authority (item (2)(b)) must explain the delineated boundaries of the secured equipment to each person before that person can sign in, lock the control box and enter the job.

(f) All lockbox shutdown jobs must be conducted with an everyman control requirement. Each person entering the job must sign the sign-in sheet and apply a personal lockout device on the lockbox before he/she enters the job. Each person must also sign back out and remove their own lockout device when they leave the job for the last time each day.

(i) The designated control authority may leave his/her lock on the lockbox until the job is completed if desired.

(g) Lockbox.

(i) The job lockbox must be constructed so that the lockout keys are visible within the box but cannot be removed without opening the lockbox cover.

(ii) The lockbox cover must be constructed so that any single lock installed on the cover will prevent the keys inside from being removed.

(3) Procedure Sequence.

(a) The sign-in/sign-out sheet(s) shall remain in the possession of the job supervisor/lockout coordinator until the deactivating is complete, the controls locked out and the control keys are securely locked up inside the lockbox.

(b) The lockout crew shall deactivate, lockout and test each control on the job shutdown checklist in full compliance with the standard lockout procedures of this section.

(c) The lockout crew shall individually sign off for each item on the checklist when each item is locked and again when each item has passed the required test sequence to assure that deactivation is complete.

(d) Each listed control shall be locked in the deactivated position by a minimum of two members of the lockout crew except that when the lockout crew is required by this section to be supplemented by a foreman for each outside contractor, each contractor foreman shall also apply an additional lock on each control.

(e) Each person on the lockout crew shall use differently keyed padlocks not combination locks, to implement the lockbox procedures. Series locks may be used provided that no key is available which will open more than one lock on any given control.

(f) Padlocks used shall be individually identified or an information tag identifying the user, shall be attached to the lock.

(g) When all items on the job lockout checklist are deactivated, locked out, tested and signed off, all keys which will open any control padlock used shall be placed inside the job lockbox.

(4) The job supervisor shall then effect the following procedures in the sequence specified:

(a) Review the checklist to ascertain that lockout is complete;

(b) Assure that all keys for the control locks are placed in the lockbox;

(c) Apply a personal identified padlock on the lockbox in a manner to secure all control keys inside;

(d) Sign the checklist approving that the lockout is complete;

(e) Sign and release the sign-in/sign-out sheets to approve personnel entry;

(f) The sign-in/sign-out sheet(s) shall be kept with the job shutdown checkoff list(s) until the job is completed, all personnel have signed out and the equipment/system is authorized for restarting. The checklist and sign-in sheets shall then be returned to the area supervisors office and retained as a record for not less than two (2) years.

(5) Workcrew personnel may only enter the job in accordance with the following procedures:

(a) Each person must apply a personally identified padlock on the lockbox in such a manner that the control keys inside are not removable until your lock is removed;

(b) Review the checklist to assure that the controls influencing your intended work position are locked out and tested;

(c) Individually sign in on the job sign-in sheet;

(d) Work crew personnel must each remove their individual padlocks and personally sign back out when they leave the job.

(6) On locked out jobs which will continue into succeeding shifts, the lockout crew and job supervisor/coordinator shall be relieved in accordance with the following:

(a) When individually keyed and personally identified locks are used on individual machine/system controls, every person on the sign-in sheet must clear the job, sign-out and remove their individual locks off the lockbox. Nobody shall be permitted to re-enter the job until the on-coming lockout crew has locked out all controls in accordance with all requirements of this section, then has provided a new completed checklist and sign-in sheet. Personnel may then lock the new control keys in the lockbox, sign-in and resume work.

(b) When series locks with information tags are used in lieu of personally identified locks on individual machine/system controls, the relief lockout crew and job supervisor/coordinator may relieve their individual counterpart person at the lockbox in accordance with the following procedure:

(i) Sign-in on the existing job checklist including the date and time;

(ii) Install a personally identified lock on the lockbox;

(iii) Each off-going individual shall then line out their name on the checklist, initial the change and record the time. He/she then stands relieved and may remove the time. He/she then stands relieved and may remove their personal lock from the lockbox.

CRITERIA: The lockbox must be locked at all times securing all keys for individual controls.

(iv) When the requirements of this item (6)(b) have been complied with, the locks and information tags on the individual machine/system controls shall not be required to be changed or amended. Retesting individual controls shall not be required and is not recommended.

(c) The on-coming job supervisor shall sign both the checklist(s) and personnel sign-in sheet(s) indicating the date and time when supervision authority has been changed.

(7) When all personal padlocks have been removed from the lockbox and all personnel have signed back out, the job supervisor must sign the checklist(s) and sign-in sheet(s) to authorize reactivating the equipment/system. The supervisors signature shall include the date and time when authorization was granted.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-300 SCOPE, APPLICATION, AND DEFINITIONS. (1) Scope. This section covers the following operations, unless the employer can demonstrate that the operation does not involve employee exposure or the reasonable possibility for employee exposure to safety or health hazards:

(a) Clean-up operations required by a governmental body, whether federal, state, local, or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

(b) Corrective actions involving clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901 et seq.);

(c) Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental bodies as uncontrolled hazardous waste sites;

(d) Operations involving hazardous wastes that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations; and

(e) Emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard.

(2) Application.

(a) All requirements of this chapter and chapters 296-24 and 296-155 WAC apply pursuant to their terms to hazardous waste and emergency response operations whether covered by this part or not. If there is a conflict or overlap, the provision more protective of employee safety and health shall apply.

(b) Hazardous substance clean-up operations within the scope of subsection (1)(a), (b), and (c) of this section must comply with all sections (WAC 296-62-300 through 296-62-3145) except WAC 296-62-3140, 296-62-3110 (4) and (5), and 296-62-3112.

(c) Operations within the scope of subsection (1)(d) of this section must comply only with the requirements of WAC 296-62-3140 and 296-62-3110 (4) and (5).

~~((Exceptions: For large quantity generators of hazardous waste who store those wastes less than 90 days and for small quantity generators of hazardous wastes, who have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances, for their RCRA workplaces only WAC 296-62-3110(5) is applicable. Generators of hazardous wastes who do not have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances are exempt from the requirements of this section.))~~ Notes and Exceptions: (i) All provisions of WAC 296-62-3140 cover any treatment, storage, or disposal (TSD) operation regulated by 40 CFR parts 264 and 265 or by state law authorized under RCRA, and required to have a permit or interim status from EPA pursuant to 40 CFR 270.1 or from a state agency pursuant to RCRA.

(ii) Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 CFR 261.5 or are generators who qualify under 40 CFR 262.34 for exemptions from regulation under 40 CFR parts 264, 265, and 270 ("excepted employers") are not covered by WAC 296-62-3140 (1) through (7). Excepted employers who are required by the EPA or state agency to have their employees engage in emergency response or who direct their employees to engage in emergency response are covered by WAC 296-62-3140(8), and cannot be exempted by WAC 296-62-3140 (8)(a). Excepted employers who are not required to have employees engage in emergency response, who direct their employees to evacuate in the case of such emergencies and who meet the requirements of WAC 296-62-3140 (8)(a) are exempt from the balance of WAC 296-62-3140(8).

(iii) If an area is used primarily for treatment, storage or disposal, any emergency response operations in that area shall comply with WAC 296-62-3140(8). In other areas not used primarily for treatment, storage or disposal, any emergency response operations shall comply with WAC 296-62-3140(9). Compliance with the requirements of WAC 296-62-3140(9) shall be deemed to be in compliance with the requirements of WAC 296-62-3140(8).

(d) Emergency response operations for releases of, or substantial threats of releases of hazardous substances which are not covered by subsection (1)(a) through (d) of this section must only comply with the requirements of WAC 296-62-3112.

(3) Definitions.

(a) "Buddy system" means a system of organizing employees into work groups in such a manner that each employee of the work group is designated to be observed by at least one other employee in the work group. The purpose of the buddy system is to provide rapid assistance to employees in the event of an emergency.

(b) "Clean-up operation" means an operation where hazardous substances are removed, contained, incinerated, neutralized, stabilized, cleared-up, or in any other manner processed or handled with the ultimate goal of making the site safer for people or the environment.

(c) "Contamination reduction zone" means the buffer between the exclusion zone and the outermost clean zone.

(d) "Decontamination" means the removal of hazardous substances from employees and their equipment to the extent necessary to preclude the occurrence of foreseeable adverse health effects.

~~((f))~~ (e) "Emergency response" or "responding to emergencies" means a response effort by employees from outside the immediate release area or by other designated responders (i.e., mutual aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area or by maintenance personnel are not considered to be emergency responses within the scope of this standard. Responses to release of hazardous substances where there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure) are not considered to be emergency responses.

~~((e))~~ (f) "Exclusion zone" means the innermost zone at a site where contamination does occur.

(g) "Facility" means (i) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, storage container, motor vehicle, rolling stock, or aircraft, or (ii) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any water-borne vessel.

~~((f))~~ (h) "Hazardous materials response (HAZMAT) team" means an organized group of employees, designated by the employer, who are expected to perform work, to handle and control actual or potential leaks or spills of hazardous substances requiring possible close approach to the substance. The team members perform responses to releases or potential releases of hazardous substances for the purpose of control or stabilization of the incident. A HAZMAT team is not a fire brigade nor is a typical fire brigade a HAZMAT team.

A HAZMAT team, however, may be a separate component of a fire brigade or fire department.

~~((g))~~ (i) "Hazardous substance" means any substance designated or listed under ~~((g))~~(i) through (iv) of this subsection, exposure to which results or may result in adverse effects on the health or safety of employees:

(i) Any substance defined under section 101(14) of CERCLA;

(ii) Any biological agent and other disease-causing agent ~~((as defined in section 101(33) of CERCLA))~~ which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such persons or their offspring;

(iii) Any substance listed by the United States Department of Transportation as hazardous materials under WAC 480-12-195; and

(iv) Hazardous waste as herein defined.

~~((h))~~ (j) "Hazardous waste" means:

(i) A waste or combination of wastes as defined in WAC 173-303-040; or

(ii) Those substances defined in WAC 480-12-195.

~~((i))~~ (k) "Hazardous waste operation" means any operation conducted within the scope of this standard.

~~((j))~~ (l) "Hazardous waste site" or "site" means any facility or location within the scope of this standard at which hazardous waste operations take place.

~~((k))~~ (m) "Health hazard" means a chemical, mixture of chemicals, or a pathogen for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. It also includes stress due to temperature extremes. Further definition of the terms used above can be found in Appendix A to WAC 296-62-054 through 296-62-05427.

~~((l))~~ (n) "IDLH" or "immediately dangerous to life or health" means any atmospheric concentration of any toxic, corrosive, or asphyxiant substance that poses an immediate threat to life or would cause irreversible or delayed adverse health effects or would interfere with an individual's ability to escape from a dangerous atmosphere.

~~((m))~~ (o) "Oxygen deficiency" means that concentration of oxygen by volume below which atmosphere supplying respiratory protection must be provided. It exists in atmospheres where the percentage of oxygen by volume is less than 19.5 percent oxygen.

~~((n))~~ (p) "Permissible exposure limit" means the exposure, inhalation, or dermal permissible limit specified in WAC 296-62-075 through 296-62-07515.

((t)) (q) "Published exposure level" means the exposure limits published in "NIOSH Recommendations for Occupational Health Standards" dated 1986 incorporated by reference, or if none is specified, the exposure limits published in the standards specified by the American Conference of Governmental Industrial Hygienists in their publication "Threshold Limit Values and Biological Exposure Indices for 1988-89" dated 1988 incorporated by reference.

((tr)) (r) "Post emergency response" means that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and clean-up of the site has begun. If post emergency response is performed by an employer's own employees who were part of the initial emergency response, it is considered to be part of the initial response and not post emergency response. However, if a group of an employer's own employees, separate from the group providing initial response, performs the clean-up operation, then the separate group of employees would be considered to be performing post-emergency response and subject to WAC 296-62-3112(11).

((tr)) (s) "Qualified person" means a person with specific training, knowledge, and experience in the area for which the person has responsibility and the authority to control.

((tr)) (t) "Site safety and health supervisor (or official)" means the individual located on a hazardous waste site who is responsible to the employer and has the authority and knowledge necessary to implement the site safety and health plan and verify compliance with applicable safety and health requirements.

((tr)) (u) "Site work zones" means an exclusion zone, contamination reduction zone, and a clean zone established at a hazardous waste site before clean-up work begins to prevent or reduce the movement of contaminants from the site to uncontaminated areas and to control public, employee, and equipment exposure to hazardous substances.

(i) The exclusion zone is the innermost of the zones and is where contamination does occur. The contamination reduction zone is the zone between the exclusion zone and the clean zone and serves as a transition and buffer between the contaminated and clean zone to further reduce the physical transfer of contaminating substances to the public, employees, and equipment. The clean zone is the outermost of the zones and is a non-contaminated or clean area. The level of contamination in these zones is not defined and some designated exclusion zones can have very little contamination directly affecting employees.

(ii) The contaminated reduction corridors are the designated areas within the contaminated reduction zone for the decontamination of personnel and equipment.

((tr)) (v) "Small quantity generator" means a generator of hazardous wastes who in any calendar month generates no more than 1000 kilograms (2205 pounds) of hazardous waste in that month.

((tr)) (w) "Uncontrolled hazardous waste site" means an area where an accumulation of hazardous waste creates a threat to the health and safety of individuals or the environment or both. Some sites are found

on public lands, such as those created by former municipal, county, or state landfills where illegal or poorly managed waste disposal has taken place. Other sites are found on private property, often belonging to generators or former generators of hazardous waste. Examples of such sites include, but are not limited to, surface impoundments, landfills, dumps, and tank or drum farms. Normal operations at TSD sites are not covered by this definition.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3020 SITE CHARACTERIZATION AND ANALYSIS. (1) General. Hazardous waste sites shall be evaluated in accordance with this section to identify specific site hazards and to determine the appropriate safety and health control procedures needed to protect employees from the identified hazards.

(2) Preliminary evaluation. A preliminary evaluation of a site's characteristics shall be performed prior to site entry by a qualified person in order to aid in the selection of appropriate employee protection methods prior to site entry. Immediately after initial site entry, a more detailed evaluation of the site's specific characteristics shall be performed by a qualified person in order to further identify existing site hazards and to further aid in the selection of the appropriate engineering controls and personal protective equipment for the tasks to be performed.

(3) Hazard identification. All suspected conditions that may pose inhalation or skin absorption hazards that are immediately dangerous to life or health (IDLH), or other conditions that may cause death or serious harm, shall be identified during the preliminary survey and evaluated during the detailed survey. Examples of such hazards include, but are not limited to, confined space entry, potentially explosive or flammable situations, visible vapor clouds, or areas where biological indicators such as dead animals or vegetation are located.

(4) Required information. The following information to the extent available shall be obtained by the employer prior to allowing employees to enter a site:

- (a) Location and approximate size of the site.
- (b) Description of the response activity and/or the job task to be performed.
- (c) Duration of the planned employee activity.
- (d) Site topography and accessibility by air and roads.
- (e) Safety and health hazards expected at the site.
- (f) Pathways for hazardous substance dispersion.
- (g) Present status and capabilities of emergency response teams that would provide assistance to hazardous waste clean-up site employees at the time of an emergency.

(h) Hazardous substances and health hazards involved or expected at the site and their chemical and physical properties.

(5) Personal protective equipment. Personal protective equipment (PPE) shall be provided and used during initial site entry in accordance with the following requirements:

- (a) Based upon the results of the preliminary site evaluation, an ensemble of PPE shall be selected and

used during initial site entry which will provide protection to a level of exposure below established permissible exposure limits and published exposure levels for known or suspected hazardous substances and health hazards, and which will provide protection against other known and suspected hazards identified during the preliminary site evaluation. If there is no permissible exposure limit or published exposure level, the employer may use other published studies and information as a guide to appropriate personal protective equipment. Level A and Level B personal protective equipment is required for the most hazardous actual or potential exposures.

(b) If positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble, and if respiratory protection is warranted by the potential hazards identified during the preliminary site evaluation, an escape self-contained breathing apparatus of at least five minute's duration shall be carried by employees during initial site entry.

(c) If the preliminary site evaluation does not produce sufficient information to identify the hazards or suspected hazards of the site an ensemble providing protection equivalent to Level B PPE shall be provided as minimum protection and direct reading instruments shall be used as appropriate for identifying IDLH conditions. (See WAC 296-62-3170 - Appendix B for a description of Level B hazards and the recommendations for Level B protective equipment.)

(d) Once the hazards of the site have been identified, the appropriate PPE shall be selected and used in accordance with WAC 296-62-3060.

(6) Monitoring. The following monitoring shall be conducted during initial site entry when the site evaluation produces information that shows the potential for ionizing radiation or IDLH conditions, or when the site information is not sufficient to rule out these possible conditions:

(a) Monitoring with direct reading instruments for hazardous levels of ionizing radiation.

(b) Monitoring the air with appropriate direct reading equipment (i.e., combustible gas meters, detector tubes) for IDLH and other conditions that may cause death or serious harm (combustible or explosive atmospheres, oxygen deficiency, toxic substances).

(c) Visually observing for signs of actual or potential IDLH or other dangerous conditions.

(d) An ongoing air monitoring program in accordance with WAC 296-62-3070 shall be implemented after site characterization has determined the site is safe for the start-up of operations.

(7) Risk identification. Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances shall be identified. Employees who will be working on the site shall be informed of any risks that have been identified. In situations covered by WAC 296-62-054 through 296-62-05427, training required by those standards need not be duplicated.

Note: Risks to consider include, but are not limited to:

(a) Exposures exceeding the permissible exposure limits and published exposure levels.

- (b) IDLH concentrations.
- (c) Potential skin absorption and irritation sources.
- (d) Potential eye irritation sources.
- (e) Explosion sensitivity and flammability ranges.
- (f) Oxygen deficiency.

(8) Employee notification. Any information concerning the chemical, physical, and toxicologic properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform shall be made available to all employees prior to the commencement of their work activities. The employer may utilize information developed for the hazard communication standard for this purpose.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3040 TRAINING. (1) General.

(a) All employees working on site (such as but not limited to equipment operators, general laborers, and others) exposed to hazardous substances, health hazards, or safety hazards, and their supervisors and management responsible for the site, shall receive training meeting the requirements of this subsection before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards, and they shall review training as specified in this subsection.

(b) Employees shall not be permitted to participate in or supervise field activities until they have been trained to a level required by their job function and responsibility.

(2) Elements to be covered. The training shall thoroughly cover the following:

(a) Names of personnel and alternates responsible for site safety and health;

(b) Safety, health, and other hazards present on the site;

(c) Use of personal protective equipment;

(d) Work practices by which the employee can minimize risks from hazards;

(e) Safe use of engineering controls and equipment on the site;

(f) Medical surveillance requirements including recognition of symptoms and signs which might indicate overexposure to hazards; and

(g) The contents of items (vii) through (x) of the site safety and health plan set forth in WAC 296-62-3010 (4)(b).

(3) Initial training. ~~((a))~~ General site workers (such as equipment operators, general laborers, and supervisory personnel) engaged in hazardous substance removal or other activities which expose or potentially expose workers to hazardous substances and health hazards shall receive ~~((a minimum of 40 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor:~~

~~(b) Effective June 1, 1990, employers shall adjust the initial training required by (a) of this subsection, to meet as a minimum the following training requirements:~~

~~(i) Workers engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 80 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.~~

~~(ii) Equipment operators and transport vehicle operators engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 40 hours of training, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.~~

~~(iii) Supervisors engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive as a minimum the same number of hours of instruction as the workers for whom the supervisor is directly responsible, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.~~

~~(c) Workers on site only occasionally for a specific limited task (such as, but not limited to, ground water monitoring, land surveying, or geophysical surveying) and who are unlikely to be exposed over permissible exposure limits and published exposure levels shall receive a minimum of 24 hours of instruction off the site, and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.~~

~~(d) Workers regularly on site who work in areas other than the exclusion zone and the contamination reduction zone which have been monitored and fully characterized indicating that exposures are under permissible exposure limits and published exposure levels where respirators are not necessary, and the characterization indicates that there are no health hazards or the possibility of an emergency developing, shall receive a minimum of 24 hours of instruction off the site and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.~~

~~(e) Workers with 24 hours of training who are covered by (c) and (d) of this subsection, and who become general site workers or who are required to wear respirators, shall have the additional 16 hours and two days of training necessary to total the training specified in (a) of this subsection.) the following required training:~~

~~(a) General site workers required to wear Level A or Level B personal protective equipment because of the types of hazards to which they are exposed or have the potential for being exposed are required to have 80 hours of training.~~

~~(b) General site workers required to wear Level C or D personal protective equipment, equipment operators or transport vehicle operators, are required to have 40 hours of training.~~

~~(c) General site workers on site only occasionally for specific limited tasks, and supervisors not working in the two inner zones are required to have 24 hours of training. For example, certain Environmental Protection Agency, and department of ecology employees, labor and industries inspectors and other short-term monitoring and surveying personnel would be required to only~~

have 24 hours of training if they are on-site only occasionally for a specific limited task and are unlikely to be exposed over permissible exposure levels. A minimum of one day actual field experience under direct supervision is also required.

(4) Management and supervisor training. On-site management and supervisors directly responsible for, or who supervise employees engaged in, hazardous waste operations shall receive ((40 hours)) the same initial training as listed in (a) of this subsection, and three days of supervised field experience (((the training may be reduced to 24 hours and one day if the only area of their responsibility is employees covered by subsection (3)(c) and (d) of this section))) and at least eight additional hours of specialized training at the time of job assignment on such topics as, but not limited to, the employer's safety and health program and the associated employee training program, personal protective equipment program, spill containment program, and health hazard monitoring procedure and techniques.

(5) Law enforcement at illicit drug labs.

Exception: WISHA did not intend application of the 80 hour training requirement to law enforcement personnel required to enter illicit drug labs, secure the premise, and obtain necessary evidence for law enforcement purposes. Attendance at a specific 40 hours course, such as that presented by the criminal justice training commission, is acceptable.

NOTE: If cleanup activities are conducted by law enforcement personnel, then appropriate hazardous waste cleanup training would be required.

(6) Training Course Content. (a) 40 and 80 hour hazardous waste cleanup courses. As a minimum, the training course content for the 40 hour and 80 hour training program shall include the following topics:

(i) Overview of the applicable sections of Part P of chapter 296-62 WAC and the elements of an employer's effective occupational safety and health program.

(ii) Effect of chemical exposure to hazardous substances (i.e., toxicity, carcinogens, irritants, sensitizers, etc.) .

(iii) Effects of biological and radiological exposures.

(iv) Fire and explosion hazards (i.e., flammable and combustible liquids, reactive materials) .

(v) General safety hazards, including electrical hazards, powered equipment hazards, walking-working surface hazards and those hazards associated with hot and cold temperature extremes.

(vi) Confined space, tank, and vault hazards and entry procedures.

(vii) Names of personnel and alternates, where appropriate, responsible for site safety and health at the site.

(viii) Specific safety, health, and other hazards that are to be addressed at a site and in the site safety and health plan.

(ix) Use of personal protective equipment and the implementation of the personal protective equipment program.

(x) Work practices that will minimize employee risk from site hazards.

(xi) Safe use of engineering controls and equipment and any new relevant technology or procedure.

(xii) Content of the medical surveillance program and requirements, including the recognition of signs and symptoms of overexposure to hazardous substances.

(xiii) The contents of an effective site safety and health plan.

(xiv) Use of monitoring equipment with "hands-on" experience and the implementation of the employee and site monitoring program.

(xv) Implementation and use of the information program.

(xvi) Drum and container handling procedures and the elements of a spill containment program.

(xvii) Selection and use of material handling equipment.

(xviii) Methods for assessment of risk and handling of radioactive wastes.

(xix) Methods for handling shock-sensitive wastes.

(xx) Laboratory waste pack handling procedures.

(xxi) Container sampling procedures and safeguards.

(xxii) Safe preparation procedures for shipping and transport of containers.

(xxiii) Decontamination program and procedures.

(xxiv) Emergency response plan and procedures including first aid.

(xxv) Safe site illumination levels.

(xxvi) Site sanitation procedures and equipment for employee needs.

(xxvii) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(xxviii) Overview and explanation of WISHA's hazard communication standard Part C of chapter 296-62 WAC.

(xxix) Sources of reference, additional information and efficient use of relevant manuals and hazard coding systems.

(xxx) Principles of toxicology and biological monitoring.

(xxxi) Rights and responsibilities of employees and employers under WISHA and CERCLA.

(xxxii) "Hands-on" field exercises and demonstrations.

(b) 24-hour hazardous waste cleanup course. As a minimum, the 24-hour training course required in WAC 296-62-3040 (3)(c) and (d) for employees engaged in occasional visits to uncontrolled hazardous waste sites shall include the following topics where they are applicable to the job function to be performed:

(i) Overview of applicable sections of Part P of chapter 296-62 WAC and the elements of the employer's effective occupational safety and health program.

(ii) Employee rights and responsibilities under WISHA and CERCLA.

(iii) Overview of relevant chemical exposures to hazardous substances (i.e., toxics, carcinogens, irritants, sensitizers, etc.).

(iv) Overview of the principles of toxicology and biological monitoring.

(v) Use of monitoring equipment with hands-on practice and an overview of a site monitoring program.

(vi) Overview of site hazards including fire and explosion, confined spaces, oxygen deficiency, electrical hazards, powered equipment hazards, walking-working surface hazards.

(vii) The contents of an effective site safety and health plan.

(viii) Use of personal protective equipment and the implementation of the personal protective equipment program.

(ix) Work practices that will minimize employee risk from site hazards.

(x) Site simulations with "hands-on" exercises and practice.

(xi) Emergency response planning and response including first aid.

(xii) Content of the medical surveillance program and requirements, including the recognition of signs and symptoms of overexposure to hazardous substances.

(xiii) Decontamination programs and procedures.

(xiv) Safe use of engineering controls and equipment.

(xv) Sources of references and efficient use of relevant manuals and knowledge of hazard coding systems.

(c) 16-hour supplemental training for hazardous waste sites. As a minimum, employees who have received 24 hours of training for hazardous waste site operations shall receive training in the following topics before they are allowed to work as general site workers or if they are required to wear respirators:

(i) Relevant chemical exposures to hazardous substances beyond that previously covered.

(ii) Site hazards including fire and explosion, confined spaces, oxygen deficiency, electrical, powered equipment, and walking-working surfaces beyond that previously covered.

(iii) Names of personnel and alternates responsible for site safety and health at the site, where appropriate.

(iv) Use of monitoring equipment and the implementation of the employee and the site monitoring program beyond that previously covered.

(v) Implementation and use of the informational program.

(vi) Drum and container handling procedures and the elements of a spill containment program.

(vii) Selection and use of material handling equipment.

(viii) Methods for assessment of risk and handling of radioactive wastes.

(ix) Methods for handling shock-sensitive wastes.

(x) Laboratory waste pack handling procedures.

(xi) Container sampling procedures and safeguards.

(xii) Safe preparation procedures for shipping and transport of containers.

(xiii) Decontamination program and procedures.

(xiv) Safety site illumination levels.

(xv) Site sanitation procedures and equipment.

(xvi) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(xvii) Overview and explanation of WISHA's Hazard communication standard Part C of chapter 296-62 WAC.

(xviii) Sources of reference and additional information.

(d) Additional 8 hours of training for supervisors and managers. Supervisors and managers shall receive an additional eight hours of training in the following subjects:

(i) Management of hazardous wastes and their disposal.

(ii) Federal, state, and local agencies to be contacted in the event of a release of hazardous substances.

(iii) Management of emergency procedures in the event of a release of hazardous substances.

(7) Qualifications for trainers. Trainers shall be qualified to instruct employees about the subject matter that is being presented in training. Such trainers shall have satisfactorily completed a training program for teaching the subjects they are expected to teach, or they shall have the academic credentials and instructional experience necessary for teaching the subjects. Instructors shall demonstrate competent instructional skills and knowledge of the applicable subject matter.

~~((6))~~ (8) Training certification. Employees and supervisors that have received and successfully completed the training and field experience specified in subsections (1) through (4) of this section shall be certified by their instructor or the head instructor and trained supervisor as having successfully completed the necessary training. A written certificate shall be given to each person so certified. Any person who has not been so certified or who does not meet the requirements of subsection ((9)) (11) of this section shall be prohibited from engaging in hazardous waste operations.

~~((7))~~ (9) Emergency response. Employees who are engaged in responding to hazardous emergency situations at hazardous waste clean-up sites that may expose them to hazardous substances shall be trained in how to respond to expected emergencies.

~~((8))~~ (10) Refresher training. Employees specified in subsection (1) of this section, and managers specified in subsection (4) of this section, shall receive eight hours of refresher training annually on the items specified in subsections (2) and/or (4) of this section, any critique of incidents that have occurred in the past year that can serve as training examples of related work, and other relevant topics.

~~((9))~~ (11) Equivalent training. Employers who can show by documentation or certification that an employee's work experience and/or training has resulted in training equivalent to that training required in subsections (1) through (4) of this section shall not be required to provide the initial training requirements of those sections to such employees. However, certified employees new to a site shall receive appropriate, site specific training before site entry and have appropriate supervised field experience at the new site. Equivalent training includes any academic training or the training that existing employees might have already received from actual hazardous waste site work experience. The 80 hours of instruction required can be fulfilled as follows:

(a) Instruction can include a combination of presently available 40 hour training sessions and other related classes or training including additional supervised on-

the-job training as long as material covered includes elements required in the training section WAC 296-62-3040(2) of the regulations. A single 80 hour training session is also acceptable.

(b) Previously attended courses including eight-hour refresher courses apply toward the 80 hour requirement and need not be repeated.

(c) Documentation of previous experience and training by qualified trainers is required of employers and must be available to inspectors for review.

(d) When calculating hours of training, WISHA assumes a "normal" work day to be eight hours with sufficient time for lunch and other breaks.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3050 MEDICAL SURVEILLANCE. (1) General. Employers engaged in operations specified in WAC 296-62-300 (1)(a) through (d) and not covered by WAC 296-62-300(2), exceptions; and employers of employees specified in WAC 296-62-3112(9) shall institute a medical surveillance program in accordance with this subsection.

(2) Employees covered. The medical surveillance program shall be instituted by the employer for the following employees:

(a) All employees who are or may be exposed to hazardous substances or health hazards at or above the permissible exposure limits or, if there is no permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for 30 days or more a year;

(b) All employees who wear a respirator for 30 days or more a year or as required by WAC 296-62-071; and

(c) All employees who are injured, become ill or develop signs or symptoms due to possible overexposure ~~((from an emergency incident))~~ involving hazardous substances or health hazards from an emergency response or hazardous waste operation; ~~((or))~~ and

(d) Members of HAZMAT teams.

(3) Frequency of medical examinations and consultations. Medical examinations and consultations shall be made available by the employer to each employee covered under subsection (1) of this section on the following schedules:

(a) For employees covered under WAC 296-62-3150 (2)(a), (b), and (d):

(i) Prior to assignment;

(ii) At least once every twelve months for each employee covered unless the attending physician believes a longer interval (not greater than biennially) is appropriate;

(iii) At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months;

(iv) As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the permissible exposure limits, or published exposure levels in an emergency situation;

(v) At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

(b) For employees covered under subsection (1)(c) of this section and for all employees including those employees covered by WAC 296-62-300 (1)(e) who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or exposed during an emergency incident to hazardous substances at concentrations above the permissible exposure limits or the published exposure levels without the necessary personal protective equipment being used:

(i) As soon as possible following the emergency incident or development of signs or symptoms;

(ii) At additional times, if the examining physician determines that follow-up examinations or consultations are medically necessary.

(4) Content of medical examinations and consultations.

(a) Medical examinations required by subsection (3) of this section shall include a medical and work history (or updated history if one is in the employee's file) with special emphasis on symptoms related to the handling of hazardous substances and health hazards, and to fitness for duty including the ability to wear any required PPE under conditions (i.e., temperature extremes) that may be expected at the worksite.

(b) The content of medical examinations or consultations made available to employees pursuant to this section shall be determined by the examining physician. The guidelines in the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities (See Appendix D, Reference #10) should be consulted.

(5) Examination by a physician and costs. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, preferably one knowledgeable in occupational medicine, and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(6) Information provided to the physician. The employer shall provide one copy of this standard and its appendices to the examining physician, and in addition, the following for each employee:

(a) A description of the employee's duties as they relate to the employee's exposures;

(b) The employee's exposure levels or anticipated exposure levels;

(c) A description of any personal protective equipment used or to be used;

(d) Information from previous medical examinations of the employee which is not readily available to the examining physician; and

(e) Information required in WAC 296-62-071 through 296-62-07121.

(7) Physician's written opinion.

(a) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(i) The physician's opinion as to whether the employee has any detected medical conditions which would place

the employee at increased risk of material impairment of the employee's health from work in hazardous waste operations or emergency response or from respirators use.

(ii) The physician's recommended limitations upon the employees assigned work.

(iii) The results of the medical examination and tests if requested by the employee.

(iv) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(b) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposures.

(8) Recordkeeping.

(a) An accurate record of the medical surveillance required by this section shall be retained. This record shall be retained for the period specified and meet the criteria of Part B of chapter 296-62 WAC.

(b) The record required in (a) of this subsection shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physicians' written opinions, recommended limitations, and results of examinations and tests;

(iii) Any employee medical complaints related to exposure to hazardous substances;

(iv) A copy of the information provided to the examining physician by the employer, with the exception of the standard and its appendices.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3060 ENGINEERING CONTROLS, WORK PRACTICES, AND PERSONAL PROTECTIVE EQUIPMENT FOR EMPLOYEE PROTECTION. (1) Engineering controls, work practices, personal protective equipment, or a combination of these shall be implemented in accordance with this section to protect employees from exposure to hazardous substances and health hazards.

(a) Engineering controls, work practices, and PPE for substances regulated in chapter 296-62 WAC.

Engineering controls and work practices shall be instituted to reduce and maintain employee exposure to or below the permissible exposure limits for substances regulated by this chapter, except to the extent that such controls and practices are not feasible.

Note: Engineering controls which may be feasible include the use of pressurized cabs or control booths on equipment, and/or the use of remotely operated material handling equipment. Work practices which may be feasible are removing all nonessential employees from potential exposure during opening of drums, wetting down dusty operations, and locating employees upwind of possible hazards.

(b) Whenever engineering controls and work practices are not feasible, or not required, any reasonable combination of engineering controls, work practices, and PPE shall be used to reduce and maintain exposures to or below the permissible exposure limits or dose limits for substances regulated by chapter 296-62 WAC.

(c) The employer shall not implement a schedule of employee rotation as a means of compliance with permissible exposure limits or dose limits except when there is no other feasible way of complying with the airborne or dermal dose limits for ionizing radiation.

(d) The provisions of WAC 296-62-080 through 296-62-09013, 296-62-09015 through 296-62-09055, and 296-62-100 through 296-62-130 shall be followed.

(2) Engineering controls, work practices, and personal protective equipment for substances not regulated in chapter 296-62 WAC. An appropriate combination of engineering controls, work practices, and personal protective equipment shall be used to reduce and maintain employee exposure to or below published exposure levels for hazardous substances and health hazards not regulated by chapter 296-62 WAC. The employer may use the published literature and MSDS as a guide in making the employer's determination as to what level of protection the employer believes is appropriate for hazardous substances and health hazards for which there is no permissible exposure limit or published exposure level.

(3) Personal protective equipment selection.

(a) Personal protective equipment (PPE) shall be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(b) Personal protective equipment selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(c) Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply shall be used when chemical exposure levels present will create a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(d) Totally-encapsulating chemical protective suits (protection equivalent to Level A protection as recommended in Appendix B) shall be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(e) The level of protection provided by PPE selection shall be increased when additional information or site conditions indicate that increased protection is necessary to reduce employee exposures below permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See WAC 296-62-3170 - Appendix B for guidance on selecting PPE ensembles.)

Note: The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in increased hazardous exposures to employees.

(f) Personal protective equipment shall be selected and used to meet the requirements of chapter 296-24 WAC, Part A-1, and additional requirements specified in this part.

(4) Totally-encapsulating chemical protective suits.

(a) Totally-encapsulating suits shall protect employees from the particular hazards which are identified during site characterization and analysis.

(b) Totally-encapsulating suits shall be capable of maintaining positive air pressure. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(c) Totally-encapsulating suits shall be capable of preventing inward test gas leakage of more than 0.5 percent. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(5) Personal protective equipment (PPE) program. A written personal protective equipment program, which is part of the employer's safety and health program required in WAC 296-62-3010 and which shall be part of the site-specific safety and health plan shall be established. The PPE program shall address the elements listed below. When elements, such as donning and doffing procedures, are provided by the manufacturer of a piece of equipment and are attached to the plan, they need not be rewritten into the plan as long as they adequately address the procedure or element.

(a) PPE selection based on site hazards,

(b) PPE use and limitations of the equipment,

(c) Work mission duration,

(d) PPE maintenance and storage,

(e) PPE decontamination and disposal,

(f) PPE training and proper fitting,

(g) PPE donning and doffing procedures,

(h) PPE inspection procedures prior to, during, and after use,

(i) Evaluation of the effectiveness of the PPE program, and

(j) Limitations during temperature extremes, heat stress, and other appropriate medical considerations.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3070 MONITORING. (1) General.

(a) Monitoring shall be performed in accordance with this section where there may be a question of employee exposure to concentrations of hazardous substances in order to assure proper selection of engineering controls, work practices, and personal protective equipment so that employees are not exposed to levels which exceed permissible exposure limits or published exposure levels if there are no permissible exposure limits, for hazardous substances.

(b) Air monitoring shall be used to identify and quantify airborne levels of hazardous substances and safety and health hazards in order to determine the appropriate level of employee protection needed on site.

(2) Initial entry. Upon initial entry, representative air monitoring shall be conducted to identify any IDLH condition, exposure over permissible exposure limits or published exposure levels, exposure over a radioactive material's dose limits, or other dangerous condition, such as the presence of flammable atmospheres or oxygen-deficient environments.

(3) Periodic monitoring. Periodic monitoring shall be conducted when the possibility of an IDLH condition or

flammable atmosphere has developed or when there is indication that exposures may have risen over permissible exposure limits or published exposure levels since prior monitoring. Situations where it shall be considered whether the possibility that exposures have risen are as follows:

(a) When work begins on a different portion of the site.

(b) When contaminants other than those previously identified are being handled.

(c) When a different type of operation is initiated (e.g., drum opening as opposed to exploratory well drilling).

(d) When employees are handling leaking drums or containers or working in areas with obvious liquid contamination (e.g., a spill or lagoon).

(e) When a sufficient reasonable interval has passed so that exposures may have significantly increased.

(4) Monitoring of high-risk employees. After the actual clean-up phase of any hazardous waste operation commences; for example, when soil, surface water, or containers are moved or disturbed; the employer shall monitor those employees likely to have the highest exposures to hazardous substances and health hazards likely to be present above permissible exposure limits or published exposure levels by using personal sampling frequently enough to characterize employee exposures. If the employees likely to have the highest exposure are over permissible exposure limits or published exposure levels, then monitoring shall continue to determine all employees likely to be above those limits. The employer may utilize a representative sampling approach by documenting that the employees and chemicals chosen for monitoring are based on the criteria stated in this subsection.

Note: It is not required to monitor employees engaged in site characterization operations covered by WAC 296-62-3020.

AMENDATORY SECTION (Amending Order 90-01, filed 4/10/90, effective 5/25/90)

WAC 296-62-3110 EMERGENCY RESPONSE BY EMPLOYEES AT UNCONTROLLED HAZARDOUS WASTE SITES. (1) Emergency response plan.

(a) An emergency response plan shall be developed and implemented by all employers within the scope of ~~((this section))~~ WAC 296-62-300 (1)(a) and (b) to handle anticipated emergencies prior to the commencement of hazardous waste operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, WISHA personnel, and other governmental agencies with relevant responsibilities.

(b) Employers who will evacuate their employees from the ~~((workplace))~~ danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of this section if they provide an emergency action plan complying with WAC 296-24-567(1).

(2) Elements of an emergency response plan. The employer shall develop an emergency response plan for

emergencies which shall address as a minimum, the following:

(a) Preemergency planning.

(b) Personnel roles, lines of authority, and communication.

(c) Emergency recognition and prevention.

(d) Safe distances and places of refuge.

(e) Site security and control.

(f) Evacuation routes and procedures.

(g) Decontamination procedures which are not covered by the site safety and health plan.

(h) Emergency medical treatment and first aid.

(i) Emergency alerting and response procedures.

(j) Critique of response and follow-up.

(k) PPE and emergency equipment.

(3) Procedures for handling emergency incidents.

(a) In addition to the elements for the emergency response plan required in subsection (2) of this section, the following elements shall be included for emergency response plans:

(i) Site topography, layout, and prevailing weather conditions.

(ii) Procedures for reporting incidents to local, state, and federal governmental agencies.

(b) The emergency response plan shall be a separate section of the site safety and health plan.

(c) The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.

(d) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(e) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(f) An employee alarm system shall be installed in accordance with WAC 296-24-631 through 296-24-63199 to notify employees of an on-site emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication, and to begin emergency procedures.

(g) Based upon the information available at the time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the on-site emergency response plan.

~~(((4) Training program.~~

~~(a) New employees. The employer shall develop and implement a training program, which is part of the employer's safety and health program, for employees involved with hazardous waste operations to enable employees to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for 24 hours and refresher training shall be for eight hours annually. Employees who have received the initial training required by this section shall be given a written certificate attesting that they have successfully completed the necessary training.~~

~~(b) Current employees. Employers who can show by an employee's previous work experience and/or training~~

that the employee has had training equivalent to the initial training required by this section, shall be considered as meeting the initial training requirements of this section as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Current employees shall receive eight hours of refresher training annually.

(c) Trainers. Trainers who teach initial training shall have satisfactorily completed a training course for teaching the subjects they are expected to teach or they shall have the academic credentials and instruction experience necessary to demonstrate a good command of the subject matter of the courses and competent instructional skills.

(5) Emergency response program:

(a) Emergency response plan. An emergency response plan shall be developed and implemented by all employers. Such plans need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the United States Environmental Protection Agency, provided that the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the employer's safety and health program required in this section. Employers who will evacuate their employees from the worksite location when an emergency occurs and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of WAC 296-62-3140(1) if they provide an emergency action plan complying with WAC 296-24-567.

(b) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this section:

(i) Preemergency planning and coordination with outside parties:

(ii) Personnel roles, lines of authority, and communication:

(iii) Emergency recognition and prevention:

(iv) Safe distances and places of refuge:

(v) Site security and control:

(vi) Evacuation routes and procedures:

(vii) Decontamination procedures:

(viii) Emergency medical treatment and first aid:

(ix) Emergency alerting and response procedures:

(x) Critique of response and follow-up:

(xi) PPE and emergency equipment:

(c) Training:

(i) Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job, the personal protective equipment to be worn, and procedures for handling emergency incidents.

Exception #1: An employer need not train all employees to the degree specified if the employer divides the workforce in a manner such that a sufficient number of employees who have responsibility to control emergencies have

the training specified, and all other employees, who may first respond to an emergency incident, have sufficient awareness training to recognize that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt to control activities for which they are not trained:

Exception #2: An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside fully trained emergency response team to respond in a reasonable period and all employees, who may come to the incident first, have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside fully trained emergency response team for assistance.

(ii) Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This would include training in the methods used to minimize the risk from safety and health hazards; in the safe use of control equipment; in the selection and use of appropriate personal protective equipment; in the safe operating procedures to be used at the incident scene; in the techniques of coordination with other employees to minimize risks; in the appropriate response to over exposure from health hazards or injury to themselves and other employees; and in the recognition of subsequent symptoms which may result from over exposures.

(iii) The employer shall certify that each covered employee has attended and successfully completed the training required in this subsection, or shall certify the employee's competency at least yearly. The method used to demonstrate competency for certification of training shall be recorded and maintained by the employer.

(d) Procedures for handling emergency incidents:

(i) In addition to the elements for the emergency response plan required in (b) of this subsection, the following elements shall be included for emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

(A) Site topography, layout, and prevailing weather conditions:

(B) Procedures for reporting incidents to local, state, and federal governmental agencies:

(ii) The emergency response plan shall be compatible and integrated with the disaster, fire, and/or emergency response plans of local, state, and federal agencies:

(iii) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations:

(iv) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information:

(v) An employee alarm system shall be installed in accordance with WAC 296-24-631 to notify employees of an emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication; and to begin emergency procedures:

(vi) Based upon the information available at time of the emergency, the employer shall evaluate the incident

~~and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.))~~

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3112 EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASES. This section covers employers whose employees are engaged in emergency response no matter where it occurs except that it does not cover employees engaged in operations specified in WAC 296-62-300 (1)(a) through (d).

Those emergency response organizations who have developed and implemented programs equivalent to this section for handling releases of hazardous substances pursuant to Section 303 of SARA Title III shall be deemed to have met the requirements of this section.

(1) Emergency response plan. An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, and WISHA personnel. Employers who will evacuate their employees from the ~~((workplace))~~ danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this section if they provide an emergency action plan in accordance with WAC 296-24-567(1).

(2) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following to the extent that they are not addressed elsewhere:

(a) Preemergency planning and coordination with outside parties.

(b) Personnel roles, lines of authority, training, and communication.

(c) Emergency recognition and prevention.

(d) Safe distances and places of refuge.

(e) Site security and control.

(f) Evacuation routes and procedures.

(g) Decontamination.

(h) Emergency medical treatment and first aid.

(i) Emergency alerting and response procedures.

(j) Critique of response and follow-up.

(k) PPE and emergency equipment.

(l) Emergency response organizations may use the local emergency response plan or the state emergency response plan or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use.

(3) Procedures for handling emergency response.

(a) The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific incident command system (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in

charge of the ICS assisted by the senior official present for each employer.

Note: The "senior official" at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene. As more senior officers arrive (i.e., battalion chief, fire chief, state law enforcement official, site coordinator, etc.), the position is passed up the line of authority which has been previously established.

(b) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.

(c) Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet, at a minimum, the criteria contained in WAC 296-24-58513 when worn while performing fire fighting operations beyond the incipient stage for any incident ~~((or site))~~.

(d) Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus while engaged in emergency response, until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.

(e) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site, in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.

(f) Back-up personnel shall stand by with equipment ready to provide assistance or rescue. Advance first-aid support personnel, as a minimum, shall also stand by with medical equipment and transportation capability.

(g) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.

(h) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety official shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions needed to be taken to correct these hazards at ~~((an))~~ the emergency scene.

(i) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(j) When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet United States Department of Transportation and National Institute for Occupational Safety and Health criteria.

(4) Skilled support personnel. Personnel, not necessarily an employer's own employees, who are skilled in the operation of certain equipment, such as mechanized earth moving or digging equipment or crane and hoisting equipment, and who are needed temporarily to perform immediate emergency support work that cannot reasonably be performed in a timely fashion by an employer's own employees, and who will be or may be exposed to the hazards at an emergency response scene, are not required to meet the training required in this subsection for the employer's regular employees. However, these personnel shall be given an initial briefing at the site prior to their participation in any emergency response. The initial briefing shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.

(5) Specialist employees. Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

(6) Training. Training shall be based on the duties and functions to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident.

Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following:

(a) First responder awareness level. First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

(i) An understanding of what hazardous ((materials)) substances are and the risks associated with them in an incident.

(ii) An understanding of the potential outcomes associated with an emergency created when hazardous ((materials)) substances are present.

(iii) The ability to recognize the presence of hazardous ((materials)) substances in an emergency.

(iv) The ability to identify the hazardous ((materials)) substances, if possible.

(v) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the United States Department of Transportation's Emergency Response Guidebook.

(vi) The ability to realize the need for additional resources and to make appropriate notifications to the communication center.

(b) First responder operations level. First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and protect exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

(i) Knowledge of the basic hazard and risk assessment techniques.

(ii) Know how to select and use proper personal protective equipment provided to the first responder operational level.

(iii) An understanding of basic hazardous materials terms.

(iv) Know how to perform basic control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit.

(v) Know how to implement basic decontamination procedures.

(vi) An understanding of the relevant standard operating procedures and termination procedures.

(c) Hazardous materials technician. Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch, or otherwise stop the release of hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the employer's emergency response plan.

(ii) Know the classification, identification, and verification of known and unknown materials by using field survey instruments and equipment.

(iii) Be able to function within an assigned role in the incident command system.

(iv) Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.

(v) Understand hazard and risk assessment techniques.

(vi) Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.

(vii) Understand and implement decontamination procedures.

(viii) Understand termination procedures.

(ix) Understand basic chemical and toxicological terminology and behavior.

(d) Hazardous materials specialist. Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with federal, state, local, and other government authorities in regard to site activities.

Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the local emergency response plan.

(ii) Understand classification, identification, and verification of known and unknown materials by using advanced survey instruments and equipment.

(iii) Know of the state emergency response plan.

(iv) Be able to select and use proper specialized chemical personal protective equipment provided to the hazardous materials specialist.

(v) Understand in-depth hazard and risk techniques.

(vi) Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available.

(vii) Be able to determine and implement decontamination procedures.

(viii) Have the ability to develop a site safety and control plan.

(ix) Understand chemical, radiological, and toxicological terminology and behavior.

(e) On scene incident commander. Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know and be able to implement the employer's incident command system.

(ii) Know how to implement the employer's emergency response plan.

(iii) Know and understand the hazards and risks associated with employees working in chemical protective clothing.

(iv) Know how to implement the local emergency response plan.

(v) Know of the state emergency response plan and of the Federal Regional Response Team.

(vi) Know and understand the importance of decontamination procedures.

(7) Trainers. Trainers who teach any of the above training subjects shall have satisfactorily completed a training course for teaching the subjects they are expected to teach, such as the courses offered by the United States National Fire Academy, or they shall have the training and/or academic credentials and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter of the courses they are to teach.

(8) Refresher training.

(a) Those employees who are trained in accordance with subsection (6) of this section shall receive annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly.

(b) A statement shall be made of the training or competency, and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

(9) Medical surveillance and consultation.

(a) Members of an organized and designated HAZMAT team and hazardous materials specialists shall receive a baseline physical examination and be provided with medical surveillance as required in WAC 296-62-3050.

(b) Any emergency response employees who exhibit signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident, either immediately or subsequently, shall be provided with medical consultation as required in WAC 296-62-3050 (3)(b).

(10) Chemical protective clothing. Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists, shall meet the requirements of WAC 296-62-3060 (3) through (5).

(11) Postemergency response operations. Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards, and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident, the employer conducting the clean-up shall comply with one of the following:

(a) Meet all of the requirements of WAC 296-62-3010, 296-62-3020, 296-62-3030, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3080, 296-62-3090, 296-62-3100, 296-62-3110, 296-62-3120, 296-62-3130, and 296-62-3138; or

(b) Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of WAC 296-24-567(1), 296-62-071, and 296-62-054, and other appropriate safety and health training made necessary by the tasks that they are expected to be performed such as

personal protective equipment and decontamination procedures. All equipment to be used in the performance of the clean-up work shall be in serviceable condition and shall have been inspected prior to use.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3140 CERTAIN OPERATIONS CONDUCTED UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (RCRA). Employers conducting operations at treatment, storage, and disposal (TSD) facilities specified in WAC 296-62-300 (3)(c) (~~(not exempted by WAC 296-62-300 (2)(c))~~) shall provide and implement the programs specified in this section. See the "Notes and Exceptions" of WAC 296-62-300 (2)(c) for employers not covered.

(1) Safety and health program. The employer shall develop and implement a written safety and health program for employees involved in hazardous waste operations that shall be available for inspection by employees, their representatives and WISHA personnel. The program shall be designed to identify, evaluate and control safety and health hazards in their facilities for the purpose of employee protection, to provide for emergency response meeting the requirements of WAC 296-62-3110 and to address as appropriate site analysis, engineering controls, maximum exposure limits, hazardous waste handling procedures and uses of new technologies.

(2) Hazard communication program. The employer shall implement a hazard communication program meeting the requirements of WAC 296-62-054 through 296-62-05427 as part of the employer's safety and health program.

Note: The exemption for hazardous waste provided in WAC 296-62-054 is applicable to this section.

(3) Medical surveillance program. The employer shall develop and implement a medical surveillance program meeting the requirements of WAC 296-62-3050.

(4) Decontamination program. The employer shall develop and implement a decontamination procedure meeting the requirements of WAC 296-62-3100.

(5) New technology programs. The employer shall develop and implement procedures meeting the requirements of WAC 296-62-3138 for introducing new and innovative equipment into the workplace.

(6) Material handling program. Where employees will be handling drums or containers, the employer shall develop and implement procedures meeting the requirements of WAC 296-62-3090 (1)(b) through (h) and (k), as well as WAC 296-62-3090 (3) and (8), prior to starting such work.

(7) Training program.

(a) New employees. The employer shall develop and implement a training program, which is part of the employer's safety and health program, for employees exposed to health hazards or hazardous substances at TSD operations to enable the employees to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for 24 hours and refresher

training shall be for eight hours annually. Employees who have received the initial training required by this section shall be given a written certificate attesting that they have successfully completed the necessary training.

(b) Current employees. Employers who can show by an employee's previous work experience and/or training that the employee has had training equivalent to the initial training required by this section, shall be considered as meeting the initial training requirements of this section as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Current employees shall receive eight hours of refresher training annually.

(c) Trainers. Trainers who teach initial training shall have satisfactorily completed a training course for teaching the subjects they are expected to teach or they shall have the academic credentials and instruction experience necessary to demonstrate a good command of the subject matter of the courses and competent instructional skills.

(8) Emergency response program.

(a) Emergency response plan. An emergency response plan shall be developed and implemented by all employers. Such plans need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the United States Environmental Protection Agency, provided that the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the employer's safety and health program required in this section. Employers who will evacuate their employees from the worksite location when an emergency occurs and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of WAC 296-62-3140(1) if they provide an emergency action plan complying with WAC 296-24-567.

(b) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this section:

(i) Preemergency planning and coordination with outside parties.

(ii) Personnel roles, lines of authority, and communication.

(iii) Emergency recognition and prevention.

(iv) Safe distances and places of refuge.

(v) Site security and control.

(vi) Evacuation routes and procedures.

(vii) Decontamination procedures.

(viii) Emergency medical treatment and first aid.

(ix) Emergency alerting and response procedures.

(x) Critique of response and follow-up.

(xi) PPE and emergency equipment.

(c) Training.

(i) Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job,

the personal protective equipment to be worn, and procedures for handling emergency incidents.

Exception #1: An employer need not train all employees to the degree specified if the employer divides the workforce in a manner such that a sufficient number of employees who have responsibility to control emergencies have the training specified, and all other employees, who may first respond to an emergency incident, have sufficient awareness training to recognize that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt to control activities for which they are not trained.

Exception #2: An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside fully trained emergency response team to respond in a reasonable period and all employees, who may come to the incident first, have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside fully trained emergency response team for assistance.

(ii) Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This would include training in the methods used to minimize the risk from safety and health hazards; in the safe use of control equipment; in the selection and use of appropriate personal protective equipment; in the safe operating procedures to be used at the incident scene; in the techniques of coordination with other employees to minimize risks; in the appropriate response to over exposure from health hazards or injury to themselves and other employees; and in the recognition of subsequent symptoms which may result from over exposures.

(iii) The employer shall certify that each covered employee has attended and successfully completed the training required in this subsection, or shall certify the employee's competency at least yearly. The method used to demonstrate competency for certification of training shall be recorded and maintained by the employer.

(d) Procedures for handling emergency incidents.

(i) In addition to the elements for the emergency response plan required in (b) of this subsection, the following elements shall be included for emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

(A) Site topography, layout, and prevailing weather conditions.

(B) Procedures for reporting incidents to local, state, and federal governmental agencies.

(ii) The emergency response plan shall be compatible and integrated with the disaster, fire, and/or emergency response plans of local, state, and federal agencies.

(iii) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(iv) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(v) An employee alarm system shall be installed in accordance with WAC 296-24-631 to notify employees

of an emergency situation; to stop work activities if necessary; to lower background noise in order to speed communication; and to begin emergency procedures.

(vi) Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3160 APPENDIX A—PERSONAL PROTECTIVE EQUIPMENT TEST METHODS. This appendix sets forth the nonmandatory examples of tests which may be used to evaluate compliance with WAC 296-62-3060. Other tests and other challenge agents may be used to evaluate compliance.

(1) Totally-encapsulating chemical protective suit pressure test.

(a) Scope.

(i) This practice measures the ability of a gas tight totally-encapsulating chemical protective suit material, seams, and closures to maintain a fixed positive pressure. The results of this practice allow the gas tight integrity of a total-encapsulating chemical protective suit to be evaluated.

(ii) Resistance of the suit materials to permeation, penetration, and degradation by specific hazardous substances is not determined by this test method.

(b) Description of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's gloves and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(c) Summary of test method. The TECP suit is visually inspected and modified for the test. The test apparatus is attached to the suit to permit inflation to the pretest suit expansion pressure for removal of suit wrinkles and creases. The pressure is lowered to the test pressure and monitored for three minutes. If the pressure drop is excessive, the TECP suit fails the test and is removed from service. The test is repeated after leak location and repair.

(d) Required supplies.

(i) Source of compressed air.

(ii) Test apparatus for suit testing including a pressure measurement device with a sensitivity of at least 1/4 inch water gauge.

(iii) Vent valve closure plugs or sealing tape.

- (vi) Soapy water solution and soft brush.
- (v) Stop watch or appropriate timing device.
- (e) Safety precautions. Care shall be taken to provide the correct pressure safety devices required for the source of compressed air used.
- (f) Test procedure. Prior to each test, the tester shall perform a visual inspection of the suit. Check the suit for seam integrity by visually examining the seams and gently pulling on the seams. Ensure that all air supply lines, fittings, visor, zippers, and valves are secure and show no signs of deterioration.
 - (i) Seal off the vent valves along with any other normal inlet or exhaust points (such as umbilical air line fittings or facepiece opening) with tape or other appropriate means (caps, plugs, fixture, etc.). Care should be exercised in the sealing process not to damage any of the suit components.
 - (ii) Close all closure assemblies.
 - (iii) Prepare the suit for inflation by providing an improvised connection point on the suit for connecting an airline. Attach the pressure test apparatus to the suit to permit suit inflation from a compressed air source equipped with a pressure indicating regulator. The leak tightness of the pressure test apparatus should be tested before and after each test by closing off the end of the tubing attached to the suit and assuring a pressure of three inches water gauge for three minutes can be maintained. If a component is removed for the test, that component shall be replaced and a second test conducted with another component removed to permit a complete test of the ensemble.
 - (iv) The pretest expansion pressure (A) and the suit test pressure (B) shall be supplied by the suit manufacturer, but in no case shall they be less than (A) = 3 inches water gauge and (B) = 2 inches water gauge. The ending suit pressure (C) shall be no less than eighty percent of the test pressure (B); i.e., the pressure drop shall not exceed twenty percent of the test pressure (B).
 - (v) Inflate the suit until the pressure inside is equal to pressure (A), the pretest expansion suit pressure. Allow at least one minute to fill out the wrinkles in the suit. Release sufficient air to reduce the suit pressure to pressure (B), the suit test pressure. Begin timing. At the end of three minutes, record the suit pressure as pressure (C), the ending suit pressure. The difference between the suit test pressure and the ending suit test pressure (B)-(C) shall be defined as the suit pressure drop.
 - (vi) If the suit pressure drop is more than twenty percent of the suit test pressure (B) during the three minute test period, the suit fails the test and shall be removed from service.
 - (g) Retest procedure.
 - (i) If the suit fails the test check for leaks by inflating the suit to pressure (A) and brushing or wiping the entire suit (including seams, closures, lens gaskets, glove-to-sleeve joints, etc.) with a mild soap and water solution. Observe the suit for the formation of soap bubbles, which is an indication of a leak. Repair all identified leaks.
 - (ii) Retest the TECP suit as outlined in (f) of this subsection.

(h) Report. Each TECP suit tested by this practice shall have the following information recorded.

(i) Unique identification number, identifying brand name, date of purchase, material of construction, and unique fit features; e.g., special breathing apparatus.

(ii) The actual values for test pressures (A), (B), and (C) shall be recorded along with the specific observation times. If the ending pressure (C) is less than eighty percent of the test pressure (B), the suit shall be identified as failing the test. When possible, the specific leak location shall be identified in the test records. Retest pressure data shall be recorded as an additional test.

(iii) The source of the test apparatus used shall be identified and the sensitivity of the pressure gauge shall be recorded.

(iv) Records shall be kept for each pressure test even if repairs are being made at the test location.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked. Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

(2) Totally-encapsulating chemical protective suit qualitative leak test.

(a) Scope.

(i) This practice semiquantitatively tests gas tight totally-encapsulating chemical protective suit integrity by detecting inward leakage of ammonia vapor. Since no modifications are made to the suit to carry out this test, the results from this practice provide a realistic test for the integrity of the entire suit.

(ii) Resistance of the suit materials to permeation, penetration, and degradation is not determined by this test method. ASTM test methods are available to test suit materials for those characteristics and the tests are usually conducted by the manufacturers of the suits.

(b) Definition of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's gloves and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(iv) "Intrusion coefficient." A number expressing the level of protection provided by a gas tight totally-encapsulating chemical protective suit. The intrusion coefficient is calculated by dividing the test room challenge agent concentration by the concentration of challenge

agent found inside the suit. The accuracy of the intrusion coefficient is dependent on the challenge agent monitoring methods. The larger the intrusion coefficient, the greater the protection provided by the TECP suit.

(c) Summary of recommended practice. The volume of concentrated aqueous ammonia solution (ammonia hydroxide, NH_4OH) required to generate the test atmosphere is determined using the directions outlined in WAC 296-62-3190 (2)(f)(i). The suit is donned by a person wearing the appropriate respiratory equipment (either a positive pressure self-contained breathing apparatus or a supplied air respirator) and worn inside the enclosed test room. The concentrated aqueous ammonia solution is taken by the suited individual into the test room and poured into an open plastic pan. A two-minute evaporation period is observed before the test room concentration is measured using a high range ammonia length of stain detector tube. When the ammonia reaches a concentration of between 1000 and 1200 ppm, the suited individual starts a standardized exercise protocol to stress and flex the suit. After this protocol is completed the test room concentration is measured again. The suited individual exits the test room and his stand-by person measures the ammonia concentration inside the suit using a low range ammonia length of stain detector tube or other more sensitive ammonia detector. A stand-by person is required to observe the test individual during the test procedure, aid the person in donning and doffing the TECP suit and monitor the suit interior. The intrusion coefficient of the suit can be calculated by dividing the average test area concentration by the interior suit concentration. A colorimetric indicator strip of bromophenol blue is placed on the inside of the suit facepiece lens so that the suited individual is able to detect a color change and know if the suit has a significant leak. If a color change is observed the individual should leave the test room immediately.

(d) Required supplies.

(i) A supply of concentrated ammonia (~~((fifty-eight percent ammonium))~~) hydroxide, 58% by weight(~~(\dagger)~~).

(ii) A supply of bromophenol/blue indicating paper, sensitive to 5-10 ppm ammonia or greater over a two-minute period of exposure [pH 3.0 (yellow) to pH 4.6 (blue)].

(iii) A supply of high range (0.5-10 volume percent) and low range (5-700 ppm) detector tubes for ammonia and the corresponding sampling pump. More sensitive ammonia detectors can be substituted for the low range detector tubes to improve the sensitivity of this practice.

(iv) A shallow plastic pan (PVC) at least 12":14":1" and a half pint plastic container (PVC) with tightly closing lid.

(v) A graduated cylinder or other volumetric measuring device of at least fifty milliliters in volume with an accuracy of at least ± 1 milliliters.

(e) Safety precautions.

(i) Concentrated aqueous ammonium hydroxide, NH_4OH is a corrosive volatile liquid requiring eye, skin, and respiratory protection. The person conducting the test shall review the MSDS for aqueous ammonia.

(ii) Since the established permissible exposure limit for ammonia is (~~(50)~~) 35 ppm as a 15 minute PEL, only

persons wearing a positive pressure self-contained breathing apparatus or a supplied air respirator shall be in the chamber. Normally only the person wearing the total-encapsulating suit will be inside the chamber. A stand-by person shall have a self-contained breathing apparatus, or a positive pressure supplied air respirator available to enter the test area should the suited individual need assistance.

(iii) A method to monitor the suited individual must be used during this test. Visual contact is the simplest but other methods using communication devices are acceptable.

(iv) The test room shall be large enough to allow the exercise protocol to be carried out and then to be ventilated to allow for easy exhaust of the ammonia test atmosphere after the test(s) are completed.

(v) Individuals shall be medically screened for the use of respiratory protection and checked for allergies to ammonia before participating in this test procedure.

(f) Test procedure.

(i) Measure the test area to the nearest foot and calculate its volume in cubic feet. Multiply the test area volume by 0.2 milliliters of concentrated aqueous ammonia per cubic foot of test area volume to determine the approximate volume of concentrated aqueous ammonia required to generate 1000 ppm in the test area.

(A) Measure this volume from the supply of concentrated ammonia and place it into a closed plastic container.

(B) Place the container, several high range ammonia detector tubes and the pump in the clean test pan and locate it near the test area entry door so that the suited individual has easy access to these supplies.

(ii) In a noncontaminated atmosphere, open a presealed ammonia indicator strip and fasten one end of the strip to the inside of the suit face shield lens where it can be seen by the wearer. Moisten the indicator strip with distilled water. Care shall be taken not to contaminate the detector part of the indicator paper by touching it. A small piece of masking tape or equivalent should be used to attach the indicator strip to the interior of the suit face shield.

(iii) If problems are encountered with this method of attachment the indicator strip can be attached to the outside of the respirator facepiece being used during the test.

(iv) Don the respiratory protective device normally used with the suit, and then don the TECP suit to be tested. Check to be sure all openings which are intended to be sealed (zippers, gloves, etc.) are completely sealed. DO NOT, however, plug off any venting valves.

(v) Step into the enclosed test room such as a closet, bathroom, or test booth, equipped with an exhaust fan. No air should be exhausted from the chamber during the test because this will dilute the ammonia challenge concentrations.

(vi) Open the container with the premeasured volume of concentrated aqueous ammonia within the enclosed test room, and pour the liquid into the empty plastic test pan. Wait two minutes to allow for adequate volatilization of the concentrated aqueous ammonia. A small

mixing fan can be used near the evaporation pan to increase the evaporation rate of the ammonia solution.

(vii) After two minutes a determination of the ammonia concentration within the chamber should be made using the high range colorimetric detector tube. A concentration of 1000 ppm ammonia or greater shall be generated before the exercises are started.

(viii) To test the integrity of the suit the following four minute exercise protocol should be followed:

(A) Raising the arms above the head with at least fifteen raising motions completed in one minute.

(B) Walking in place for one minute with at least fifteen raising motions of each leg in a one-minute period.

(C) Touching the toes with at least ten complete motions of the arms from above the head to touching of the toes in a one-minute period.

(D) Knee bends with at least ten complete standing and squatting motions in a one-minute period.

(ix) If at any time during the test the colorimetric indicating paper should change colors the test should be stopped and (f)(x) and (xi) of this subsection initiated.

(x) After completion of the test exercise, the test area concentration should be measured again using the high range colorimetric detector tube.

(xi) Exit the test area.

(xii) The opening created by the suit zipper or other appropriate suit penetration should be used to determine the ammonia concentration in the suit with the low range length of stain detector tube or other ammonia monitor. The internal TECP suit air should be sampled far enough from the enclosed test area to prevent a false ammonia reading.

(xiii) After completion of the measurement of the suit interior ammonia concentration the test is concluded and the suit is doffed and the respirator removed.

(xiv) The ventilating fan for the test room should be turned on and allowed to run for enough time to remove the ammonia gas. The fan shall be vented to the outside of the building.

(xv) Any detectable ammonia in the suit interior (5 ppm ammonia (NH₃) or more for the length of stain detector tube) indicates the suit failed the test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

(xvi) By following this test method an intrusion coefficient of approximately two hundred or more can be measured with the suit in a completely operational condition. If the intrusion coefficient is 200 or more, then the suit is suitable for emergency response and field use.

(g) Retest procedures.

(i) If the suit fails this test, check for leaks by following the pressure test in test (A) above.

(ii) Retest the TECP suit as outlined in the test procedure in (f) of this subsection.

(h) Report.

(i) Each gas tight totally-encapsulating chemical protective suit tested by this practice shall have the following information recorded.

(A) Unique identification number, identifying brand name, date of purchase, material of construction, and unique suit features; e.g., special breathing apparatus.

(B) General description of test room used for test.

(C) Brand name and purchase date of ammonia detector strips and color change data.

(D) Brand name, sampling range, and expiration date of the length of stain ammonia detector tubes. The brand name and model of the sampling pump should also be recorded. If another type of ammonia detector is used, it should be identified along with its minimum detection limit for ammonia.

(E) Actual test results shall list the two test area concentrations, their average, the interior suit concentration, and the calculated intrusion coefficient. Retest data shall be recorded as an additional test.

(ii) The evaluation of the data shall be specified as "suit passed" or "suit failed" and the date of the test. Any detectable ammonia (5 ppm or greater for the length of stain detector tube) in the suit interior indicates the suit fails this test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked.

Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3170 APPENDIX B—GENERAL DESCRIPTION AND DISCUSSION OF THE LEVELS OF PROTECTION AND PROTECTIVE GEAR.

(1) This appendix sets forth information about personal protective equipment (PPE) protection levels which may be used to assist employers in complying with the PPE requirements of this section.

(2) As required by the standard, PPE must be selected which will protect employees from the specific hazards which they are likely to encounter during their work on-site.

(3) Selection of the appropriate PPE is a complex process which must take into consideration a variety of factors. Key factors involved in this process are identification of the hazards or suspected hazards, their routes of potential hazard to employees (inhalation, skin absorption, ingestion, and eye or skin contact), and the performance of the PPE materials (and seams) in providing a barrier to these hazards. The amount of protection provided by PPE is material-hazard specific. That is, protective equipment materials will protect well against some hazardous substances and poorly, or not at all, against others. In many instances, protective equipment materials cannot be found which will provide continuous protection from the particular hazardous substance. In these cases the breakthrough time of the protective material should exceed the work durations(~~(, or the exposure after breakthrough must not pose a hazardous level)~~).

(4) Other factors in this selection process to be considered are matching the PPE to the employee's work

requirements and task-specific conditions. The durability of PPE materials, such as tear strength and seam strength, must be considered in relation to the employee's tasks. The effects of PPE in relation to heat stress and task duration are a factor in selecting and using PPE. In some cases layers of PPE may be necessary to provide sufficient protection, or to protect expensive PPE inner garments, suits or equipment.

(5) The more that is known about the hazards at the site, the easier the job of PPE selection becomes. As more information about the hazards and conditions at the site becomes available, the site supervisor can make decisions to up-grade or down-grade the level of PPE protection to match the tasks at hand.

(6) The following are guidelines which an employer can use to begin the selection of the appropriate PPE. As noted above, the site information may suggest the use of combinations of PPE selected from the different protection levels (i.e., A, B, C, or D) as being more suitable to the hazards of the work. It should be cautioned that the listing below does not fully address the performance of the specific PPE material in relation to the specific hazards at the job site, and that PPE selection, evaluation and reselection is an ongoing process until sufficient information about the hazards and PPE performance is obtained.

(7) Personal protective equipment has been divided into four categories based on the degree of protection afforded (see subsection (8) of this section for further explanation of Levels A, B, C, and D hazards):

(a) Level A. To be selected when the greatest level of skin, respiratory, and eye protection is required. The following constitute Level A equipment; it may be used as appropriate:

(i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or positive pressure supplied-air respirator with escape SCBA, approved by the National Institute for Occupational Safety and Health (NIOSH).

(ii) Totally-encapsulating chemical-protective suit.

(iii) Coveralls.*

(iv) Long underwear.*

(v) Gloves, outer, chemical-resistant.

(vi) Gloves, inner, chemical-resistant.

(vii) Boots, chemical-resistant steel toe and shank.

(viii) Hard hat (under suit).*

(ix) Disposable protective suit, gloves, and boots. (Depending on suit construction, may be worn over totally-encapsulating suit.)

*Optional, as applicable.

(b) Level B. The highest level of respiratory protection is necessary but a lesser level of skin protection is needed. The following constitute Level B equipment; it may be used as appropriate:

(i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or positive pressure supplied-air respirator with escape SCBA (NIOSH approved).

(ii) Hooded chemical-resistant clothing (overalls and long-sleeved jacket, coveralls, one or two-piece chemical-splash suit, disposable chemical-resistant overalls).

(iii) Coveralls.*

(iv) Gloves, outer, chemical-resistant.

(v) Gloves, inner, chemical-resistant.

(vi) Boots, outer, chemical-resistant steel toe and shank.

(vii) Boot-covers, outer, chemical-resistant (disposable).*

(viii) Hard hat.

(ix) Face shield.*

*Optional, as applicable.

(c) Level C. The concentration(s) and type(s) of airborne substance(s) is known and the criteria for using air purifying respirators are met. The following constitute Level C equipment; it may be used as appropriate.

(i) Full-face or half-mask, air purifying respirators (NIOSH approved).

(ii) Hooded chemical-resistant clothing (overalls; two-piece chemical-splash suit; disposable chemical-resistant overalls).

(iii) Coveralls.*

(iv) Gloves, outer, chemical-resistant.

(v) Gloves, inner, chemical-resistant.

(vi) Boots (outer), chemical-resistant steel toe and shank.*

(vii) Boot-covers, outer, chemical-resistant (disposable).*

(viii) Hard hat.

(ix) Escape mask.*

(x) Face shield.*

*Optional, as applicable.

(d) Level D. A work uniform affording minimal protection: Used for nuisance contamination only. The following constitute Level D equipment; it may be used as appropriate.

(i) Coveralls.

(ii) Gloves.*

(iii) Boots/shoes, chemical-resistant steel toe and shank.

(iv) Boots, outer, chemical-resistant (disposable).*

(v) Safety glasses or chemical splash goggles.*

(vi) Hard hat.

(vii) Escape mask.*

(viii) Face shield.*

*Optional, as applicable.

(8) Part B. The types of hazards for which Levels A, B, C, and D protection are appropriate are described below:

(a) Level A - Level A protection should be used when:

(i) The hazardous substance has been identified and requires the highest level of protection for skin, eyes, and the respiratory system based on either the measured (or potential for) high concentration of atmospheric vapors, gases, or particulates; or the site operations and work functions involve a high potential for splash, immersion, or exposure to unexpected vapors, gases, or particulates of materials that are harmful to skin or capable of being absorbed through the intact skin;

(ii) Substances with a high degree of hazard to the skin are known or suspected to be present, and skin contact is possible; or

(iii) Operations are being conducted in confined, poorly ventilated areas, and the absence of conditions requiring Level A have not yet been determined.

(b) Level B protection should be used when:

(i) The type and atmospheric concentration of substances have been identified and require a high level of respiratory protection, but less skin protection;

(ii) The atmosphere contains less than 19.5 percent oxygen; or

(iii) The presence of incompletely identified vapors or gases is indicated by a direct-reading organic vapor detection instrument, but vapors and gases are not suspected of containing high levels of chemicals harmful to skin or capable of being absorbed through the skin.

Note: This involves atmospheres with IDLH concentrations of specific substances that present severe inhalation hazards and that do not represent a severe skin hazard; or that do not meet the criteria for use of air-purifying respirators.

(c) Level C protection should be used when:

(i) The atmospheric contaminants, liquid splashes, or other direct contact will not adversely affect or be absorbed through any exposed skin;

(ii) The types of air contaminants have been identified, concentrations measured, and an air-purifying respirator is available that can remove the contaminants; and

(iii) All criteria for the use of air-purifying respirators are met.

(d) Level D protection should be used when:

(i) The atmosphere contains no known hazard; and

(ii) Work functions preclude splashes, immersion, or the potential for unexpected inhalation of or contact with hazardous levels of any chemicals.

Note: As stated before combinations of personal protective equipment other than those described for Levels A, B, C, and D protection may be more appropriate and may be used to provide the proper level of protection.

(9) As an aid in selecting suitable chemical protective clothing, it should be noted that the National Fire Protection Association is developing standards on chemical protective clothing. These standards are currently undergoing public review prior to adoption, including:

(a) NFPA 1991 - Standard on Vapor-Protective Suits for Hazardous Chemical Emergencies (EPA Level A Protective Clothing);

(b) NFPA ((+99+)) 1992 - Standard on Liquid Splash-Protective Suits for Hazardous Chemical Emergencies (EPA Level B Protective Clothing);

(c) NFPA 1993 - Standard on Liquid Splash-Protective Suits for Nonemergency, Nonflammable Hazardous Chemical Situations (EPA Level B Protective Clothing).

(10) These standards would apply documentation and performance requirements to the manufacture of chemical protective suits. Chemical protective suits meeting these requirements would be labelled as compliant with the appropriate standard. When these standards are adopted by the National Fire Protection Association, it

is recommended that chemical protective suits which meet these standards be used.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3180 APPENDIX C—COMPLIANCE GUIDELINES. (1) Occupational safety and health program. Each hazardous waste site clean-up effort will require an occupational safety and health program headed by the site coordinator or the employer's representative. The purpose of the program will be the protection of employees at the site and will be an extension of the employer's overall safety and health program. The program will need to be developed before work begins on the site and implemented as work proceeds as stated in WAC 296-62-3010. The program is to facilitate coordination and communication of safety and health issues among personnel responsible for the various activities which will take place at the site. It will provide the overall means for planning and implementing the needed safety and health training and job orientation of employees who will be working at the site. The program will provide the means for identifying and controlling worksite hazards and the means for monitoring program effectiveness. The program will need to cover the responsibilities and authority of the site coordinator or the employer's manager on the site for the safety and health of employees at the site, and the relationships with contractors or support services as to what each employer's safety and health responsibilities are for their employees on the site. Each contractor on the site needs to have its own safety and health program so structured that it will smoothly interface with the program of the site coordinator or principal contractor. Also those employers involved with treating, storing, or disposal of hazardous waste as covered in WAC 296-62-3140 must have implemented a safety and health plan for their employees. This program is to include the hazard communication program required in WAC 296-62-3140(1) and the training required in WAC 296-62-3140 (4) and (5) as parts of the employers comprehensive overall safety and health program. This program is to be in writing.

(a) Each site or workplace safety and health program will need to include the following:

(i) Policy statements of the line of authority and accountability for implementing the program, the objectives of the program and the role of the site safety and health officer or manager and staff;

(ii) Means or methods for the development of procedures for identifying and controlling workplace hazards at the site;

(iii) Means or methods for the development and communication to employees of the various plans, work rules, standard operating procedures and practices that pertain to individual employees and supervisors;

(iv) Means for the training of supervisors and employees to develop the needed skills and knowledge to perform their work in a safe and healthful manner;

(v) Means to anticipate and prepare for emergency situations; and

(vi) Means for obtaining information feedback to aid in evaluating the program and for improving the effectiveness of the program. The management and employees should be trying continually to improve the effectiveness of the program thereby enhancing the protection being afforded those working on the site.

(b) Accidents on the site should be investigated to provide information on how such occurrences can be avoided in the future. When injuries or illnesses occur on the site or workplace, they will need to be investigated to determine what needs to be done to prevent this incident from occurring again. Such information will need to be used as feedback on the effectiveness of the program and the information turned into positive steps to prevent any reoccurrence. Receipt of employee suggestions or complaints relating to safety and health issues involved with site or workplace activities is also a feedback mechanism that can be used effectively to improve the program and may serve in part as an evaluative tool(s).

(c) For the development and implementation of the program to be the most effective, professional safety and health personnel should be used. Certified safety professionals, board-certified industrial hygienists, or registered professional safety engineers are good examples of professional stature for safety and health managers who will administer the employer's program.

(2) The training programs for employees subject to the requirements of WAC 296-62-3040 are expected to address: The safety and health hazards employees should expect to find on sites; what control measures or techniques are effective for those hazards; what monitoring procedures are effective in characterizing exposure levels; what makes an effective employer's safety and health program; what a site safety and health plan should include; hands-on training with personal protective equipment and clothing they may be expected to use; the contents of the WISHA standard relevant to the employee's duties and functions; and, employee's responsibilities under WISHA and other regulations. Supervisors will need training in their responsibilities under the safety and health program and its subject areas such as the spill containment program, the personal protective equipment program, the medical surveillance program, the emergency response plan and other areas.

(a) The training programs for employees subject to the requirements of WAC 296-62-3140 should address: The employers safety and health program elements impacting employees; the hazard communication program; the medical surveillance program; the hazards and the controls for such hazards that employees need to know for their job duties and functions. All require annual refresher training.

(b) The training programs for employees covered by the requirements of WAC 296-62-3110(3) will address those competencies required for the various levels of response such as: The hazards associated with hazardous substances; hazard identification and awareness; notification of appropriate persons; the need for and use of personal protective equipment including respirators; the decontamination procedures to be used; preplanning activities for hazardous substance incidents including the emergency response plan; company standard operating

procedures for hazardous substance emergency responses; the use of the incident command system and other subjects. Hands-on training should be stressed whenever possible. Critiques done after an incident which include any evaluation of what worked, and what did not, and how can we do better the next time, may be counted as training time.

(c) For hazardous materials specialists (usually members of hazardous materials teams), the training will need to address the care, use and/or testing of chemical protective clothing including totally encapsulating suits, the medical surveillance program, the standard operating procedures for the hazardous materials team including the use of plugging and patching equipment and other subject areas.

(d) Officers and leaders who may be expected to be in charge at an incident will need to be fully knowledgeable of their company's incident command system. They will need to know where and how to obtain additional assistance and be familiar with the local district's emergency response plan and the state emergency response plan.

(e) Specialist employees such as technical experts, medical experts, or environmental experts that work with hazardous materials in their regular jobs, who may be sent to the incident scene by the shipper, manufacturer or governmental agency to advise and assist the person in charge of the incident will have training on an annual basis. Their training must include the care and use of personal protective equipment including respirators; knowledge of the incident command system and how they are to relate to it; and those areas needed to keep them current in their respective field as it relates to safety and health involving specific hazardous substances.

(f) Those skilled support personnel, such as employees who work for public works departments or equipment operators who operate bulldozers, sand trucks, backhoes, etc., who may be called to the incident scene to provide emergency support assistance, will need to have at least a safety and health briefing before entering the area of potential or actual exposure. These specially skilled support personnel, who have not been a part of the emergency plan and do not meet the training requirements, must be made aware of the hazards they face and be provided all necessary protective clothing and equipment required for their tasks.

(g) There are two National Fire Protection Association standards, NFPA 472—"Standard for Professional Competence of Responders to Hazardous Material Incidents" and NFPA 471—"Recommended Practice for Responding to Hazardous Material Incidents," which are excellent resource documents to aid fire departments and other emergency response organizations in developing their training program materials. NFPA 472 provides guidance on the skills and knowledge needed for first responder awareness level, first responder operations level, hazmat technicians, and hazmat specialist. It also offers guidance for the officer corp who will be in charge of hazardous substance incidents.

(3) Decontamination. Decontamination procedures will be tailored to the specific hazards of the site and will vary in complexity, and number of steps, depending on

the level of hazard and the employee's exposure to the hazard. Decontamination procedures and PPE decontamination methods will vary depending upon the specific substance, since one procedure or method will not work for all substances. Evaluation of decontamination methods and procedures should be performed, as necessary, to assure that employees are not exposed to hazards by reusing PPE. References in WAC 296-62-3190, Appendix D, may be used for guidance in establishing an effective decontamination program. In addition, the United States Coast Guard Manual, "Policy Guidance for Response to Hazardous Chemical Releases," United States Department of Transportation, Washington, D.C. (COMDTINST M16465.30), is a good reference for establishing an effective decontamination program.

(4) Emergency response plans. States, along with designated districts within the states, will be developing or have developed emergency response plans. These state and district plans are to be utilized in the emergency response plans called for in this standard. Each employer needs to assure that its emergency response plan is compatible with the local plan. The major reference being used to aid in developing the state and local district plans is the Hazardous Materials Emergency Planning Guide, NRT-1. The current Emergency Response Guidebook from the United States Department of Transportation, CMA's CHEMTREC and the Fire Service Emergency Management Handbook may also be used as resources.

Employers involved with treatment, storage, and disposal facilities for hazardous waste, which have the required contingency plan called for by their permit, would not need to duplicate the same planning elements. Those items of the emergency response plan that are properly addressed in the contingency plan may be substituted into the emergency response plan required in WAC 296-62-3112 or otherwise kept together for employer and employee use.

(5) Personal protective equipment programs. The purpose of personal protective clothing and equipment (PPE) is to shield or isolate individuals from the chemical, physical, and biologic hazards that may be encountered at a hazardous substance site.

(a) As discussed in Appendix B, no single combination of protective equipment and clothing is capable of protecting against all hazards. Thus PPE should be used in conjunction with other protective methods and its effectiveness evaluated periodically.

(b) The use of PPE can itself create significant worker hazards, such as heat stress, physical and psychological stress, and impaired vision, mobility, and communication. For any given situation, equipment and clothing will be selected that provide an adequate level of protection. However, over-protection, as well as under-protection, can be hazardous and should be avoided where possible.

(c) Two basic objectives of any PPE program will be to protect the wearer from safety and health hazards, and to prevent injury to the wearer from incorrect use and/or malfunction of the PPE. To accomplish these goals, a comprehensive PPE program will include hazard

identification, medical monitoring, environmental surveillance, selection, use, maintenance, and decontamination of PPE and its associated training.

(d) The written PPE program will include policy statements, procedures, and guidelines. Copies will be made available to all employees and a reference copy will be made available at the worksite. Technical data on equipment, maintenance manuals, relevant regulations, and other essential information will also be collected and maintained.

(6) Incident command system (ICS). WAC 296-62-3112 (3)(b) requires the implementation of an ICS. The ICS is an organized approach to effectively control and manage operations at an emergency incident. The individual in charge of the ICS is the senior official responding to the incident. The ICS is not much different than the "command post" approach used for many years by the fire service. During large complex fires involving several companies and many pieces of apparatus, a command post would be established. This enables one individual to be in charge of managing the incident, rather than having several officers from different companies making separate, and sometimes conflicting, decisions. The individual in charge of the command post would delegate responsibility for performing various tasks to subordinate officers. Additionally, all communications were routed through the command post to reduce the number of radio transmissions and eliminate confusion. However, strategy, tactics, and all decisions were made by one individual.

(a) The ICS is a very similar system, except it is implemented for emergency response to all incidents, both large and small, that involve hazardous substances.

(b) For a small incident, the individual in charge of the ICS may perform many tasks of the ICS. There may not be any, or little, delegation of tasks to subordinates. For example, in response to a small incident, the individual in charge of the ICS, in addition to normal command activities, may become the safety officer and may designate only one employee (with proper equipment) as a back-up to provide assistance if needed. WISHA does recommend, however, that at least two employees be designated as back-up personnel since the assistance needed may include rescue.

(c) To illustrate the operation of the ICS, the following scenario might develop during a small incident, such as an overturned tank truck with a small leak of flammable liquid.

(d) The first responding senior officer would implement and take command of the ICS. That person would size-up the incident and determine if additional personnel and apparatus were necessary; would determine what actions to take to control the leak; and, determine the proper level of personal protective equipment. If additional assistance is not needed, the individual in charge of the ICS would implement actions to stop and control the leak using the fewest number of personnel that can effectively accomplish the tasks. The individual in charge of the ICS then would designate him or herself as the safety officer and two other employees as a back-up in case rescue may become necessary. In this scenario, decontamination procedures would not be necessary.

(e) A large complex incident may require many employees and difficult, time-consuming efforts to control. In these situations, the individual in charge of the ICS will want to delegate different tasks to subordinates in order to maintain a span of control that will keep the number of subordinates, that are reporting, to a manageable level.

(f) Delegation of tasks at large incidents may be by location, where the incident scene is divided into sectors, and subordinate officers coordinate activities within the sector that they have been assigned.

(g) Delegation of tasks can also be by function. Some of the functions that the individual in charge of the ICS may want to delegate at a large incident are: Medical services; evacuation; water supply; resources (equipment, apparatus); media relations; safety; and, site control (integrate activities with police for crowd and traffic control). Also for a large incident, the individual in charge of the ICS will designate several employees as back-up personnel; and a number of safety officers to monitor conditions and recommend safety precautions.

(h) Therefore, no matter what size or complexity an incident may be, by implementing an ICS there will be one individual in charge who makes the decisions and gives directions; and, all actions and communications are coordinated through one central point of command. Such a system should reduce confusion, improve safety, organize and coordinate actions, and should facilitate effective management of the incident.

(7) Site safety and control plans.

(a) The safety and security of response personnel and others in the area of an emergency response incident site should be of primary concern to the incident commander. The use of a site safety and control plan could greatly assist those in charge of assuring the safety and health of employees on the site.

(b) A comprehensive site safety and control plan should include the following: Summary analysis of hazards on the site and a risk analysis of those hazards; site map or sketch; site work zones (clean zone, transition or decontamination zone, work or hot zone); use of the buddy system; site communications; command post or command center; standard operating procedures and safe work practices; medical assistance and triage area; hazard monitoring plan (air contaminant monitoring, etc.); decontamination procedures and area; and other relevant areas. This plan should be a part of the employer's emergency response plan or an extension of it to the specific site.

(8) Medical surveillance programs.

(a) Workers handling hazardous substances may be exposed to toxic chemicals, safety hazards, biologic hazards, and radiation. Therefore, a medical surveillance program is essential to assess and monitor workers' health and fitness for employment in hazardous waste operations and during the course of work; to provide emergency and other treatment as needed; and to keep accurate records for future reference.

(b) The Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities developed by the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health

Administration (OSHA), the United States Coast Guard (USCG), and the Environmental Protection Agency (EPA); October 1985 provides an excellent example of the types of medical testing that should be done as part of a medical surveillance program.

(9) New technology and spill containment programs. Where hazardous substances may be released by spilling from a container that will expose employees to the hazards of the materials, the employer will need to implement a program to contain and control the spilled material. Diking and ditching, as well as use of absorbents like diatomaceous earth, are traditional techniques which have proven to be effective over the years. However, in recent years new products have come into the marketplace, the use of which complement and increase the effectiveness of these traditional methods. These new products also provide emergency responders and others with additional tools or agents to use to reduce the hazards of spilled materials.

These agents can be rapidly applied over a large area and can be uniformly applied or otherwise can be used to build a small dam, thus improving the workers' ability to control spilled material. These application techniques enhance the intimate contact between the agent and the spilled material allowing for the quickest effect by the agent or quickest control of the spilled material. Agents are available to solidify liquid spilled materials, to suppress vapor generation from spilled materials, and to do both. Some special agents, which when applied as recommended by the manufacturer, will react in a controlled manner with the spilled material to neutralize acids or caustics, or greatly reduce the level of hazard of the spilled material.

There are several modern methods and devices for use by emergency response personnel or others involved with spill control efforts to safely apply spill control agents to control spilled material hazards. These include portable pressurized applicators similar to hand-held portable fire extinguishing devices, and nozzle and hose systems similar to portable fire fighting foam systems which allow the operator to apply the agent without having to come into contact with the spilled material. The operator is able to apply the agent to the spilled material from a remote position.

The solidification of liquids provides for rapid containment and isolation of hazardous substance spills. By directing the agent at run-off points or at the edges of the spill, the reactant solid will automatically create a barrier to slow or stop the spread of the material. Clean-up of hazardous substances is greatly improved when solidifying agents, acid or caustic neutralizers, or activated carbon absorbents are used. Properly applied, these agents can totally solidify liquid hazardous substances or neutralize or absorb them, which results in materials which are less hazardous and easier to handle, transport, and dispose of. The concept of spill treatment, to create less hazardous substances, will improve the safety and level of protection of employees working at spill clean-up operations or emergency response operations to spills of hazardous substances.

The use of vapor suppression agents for volatile hazardous substances, such as flammable liquids and those

substances which present an inhalation hazard, is important for protecting workers. The rapid and uniform distribution of the agent over the surface of the spilled material can provide quick vapor knockdown. There are temporary and long-term foam-type agents which are effective on vapors and dusts, and activated carbon adsorption agents which are effective for vapor control and soaking-up of the liquid. The proper use of hose lines or hand-held portable pressurized applicators provides good mobility and permits the worker to deliver the agent from a safe distance without having to step into the untreated spilled material. Some of these systems can be recharged in the field to provide coverage of larger spill areas than the design limits of a single charged applicator unit. Some of the more effective agents can solidify the liquid flammable hazardous substances and at the same time elevate the flashpoint above 140 deg.F so the resulting substance may be handled as a nonhazardous waste material if it meets the United States Environmental Protection Agency's 40 CFR part 261 requirements (see particularly Sec. 261.21).

All workers performing hazardous substance spill control work are expected to wear the proper protective clothing and equipment for the materials present and to follow the employer's established standard operating procedures for spill control. All involved workers need to be trained in the established operating procedures; in the use and care of spill control equipment; and in the associated hazards and control of such hazards of spill containment work.

These new tools and agents are the things that employers will want to evaluate as part of their new technology program. The treatment of spills of hazardous substances or wastes at an emergency incident as part of the immediate spill containment and control efforts is sometimes acceptable to EPA and a permit exception is described in 40 CFR 264.1 (g)(8) and 265.1 (c)(11).

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-3190 APPENDIX D—REFERENCES. The following references may be consulted for further information on the subject of this notice:

(1) OSHA Instruction DFO CPL 2.70 – January 29, 1986, Special Emphasis Program: Hazardous Waste Sites.

(2) OSHA Instruction DFO CPL 2-2.37A – January 29, 1986, Technical Assistance and Guidelines for Superfund and Other Hazardous Waste Site Activities.

(3) OSHA Instruction DTS CPL 2.74 – January 29, 1986, Hazardous Waste Activity Form, OSHA 175.

(4) Hazardous Waste Inspections Reference Manual, U.S. Department of Labor, Occupational Safety and Health Administration, 1986.

(5) Memorandum of Understanding Among the National Institute for Occupational Safety and Health, the Occupational Safety and Health Administration, the United States Coast Guard, and the United States Environmental Protection Agency; Guidance for Worker Protection During Hazardous Waste Site Investigations and Clean-up and Hazardous Substance Emergencies; December 18, 1980.

(6) National Priorities List, 1st Edition, October 1984; U.S. Environmental Protection Agency, Revised periodically.

(7) The Decontamination of Response Personnel, Field Standard Operating Procedures (F.S.O.P.) 7; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, December 1984.

(8) Preparation of a Site Safety Plan, Field Standard Operating Procedures (F.S.O.P.) 9; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, April 1985.

(9) Standard Operating Safety Guidelines; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, Environmental Response Team; November 1984.

(10) Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, National Institute for Occupational Safety and Health (NIOSH), Occupational Safety and Health Administration (OSHA), U.S. Coast Guard (USCG), and Environmental Protection Agency (EPA); October 1985.

(11) Protecting Health and Safety at Hazardous Waste Sites: An Overview, U.S. Environmental Protection Agency, EPA/625/9-85/006; September 1985.

(12) Hazardous Waste Sites and Hazardous Substance Emergencies, NIOSH Worker Bulletin, U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; December 1982.

(13) Personal Protective Equipment for Hazardous Materials Incidents: A Selection Guide; U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; October 1984.

(14) Fire Service Emergency Management Handbook, International Association of Fire Chiefs Foundation, 101 East Holly Avenue, Unit 10B, Sterling, VA 22170, January 1985.

(15) Emergency Response Guidebook, U.S. Department of Transportation, Washington, D.C., 1987.

(16) Report to the Congress on Hazardous Materials Training, Planning and Preparedness, Federal Emergency Management Agency, Washington, D.C., July 1986.

(17) Workbook for Fire Command, Alan V. Brunacini and J. David Beageron, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1985.

(18) Fire Command, Alan V. Brunacini, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1985.

(19) Incident Command System, Fire Protection Publications, Oklahoma State University, Stillwater, OK 74078, 1983.

(20) Site Emergency Response Planning, Chemical Manufacturers Association, Washington, D.C. 20037, 1986.

(21) Hazardous Materials Emergency Planning Guide, NRT-1, Environmental Protection Agency, Washington, D.C., March 1987.

(22) Community Teamwork: Working Together to Promote Hazardous Materials Transportation Safety.

U.S. Department of Transportation, Washington, D.C., May 1983.

(23) Disaster Planning Guide for Business and Industry, Federal Emergency Management Agency, Publication No. FEMA 141, August 1987.

NEW SECTION

WAC 296-62-07354 APPENDICES—INORGANIC ARSENIC. The information in appendices A, B, and C is not intended, by itself, to create any additional obligations not otherwise imposed by WAC 296-62-07347 nor detract from existing obligation.

(1) Appendix A—Inorganic arsenic substance information sheet.

(a) Substance identification.

(i) Substance. Inorganic arsenic.

(ii) Definition. Copper acetoarsenite, arsenic and all inorganic compounds containing arsenic except arsine, measured as arsenic (As).

(iii) Permissible exposure limit. Ten micrograms per cubic meter of air as determined as an average over an 8 hour period. No employee may be exposed to any skin or eye contact with arsenic trichloride or to skin or eye contact likely to cause skin or eye irritation.

(iv) Regulated areas. Only employees authorized by your employer should enter a regulated area.

(b) Health hazard data.

(i) Comments. The health hazard of inorganic arsenic is high.

(ii) Ways in which the chemical affects your body. Exposure to airborne concentrations of inorganic arsenic may cause lung cancer, and can be a skin irritant. Inorganic arsenic may also affect your body if swallowed. One compound in particular, arsenic trichloride, is especially dangerous because it can be absorbed readily through the skin. Because inorganic arsenic is a poison, you should wash your hands thoroughly prior to eating or smoking.

(c) Personal protective equipment and clothing.

(i) Respirators. Respirators will be provided by the employer at no cost to employees for routine use if the employer is in the process of implementing engineering and work practice controls or where engineering and work practice controls are not feasible or insufficient. Respirators must be worn for nonroutine activities or in emergency situations where there is likely to be exposure to levels of inorganic arsenic in excess of the permissible exposure limit. Since how well the respirator fits is very important, the employer is required to conduct fit tests to make sure the respirator seals properly when worn. These tests are simple and rapid and will be explained during training sessions.

(ii) Protective clothing. If work is in a regulated area, the employer is required to provide at no cost to employees, and it must be worn, appropriate, clean, protective clothing and equipment. The purpose of this equipment is to prevent the employee from taking home arsenic-contaminated dust and to protect the body from repeated skin contact with inorganic arsenic likely to cause skin irritation. This clothing shall include such items as coveralls or similar full-body clothing, gloves,

shoes or coverlets, and aprons. Protective equipment should include face shields or vented goggles, where eye irritation may occur.

(d) Hygiene facilities and practices.

(i) The employer shall ensure that employees do not eat, drink, smoke, chew gum or tobacco, or apply cosmetics in the regulated area, except that drinking water is permitted. If work is in a regulated area, the employer is required to provide lunchrooms or other areas for these purposes.

(ii) If work is in a regulated area, the employer is required to provide showers, washing facilities, and change rooms. The employer shall ensure that employees wash faces and hands before eating and shower at the end of the work shift. Do not take used protective clothing out of change rooms without the employer's permission. The employer is required to provide for laundering or cleaning of the protective clothing.

(e) Signs and labels. The employer is required to post warning signs and labels for employee protection. Signs must be posted in regulated areas. The signs must warn that a cancer hazard is present, that only authorized employees may enter the area, and that no smoking or eating is allowed, and that respirators must be worn.

(f) Medical examinations. If exposure to arsenic is over the action level ($5 \mu\text{g}/\text{m}^3$) (including all persons working in regulated areas) at least 30 days per year, or employees have been exposed to arsenic for more than 10 years over the action level, the employer is required to provide employees with a medical examination. The examination shall be every 6 months for employees over 45 years old or with more than 10 years exposure over the action level and annually for other covered employees. The medical examination must include a medical history; a chest x-ray; skin examination; nasal examination, and sputum cytology exam for the early detection of lung cancer. The cytology exams are only included in the initial exam and examinations given after employees are either 45 years or older or have 10 or more years employment over the action level. The examining physician will provide a written opinion to the employer containing the results of the medical exams. Employees should also receive a copy of this opinion. The physician must not tell the employer any conditions he detects unrelated to occupational exposure to arsenic but must tell employees those conditions.

(g) Observation of monitoring. The employer is required to monitor employee exposure to arsenic and employees or their representatives are entitled to observe the monitoring procedure. Employees are entitled to receive an explanation of the measurement procedure, and to record the results obtained. When the monitoring procedure is taking place in an area where respirators or personal protective clothing and equipment are required to be worn, employees must also be provided with and must wear the protective clothing and equipment.

(h) Access to records. Employees or their representatives are entitled to records of employee exposure to inorganic arsenic upon request to the employer. Employee medical examination records can be furnished to employees' physician if employees request the employer to provide them.

(i) Training and notification. Additional information on all of these items plus training as to hazards of exposure to inorganic arsenic and the engineering and work practice controls associated with employees' jobs will also be provided by the employer. If employees are exposed over the permissible exposure limit, the employer must inform employees of that fact and the actions to be taken to reduce employee exposure.

(2) Appendix B—Substance technical guidelines. Arsenic, arsenic trioxide, arsenic trichloride (3 examples)

(a) Physical and chemical properties

(i) Arsenic (metal)

(A) Formula: As

(B) Appearance: Gray metal

(C) Melting point: Sublimes without melting at 613C

(D) Specific gravity: (H₂O=1):5.73.

(E) Solubility in Water: Insoluble

(ii) Arsenic trioxide

(A) Formula: As₂O₃, (As₄O₆).

(B) Appearance: White powder

(C) Melting point: 315C

(D) Specific gravity: (H₂O=1):3.74

(E) Solubility in water: 3.7 grams in 100cc of water at 20C

(iii) Arsenic trichloride (liquid)(Trichloride)

(A) Formula: AsCl₃

(B) Appearance: Colorless or pale yellow liquid

(C) Melting point: -8.5C

(D) Boiling point: 130.2C

(E) Specific gravity (1120=1)2:16 at 20C

(F) Vapor Pressure: 10mm Hg at 23.5C.

(G) Solubility in water: Decomposes in water.

(b) Fire, explosion, and reactivity data.

(i) Fire: Arsenic trioxide and arsenic trichloride are nonflammable.

(ii) Reactivity:

(A) Conditions contributing to instability: Heat.

(B) Incompatibility: Hydrogen gas can react with inorganic arsenic to form the highly toxic gas arsine.

(c) Monitoring and measurement procedures.

(i) Samples collected should be full shift (at least 7 hours) samples. Sampling should be done using a personal sampling pump at a flow rate of 2 liters per minute. Samples should be collected on 0.8 micrometer pore size membrane filter (37mm diameter). Volatile arsenicals such as arsenic trichloride can be most easily collected in a midjet bubbler filled with 15 ml. of 0.1 N NaOH.

(ii) The method of sampling and analysis should have an accuracy of not less than ± 25 percent (with a confidence limit of 95 percent) for 10 micrograms per cubic meter of air (10 µg/m³) and ± 35 percent (with a confidence limit of 95 percent) for concentrations of inorganic arsenic between 5 and 10 µg/m³.

(3) Appendix C—Medical surveillance guidelines.

(a) General.

(i) Medical examinations are to be provided for all employees exposed to levels of inorganic arsenic above the action level (5 µg/m³) for at least 30 days per year (which would include among others, all employees, who work in regulated areas). Examinations are also to be

provided to all employees who have had 10 years or more exposure above the action level for more than 30 days per year while working for the present or predecessor employer though they may no longer be exposed above the level.

(ii) An initial medical examination is to be provided to all such employees by December 1, 1978. In addition, an initial medical examination is to be provided to all employees who are first assigned to areas in which worker exposure will probably exceed 5 µg/m³ (after the effective date of this standard) at the time of initial assignment. In addition to its immediate diagnostic usefulness the initial examination will provide a baseline for comparing future test results. The initial examination must include as a minimum the following elements:

(A) A work and medical history, including a smoking history, and presence and degree of respiratory symptoms such as breathlessness, cough, sputum production, and wheezing;

(B) A 14-inch by 17-inch posterior-anterior chest x-ray and an International Labor Office UICC/Cincinnati (ILO U/C) rating;

(C) A nasal and skin examination;

(D) A sputum cytology examination; and

(E) Other examinations which the physician believes appropriate because of the employee's exposure to inorganic arsenic or because of required respirator use.

(iii) Periodic examinations are also to be provided to the employees listed above. The periodic examinations shall be given annually for those covered employees 45 years of age or less with fewer than 10 years employment in areas where employee exposure exceeds the action level (5 µg/m³). Periodic examinations need not include sputum cytology and only an updated medical history is required.

(iv) Periodic examinations for other covered employees, shall be provided every 6 months. These examinations shall include all tests required in the initial examination, except that the medical history need only be updated.

(v) The examination contents are minimum requirements. Additional tests such as lateral and oblique x-rays or pulmonary function tests may be useful. For workers exposed to 3 arsenicals, copper acetoarsenite, potassium arsenite, or sodium arsenite, which are associated with lymphatic cancer, the examination should also include palpation of superficial lymph nodes and complete blood count.

(b) Noncarcinogenic effects.

(i) The WISHA standard is based on minimizing risk of exposed workers dying of lung cancer from exposure to inorganic arsenic. It will also minimize skin cancer from such exposures.

(ii) The following three sections quoted from "Occupational Diseases: A Guide to Their Recognition," Revised Edition, June 1977, National Institute for Occupational Safety and Health is included to provide information on the nonneoplastic effects of exposure to inorganic arsenic. Such effects should not occur if the WISHA standards are followed.

(A) Local—Trivalent arsenic compounds are corrosive to the skin. Brief contact has no effect but prolonged

contact results in a local hyperemia and later vesicular or pustular eruption. The moist mucous membranes are most sensitive to the irritant action. Conjunctiva, moist and macerated areas of skin, the eyelids, the angles of the ears, nose, mouth, and respiratory mucosa are also vulnerable to the irritant effects. The wrists are common sites of dermatitis, as are the genitalia if personal hygiene is poor. Perforations of the nasal septum may occur. Arsenic trioxide and pentoxide are capable of producing skin sensitization and contact dermatitis. Arsenic is also capable of producing keratoses, especially of the palms and soles.

(B) Systemic.

(I) The acute toxic effects of arsenic are generally seen following ingestion of inorganic arsenical compounds. This rarely occurs in an industrial setting. Symptoms develop within 1/2 to 4 hours following ingestion and are usually characterized by constriction of the throat followed by dysphagia, epigastric pain, vomiting, and watery diarrhea. Blood may appear in vomitus and stools. If the amount ingested is sufficiently high, shock may develop due to severe fluid loss, and death may ensue in 24 hours. If the acute effects are survived, exfoliative dermatitis and peripheral neuritis may develop.

(II) Cases of acute arsenical poisoning due to inhalation are exceedingly rare in industry. When it does occur, respiratory tract symptoms – cough, chest pain, dyspnea – giddiness, headache, and extreme general weakness precede gastrointestinal symptoms. The acute toxic symptoms of trivalent arsenical poisoning are due to severe inflammation of the mucous membranes and greatly increased permeability of the blood capillaries.

(III) Chronic arsenical poisoning due to ingestion is rare and generally confined to patients taking prescribed medications. However, it can be a concomitant of inhaled inorganic arsenic from swallowed sputum and improper eating habits. Symptoms are weight loss, nausea and diarrhea alternating with constipation, pigmentation and eruption of the skin, loss of hair, and peripheral neuritis. Chronic hepatitis and cirrhosis have been described. Polyneuritis may be the salient feature, but more frequently there are numbness and parasthenias of "glove and stocking" distribution. The skin lesions are usually melanotic and keratotic and may occasionally take the form of an intradermal cancer of the squamous cell type, but without infiltrative properties. Horizontal white lines (striations) on the fingernails and toenails are commonly seen in chronic arsenical poisoning and are considered to be a diagnostic accompaniment of arsenical polyneuritis.

(IV) Inhalation of inorganic arsenic compounds is the most common cause of chronic poisoning in the industrial situation. This condition is divided into three phases based on signs and symptoms.

(V) First phase: The worker complains of weakness, loss of appetite, some nausea, occasional vomiting, a sense of heaviness in the stomach, and some diarrhea.

(VI) Second phase: The worker complains of conjunctivitis, a catarrhal state of the mucous membranes of the nose, larynx, and respiratory passage. Coryza, hoarseness, and mild tracheobronchitis may occur. Perforation

of the nasal septum is common, and is probably the most typical lesion of the upper respiratory tract in occupational exposure to arsenical dust. Skin lesions, eczematoid and allergic in type, are common.

(VII) Third phase: The worker complains of symptoms of peripheral neuritis, initially of hands and feet, which is essentially sensory. In more severe cases, motor paralysis occurs; the first muscles affected are usually the toe extensors and the peronei. In only the most severe cases will paralysis of flexor muscles of the feet or of the extensor muscles of hands occur.

(VIII) Liver damage from chronic arsenical poisoning is still debated, and as yet the question is unanswered. In cases of chronic and acute arsenical poisoning, toxic effects to the myocardium have been reported based on EKG changes. These findings, however, are now largely discounted and the EKG changes are ascribed to electrolyte disturbances concomitant with arsenicalism. Inhalation of arsenic trioxide and other inorganic arsenical dusts does not give rise to radiological evidence or pneumoconiosis. Arsenic does have a depressant effect upon the bone marrow, with disturbances of both erythropoiesis and myelopoiesis.

(4) Bibliography:

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Vallee, B. L., Ulmer, D. D., and W. E. C. Wacker. 1960. Arsenic Toxicology and Biochemistry. *AMA Arch. Indust. Health* 21:132.

(5) Sputum cytology.

(a) Sputum can be collected by aerosol inhalation during the medical exam or by spontaneous early morning cough at home. Sputum is induced by transoral inhalation of an aerosolized solution of 8 percent sodium chloride in water. After inhaling as few as 3 to 5 breaths, the subject usually yields an adequate sputum. All sputum should be collected directly into 60 percent alcohol.

(b) Scientific evidence suggests that chest x-rays and sputum cytology should be used together as screening tests for lung tests for lung cancer in high risk populations such as workers exposed to inorganic arsenic. The tests are to be performed every 6 months on workers who are 45 years of age or older or have worked in the regulated area for 10 or more years. Since the tests seem

to be complementary, it may be advantageous to alternate the test procedures. For instance, chest x-rays could be obtained in June and December and sputum cytologies could be obtained in March and September. Facilities for providing necessary diagnostic investigation should be readily available as well as chest physicians, surgeons, radiologists, pathologists, and immunotherapists to provide any necessary treatment services.

WSR 90-20-092
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 1, 1990, 4:47 p.m.]

Date of Adoption: October 1, 1990.

Purpose: Revise the experience rating plan applicable to workers' compensation insurance underwritten by the Washington state fund, Department of Labor and Industries.

Citation of Existing Rules Affected by this Order: Amending chapter 296-17 WAC, Manual of rules, classifications, rates and rating system for Washington workers' compensation insurance.

Statutory Authority for Adoption: RCW 51.04.020(1).

Other Authority: RCW 51.16.035.

Pursuant to notice filed as WSR 90-16-103 on August 15, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 1, 1990

Joseph A. Dear

Director

AMENDATORY SECTION (Amending Order 87-26, filed 12/1/87, effective 1/1/88)

WAC 296-17-850 EXPERIENCE RATING PLAN—ELIGIBILITY AND EXPERIENCE PERIOD. (1) Eligibility. Effective January 1, 1991, and thereafter each employer who has reported experience during ((more than one fiscal year of)) the "experience period" shall have his/her base rates multiplied by an "experience ((modification)) factor" calculated in accordance with the rules of this manual. The development of the "experience ((modification)) factor" as set forth in WAC 296-17-855 shall include losses and exposure reported in all risk ((classes)) classifications.

(2) Experience period. The "experience period" shall be the oldest three of the four fiscal years preceding the effective date of premium rates as set forth in WAC 296-17-895.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-873 ~~((STRUCTURE OF EMPLOYER CHANGES—EXPERIENCE RATING)) RESPONSIBILITY FOR PAST EXPERIENCE.~~
~~((WAC 296-17-873 through 296-17-87308 governs~~

~~combination of entities and status changes of ownership for purposes of experience rating.))~~ WAC 296-17-87301 through 296-17-87308 shall be used to determine the assignment of past loss experience associated with a change in business ownership for experience rating purposes. It is the intent of these rules that every firm (business) shall be responsible for its past experience irrespective of ownership as long as the firm (business) continues to conduct operations which are subject to Washington Workers' Compensation Act. When a business or portion of a business is sold, the new owner or owners of such business or portion thereof shall also take over the past loss experience associated with the business unless another treatment is specified in these rules.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-87301 DEFINITIONS. The definitions in this section shall apply throughout WAC 296-17-873 through 296-17-87308.

(1) "Entity" means an individual, partnership, corporation, unincorporated association, or fiduciary operation (e.g. trust, receivership, or estate of deceased individual).

(2) ~~((("Immediate family member" as used in this rule means father, mother, husband, wife, son, daughter, stepson, stepdaughter, grandson, or granddaughter.~~

~~((3))) "Majority interest" means more than fifty percent ((interest. If an entity other than a partnership:~~

~~((a) Has issued voting stock, majority interest means a majority of the issued voting stock. If all stock issues do not have the same number of votes per share, majority interest means a majority of the voting rights;~~

~~((b) Has not issued voting stock, majority interest means a majority of the members;~~

~~((c) Has not issued voting stock and has no members, a majority interest means a majority of the board of directors or comparable governing body.~~

If an entity is a partnership, majority interest means more than one-half of the general partners)) ownership in the firm (business). If the owners of the firm (business) are a partnership, majority interest means more than fifty percent of the general partners' ownership in the firm (business). Majority interest in a partnership shall be determined in proportion to the general partners' ownership of the firm (business). For example, in a three-way partnership . . . partner A owns twenty percent of the business, partner B owns twenty percent of the business, and partner C owns sixty percent of the business . . . if partner A sold his/her share of the business, a majority interest still exists as partners B and C retain a majority interest (eighty percent) in the firm (business). Limited partners shall not be considered to have an ownership interest for purpose of these rules.

~~((4))) (3) "Joint venture" means a combination of two or more entities, entered into for the purpose of carrying to completion a ((specific)) specified job of limited duration.~~

(4) "Employee leasing entity" means a firm (business) which provides workers on a long-term basis to another firm.

NEW SECTION

WAC 296-17-87304 CHANGE IN OWNERSHIP WITH AN ACCOMPANYING CHANGE IN BUSINESS ACTIVITIES. When a majority change in the ownership of a firm (business) is accompanied by a change in the business activity of the firm (business) and this change is sufficient to result in a reclassification of the basic classification assigned to the firm (business), then the past experience, prior to the change, shall be excluded from future experience ratings of the acquiring entity. If the change in business activities is not sufficient to result in a reclassification of the basic classification assigned to the firm (business), the acquiring entity shall retain the past experience attributable to the firm (business) or portion thereof which was purchased. For purposes of this rule, the term "basic classification" shall mean the classification other than standard exception classifications as defined in WAC 296-17-440 which produces the largest number of worker hours during the calendar year in which the change in business operations is noted. The basic classification of a business shall be determined in accordance with WAC 296-17-310 (2) and (7) "Overview" and "Assignment of classifications."

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

~~WAC 296-17-87305 ((CHANGE IN OWNERSHIP)) INITIAL RECALCULATION OF EXPERIENCE FACTOR. (((1) For the purpose of WAC 296-17-873 through 296-17-87308 management is considered to be vested in ownership. Except as specifically provided otherwise herein, ownership whether active or inactive, governs the administration of WAC 296-17-873 through 296-17-87308, and the words "nominal" and "material" denote respectively the effect of a particular change in ownership. If a change has occurred which the provisions of subsections (2) through (5) of this section denominate "nominal," the experience of the past shall be utilized for future modification. If, on the other hand, the change is denominated "material," the past experience shall be disregarded and the risk written at manual or otherwise applicable rates.~~

~~In application of WAC 296-17-873 through 296-17-87308, ownership changes of any entity which is neither a partnership, a joint venture, nor a corporation that has issued voting stock shall be decided in accordance with the provisions of subsections (2) through (5) of this section applicable to corporations. The provisions of sections (2) through (5) of this section shall be applied as though the entity has issued voting stock and the stock was:~~

- ~~(a) Held in equal amounts by each of its members, or~~
- ~~(b) If the entity does not have members, held in equal amounts by each member of the board of directors or comparable governing body.~~

~~Two or more changes during a twelve-month period shall be considered as a single change.~~

~~The department shall in each case determine from the applicable provisions of subsections (2) through (5) of this section whether a change is "nominal" or "material," and if no provision of subsections (2) through (5) of~~

~~this section is expressly applicable it shall be governed by a consideration of WAC 296-17-873 through 296-17-87308 as a whole and of its several parts interpreted in the light of such relevant evidence as is offered:~~

~~(2) Individual:~~

~~(a) Death of an individual is a material change. Exception: Where a member or members of the immediate family take over the business, either as the executor, executrix, administrator, or sole owner the change is nominal.~~

~~(b) Sale of business to another is a material change. Exception: Where the sale is made to a member or members of the immediate family the change is nominal.~~

~~(c) Bankruptcy or insolvency with:~~

~~(i) Continued operation with appointment of a trustee is a nominal change;~~

~~(ii) Withdrawal of the trustee and reversion to the original owner is a nominal change;~~

~~(iii) Withdrawal of a trustee but with new owners is a material change.~~

~~(d) Formation of a living estate is a nominal change.~~

~~(e) Formation of a partnership is a material change. Exceptions:~~

~~(i) A partnership composed of only two general partners is a nominal change;~~

~~(ii) A partnership composed of members of an immediate family is a nominal change;~~

~~(iii) A limited partnership in which the individual is one of not more than two general partners is a nominal change.~~

~~(f) Formation of a corporation is a material change. Exception: If the individual or members of his immediate family own one-half or more of the issued voting stock the change is nominal.~~

~~(3) Partnership:~~

~~(a) Sale, conveyance, transfer, or assignment of partnership interest by one or more partners and the partnership not dissolved is a material change. Exceptions:~~

~~(i) If prior to the change all partners were members of an immediate family and after the change one-half or more of the general partners are members of such immediate family the change is nominal;~~

~~(ii) If one-half or more of the general partners prior to the change constitute one-half or more of the general partners after the change the change is nominal.~~

~~(b) If the partnership is dissolved the change is material. Exceptions:~~

~~(i) In a partnership wherein all partners were members of an immediate family and one or more of the members of such family constitute one-half or more of the general partners in the new partnership, or own one-half or greater interest in the new entity or entities if they are not partnerships the change is nominal;~~

~~(ii) If one-half or more of the general partners of the dissolved partnership constitute one-half or more of the general partners in the new partnership or own a one-half or greater interest in the new entity or entities if they are not a partnership the change is nominal.~~

~~(c) Bankruptcy or insolvency:~~

~~(i) Continued operation with appointment of a trustee is a nominal change.~~

(ii) Withdrawal of a trustee and reversion to one-half or more of the original general partners is a nominal change.

(iii) Withdrawal of a trustee with the original general partners not constituting one-half or more of the owners is a material change.

(4) Corporations.

(a) Old corporation dissolved or nonoperative, not a merger or consolidation:

(i) Formation of a new corporation is a material change. Exceptions:

(A) If the stockholders common to both the dissolved or nonoperative corporation and the newly formed corporation own or owned one-half or more of the issued voting stock in the old corporation and own one-half or more of the issued voting stock in the newly formed corporation the change is nominal;

(B) If the nonoperative corporation owns one-half or more of the issued voting stock of the newly formed corporation the change is nominal;

(C) In a family corporation (meaning a corporation whose entire issued voting stock is held by the members of an immediate family) only those changes may be considered which involve the acquisition of ownership by a person not a member of such immediate family.

(ii) Reversion to an individual is a material change. Exceptions:

(A) If the individual owns or owned one-half or more of the issued voting stock of the dissolved or nonoperative corporation the change is nominal;

(B) If the individual was a member of an immediate family which wholly owned the corporation the change is nominal.

(iii) Reversion to a partnership is a material change. Exceptions:

(A) If the stockholders who own or owned one-half or more of the issued voting stock of the dissolved or nonoperative corporation constitute one-half or more of the general partners the change is nominal;

(B) If the corporation was wholly owned by members of an immediate family and a member or members of that immediate family constitute one-half or more of the general partners the change is nominal.

(b) Transfer of voting stock, not otherwise provided for in subsections (2) through (5) of this section:

(i) If one-half or less of issued voting stock is transferred the change is nominal.

(ii) If more than one-half of issued voting stock is transferred the change is material. Exception: If the stockholders who own or owned one-half or more of the issued voting stock prior to such sale own one-half or more of the issued voting stock after such sale the change is nominal.

(iii) In a family corporation (meaning a corporation whose entire issued voting stock is held by the members of an immediate family) only those changes shall be considered which involve the acquisition of ownership by a person not a member of such immediate family.

(c) Trustees, receiverships, and similar temporary changes of management are nominal changes.

(d) In the case of consolidations or mergers of corporations the experience of all consolidated or merged

corporations shall be combined for computing the modification for the consolidated or surviving corporation.

(5) Joint ventures.

(a) Any change in the membership of the joint venture is a material change.

(b) A nominal change in the ownership of one of the joint venturers is a nominal change.

(c) A material change in the ownership of one of the joint venturers is a material change.

(d) The experience of a joint venture shall be continued for other operations which may be undertaken, as a joint venture, by the same group of joint venturers, either during the same time as the original venture or at a later date.

(e) Members of a joint venture may subcontract part or all of their operations to one or more of the joint venturers. Work thus subcontracted becomes a regular part of the subcontractor's operations and is subject to his experience modification.

(6) Notwithstanding any of the provisions contained in this section the past experience of any single employing entity either corporate, partnership, or otherwise shall not be utilized for future modification by more than one newly formed employing entity either corporate, partnership, or otherwise. The following guidelines will be used in cases where two previous co-owners of a firm would both otherwise be individually entitled to the past experience of the firm based on their previous fifty percent ownership.

(a) If the change in the ownership of the firm was nominal, the experience will remain with the firm and belong to the new owners. Neither previous co-owner shall be entitled to the experience, except, coincidentally, by his or her continuing ownership interest in the ongoing firm.

(b) If the change in ownership was material or the firm was discontinued, and only one of the previous co-owners has an ongoing state fund account, the experience shall be assigned to the previous co-owner with the ongoing account.

(c) If the change in ownership was material, or the business was discontinued, and both previous co-owners have ongoing state fund accounts, the experience shall not be assigned to either of the previous co-owners.

Assignment of past experience to an entity in accordance with the above priorities will be final, unless it shall be determined that there was an error or misrepresentation which caused the experience to be assigned incorrectly. The assignment of experience shall not be altered by a subsequent change in status of any of the interested parties which would have changed the priority of their claim to the experience.)) When an entity acquires the past experience of an existing firm (business) or portion thereof, the following treatment shall apply until the next date for the general calculation of all employers' experience factors. WAC 296-17-865, "Experience modification limitations" shall not apply in these situations. The purpose of this subsection is to produce the same premium level that would have been generated had no change in the ownership of a firm (business) occurred.

(1) Acquiring entity retains all rating experience associated with the firm (business), or portion thereof, being acquired. The selling entity shall revert to an experience factor of unity (1.0000) until such time as it may requalify for experience rating or unless another treatment is specified in these rules.

(2) If the acquiring entity already has an experience factor, it shall be assigned a weighted average of its existing experience factor and the acquired experience factor. Weights will be based on expected losses. In the event the acquiring entity does not have an existing experience factor, it shall be assigned an experience factor developed from the past experience of the firm (business) or portion thereof being acquired.

(3) If the past experience of the firm (business) cannot be segregated between the operations remaining with the selling entity and the operations being taken over by the acquiring entity, then the entire experience of the firm (business) shall remain with the selling entity. In the event that the past experience can be segregated, the following shall apply:

(a) Separate experience factors shall be calculated for each portion of the firm (business) being sold using the experience rating procedures in WAC 296-17-855 through 296-17-870.

(b) Both experience factors shall be increased or decreased in the same proportion, if necessary, so that their weighted average is the same as the selling entity's experience factor prior to the sale or change.

(c) The selling entity shall be assigned the experience factor for the experience it is retaining.

(d) The experience factor developed in (a) and (b) of this subsection shall be used in accordance with subsection (2) of this section.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-87306 COMBINATION OF ENTITIES. Separate entities shall be combined for experience rating purposes when the same person or persons and/or a single corporation owns a majority interest in each of the entities.

Note: If two or more different combinations are possible in accordance with the provisions of this section, the combination producing the greatest amount of expected losses during the experience period shall be made. The experience of any entity used in such combinations may not be otherwise used in combination with any other entity. The experience used in a rating of combination shall be subject to the provisions of WAC 296-17-87305 (~~Change in ownership~~) Initial recalculation of experience factor.

Exceptions:

(1) Individual trusts may not be combined for experience rating purposes with operations of the trustee nor with the operations of any other trusts. However, two or more trusts having identical trustees and also having identical beneficiaries shall be combined.

(2) Joint venture operations may not be combined with the operations of any other entity, even though the members of the joint venture are identically owned.

This ~~(section)~~ subsection applies only where the entities are or have been operating and insured concurrently in Washington. It does not apply where concurrent operations are for a short period of time, not exceeding one year, if the operation of the original entity during the period both entities were operating, was restricted to the completion of ~~(contracts)~~ projects entered into prior to the new entity commencing operations. Newly formed joint ventures shall be assigned an experience factor of unity (1.0000).

(3) Employee leasing firms (businesses) shall be required to establish a subaccount for each client for which they supply workers. This account will be a subaccount number of their client's account number. The client's account and the employee leasing firm's subaccount shall be combined to produce a single experience factor which will be shared by both the client and employee leasing firm (business).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-17-87307 REVISION OR WITHDRAWAL OF EXPERIENCE MODIFICATIONS.

WAC 296-17-87308 EXPERIENCE MODIFICATION.

WSR 90-20-093

NOTICE OF PUBLIC MEETINGS TRANSPORTATION IMPROVEMENT BOARD

[Memorandum—September 28, 1990]

MEETING NOTICE FOR
OCTOBER 1990

TRANSPORTATION IMPROVEMENT BOARD
TRANSPORTATION BUILDING
OLYMPIA, WASHINGTON 98504

Work session, 6:00 p.m., Thursday, October 18, 1990, in Olympia at the Tyee Hotel, Quinault Room, 500 Tyee Drive.

TIB meeting, 9:00 a.m., Friday, October 19, 1990, in Olympia at the Transportation Building, Commission Board Room.

WSR 90-20-094

RULES COORDINATOR HUMAN RIGHTS COMMISSION

[Filed October 1, 1990, 4:50 p.m.]

Please be advised that, in accordance with RCW 34.05.310(3), the following individual has been designated as rules coordinator for the Washington State Human Rights Commission: Sherri A. Apilado, Commission Clerk, 402 Evergreen Plaza Building, FJ-41, 711 South Capitol Way, Olympia, WA 98504, (206) 753-4876, scan 234-4876.

Sherri A. Apilado
Commission Clerk

WSR 90-20-095
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—September 28, 1990]

The Washington State Human Rights Commission will hold its next regular commission meeting in Bellingham on October 24 and 25, 1990. The meeting on October 24, will be held at the Lummi Indian Nations Council Chambers, 2616 Kwina Road, Bellingham, beginning at 7:00 p.m. The regular business meeting will be held at the Bellingham Public Library, Lower Level Lecture Room, 210 Central Avenue, Bellingham, on October 25, beginning at 9:00 a.m.

WSR 90-20-096
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
 [Memorandum—September 26, 1990]

The dates and location for the October and November Washington State Transportation Commission public meetings are:

- October 17 and 18 Transportation Building
 Conference Room 1D2
 Olympia, Washington
- November 14 and 15 Spokane, Washington
 Cavanaugh's Inn at the Park
 West 303 North River Drive
 Spokane, WA 99212

WSR 90-20-097
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 90-43—Filed October 2, 1990, 10:16 a.m.]

Original Notice.

Title of Rule: WAC 173-19-230 Island County shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for Island County.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Barry Wenger, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6767; **Implementation and Enforcement:** D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Revise the regulations and policies relating to aquaculture.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Island County Courthouse Annex, 6th and Main Street, Coupeville, Washington 98239, on Wednesday, November 14, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by November 23, 1990.

Date of Intended Adoption: December 18, 1990.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 85-12, filed 6/5/85)

WAC 173-19-230 ISLAND COUNTY. Island County master program approved June 25, 1976. Revision approved June 4, 1985. Revision approved December 18, 1990.

WSR 90-20-098
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Order 90-52—Filed October 2, 1990, 10:18 a.m.]

Original Notice.

Title of Rule: WAC 173-19-250 King County shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for King County.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Peter Skowlund, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 438-7430; **Implementation and Enforcement:** D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To redesignate portions of Boise Creek and the White River Mill Pond from conservancy to rural.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City of Enumclaw Community Center, 1350 Cole Street, Enumclaw, WA 98022, on Wednesday, November 8, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by November 16, 1990.

Date of Intended Adoption: December 18, 1990.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 85-17, filed 6/18/85)

WAC 173-19-250 KING COUNTY. King County master program approved July 8, 1976. Revision approved November 22, 1976. Revision approved June 30, 1978. Revision approved July 5, 1979. Revision approved September 23, 1981. Revision approved February 9, 1982. Revision approved March 14, 1984. Revision approved June 18, 1985.

Reviser's note: No amendments were proposed in the above section. The section is shown exactly as filed by the agency pursuant to the requirements of RCW 34.08.040.

WSR 90-20-099

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-45—Filed October 2, 1990, 10:20 a.m.]

Original Notice.

Title of Rule: WAC 173-19-2514 City of Medina shoreline master program.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for the city of Medina.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The existing program has been reorganized for easier use. Program additions establish a recreation conservancy environment designation; address land modifications and use of tramways to the beach; set the maximum length for piers and docks at 100 feet; set other limits for shoreline structures; and address nonconforming uses.

Proposal Changes the Following Existing Rules: Amends chapter 173-19 WAC, Shoreline Management Act of 1971, state master program.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Hall, City of Medina, 501 Evergreen Point Road, Medina, WA 98039, on Wednesday, November 14, 1990, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by November 23, 1990.

Date of Intended Adoption: December 18, 1990.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-2514 MEDINA, CITY OF. City of Medina master program approved November 22, 1974. Revision approved December 18, 1990.

WSR 90-20-100

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-53—Filed October 2, 1990, 10:22 a.m.]

Original Notice.

Title of Rule: Chapter 173-166 WAC, Emergency drought relief.

Purpose: Chapter 173-166 WAC is being amended to incorporate new provisions for providing emergency drought relief.

Statutory Authority for Adoption: RCW 43.83B.420(5).

Statute Being Implemented: RCW 43.83B.400 through 43.83B.425 and [chapter 171], Laws of 1989.

Summary: Chapter 171, Laws of 1989, now RCW 43.83B.420, requires the Department of Ecology to develop rules implementing the provisions of that chapter. Ecology is authorized to declare drought emergencies, in accordance with specified procedures, and take specific actions to provide drought relief.

Reasons Supporting Proposal: To provide ecology with procedures for declaring drought emergencies, and implementing drought relief measures, namely: Issuing emergency drought permits; approving water right transfers; and providing funding assistance for eligible projects and measures.

Name of Agency Personnel Responsible for Drafting: Doug McChesney, Water Resources Program, Olympia, Washington, (206) 459-6117; Implementation and Enforcement: Hedia Adelsman, Program Manager, Water Resources Program, Olympia, Washington, (206) 459-6056.

Name of Proponent: Department of Ecology, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes the procedures through which ecology can issue orders declaring a geographic area to be suffering from drought conditions. Once an area has been declared to be suffering from drought conditions, the proposed rules codify the procedures ecology will use to implement the following actions: Authorize emergency withdrawals of public surface and ground waters, including dead storage within reservoirs, and the construction of either temporary or permanent diversion works; authorize temporary changes in purpose, place of use, or point of diversion between willing parties; and provide grants, loans, or combinations of loans and grants from emergency agricultural water supply funds when necessary to provide water to alleviate emergency drought conditions.

Proposal Changes the Following Existing Rules: The existing rule simply sets procedures for disbursement of emergency funds during periods of drought. The new rule redefines those procedures plus establishes new procedures for the implementation of the additional powers conferred to ecology by the enabling legislation, chapter 171, Laws of 1989.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Small Business Economic Impact Statement: SSB 5196, Emergency Drought Relief, which was enacted in 1989 and is now codified in part as RCW 43.83B.400 through 43.83B.425, addressed matters of drought relief. The legislation, by conferring permanent drought authority to the Department of Ecology, will permit quick and effective response to potential drought conditions. The new law permits ecology to issue orders declaring areas to be suffering from drought. Prior to that, ecology must "consult with and obtain the views of the federal and state government entities identified in the drought contingency plan . . . and . . . obtain the written approval of the governor." Now that ecology has been given permanent drought relief authority, it is necessary to adopt permanent rules for future implementation of the drought relief program. Previously, ecology was required to approach the legislature each time the possibility of drought arose and request legislation authorizing, among other things, issuance of temporary water rights, temporary transfer of water rights, emergency funding of projects to help ensure adequate supplies of water for various water users plus hiring of additional personnel to administer those emergency drought provisions. Emergency rules adopted by ecology to carry out the requirements of legislation enacted for a previous drought were used as the basis for the rules proposed here.

The Washington Regulatory Fairness Act, chapter 19.85 RCW, requires that proposed rules which have an economic impact on more than 20 percent of all industries or more than 10 percent of all businesses in any one industry shall be reviewed to determine if the cost of coming into compliance with the proposed agency rules will create a disproportionately higher economic burden on small business in comparison with the cost of compliance for large business. The act defines a small business as an employer with fifty or fewer employees. Ecology has evaluated the potential impacts of its provisions upon such small businesses as fishing (sport, commercial and tribal), irrigation, and recreation (including pleasure boating and white-water boating). Because the rule allows authorization of emergency withdrawals from rivers and streams in addition to normal uses of such waters, the potential for adversely affecting uses which are not specifically protected by some form of water right was considered. The department has determined that the proposed rules do not place a disproportionate burden on small business. With respect to the proposed amendment of chapter 173-166 WAC, the agency finds that less than 10 percent of any 3 digit SIC coded industry will be affected. Furthermore, the limited impacts of the amendment are unlikely to be disproportionately burdensome for small businesses. A small business economic impact statement is not required.

Discussion of the rule: WAC 173-166-010 Purpose and 173-166-020 Authority. These provisions are formal and contain no economic impacts; WAC 173-166-030 Definitions. As a mitigation of potential fisheries impacts, the definition of "essential minimums" includes fish passage facilities as a part of normal fish management activities; WAC 173-166-040 General eligibility rule. The general eligibility rule establishes who can qualify for assistance. Parties who could be harmed by drought but do not legally need state-issued water rights are eligible for assistance. In addition, this section will benefit some small businesses by protecting existing water rights; WAC 173-166-050 Forecast of drought conditions. This section simply outlines the mechanics for determining drought conditions and producing an order to that effect. It should have no impact on small businesses; WAC 173-166-060 Orders declaring drought conditions. This section is also procedural, stating the type of information a drought order should contain; WAC 173-166-070 Emergency drought permits. This section permits ecology to authorize temporary withdrawals from public surface and ground waters in instances where water right holders are unable to obtain sufficient water from their customary sources. If applied liberally, this section could potentially cause some injury to small, fishery-related businesses by allowing additional withdrawals from streams. As mitigation, the section provides affected agencies and Indian tribes the opportunity to review any proposals for emergency water withdrawals to determine whether or not the proposal will detrimentally affect the fisheries resource. Also, any businesses which have water rights are protected. Even during normal times, little water may be available for appropriation from some streams. Less is likely to be available during a drought. Both the limited availability

and the review procedures should reduce the possibility of small business impacts; WAC 173-166-080 Transfers of water rights. This section permits ecology, under certain conditions, to authorize temporary transfers of water rights between willing parties when one of the parties is unable to obtain sufficient water from customary sources. The section could likewise potentially be construed to pose the threat of injury to small, fishery-related businesses. However, the enabling legislation clearly states that existing rights, including instream rights, cannot be affected whatsoever by any proposed transfer. Therefore, transfers authorized under this section should not negatively affect any businesses by altering streamflow characteristics. As a further precaution, this section also provides affected agencies and Indian tribes the opportunity to review any proposed emergency water transfers to determine whether or not the proposal will detrimentally affect the fisheries resource; WAC 173-166-090 Funding assistance—General criteria. This section establishes eligibility, funding, and repayment conditions for loans and grants provided under these rules. This section should have a beneficial effect on small businesses during periods of drought; WAC 173-166-100 Funding assistance—Agricultural criteria and WAC 173-166-110 Funding assistance—Fisheries criteria. These sections discuss the types of projects which potentially could be funded and the criteria for selecting the most desirable of those projects for funding. They favor projects which improve water use efficiency and minimize overall environmental impacts; WAC 173-166-120 Requests for drought relief—Contacts—Applications. This provision is procedural and has no economic impacts; and WAC 173-166-130 Regulation review. This provision is procedural and has no economic impacts.

Hearing Location: Cascade Natural Gas Auditorium, 614 North Mission, Wenatchee, WA, on November 7, 1990, at 7:00 p.m.

Submit Written Comments to: Doug McChesney, Water Resources Program, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, by November 16, 1990.

Date of Intended Adoption: January 15, 1991.

October 1, 1990

Fred Olson

Deputy Director

Chapter 173-166 WAC
EMERGENCY (~~(WATER WITHDRAWAL FACILITIES)~~)
DROUGHT RELIEF

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-010 PURPOSE. (~~The purpose of this chapter is to implement that specific appropriation general fund-state emergency water projects revolving account as provided in section 75, chapter 339, Laws of 1977 ex. sess., relating to implementation of chapter 1, Laws of 1977 ex. sess.:~~) The legislature in 1989 gave permanent drought relief authority to the department of ecology and enabled ecology to issue orders declaring drought emergencies. Chapter 171, Laws of 1989 amends chapter 43.83B RCW (Water supply facilities).

(1) Chapter 171, Laws of 1989 authorizes the Washington state department of ecology (ecology) to assist in alleviating future drought conditions throughout the state, and sets forth the criteria and procedures for implementing the 1989 drought relief legislation.

(2) Ecology has authority under chapter 171, Laws of 1989 to:

(a) Issue emergency permits to withdraw public waters as an alternate source of water supply.

(b) Approve water right transfers between willing parties.

(c) Provide funding assistance for eligible drought projects and measures.

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-020 AUTHORITY. This regulation is promulgated by the department of ecology under authorities and procedures provided in chapter (~~s 1 and 339~~) 171, Laws of (~~1977 ex. sess., and after giving notice~~) 1989 after notification as provided in chapter (~~34.04~~) 34.05 RCW.

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-030 DEFINITIONS. (~~(1) "Department" shall mean the department of ecology.~~)

(2) "User" shall mean any public body which operates, maintains and manages agricultural water supply facilities to divert, carry and distribute water to moisture deficient land used for the production of commercial crops. As used in this chapter:

(1) "Ecology" is the department of ecology.

(2) "Drought conditions" are water supply conditions where a geographical area or a significant part of a geographical area is receiving, or is projected to receive, less than seventy-five percent of normal water supply as the result of natural conditions and the deficiency causes, or is expected to cause, undue hardship to water users within that area.

(3) "Essential minimum" for the fisheries resource is:

(a) That amount of water or flow rate established as a regulation adopted by ecology pursuant to RCW 90.22.020 or 90.54.050;

(b) That amount of water or flow placed as a proviso on a water right permit or certificate; or

(c) That amount of water or flow established on an interim basis to assure the maintenance of fisheries requirements. Such a determination will be made by ecology, in consultation with, among others, the departments of fisheries and wildlife, any concerned federal agencies and affected Indian tribes.

(4) "Executive water emergency committee (EWEC)" is a committee, chaired by the governor's office, including members of state, local, and federal agencies which reviews water supply information provided by the water supply availability committee and determines potential effects of water shortages upon the state of Washington. Affected Indian tribes will be invited to participate.

(5) "Geographical area" is an area within the state of Washington which can be described either by natural or political boundaries and which can be specifically identified in an order declaring a drought emergency. Examples of specific geographical areas include, but are not limited to:

(a) The state of Washington.

(b) Counties.

(c) Water resource inventory areas (WRIAs) as defined in chapter 173-500 WAC.

(d) Individual watersheds which constitute only a portion of a WRIA but whose boundaries can be topographically described.

(e) Ground water management areas and subareas as defined in chapter 173-100 WAC.

(f) Designated sole source aquifers.

(g) Combinations of the above areas.

(6) "Normal water supply" is:

(a) For the purpose of the determination of drought conditions, the average amount of water available to a geographical area on an annual basis, based upon evaluation of precipitation, streamflow, snowpack and other hydrological and meteorological factors.

(b) For the purpose of eligibility for drought assistance:

(i) That amount of water put to beneficial use during the irrigation season for the irrigation of one or more crops, using reasonable efficient practices, including reasonable conveyance losses, under a valid water right permit or certificate, or a supported registered water right claim; or

(ii) That amount or flow of water required for normal operations of fish hatchery or fish passage facilities. Such facilities, where required by law, must be operating under a valid water right permit or certificate, or under a supported registered water right claim; or

(iii) The median amount or flow of water that is historically required to provide normal instream habitat conditions for the existing fishery population.

(7) "Previously established activities" include:

(a) The irrigation of a specified number of acres, using reasonably efficient practices, under a valid water right permit or certificate, or a supported registered water right claim.

(b) Those fish-management activities presently employed to maintain the fisheries resource. The resource itself must neither be restored nor enhanced by drought relief actions available under the provisions of this chapter.

(c) The delivery of water by public and private entities through existing supply systems to present populations, areas, and/or facilities for purposes that are nonagricultural and nonfishery related.

(8) "Reasonably efficient practices" are those practices including, but not limited to, methods of conveyance, use, and disposal of water which are reasonable and appropriate under the circumstances to bring about water use efficiency as determined by an area-specific application of criteria identified by ecology, which may include, among others:

- (a) Customary practices in the area;
- (b) Reasonableness of any facilities at the time of installation;
- (c) Cost of improvements and impacts of the costs of upgrading facilities on the continued use of water by an appropriator;
- (d) Changes in water use practices and technology; and
- (e) Impact of alternative water use practices on other water uses and the environment.

(9) "Supported registered water right claim" is a registered water right claim which includes sufficient evidence to satisfy ecology that a valid water right would be confirmed should the claim be adjudicated. Applications made for emergency drought permits, water transfers, or funding assistance under this chapter must incorporate, either by reference or inclusion, necessary information to enable ecology to make an informed determination with respect to the claim. Such information may include, but is not limited to:

- (a) Documentation of continuous historical exercise of the claimed right;
- (b) Historical maps depicting the historical means of irrigation and the areas covered by the claimed right;
- (c) Legal documentation, including any previous court or administrative board decisions, which addresses the historical nature and extent of the claimed right;
- (d) "Old-timer" testimony which addresses the historical nature and extent of the claimed right.

(10) "Water supply availability committee (WSAC)" is a committee, with a core membership consisting of ecology, the National Weather Service, the Soil Conservation Service, the U.S. Geological Survey, the U.S. Bureau of Reclamation, and other federal agencies involved in water supply forecasting, which reviews pertinent hydrological and meteorological information and assesses water supply conditions for the state of Washington.

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-040 ((~~GRANT AND LOAN FUND CONDITIONS~~)) GENERAL ELIGIBILITY RULE. (1) ((The director may make loans or combination loans and grants for the following types of projects:

(a) Water withdrawal facilities to divert water from any source approved under provisions of chapter 1, Laws of 1977 ex. sess., to provide supplemental water to lands previously irrigated for projects which include one or more of the following facilities:

- (i) Diversion structures
- (ii) Pumps and motors and accessories
- (iii) Penstocks and discharge lines
- (iv) Canals
- (v) Pipelines
- (vi) Wells

(b) Water conservation facilities to provide water which would not otherwise be available to the lands previously irrigated for projects which include the following work:

- (i) Repair
- (ii) Rehabilitation
- (iii) Improvement
- (iv) Replacement
- (v) Control structures

(2) Criteria. The director may make loans or combination loans and grants to an eligible user, for projects generally meeting the following criteria:

(a) Wherever possible, considering cost/effectiveness, the least costly alternative, including conservation measures, to supply adequate water supplies:

(b) The project will produce measurable water supply benefits in relation to the total needs arising from drought conditions:

(c) Projects having long-term drought-relief benefits:

(d) The project selected will minimize impacts on the environment:

(e) Alternate sources, including conservation through improvements to existing withdrawal facilities, will be favored over increasing withdrawal of water supplies impacted by drought conditions:

(f) The project will provide water to previously irrigated lands:

(g) The project will not reduce flows or levels below essential minimums as necessary (i) to assure the maintenance of fisheries requirements, and (ii) to protect federal and state interests including, among others, power generation, navigation, and existing water rights:)) Applications for emergency drought permits, water transfers, or funding assistance made under this chapter will be processed only for previously established activities in a geographical area or part of a geographical area declared to be suffering from drought conditions. Where required by law, such activities must be conducted under a valid water right permit, certificate, or supported registered water right claim.

(2) Applications will be processed if the water user is receiving, or is projected to receive, less than seventy-five percent of normal water supply for the previously established activity and experiencing undue hardship as a result.

(3) All permits and approvals issued under this chapter will be subject to existing rights.

(4) Water obtained through the issuance of temporary permits, water right transfers, and/or funding assistance for projects or measures must be put to beneficial use in lieu of water which is unavailable because of drought conditions.

(5) All permits and approvals issued under this chapter will be of a temporary nature and will contain an expiration date.

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-050 ((~~LOAN AND GRANT FORMULA~~)) FORECAST OF DROUGHT CONDITIONS. ((The director may make loans and grants, according to the following formula:

(1) The department may advance funds from these emergency appropriations to make loans or combinations of loans and grants to a user. The grant portion of a combination loan and grant to a user for any project shall not exceed fifteen percent of the total amount received under the drought program by such project.

(2) Loan and grants shall be based upon the user's repayment capabilities:

(3) The grant shall be contingent upon the user accepting the loan:))

(1) Whenever it appears to the department of ecology that drought conditions as defined in WAC 173-166-030(2) either exist or are forecast to occur, ecology will consult with the state's water supply availability committee or its successor. Other appropriate sources of water supply information, such as the Columbia River water management group and the U.S. Army Corps of Engineers, may be consulted by the WSAC as needed.

(2) Should the water supply availability committee determine that a geographical area or a part of a geographical area is receiving, or is likely to receive, seventy-five percent or less of its normal water supply, it will advise the executive water emergency committee and the Indian tribes within the area of that fact. The executive water emergency committee will then make a determination as to whether or not undue hardships will occur as a result of the shortage.

(3) Should the executive water emergency committee determine that an area will suffer undue hardship as a result of a reduced water supply, it will submit a recommendation to that effect to the governor for written approval. Affected Indian tribes will be notified at the time such a recommendation is submitted.

(4) Upon securing the written approval of the governor, ecology will then issue an order declaring a geographical area or a significant part of a geographical area to be suffering from drought conditions and publish that order in a newspaper of general circulation in the area affected by the order.

(5) The determination of drought conditions will be based upon the updated seasonal forecast as applied to the water supply conditions within the designated geographical area or part of a designated geographical area.

AMENDATORY SECTION (Amending Order 78-3, filed 3/10/78)

WAC 173-166-060 ((~~LOANS~~)) ORDERS DECLARING DROUGHT CONDITIONS. ((Loans for rehabilitation may be provided by the director, whenever a combination fifteen-percent grant

~~and eighty-five percent loan is made.))~~ (1) If the department of ecology determines that a geographical area or part of a geographical area is suffering from drought conditions, it may, upon the advice of the water supply availability committee, with the concurrence of the executive water emergency committee, and the written approval of the governor, issue an order to that effect.

(2) The order declaring drought conditions for a geographical area or part of a geographical area must contain the following elements:

(a) A description of the geographical area or part of a geographical area which is being so designated.

(b) The facts leading to the issuance of the order.

(c) The statutory authority upon which the order is being issued.

(d) The commencement date and termination date of the order. The termination date may be no later than one calendar year from the date the order is issued.

(e) Brief descriptions of the actions which are possible under the order.

(f) Provisions for the termination of withdrawals if essential minimum flows are jeopardized.

(3) Ecology must publish the order declaring a geographical area or a part of a geographical area to be suffering from drought conditions in a newspaper of general circulation in the area affected by the order.

(4) Persons may file written protest as to the contents of the order with ecology. Ecology will have fifteen calendar days from the date of receipt of the protest in which to make a determination as to its validity.

(5) A person who believes that an area should be declared to be suffering from drought conditions may petition ecology for such a declaration. Upon the receipt of such a petition, ecology will have fifteen calendar days from the date of receipt of the petition in which to make a determination as to its validity and provide a decision to the applicant. The petition should contain the following information:

(a) A description of the geographical area or part of a geographical area which is being requested for designation.

(b) The nature of the relief sought in requesting such a designation.

(c) The facts upon which the petition is based.

(6) Orders declaring areas to be suffering from drought conditions may, with the written approval of the governor, be amended one or more times to change the termination date, provided that the termination date of the order, as amended, is no more than two calendar years from the date the order is first issued.

(7) Orders declaring areas to be suffering from drought conditions may be issued for different areas of the state and sequentially for the same area if drought conditions persist.

AMENDATORY SECTION (Amending Order 88-11, filed 6/9/88)

WAC 173-166-070 ((REGULATION REVIEW)) EMERGENCY DROUGHT PERMITS. ((The department of ecology shall initiate a review of the rules established in this chapter whenever new information, changing conditions, or statutory modifications make it necessary to consider revisions.)) Ecology may allow water users to obtain water from alternate sources during drought conditions. To accomplish this, ecology may issue emergency drought permits authorizing withdrawals of ground water and surface water, including dead storage in reservoirs. Permits will be processed under the following criteria:

(1) Applicants must be conducting a previously established activity within a geographical area or part of a geographical area declared to be suffering from drought conditions.

(2) An application will be processed if the water user is receiving, or is projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions, for the previously established activity and experiencing undue hardship as a result.

(3) Ecology, plus all state and local agencies with authority to issue permits or other authorizations in connection with emergency actions authorized under the provisions of this chapter, will have fifteen calendar days from the date of receipt of the respective application(s) in which to provide a decision to the applicant. Agencies with authority to review applications for emergency drought permits, such as under RCW 75.20.050, and affected Indian tribes will have fifteen calendar days from the date ecology receives the application in which to provide ecology with an opinion as to any effects of the proposed withdrawal.

(4) Waters authorized to be withdrawn must be used in relation to a previously established activity as defined in this chapter. The permit must not cover irrigation of new lands, restoration or enhancement of the fisheries resource, or a water supply in addition to the normal

amount used in the past by individuals, private entities, or public bodies.

(5) Waters to be withdrawn must constitute an alternate (supplemental) water supply to the user's normal source of water.

(6) The withdrawal must not reduce flows or levels below essential minimums necessary to assure the maintenance of fisheries requirements and to protect federal and state interests including, but not limited to, power generation, navigation, water quality, and existing water rights.

(7) Emergency drought permits issued under this chapter will be temporary in nature and must expire no later than the expiration date of the order declaring the area in which the permitted activity is authorized to be suffering from drought conditions.

(8) Priority will be given to domestic and irrigation uses of water for any emergency withdrawals authorized under this chapter.

(9) Emergency drought permits issued under this chapter must contain provisions for termination should the withdrawal reduce flows or levels below essential minimums as defined in this chapter.

(10) To expedite the issuance of emergency drought permits, ecology is authorized to process the applications and issue the permits without compliance with requirements for:

(a) Notice of newspaper publication.

(b) The State Environmental Policy Act.

NEW SECTION

WAC 173-166-080 TEMPORARY TRANSFERS OF WATER RIGHTS. (1) Ecology may approve emergency water right changes in order to effect a transfer of water between willing parties. Water right changes can include purpose of use, place of use, and point of diversion.

(2) Examples of possible water right transfers include, but are not limited to, the following situations:

(a) A water right holder may choose to reduce irrigated acreage and transfer the unused water to another water right holder whose normal water supply is decreased by drought conditions. The acreage irrigated with transferred water on the second parcel may not exceed the acreage reduction on the first parcel.

(b) A water right holder may transfer a water right from an out-of-stream use to an in-stream use.

(c) Municipalities or other public bodies may transfer water between one another.

(3) Requests for water right transfers will be processed under the following criteria:

(a) Applicants must be conducting a previously established activity within a geographical area or part of a geographical area declared to be suffering from drought conditions.

(b) An application for a water right transfer will be processed if the recipient water user is receiving, or is projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions, for the previously established activity and experiencing undue hardship as a result.

(c) All approvals by ecology for water right transfers under this chapter will be temporary in nature and will be for the purpose of alleviating drought conditions. These approvals must terminate no later than the expiration date of the order which declares the area to be suffering from drought conditions.

(d) Water right transfers between willing parties may be approved when an emergency exists only if such a transfer will not affect existing rights whatsoever, or reduce flows or levels below essential minimums, or adversely affect federal and state interests including, but not limited to, power generation, navigation, and water quality.

(e) Water rights may be transferred within areas declared to be suffering from drought conditions. Water rights may also be transferred from outside an area declared to be suffering from drought conditions into an area declared to be suffering from drought conditions, provided such a transfer of water is physically possible and is consistent with the provisions of RCW 90.03.380, 90.03.390, and 90.44.100. Water rights will not be transferred from within an area declared to be suffering from drought conditions to outside that area.

(f) To expedite water transfers during drought conditions, ecology can approve temporary changes in water rights without compliance with requirements for:

(i) Notice of newspaper publication.

(ii) The State Environmental Policy Act.

(g) In those cases where temporary water transfers require court approval while general adjudication proceedings are ongoing, ecology

will assist the court in coordination, maintaining communications, and providing technical assistance when requested.

(h) The temporary changing of a water right under this chapter will not be admissible as evidence in either supporting or contesting the validity of water claims in a general adjudication of water rights in the state of Washington.

(i) Ecology, plus all state and local agencies with authority to issue permits or other authorizations in connection with emergency actions authorized under the provisions of this chapter, will have fifteen calendar days from the date of receipt of the respective application(s) in which to provide a decision to the applicant. Agencies with authority to review applications for temporary water right transfers, such as under RCW 75.20.050, and affected Indian tribes will have fifteen calendar days from the date ecology receives the application in which to provide ecology with an opinion as to any effects of the proposed transfer.

NEW SECTION

WAC 173-166-090 FUNDING ASSISTANCE—GENERAL CRITERIA. Ecology may provide funding assistance to public bodies for projects and measures designed to alleviate drought conditions relating to agricultural and fisheries survival. Funding is available from emergency agricultural water supply funds under RCW 43.83B.300. Funding assistance will be based upon the total funds available at the beginning of the current biennium. General criteria under which funds will be provided:

(1) Public bodies eligible to receive emergency funds are defined in RCW 43.83B.050 as ". . . the state of Washington, or any agency, political subdivision, taxing district, or municipal corporation thereof, an agency of the federal government, and those Indian tribes now or hereafter recognized as such by the federal government for participation in the federal land and water conservation program and which may constitutionally receive grants or loans from the state of Washington."

(2) The public body applying for emergency funds must be conducting the previously established activity for which they seek funding assistance within an area declared to be suffering from drought conditions as defined in WAC 173-166-030(2).

(3) The public body applying for emergency funds must be receiving, or be projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions, for the previously established activity for which they seek funding assistance and experiencing undue hardship as a result.

(4) Funding assistance will be for planning, acquisition, construction, rehabilitation, and improvement of water supply facilities and for other appropriate measures to assure the survival of irrigated agriculture and the state's fisheries resource.

(5) Funding assistance will be available only for projects or measures undertaken in response to drought conditions which are beyond the normal scope of operations of the public body applying for emergency funds.

(6) No more than ten percent of total available funds will be allocated for nonagricultural drought relief purposes, including the preservation of the state's fisheries during a given biennium.

(7) Funding assistance may be in the form of a loan or a grant or a combination loan and grant.

(8) Loans, grants, or combination loans and grants may be used as matching funds in cases where federal, local, or other funds are also available.

(9) Emergency loans may be approved with a payback period not to exceed fifteen years, with the interest rate to be equal to the final discount rate established for 52-week U.S. Treasury Bills at the first auction following the beginning of the state fiscal year in which the loan is approved.

(10) Ecology, plus all state and local agencies that are affected by the proposed project or measure, will have fifteen calendar days from the date of receipt of the respective application(s) in which to provide a decision to the applicant.

(11) To expedite the implementation of drought relief projects and measures, ecology can approve funding assistance without compliance with requirements for:

- (a) Notice of publication.
- (b) The State Environmental Policy Act.

NEW SECTION

WAC 173-166-100 FUNDING ASSISTANCE—AGRICULTURAL CRITERIA. (1) Funding assistance to alleviate drought conditions in irrigated agriculture will be provided under the following formula:

(a) No single entity will receive more than ten percent of the total funds available for drought relief.

(b) A loan may be made for up to ninety percent of total eligible project costs.

(c) A combination loan and grant may be made for up to one hundred percent of total eligible project costs.

(d) A grant or the grant portion of a combination loan and grant may be made for twenty percent of total eligible project costs if the public body being provided funds is within a geographical area declared to be suffering from drought conditions as defined in WAC 173-166-030(2).

(e) The grant or grant portion of a combination loan and grant may be made for up to forty percent of total eligible project costs if the public body being provided funds is receiving, or is forecast to receive, fifty percent or less of normal seasonal water supplies.

(f) A grant or the grant portion of a combination loan and grant may be amended to increase the grant up to forty percent of eligible project costs if drought conditions as defined in this chapter change after a grant has been signed for twenty percent of eligible project costs, provided:

(i) That the grantee qualifies for the higher grant as defined in (e) of this subsection; and

(ii) That the original grant agreement has not been terminated or closed out.

(g) The grant or grant portion of a combination loan and grant, once signed by all parties, may not be reduced despite any subsequent improvement in water supply conditions.

(2) Eligibility conditions for each proposed agricultural project or measure are:

(a) The proposed project or measure must be within an area declared to be suffering from drought conditions as defined in WAC 173-166-030(2).

(b) The public body applying for emergency funds must be receiving, or be projected to receive, less than seventy-five percent of normal water supply and experiencing undue hardship as a result for the previously established activity for which they seek funding assistance.

(c) The proposed project or measure must be for a beneficial use involving a previously established activity or purpose.

(d) The proposed project or measure must assist in alleviating a water shortage.

(e) The public body receiving the loan must satisfy ecology as to its ability to repay the loan and complete the project or measure.

(f) Water derived from the project or measure must be put to beneficial use as a substitute for water not available because of a drought.

(g) Water derived from the project or measure must not be used to irrigate new lands.

(h) The proposed project or measure must not adversely affect existing rights, including both instream and out-of-stream rights.

(i) All required permits and approvals for the proposed project or measure must be obtained by the applicant prior to a loan or grant agreement being signed.

(3) Eligible projects that may be funded for drought relief of irrigated agriculture include, but are not limited to:

(a) Pumps and accessories.

(b) Discharge lines.

(c) Pipelines.

(d) Canals and laterals with control structures.

(e) Liners for leaky pipes and canals.

(f) Diversion structures.

(g) Reregulating reservoirs.

(h) Measuring devices.

(i) Wells with pumps and accessories.

(4) Eligible measures that may be funded include the means for implementing water conservation procedures, acquiring alternate water sources, or transferring water rights, provided that the proposed measure represents an additional cost to the applicant as the result of drought conditions, and not as a substitute for normal water supply costs.

(a) Types of eligible measures for implementing water conservation procedures include, but are not limited to:

(i) Irrigation scheduling programs and activities, including the necessary personnel to accomplish such activities.

- (ii) Education programs.
- (b) Types of eligible measures for acquiring alternate water sources or transferring water rights include, but are not limited to:
 - (i) Water leasing fees.
 - (ii) Repair costs.
 - (iii) Power costs.
- (5) Priority will be given to those proposed agricultural projects and measures which:
 - (a) Need additional water supplies. Need will be measured by:
 - (i) The short-term and long-term effects that the water shortage would have on the applicant's crops in the absence of drought relief;
 - (ii) The capability and reliability of the proposed project or measure to provide an emergency water supply to the applicant;
 - (iii) The percent of water shortage expected for each applicant.
 - (b) Are the most effective in achieving long-term reductions (conservation) in water requirements and/or more efficient use of available supplies.
 - (c) Present no, or minimal, overall environmental impacts, including any detrimental effects to wetlands. Any such impacts should be identified to the best extent possible by the applicant at the time of application.
 - (6) Preference will be given to those public bodies implementing water conservation plans, water system efficiency improvements, and other drought contingency actions in addition to the funding assistance applied for under this chapter.

NEW SECTION

WAC 173-166-110 FUNDING ASSISTANCE—FISHERIES CRITERIA. (1) Ecology may provide funding assistance to alleviate drought conditions affecting the state's fisheries resource provided that no other capital budget funds are available for these purposes at the date of application, as verified by the office of financial management. Funding assistance will be based upon the following formula:

- (a) A loan may be made for up to ninety percent of total eligible project costs.
- (b) A combination loan and grant may be made for up to one hundred percent of total eligible project costs.
- (c) A grant or the grant portion of a combination loan and grant may be made for twenty percent of total eligible project costs if the public body being provided funds is within a geographical area declared to be suffering from drought conditions as defined in WAC 173-166-030(2).
- (d) The grant or the grant portion of a combination loan and grant may be made for up to forty percent of total eligible project costs if the public body being provided funds is receiving, or is forecast to receive, fifty percent or less of normal seasonal water supplies.
- (e) A grant or the grant portion of a combination loan and grant may be amended to increase the grant up to forty percent of eligible project costs if drought conditions as defined in this chapter change after a grant has been signed for twenty percent of eligible project costs, provided:
 - (i) That the grantee qualifies for the higher grant as defined in (d) of this subsection; and
 - (ii) That the original grant agreement has not been terminated or closed out.
- (f) The grant or grant portion of a combination loan and grant, once signed by all parties, may not be reduced despite any subsequent improvement in water supply conditions.
- (g) No more than ten percent of total funds available at the beginning of the current biennium will be allocated for nonagricultural drought relief purposes, including the preservation of the state's fisheries, during that biennium.
- (2) Eligibility conditions for each proposed fisheries project are:
 - (a) The project lies within a geographic area declared to be suffering from drought conditions.
 - (b) The proposed project must assist in alleviating the water shortage.
 - (c) Water from the proposed project must be put to beneficial use as a substitute for water not available because of the drought.
 - (d) Water derived from projects that are provided funding assistance must not be used to restore or enhance the fisheries resource.
- (3) Eligible projects that may be funded for the protection of fish culture at hatcheries from drought conditions include, but are not limited to:
 - (a) Purchase and installation of water-reuse pumps.
 - (b) Modifying hatchery outlet structures.

- (c) Modifying stream channels adjacent to a hatchery to assure passage to the holding pond.
- (d) Provision and maintenance of oxygen levels in off-site holding ponds by purchase and installation of bottle gas (using air stones), or oxygen generation systems, or mechanical aeration.
- (4) Eligible projects that may be funded to protect instream fish habitat from drought conditions include, but are not limited to:
 - (a) Augmentation of instream flows through transfers of diversionary surface and ground water rights.
 - (b) Augmentation of instream flows through temporary withdrawals of ground waters.
 - (c) Stream channel modification such as trenching, sandbagging, or berming to protect spawning gravels.
- (5) Eligible projects that may be funded to optimize fish survival during drought conditions include, but are not limited to:
 - (a) Capture and relocation of stranded fish.
 - (b) Stream channel modification such as trenching, sandbagging, or berming to provide migratory channels for fish passage.
- (6) The departments of fisheries and wildlife, plus any potentially affected Indian tribes, will be consulted to verify eligibility, needs, and nature of all proposed fisheries projects and measures.
- (7) Preference will be given to those public bodies implementing water conservation plans, water system efficiency improvements, and other drought contingency actions in addition to the funding assistance applied for under this chapter.

NEW SECTION

WAC 173-166-120 REQUESTS FOR DROUGHT RELIEF—CONTACTS—APPLICATIONS. (1) Information regarding implementation of this chapter, and applications for emergency drought permits, water right transfers, and/or funding assistance can be obtained from the ecology headquarters office, water resources program, or from any of the four ecology regional offices. Ecology regional offices are located in Redmond, Spokane, Tumwater, and Yakima.

- (2) Copies of statutes and regulations cited in this chapter may be obtained from the ecology headquarters office in Olympia.
- (3) Ecology actions pertaining to the determination of which areas are suffering from drought conditions, the issuance of orders declaring areas to be suffering from drought conditions, plus any actions concerning protests of such declarations or petitions for consideration for such a designation will be conducted by the ecology headquarters office, water resources program.
- (4) Ecology actions pertaining to emergency drought permits and water right transfers will be conducted by the appropriate ecology regional office.
- (5) The ecology headquarters office, water resources program, will administer funding assistance and manage the drought relief program in accordance with the provisions of this chapter.

NEW SECTION

WAC 173-166-130 APPEALS. All final written decisions of the department of ecology made pursuant to this chapter shall be subject to review by the pollution control hearings board in accordance with the provisions of chapter 43.21B RCW.

NEW SECTION

WAC 173-166-140 REGULATION REVIEW. The department of ecology will initiate a review of the rules established in this chapter whenever new information, changing conditions, or statutory modifications make it necessary to consider revisions.

WSR 90-20-101 PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 90-42—Filed October 2, 1990, 10:26 a.m.]

Original Notice.

Title of Rule: Amending chapter 173-303 WAC, Dangerous waste regulations.

Purpose: Chapter 173-303 WAC is being amended to incorporate federal changes, resolve state-level issues, and clarify existing requirements.

Statutory Authority for Adoption: Chapters 70.105 and 70.105D RCW.

Statute Being Implemented: Chapters 70.105 and 70.105D RCW.

Summary: The proposed action amends chapter 173-303 WAC in numerous areas. The dangerous waste regulations, chapter 173-303 WAC, establish requirements for generators, transporters, and management facilities handling dangerous waste in Washington state. These regulations reflect both federal requirements and state concerns. As the federal provisions change, the state must update its regulations to remain equivalent to the federal program. Local concerns and experiences have also been addressed. These proposed amendments are a combination of EPA-required and ecology-proposed changes, corrections and clarifications. WAC 173-303-016, alphabetized definitions. All of the specific numbers in WAC 173-303-040 have been removed so that the section could be alphabetized. See proposed WAC 173-303-040; WAC 173-303-016, delete (5)(b)(i)(C), it is redundant; WAC 173-303-017, alphabetized definitions. See WAC 173-303-040; WAC 173-303-040, definitions put in alphabetical order. Many sections of the regulation will be affected by this change. The numbering system for individual definitions has been deleted and the definitions put in alphabetical order; WAC 173-303-040, commercial chemical product, add definition; WAC 173-303-040, definitions added to this section from other places in the chapter. The intent is to have all definitions appear in WAC 173-303-040. The following definitions have been added: From WAC 173-303-071, "domestic sewage"; from WAC 173-303-140, "dangerous waste constituents," "ignitable waste," "land disposal," "leachable inorganic waste," "organic/carbo-naceous waste," "reactive waste," and "solid acid waste"; from WAC 173-303-420, to be added when siting regulations are finalized; and from WAC 173-303-515, "used oil" and "off-specification used oil fuel"; WAC 173-303-040, add definition for "environment." Clarify that spills (see WAC 173-303-145, 173-303-360, 173-303-630, and 173-303-640) to secondary containment are reportable unless the secondary containment is totally enclosed. This is the CERCLA definition of "environment"; WAC 173-303-040, add a revised definition for "domestic sewage" found in WAC 173-303-071. The revised definition encompasses only those sanitary wastes which are generated from household or residential sources. This will make ecology's rules consistent with EPA's current interpretation of the scope of the term "domestic sewage." The definition is also revised to state that domestic sewage must flow to a publicly-owned treatment works (POTW) for treatment. This makes the term more compatible with the existing "POTW" definitions found in 40 CFR 260.10 and WAC 173-303-040(71), and intent of the domestic sewage exclusion; WAC 173-303-040 and 173-303-071 (3)(u), add definition for "special incinerator ash." Clarify that if ash from the incineration of municipal solid waste is a state-only dangerous waste, then it must be managed

under chapter 70.138 RCW; WAC 173-303-040, clarify definition of "final closure" to ensure that generator-only areas may continue to operate after treatment, storage, and disposal facilities have been closed; WAC 173-303-040, a "transfer facility" is a facility that stores a waste for more than 10 days and is required to have a permit (see WAC 173-303-950 and 173-303-040(62) "permit"); WAC 173-303-045, change date of incorporation of the federal rules. This change will primarily affect interim status dangerous waste management facilities. Also, refer to the complete federal rules (HSWA and non-HSWA) that are referenced in this chapter (e.g., interim status standards, WAC 173-303-400). HSWA stands for the hazardous and solid waste amendments. Passed by the United States Congress in 1984, HSWA gave EPA and authorized states broader powers to regulate hazardous waste handlers. Ecology is making this change because it has become impractical to reference only non-HSWA rules. This regulatory change will pave the way for ecology to implement HSWA regulations in the future. HSWA corrective action, because of its broad workload implications, will be dealt with as a separate issue; WAC 173-303-070 (2)(a), a person who generates a waste from the recycling, treatment, storage, or disposal of a dangerous waste needs to provide representative samples and accurately describe the waste over time before that waste can be exempted from this chapter. This amendment is designed to prevent variable waste streams from being exempted because one unrepresentative sample passes the characteristics or criteria tests. It attempts to clarify that the burden of proof remains with the generator of the waste to show that the waste is not dangerous. For example, if eight out of ten samples of a waste stream (from recycling, treatment, storage, or disposal of a dangerous waste) designate as dangerous, then the waste stream would still be considered dangerous. (Under the old language, it might be construed that if one sample passed the designation tests, then the waste stream could be considered solid waste.) The waste stream as a whole would not be exempted until it could be shown that the wastes consistently passed the designation tests. Thus, if the waste stream was quite variable, then the number of samples tested would have to be increased to demonstrate that truly dangerous waste was not being disposed of improperly. Alternatively, if tests showed that the waste stream was uniform, then the number of samples needed would be smaller; WAC 173-303-070 (2)(a)(ii) and (iii), clarify that a listed waste must be delisted (by both ecology and United States EPA) to be exempted from this chapter; WAC 173-303-070 (8)(b), specify that small quantity generator (SQG) waste managed in accordance with the local hazardous waste management plan, moderate risk waste plan, would be exempt from dangerous waste standards. Conversely, SQG waste that is not managed in accordance with local plan would not be exempted. Comment is requested on whether to retain or delete proposed WAC 173-303-070 (8)(b)(ii)(E); WAC 173-303-071(1), add to "except for WAC 173-303-050..." WAC 173-303-145, because it applies to hazardous substances, and WAC 173-303-960, because it always applies; WAC 173-303-071 (3)(a), domestic

sewage/wastewater exclusion. Excluded categories of waste. Clarify that this exclusion applies to waste from domestic sources only. The change to the definition of "domestic sewage" at WAC 173-303-071 (3)(a) means that sanitary wastes and sanitary waste mixtures generated on-site at business or industrial sources, will no longer be eligible for the domestic sewage exclusion. (Note: Dangerous wastes generated by business or industrial sources that have been managed pursuant to the permit by rule provisions of WAC 173-303-802(5) may mix with household or residential sanitary wastes in a sewer system that is downstream from the business or industrial source. The mixture would be eligible for the "domestic sewage" exclusion at that point.) The word "storage" is added to the last sentence of WAC 173-303-071 (3)(a). This revision is meant to remove any confusion over the intended scope of the exclusion. In other words, any management of dangerous wastes is regulated (either under TSD provisions or permit by rule) prior to discharge into a sanitary sewage system; WAC 173-303-071 (3)(b), industrial wastewater exclusion. Ecology is amending WAC 173-303-071 (3)(b) to clarify the applicability of the industrial wastewater discharge exclusion. This exclusion applies only to the actual point source, end-of-pipe, discharges subject to regulation under section 402 of the Clean Water Act (NPDES). It does not exclude industrial wastewaters while they are collected, stored, or treated before discharge, nor does it exclude wastewater treatment sludges. The reference to WAC 173-303-802(5) is provided to show the relationship to permit by rule provisions. Both WAC 173-303-071 (3)(b) and 173-303-802(5) are currently applicable to industrial discharges; WAC 173-303-071 (3)(g), narrow this exclusion to apply to arsenically treated wood only. This change is being made to become consistent with federal rules. Waste wood containing pentachlorophenol and creosote would not be excluded and thus would be regulated as dangerous wastes when discarded; WAC 173-303-071 (3)(k)(i), change PCB waste exemption so that it refers to TCLP not EP toxicity; WAC 173-303-071 (3)(k)(iii)(A), clarify that generators are allowed 90 or 180 day on-site accumulation privileges for state-listed W001 wastes, if the waste is stored in a manner equivalent to EPA's Toxic Substance Control Act rules; WAC 173-303-071 (3)(l), apply USPS or DOT shipping requirements to dangerous waste samples while accumulating them prior to shipment. Delete the (A) after (1)(i) so that the shipping requirements apply before and after testing; WAC 173-303-071 (3)(n), reword this awkward paragraph. Split into more than one sentence; WAC 173-303-071 (3)(r), WAC 173-303-040 alpha order; WAC 173-303-071 (3)(r), the department may approve, on a case-by-case basis, treatability studies for state-only dangerous waste at cleanup sites for quantities up to 10,000 Kg. This exemption from permitting requirements may be especially useful at cleanup sites where bioremediation could be a viable treatment option; WAC 173-303-071 (3)(s), typo. "... one MTU."; WAC 173-303-071 (3)(t), EPA has decided to

defer, from hazardous waste regulation, petroleum contaminated soils that are subject to underground storage tank corrective action rules. Similarly, ecology is, for the time being, exempting petroleum contaminated soils from dangerous waste rules; WAC 173-303-072 (3)(c), correct this language to state that state-only solid corrosive wastes may be evaluated for exemption through a petition; WAC 173-303-072 (5)(d), replace reference to EP tox with TCLP; WAC 173-303-081, clarify that residues, inner liners and containers are regulated unless empty as described in WAC 173-303-160; WAC 173-303-084(5), there are problems with the current use of the EPA spill table as a reference for determining toxic categories for constituents in a waste. For example, the spill table categories reflect hazards other than acute toxicity. Thus, a compound might be category X because it is carcinogenic or reactive. Obviously, using this data to determine toxicity values is inappropriate. There are also benefits to using the spill table as a resource, namely, that it is very convenient, updated frequently, and inexpensive compared to the NIOSH registry. Ecology proposes to keep the spill table as a toxicity reference, but allow those with the wherewithal to find out the reason for designation to use the NIOSH registry instead of the spill table where there is an inconsistency; WAC 173-303-084(5), the state of knowledge regarding the toxicity of chemical substances is rapidly developing. The spill table is updated quite frequently and the NIOSH registry, is updated on microfiche, quarterly. Ecology proposes to rely on the most recently published versions of these documents for designation purposes; WAC 173-303-084(7), update terminology to be consistent with IARC. Human and animal, positive and suspected changed to "human and animal, sufficient and limited" throughout this subsection; WAC 173-303-090, new toxicity characteristic (TC, a federal rule) incorporated. This change adds 25 new organic chemicals to the old EP toxicity list. The EP toxic metals and pesticides are retained in the TC with the same thresholds as before. Generators who know their wastes contain one or more of the new constituents should designate (test or use their knowledge) these wastes to determine their status. EPA's rule will take effect on September 25, 1990, for large quantity generators and March 29, 1991, for generators of less than 2200 pounds per month, nation-wide. For further information see the March 29, 1990, Federal Register (55 FR 11798), call the RCRA hotline 1-800-424-9346, or call the nearest ecology regional office; WAC 173-303-103, update terminology to be consistent with IARC. Human and animal, positive and suspected changed to "human and animal, sufficient and limited" throughout WAC 173-303-103; WAC 173-303-110, add reference to new biological testing methods booklet, to be revised in October 1990. This booklet includes the revised aquatic bioassay testing procedure. Available from the department after October 1990; WAC 173-303-110, add reference to new ASTM standard D2234-86 for fly ash-like material; WAC 173-303-120 (2)(viii)(B) and (C), change reference from WAC 173-303-515 (1)(e) to 173-303-515 (1)(d) so that it includes Table 1; WAC 173-303-120(4),

specify that "immediate" recycling means placing recyclable materials received from off-site into an active recycling process within 24 hours. The phrase "active process" does not include storage tanks or containers used for settling or phase separation; WAC 173-303-120(4), "immediate" recycling facilities. Discussion: Recent inspections have shown environmental problems and threats at two types of facilities: Those that recycle dangerous waste "immediately" (without prior storage - and therefore without a permit) and those that blend used-oil and dangerous waste fuels, (see WAC 173-303-510 and 173-303-515). Some of the problems and threats at these facilities can be characterized as "housekeeping" in nature. Ecology is also concerned that waste may be improperly managed because of lack of adequate analysis and recordkeeping. Because these facilities are essentially exempt from the regulations, problems at recycling facilities may only be addressed after the fact (e.g., spills, releases to the environment, storage without a permit, etc.). This is not consistent with the preventative philosophy of RCRA and the state Hazardous Waste Management Act. This proposed amendment would require that these facilities must comply with many of general TSD standards of this chapter, but would not require a permit. The following lists the general TSD standards that are being proposed and briefly describes their intended purpose. WAC 173-303-283, performance standards, general design, construction, operation, and maintenance standards that a dangerous waste management facility must meet. These standards provide a broad measure of environmental and human health protection. WAC 173-303-290, required notices, requiring communication in the following instances: Importing dangerous waste from a foreign source; transferring ownership or operational control of the facility; and off-site waste acceptance. WAC 173-303-310, security, access to a facility must be controlled. WAC 173-303-320, general inspection, routine examination of the facility to prevent malfunction, deterioration, operator error, and discharges. WAC 173-303-330, personnel training, required to ensure that facility personnel acquire expertise in their assigned areas to reduce the potential for mistakes which might threaten human health or the environment. WAC 173-303-340, preparedness and prevention, intended to minimize the possibility of fire, release, or explosion. WAC 173-303-350, contingency plan and emergency procedures, intended to lessen the potential impact of an emergency. WAC 173-303-360, emergencies, requires that an emergency coordinator must be appointed and that procedures are in place that allow for coordinated responses to an emergency situation. WAC 173-303-370, manifest system, details how the waste tracking system operates. WAC 173-303-380, facility recordkeeping, requires that an operating record would be kept at the facility. This shows what happens to wastes that are processed at the facility. WAC 173-303-390, facility reporting, required so that waste from generators could be tracked and the method of management (treatment, storage, or disposal) known. WAC 173-303-395, other general requirements, precautions for ignitable, reactive, and incompatible wastes and miscellaneous requirements. In addition, in lieu of

WAC 173-303-300, waste analysis, immediate recycling facilities must periodically verify the designation data that they receive from generators. See WAC 173-303-515 for the proposal regarding used-oil marketers and blenders; WAC 173-303-145, notification of spills. Clarify that all spills with the potential to affect human health or the environment are reportable, except those which occur in secondary containment which is totally enclosed. See the definition of "environment" in WAC 173-303-040; WAC 173-303-160, if cloth container liners are permeated with dangerous waste, they are considered to be waste. This is covered by the existing definition of "empty" and needs no rule amendment at this time; WAC 173-303-160, definitions in alpha order; WAC 173-303-200 (1)(b), fix applicability to WAC 173-303-640 re: Generators. Clarify that large quantity generators must meet the final facility tank standards, such as secondary containment and engineer certified integrity assessments, but do not have to prepare closure plans, cost estimates for closure, nor provide financial assurance for closure; WAC 173-303-201, definitions in alpha order; WAC 173-303-210(2), specify that a generator must keep a copy of his or her notification; WAC 173-303-210(6), specifies that all generator records, including plans required by this chapter, shall be made available and furnished upon request by the director; WAC 173-303-210 (all), specifies that generator records are required to be kept for 5 years. This is consistent with the timeframe for recordkeeping under the federal land disposal restrictions; WAC 173-303-220(3), specifies that the department may require a generator to furnish additional reports, including engineering reports, plans, and specifications, concerning the quantities and disposition of dangerous waste; WAC 173-303-230, reference the federal export requirements located in 40 CFR Part 262 Subpart E. Specify that copies of all forms shall be submitted to ecology (as well as to United States EPA); WAC 173-303-320, reference new WAC 173-303-680 - standards for miscellaneous units; WAC 173-303-360 (2)(d), indicate that on-site releases, fires, or explosions that could threaten human health or the environment must be reported, i.e., delete "outside the facility"; WAC 173-303-380 (2)(f), reference new WAC 173-303-680 - standards for miscellaneous units. Also specify that corrective action must be documented in the operating record where applicable; WAC 173-303-390(3), specifies that the owner or operator must submit engineering reports, plans, and specifications required by the department; WAC 173-303-400, domestic sewage/permit by rule changes. Interim status facility standards; WAC 173-303-400 (2)(c)(iii), the applicability language found at WAC 173-303-400 (2)(c)(iii) is revised to clearly state that POTW's must meet permit by rule provisions under WAC 173-303-802(4) in lieu of interim status standards. In other words, owner/operators of POTW's may treat, store, or dispose of dangerous wastes without having to comply with interim status standards for TSD's, provided they have a permit by rule. This amendment simply ties two applicable and existing sections together; WAC 173-303-400 (2)(c)(iv), the wording of WAC 173-303-400 (2)(c)(iv) has been revised for clarity and consistency.

Owner/operators of totally enclosed treatment facilities, elementary neutralization, or wastewater treatment units may still meet permit-by-rule provisions of WAC 173-303-802(5), and qualify for the exclusion from interim status standards for TSD's; WAC 173-303-400(3), correction on tank dates. Interim status tanks that are underground and cannot be inspected are core-RCRA and not HSWA as the present date implies; WAC 173-303-400 (3)(c)(ix), partial closures must be certified within 60 days of completion of partial closure not at final closure; WAC 173-303-500, definitions in alpha order; WAC 173-303-515 (4)(b), see discussion of recycling facilities for background. Require all general TSD standards (except manifesting) to those facilities storing off-specification used-oil. Include requirements under WAC 173-303-300 general waste analysis (facility owners or operators must verify their knowledge of a waste before storing, treating, or disposing of it); WAC 173-303-525, correct two spelling errors; WAC 173-303-550, definitions in alpha order; WAC 173-303-600(1), final facility standards. Change reference to include new WAC 173-303-680 - miscellaneous units; WAC 173-303-600 (3)(c), final facility standards and domestic sewage/permit by rule changes. The language found at WAC 173-303-600 (3)(c) which excludes owner/operators of POTW's that treat, store, or dispose of dangerous waste from final facility standards, provided they meet the permit-by-rule provisions of WAC 173-303-802(4), is revised for clarity and consistency. The basic requirement is unchanged; WAC 173-303-600 (3)(j), final facility standards and industrial wastewater, permit by rule. In a similar manner, the language of WAC 173-303-600 (3)(j) is revised for clarity and consistency. The basic requirement is unchanged; WAC 173-303-610 (2)(b), (3)(a), (5) and (6), WAC 173-303-680 - conforming changes; WAC 173-303-610 (3)(b) and (8)(d), permit modifications (see WAC 173-303-830) conforming changes; WAC 173-303-610(6), partial closures must be certified within 60 days of completion of partial closure not at final closure; WAC 173-303-620 (1)(b), (3)(a) and (5)(a), WAC 173-303-680 - conforming changes; WAC 173-303-620 (2)(h), correct reference to federal financial assurance definitions; WAC 173-303-620(3), owners or operators of miscellaneous units must prepare a cost estimate for facility closure (federal requirement); WAC 173-303-620(5), owners or operators of miscellaneous units must prepare a cost estimate for facility post-closure monitoring and maintenance (federal requirement); WAC 173-303-620 (8)(a), correct reference to federal financial assurance liability rules; WAC 173-303-620 (8)(b), miscellaneous disposal units must demonstrate financial responsibility for liability to third parties; WAC 173-303-630(2), make reporting of spills consistent with WAC 173-303-145 and 173-303-360; WAC 173-303-630 (5)(c), specify that a 3-foot aisle space is required at areas storing or accumulating dangerous waste. This requirement, as proposed, will apply to TSD facilities and generators. This requirement is being proposed because there has been confusion in the past regarding what constitutes "adequate aisle space." An aisle space is necessary for people to move easily up and down aisles of drums to inspect drums and

drum labels and check for leaking or corroded drums. Comment is requested specifically on whether this requirement should apply for loading/unloading areas and portable container storage structures. If this requirement would not apply in such areas, how would ecology ensure aisles or spaces would be provided to ensure adequate inspection of drums for labels and condition?; WAC 173-303-645, change title and applicability so that releases from solid waste management units are addressed under this section. See subsection (12); WAC 173-303-645, change groundwater statistical methods to conform with recent federal changes. See 53 FR 39720; WAC 173-303-645 (1)(d), WAC 173-303-680 - conforming changes; WAC 173-303-645 (2)(a), defining terms related to ground water statistical methods; WAC 173-303-645 (8)(c), reference chapter 173-160 WAC for construction and maintenance of groundwater monitoring wells; WAC 173-303-645(12), add that corrective action must be performed for all releases of dangerous waste or constituents at solid waste management units (regardless of the time the waste was placed in the unit) at TSD facilities seeking a final status permit. If corrective action cannot be completed prior to issuance of the permit, the permit will contain a compliance schedule identifying how and when corrective action will be accomplished. Financial responsibility for completing corrective action is also required; WAC 173-303-680, new section setting standards for miscellaneous units. These standards will allow the department to write permits for those facilities managing dangerous waste that are new technologies or are not already defined (e.g., thermal treatment units, open burning/open detonation units, etc.). See December 10, 1987, Federal Register for further details; WAC 173-303-800(7), permit exemption for Model Toxics Control Act, chapter 70.105 RCW, cleanups: (a) The intent of this amendment is to provide an exemption for on-site cleanups under MTCS similar to the exemption in CERCLA. The exemption is linked to an approved (signed) consent agreement or order issued by ecology. It does not include voluntary or independent cleanup actions taken without department involvement. There are cases where a dangerous waste permit is warranted or desirable at cleanup sites, even where a consent agreement or order is in place. For example, a permit may be desired where long-term storage or long-term treatment will occur (on-site) and the prescriptive and site-specific requirements of a dangerous waste permit would be appropriately applied. Ecology could decide not to grant an exemption in these cases, especially where the process of obtaining a permit would not delay the cleanup or risk reducing action. Thus, the exemption as written is optional and will be made through a "conscious decision" by ecology. It is envisioned that boilerplate exemption language could easily be incorporated into an MTCA consent decree or order. (b) Departmental on-site cleanup actions would be exempted under this amendment; WAC 173-300-800(8), add a provision to this section so that dangerous waste permits contain terms and conditions that the department determines are necessary to protect human health and the environment; WAC 173-303-802 (4) and (5), permit by rule, see domestic sewage exclusion; WAC

173-303-802, permits by rule. The permit by rule provisions for owner/operators of POTW's under WAC 173-303-802 (4)(c) is amended to specifically include compliance with the performance standards of WAC 173-303-283. While compliance with performance standards is already required for POTW permit by rule facilities, see WAC 173-303-283(2), the reference is added here for clarity. An addition is made to WAC 173-303-802 (5)(a) to specify that the permit by rule facility treats dangerous wastes. Thus, permit by rule status is not available for facilities that only store or dispose of dangerous waste. Note: The definitions for totally enclosed treatment facility, elementary neutralization, and wastewater treatment unit, WAC 173-303-040, all involve treatment. In addition, a requirement to designate wastes pursuant to WAC 173-303-070, is added to WAC 173-303-802(5). This amendment reaffirms a fundamental assumption that owner/operators must know the status of the wastes they plan to treat, either through knowledge or testing, in order to manage them appropriately under permit by rule. The structure of WAC 173-303-802(5) is revised such that it is now a positive requirement for the owner/operator to actually have an appropriate water quality permit (or permits) in order to qualify for permit by rule. Thus, the owner/operator must have, and be in compliance with, a National Pollution Discharge Elimination System (NPDES), state waste discharge, or pretreatment permit (or written discharge authorization). The language also states that the discharge permit or authorization must provide for all known, available, and reasonable methods to prevent, control, and treat pollution prior to discharge. This language is added to ensure consistency with the provisions and intent of chapter 90.48 RCW. The amendments rearrange and consolidate two existing subsections, WAC 173-303-802 (5)(a) and (b), into one. However, the existing notification, general facility, and performance standard requirements remain the same. The above amendments are intended to make it clear that business or industrial generators discharging dangerous waste without the appropriate water quality NPDES, state waste discharge, or pretreatment permit (or written discharge authorization), and without meeting the requirements of WAC 173-303-802(5), do not qualify for permit by rule. They will be required to collect their wastes appropriately and send them off-site to a permitted TSD or recycling facility. Generators and owner/operators may bear additional costs of compliance if they were not previously meeting the permit by rule requirements. This would include the notification, recordkeeping, annual reporting, emergency procedures, etc., for generators, and collection and transportation costs to a TSD or legitimate recycler. In no case will generators or TSD facilities be allowed to discharge untreated or unpermitted dangerous wastes to sewer systems. Note: The proposed amendments will not directly impact small quantity generators (SQGs). Under existing rules, SQGs do not have the option of sewerage their small volumes of dangerous or extremely hazardous wastes, see WAC 173-303-070(8), unless the receiving facility has a permit by rule pursuant to WAC 173-303-802. If the receiving facility has a permit by rule,

discharge by the SQG may continue; WAC 173-303-805(7), change to update and be consistent with federal rules. The proposed amendment allows TSD owners and operators to make changes at their facilities that are necessary to comply with the recently adopted tank system standards; federal, state, and local requirements; an interim status corrective action order under section 3008(h) of RCRA; and the land disposal restrictions of 40 CFR Part 268. Also changes would be allowed if necessary to continue to handle newly listed wastes and during closure if the changes are in accordance with an approved closure plan. None of the above changes would count toward the "50% reconstruction limit." This is an optional federal change because it is less stringent than present rules. See 54 FR 9596; WAC 173-303-805 (7)(a), interim status TSD facilities would be required to submit a written explanation of how they intend to treat, store, or dispose of new dangerous wastes (or how they intend to use new units for newly listed or identified wastes) not already specified in their original Part A permit application. The department has sixty days from receipt of the revised application to deny the changes. For example, if a TSD applied to change their Part A permit so that they could accept dioxin wastes for treatment, but did not have adequate treatment systems for dioxin wastes in place, then the department could deny the application and the owners or operators would not be able to accept such wastes at their facility; WAC 173-303-805 (7)(d), clarify to make it clear that previous owners need to provide liability coverage for a facility during and after transfer of ownership, until the new owners comply, so that continuous protection is afforded the public in all cases; WAC 173-303-806, conforming changes - WAC 173-303-680 miscellaneous units; WAC 173-303-806(4), changes to attain consistency with WAC 173-303-140; WAC 173-303-806(4), typo, change reference to Appendix IX; WAC 173-303-807, 173-303-808 and 173-303-810, conforming changes - permit modifications, WAC 173-303-830; WAC 173-303-830, replace the current major/minor permit modification scheme with the new federal scheme which classifies permits changes into one of three classes. This new scheme streamlines permit changes and allows for an increase in public participation associated with permit modifications. See 53 FR 37912 and 53 FR 41649; WAC 173-303-9904, K064, K065, and K066, add wastes from the primary production of copper, lead, and zinc to the dangerous waste sources list; K088, add spent potliner from primary aluminum production to the dangerous waste sources list; K090 and K091, ferrochromium-silicon and ferrochromium production wastes are added to the dangerous waste sources list; and W001, add bushing to W001 definition. Ideally, the department would like to include all PCB-contaminated electrical equipment in this definition. However, a statutory change is probably necessary to accomplish this.

NOT ADOPTING:

WAC 173-303-400 and 173-303-610, delay of closure period for hazardous waste management units: This federal rule would allow hazardous waste management units at TSD facilities to remain open for the purpose of

accepting nonhazardous wastes. The facility owner or operator would be required to submit information to the department justifying the delay. If the department approved the application according to criteria spelled out in the rule, then the unit would be allowed to receive nonhazardous waste for a specified period of time. See 54 FR 33393. The department has decided for now not to propose to adopt this optional federal rule change. It is optional because it would be less stringent than current rules which require a hazardous waste management unit to undergo closure within certain timeframes and have no provision to keep the units open for any reason; and WAC 173-303-9903, Iron Dextran U139 and Strontium Sulphide P107 have been removed from the federal list of commercial chemical products because EPA has determined that the evidence for listing these chemicals is insufficient. See 53 FR 43878 and 43 FR 43881, respectively. The department is not adopting this change (the chemicals are staying on the list) because the evidence that we have reviewed is inconclusive to date.

Reasons Supporting Proposal: Maintain final authorization of the state's hazardous waste program; respond to new issues and concerns with implementing those regulations; and provide clarification of existing requirements.

Name of Agency Personnel Responsible for Drafting: Hugh O'Neill, Mailstop PV-11, Olympia, (206) 459-6913; **Implementation and Enforcement:** Tom Eaton, Mailstop PV-11, Olympia, (206) 459-6316.

Name of Proponent: Department of Ecology, governmental.

Rule is necessary because of federal law, see 40 CFR Part 271.3 and RCRA (42 U.S.C. 3251) Section 3006.

Explanation of Rule, its Purpose, and Anticipated Effects: The state dangerous waste regulations, chapter 173-303 WAC, establish requirements for persons generating and managing dangerous waste. These regulations reflect both federal requirements and state concerns. As the federal provisions change, the state must amend its regulations to remain at least as stringent as EPA. State-level concerns and experiences have also identified needed changes and clarifications. These proposed amendments are a combination of EPA-required and ecology-proposed changes. These amendments include: Adding the federal toxicity characteristic; adopting the federal permit modification scheme; clarifying the domestic sewage and industrial wastewater exclusions; and adding management requirements at facilities that recycle dangerous waste received from off-site and at facilities that store off-specification used oil.

Proposal Changes the Following Existing Rules: See Summary above.

Small Business Economic Impact Statement: The dangerous waste rule is being revised to include changes in the federal requirements. Additional changes based on state statutes are included in this amendment process. Only the costs of the amendments based on state statute are considered in this document. The amendments make the following additions to the existing rule. WAC 173-303-070 (2)(a), generators wishing to have hazardous materials exempted from the dangerous waste regulation

must use representative sampling to demonstrate that the material can be declassified; WAC 173-303-071 (3)(a) and (b) and 173-303-802 (4) and (5), businesses currently discharging dangerous waste into the sewer system, without an NPDES, state waste discharge, pretreatment permit, or discharge authorization will be required to collect their dangerous waste and send them to a permitted facility. Under two other alternatives, the waste could be pretreated on-site with approval of the department and/or a permit by rule could be obtained; WAC 173-303-071 (3)(l), labs will be required to label the dangerous waste samples while accumulating them prior to shipment; WAC 173-303-120(4), recycling facilities will be required to analyze wastes they are receiving, report and track the waste until it is recycled, and train employees. Tanks and containers would be regulated until the completion of the recycling process. Recycling facilities receiving off-site wastes would be subject to testing of the inputs to determine whether they can be processed; WAC 173-303-145 and 173-303-040, spills to the environment must be reported unless they are enclosed; WAC 173-303-210, records must now be kept for 5 rather than 3 years; WAC 173-303-610(6), partial closures must be certified at the time of the partial closure rather than at final closure; WAC 173-303-630(5), a three foot aisle is required between rows of containers holding dangerous waste; WAC 173-303-800(8), the department can add permit conditions that protect human health and the environment to dangerous waste permits for transportation, storage and disposal facilities; and WAC 173-303-9904, bushings, which contain more than 1 PPM and less than 50 PPM polychlorinated-biphenyls (PCB) would become regulated. Mitigation of the economic impacts of the rule is offered. Ecology offers an exemption for on-site cleanups if the parties have obtained a consent agreement or an order is issued by ecology.

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an impact on more than 20 percent of all industry or 10 percent of the businesses in any one industry be reviewed and altered to minimize their impact on small businesses. Small businesses are defined as businesses which have less than 50 employees. The amendment proposed has been reviewed. The overall impacts of the rule have the potential to be significant for companies in approximately 250 three digit SIC coded industries. The potential for impact depends on the level of compliance with the intent and common regulatory practice, based on the existing rule. Many of the rule changes represent clarifications of existing language. For this reason most companies will not be affected. Clarity may for some companies change behavior and therefore costs. It is likely that 10 percent or more of the companies in each code will be affected and the overall effects will be disproportional to the size of the company. Of the amendments listed above WAC 173-303-070 (2)(a), 173-303-120(4), 173-303-071 (3)(a) and (b) and 173-303-802 (4) and (5), are most likely to have a significant impact. Recyclers of dangerous waste may have significant impacts from WAC 173-303-070 (2)(a) or 173-303-120 (4) and (5). For those affected by the

changes the effects may be substantial. Results may include bankruptcy of affected firms in a limited number of cases. A wide variety of businesses currently discharging dangerous waste into the sewer system, without a permit, or discharge authorization will have significant impacts from WAC 173-303-071 (3)(a) and (b) and 173-303-802 (4) and (5). Unpermitted discharges not covered by this amendment may also be identified in the process of implementing the wastewater discharge sections. For those affected by the wastewater discharge amendments the effects may be substantial. Persons wishing to obtain a complete copy of the small business economic impact statement should contact Hugh O'Neill, Dangerous Waste, Mailstop PV-11, Department of Ecology, Olympia, Washington 98504-8711.

Hearing Location: December 3, 1990, Seattle Airport Hilton, 17620 Pacific Highway South, Seattle, WA; on December 5, 1990, Spokane Community Health District, West 1101 College Avenue, Spokane, WA; and on December 6, 1990, Towne Plaza Hotel, North 7th Street and Yakima Avenue, Yakima, WA. At each location, the workshops will run from 6:30 p.m. to 7:45 p.m. and the public hearing will begin at 8:00 p.m.

Submit Written Comments to: Hugh O'Neill, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, by December 13, 1990.

Date of Intended Adoption: February 19, 1991.

October 1, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-016 IDENTIFYING SOLID WASTE. (1) Purpose and applicability.

(a) The purpose of this section is to identify those materials that are and are not solid wastes.

(b)(i) The definition of solid waste contained in this section applies only to wastes that also are dangerous for purposes of the regulations implementing chapter 70.105 RCW. For example, it does not apply to materials (such as nondangerous scrap, paper, textiles, or rubber) that are not otherwise dangerous wastes and that are recycled.

(ii) This section identifies only some of the materials which are solid wastes and dangerous wastes under chapter 70.105 RCW. A material which is not defined as a solid waste in this section, or is not a dangerous waste identified or listed in this section, is still a solid waste and a dangerous waste for purposes of these sections if reason and authority exists under chapter 70.105 RCW and WAC 173-303-960. Within the constraints of chapter 70.105 RCW, this shall include but not be limited to any material that: Is accumulated, used, reused, or handled in a manner that poses a threat to public health or the environment; or, due to the dangerous constituent(s) in it, when used or reused would pose a threat to public health or the environment.

(c) Certain materials are solid wastes but are excluded from the requirements of this chapter by WAC 173-303-071.

(2) The following terms are used and shall have the meanings as defined in WAC 173-303-040:

- (a) Boiler ~~((WAC 173-303-040(8)))~~
- (b) By-product ~~((WAC 173-303-040(9)))~~
- (c) Incinerator ~~((WAC 173-303-040(41)))~~
- (d) Industrial furnace ~~((WAC 173-303-040(43)))~~
- (e) Reclaim ~~((WAC 173-303-040(72)))~~
- (f) Recover ~~((WAC 173-303-040(73)))~~
- (g) Recycle ~~((WAC 173-303-040(74)))~~
- (h) Used or reused ~~((WAC 173-303-040(77)))~~
(see reuse or use)
- (i) Sludge ~~((WAC 173-303-040(81)))~~
- (j) Scrap metal ~~((WAC 173-303-040(82)))~~
- (k) Spent material ~~((WAC 173-303-040(83)))~~

(3) Definition of solid waste.

(a) A solid waste is any discarded material that is not excluded by WAC 173-303-017(2) or that is not excluded by variance granted under WAC 173-303-017(5).

(b) A discarded material is any material which is:

- (i) Abandoned, as explained in subsection (4) of this section; or
- (ii) Recycled, as explained in subsection (5) of this section; or
- (iii) Considered inherently waste-like, as explained in subsection (6) of this section.

(4) Materials are solid waste if they are abandoned by being:

- (a) Disposed of; or
- (b) Burned or incinerated; or
- (c) Accumulated, stored, or treated (but not recycled) before or in lieu of being abandoned by being disposed of, burned, or incinerated.

(5) Materials are solid wastes if they are recycled—or accumulated, stored, or treated before recycling—as specified in (a) through (d) of this subsection.

(a) Used in a manner constituting disposal. Materials noted with a "*" in column 1 of Table 1 are solid wastes when they are:

(i)(A) Applied to or placed on the land in a manner that constitutes disposal; or

(B) Used to produce products that are applied to or placed on the land or are otherwise contained in products that are applied to or placed on the land (in which cases the product itself remains a solid waste).

(ii) However, commercial chemical products listed in WAC 173-303-9903 or which exhibit any of the criteria or characteristics listed in WAC 173-303-100 are not solid wastes if they are applied to the land and that is their ordinary manner of use.

(b) Burning for energy recovery. Materials noted with a "*" in column 2 of Table 1 are solid wastes when they are:

- (i)~~((A))~~ Burned to recover energy;
- ~~((B))~~ (ii) Used to produce a fuel or are otherwise contained in fuels (in which cases the fuel itself remains a solid waste).

~~((C)) Contained in fuels (in which case the fuel itself remains a solid waste).~~

~~((D))~~ However, commercial chemical products listed in WAC 173-303-9903 or which exhibit any of the criteria or characteristics listed in WAC 173-303-100 are not solid wastes if they are themselves fuels.

(c) Reclaimed. Materials noted with a "*" in column 3 of Table 1 are solid wastes when reclaimed.

(d)(i) Accumulated speculatively. Materials noted with a "*" in column 4 of Table 1 are solid wastes when accumulated speculatively.

(ii) A material is "accumulated speculatively" if it is accumulated before being recycled. A material is not accumulated speculatively, however, if the person accumulating it can show that the material is potentially recyclable and has a feasible means of being recycled; and that—during the calendar year (commencing on January 1)—the amount of material that is recycled, or transferred to a different site for recycling, equals at least seventy-five percent by weight or volume of the amount of that material accumulated at the beginning of the period. In calculating the percentage of turnover, the seventy-five percent requirement is to be applied to each material of the same type (e.g., slags from a single smelting process) that is recycled in the same way (i.e., from which the same material is recovered or that is used in the same way). Materials accumulating in units that would be exempt from regulation under WAC 173-303-071 (3)(n) are not to be included in making the calculation. (Materials that are already defined as solid wastes also are not to be included in making the calculation.) Materials are no longer in this category once they are removed from accumulation for recycling, however.

TABLE 1

| | Use constituting disposal WAC 173-303- 016 (5)(a) | Energy recovery/ fuel WAC 173-303- 016 (5)(b) | Reclamation WAC 173-303- 016 (5)(c) | Speculative accumulation WAC 173-303- 016 (5)(d) |
|--|---|---|---|---|
| Spent materials | (*) | (*) | (*) | (*) |
| Commercial chemical products | (*) | (*) | _____ | _____ |
| By-products listed in WAC 173-303-9904 | (*) | (*) | (*) | (*) |
| Sludges listed in WAC 173-303-9904 | (*) | (*) | (*) | (*) |
| By-products exhibiting a characteristic ¹ or criteria ² | (*) | (*) | _____ | (*) |
| Sludges exhibiting a characteristic ¹ or criteria ² | (*) | (*) | _____ | (*) |
| Scrap metal | (*) | (*) | (*) | (*) |

Note: The terms "spent materials," "sludges," "by-products," and "scrap metal" are defined in WAC 173-303-040. The characteristics of dangerous waste are described in WAC 173-303-090.
² The dangerous waste criteria are described in WAC 173-303-084 and 173-303-101 through 173-303-103.

(6) Inherently waste-like materials. The following materials are solid wastes when they are recycled in any manner:

(a) Dangerous Waste Nos. F020, F021 (unless used as an ingredient to make a product at the site of generation), F022, F023, F026, and F028.

(b) The department will use the following criteria to add wastes to (a) of this subsection:

(i)(A) The materials are ordinarily disposed of, burned, or incinerated; or

(B) The materials contain toxic constituents listed in WAC 173-303-9905 and these constituents are not ordinarily found in raw materials or products for which the materials substitute (or are found in raw materials or products in smaller concentrations) and are not used or reused during the recycling process; and

(ii) The material may pose a substantial hazard to human health or the environment when recycled.

(7) Documentation of claims that materials are not solid wastes or are conditionally exempt from regulation. Respondents in actions to enforce regulations implementing chapter 70.105 RCW who raise a claim that a certain material is not a solid waste, or is conditionally exempt from regulation, must demonstrate that there is a known market or disposition for the material, and that they meet the terms of the exclusion or exemption. In doing so, they must provide appropriate documentation (such as contracts showing that a second person uses the material as an ingredient in a production process) to demonstrate that the material is not a waste, or is exempt from regulation. In addition, owners or operators of facilities claiming that they actually are recycling materials must show that they have the necessary equipment to do so.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-017 RECYCLING PROCESSES INVOLVING SOLID WASTE. (1) The purpose of this section is to identify those materials that are and are not solid wastes when recycled. Certain materials, as described in subsection (2) of this section, would not typically be considered to involve waste management and are exempt from the requirements of this chapter. All recycling processes not exempted by subsection (2) of this section are subject to the recycling requirements of WAC 173-303-120.

(2) General categories of materials that are not solid waste when recycled.

(a) Except as provided in subsection (3) of this section, materials are not solid wastes when they can be shown to be recycled by being:

(i) Used or reused as ingredients in an industrial process to make a product provided the materials are not being reclaimed; or

(ii) Used or reused as effective substitutes for commercial products; or

(iii) Returned to the original process from which they are generated without first being reclaimed. The material must be returned as a substitute for raw material feedstock, and the process must use raw materials as principal feedstocks.

(b) Except as provided in subsection (3) of this section, the department has determined that the following materials when used as described are not solid wastes:

(i) Pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process;

(ii) Spent pickle liquor which is reused in wastewater treatment at a facility holding a national pollutant discharge elimination system (NPDES) permit, or which is being accumulated, stored, or treated before such reuse;

(iii) Spent sulfuric acid used to produce virgin sulfuric acid.

(3) The following materials are solid wastes, even if the recycling involves use, reuse, or return to the original process (as described in subsection (2)(a) of this section):

(a) Materials used in a manner constituting disposal, or used to produce products that are applied to the land; or

(b) Materials burned for energy recovery, used to produce a fuel, or contained in fuels; or

(c) Materials accumulated speculatively as defined in WAC 173-303-016 (5)(d)(ii); or

(d) Materials listed in WAC 173-303-016(6); or

(e) Any materials that the department determines are being accumulated, used, reused or handled in a manner that poses a threat to public health or the environment.

(4) Documentation of claims that materials are not solid wastes or are conditionally exempt from regulation. Respondents in actions to enforce regulations implementing chapter 70.105 RCW who raise a claim that a certain material is not a solid waste, or is conditionally exempt from regulation, must demonstrate that there is a known market or disposition for the material, and that they meet the terms of the exclusion or exemption. In doing so, they must provide appropriate documentation (such as contracts showing that a second person uses the material as an ingredient in a production process) to demonstrate that the material is not a waste, or is exempt from regulation. In addition, owners or operators of facilities claiming that they actually are recycling materials must show that they have the necessary equipment to do so.

(5) Variances from classification as a solid waste.

(a) In accordance with the standards and criteria in (b) of this subsection and the procedures in subsection (7) of this section, the department may determine on a case-by-case basis that the following recycled materials are not solid wastes:

(i) Materials that are accumulated speculatively without sufficient amounts being recycled (as defined in WAC 173-303-016 (5)(d)(ii));

(ii) Materials that are reclaimed and then reused within the original primary production process in which they were generated;

(iii) Materials that have been reclaimed but must be reclaimed further before the materials are completely recovered;

(iv) State-only dangerous materials (not regulated as hazardous wastes (defined in WAC 173-303-040(~~(39)~~)) by EPA) which serve as an effective substitute for a commercial product or raw material.

(b) Standards and criteria for variances from classification as a solid waste.

(i) The department may grant requests for a variance from classifying as a solid waste those materials that are accumulated speculatively

without sufficient amounts being recycled if the applicant demonstrates that sufficient amounts of the material will be recycled or transferred for recycling in the following year. If a variance is granted, it is valid only for the following year, but can be renewed, on an annual basis, by filing a new application. The department's decision will be based on the following standards and criteria:

(A) The manner in which the material is expected to be recycled, when the material is expected to be recycled, and whether this expected disposition is likely to occur (for example, because of past practice, market factors, the nature of the material, or contractual arrangements for recycling);

(B) The reason that the applicant has accumulated the material for one or more years without recycling seventy-five percent of the volume accumulated at the beginning of the year;

(C) The quantity of material already accumulated and the quantity expected to be generated and accumulated before the material is recycled;

(D) The extent to which the material is handled to minimize loss;

(E) Other relevant factors.

(ii) The department may grant requests for a variance from classifying as a solid waste those materials that are reclaimed and then reused as feedstock within the original primary production process in which the materials were generated if the reclamation operation is an essential part of the production process. This determination will be based on the following criteria:

(A) How economically viable the production process would be if it were to use virgin materials, rather than reclaimed materials;

(B) The prevalence of the practice on an industry-wide basis;

(C) The extent to which the material is handled before reclamation to minimize loss;

(D) The time periods between generating the material and its reclamation, and between reclamation and return to the original primary production process;

(E) The location of the reclamation operation in relation to the production process;

(F) Whether the reclaimed material is used for the purpose for which it was originally produced when it is returned to the original process, and whether it is returned to the process in substantially its original form;

(G) Whether the person who generates the material also reclaims it;

(H) Other relevant factors.

(iii) The department may grant requests for a variance from classifying as a solid waste those materials that have been reclaimed but must be reclaimed further before recovery is completed if, after initial reclamation, the resulting material is commodity-like (even though it is not yet a commercial product, and has to be reclaimed further). This determination will be based on the following factors:

(A) The degree of processing the material has undergone and the degree of further processing that is required;

(B) The value of the material after it has been reclaimed;

(C) The degree to which the reclaimed material is like an analogous raw material;

(D) The extent to which an end market for the reclaimed material is guaranteed;

(E) The extent to which the reclaimed material is handled to minimize loss;

(F) Other relevant factors.

(iv) The department may grant requests for a variance from classifying as a solid waste those materials that serve as an effective substitute for a commercial product or raw material, when such material is not regulated as hazardous waste (defined in WAC 173-303-040(~~(39)~~)) by EPA, if the materials are recycled in a manner such that they more closely resemble products or raw materials rather than wastes. This determination will be based on the following factors:

(A) The effectiveness of the material for the claimed use;

(B) The degree to which the material is like an analogous raw material or product;

(C) The extent to which the material is handled to minimize loss or escape to the environment;

(D) The extent to which an end market for the reclaimed material is guaranteed;

(E) The time period between generating the material and its recycling;

(F) Other factors as appropriate.

(6) Variance to be classified as a boiler.

In accordance with the standards and criteria in WAC 173-303-040(~~(8)~~) (definition of "boiler"), and the procedures in subsection

(7) of this section the department may determine on a case-by-case basis that certain enclosed devices using controlled flame combustion are boilers, even though they do not otherwise meet the definition of boiler contained in WAC 173-303-040(~~(8)~~), after considering the following criteria:

(a) The extent to which the unit has provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and

(b) The extent to which the combustion chamber and energy recovery equipment are of integral design; and

(c) The efficiency of energy recovery, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

(d) The extent to which exported energy is utilized; and

(e) The extent to which the device is in common and customary use as a "boiler" functioning primarily to produce steam, heated fluids, or heated gases; and

(f) Other factors, as appropriate.

(7) Procedures for variances from classification as a solid waste or to be classified as a boiler.

The department will use the following procedures in evaluating applications for variances from classification as a solid waste or applications to classify particular enclosed flame combustion devices as boilers:

(a) The applicant must apply to the department. The application must address the relevant criteria contained in subsections (5)(b) or (6) of this section.

(b) The department will evaluate the application and issue a draft public notice tentatively granting or denying the application. Notification of this tentative decision will be provided by newspaper advertisement and radio broadcast in the locality where the recycler is located. The department will accept comment on the tentative decision for thirty days, and may also hold a public hearing upon request or at its discretion. The department will issue a final decision after receipt of comments and after the hearing (if any), and this decision may not be appealed to the department.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-040 DEFINITIONS. When used in this regulation, the following terms have the meanings given below.

((+)) "Aboveground tank" means a device meeting the definition of "tank" in this section and that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

"Active life" of a facility means the period from the initial receipt of dangerous waste at the facility until the department receives certification of final closure.

"Active portion" means that portion of a facility which is not a closed portion (~~(subsection (1) of this section)~~), and where dangerous waste recycling, reuse, reclamation, transfer, treatment, storage or disposal operations are being or have been conducted after:

((*) The effective date of the waste's designation by 40 CFR Part 261; and

((b)) March 10, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261. (See also "closed portion" and "inactive portion.")

((2)) "Acutely hazardous waste" means dangerous waste sources (listed in WAC 173-303-9904) F020, F021, F022, F023, F026, or F027, and discarded chemical products (listed in WAC 173-303-9903) that are identified with a dangerous waste number beginning with a "P" or that show an "X" or "A" in the reason for designation column.

((3)) "Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps, that is used to distribute, meter, or control the flow of dangerous waste from its point of generation to a storage or treatment tank(s), between dangerous waste storage and treatment tanks to a point of disposal on-site, or to a point of shipment for disposal off-site.

"Aquatic LC₅₀" (same as TLM₉₆) means a concentration in mg/L (ppm) which kills in 96 hours half of a group of ten or more of a medium sensitivity warm water species of fish such as Lepomis macrochirus (bluegill) or Pimephales promelas (flathead minnow), or cold water species such as salmonidae, when using the testing method described in WAC 173-303-110.

((4)) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of ground water to wells or springs.

((f5)) "Asbestos containing waste material" means any waste that contains more than one percent asbestos by weight and that can be crumbled, pulverized, or reduced to powder when dry, by hand pressure.

((f6)) "Batch" means any waste which is generated less frequently than once a month.

((f7)) "Berm" means the shoulder of a dike.

((f8)) "Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

((a)(i)) The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids, or heated gases; and

((ii)) The unit's combustion chamber and primary energy recovery section(s) must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery section(s) (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery section(s) are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery section. The following units are not precluded from being boilers solely because they are not of integral design: Process heaters (units that transfer energy directly to a process stream), and fluidized bed combustion units; and

((iii)) While in operation, the unit must maintain a thermal energy recovery efficiency of at least sixty percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

((iv)) The unit must export and utilize at least seventy-five percent of the recovered energy, calculated on an annual basis. In this calculation, no credit shall be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps); or

((b)) The unit is one which the department has determined, on a case-by-case basis, to be a boiler, after considering the standards in WAC 173-303-017(6).

((9)) "By-product" means a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. Examples are process residues such as slags or distillation column bottoms. The term does not include a co-product that is produced for the general public's use and is ordinarily used in the form it is produced by the process.

((10)) "Carcinogenic" means a material known to contain an IARC positive or suspected, human or animal carcinogen.

((11)) "Closed portion" means that portion of a facility which an owner or operator has closed, in accordance with the approved facility closure plan and all applicable closure requirements.

((12)) "Closure" means the requirements placed upon all TSD facilities to ensure that all such facilities are closed in an acceptable manner (see also "post-closure").

((13)) "Commercial chemical product or manufacturing chemical intermediate" refers to a chemical substance which is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient.

"Compliance procedure" shall mean any proceedings instituted pursuant to the Hazardous Waste Disposal Act as amended in 1980 and 1983, and chapter 70.105A RCW, or regulations issued under authority of state law, which seeks to require compliance, or which is in the nature of an enforcement action or an action to cure a violation. A compliance procedure includes a notice of intention to terminate a permit pursuant to WAC 173-303-830(5), or an application in the state superior court for appropriate relief under the Hazardous Waste Management Act. A compliance procedure is considered to be pending from the time a notice of violation or of intent to terminate a permit is issued or judicial proceedings are begun, until the department notifies the owner or operator in writing that the violation has been corrected or that the procedure has been withdrawn or discontinued.

((14)) "Component" means either the tank or ancillary equipment of a tank system.

"Constituent" or "dangerous waste constituent" means a chemically distinct component of a dangerous waste stream or mixture.

((15)) "Container" means any portable device in which a material is stored, transported, treated, disposed of, or otherwise handled.

((16)) "Contingency plan" means a document setting out an organized, planned, and coordinated course of action to be followed in case of a fire, explosion, or release of dangerous waste or dangerous waste constituents which could threaten the public health or environment.

((17)) "Contract" means the written agreement signed by the department and the state operator.

((18)) "Corrosion expert" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"Dangerous waste constituents" means those constituents listed in WAC 173-303-9905 and any other constituents that have caused a waste to be a dangerous waste under this chapter.

"Dangerous waste management unit" is a contiguous area of land on or in which dangerous waste is placed, or the largest area in which there is a significant likelihood of mixing dangerous waste constituents in the same area. Examples of dangerous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone does not constitute a unit; the unit includes containers and the land or pad upon which they are placed.

"Dangerous wastes" means those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous or extremely hazardous waste. As used in this chapter, the words "dangerous waste" will refer to the full universe of wastes regulated by this chapter (including dangerous and extremely hazardous waste), while the abbreviation "DW" will refer to that part of the regulated universe which is dangerous only, and not extremely hazardous. (See also "extremely hazardous waste" and "hazardous waste" definitions.)

((19)) "Department" means the department of ecology.

((20)) "Dermal LD₅₀" means the single dosage in milligrams per kilogram (mg/kg) body weight which, when dermally (skin) applied for 24 hours, within 14 days kills half of a group of ten rabbits each weighing between 2.0 and 3.0 kilograms.

((21)) "Designated facility" means the facility designated by the generator on the manifest to receive a dangerous waste shipment and which is authorized pursuant to this chapter or RCRA to recycle or manage dangerous waste.

((22)) "Dike" means an embankment or ridge of natural or man-made materials used to prevent the movement of liquids, sludges, solids, or other substances.

((23)) "Director" means the director of the department of ecology.

((24)) "Discharge" or "dangerous waste discharge" means the accidental or intentional release of hazardous substances, dangerous waste or dangerous waste constituents such that the substance, waste or a waste constituent may enter or be emitted into the environment. Release includes, but is not limited to, the actions of: Spilling, leaking, pumping, pouring, emitting, dumping, emptying, depositing, placing, or injecting.

((25)) "Disposal" means the discharging, discarding, or abandoning of dangerous wastes or the treatment, decontamination, or recycling of such wastes once they have been discarded or abandoned. This includes the discharge of any dangerous wastes into or on any land, air, or water.

"Domestic sewage" means untreated sanitary wastes from residential sources that pass through a sewer system to a publicly owned treatment works (POTW) for treatment.

((26)) "Draft permit" means a document prepared under WAC 173-303-840 indicating the department's tentative decision to issue or deny, modify, revoke and reissue, or terminate a permit. A notice of intent to terminate or deny a permit are types of draft permits. A denial of a request for modification, revocation and reissuance, or termination as discussed in WAC 173-303-830 is not a draft permit.

((27)) "Elementary neutralization unit" means a device which:

((a)) Is used for neutralizing wastes which are dangerous wastes only because they exhibit the corrosivity characteristics defined in WAC 173-303-090 or are listed in WAC 173-303-081, or in 173-303-082 only for this reason; and

((b)) Meets the definition of tank, tank system, container, transport vehicle, or vessel.

((28)) "Environment" means any air, land, water, or ground water. "Environment" does not mean the area within a dangerous waste management unit's secondary containment that meets the requirements of WAC 173-303-630(7) or 173-303-640(4) and is totally enclosed.

"EPA/state identification number" or "EPA/state ID#" means the number assigned by EPA or by the department of ecology to each generator, transporter, and TSD facility.

((29)) "Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of dangerous waste and that is in operation, or for which installation has commenced on or prior to February 3, 1989. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either:

A continuous on-site physical construction or installation program has begun; or

The owner or operator has entered into contractual obligations, which cannot be cancelled or modified without substantial loss, for physical construction of the site or installation of the tank system to be completed within a reasonable time.

"Existing TSD facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261. A facility has commenced construction if the owner or operator has obtained permits and approvals necessary under federal, state, and local statutes, regulations, and ordinances and either:

A continuous on-site, physical construction program has begun; or

The owner or operator has entered into contractual obligation, which cannot be cancelled or modified without substantial loss, for physical construction of the facility to be completed within a reasonable time.

"Extremely hazardous waste" means those dangerous wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous. The abbreviation "EHW" will be used in this chapter to refer to those dangerous wastes which are extremely hazardous. (See also "dangerous waste" and "hazardous waste" definitions.)

((30)) "Facility" means all contiguous land, and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specified in this chapter, the terms "facility," "treatment, storage, disposal facility," "TSD facility," "dangerous waste facility" or "waste management facility" shall be used interchangeably.

((31)) "Final closure" means the closure of all dangerous waste management units at the facility in accordance with all applicable closure requirements so that dangerous waste management activities under WAC 173-303-400 and 173-303-600 through 173-303-670 are no longer conducted at the facility. Areas only subject to generator standards WAC 173-303-170 through 173-303-230 need not be included in final closure.

"Food chain crops" means tobacco, crops grown for human consumption, and crops grown to feed animals whose products are consumed by humans.

((32)) "Freeboard" means the vertical distance between the top of a tank or surface impoundment dike, and the surface of the waste contained therein.

((33)) "Fugitive emissions" means the emission of contaminants from sources other than the control system exit point. Material handling, storage piles, doors, windows and vents are typical sources of fugitive emissions.

((34)) "Generator" means any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.

((35)) "Genetic properties" means those properties which cause or significantly contribute to mutagenic, teratogenic, or carcinogenic effects in man or wildlife.

((36)) "Ground water" means water which fills voids below the land surface and in the earth's crust.

((37)) "Halogenated hydrocarbons" (HH) means any organic compounds which, as part of their composition, include one or more atoms of fluorine, chlorine, bromine, iodine, or astatine. The requirements of this chapter apply to only those halogenated hydrocarbons which can be obtained using the testing method described in WAC 173-303-110, testing methods, and which are persistent dangerous wastes.

((38)) "Hazardous substances" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090, 173-303-101, 173-303-102, or 173-303-103.

((39)) "Hazardous wastes" means those solid wastes designated by 40 CFR Part 261, and regulated as hazardous waste by the United States EPA. This term will never be abbreviated in this chapter to avoid confusion with the abbreviations "DW" and "EHW." (See also "dangerous waste" and "extremely hazardous waste" definitions.)

"Ignitable waste" means a dangerous waste that exhibits the characteristic of ignitability described in WAC 173-303-090(5).

((40)) "Inactive portion" means that portion of a facility which has not recycled, treated, stored, or disposed dangerous waste after:

((a)) The effective date of the waste's designation, for wastes designated under 40 CFR Part 261; and

((b)) March 10, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261.

((41)) "Incinerator" means any enclosed device using controlled flame combustion that neither meets the criteria for classification as a boiler nor is listed as an industrial furnace.

((42)) "Incompatible waste" means a dangerous waste which is unsuitable for placement in a particular device or facility because it may corrode or decay the containment materials, or is unsuitable for mixing with another waste or material because the mixture might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, fumes, mists, or gases, or flammable fumes or gases.

((43)) "Industrial-furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use controlled flame devices to accomplish recovery of materials or energy; cement kilns, lime kilns, aggregate kilns, phosphate kilns, blast furnaces, smelting, melting, and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and foundry furnaces), titanium dioxide chloride process oxidation reactors, coke ovens, methane reforming furnaces, combustion devices used in the recovery of sulfur values from spent sulfuric acid, and pulping liquor recovery furnaces. The department may decide to add devices to this list on the basis of one or more of the following factors:

((a)) The device is designed and used primarily to accomplish recovery of material products;

((b)) The device burns or reduces secondary materials as ingredients in an industrial process to make a material product;

((c)) The device burns or reduces secondary materials as effective substitutes for raw materials in processes using raw materials as principal feedstocks;

((d)) The device burns or reduces raw materials to make a material product;

((e)) The device is in common industrial use to produce a material product; and

((f)) Other factors, as appropriate.

((44)) "Infectious waste" means organisms or materials listed in WAC 173-303-083, infectious dangerous wastes.

((45)) "Inground tank" means a device meeting the definition of "tank" in this section whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

"Inhalation LC₅₀" means a concentration in milligrams of substance per liter of air which, when administered to the respiratory tract for 4 hours or less, kills within 14 days half of a group of ten rats each weighing between 200 and 300 grams.

((46)) "Inner liner" means a continuous layer of material placed inside a tank or container which protects the construction materials of the tank or container from the waste or reagents used to treat the waste.

((47)) "Installation inspector" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

"Interim status permit" means a temporary permit given to TSD facilities which qualify under WAC 173-303-805.

"Land disposal" means placement in a facility or on the land with the intent of leaving the dangerous waste at closure, and includes, but is not limited to, placement for disposal purposes in a: Landfill; surface impoundment; waste pile; injection well; land treatment facility; salt dome or salt bed formation; underground mine or cave; concrete vault; bunker; or miscellaneous unit.

~~((48))~~ "Landfill" means a disposal facility, or part of a facility, where dangerous waste is placed in or on land and which is not a land treatment facility, a surface impoundment, or an underground injection well, a salt dome formation, a salt bed formation, an underground mine, or a cave.

~~((49))~~ "Land treatment" means the practice of applying dangerous waste onto or incorporating dangerous waste into the soil surface so that it will degrade or decompose. If the waste will remain after the facility is closed, this practice is disposal.

"Leachable inorganic waste" means solid dangerous waste (i.e., passes paint filter test) that is not an organic/carbonaceous waste and exhibits the toxicity characteristic (dangerous waste numbers D004 to D011, only) under WAC 173-303-090(8).

~~((50))~~ "Leachate" means any liquid, including any components suspended in the liquid, that has percolated through or drained from dangerous waste.

~~((51))~~ "Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of dangerous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of dangerous waste into the secondary containment structure.

"Legal defense costs" means any expenses that an insurer incurs in defending against claims of third parties brought under the terms and conditions of an insurance policy.

~~((52))~~ "Liner" means a continuous layer of man-made or natural materials which restrict the escape of dangerous waste, dangerous waste constituents, or leachate through the sides, bottom, or berms of a surface impoundment, waste pile, or landfill.

~~((53))~~ "Major facility" means a facility or activity classified by the department as major.

~~((54))~~ "Manifest" means the shipping document, prepared in accordance with the requirements of WAC 173-303-180, which is used to identify the quantity, composition, origin, routing, and destination of a dangerous waste while it is being transported to a point of transfer, disposal, treatment, or storage.

~~((55)) (Reserved.)~~

~~((56))~~ "Manufacturing process unit" means a unit which is an integral and inseparable portion of a manufacturing operation, processing a raw material into a manufacturing intermediate or finished product, reclaiming spent materials or reconditioning components.

"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of dangerous waste and for which installation has commenced after February 3, 1989; except, however, for purposes of WAC 173-303-640 (4)(g)(ii) and 173-303-400(3), a new tank system is one for which construction commences after February 3, 1989. (See also "existing tank system.")

"New TSD facility" means a facility which began operation or for which construction commenced after November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261.

"Miscellaneous unit" means a dangerous waste management unit where dangerous waste is treated, stored, or disposed of and that is not a container, tank, surface impoundment, pile, land treatment unit, landfill, incinerator, boiler, industrial furnace, underground injection well with appropriate technical standards under 40 CFR Part 146, or unit eligible for a research, development, and demonstration permit under WAC 173-303-809.

"NIOSH registry" means the registry of toxic effects of chemical substances which is published by the National Institute for Occupational Safety and Health.

~~((57))~~ "Nonsudden accident" or "nonsudden accidental occurrence" means an unforeseen and unexpected occurrence which takes place over time and involves continuous or repeated exposure.

~~((58))~~ "Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in bodily injury or property damage which the owner or operator neither expected nor intended to occur.

~~((59))~~ "Onground tank" means a device meeting the definition of "tank" in this section and that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surface so that the external tank bottom cannot be visually inspected.

"On-site" means the same, geographically contiguous, or bordering property. Travel between two properties divided by a public right of way, and owned, operated, or controlled by the same person, shall be considered on-site travel if: ~~((a))~~ The travel crosses the right of way at a perpendicular intersection; or, ~~((b))~~ the right of way is controlled by the property owner and is inaccessible to the public.

~~((60))~~ "Operator" means the person responsible for the overall operation of a facility. (See also "state operator.")

~~((61))~~ "Oral LD₅₀" means the single dosage in milligrams per kilogram (mg/kg) body weight, when orally administered, which, within 14 days, kills half a group of ten or more white rats each weighing between 200 and 300 grams.

~~((62))~~ "Organic/carbonaceous waste" means a dangerous waste that contains combined concentrations of greater than ten percent organic/carbonaceous constituents in the waste; organic/carbonaceous constituents are those substances that contain carbon-hydrogen, carbon-halogen, or carbon-carbon chemical bonding.

"Partial closure" means the closure of a dangerous waste management unit in accordance with the applicable closure requirements of WAC 173-303-400 and 173-303-600 through 173-303-670 at a facility that contains other active dangerous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile, or other dangerous waste management unit, while other units of the same facility continue to operate.

"Permit" means an authorization which allows a person to perform dangerous waste transfer, storage, treatment, or disposal operations, and which typically will include specific conditions for such facility operations. Permits must be issued by one of the following:

~~((a))~~ The department, pursuant to this chapter;

~~((b))~~ United States EPA, pursuant to 40 CFR Part 270; or

~~((c))~~ Another state authorized by EPA, pursuant to 40 CFR Part 271.

~~((63))~~ "Permit-by-rule" means a provision of this chapter stating that a facility or activity is deemed to have a dangerous waste permit if it meets the requirements of the provision.

~~((64))~~ "Persistence" means the quality of a material which retains more than half of its initial activity after one year (365 days) in either a dark anaerobic or dark aerobic environment at ambient conditions.

~~((65))~~ "Person" means any person, firm, association, county, public or municipal or private corporation, agency, or other entity whatsoever.

~~((66))~~ "Pesticide" means but is not limited to: Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, mollusk, fungus, weed, and any other form of plant or animal life, or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the department of agriculture may declare to be a pest; any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant; any substance or mixture of substances intended to be used as spray adjuvant; and, any other substance intended for such use as may be named by the department of agriculture by regulation. Herbicides, fungicides, insecticides, and rodenticides are pesticides for the purposes of this chapter.

~~((67))~~ "Pile" means any noncontainerized accumulation of solid, nonflowing dangerous waste that is used for treatment or storage.

~~((68))~~ "Point source" means any confined and discrete conveyance from which pollutants are or may be discharged. This term includes, but is not limited to, pipes, ditches, channels, tunnels, wells, cracks, containers, rolling stock, concentrated animal feeding operations, or watercraft, but does not include return flows from irrigated agriculture.

~~((69))~~ "Polycyclic aromatic hydrocarbons" (PAH) means those hydrocarbon molecules composed of two or more benzene rings. For the purposes of this chapter, the PAH of concern for designation are only those PAH with more than three rings and less than seven rings.

~~((70))~~ "Post-closure" means the requirements placed upon disposal facilities (e.g., landfills, impoundments closed as disposal facilities, etc.) after closure to ensure their environmental safety for a number of years after closure. (See also "closure.")

~~((71))~~ "Publicly owned treatment works" or "POTW" means any device or system, owned by the state or a municipality, which is used in the treatment, recycling, or reclamation of municipal sewage or liquid industrial wastes. This term includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW.

"Reactive waste" means a dangerous waste that exhibits the characteristic of reactivity described in WAC 173-303-090(7).

((72)) "Reclaim" means to process a material in order to recover useable products, or to regenerate the material. Reclamation is the process of reclaiming.

((73)) "Recover" means extract a useable material from a solid or dangerous waste through a physical, chemical, biological, or thermal process. Recovery is the process of recovering.

((74)) "Recycle" means to use, reuse, or reclaim a material.

((75)) "Regulated unit" means any new or existing surface impoundment, landfill, land treatment area or waste pile that receives any dangerous waste after:

((a)) January 26, 1983 for wastes regulated by 40 CFR Part 261;

((b)) October 31, 1984 for wastes designated only by this chapter and not regulated by 40 CFR Part 261; or

((c)) The date six months after a waste is newly identified by amendments to 40 CFR Part 261 or this chapter which cause the waste to be regulated.

((76)) "Representative sample" means a sample which can be expected to exhibit the average properties of the sample source.

((77)) "Reuse or use" means to employ a material either:

((a)) As an ingredient (including use as an intermediate) in an industrial process to make a product (for example, distillation bottoms from one process used as feedstock in another process). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary materials); or

((b)) In a particular function or application as an effective substitute for a commercial product (for example, spent pickle liquor used as phosphorous precipitant and sludge conditioner in wastewater treatment).

((78)) "Run-off" means any rainwater, leachate, or other liquid which drains over land from any part of a facility.

((79)) "Run-on" means any rainwater, leachate, or other liquid which drains over land onto any part of a facility.

((80)) "Schedule of compliance" means a schedule of remedial measures in a permit including an enforceable sequence of interim requirements leading to compliance with this chapter.

((81)) "Scrap metal" means bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled.

"Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility. This term does not include the treated effluent from a wastewater treatment plant.

((82)) "Scrap metal" means bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars), which when worn or superfluous can be recycled.

((83)) "Solid acid waste" means a dangerous waste that exhibits the characteristic of low pH under the corrosivity tests of either WAC 173-303-090 (6)(a)(ii) or (b).

"Special incinerator ash" means ash residues resulting from the operation of incineration or energy recovery facilities managing municipal solid waste from residential, commercial and industrial establishments, if the ash residues are designated as dangerous waste only by this chapter and not designated as hazardous waste by 40 CFR Part 261.

"Special waste" means any dangerous waste that is solid only (non-liquid, nonaqueous, nongaseous), that is not a regulated hazardous waste under 40 CFR Part 261, and that is designated as only DW in WAC 173-303-090, 173-303-101, 173-303-102, or 173-303-103. Any solid waste that is EHW or that is regulated by the United States EPA as hazardous waste cannot be a special waste.

"Spent material" means any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing.

"Stabilization" and "solidification" means a technique that limits the solubility and mobility of dangerous waste constituents. Solidification immobilizes a waste through physical means and stabilization immobilizes the waste by bonding or chemically reacting with the stabilizing material.

((84)) "State operator" means the person responsible for the overall operation of the state's extremely hazardous waste facility on the Hanford Reservation.

((85)) "Storage" means the holding of dangerous waste for a temporary period. "Accumulation" of dangerous waste, by the generator on the site of generation, is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

((86)) "Sudden accident" means an unforeseen and unexpected occurrence which is not continuous or repeated in nature.

((87)) "Sump" means any pit or reservoir that meets the definition of tank and those troughs/trenches connected to it that serves to collect dangerous waste for transport to dangerous waste storage, treatment, or disposal facilities.

"Surface impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), and which is designed to hold an accumulation of liquid dangerous wastes or dangerous wastes containing free liquids. The term includes holding, storage, settling, and aeration pits, ponds, or lagoons, but does not include injection wells.

((88)) "Tank" means a stationary device designed to contain an accumulation of dangerous waste, and which is constructed primarily of nonearthen materials to provide structural support.

((89)) "Tank system" means a dangerous waste storage or treatment tank and its associated ancillary equipment and containment system.

"Thermal treatment" means the use of a device which uses primarily elevated temperatures to treat a dangerous waste.

((90)) "TLM₉₆" means the same as "Aquatic LC₅₀."

((91)) "Totally enclosed treatment facility" means a facility for treating dangerous waste which is directly connected to a production process and which prevents the release of dangerous waste or dangerous waste constituents into the environment during treatment.

((92)) "Toxic" means having the properties to cause or to significantly contribute to death, injury, or illness of man or wildlife.

((93)) "Transfer facility" or "collection facility" means a facility at which dangerous waste shipments are collected, consolidated, and stored for more than ten days before transfer to a storage, treatment, or disposal facility.

((94)) "Transportation" means the movement of dangerous waste by air, rail, highway, or water.

((95)) "Transporter" means a person engaged in the off-site transportation of dangerous waste.

((96)) "Travel time" means the period of time necessary for a dangerous waste constituent released to the soil (either by accident or intent) to enter any on-site or off-site aquifer or water supply system.

((97)) "Treatability study" means a study in which a dangerous waste is subjected to a treatment process to determine: Whether the waste is amenable to the treatment process; what pretreatment (if any) is required; the optimal process conditions needed to achieve the desired treatment; the efficiency of a treatment process for a specific waste or wastes; or the characteristics and volumes of residuals from a particular treatment process. Also included in this definition for the purpose of the exemptions contained in WAC 173-303-071 (3)(r) and (s), are liner compatibility, corrosion, and other material compatibility studies and toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of dangerous waste.

"Treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

((98)) "Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which dangerous wastes are degraded, transformed or immobilized.

((99)) "Triple rinsing" means the cleaning of containers in accordance with the requirements of WAC 173-303-160 (2)(b), containers.

((100)) "Underground injection" means the subsurface emplacement of fluids through a bored, drilled, or driven well, or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

((101)) "Underground tank" means a device meeting the definition of "tank" in this section whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating dangerous waste without posing a threat of release of dangerous waste to the environment.

"Unsaturated zone" means the zone between the land surface and the water table.

((102)) "Uppermost aquifer" means the geological formation nearest the natural ground surface that is capable of yielding ground water to wells or springs. It includes lower aquifers that are hydraulically interconnected with this aquifer within the facility property boundary.

((103)) "Waste water treatment unit" means a device which:

Is part of a waste water treatment facility which is subject to regulation under either:

Section 402 or section 307(b) of the Federal Clean Water Act; or Chapter 90.48 RCW, State Water Pollution Control Act, provided that any dangerous waste treated at the facility is designated only by this chapter, chapter 173-303 WAC, and is not regulated as hazardous waste under 40 CFR Part 261; and

Handles dangerous waste as defined in WAC 173-303-070 through 173-303-103 in either of the following manner:

Receives and treats or stores an influent dangerous waste water; or Generates and accumulates or treats or stores a dangerous waste water treatment sludge; and

Meets the definition of tank or tank system in this section.

"Water or rail (bulk shipment)" means the bulk transportation of dangerous waste which is loaded or carried on board a vessel or railcar without containers or labels.

((104)) "Waste water treatment unit" means a device which:

(a) Is part of a waste water treatment facility which is subject to regulation under either:

(i) Section 402 or section 307(b) of the Federal Clean Water Act; or (ii) Chapter 90.48 RCW, State Water Pollution Control Act, provided that any dangerous waste treated at the facility is designated only by this chapter 173-303 WAC and is not regulated as hazardous waste under 40 CFR Part 261; and

(b) Handles dangerous waste as defined in WAC 173-303-070 through 173-303-103 in either of the following manner:

(i) Receives and treats or stores an influent dangerous waste water; or

(ii) Generates and accumulates or treats or stores a dangerous waste water treatment sludge; and

(c) Meets the definition of tank or tank system in WAC 173-303-040.

(105) "Existing TSD facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261. A facility has commenced construction if the owner or operator has obtained permits and approvals necessary under federal, state and local statutes, regulations and ordinances and either:

(a) A continuous on-site, physical construction program has begun; or

(b) The owner or operator has entered into contractual obligation, which cannot be cancelled or modified without substantial loss, for physical construction of the facility to be completed within a reasonable time.

(106) "New TSD facility" means a facility which began operation or for which construction commenced after November 19, 1980, for wastes designated by 40 CFR Part 261, or August 9, 1982, for wastes designated only by this chapter and not designated by 40 CFR Part 261.

(107) "Special waste" means any dangerous waste that is solid only (nonliquid, nonaqueous, nongaseous); that is not a regulated hazardous waste under 40 CFR Part 261, and that is designated as only DW in WAC 173-303-090, 173-303-101, 173-303-102, or 173-303-103. Any solid waste that is EHW or that is regulated by the United States EPA as hazardous waste cannot be a special waste.

(108) "Active life" of a facility means the period from the initial receipt of dangerous waste at the facility until the department receives certification of final closure.

(109) "Final closure" means the closure of all dangerous waste management units at the facility in accordance with all applicable closure requirements so that dangerous waste management activities under WAC 173-303-400 and 173-303-600 through 173-303-670 are no longer conducted at the facility unless subject to the provisions in WAC 173-303-200.

(110) "Partial closure" means the closure of a dangerous waste management unit in accordance with the applicable closure requirements of WAC 173-303-400 and 173-303-600 through 173-303-670 at a facility that contains other active dangerous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems); landfill cell; surface impoundment; waste pile; or other dangerous waste management unit, while other units of the same facility continue to operate.

(111) "Dangerous waste management unit" is a contiguous area of land on or in which dangerous waste is placed, or the largest area in which there is a significant likelihood of mixing dangerous waste constituents in the same area. Examples of dangerous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone does not constitute a unit, the unit includes containers and the land or pad upon which they are placed.

(112) "Aboveground tank" means a device meeting the definition of "tank" in subsection (88) of this section and that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

(113) "Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps; that is used to distribute, meter, or control the flow of dangerous waste from its point of generation to a storage or treatment tank(s); between dangerous waste storage and treatment tanks to a point of disposal on-site; or to a point of shipment for disposal off-site.

(114) "Component" means either the tank or ancillary equipment of a tank system.

(115) "Corrosion expert" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

(116) "Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of dangerous waste and that is in operation, or for which installation has commenced on or prior to February 3, 1989. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either:

(a) A continuous on-site physical construction or installation program has begun; or

(b) The owner or operator has entered into contractual obligations, which cannot be cancelled or modified without substantial loss, for physical construction of the site or installation of the tank system to be completed within a reasonable time.

(117) "Inground tank" means a device meeting the definition of "tank" in subsection (88) of this section whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

(118) "Installation inspector" means a person who, by reason of his knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

(119) "Leak detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of dangerous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of dangerous waste into the secondary containment structure.

(120) "New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of

dangerous waste and for which installation has commenced after February 3, 1989, except, however, for purposes of WAC 173-303-640 (4)(g)(ii) and 173-303-400(3), a new tank system is one for which construction commences after February 3, 1989. (See also "existing tank system.")

(121) "Onground tank" means a device meeting the definition of "tank" in subsection (88) of this section and that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surface so that the external tank bottom cannot be visually inspected.

(122) "Sump" means any pit or reservoir that meets the definition of tank and those troughs/trenches connected to it that serves to collect dangerous waste for transport to dangerous waste storage, treatment, or disposal facilities.

(123) "Tank system" means a dangerous waste storage or treatment tank and its associated ancillary equipment and containment system.

(124) "Underground tank" means a device meeting the definition of "tank" in subsection (88) of this section whose entire surface area is totally below the surface of and covered by the ground.

(125) "Unfit for use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating dangerous waste without posing a threat of release of dangerous waste to the environment.

(126) "Zone of engineering control" means an area under the control of the owner/operator that, upon detection of a dangerous waste release, can be readily cleaned up prior to the release of dangerous waste or dangerous constituents to ground water or surface water.

((127) "Treatability study" means a study in which a dangerous waste is subjected to a treatment process to determine: Whether the waste is amenable to the treatment process; what pretreatment (if any) is required; the optimal process conditions needed to achieve the desired treatment; the efficiency of a treatment process for a specific waste or wastes; or the characteristics and volumes of residuals from a particular treatment process. Also included in this definition for the purpose of the exemptions contained in WAC 173-303-071 (3)(r) and (s), are liner compatibility, corrosion, and other material compatibility studies and toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of dangerous waste.

(128) "Manufacturing process unit" means a unit which is an integral and inseparable portion of a manufacturing operation, processing a raw material into a manufacturing intermediate or finished product, reclaiming spent materials or reconditioning components.)

Any terms used in this chapter which have not been defined in this section shall have either the same meaning as set forth in Title 40 CFR Parts 260, 264, 270, and 124 or else shall have their standard, technical meaning.

As used in this chapter, words in the masculine gender also include the feminine and neuter genders, words in the singular include the plural, and words in the plural include the singular.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-045 REFERENCES TO EPA'S HAZARDOUS WASTE AND PERMIT REGULATIONS. Any references in this chapter to any parts, subparts, or sections from EPA's hazardous waste regulations, including 40 CFR Parts 260 through 280 and Part 124, shall be in reference to those rules as they existed on ~~(October 1, 1988, with the exception of rules adopted by EPA pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA), Public Law 98-616, amending RCRA))~~ July 1, 1990. Copies of the appropriate referenced federal requirements are available upon request from the department.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-070 DESIGNATION OF DANGEROUS WASTE. (1) Purpose and applicability.

(a) This section describes the procedures for determining whether or not a solid waste is DW or EHW.

(b) The procedures in this section are applicable to any person who generates a solid waste (including recyclable materials) that is not exempted or excluded by this chapter or by the department. Any person who must determine whether or not his solid waste is designated must follow the procedures set forth in subsection (3) of this section. Any person who determines by these procedures that his waste is designated DW or EHW shall be subject to all applicable requirements of this chapter.

(2)(a) Once a material has been determined to be a dangerous waste, then any solid waste generated from the recycling, treatment, storage, or disposal of that dangerous waste is a dangerous waste unless and until:

(i) The generator has been able to accurately describe the variability or uniformity of the waste over time, and has been able to obtain demonstration samples which are representative of the waste's variability or uniformity; and

(ii)(A) It does not exhibit any of the characteristics of WAC 173-303-090; and

(B) If it was a listed waste under WAC 173-303-080 through 173-303-083 (~~which~~), it also has been exempted pursuant to WAC 173-303-910(3); or

((iii)) (iii) If originally designated only through WAC 173-303-084 or 173-303-101 through 173-303-103, it does not exhibit any of the criteria of WAC 173-303-101 through 173-303-103.

Such solid waste shall include but not be limited to any sludge, spill residue, ash emission control dust, leachate, or precipitation run-off. Precipitation run-off will not be considered a dangerous waste if it can be shown that the run-off has not been contaminated with the dangerous waste, or that the run-off is adequately addressed under existing state laws (e.g. chapter 90.48 RCW), or that the run-off does not exhibit any of the criteria or characteristics described in WAC 173-303-100.

(b) Materials that are reclaimed from solid wastes and that are used beneficially (as provided in WAC 173-303-016 and 173-303-017) are not solid wastes and hence are not dangerous wastes under this section unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.

(3) Designation procedures.

(a) To determine whether or not his waste is designated a person shall check his waste against the following sections, and in the following order:

- (i) First, Discarded chemical products, WAC 173-303-081;
- (ii) Second, Dangerous waste sources, WAC 173-303-082;
- (iii) Third, Infectious dangerous wastes, WAC 173-303-083;
- (iv) Fourth, Dangerous waste mixtures, WAC 173-303-084; and
- (v) Last, Dangerous waste characteristics, WAC 173-303-090.

(b) In addition to the designation procedures specified in (a) of this subsection, a person may choose or may be required under subsection (4) of this section to check his waste against the following sections, and in the following order:

- (i) First, Toxic dangerous wastes, WAC 173-303-101;
- (ii) Second, Persistent dangerous wastes, WAC 173-303-102;
- (iii) Last, Carcinogenic dangerous wastes, WAC 173-303-103.

(c) A person shall check each section, in the order set forth, until he determines that his waste is designated. Once his waste is designated through the lists, mixtures or characteristics, he need not determine any other designations for his waste, except as required by subsection (4) or (5) of this section. For the purposes of designating through the criteria, if a person determines that his waste is designated DW, then he must assure that it is not also EHW by checking it against the remaining sections. If the designation procedures identify a waste as both EHW and DW (e.g., a waste may be DW for corrosivity and EHW for EP toxicity), the waste must be designated EHW. If a person has checked his waste against each section that he is required by this section to check and his waste is not designated, then his waste is not subject to the requirements of chapter 173-303 WAC.

Any person who wishes to seek an exemption for a waste which has been designated DW or EHW shall comply with the requirements of WAC 173-303-072.

(4) Criteria designation required. Notwithstanding any other provisions of this chapter, the department may require any person to determine whether or not his waste is designated under the dangerous waste criteria, WAC 173-303-100 through 173-303-103, if the department has reason to believe that his waste would be designated DW or EHW by the dangerous waste criteria, or if the department has reason to believe that his waste is designated improperly (e.g., the waste has been designated DW but should actually be designated EHW by the criteria). If a person, pursuant to the requirements of this subsection, determines that his waste is a dangerous waste or that its designation must be changed, then he shall be subject to the applicable requirements of this chapter 173-303 WAC. The department shall base a requirement to designate a waste by the dangerous waste criteria on evidence that includes, but is not limited to:

(a) Test information indicating that the person's waste may be DW or EHW;

(b) Evidence that the person's waste is very similar to another persons' already designated DW or EHW;

(c) Evidence that the persons' waste has historically been a DW or EHW; or

(d) Evidence or information about a person's manufacturing materials or processes which indicate that his wastes may be DW or EHW.

(5) Special knowledge. If a generator has designated his waste under the dangerous waste lists, WAC 173-303-080 through 173-303-082, or mixtures, WAC 173-303-084, and has knowledge that his waste also exhibits any of the dangerous waste characteristics, WAC 173-303-090, or that his waste also meets any of the dangerous waste criteria, WAC 173-303-101 through 173-303-103, or both, then he shall also designate his waste in accordance with those dangerous waste characteristics, or criteria, or both.

(6) Dangerous waste numbers. When a person is reporting or keeping records on a dangerous waste, he shall use all the dangerous waste numbers which he knows are assignable to his waste from the dangerous waste lists, characteristics, and criteria. For example, if his waste is ignitable and contains extremely hazardous concentrations of halogenated hydrocarbons, he shall use the dangerous waste numbers of D001 and WP01. This shall not be construed as requiring a person to designate his waste beyond those designation requirements set forth in subsections (2), (3), (4), and (5) of this section.

(7) Quantity exclusion limits; aggregated waste quantities.

(a) Quantity exclusion limits. In each of the designation sections describing the lists, characteristics, and criteria, quantity exclusion limits (QEL) are identified. The QEL are used to distinguish when a dangerous waste is only subject to the small quantity generator provisions, and when a dangerous waste is fully subject to the requirements of this chapter. Any solid waste which is not excluded or exempted and which is listed by or exhibits the characteristics or criteria of this chapter is a dangerous waste. Small quantity generators who produce dangerous waste below the QEL are subject to certain requirements described in subsection (8) of this section.

(b) Aggregated waste quantities. A person may be generating, accumulating, or storing more than one kind of dangerous waste identified by this chapter. In such cases, the person must consider the aggregate quantity of his wastes when determining whether or not his waste amounts exceed the specific quantity exclusion limits (QEL). Waste quantities must be aggregated for all wastes with common QEL's. For the purposes of this subsection, when aggregating waste quantities, a person shall include in his calculation dangerous wastes produced by on-site treatment or recycling of dangerous wastes and dangerous wastes being accumulated or stored. For example, if a person generates, accumulates, or stores 300 pounds of an ignitable waste and 300 pounds of a persistent waste, then both wastes are regulated because their aggregate waste quantity (600 pounds) exceeds their common QEL of 220 pounds. On the other hand, if a person generates, accumulates, or stores one pound of an EHW discarded chemical product and 300 pounds of a corrosive waste, their quantities would not be aggregated because they do not share a common QEL (2.2 pounds and 220 pounds, respective QEL's). Additional guidance on aggregating waste quantities is available from the department.

(c) The following are categories of waste that are excluded from the quantity determination and need not be aggregated as required by (b) of this subsection when calculating total waste quantities.

(i) Dangerous waste that is recycled and that is excluded from regulation under WAC 173-303-120 (2)(a), (3)(d) or (e) is not included in the quantity determinations of this section and is not subject to any requirements of this section.

(ii) Spent materials that are generated, reclaimed, and subsequently reused on-site, so long as such spent materials have been counted once.

(8) Small quantity generators.

(a) A person is a small quantity generator and is subject to the requirements of this subsection if his waste is designated under subsection (3) of this section, and the quantity of waste that he generates, accumulates, or stores (or the aggregated quantity if he generates more than one kind of waste) does not exceed the quantity exclusion limit for such waste (or wastes). If a person generates, accumulates, or stores any dangerous wastes that exceed the QEL, then all dangerous waste generated, accumulated, or stored by that person is subject to the requirements of this chapter. For example, if a person generates four pounds of an EHW discarded chemical product (QEL is 2.2 pounds) and 200 pounds of an ignitable waste (QEL is 220 pounds), then both wastes are fully regulated, and the person is not a small quantity generator for either waste. A small quantity generator may accumulate such listed or characteristic waste on-site, however when

the quantity (or aggregate quantity) on-site at any time exceeds the quantity exclusion limit for such waste (or wastes) he will not be a small quantity generator and will be subject to all applicable requirements of this chapter. A small quantity generator who generates, accumulates, or stores waste in excess of the quantity exclusion limit and becomes subject to the full requirements of this chapter cannot again be a small quantity generator until after all dangerous waste on-site at the time he became fully regulated have been removed, treated, or disposed.

(b) A small quantity generator will not be subject to the requirements of this chapter if he:

(i) Complies with subsections (1), (2), (3), and (4) of this section; and

(ii) Either treats or disposes of his dangerous waste in an on-site facility, or ensures delivery to an off-site facility, either of which is:

(A) Permitted (including permit-by-rule, interim status, or final status) under WAC 173-303-800 through 173-303-840;

(B) Authorized to manage dangerous waste by another state with a hazardous waste program approved under 40 CFR Part 271, or by EPA under 40 CFR Part 270;

(C) ~~((Permitted to manage municipal or industrial solid waste in accordance with state or local regulations, or in accordance with another state's solid waste laws if the waste is sent out of state, or))~~ Permitted to manage moderate-risk waste under chapter 173-304 WAC (Minimum functional standards for solid waste handling), operated in accordance with state and local regulations, and consistent with the applicable local hazardous waste plan that has been approved by the department;

(D) A facility that beneficially uses or reuses, or legitimately recycles or reclaims his dangerous waste, or that treats his waste prior to such recycling activities; and

(E) Permitted to manage municipal or industrial solid waste in accordance with state or local regulations, or in accordance with another state's solid waste laws if the waste is sent out of state.

(iii) Submits an annual report in accordance with WAC 173-303-220 if he has obtained an EPA/state identification number pursuant to WAC 173-303-060.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-071 EXCLUDED CATEGORIES OF WASTE.

(1) Purpose. Certain categories of waste have been excluded from the requirements of chapter 173-303 WAC, except for WAC 173-303-050, because they generally are not dangerous waste, are regulated under other state and federal programs, or are recycled in ways which do not threaten public health or the environment. WAC 173-303-071 describes these excluded categories of waste.

(2) Excluding wastes. Any persons who generate a common class of wastes and who seek to categorically exclude such class of wastes from the requirements of this chapter shall comply with the applicable requirements of WAC 173-303-072. No waste class will be excluded if any of the wastes in the class are regulated as hazardous waste under 40 CFR Part 261.

(3) Exclusions. The following categories of waste are excluded from the requirements of chapter 173-303 WAC, except for WAC 173-303-050, 173-303-145, and 173-303-960:

(a) ~~Domestic sewage (, and any mixture of domestic sewage and other wastes that passes through a sewer system to a publicly owned treatment works (POTW) for treatment)).~~ "Domestic sewage" means untreated sanitary wastes from residential sources that pass through a sewer system to a publicly owned treatment works (POTW) for treatment. This exclusion does not apply to the generation, treatment, storage, recycling, or other management of dangerous wastes prior to discharge into the sanitary sewage system. Owners or operators of POTWs managing dangerous wastes may qualify for a permit-by-rule pursuant to WAC 173-303-802(4);

(b) Industrial wastewater discharges that are point-source discharges subject to regulation under Section 402 of the Clean Water Act. This exclusion does not apply to the collection, storage, or treatment of industrial waste-waters prior to discharge, nor to sludges that are generated during industrial wastewater treatment. Owners or operators of certain wastewater treatment facilities managing dangerous wastes may qualify for a permit-by-rule pursuant to WAC 173-303-802(5);

(c) Household wastes, including household waste that has been collected, transported, stored, or disposed. Wastes which are residues from or are generated by the management of household wastes (e.g., leachate, ash from burning of refuse-derived fuel) are not excluded by

this provision. "Household wastes" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas);

(d) Agricultural crops and animal manures which are returned to the soil as fertilizers;

(e) Asphaltic materials designated only for the presence of PAHs by WAC 173-303-084(6) or 173-303-102. For the purposes of this exclusion, asphaltic materials means materials intended and used for structural and construction purposes (e.g., roads, dikes, paving) which are produced from mixtures of oil and sand, gravel, ash or similar substances;

(f) Roofing tars and shingles, except that these wastes are not excluded if mixed with wastes listed in WAC 173-303-081 or 173-303-082, or if they exhibit any of the characteristics specified in WAC 173-303-090;

(g) Waste wood or wood products (~~(treated with preservatives)~~) that fails the test for the toxicity characteristic solely for arsenic and which is not a dangerous waste for any other reason or reasons, if the waste is generated by persons who utilize the arsenical-treated wood or wood products for these materials' intended end use;

(h) Irrigation return flows;

(i) Materials subjected to in-situ mining techniques which are not removed from the ground during extraction;

(j) Mining overburden returned to the mining site;

(k) Polychlorinated biphenyl (PCB) wastes:

(i) PCB wastes whose disposal is regulated by EPA under 40 CFR 761.60 and that are dangerous either because they fail the test for toxicity characteristic (WAC 173-303-090(8), Dangerous waste codes D018 through D043 only) or because they are designated only by this chapter and not designated by 40 CFR Part 261, are exempt from regulation under this chapter except for WAC 173-303-510, 173-303-515, and 173-303-960;

(ii) Wastes that would be designated as dangerous waste under this chapter solely because they are listed as W001 under WAC 173-303-9904 when, using EPA's PCB testing method 600/4-81-045, the waste can be shown to contain less than one part per million (ppm) PCB or when, using ASTM method D 4059-86, the waste can be shown to contain less than two parts per million (ppm) PCB;

(iii) Wastes that would be designated as dangerous waste under this chapter solely because they are listed as W001 under WAC 173-303-9904 when such wastes are:

(A) Stored in a manner equivalent to the requirements of 40 CFR 761.65 (a) through (c) for ninety days or less (or one hundred eighty days or less for generators who qualify under WAC 173-303-201). Note: Generators storing PCB wastes for longer than ninety or one hundred eighty days, as per above are subject to dangerous waste permit requirements, WAC 173-303-280 through 173-303-840; and

(B) Within one year of removal from service, disposed of either in an incinerator that complies with 40 CFR 761.70, in a chemical waste landfill that complies with 40 CFR 761.75, in a high efficiency boiler that complies with 40 CFR 761.60 (a)(2)(iii) or (a)(3)(iii), or in a facility otherwise approved in accordance with 40 CFR 761.60(e);

(l) Samples:

(i) Except as provided in (l)(ii) of this subsection, a sample of solid waste or a sample of water, soil, or air, which is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to any requirements of this chapter, when:

(A) The sample is being transported to a lab for testing or being transported to the sample collector after testing; or

(B) The sample is being stored by the sample collector before transport, by the laboratory before testing, or by the laboratory after testing prior to return to the sample collector; or

(C) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action).

(ii) In order to qualify for the exemptions in (l)(i)(~~(A)~~) of this subsection, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must:

(A) Comply with United States Department of Transportation (DOT), United States Postal Service (USPS), or any other applicable shipping requirements; or

(B) Comply with the following requirements if the sample collector determines that DOT or USPS, or other shipping requirements do not apply:

(I) Assure that the following information accompanies the sample:

(AA) The sample collector's name, mailing address, and telephone number;

(BB) The laboratory's name, mailing address, and telephone number;

(CC) The quantity of the sample;

(DD) The date of shipment;

(EE) A description of the sample; and

(II) Package the sample so that it does not leak, spill, or vaporize from its packaging.

(iii) This exemption does not apply if the laboratory determines that the waste is dangerous but the laboratory is no longer meeting any of the conditions stated in (l)(i) of this subsection;

(m) Asbestos wastes or asbestos containing wastes which would be designated only as respiratory carcinogens by WAC 173-303-084 or 173-303-103, and any other inorganic wastes which are designated only under WAC 173-303-084 or 173-303-103 because they are respiratory carcinogens, if these wastes are managed in compliance with or in a manner equivalent to the asbestos management procedures of 40 CFR Part 61;

(n) Dangerous waste (~~(which is)~~) generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated nonwaste-treatment-manufacturing unit until it exits the unit in which it was generated (~~(unless the unit is a)~~). This exclusion does not apply to surface impoundments, (~~(or unless)~~) nor does it apply if the dangerous waste remains in the unit more than ninety days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials;

(o) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC codes 331 and 332), except that these wastes are not excluded if they exhibit one or more of the dangerous waste criteria (WAC 173-303-100 through 173-303-103) or characteristics (WAC 173-303-090);

(p) Wastes from burning any of the materials exempted from regulation by WAC 173-303-120 (2)(a)(v), (vi), (vii), (viii), or (ix);

(q) As of January 1, 1987, secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process provided:

(i) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;

(ii) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces, or incinerators);

(iii) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed;

(iv) The reclaimed material is not used to produce a fuel, or used to produce products that are used in a manner constituting disposal; and

(v) The generator ensures that any residues (e.g., sludges, filters, etc.) produced from the collection, reclamation, and reuse of the secondary materials are delivered to a dangerous waste treatment, storage, or disposal facility or legitimate recycler. The generator must be able to provide documentation of such delivery. If the generator can demonstrate that the residues do not exhibit any of the dangerous waste characteristics (WAC 173-303-090) and criteria (WAC 173-303-100 through 173-303-103), then he is exempt from the requirements of this condition in this item (v).

(r) Treatability study samples.

(i) Except as provided in (r)(ii) of this subsection, persons who generate or collect samples for the purpose of conducting treatability studies as defined in WAC 173-303-040(~~((++2))~~) are not subject to the requirements of WAC 173-303-180, 173-303-190, and 173-303-200 (1)(a), nor are such samples included in the quantity determinations of WAC 173-303-070 (7) and (8) and 173-303-201 when:

(A) The sample is being collected and prepared for transportation by the generator or sample collector; or

(B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

(C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study; or

(D) The sample or waste residue is being transported back to the original generator from the laboratory or testing facility.

(ii) The exemption in (r)(i) of this subsection is applicable to samples of dangerous waste being collected and shipped for the purpose of conducting treatability studies provided that:

(A) The generator or sample collector uses (in "treatability studies") no more than 1000 kg of any dangerous waste, 1 kg of acutely

hazardous waste, or 250 kg of soils, water, or debris contaminated with acutely hazardous waste for each process being evaluated for each generated waste stream; and

(B) The mass of each sample shipment does not exceed 1000 kg of dangerous waste, 1 kg of acutely hazardous waste, or 250 kg of soils, water, or debris contaminated with acutely hazardous waste; and

(C) The sample must be packaged so that it will not leak, spill, or vaporize from its packaging during shipment and the requirements of (r)(ii)(C)(I) or (II) of this subsection are met.

(I) The transportation of each sample shipment complies with United States Department of Transportation (DOT), United States Postal Service (USPS), or any other applicable shipping requirements; or

(II) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample:

(AA) The name, mailing address, and telephone number of the originator of the sample;

(BB) The name, address, and telephone number of the laboratory or testing facility that will perform the treatability study;

(CC) The quantity of the sample;

(DD) The date of shipment; and

(EE) A description of the sample, including its dangerous waste number.

(D) The sample is shipped, within ninety days of being generated or of being taken from a stream of previously generated waste, to a laboratory or testing facility which is exempt under (s) of this subsection or has an appropriate final facility permit or interim status; and

(E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:

(I) Copies of the shipping documents;

(II) A copy of the contract with the facility conducting the treatability study;

(III) Documentation showing:

(AA) The amount of waste shipped under this exemption;

(BB) The name, address, and EPA/state identification number of the laboratory or testing facility that received the waste;

(CC) The date the shipment was made; and

(DD) Whether or not unused samples and residues were returned to the generator.

(F) The generator reports the information required under (r)(ii)(E)(III) of this subsection in its annual report.

(iii) The department may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in (r)(ii)(A) of this subsection, for up to an additional 500 kg of nonacute hazardous waste, 1 kg of acute hazardous waste, and 250 kg of soils, water, or debris contaminated with acute hazardous waste or for up to an additional 10,000 kg of wastes regulated only by this chapter and not regulated by 40 CFR Part 261, to conduct further treatability study evaluation when: There has been an equipment or mechanical failure during the conduct of a treatability study; there is a need to verify the results of previously conducted treatability study; there is a need to study and analyze alternative techniques within a previously evaluated treatment process; or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment. The additional quantities allowed are subject to all the provisions in (r)(i) and (ii)(B) of this subsection. The generator or sample collector must apply to the department in the state where the sample is collected and provide in writing the following information:

(A) The reason the generator or sample collector requires additional quantity of sample for the treatability study evaluation and the additional quantity needed;

(B) Documentation accounting for all samples of dangerous waste from the waste stream which have been sent for or undergone treatability studies including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;

(C) A description of the technical modifications or change in specifications which will be evaluated and the expected results;

(D) If such further study is being required due to equipment or mechanical failure, the applicant must include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and

(E) Such other information that the department considers necessary.

(s) Samples undergoing treatability studies at laboratories and testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to chapter 70.105 RCW) are not subject to the requirements of this chapter, except WAC 173-303-050, 173-303-145, and 173-303-960 provided that the conditions of (s)(i) through (xiii) of this subsection are met. A mobile treatment unit (MTU) may qualify as a testing facility subject to (s)(i) through (xiii) of this subsection. Where a group of MTUs are located at the same site, the limitations specified in (s)(i) through (xiii) of this subsection apply to the entire group of MTUs collectively as if the group were (one) one MTU.

(i) No less than forty-five days before conducting treatability studies the laboratory or testing facility notifies the department in writing that it intends to conduct treatability studies under this subsection.

(ii) The laboratory or testing facility conducting the treatability study has an EPA/state identification number.

(iii) No more than a total of 250 kg of "as received" dangerous waste is subjected to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.

(iv) The quantity of "as received" dangerous waste stored at the laboratory or testing facility for the purpose of evaluation in treatability studies does not exceed 1000 kg, the total of which can include 500 kg of soils, water, or debris contaminated with acutely hazardous waste or 1 kg of acutely hazardous waste. This quantity limitation does not include:

(A) Treatability study residues; and

(B) Treatment materials (including nondangerous solid waste) added to "as received" dangerous waste.

(v) No more than ninety days have elapsed since the treatability study for the sample was completed, or no more than one year has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs.

(vi) The treatability study does not involve the placement of dangerous waste on the land or open burning of dangerous waste.

(vii) The laboratory or testing facility maintains records for three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:

(A) The name, address, and EPA/state identification number of the generator or sample collector of each waste sample;

(B) The date the shipment was received;

(C) The quantity of waste accepted;

(D) The quantity of "as received" waste in storage each day;

(E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;

(F) The date the treatability study was concluded;

(G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated TSD facility, the name of the TSD facility and its EPA/state identification number.

(viii) The laboratory or testing facility keeps, on-site, a copy of the treatability study contract and all shipping paper associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.

(ix) The laboratory or testing facility prepares and submits a report to the department by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:

(A) The name, address, and EPA/state identification number of the laboratory or testing facility conducting the treatability studies;

(B) The types (by process) of treatability studies conducted;

(C) The names and addresses of persons for whom studies have been conducted (including their EPA/state identification numbers);

(D) The total quantity of waste in storage each day;

(E) The quantity and types of waste subjected to treatability studies;

(F) When each treatability study was conducted;

(G) The final disposition of residues and unused sample from each treatability study.

(x) The laboratory or testing facility determines whether any unused sample or residues generated by the treatability study are dangerous

waste under WAC 173-303-070 and if so, are subject to the requirements of this chapter, unless the residues and unused samples are returned to the sample originator under the exemption in (r) of this subsection.

(xi) The laboratory or testing facility notifies the department by letter when it is no longer planning to conduct any treatability studies at the site.

(xii) The date the sample was received, or if the treatability study has been completed, the date of the treatability study, is marked and clearly visible for inspection on each container.

(xiii) While being held on site, each container and tank is labeled or marked clearly with the words "dangerous waste" or "hazardous waste." Each container or tank must also be marked with a label or sign which identifies the major risk(s) associated with the waste in the container or tank for employees, emergency response personnel and the public.

Note: If there is already a system in use that performs this function in accordance with local, state, or federal regulations, then such system will be adequate.

(t) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of WAC 173-303-090(8) and are subject to the corrective action regulations under 40 CFR Part 280.

(u) Special incinerator ash (as defined in WAC 173-303-040).

AMENDATORY SECTION (Amending Order DE 84-22, filed 6/27/84)

WAC 173-303-072 PROCEDURES AND BASES FOR EXEMPTING AND EXCLUDING WASTES. (1) Purpose and applicability.

(a) The purpose of this section is to describe the procedures that will be followed by generators and the department when wastes are considered for exemption or exclusion from the requirements of this chapter. Any person(s) whose waste is exempted or excluded will not be subject to the requirements of this chapter unless the department revokes the exemption or exclusion.

(b) Any person seeking a waste exemption must submit a petition to the department according to the procedures of WAC 173-303-910(3). A petition for exemption will be assessed against the applicable bases for exemption described in subsections (3), (4), and (5) of this section.

(c) Any persons seeking to categorically exclude a class of wastes must submit a petition to the department according to the procedures of WAC 173-303-910(4). A petition for exclusion will be assessed against the applicable bases for exclusion described in subsection (6) of this section.

(2) Department procedures. When considering, granting, or denying a petition for exemption or exclusion, the department shall follow the appropriate procedures described in WAC 173-303-910(1).

(3) Bases for exempting wastes. To successfully petition the department to exempt a waste, the petitioner must demonstrate to the satisfaction of the department that:

(a) He has been able to accurately describe the variability or uniformity of his waste over time, and has been able to obtain demonstration samples which are representative of his waste's variability or uniformity; and, either

(b) The representative demonstration samples of his waste are not designated DW or EHW by the dangerous waste criteria, WAC 173-303-100 through 173-303-103; or

(c) It can be shown, from information developed by the petitioner through consultation with the department, that his waste does not otherwise pose a threat to public health or the environment (~~(-except that)~~). However, this basis for exemption is not applicable to wastes (~~(which)~~) that exhibit any of the characteristics specified in WAC 173-303-090, except 173-303-090 (6)(a)(iii).

(4) Additional bases for exempting listed wastes. In addition to the demonstrations required by subsections (3)(a) and (b) of this section, for wastes listed in WAC 173-303-081 or 173-303-082 the petitioner must also demonstrate to the satisfaction of the department that his waste is not capable of posing a substantial present or potential threat to public health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. The following factors will be considered by the department when assessing such a demonstration:

(a) Whether or not the listed waste contains the constituent or constituents which caused it to be listed. (For the purposes of this subsection, the constituents referred to will include any of the dangerous waste constituents listed in WAC 173-303-9905);

(b) The nature of the threat posed by the waste constituent(s);

(c) The concentration of the constituent(s) in the waste;

(d) The potential of the constituent(s) or any degradation product of the constituent(s) to migrate from the waste into the environment under the types of improper management considered in (h) of this subsection;

(e) The persistence of the constituent(s) or any degradation product of the constituent(s);

(f) The potential for the constituent(s) or any degradation product of the constituent(s) to degrade into nonharmful constituents and the rate of degradation;

(g) The degree to which the constituent(s) or degradation product of the constituent(s) bioaccumulates in ecosystems;

(h) The plausible types of improper management to which the waste could be subjected;

(i) The quantities of the waste generated at individual generation sites or on a state-wide basis. Under this factor, the department will also consider whether or not the waste is listed under WAC 173-303-081 as a discarded chemical product and occurs in a relatively pure form. Any waste discarded chemical product which exceeds the quantity exclusion limit specified in WAC 173-303-081(2) for that waste will not be exempted;

(j) The nature and severity of the public health and environmental damage that has occurred as a result of the improper management of wastes containing the constituent(s);

(k) Actions taken by other governmental agencies or regulatory programs based on the health or environmental threat posed by the waste or waste constituent(s); and

(l) Such other factors as may be appropriate.

(5) Bases for exempting wastes designated solely for the presence of chromium. The department will exempt a waste which is designated because of the presence of chromium if the petitioner can demonstrate that:

(a) The waste is not designated for any other characteristic under WAC 173-303-090, or for any of the criteria specified in WAC 173-303-101, 173-303-102 or 173-303-103;

(b) The waste is not listed in WAC 173-303-081 or 173-303-082 due to the presence of any constituent from WAC 173-303-9905 other than chromium;

(c) The waste is typically and frequently managed in nonoxidizing environments or under nonoxidizing conditions; and

(d) Either of the following demonstrations can be made:

(i) The waste is generated from a process which uses trivalent chromium exclusively (or nearly exclusively), the process does not generate hexavalent chromium, and the chromium in the waste is exclusively (or nearly exclusively) trivalent chromium; or

(ii) Under test procedures approved by the department, the ((EP)) toxicity characteristic extract of the waste can be shown to contain less than five milligrams per liter (5 mg/L) of hexavalent chromium.

(6) Bases for categorically excluding classes of wastes. This subsection does not apply to any waste class that includes hazardous waste regulated under 40 CFR Part 261. To successfully petition the department to categorically exclude a class of wastes, petitioners must demonstrate to the satisfaction of the department that the petition or petitions for exclusion:

(a) Accurately describe the class of wastes for which categorical exclusion is sought and show that the class of wastes does not include any wastes which would be regulated as hazardous waste under 40 CFR Part 261;

(b) Describe the variability or uniformity of the class of wastes over time and in relation to the individual wastes that comprise the class of waste;

(c) Discuss the generators and their individual wastes that belong to the class of wastes and, to the extent practical, any generators or individual wastes that, although belonging to the class of wastes, are not represented by the petition or petitions; and

(d) For each individual waste within the class of wastes, provide the demonstration described by subsection (3) of this section, except that where it is determined by consultation with the department to be impractical to provide the demonstration for each individual waste, the petitioner or petitioners shall provide the demonstration for samples of the individual wastes determined by consultation with the department to be representative of the class of wastes.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-081 DISCARDED CHEMICAL PRODUCTS. (1) A waste shall be designated as a dangerous waste if it is handled in any of the manners described in (e) of this subsection, and if it is a residue from the management of:

(a) A commercial chemical product or manufacturing chemical intermediate which has the generic name listed in the discarded chemical products list, WAC 173-303-9903;

(b) An off-specification commercial chemical product or manufacturing chemical intermediate which if it had met specifications would have the generic name listed in the discarded chemical products list, WAC 173-303-9903;

(c) Any containers ((or)), inner liners ((~~that have been used to hold~~)), or residue remaining in a container or in an inner liner removed from a container that has held any commercial chemical product or manufacturing chemical intermediate that has, or any off-specification commercial chemical product or manufacturing chemical intermediate which if it had met specifications would have, the generic name listed on the acutely dangerous chemical products list of WAC 173-303-9903, unless the containers or inner liners are empty ((~~and have been triple rinsed~~)) as described in WAC 173-303-160(2);

(d) Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill of a commercial chemical product or manufacturing chemical intermediate which has, or of an off-specification commercial chemical product or manufacturing chemical intermediate which if it had met specifications would have, the generic name listed in the discarded chemical products list, WAC 173-303-9903;

(e) The materials or items described in (a), (b), (c), and (d) of this subsection are dangerous wastes when they are:

(i) Discarded or intended to be discarded as described in WAC 173-303-016 (3)(b)(i);

(ii) Burned for purposes of energy recovery in lieu of their original intended use;

(iii) Used to produce fuels in lieu of their original intended use;

(iv) Applied to the land in lieu of their original intended use; or

(v) Contained in products that are applied to the land in lieu of their original intended use.

(2) Quantity exclusion limits:

(a) A person with a waste or wastes (including residues from the management of wastes) identified in subsection (1) of this section, shall be a dangerous waste generator (and may not be considered a small quantity generator as provided in WAC 173-303-070(8)) if the amount of his waste exceeds the following quantity exclusion limits:

(i) For chemicals designated on the acutely dangerous chemical products list of WAC 173-303-9903 - 2.2 lbs. (1.0 kg) per month or per batch. Such wastes are designated EHW;

(ii) For chemicals and for residues from the cleanup of spills involving chemicals designated on the moderately dangerous chemical products list of WAC 173-303-9903 - 220 lbs. (100 kg) per month or per batch. Such wastes are designated DW;

(iii) For containers or inner liners which held any chemical designated on the acutely dangerous chemical products list of WAC 173-303-9903 - 2.2 lbs. (1.0 kg) of residue remaining in the containers or inner liners per month or per batch unless the containers or inner liners meet the definition of empty and have been triple rinsed as described in WAC 173-303-160(2);

(iv) For residues, contaminated soil, water, or other debris from the cleanup of a spill of any chemical designated on the acutely dangerous chemical products list of WAC 173-303-9903 - 220 lbs. (100 kg) per month or per batch. Such wastes are designated EHW.

(b) A person's total monthly waste quantity shall be the sum of all his wastes which share a common quantity exclusion limit (e.g., the total quantity of all EHW discarded chemical products, the total quantity of all residues contaminated by EHW discarded chemical products, etc.) which were generated during a month or a batch operation at each specific waste generation site.

(3) Dangerous waste numbers and mixtures. A waste which has been designated as a discarded chemical product dangerous waste shall be assigned the dangerous waste number or numbers listed in WAC 173-303-9903 next to the generic chemical or chemicals which caused the waste to be designated. If a person mixes a solid waste with a waste that would be designated as a discarded chemical product under this section, then the entire mixture shall be designated. The mixture designation shall be the same as the designation for the discarded chemical product which was mixed with the solid waste. For example,

a mixture containing 2.2 lbs. (1 kg) of Aldrin (dangerous waste number P004; EHW designation) and 22 lbs. (10 kg) of a solid waste, would be designated as an EHW, and would have the dangerous waste number P004.

(4) For the purposes of this chapter, the term "acutely hazardous waste" shall include discarded chemical products (listed in WAC 173-303-9903) that are identified with a dangerous waste number beginning with a "P" or that show an "X" or "A" in the reason for designation column.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-084 DANGEROUS WASTE MIXTURES. (1) Purpose. It is the purpose of this section to describe the means for designating a waste mixture containing dangerous wastes which are not listed in WAC 173-303-081 through 173-303-083.

(2) References. The National Institute for Occupational Safety and Health's (NIOSH) Registry of Toxic Effects of Chemical Substances (Registry) is adopted by reference. The table in the United States EPA's regulations 40 CFR Table 302.4 (Spill Table) is adopted by reference.

(3) Waste mixture defined. For the purposes of this section, a waste mixture shall be any waste about which some or all of its constituents and concentrations are known, and which has not been designated as:

- (a) A discarded chemical product under WAC 173-303-081;
- (b) A dangerous waste source under WAC 173-303-082;
- (c) An infectious dangerous waste under WAC 173-303-083; or
- (d) A dangerous waste that has been designated by the criteria of WAC 173-303-101 through 173-303-103.

(4) A person who has a waste mixture shall use data which is available to him, and, when such data is inadequate for the purposes of this section, shall refer to the NIOSH Registry and/or to the EPA Spill Table to determine:

(a) Toxicity data or category for each known constituent in his waste;

(b) Whether or not each known constituent of his waste is a halogenated hydrocarbon or a polycyclic aromatic hydrocarbon with greater than three rings and less than seven rings; and,

(c) Whether or not each known constituent of his waste is an International Agency for Research on Cancer (IARC) human or animal, positive or suspected carcinogen.

(5) Toxicity.

(a) If a person has toxic constituents in his waste, he shall determine the toxic category for each known toxic constituent. The toxic category for each constituent may be determined directly from EPA'S Spill Table, or by obtaining data from the NIOSH Registry and checking this data against the toxic category table, below. If data is available for more than one of the four toxicity criteria (aquatic, oral, inhalation, or dermal), then the data of severest toxicity shall be used, and the most acutely toxic category shall be assigned to the constituent. If toxicity data for a constituent cannot be found in EPA'S Spill Table, NIOSH Registry, or other source reasonably available to a person, then he need not determine the toxic category for that constituent.

TOXIC CATEGORY TABLE

| Category | TLm ₉₆ (Fish) or, Aquatic (Fish) LC ₅₀ (ppm) | Oral (Rat) LD ₅₀ (mg/kg) | Inhalation (Rat) LC ₅₀ (mg/L) | Dermal (Rabbit) LD ₅₀ (mg/kg) |
|----------|--|-------------------------------------|--|--|
| X | <.1 | <.5 | <.02 | < 2 |
| A | .1 - 1 | .5 - 5 | .02 - .2 | 2 - 20 |
| B | 1 - 10 | 5 - 50 | .2 - 2 | 20 - 200 |
| C | 10 - 100 | 50 - 500 | 2 - 20 | 200 - 2000 |
| D | 100 - 1000 | 500 - 5000 | 20 - 200 | 2000 - 20,000 |

(b) A person whose waste mixture contains one or more toxic constituents shall determine the equivalent concentration for his waste from the following formula:

$$\text{Equivalent Concentration}(\%) = \frac{\Sigma X\%}{10} + \frac{\Sigma A\%}{100} + \frac{\Sigma B\%}{1000} + \frac{\Sigma C\%}{10000} + \frac{\Sigma D\%}{100000}$$

where Σ(X,A,B,C, or D) % is the sum of all the concentration percentages for a particular toxic category.

Example 1. A person's waste mixture contains: Aldrin (X Category) - .01%; Diuron (B Category) - 1%; Benzene (C Category) - 4%; Phenol (C Category) - 2%; Cyclohexane (C Category) - 5%; Water (nontoxic) - 87%. His equivalent concentration (E.C.) would be:

$$\begin{aligned} \text{E.C. (\%)} &= .01\% + 0\% + \frac{1\%}{10} + \frac{(4\% + 2\% + 5\%)}{1000} + \frac{0\%}{10,000} \\ &= .01\% + 0\% + .01\% + .011\% + 0\% = .031\% \end{aligned}$$

So his equivalent concentration equals .031%.

(c) A person whose waste mixture contains toxic constituents shall determine his designation from the toxic dangerous waste mixtures graph in WAC 173-303-9906 by finding the equivalent concentration percentage for his waste along the abscissa, finding his total waste mixture quantity along the ordinate, and plotting the point on the graph where the horizontal line drawn from his total waste mixture quantity intersects the vertical line drawn from his waste mixture's equivalent concentration. If the plotted point is in the area marked DW, he shall designate his waste as DW; if the plotted point is in the area marked EHW, he shall designate his waste as EHW.

(d) If a person knows only some of the toxic constituents in his waste mixture, or only some of the constituent concentrations, and if his waste is undesignated for those known constituents or concentrations, then his waste is not designated for toxicity under this subsection.

(e) Toxic dangerous waste mixtures graph. The toxic dangerous waste mixtures graph appears in WAC 173-303-9906.

(6) Persistence.

(a) A person whose waste mixture contains one or more halogenated hydrocarbons for which the concentrations are known shall determine his total halogenated hydrocarbon concentration by summing the concentration percentages for all of those halogenated hydrocarbons for which he knows the concentrations in his waste mixture.

Example 2. A person's waste mixture contains: Carbon tetrachloride - .009%; DDT - .012%; 1,1,1 - trichloroethylene - .02%. His total halogenated hydrocarbon concentration would be:

$$\text{Total HH Concentration (\%)} = .009\% + .012\% + .02\% = .041\%$$

(b) A person whose waste mixture contains one or more polycyclic aromatic hydrocarbons with more than three rings and less than seven rings for which the concentrations are known shall determine his total polycyclic aromatic hydrocarbon concentration by summing the concentration percentages for all of those polycyclic aromatic hydrocarbons with more than three rings and less than seven rings about which he knows the concentration in his waste mixture.

Example 3. A person's waste mixture contains: Chrysene - .08%; 3, 4 - benzopyrene - 1.22%. His total polycyclic aromatic hydrocarbon concentration would be:

$$\text{Total PAH Concentration (\%)} = .08\% + 1.22\% = 1.3\%$$

(c) A person whose waste mixture contains halogenated hydrocarbons shall determine his designation from the persistent dangerous waste mixtures graph in WAC 173-303-9907 by finding the total halogenated hydrocarbon concentration for his waste along the abscissa, finding his total waste mixture quantity along the ordinate, and plotting the point on the graph where the horizontal line drawn from his total waste mixture quantity intersects the vertical line drawn from his waste mixture's total halogenated hydrocarbon concentration. If the plotted point is in the area marked DW, then he shall designate his waste DW; if the plotted point is in the area marked EHW, then he shall designate his waste EHW.

(d) A person whose waste mixture contains polycyclic aromatic hydrocarbons with more than three rings and less than seven rings shall determine his designation from the persistent dangerous waste mixtures graph in WAC 173-303-9907 by finding the total polycyclic aromatic hydrocarbon concentration of his waste along the abscissa, finding his total waste mixture quantity along the ordinate, and plotting the point on the graph where the horizontal line drawn from his total waste mixture quantity intersects the vertical line drawn from his waste mixture's total polycyclic aromatic hydrocarbon concentration. If the plotted point is in the area marked EHW, then he shall designate his waste EHW. If the plotted point is outside of the area marked EHW, then his waste is not designated.

(e) If a person knows only some of the persistent constituents in his waste mixture, or only some of the constituent concentrations, and if

his waste is undesignated for those known constituents or concentrations, then his waste is not designated for persistence under this subsection.

(f) Persistent dangerous waste mixtures graph. The persistent dangerous waste mixtures graph appears in WAC 173-303-9907.

(7) Carcinogens. Any person whose waste mixture contains one or more IARC human or animal, ((positive or suspected)) sufficient or limited carcinogen(s) shall designate his waste DW if:

(a) The total concentration of carcinogen(s) in his waste exceeds 1.0% of the waste quantity; and

(b) The monthly or batch waste quantity exceeds 220 lbs. (100 kg).

(c) For designation purposes, any IARC human or animal, ((positive or suspected)) sufficient or limited carcinogen that is so rated because of studies involving implantation of the substance into test animals as sole cause for the IARC rating, shall not be carcinogenic. This additional information is available in the IARC Monographs on the Evaluation of the Carcinogenic Risk of Chemicals to Humans.

(8) Assigning dangerous waste numbers. A person whose waste is a dangerous waste mixture shall assign a dangerous waste number from the generic dangerous waste numbers table in WAC 173-303-104, Generic dangerous waste numbers. He shall assign the dangerous waste number from the table which corresponds to the designation for his dangerous waste.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-090 DANGEROUS WASTE CHARACTERISTICS. (1) Purpose. The purpose of this section is to set forth characteristics which a solid waste might exhibit and which would cause that waste to be a dangerous waste.

(2) Representative samples. The department will consider a sample obtained using any of the applicable sampling methods described in WAC 173-303-110(2), sampling and testing methods, to be a representative sample.

(3) Equivalent test methods. The testing methods specified in this section shall be the only acceptable methods, unless the department approves an equivalent test method in accordance with WAC 173-303-910(2).

(4) Quantity exclusion limit. A solid waste is a dangerous waste if it exhibits one or more of the dangerous waste characteristics described in subsections (5), (6), (7), and (8) of this section. If a person's solid waste exhibits one or more of these characteristics, then he shall be a dangerous waste generator (and may not be considered a small quantity generator as provided in WAC 173-303-070(8)) if the quantity of his waste exceeds 220 lbs. (100 kg) per month or per batch.

(5) Characteristic of ignitability.

(a) A solid waste exhibits the characteristic of ignitability if a representative sample of the waste has any of the following properties:

(i) It is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume, and has a flash point less than 60 degrees C (140 degrees F), as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM Standard D-93-79 or D-93-80, or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3278-78;

(ii) It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard;

(iii) It is an ignitable compressed gas as defined in 49 CFR 173.300 and as determined by the test methods described in that regulation; or,

(iv) It is an oxidizer as defined in 49 CFR 173.151.

(b) A solid waste that exhibits the characteristic of ignitability, but is not designated as a dangerous waste under any of the dangerous waste lists, WAC 173-303-080 through 173-303-084, or dangerous waste criteria, WAC 173-303-101 through 173-303-103, shall be designated DW, and shall be assigned the dangerous waste number of D001.

(6) Characteristic of corrosivity.

(a) A solid waste exhibits the characteristic of corrosivity if a representative sample of the waste has any one or more of the following properties:

(i) It is aqueous, and has a pH less than or equal to 2, or greater than or equal to 12.5, as determined by a pH meter using Method 5.2 in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, available from the department;

(ii) It is liquid, and corrodes steel (SAE 1020) at a rate greater than 0.250 inch (6.35 mm) per year at a test temperature of 55 degrees C

(130 degrees F) as determined by the test method specified in NACE (National Association of Corrosion Engineers) Standard TM-01-69 as standardized in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods. The NACE Standard is available from the department; or

(iii) It is solid or semi-solid, and when mixed with an equal weight of water results in a solution, the liquid portion of which has the property specified in (a)(i) of this subsection. Procedures for preparing and extracting the solution and liquid are described in the test procedures of WAC 173-303-110 (3)(a).

(b) A solid waste that exhibits the characteristic of corrosivity, but is not designated as a dangerous waste under any of the dangerous waste lists, WAC 173-303-080 through 173-303-084, or dangerous waste criteria, WAC 173-303-101 through 173-303-103, shall be designated DW, and shall be assigned the dangerous waste number of D002.

(7) Characteristic of reactivity.

(a) A solid waste exhibits the characteristic of reactivity if a representative sample of the waste has any of the following properties:

(i) It is normally unstable and readily undergoes violent change without detonating;

(ii) It reacts violently with water;

(iii) It forms potentially explosive mixtures with water;

(iv) When mixed with water, it generates toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment;

(v) It is a cyanide or sulfide bearing waste which, when exposed to pH conditions between 2 and 12.5 can generate toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment;

(vi) It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;

(vii) It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

(viii) It is a forbidden explosive as defined in 49 CFR 173.51, or a Class A explosive as defined in 49 CFR 173.53, or a Class B explosive as defined in 49 CFR 173.88.

(b) A solid waste that exhibits the characteristic of reactivity, but is not designated as a dangerous waste under any of the dangerous waste lists, WAC 173-303-080 through 173-303-084, or dangerous waste criteria, WAC 173-303-101 through 173-303-103, shall be designated DW, and shall be assigned the dangerous waste number of D003.

(8) ((Characteristic of EP)) Toxicity Characteristic.

(a) A solid waste exhibits the ((Characteristic of EP)) Toxicity Characteristic if, using ((Extraction Procedure Test Methods - 1981 on file with the department)) the Toxicity Characteristic Leaching Procedure (TCLP, found in Appendix II of 40 CFR Part 261 or available upon request from the department) or equivalent methods approved by the department under WAC 173-303-110(5), the extract from a representative sample of the waste contains any of the contaminants listed in the ((EP)) Toxicity Characteristic List in (c) of this subsection, at concentrations equal to or greater than the respective value given in the list. When the waste contains less than 0.5 percent filterable solids, the waste itself, after filtering using the methodology outlined in the TCLP, is considered to be the extract for the purposes of this subsection.

(b) A solid waste that exhibits the ((Characteristic of EP)) Toxicity Characteristic, but is not designated as a dangerous waste under any of the dangerous waste lists, WAC 173-303-080 through 173-303-084, or dangerous waste criteria, WAC 173-303-101 through 173-303-103, has the dangerous waste number specified in the list which corresponds to the toxic contaminant causing it to be dangerous.

(c) ((EP)) Toxicity Characteristic List. Two levels of concentration are established for the contaminants listed. Any waste containing one or more contaminants with concentrations ((m)) above the EHW ((range)) threshold shall cause that waste to be designated EHW. Any waste containing contaminants which occur at concentrations ((m)) above the DW ((range)) threshold only (i.e., no EHW contaminants), shall be designated DW.

((EP) TOXICITY LIST

| Dangerous Waste Number | Contaminant | EHW Maximum Concentration In Extract (mg/L) | DW Maximum Concentration In Extract (mg/L) |
|------------------------|-----------------|---|--|
| D004 | Arsenic | > 500 | 5 |
| D005 | Barium | > 10,000 | 100 |
| D006 | Cadmium | > 100 | 1 |
| D007 | Chromium | > 500 | 5 |
| D008 | Lead | > 500 | 5 |
| D009 | Mercury | > 20 | 0.2 |
| D010 | Selenium | > 100 | 1 |
| D011 | Silver | > 500 | 5 |
| D012 | Endrin | > 2 | 0.02 |
| D013 | Lindane | > 40 | 0.4 |
| D014 | Methoxychlor | > 1,000 | 10 |
| D015 | Toxaphene | > 50 | 0.5 |
| D016 | 2,4-D | > 1,000 | 10 |
| D017 | 2,4,5-TP Silvex | > 100 | 1 |

TOXICITY CHARACTERISTICS LIST:

Maximum Concentration of Contaminants for the Toxicity Characteristic

| Dangerous Waste Number | Contaminant | (Chemical Abstracts Services #) | EHW (mg/L) | DW (mg/L) |
|------------------------|--------------------------------|---------------------------------|------------|-----------|
| D004 | Arsenic | (7440-38-2) | 500 | 5.0 |
| D005 | Barium | (7440-39-3) | 10,000 | 100.0 |
| D018 | Benzene | (71-43-2) | 50 | 0.5 |
| D006 | Cadmium | (7440-43-9) | 100 | 1.0 |
| D019 | Carbon tetrachloride | (56-23-5) | 50 | 0.5 |
| D020 | Chlordane | (57-74-9) | 3.0 | 0.03 |
| D021 | Chlorobenzene | (108-90-7) | 10,000 | 100.0 |
| D022 | Chloroform | (67-66-3) | 600 | 6.0 |
| D007 | Chromium | (7440-47-3) | 500 | 5.0 |
| D023 | o-Cresol | (95-48-7) | 1/1 | 20,000 |
| D024 | m-Cresol | (108-39-4) | 1/1 | 20,000 |
| D025 | p-Cresol | (106-44-5) | 1/1 | 20,000 |
| D026 | Cresol | 1/1 | 1/1 | 200.0 |
| D016 | 2,4-D | (94-75-7) | 1,000 | 10.0 |
| D027 | 1,4-Dichlorobenzene | (106-46-7) | 750 | 7.5 |
| D028 | 1,2-Dichloroethane | (107-06-2) | 50 | 0.5 |
| D029 | 1,1-Dichloroethylene | (75-35-4) | 70 | 0.7 |
| D030 | 2,4-Dinitrotoluene | (121-14-2) | 2/2 | 13 |
| D012 | Endrin | (72-20-8) | 2 | 0.02 |
| D031 | Heptachlor (and its hydroxide) | (76-44-8) | 0.8 | 0.008 |
| D032 | Hexachlorobenzene | (118-74-1) | 2/2 | 13 |
| D033 | Hexachlorobutadiene | (87-68-3) | 50 | 0.5 |
| D034 | Hexachloroethane | (67-72-1) | 300 | 3.0 |
| D008 | Lead | (7439-92-1) | 500 | 5.0 |
| D013 | Lindane | (58-89-9) | 40 | 0.4 |
| D009 | Mercury | (7439-97-6) | 20 | 0.2 |
| D014 | Methoxychlor | (72-43-5) | 1,000 | 10.0 |
| D035 | Methyl ethyl ketone | (78-93-3) | 20,000 | 200.0 |
| D036 | Nitrobenzene | (98-95-3) | 200 | 2.0 |
| D037 | Pentachlorophenol | (87-86-5) | 10,000 | 100.0 |
| D038 | Pyridine | (110-86-1) | 2/2 | 500 |
| D010 | Selenium | (7782-49-2) | 100 | 1.0 |
| D011 | Silver | (7440-22-4) | 500 | 5.0 |
| D039 | Tetrachloroethylene | (127-18-4) | 70 | 0.7 |
| D015 | Toxaphene | (8001-35-2) | 50 | 0.5 |
| D040 | Trichloroethylene | (79-01-6) | 50 | 0.5 |
| D041 | 2,4,5-Trichlorophenol | (95-95-4) | 40,000 | 400.0 |
| D042 | 2,4,6-Trichlorophenol | (88-06-2) | 200 | 2.0 |
| D017 | 2,4,5-TP (Silvex) | (93-72-1) | 100 | 1.0 |
| D043 | Vinyl chloride | (75-01-4) | 20 | 0.2 |

1/ If 0-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The DW level for total cresol is 200 mg/L and the EHW level for total cresol is 20,000 mg/L.

2/ Quantitation limit is greater than the calculated regulatory level. The quantitation limit therefore becomes the regulatory level.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-103 CARCINOGENIC DANGEROUS WASTES. (1) Criteria. A substance which is listed in the National Institute for Occupational Safety and Health (NIOSH) document Registry of Toxic Effects of Chemical Substances (Registry), or any other scientific or technical documents, as an IARC (International Agency for Research on Cancer) human or animal, (~~(positive or suspected)~~) sufficient or limited carcinogen, shall be a carcinogenic substance for the purposes of this section. Any IARC identified substance which is an inorganic, respiratory carcinogen shall be a carcinogenic substance only if it occurs in a friable format (i.e., if it is in a waste which easily crumbles and forms dust which can be inhaled).

(2) Designation. Any person whose waste contains one or more IARC carcinogen(s) shall designate his waste if:

(a) The monthly or batch waste quantity exceeds 220 lbs. (100 kg); and either

(b)(i) The concentration of any one IARC (~~(positive)~~) sufficient (human or animal) carcinogen exceeds 1.0% of the waste quantity. Such waste shall be designated EHW, and such designation shall take precedence over any DW designation determined by (b)(ii) or (iii) of this subsection; or

(ii) The concentration of any one IARC (~~(positive)~~) sufficient (human or animal) carcinogen exceeds 0.01% of the waste quantity. Such waste shall be designated DW; or

(iii) The total concentration summed for all IARC (~~(positive and suspected)~~) sufficient and limited (human and animal) carcinogens exceeds 1.0% of the waste quantity. Such waste shall be designated DW.

(c) For designation purposes, any IARC human or animal, (~~(positive or suspected)~~) sufficient or limited carcinogen that is so rated because of studies involving implantation of the substance into test animals as sole cause for the IARC rating, shall not be carcinogenic. This additional information is available in the IARC Monographs on the Evaluation of the Carcinogenic Risk of Chemicals to Humans.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-110 SAMPLING AND TESTING METHODS.

(1) Purpose. This section describes the testing methods which may be used in the process of designating a dangerous waste.

(2) Representative samples.

(a) The methods and equipment used for obtaining representative samples of a waste will vary with the type and form of the waste. The department will consider samples collected using the sampling methods below, for wastes with properties similar to the indicated materials, to be representative samples of the wastes:

(i) Crushed or powdered material - ASTM Standard D346-75;

(ii) Extremely viscous liquid - ASTM Standard D140-70;

(iii) Fly ash-like material - ASTM Standard (~~(D2234-76)~~) D2234-86;

(iv) Soil-like material - ASTM Standard D1452-65;

(v) Soil or rock-like material - ASTM Standard D420-69;

(vi) Containerized liquid wastes - "COLIWASA" described in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, SW-846, revised July 1982, as amended by Update 1 (April 1984) and Update 2 (April 1985); and,

(vii) Liquid waste in pits, ponds, lagoons, and similar reservoirs - "Pond Sampler" described in Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods, SW-846, revised July 1982, as amended by Update 1 (April 1984) and Update 2 (April 1985).

(b) Copies of these representative sampling methods are available from the department except for the ASTM standards which can be obtained by writing to:

ASTM
1916 Race Street
Philadelphia, PA 19103.

(3) Test procedures. Copies of the test procedures listed in this subsection can be obtained from the department by writing to the appropriate address below:

For copies of WDOE test methods:

Attn: Test Procedures
Hazardous Waste Section, PV-11
Department of Ecology
Olympia, Washington 98504

For copies of SW 846:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20401

For copies of ASTM methods:

ASTM
1916 Race Street
Philadelphia, PA 19103

The document titles and included test procedures are as follows:

(a) Chemical Testing Methods for Complying with the Dangerous Waste Regulation, March 1982, revised July 1983, describing methods for testing:

(i) Ignitability;

(ii) Corrosivity, including the addendum, Test Method for Determining pH of Solutions in Contact with Solids, March 1984;

(iii) Reactivity;

(iv) EP Toxicity;

(v) Halogenated hydrocarbons; and

(vi) Polycyclic aromatic hydrocarbons;

(b) Biological Testing Methods, revised (~~(July 1984)~~) October 1990, describing procedures for:

(i) Static acute fish toxicity test; and

(ii) Acute oral rat toxicity test;

(c) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846 (the most recent edition and all updates) is adopted by reference. This includes:

(i) Method 9095 (Paint Filter Liquids Test), demonstrating the absence or presence of free liquids in either a containerized or bulk waste;

(ii) Reserved;

(d) 40 CFR Part 261 Appendix X is adopted by reference for the purpose of analysis for chlorinated dibenzo-p-dioxins and dibenzofurans;

(e)(i) The determination of Polychlorinated Biphenyls in Transformer Fluids and Waste Oils, EPA-600/4-81-045; and

(ii) Analysis of Polychlorinated Biphenyls in Mineral Insulating Oils by Gas Chromatography, ASTM Standard D 4059-86.

(4) Substantial changes to the testing methods described above shall be made only after the department has provided adequate opportunity for public review and comment on the proposed changes. The department may, at its discretion, schedule a public hearing on the proposed changes.

(5) Equivalent testing methods. Any person may request the department to approve an equivalent testing method by submitting a petition, prepared in accordance with WAC 173-303-910(2), to the department.

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

WAC 173-303-120 RECYCLED, RECLAIMED, AND RECOVERED WASTES. (1) This section describes the requirements for persons who recycle materials that are solid wastes and dangerous. Except as provided in subsections (2) and (3) of this section, dangerous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsection (4) of this section. Dangerous wastes that are recycled will be known as "recyclable materials."

(2)(a) The following recyclable materials are solid wastes and sometimes are dangerous wastes. However, they are subject only to the requirements of (b) of this subsection, WAC 173-303-050, 173-303-145 and 173-303-960:

(i) Industrial ethyl alcohol that is reclaimed;

(ii) Used batteries (or used battery cells) returned to a battery manufacturer for regeneration;

(iii) Used oil that exhibits one or more of the characteristics or criteria of dangerous waste and is recycled in some manner other than:

(A) Being burned for energy recovery; or

(B) Being used in a manner constituting disposal, except when such use is by the generator on his own property;

(iv) Scrap metal;

(v) Fuels produced from the refining of oil-bearing dangerous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices;

(vi) Oil reclaimed from dangerous waste resulting from normal petroleum refining, production, and transportation practices, which oil is to be refined along with normal process streams at a petroleum refining facility;

(vii) Coke and coal tar from the iron and steel industry that contains dangerous waste from the iron and steel production process;

(viii)(A) Dangerous waste fuel produced from oil-bearing dangerous wastes from petroleum refining, production, or transportation practices, or produced from oil reclaimed from such dangerous wastes, where such dangerous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil so long as the resulting fuel meets the used oil specification under WAC 173-303-515 (1)(d) and so long as no other dangerous wastes are used to produce the dangerous waste fuel;

(B) Dangerous waste fuel produced from oil-bearing dangerous waste from petroleum refining production, and transportation practices, where such dangerous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under WAC 173-303-515 (1)((~~+~~)) (d); and

(C) Oil reclaimed from oil-bearing dangerous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under WAC 173-303-515 (1)(e); and

(ix) Petroleum coke produced from petroleum refinery dangerous wastes containing oil at the same facility at which such wastes were generated, unless the resulting coke product exhibits one or more of the characteristics of dangerous waste in WAC 173-303-090.

(b) Any recyclable material listed in (a) of this subsection will be subject to the applicable requirements listed in subsection (4) of this section if the department determines, on a case-by-case basis, that:

(i) It is being accumulated, used, reused, or handled in a manner that poses a threat to public health or the environment; or

(ii) Due to the dangerous constituent(s) in it, any use or reuse would pose a threat to public health or the environment. Such recyclable material will be listed in WAC 173-303-016(6).

(3) The following recyclable materials are not subject to the requirements of this section but are subject to the requirements of WAC 173-303-070 through 173-303-110, 173-303-160, 173-303-500 through 173-303-525, and all applicable provisions of WAC 173-303-800 through 173-303-840:

(a) Recycling requirements for state-only dangerous wastes (see WAC 173-303-500);

(b) Recyclable materials used in a manner constituting disposal (see WAC 173-303-505);

(c) Dangerous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670 (see WAC 173-303-510);

(d) Used oil that is burned for energy recovery in boilers and industrial furnaces that are not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, if such used oil:

(i) Exhibits one or more of the characteristics of a dangerous waste; or

(ii) Is designated as DW solely through WAC 173-303-084 or 173-303-101 through 173-303-103; or

(iii) Is designated solely as W001, (see WAC 173-303-515);

(e) Spent lead-acid batteries that are being reclaimed (see WAC 173-303-520);

(f) Recyclable materials from which precious metals are reclaimed (see WAC 173-303-525).

(4) Those recycling processes not specifically discussed in subsections (2) and (3) of this section are generally subject to regulation only up to and including storage prior to recycling. For the purpose of this section, recyclable materials received from off-site shall be considered stored unless they are moved into an active recycling process within twenty-four hours after being received. An active recycling process refers to a dynamic recycling operation that occurs within a recycling unit such as a distillation or centrifuge unit. The phrase does not refer to passive storage-like activities that occur, for example, when tanks or containers are used for phase separation or for settling impurities. Passive storage-like activities are not eligible for the recycling exemption under this subsection.

The recycling process itself is generally exempt from regulation unless the department determines, on a case-by-case basis, that the recycling process poses a threat to public health or the environment.

Unless specified otherwise in subsections (2) and (3) of this section:

(a) Generators of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-170 through 173-303-230;

(b) Transporters of recyclable materials are subject to all applicable requirements of this chapter including, but not limited to, WAC 173-303-240 through 173-303-270;

(c) Owners or operators of facilities that receive recyclable materials from off-site and recycle these recyclable materials without storing them before they are recycled are subject to the following requirements:

(i) WAC 173-303-060, (~~(and)~~)

(ii) WAC (~~(+303-370)~~) 173-303-283 through 173-303-290,

(iii) WAC 173-303-310 through 173-303-395,

(iv) WAC 173-303-630 (2) through (10), and

(v) WAC 173-303-640 (2) through (10), except 173-303-640 (8)(c) and the second sentence of WAC 173-303-640 (8)(a) (i.e., a recycler, unless otherwise required to do so, does not have to prepare a closure plan, a cost estimate for closure, or provide financial responsibility for his tank system to satisfy the requirements of this section;

(vi) The owner or operator must obtain data, by screening-type analysis if necessary, confirming the designation of each waste stream, such that each dangerous waste received can be effectively recycled without jeopardizing human health or the environment. The owner or operator must verify the waste designation periodically, so that it is accurate and current, but at least once every six months or on a batch basis if shipments of a specific waste stream are less frequent. Copies of all analyses and data must be retained for at least five years and made available to the department upon request.

(d) Owners or operators of facilities that store recyclable materials before they are recycled are subject to the following requirements including, but not limited to:

(i) For all recyclers, the applicable provisions of:

(A) WAC 173-303-280 through 173-303-395,

(B) WAC 173-303-420,

(C) WAC 173-303-800 through 173-303-840;

(ii) For recyclers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iii) For recyclers with final facility permits, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650, and

(B) WAC 173-303-660.

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-145 SPILLS AND DISCHARGES INTO THE ENVIRONMENT. (1) Purpose and applicability. This section sets forth the requirements for any person responsible for a spill or discharge into the environment, except when such release is otherwise permitted under state or federal law. For the purposes of complying with this section, a transporter who spills or discharges dangerous waste or hazardous substances during transportation will be considered the responsible person. This section shall apply when any dangerous waste or hazardous substance is intentionally or accidentally spilled or discharged into the environment (unless otherwise permitted) such that public health or the environment are threatened, regardless of the quantity of dangerous waste or hazardous substance. The word "environment" includes any air, land, water, or ground water. Additionally, spills or discharges into containment systems that are not totally enclosed are considered spills or discharges into the environment and are subject to the requirements of this section.

(2) Notification. Any person who is responsible for a nonpermitted spill or discharge shall immediately notify the individuals and authorities described for the following situations:

(a) For spills or discharges onto the ground or into groundwater or surface water, notify all local authorities in accordance with the local emergency plan. If necessary, check with the local emergency service coordinator and the fire department to determine all notification responsibilities under the local emergency plan. Also, notify the appropriate regional office of the department of ecology; and

(b) For spills or discharges which result in emissions to the air, notify all local authorities in accordance with the local emergency plan. If necessary, check with the local emergency service coordinator and the fire department to determine all notification responsibilities under the local emergency plan. Also, in western Washington notify the local air pollution control authority, or in eastern Washington notify the appropriate regional office of the department of ecology.

(3) Mitigation and control. The person responsible for a nonpermitted spill or discharge shall take appropriate immediate action to protect human health and the environment (e.g., diking to prevent contamination of state waters, shutting of open valves).

(a) In addition, the department may require the person responsible for a spill or discharge to:

(i) Clean up all released dangerous wastes or hazardous substances, or to take such actions as may be required or approved by federal, state, or local officials acting within the scope of their official responsibilities. This may include complete or partial removal of released dangerous wastes or hazardous substances as may be justified by the nature of the released dangerous wastes or hazardous substances, the human and environmental circumstances of the incident, and protection required by the Water Pollution Control Act, chapter 90.48 RCW;

(ii) Designate and treat, store or dispose of all soils, waters, or other materials contaminated by the spill or discharge in accordance with this chapter 173-303 WAC. The department may require testing in order to determine the amount or extent of contaminated materials, and the appropriate designation, treatment, storage, or disposal for any materials resulting from clean-up; and

(iii) If the property on which the spill or discharge occurred is not owned or controlled by the person responsible for the incident, restore the area impacted by the spill or discharge, and replenish resources (e.g., fish, plants) in a manner acceptable to the department.

(b) Where immediate removal or temporary storage of spilled or discharged dangerous wastes or hazardous substances is necessary to protect human health or the environment, the department may direct that removal be accomplished without a manifest, by transporters who do not have EPA/state identification numbers.

(4) Nothing in WAC 173-303-145 shall eliminate any obligations to comply with reporting requirements which may exist in a permit or under other state or federal regulations.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-160 CONTAINERS. (1) Waste quantity. Containers and inner liners shall not be considered as a part of the waste when measuring or calculating the quantity of a dangerous waste. Only the weight of the residues in nonempty or nonrinsed containers or inner liners will be considered when determining waste quantities.

(2) A container or inner liner is "empty" when:

(a) All wastes in it have been taken out that can be removed using practices commonly employed to remove materials from that type of container or inner liner (e.g., pouring, pumping, aspirating, etc.) and, whichever quantity is least, either less than one inch of waste remains at the bottom of the container or inner liner, or the volume of waste remaining in the container or inner liner is equal to one percent or less of the container's total capacity, or, if the container's total capacity is greater than one hundred ten gallons, the volume of waste remaining in the container or inner liner is no more than 0.3 percent of the container's total capacity. A container which held compressed gas is empty when the pressure inside the container equals or nearly equals atmospheric pressure; and

(b) If the container or inner liner held acutely hazardous waste, as defined in WAC 173-303-040((2)), or pesticides bearing the danger or warning label, the container or inner liner has been rinsed at least three times with an appropriate cleaner or solvent. The volume of cleaner or solvent used for each rinsing shall be ten percent or more of the container's or inner liner's capacity. In lieu of rinsing for containers that might be damaged or made unusable by rinsing with liquids (e.g., fiber or cardboard containers without inner liners), an empty container may be vacuum cleaned, struck, with the open end of the container up, three times (e.g., on the ground, with a hammer or hand) to remove or loosen particles from the inner walls and corners, and vacuum cleaned again. Equipment used for the vacuum cleaning of residues from containers or inner liners must be decontaminated before discarding, in accordance with procedures approved by the department.

Any rinsate or vacuumed residue which results from the cleaning of containers or inner liners shall whenever possible be reused in a manner consistent with the original intended purpose of the substance in the container or inner liner. In the case of a farmer, if the rinsate is a pesticide residue then the rinsate shall be managed or reused in a manner consistent with the instructions on the pesticide label, provided that when the label instructions specify disposal or burial, such disposal or burial must be on the farmer's own (including rented, leased or tenanted) property. Otherwise, the rinsate shall be checked against the designation requirements (WAC 173-303-070 through 173-303-103)

and, if designated, managed according to the requirements of this chapter.

(3) Any residues remaining in containers or inner liners that are "empty" as described in subsection (2) of this section will not be subject to the requirements of this chapter, and will not be considered as accumulated wastes for the purposes of calculating waste quantities.

(4) A person may petition the department to approve alternative container rinsing processes in accordance with WAC 173-303-910(1).

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-200 ACCUMULATING DANGEROUS WASTE ON-SITE. (1) A generator, not to include transporters as referenced in WAC 173-303-240(3), may accumulate dangerous waste on-site without a permit for ninety days or less after the date of generation, provided that:

(a) All such waste is shipped off-site to a designated facility or placed in an on-site facility which is permitted by the department under WAC 173-303-800 through 173-303-845 in ninety days or less. The department may, on a case-by-case basis, grant a maximum thirty day extension to this ninety day period if dangerous wastes must remain on-site due to unforeseen, temporary and uncontrollable circumstances. A generator who accumulates dangerous waste for more than ninety days is an operator of a storage facility and is subject to the facility requirements of this chapter and the permit requirements of this chapter as a storage facility unless he has been granted an extension to the ninety day period allowed pursuant to this subsection;

(b) The waste is placed in containers and the generator complies with WAC 173-303-630 (2), (3), (4), (5), (6), (8), and (9), or the waste is placed in tanks and the generator complies with WAC 173-303-640 (2) through (10), except WAC 173-303-640 (8)(c)(~~except that~~) and the second sentence of WAC 173-303-640 (8)(a). (Note: A generator, unless otherwise required to do so, does not have to prepare a closure plan, a cost estimate for closure, or provide financial responsibility for his tank system to satisfy the requirements of this section.) In lieu of the "sufficient freeboard" requirement of WAC 173-303-640 (5)(b)(iii) for uncovered tanks, the generator must maintain a minimum freeboard of two feet. Such a generator is exempt from the requirements of WAC 173-303-620 and 173-303-610, except for WAC 173-303-610 (2) and (5). For container accumulation (including satellite areas as described in subsection (2)(c) of this section), the department may require that the accumulation area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being accumulated, or due to a history of spills or releases from accumulated containers. In addition, any new container accumulation areas (but not including new satellite areas, unless required by the department) constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7);

(c) The date upon which each period of accumulation begins is marked and clearly visible for inspection on each container;

(d) While being accumulated on site, each container and tank is labeled or marked clearly with the words "dangerous waste" or "hazardous waste." Each container or tank must also be marked with a label or sign which identifies the major risk(s) associated with the waste in the container or tank for employees, emergency response personnel and the public (Note—If there is already a system in use that performs this function in accordance with local, state, or federal regulations, then such system will be adequate); and

(e) The generator complies with the requirements for facility operators contained in WAC 173-303-330 through 173-303-360 (personnel training, preparedness and prevention, contingency plan and emergency procedures, and emergencies), and WAC 173-303-320 (1), (2)(a), (b), (d), and (3) (general inspection): PROVIDED, That if none of the dangerous wastes he generates are regulated as EHW under WAC 173-303-081 and no quantity of dangerous wastes he generates in one month or one batch ever exceeds 2200 pounds (1000 kilograms), then the generator need comply with the aforementioned requirements of WAC 173-303-320 through 173-303-360 only if:

(i) He accumulates dangerous waste on-site for ten or more calendar days; or

(ii) He is directed by the department to so comply, due to potential threats to public health or the environment. In such case, the department may require that he comply with all of or only parts of WAC 173-303-330 through 173-303-360, as necessary to mitigate the potential threats to public health or the environment.

(2) For the purposes of this section, the ninety-day accumulation period begins on the date that:

- (a) The generator first generates a dangerous waste; or
- (b) The quantity (or aggregated quantity) of dangerous waste being accumulated by a small quantity generator first exceeds the quantity exclusion limit for such waste (or wastes); or
- (c) The quantity of dangerous waste being accumulated in containers in a satellite area exceeds fifty-five gallons of dangerous waste or one quart of acutely hazardous waste (see WAC 173-303-040((2))). For the purposes of this section, a satellite area shall be a location at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-201 SPECIAL ACCUMULATION STANDARDS. (1) This section applies to persons who generate less than 2200 pounds (1000 kg) per month and do not accumulate on-site more than 2200 pounds (1000 kg) of dangerous waste. The special provisions of this section do not apply to any acutely hazardous wastes (as defined in WAC 173-303-040((2))) that are being generated or accumulated by the generator.

(2) For purposes of accumulating dangerous waste on-site, persons who generate per month and accumulate on-site less than 2200 pounds (1000 kg) per month of dangerous waste are subject to all applicable provisions of WAC 173-303-200 except as follows:

(a) In lieu of the ninety-day accumulation period, dangerous wastes may be accumulated for one hundred eighty days or less. The department may, on a case-by-case basis, grant a maximum ninety-day extension to this one hundred eighty-day period if the generator must transport his waste, or offer his waste for transportation, over a distance of two hundred miles or more for off-site treatment, storage, or disposal, and the dangerous wastes must remain on-site due to unforeseen, temporary and uncontrollable circumstances;

(b) The generator need not comply with WAC 173-303-330 (Personnel training); and

(c) In lieu of the contingency plan and emergency procedures required by WAC 173-303-350 and 173-303-360, the generator must comply with the following:

(i) At all times there must be at least one employee either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with the responsibility for coordinating all emergency response measures specified in (c)(iv) of this subsection. This employee is the emergency coordinator.

(ii) The generator must post the following information next to all emergency communication devices (including telephones, two-way radios, etc.):

(A) The name and telephone number of the emergency coordinator;

(B) Location of fire extinguishers and spill control material, and, if present, fire alarm; and

(C) The telephone number of the fire department, unless the facility has a direct alarm.

(iii) The generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies;

(iv) The emergency coordinator or his designee must respond to any emergencies that arise. The applicable responses are as follows:

(A) In the event of a fire, call the fire department or attempt to extinguish it using a fire extinguisher;

(B) In the event of a spill, contain the flow of dangerous waste to the extent possible, and as soon as is practicable, clean up the dangerous waste and any contaminated materials or soil;

(C) In the event of a fire, explosion, or other release which could threaten human health outside the facility or when the generator has knowledge that a spill has reached waters of the state, the generator must immediately notify the department and either the government official designated as the on-scene coordinator, or the National Response Center (using their twenty-four hour toll free number 800/424-8802). The report must include the following information:

(I) The name, address, and EPA/state identification number of the generator;

(II) Date, time, and type of incident (e.g., spill or fire);

(III) Quantity and type of hazardous waste involved in the incident;

(IV) Extent of injuries, if any; and

(V) Estimated quantity and disposition of recovered materials, if any.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-210 GENERATOR RECORDKEEPING. (1) The generator shall keep a copy of each manifest signed by the initial transporter in accordance with WAC 173-303-180(3), manifest procedures, for three years, or until he receives a signed copy from the designated facility which received the waste. The signed facility copy shall be retained for at least ~~((three))~~ five years from the date the waste was accepted by the initial transporter.

(2) The generator shall keep a copy of each annual report and exception report as required by WAC 173-303-220 for a period of at least ~~((three))~~ five years from the due date of each report. The generator shall keep a copy of his most recent notification (Form 2) until he is no longer defined as a generator under this chapter.

(3) The generator shall keep records of any test results, waste analyses, or other determinations made in accordance with WAC 173-303-170(1) for designating dangerous waste for at least ~~((three))~~ five years from the date that the waste was last transferred for on-site or off-site ~~((FSD))~~ treatment, storage, or disposal.

(4) Any other records required for generators accumulating wastes on-site as described in WAC 173-303-170 (4)(b) or 173-303-200 must be retained for at least ~~((three))~~ five years, including, but not limited to such items as inspection logs and operating records.

(5) The periods of retention for any records described in this section shall be automatically extended during the course of any unresolved enforcement action requiring those records or upon request by the director.

(6) All generator records, including plans required by this chapter, shall be made available and furnished upon request by the director.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-220 GENERATOR REPORTING. The generator shall submit the following reports to the department by the specified due date for each report, or within the time period allowed for each report.

(1) Annual reports.

(a) A generator or any person who has obtained an EPA/state identification number pursuant to WAC 173-303-060 shall submit an annual report to the department, on the Generator Annual Dangerous Waste Report - Form 4 according to the instructions on the form (copies are available from the department), no later than March 1 for the preceding calendar year.

(b) In addition, any generator who stores, treats, or disposes of dangerous waste on-site shall comply with the annual reporting requirements of WAC 173-303-390, Facility reporting.

(2) Exception reports.

(a) A generator who does not receive a copy of the manifest with the handwritten signature of the owner/operator of the designated facility within thirty-five days of the date the waste was accepted by the initial transporter must contact the transporter(s) and/or facility to determine the status of the dangerous waste shipment.

(b) A generator must submit an exception report to the department if he has not received a copy of the manifest with the handwritten signature of the owner/operator of the designated facility within forty-five days of the date the waste was accepted by the initial transporter.

(c) The exception report must include:

(i) A legible copy of the manifest for which the generator does not have confirmation of delivery; and

(ii) A cover letter signed by the generator or his representative explaining the efforts taken to locate the waste and the results of those efforts.

(d) The department may require a generator to submit exception reports in less than forty-five days if it finds that the generator frequently or persistently endangers public health or the environment through improper waste shipment practices.

(3) Additional reports. The director, as he deems necessary under chapter 70.105 RCW, may require a generator to furnish additional reports (including engineering reports, plans, and specifications) concerning the quantities and disposition of his dangerous waste.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-230 SPECIAL CONDITIONS. (1) Exporting dangerous waste.

Federal export requirements, administered by EPA, are set forth in 40 CFR ((262-50)) 262 Subpart E and specify the procedures applicable to generators of hazardous waste (as defined in WAC 173-303-040((~~39~~))). Copies of any forms or reports submitted to the administrator of United States EPA as required by 40 CFR ((262-50)) 262 Subpart E shall also be submitted to the department.

(2) Importing dangerous waste. When importing dangerous waste from a foreign country into Washington state, the United States importer shall comply with all the requirements of this chapter for generators, including the requirements of WAC 173-303-180(1), except that:

(a) In place of the generator's name, address and EPA/state identification number, the name and address of the foreign generator and the importer's name, address and EPA/state identification number shall be used; and

(b) In place of the generator's signature on the certification statement, the United States importer or his agent shall sign and date the certification and obtain the signature of the initial transporter.

(3) Empty containers. For the purposes of this chapter, a person who stores, treats, disposes, transports, or offers for transport empty containers of dangerous waste that were for his own use shall not be treated as a generator or as a facility owner/operator if the containers are empty as defined in WAC 173-303-160(2), and either:

(a) The rinsate is not a dangerous waste under this chapter; or

(b) He reuses the rinsate in a manner consistent with the original product or, if he is a farmer and the rinsate contains pesticide residues, he reuses or manages the rinsate in a manner consistent with the instructions on the pesticide label, provided that when the label instructions specify disposal or burial, such disposal or burial must be on the farmer's own (including rented, leased or tenanted) property.

(4) Tank cars. A person rinsing out dangerous waste tote tanks, truck or railroad tank cars shall handle the rinsate according to this chapter, and according to chapter 90.48 RCW, Water pollution control.

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-320 GENERAL INSPECTION. (1) The owner or operator shall inspect his facility to prevent malfunctions and deterioration, operator errors, and discharges which may cause or lead to the release of dangerous waste constituents to the environment, or a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment.

(2) The owner or operator shall develop and follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that help prevent, detect, or respond to hazards to the public health or the environment. In addition:

(a) He must keep the schedule at the facility;

(b) The schedule must identify the types of problems which are to be looked for during inspections;

(c) The schedule shall indicate the frequency of inspection for specific items. The frequency should be based on the rate of possible deterioration of equipment, and the probability of an environmental or human health incident. Areas subject to spills must be inspected daily when in use. The inspection schedule shall also include the applicable items and frequencies required for the specific waste management methods described in 40 CFR Part 265 Subparts F through R for interim status facilities and in WAC 173-303-630 through ((173-303-670)) 173-303-680 for final status facilities; and

(d) The owner or operator shall keep an inspection log or summary, including at least the date and time of the inspection, the printed name and the handwritten signature of the inspector, a notation of the observations made, and the date and nature of any repairs or remedial actions taken. The log or summary must be kept at the facility for at least three years from the date of inspection.

(3) The owner or operator shall remedy any problems revealed by the inspection, on a schedule which prevents hazards to the public health and environment. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-360 EMERGENCIES. (1) Emergency coordinator. At all times, there must be at least one employee either on the facility premises or on call with the responsibility for coordinating all emergency response measures. This emergency coordinator must be thoroughly familiar with all aspects of the facility's contingency plan, required by WAC 173-303-350(2), all operations and activities at the facility, the location and properties of all wastes handled, the location of all records within the facility, and the facility layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan.

(2) Emergency procedures. The following procedures shall be implemented in the event of an emergency.

(a) Whenever there is an imminent or actual emergency situation, the emergency coordinator (or his designee when the emergency coordinator is on call) must immediately:

(i) Activate internal facility alarms or communication systems, where applicable, to notify all facility personnel; and

(ii) Notify appropriate state or local agencies with designated response roles if their help is needed.

(b) Whenever there is a release, fire, or explosion, the emergency coordinator must immediately identify the character, exact source, amount, and areal extent of any released materials.

(c) Concurrently, the emergency coordinator shall assess possible hazards to human health and the environment (considering direct, indirect, immediate, and long-term effects) that may result from the release, fire, or explosion.

(d) If the emergency coordinator determines that the facility has had a release, fire, or explosion which could threaten human health or the environment ((outside the facility)), he must report his findings as follows:

(i) If his assessment indicates that evacuation of local areas may be advisable, he must immediately notify appropriate local authorities. He must be available to help appropriate officials decide whether local areas should be evacuated; and

(ii) He must immediately notify the department and either the government official designated as the on-scene coordinator, or the National Response Center (using their 24-hour toll free number (800) 424-8802).

(e) His assessment report must include:

(i) Name and telephone number of reporter;

(ii) Name and address of facility;

(iii) Time and type of incident (e.g., release, fire);

(iv) Name and quantity of material(s) involved, to the extent known;

(v) The extent of injuries, if any; and

(vi) The possible hazards to human health or the environment outside the facility.

(f) During an emergency, the emergency coordinator must take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other dangerous waste at the facility. These measures must include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

(g) If the facility stops operations in response to a fire, explosion, or release, the emergency coordinator must monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate.

(h) Immediately after an emergency, the emergency coordinator must provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, or any other material that results from a release, fire, or explosion at the facility.

(i) The emergency coordinator must ensure that, in the affected area(s) of the facility:

(i) No waste that may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are completed; and

(ii) All emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed.

(j) The owner or operator must notify the department, and appropriate local authorities, that the facility is in compliance with (i) of this subsection before operations are resumed in the affected area(s) of the facility.

(k) The owner or operator must note in the operating record the time, date, and details of any incident that requires implementing the

contingency plan. Within fifteen days after the incident, he must submit a written report on the incident to the department. The report must include:

- (i) Name, address, and telephone number of the owner or operator;
- (ii) Name, address, and telephone number of the facility;
- (iii) Date, time, and type of incident (e.g., fire, explosion);
- (iv) Name and quantity of material(s) involved;
- (v) The extent of injuries, if any;
- (vi) An assessment of actual or potential hazards to human health or the environment, where this is applicable;
- (vii) Estimated quantity and disposition of recovered material that resulted from the incident;
- (viii) Cause of incident; and
- (ix) Description of corrective action taken to prevent reoccurrence of the incident.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-380 FACILITY RECORDKEEPING. (1) Operating record. The owner or operator of a facility shall keep a written operating record at his facility. The following information shall be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

- (a) A description of and the quantity of each dangerous waste received or managed on-site, and the method(s) and date(s) of its treatment, storage, or disposal at the facility as required by subsection (2) of this section, recordkeeping instructions;
 - (b) The location of each dangerous waste within the facility and the quantity at each location. For disposal facilities, the location and quantity of each dangerous waste must be recorded on a map or diagram of each cell or disposal area. For all facilities, this information must include cross-references to specific manifest document numbers, if the waste was accompanied by a manifest;
 - (c) Records and results of waste analyses required by WAC 173-303-300, General waste analysis;
 - (d) Summary reports and details of all incidents that require implementing the contingency plan, as specified in WAC 173-303-360 (2)(k);
 - (e) Records and results of inspections as required by WAC 173-303-320 (2)(d), General inspection (except such information need be kept only for three years);
 - (f) Monitoring, testing, or analytical data, and corrective action where required by 40 CFR Part 265 Subparts F through R for interim status facilities, and by WAC 173-303-630 through (~~173-303-670~~) 173-303-680 for final status facilities;
 - (g) All closure and post-closure cost estimates required for the facility; and
 - (h) For off-site facilities, copies of notices to generators informing them that the facility has all appropriate permits, as required by WAC 173-303-290, Required notices.
- (2) Recordkeeping instructions. This paragraph provides instructions for recording the portions of the operating record which are related to describing the types, quantities, and management of dangerous wastes at the facility. This information shall be kept in the operating record, as follows:
- (a) Each dangerous waste received or managed shall be described by its common name and by its dangerous waste number(s) from WAC 173-303-080 through 173-303-104. Where a dangerous waste contains more than one process waste or waste constituent the waste description must include all applicable dangerous waste numbers. If the dangerous waste number is not listed then the waste description shall include the process which generated the waste;
 - (b) The waste description shall include the waste's physical form (i.e., liquid, solid, sludge, or gas);
 - (c) The weight, or volume and density, of the dangerous waste shall be recorded, using one of the units of measure specified in Table 1, below;

TABLE 1

| Unit of Measure | Symbol | Density |
|-----------------------|--------|---------|
| Pounds | P | |
| Short tons (2000 lbs) | T | |
| Gallons (U.S.) | G | P/G |
| Cubic yards | Y | T/Y |
| Kilograms | K | |

TABLE 1

| Unit of Measure | Symbol | Density |
|------------------|--------|---------|
| Tonnes (1000 kg) | M | |
| Liters | L | K/L |
| Cubic meters | C | M/C |

(d) And, the date(s) and method(s) of management for each dangerous waste received or managed (treated, recycled, stored, or disposed of) shall be recorded, using the handling code(s) specified in Table 2, below.

TABLE 2

1. Storage
 - S01 Container (barrel, drum, etc.)
 - S02 Tank
 - S03 Waste pile
 - S04 Surface impoundment
 - S05 Other (specify)
2. Treatment
 - (a) Thermal treatment
 - T06 Liquid injection incinerator
 - T07 Rotary kiln incinerator
 - T08 Fluidized bed incinerator
 - T09 Multiple hearth incinerator
 - T10 Infrared furnace incinerator
 - T11 Molten salt destructor
 - T12 Pyrolysis
 - T13 Wet air oxidation
 - T14 Calcination
 - T15 Microwave discharge
 - T16 Cement kiln
 - T17 Lime kiln
 - T18 Other (specify)
 - (b) Chemical treatment
 - T19 Absorption mound
 - T20 Absorption field
 - T21 Chemical fixation
 - T22 Chemical oxidation
 - T23 Chemical precipitation
 - T24 Chemical reduction
 - T25 Chlorination
 - T26 Chlorinolysis
 - T27 Cyanide destruction
 - T28 Degradation
 - T29 Detoxification
 - T30 Ion exchange
 - T31 Neutralization
 - T32 Ozonation
 - T33 Photolysis
 - T34 Other (specify)
 - (c) Physical treatment
 - (i) Separation of components
 - T35 Centrifugation
 - T36 Clarification
 - T37 Coagulation
 - T38 Decanting
 - T39 Encapsulation
 - T40 Filtration
 - T41 Flocculation
 - T42 Flotation
 - T43 Foaming
 - T44 Sedimentation
 - T45 Thickening
 - T46 Ultrafiltration
 - T47 Other (specify)
 - (ii) Removal of specific components
 - T48 Absorption-molecular sieve
 - T49 Activated carbon
 - T50 Blending
 - T51 Catalysis
 - T52 Crystallization
 - T53 Dialysis
 - T54 Distillation
 - T55 Electrodialysis

- T56 Electrolysis
- T57 Evaporation
- T58 High gradient magnetic separation
- T59 Leaching
- T60 Liquid ion exchange
- T61 Liquid-liquid extraction
- T62 Reverse osmosis
- T63 Solvent recovery
- T64 Stripping
- T65 Sand filter
- T66 Other (specify)
- (d) Biological treatment
- T67 Activated sludge
- T68 Aerobic lagoon
- T69 Aerobic tank
- T70 Anaerobic lagoon or tank
- T71 Composting
- T72 Septic tank
- T73 Spray irrigation
- T74 Thickening filter
- T75 Trickling filter
- T76 Waste stabilization pond
- T77 Other (specify)
- T78-79 (Reserved)

3. Disposal

- D80 Underground injection
- D81 Landfill
- D82 Land treatment
- D83 Ocean disposal
- D84 Surface impoundment
(to be closed as a landfill)
- D85 Other (specify)

(3) Availability, retention and disposition of records.

(a) All facility records, including plans, required by this chapter must be furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of the department who is designated by the director.

(b) The retention period for all facility records required under this chapter is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the director.

(c) A copy of records of waste disposal locations and quantities under this section must be submitted to the United States EPA regional administrator, the department, and the local land use and planning authority upon closure of the facility.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-390 FACILITY REPORTING. The owner or operator of a facility is responsible for preparing and submitting the reports described in this section.

(1) Unmanifested waste reports. If a facility accepts any dangerous waste from an off-site source without an accompanying manifest or shipping paper, and if the waste is not excluded from the manifest requirements of this chapter 173-303 WAC, then the owner or operator must prepare and submit a single copy of a report to the department within fifteen days after receiving the waste. The report form and instructions in the Unmanifested Dangerous Waste Report - Form 6 (which may be obtained from the department) must be used for this report. The report must include at least the following information:

- (a) The EPA/state identification number, name, and address of the facility;
- (b) The date the facility received the waste;
- (c) The EPA/state identification number, name, and address of the generator and the transporter, if available;
- (d) A description and the quantity of each unmanifested dangerous waste the facility received;
- (e) The method of management for each dangerous waste;
- (f) The certification signed by the owner or operator of the facility or his authorized representative; and
- (g) A brief explanation of why the waste was unmanifested, if known.

(2) Annual reports. The owner or operator of a facility that holds an active EPA/state identification number shall prepare and submit a single copy of an annual report to the department by March 1 of each year. The report form and instructions in the TSD Facility Annual

Dangerous Waste Report - Form 5 (which may be obtained from the department) must be used for this report. In addition, any facility which ships dangerous waste off-site must comply with the annual reporting requirements of WAC 173-303-220. The annual report must cover facility activities during the previous calendar year and must include, but is not limited to the following information:

(a) The EPA/state identification number, name, and address of the facility;

(b) The calendar year covered by the report;

(c) For off-site facilities, the EPA/state identification number of each dangerous waste generator from which the facility received a dangerous waste during the year. For imported shipments, the report must give the name and address of the foreign generator;

(d) A description and the quantity of each dangerous waste the facility received during the year. For off-site facilities, this information must be listed by EPA/state identification number of each generator;

(e) The method of treatment, storage, or disposal for each dangerous waste;

(f) The most recent closure cost estimate under WAC 173-303-620(3) (or 40 CFR 265.142 for interim status facilities), and for disposal facilities, the most recent post-closure cost estimate under WAC 173-303-620(5) (or 40 CFR 265.144 for interim status facilities); and

(g) The certification signed in accordance with the requirements of WAC 173-303-810(12).

(3) Additional reports. The owner or operator shall also report to the department releases of dangerous wastes, fires, and explosions as specified in WAC 173-303-360 (2)(k) and interim status groundwater monitoring data, as specified in 40 CFR 265.94 (a)(2) and (b)(2).

In addition, the owner or operator shall submit any other reports (including engineering reports, plans, and specifications) required by the department.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-400 INTERIM STATUS FACILITY STANDARDS. (1) Purpose. The purpose of WAC 173-303-400 is to establish standards which define the acceptable management of dangerous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

(2) Applicability.

(a) The interim status standards apply to owners and operators of facilities which treat, store, transfer, and/or dispose of dangerous waste. For purposes of this section, interim status shall apply to all facilities which comply fully with the requirements for interim status under Section 3005(e) of the Federal Resource Conservation and Recovery Act or WAC 173-303-805. The interim status standards shall also apply to those owners and operators of facilities in existence on November 19, 1980, for RCRA wastes and those facilities in existence on August 9, 1982, for state only wastes who have failed to provide the required notification pursuant to WAC 173-303-060 or failed to file Part A of the permit application pursuant to WAC 173-303-805 (4) and (5). Interim status shall end after final administrative disposition of the Part B permit application is completed, or may be terminated for the causes described in WAC 173-303-805(7).

(b) Interim status facilities must meet the interim status standards by November 19, 1980, except that:

(i) Interim status facilities which handle only state designated wastes (i.e., not designated by 40 CFR Part 261) must meet the interim status standards by August 9, 1982; and

(ii) Interim status facilities must comply with the additional state interim status requirements specified in subsection (3)(c)(ii), (iii) and (v), of this section, by August 9, 1982.

(c) The requirements of the interim status standards do not apply to:

(i) Persons disposing of dangerous waste subject to a permit issued under the Marine Protection, Research and Sanctuaries Act;

(ii) Persons disposing of dangerous waste by underground injection which is permitted under the Safe Drinking Water Act;

(iii) The owner or operator of a POTW who treats, stores, or disposes of dangerous wastes, provided that he has a permit by rule pursuant to the requirements of WAC 173-303-802(4);

(iv) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment units as defined in WAC 173-303-040, provided that he ~~(complies with the)~~ has a permit by rule pursuant to the requirements of WAC 173-303-802(5);

(v) Generators accumulating waste for less than ninety days except to the extent WAC 173-303-200 provides otherwise; and

(vi) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(d) The owner or operator of an interim status facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the interim status facility standards of this section, but only for those special wastes which he manages and only after the owner or operator has requested and the department has issued a notice of interim status modification.

(3) Standards.

(a) Interim status standards shall be standards set forth by the Environmental Protection Agency in 40 CFR Part 265 Subparts F through R which are incorporated by reference into this regulation (including, by reference, any EPA requirements specified in those subparts which are not otherwise explicitly described in this chapter), and:

(i) The land disposal restrictions of WAC 173-303-140 and the facility requirements of WAC 173-303-280 through 173-303-440;

(ii) WAC 173-303-630(3), for containers. In addition, for container storage, the department may require that the storage area include secondary containment in accordance with WAC 173-303-630(7), if the department determines that there is a potential threat to public health or the environment due to the nature of the wastes being stored, or due to a history of spills or releases from stored containers. Any new container storage areas constructed or installed after September 30, 1986, must comply with the provisions of WAC 173-303-630(7).

(iii) WAC 173-303-640 (5)(d), for tanks; and

(iv) WAC 173-303-805.

(b) For purposes of applying the interim status standards of 40 CFR Part 265 Subparts F through R to the state of Washington facilities, the federal terms shall have (and in the case of the wording used in the financial instruments referenced in Subpart H of Part 265, shall be replaced with) the following state of Washington meanings:

(i) "Regional administrator" shall mean the "department";

(ii) "Hazardous" shall mean "dangerous"; and

(iii) "Compliance procedure" shall have the meaning set forth in WAC 173-303-040, Definitions.

(c) In addition to the changes described in (b) of this subsection, the following modifications shall be made to interim status standards of 40 CFR Part 265 Subparts F through R:

(i) The words "the effective date of these regulations" shall mean:

(A) November 19, 1980, for facilities which manage any wastes designated by 40 CFR Part 261;

(B) For wastes which become designated by 40 CFR Part 261 subsequent to November 19, 1980, the effective date shall be the date on which the wastes become regulated;

(C) March 12, 1982, for facilities which manage wastes designated only by WAC 173-303-080 through 173-303-103 and not designated by 40 CFR Part 261;

(D) For wastes which become designated only by WAC 173-303-080 through 173-303-103 and not designated by 40 CFR Part 261 subsequent to March 12, 1982, the effective date shall be the date on which the wastes become regulated.

(ii) "Subpart N - landfills" shall have an additional section added which reads: "An owner/operator shall not landfill an organic carcinogen or an EHW, as defined by WAC 173-303-080 to 173-303-103, except at the EHW facility at Hanford";

(iii) "Subpart R - underground injection" shall have an additional section which reads: "Owners and operators of wells are prohibited from disposing of EHW or an organic carcinogen designated under WAC 173-303-080 through 173-303-103";

(iv) "Subpart M - land treatment," section 265.273(b) shall be modified to replace the words "Part 261, Subpart D of this chapter" with "WAC 173-303-080";

(v) "Subpart F - ground water monitoring," section 265.91(c) shall include the requirement that: "Groundwater monitoring wells shall be designed, constructed, and operated so as to prevent groundwater contamination. Chapter 173-160 WAC may be used as guidance in the installation of wells";

(vi) "Subpart H - financial requirements" shall have an additional section which reads: "Any owner or operator who can provide financial assurances and instruments which satisfy the requirements of WAC 173-303-620 will be deemed to be in compliance with 40 CFR Part 265 Subpart H"; and

(vii) "Subpart J - tank systems" section 265.193(a) shall be modified so that the dates by which secondary containment (which meets the requirements of that section) must be provided are the same as the dates in WAC 173-303-640 (4)(a).

(viii) "Subpart J - tank systems" section 265.191(a) shall be modified so that the date(s) by which an assessment of a tank system's integrity must be completed ((are the same as the dates in WAC 173-303-640 (2)(a))) is January 12, 1990.

(ix) "Subpart G - closure and post-closure" section 265.115 shall be modified to read "Within 60 days of completion of closure of each dangerous waste management unit (including tank systems and container storage areas) and within 60 days of completion of final closure...."

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-500 RECYCLING REQUIREMENTS FOR STATE-ONLY DANGEROUS WASTE. (1) Applicability. This section applies to the recycling of state-only dangerous waste that are not regulated as hazardous wastes (defined in WAC 173-303-040((39))) by EPA.

(2) Standards.

(a) If state-only dangerous wastes are recycled in any of the ways described in WAC 173-303-505 through 173-303-525, then such recycling is subject to the respective requirements of WAC 173-303-505 through 173-303-525, except as provided in (c) of this subsection.

(b) If state-only dangerous wastes are recycled in any way not specifically described in WAC 173-303-505 through 173-303-525, then such recycling is subject to the requirements of WAC 173-303-120(4), except as provided in (c) of this subsection.

(c) Recyclers who receive state-only dangerous wastes from off-site and who store the wastes in containers or tanks may, in lieu of the provisions for storing dangerous wastes prior to recycling, comply with:

(i) WAC 173-303-060;

(ii) WAC 173-303-370 (if the dangerous waste received must be accompanied by a manifest); and

(iii) The following requirements, provided that the dangerous waste is recycled within ninety days of the date it is received by the recycler:

(A) WAC 173-303-330 through 173-303-360;

(B) WAC 173-303-630 (2), (3), (4), (5), (6), (8) and (9), for containers;

(C) WAC 173-303-640 (3), (4), (5), (6) and (7), for tanks; and

(D) WAC 173-303-630(7) for new container areas installed after September 30, 1986, and WAC 173-303-640(2) for new tanks installed after September 30, 1986.

(d) The department may require a recycler who is storing his waste under the provisions of (c) of this subsection to comply with the provisions for storing dangerous waste prior to recycling specified in WAC 173-303-505 through 173-303-525 and 173-303-120(4) if:

(i) The recycler fails to comply with the requirements of (c) of this subsection; or

(ii) The department determines, on a case-by-case basis, that the requirements of (c) of this subsection do not adequately protect public health or the environment.

(3) Relief from standards. The owner/operator of a facility recycling dangerous wastes under the provisions of this section may ask the department to provide relief from any of the applicable requirements of this section. Requests for relief must be submitted as described in (a) of this subsection. Requests for relief will be approved or denied as described in (b) of this subsection.

(a) A request for relief must be submitted by the recycler to the department in writing and must describe the standards from which the recycler is seeking relief. The request must include:

(i) The facility name, EPA/state identification number, address, telephone number, and a contact person at the facility;

(ii) The waste(s) managed at the facility and the type(s) recycling;

(iii) The specific standards from which the owner/operator seeks relief;

(iv) A description, for each standard, demonstrating:

(A) Why the owner/operator believes the standard to be unnecessary;

(B) How public health and the environment will continue to be protected if the standard is not applied to the facility; and

(C) Any evidence supporting the contention that public health and the environment will be adequately protected if the standard is not applied (e.g., test data, diagrams, experiences at similar facilities, records, reports, etc.); and

(v) The following certification, signed and dated by a person who would be authorized to sign a report under WAC 173-303-810 (12)(b):

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this request and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The department may ask for any additional information it deems necessary, and will not consider approval of the owner's/operator's request until all necessary information has been submitted. Failure to provide any of the information required may result in the department's denying the owner's/operator's request.

(b) The department will review any requests submitted pursuant to (a) of this subsection, and based on the adequacy of the information provided in the request will approve or deny all or any part of the request. The department will notify the recycler of its decision in writing. If the department decides to approve all or part of the request and the recycler agrees with the department's decision, then the department will proceed to grant the approval as described below. No approval shall be effective until the procedures described below have been completed.

(i) For facilities which are required to have a final facility permit, the department shall follow the procedures for issuing (or, for facilities which already have a final facility permit, the procedures for modifying) a final facility permit, as described in WAC 173-303-806. The new or modified final facility permit shall include the standards the owner/operator must meet.

(ii) For all other types of recycling facilities, the department shall issue a notice of modification stating what standards will be applied. Before issuing the notice of modification, the department shall provide public notice of its intent, shall allow thirty days for public comment, and shall hold a public hearing if there is a significant degree of public interest or there is written notice of opposition and the department receives a request for a hearing during the comment period. Notice of a public hearing shall be provided at least fifteen days in advance, and the public comment period shall be extended to include the date of the hearing if it will occur after the initial thirty-day comment period. Within fifteen days of the end of the public comment period the department shall, based on comments received, issue, modify and issue, or deny the notice of modification.

(c) Failure to comply with the conditions and standards as stated in the permit or notice of modification issued under (b) of this subsection shall form a basis for modifying or revoking the permit or notice of modification.

READOPTED SECTION (Readopting Order 88-29, filed 9/6/88)

WAC 173-303-510 SPECIAL REQUIREMENTS FOR DANGEROUS WASTES BURNED FOR ENERGY RECOVERY. (1) Applicability.

(a) This section applies to dangerous wastes that are burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, except as provided by (b) of this subsection. Such dangerous wastes burned for energy recovery are termed "dangerous waste fuel." Fuel produced from dangerous waste by processing, blending, or other treatment is also dangerous waste fuel. (These regulations do not apply, however, to gas recovered from dangerous waste management activities when such gas is burned for energy recovery.)

(b) The following dangerous wastes are not subject to regulation under this section:

(i) Used oil burned for energy recovery if it is a dangerous waste because it:

(A) Exhibits a characteristic of dangerous waste identified in WAC 173-303-090; or

(B) Is designated as DW only through the criteria of WAC 173-303-101 through 173-303-103; or

(C) Is a dangerous waste designated solely as W001.

Such used oil is subject to regulation under WAC 173-303-515 rather than this section.

Note: Used oil burned for energy recovery containing a listed waste (unless such listed waste is only state source W001) or a waste designated as EHW through the criteria of WAC 173-303-101 through 173-303-103 is subject to this section.

(ii) (Reserved.)

(2) Prohibitions.

(a) A person may market dangerous waste fuel only:

(i) To persons who have notified the department of their dangerous waste fuel activities under WAC 173-303-060 and have an EPA/state identification number; and

(ii) If the fuel is burned, to persons who burn the fuel in boilers or industrial furnaces identified in (b) of this subsection.

(b) Dangerous waste fuel may be burned for energy recovery in only the following devices:

(i) Industrial furnaces identified in WAC 173-303-040;

(ii) Boilers, as defined in WAC 173-303-040, that are identified as follows:

(A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; or

(B) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale.

(c) No fuel which contains any dangerous waste may be burned in any cement kiln which is located within the boundaries of any incorporated municipality with a population greater than five hundred thousand (based on the most recent census statistics) unless such kiln fully complies with regulations under this chapter that are applicable to incinerators.

(3) Standards applicable to generators of dangerous waste fuel.

(a) Generators of dangerous waste that is used as a fuel or used to produce a fuel are subject to WAC 173-303-170 through 173-303-230.

(b) Generators who market dangerous waste fuel to a burner also are subject to subsection (5) of this section.

(c) Generators who are burners also are subject to subsection (6) of this section.

(4) Standards applicable to transporters of dangerous waste fuel. Transporters of dangerous waste fuel (and dangerous waste that is used to produce a fuel) are subject to the requirements of WAC 173-303-240 through 173-303-270.

(5) Standards applicable to marketers of dangerous waste fuel.

Persons who market dangerous waste fuel are termed "marketers," and are subject to the following requirements. Marketers include generators who market dangerous waste fuel directly to a burner, persons who receive dangerous waste from generators and produce, process, or blend dangerous waste fuel from these dangerous wastes, and persons who distribute but do not process or blend dangerous waste fuel.

(a) Prohibitions. The prohibitions under subsection (2) of this section;

(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a marketer has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who are marketers of dangerous waste fuel, the applicable provisions of WAC 173-303-200 or 173-303-201;

(ii) For all marketers who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-280 through 173-303-395;

(B) WAC 173-303-420; and

(C) WAC 173-303-800 through 173-303-840;

(iii) For marketers with interim status permits who store dangerous waste fuel, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For marketers with final status permits who store dangerous waste fuel, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660;

(d) Off-site shipment. The standards for generators in WAC 173-303-170 through 173-303-230 when a marketer initiates a shipment of dangerous waste fuel;

(e) Required notices.

(i) Before a marketer initiates the first shipment of dangerous waste fuel to a burner or another marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(A) The burner or marketer has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(B) If the recipient is a burner, the burner will burn the dangerous waste fuel only in an industrial furnace or boiler identified in subsection (2)(b) of this section.

(ii) Before a marketer accepts the first shipment of dangerous waste fuel from another marketer, he must provide the other marketer with a one-time written and signed certification that he has notified the department under WAC 173-303-060 and identified his dangerous waste fuel activities; and

(f) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-210 and 173-303-380, a marketer must keep a copy of each certification notice he receives or sends for three years from the date he last engages in a dangerous waste fuel marketing transaction with the person who sends or receives the certification notice.

(6) Standards applicable to burners of dangerous waste fuel.

Owners and operators of industrial furnaces and boilers identified in subsection (2)(b) of this section that burn dangerous fuel are "burners" and are subject to the following requirements:

(a) Prohibitions. The prohibitions under subsection (2)(b) of this section;

(b) Notification. Notification requirements under WAC 173-303-060 for dangerous waste fuel activities. Even if a burner has previously notified the department of his dangerous waste management activities and obtained an EPA/state identification number, he must renotify to identify his dangerous waste fuel activities.

(c) Storage.

(i) For short term accumulation by generators who burn their dangerous waste fuel on site, the applicable provisions of WAC 173-303-200 or 173-303-201.

(ii) For all burners who store dangerous waste fuel, the applicable provisions of:

(A) WAC 173-303-280 through 173-303-395;

(B) WAC 173-303-420; and

(C) WAC 173-303-800 through 173-303-840;

(iii) For burners under interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;

(iv) For burners with final facility permits, the applicable storage provisions of:

(A) WAC 173-303-600 through 173-303-650; and

(B) WAC 173-303-660.

(d) Required notices. Before a burner accepts the first shipment of dangerous waste fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(i) He has notified the department under WAC 173-303-060 and identified his waste-as-fuel activities; and

(ii) He will burn the fuel only in a boiler or furnace identified in subsection (2)(b) of this section.

(e) Recordkeeping. In addition to the applicable recordkeeping requirements of WAC 173-303-380, a burner must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives dangerous waste fuel from that marketer.

(f) Local requirements. Any person who burns dangerous waste for energy recovery must comply with air emission requirements of the local air pollution control authority (or department of ecology if no local authority with jurisdiction exists).

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-515 SPECIAL REQUIREMENTS FOR USED OIL BURNED FOR ENERGY RECOVERY. (1) Applicability.

(a) This section applies to used oil that is burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of 40 CFR Part 265 or WAC 173-303-670, if such used oil:

(i) Exhibits any characteristic of a dangerous waste identified in WAC 173-303-090; or

(ii) Is designated as DW solely through WAC 173-303-084 or 173-303-101 through 173-303-103; or

(iii) Is designated solely as W001.

(b)(i) This section does not apply to used oil burned for energy recovery that is mixed with a listed waste (except as provided in (a)(iii) of this subsection) or that is designated as EHW through WAC 173-303-084 or 173-303-101 through 173-303-103. Such used oil is subject to the requirements of WAC 173-303-510.

(ii) Used oil containing more than 1000 ppm of total halogens is presumed to be a dangerous waste because it has been mixed with halogenated dangerous waste listed in WAC 173-303-9903 or 173-303-9904. Such dangerous wastes are subject to the requirements of WAC

173-303-510. Persons may rebut this presumption by demonstrating that the used oil does not contain dangerous waste (for example, by showing that the used oil does not contain significant concentrations of halogenated dangerous constituents listed in WAC 173-303-9905).

(iii) This section does not apply to used oil that is designated for any reason other than being listed as W001 if such used oil is burned for energy recovery by the generator of the used oil in his own marine or diesel engines.

(c) If a used oil subject to this section does not exceed any of the specifications of Table 1, it is subject only to the analysis and record-keeping requirements under subsection (4)(b)(i) and (vi) of this section; otherwise, it is subject to all applicable provisions of this section.

(d) For the purposes of this chapter:

(i) "Used oil" means any oil that has been refined from crude oil, used, and, as a result of such use, is contaminated by physical or chemical impurities;

(ii) Used oil fuel includes any fuel produced from used oil by processing, blending, or other treatments;

(iii) Used oil fuel that exceeds any specification level (described in Table 1) is termed "off-specification used oil fuel."

**TABLE 1
USED OIL EXCEEDING ANY SPECIFICATION LEVEL IS SUBJECT TO THIS SECTION WHEN BURNED FOR ENERGY RECOVERY**

| Constituent/property | Allowable level |
|-----------------------------------|--------------------|
| Arsenic | 5 ppm maximum |
| Cadmium..... | 2 ppm maximum |
| Chromium..... | 10 ppm maximum |
| Lead..... | 100 ppm maximum |
| Flash point | 100° F minimum |
| Total halogens..... | 4,000 ppm maximum* |
| Polychlorinated Biphenyls..... | 2 ppm maximum |

*Used oil containing more than 1,000 ppm total halogens is presumed to be a dangerous waste under the rebuttable presumption provided under (b)(ii) of this subsection. Such used oil is subject to WAC 173-303-510 rather than this section when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

(2) Prohibitions.

(a) A person may market off-specification used oil for energy recovery only:

(i) To burners or other marketers who have notified the department of their used oil management activities stating the location and general description of such activities, and who have an EPA/state identification number; and

(ii) To burners who burn the used oil in an industrial furnace or boiler identified in (b) of this subsection.

(b) Off-specification used oil may be burned for energy recovery in only the following devices:

(i) Industrial furnaces identified in WAC 173-303-040; or

(ii) Boilers, as defined in WAC 173-303-040 that are identified as follows:

(A) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes;

(B) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale; or

(C) Used oil-fired space heaters provided that:

(I) The heater burns only used oil that the owner or operator generates or used oil received from do-it-yourself oil changers who generate used oil as household waste;

(II) The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and

(III) The combustion gases from the heater are vented to the ambient air.

(3) Standards applicable to generators of used oil burned for energy recovery.

(a) Except as provided in (b) and (c) of this subsection generators of used oil are not subject to this section.

(b) Generators who market used oil directly to a burner are subject to subsection (4) of this section.

(c) Generators who burn used oil are subject to subsection (5) of this section.

(4) Standards applicable to marketers of used oil burned for energy recovery.

(a) Persons who market used oil fuel are termed "marketers." However, the following persons are not marketers subject to this section:

(i) Used oil generators, and collectors who transport used oil received only from generators, unless the generator or collector markets the used oil directly to a person who burns it for energy recovery. However, persons who burn some used oil fuel for purposes of processing or other treatment to produce used oil fuel for marketing are considered to be burning incidentally to processing. Thus, generators and collectors who market to such incidental burners are not marketers subject to this section;

(ii) Persons who market only used oil fuel that meets the specification under Table 1 of subsection (1) of this section and who are not the first person to claim the oil meets the specification (i.e., marketers who do not receive used oil from generators or initial transporters and marketers who neither receive nor market off-specification used oil fuel).

(b) Marketers are subject to the following requirements:

(i) Analysis of used oil fuel. Used oil fuel is subject to regulation under this section unless the marketer obtains analyses or other information documenting that the used oil fuel meets the specification provided under Table 1 of subsection (1) of this section.

(ii) Prohibitions. The prohibitions under subsection (2)(a) of this section;

(iii) Notification. Notification to the department stating the location and general description of used oil management activities. Even if a marketer has previously notified the department of his dangerous waste management activities under WAC 173-303-060 and obtained an EPA/state identification number, he must renotify to identify his used oil management activities.

(iv) Invoice system. When a marketer initiates a shipment of off-specification used oil, he must prepare and send the receiving facility an invoice containing the following information:

(A) An invoice number;

(B) His own EPA/state identification number and the EPA/state identification number of the receiving facility;

(C) The names and addresses of the shipping and receiving facilities;

(D) The quantity of off-specification used oil to be delivered;

(E) The date(s) of shipment or delivery; and

(F) The following statement: "This used oil subject to Washington state department of ecology regulation under WAC 173-303-515;

Note: Used oil that meets the definition of combustible liquid (flash point below 200°F but at or greater than 100°F) or flammable liquid (flash point below 100°F) is subject to Department of Transportation Hazardous Materials Regulations at 49 CFR Parts 100-177.

(v) Required notices.

(A) Before a marketer initiates the first shipment of off-specification used oil to a burner or other marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(I) The burner or marketer has notified the department stating the location and general description of his used oil management activities; and

(II) If the recipient is a burner, the burner will burn the off-specification used oil only in an industrial furnace or boiler identified in subsection (2)(b) of this section; and

(B) Before a marketer accepts the first shipment of off-specification used oil from another marketer subject to the requirements of this subsection, he must provide the marketer with a one-time written and signed notice certifying that he has notified the department of his used oil management activities; and

(vi) Recordkeeping.

(A) Used oil fuel that meets the specification. A marketer who first claims under (b)(i) of this subsection that used oil fuel meets the specification must keep copies of analysis (or other information used to make the determination) of used oil for three years. Such marketers must also record in an operating log and keep for three years the following information on each shipment of used oil fuel that meets the specification. Such used oil fuel is not subject to further regulation, unless it is subsequently mixed with dangerous waste or unless it is mixed with used oil so that it no longer meets the specification.

(I) The name and address of the facility receiving the shipment;

(II) The quantity of used oil fuel delivered;

(III) The date of shipment or delivery; and

(IV) A cross-reference to the record of used oil analysis (or other information used to make the determination that the oil meets the specification) required under (b)(vi)(A) of this subsection.

(B) Off-specification used oil fuel. A marketer who receives or initiates an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received or prepared. In addition, a marketer must keep a copy of each certification notice that he receives or sends for three years from the date he last engages in an off-specification used oil fuel marketing transaction with the person who sends or receives the certification notice.

(vii) Storage. For all marketers who store off-specification used oil, the applicable provisions of:

(A) WAC 173-303-283 through 173-303-360;

(B) WAC 173-303-380 through 173-303-395, except WAC 173-303-390(2);

(C) WAC 173-303-630(2) through (10);

(D) WAC 173-303-640(2) through (10), except WAC 173-303-640 (8)(c) and the second sentence of WAC 173-303-640 (8)(a).

(Note: A marketer, unless otherwise required to do so, does not have to prepare a closure plan, a cost estimate for closure, or provide financial responsibility for his tank system to satisfy the requirements of this subsection.)

(5) Standards applicable to burners of used oil burned for energy recovery.

Owners and operators of facilities that burn used oil fuel are "burners" and are subject to the following requirements:

(a) Prohibition. The prohibition under subsection (2)(b) of this section;

(b) Notification. Burners of off-specification used oil fuel must notify the department stating the location and general description of used oil management activities, except that owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of subsection (2)(b)(ii) of this section are exempt from these notification requirements. Even if a burner has previously notified the department of his dangerous waste management activities under WAC 173-303-060 and obtained an identification number, he must renotify to identify his used oil management activities.

(c) Required notices. Before a burner accepts the first shipment of off-specification used oil fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(i) He has notified the department stating the location and general description of his used oil management activities; and

(ii) He will burn the used oil only in an industrial furnace or boiler identified in subsection (2)(b) of this section; and

(d) Used oil fuel analysis.

(i) Used oil fuel burned by the generator is subject to regulation under this section unless the burner obtains analysis (or other information) documenting that the used oil meets the specification provided under Table 1 of subsection (1) of this section.

(ii) Burners who treat off-specification used oil fuel by processing, blending, or other treatment to meet the specification provided under Table 1 of subsection (1) of this section must obtain analyses (or other information) documenting that the used oil meets the specification.

(e) Recordkeeping. A burner who receives an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received. Burners must also keep for three years copies of analyses of used oil fuel as may be required by (d) of this subsection. In addition, he must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives off-specification used oil from that marketer.

(f) Local requirements. Any person who burns used oil for energy recovery, except for burning in used oil-fired space heaters that meet the provisions of subsection (2)(b)(ii) of this section, must comply with the air emission requirements of the local air pollution control authority (or department of ecology if no local authority with jurisdiction exists).

READOPTED SECTION (Readopting Order 88-29, filed 9/6/88)

WAC 173-303-520 SPECIAL REQUIREMENTS FOR RECLAIMING SPENT LEAD ACID BATTERY WASTES. This section applies to persons who reclaim spent lead-acid batteries that are recyclable materials ("spent batteries").

(1) Persons who generate, transport, or who store spent batteries but do not reclaim them are subject only to the requirements of WAC 173-303-050, 173-303-145 and 173-303-960 if such spent batteries are going to a battery reclaimer.

(2) Owners and operators of battery reclaiming facilities that store spent lead acid batteries prior to reclaiming them are subject to the following requirements:

(a) For all reclaimers, the applicable storage provisions of:

- (i) WAC 173-303-280 (2) and (3);
 - (ii) WAC 173-303-283;
 - (iii) WAC 173-303-290;
 - (iv) WAC 173-303-310 through 173-303-360;
 - (v) WAC 173-303-380;
 - (vi) WAC 173-303-390 (2) and (3);
 - (vii) WAC 173-303-395;
 - (viii) WAC 173-303-420; and
 - (ix) WAC 173-303-800 through 173-303-840.
- (b) For reclaimers with interim status permits, the applicable storage provisions of WAC 173-303-400 including Subparts F through L of 40 CFR Part 265;
- (c) For reclaimers with final facility permits, the applicable storage provisions of:
- (i) WAC 173-303-600 through 173-303-650; and
 - (ii) WAC 173-303-660.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-525 SPECIAL REQUIREMENTS FOR RECYCLABLE MATERIAL UTILIZED FOR PRECIOUS METAL RECOVERY. (1) Applicability and requirements.

(a) This section applies to recyclable materials that are reclaimed to recover economically significant amounts of gold, silver, platinum, (~~paladium, irridium~~) palladium, iridium, osmium, rhodium, ruthenium, or any combination of these.

(b) Persons who generate, transport, or store recyclable materials that are regulated under this section are subject to the following requirements:

- (i) Notification requirements under WAC 173-303-060;
 - (ii) WAC 173-303-180 (for generators), 173-303-250 (for transporters), and 173-303-370 (for persons who store).
- (c) Persons who store recycled materials that are regulated under this section must keep the following records to document that they are not accumulating these materials speculatively (as defined in WAC 173-303-016 (5)(d)(ii));
- (i) Records showing the volume of these materials stored at the beginning of the calendar year;
 - (ii) The amount of these materials generated or received during the calendar year; and
 - (iii) The amount of materials remaining at the end of the calendar year.
- (d) Recyclable materials that are regulated under this section that are accumulated speculatively (as defined in WAC 173-303-016 (5)(d)(ii)) are dangerous wastes and are subject to all applicable provisions of this chapter.

(2) Additional regulation of recyclable materials utilized for precious metal recovery on a case-by-case basis.

The department may decide on a case-by-case basis that persons accumulating or storing recyclable materials utilized for precious metal recovery should be regulated under WAC 173-303-120(4). The basis for this decision is that the materials are being accumulated or stored in a manner that does not protect human health and the environment because the materials or their toxic constituents have not been adequately contained, or because the materials being accumulated or stored together are incompatible. In making this decision, the department will consider the following factors:

- (a) The types of materials accumulated or stored and the amounts accumulated or stored;
- (b) The method of accumulation or storage;
- (c) The length of time the materials have been accumulated or stored before being reclaimed;
- (d) Whether any contaminants are being released into the environment, or are likely to be so released; and
- (e) Other relevant factors.

The procedures for this decision are set forth in subsection (3) of this section.

(3) Procedures for case-by-case regulation of recyclable materials utilized for precious metal recovery.

The department will use the following procedures when determining whether to regulate recyclable materials utilized for precious metal recovery under the provisions of WAC 173-303-120(4), rather than under the provisions of subsection (1) of this section.

(a) If a generator is accumulating the waste, the department will issue a notice setting forth the factual basis for the decision and stating that the person must comply with the applicable requirements of WAC 173-303-170 and 173-303-190 through 173-303-230. The notice will

become final within thirty days, unless the person served requests a public hearing to challenge the decision. Upon receiving such a request, the department will hold a public hearing. The department will provide notice of the hearing to the public and allow public participation at the hearing. The department will issue a final order after the hearing stating whether or not compliance with WAC 173-303-170 and 173-303-190 through 173-303-230 is required. The order becomes effective thirty days after service of the decision unless the department specifies a later date or unless review by the department is requested. The order may be appealed to the pollution control hearings board, in accordance with WAC 173-303-845, by any person who participated in the public hearing.

(b) If the person is accumulating the recyclable material as a storage facility, the notice will state that the person must obtain a permit in accordance with all applicable provisions of WAC 173-303-800 through 173-303-840. The owner or operator of the facility must apply for a permit within no less than sixty days and no more than six months of notice, as specified in the notice. If the owner or operator of the facility wishes to challenge the department's decision he may do so in his permit application, in a public hearing held on the draft permit, or in comments filed on the draft permit or on the notice of intent to deny the permit. The fact sheet accompanying the permit will specify the reasons for the department's determination. The question of whether the department's decision was proper will remain open for consideration during the public comment period discussed under WAC 173-303-840 (4)(d) and in any subsequent hearing.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-550 SPECIAL REQUIREMENTS FOR FACILITIES MANAGING SPECIAL WASTE. (1) Purpose. Special wastes (as defined in WAC 173-303-040(~~(107)~~)) pose less risk to public health and the environment than do other dangerous wastes, therefore, they do not require as high a level of regulation. The purpose of WAC 173-303-550 through 173-303-560 is to set forth those mandatory standards which are minimally acceptable for managing special waste, and the criteria and selective standards which will be applied based on the specific risks posed by such wastes.

(2) Applicability. The requirements of WAC 173-303-550 through 173-303-560 apply to owners and operators of facilities which manage special waste, and are only applicable to such special wastes as are being managed. Whenever a special waste is shipped from a facility, the owner or operator must comply with WAC 173-303-170 through 173-303-230, requirements for generators.

(3) Standards. The owner/operator of a facility managing special wastes must comply with all applicable standards of this chapter unless he requests (as described in subsection (4) of this section) and the department approves (as described in subsection (5) of this section) the application of less stringent standards to his facility. The owner/operator may request relief from any standards except those minimum standards specified in WAC 173-303-560. Failure to comply with an approval issued by the department pursuant to subsection (5) of this section, will be a violation of this chapter. Failure to comply with all applicable requirements of this chapter while the department is considering a request or after a request has been denied will be a violation of this chapter.

(4) Request. The owner/operator may request that less stringent standards be applied to his special waste management activities in any manner or form that he chooses. His request must be submitted in writing to the department, and must include:

- (a) The facility name, EPA/state identification #, address, telephone number, and a contact person at the facility;
- (b) The special waste(s) managed at the facility and the type(s) of management applied to them;
- (c) The specific standards from which the owner/operator seeks relief;

(d) A description, for each standard, demonstrating:

- (i) Why the owner/operator believes the standard to be unnecessary;
- (ii) How public health and the environment will continue to be protected if the standard is not applied to the facility; and

(iii) Any evidence supporting the contention that public health and the environment will be adequately protected if the standard is not applied (e.g., test data, diagrams, experiences at similar facilities, records, reports, etc.); and

(e) The following certification, signed and dated by a person who would be authorized to sign a report under WAC 173-303-810 (12)(b):

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this request and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The department may ask for any additional information it deems necessary, and will not consider approval of the owner's/operator's request until all necessary information has been submitted. Failure to provide any of the information required by this subsection may result in the department's denying the owner's/operator's request.

(5) Approval or denial. The department will review any requests submitted pursuant to subsection (4) of this section, and based on the adequacy of the information provided in the request will approve or deny all or any part of the request. The department will notify the owner/operator of its decision in writing. Approval of a request will not be final until the permit has been modified or issued as described in (a) or (b) of this subsection. If the department decides to approve all or part of the request and the owner/operator agrees with the department's decision, then the department will proceed to grant such approval as follows:

(a) Interim status facilities. For a facility which qualifies for interim status (as described in WAC 173-303-805), the department shall issue a notice of interim status modification in accordance with WAC 173-303-805(9) stating what standards the owner/operator must meet;

(b) Final facilities.

(i) For facilities which are required to have a final facility permit, the department shall follow the procedures for issuing (or, for facilities which already have a final facility permit, the procedures for modifying) a final facility permit, as described in WAC 173-303-806. The new or modified final facility permit shall include the standards the owner/operator must meet.

(ii) The department may request that an applicant for a final facility permit submit his planned special waste demonstrations (prepared in accordance with subsection (4) of this section) a maximum of three months prior to submittal of his Part B application.

READOPTED SECTION (Readopting Order 88-29, filed 9/6/88)

WAC 173-303-560 MINIMUM STANDARDS FOR FACILITIES MANAGING SPECIAL WASTE. In no case will the department approve standards for facilities managing special waste which do not include, at a minimum, the following applicable requirements:

- (1) WAC 173-303-060;
- (2) WAC 173-303-283;
- (3) WAC 173-303-350;
- (4) WAC 173-303-360;
- (5) WAC 173-303-370;
- (6) WAC 173-303-380; and
- (7) WAC 173-303-390.

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

WAC 173-303-600 FINAL FACILITY STANDARDS. Purpose, scope, and applicability.

(1) The purpose of WAC 173-303-600 through ~~((173-303-670))~~ 173-303-680, is to establish minimum state-wide standards which describe the acceptable management of dangerous waste. In addition to WAC 173-303-600 through ~~((173-303-670))~~ 173-303-680, the final facility standards include WAC 173-303-280 through 173-303-395 and 173-303-420.

(2) The final facility standards apply to owners and operators of all facilities which treat, store or dispose of dangerous waste, and which are not exempted by subsection (3) of this section.

(3) The final facility standards do not apply to:

(a) Persons whose disposal activities are permitted under the Marine Protection, Research and Sanctuaries Act, except that storage, or treatment facilities where dangerous waste is loaded onto an ocean vessel for incineration or disposal at sea are subject to final facility standards;

(b) Persons whose disposal activities are permitted under the underground injection control program of the Safe Drinking Water Act, except that storage, or treatment facilities needed to handle dangerous wastes are subject to final facility standards;

(c) The owner(s) or operator(s) of a POTW(s) which treats, stores, or disposes of dangerous waste provided ((they follow the permit by rule)) he has a permit by rule pursuant to the requirements of WAC 173-303-802(4);

(d) A generator accumulating waste on site in compliance with WAC 173-303-200;

(e) The owner or operator of a facility which is permitted to manage solid waste pursuant to chapter 173-304 WAC, if the only dangerous waste the facility manages is excluded from regulation under this chapter by WAC 173-303-070(8);

(f) A farmer disposing of waste pesticides from his own use provided he complies with WAC 173-303-160 (2)(b);

(g) A transporter storing a manifested shipment of dangerous waste for ten days or less in accordance with WAC 173-303-240(5);

(h) Any person, other than an owner or operator who is already subject to the final facility standards, who is carrying out an immediate or emergency response to contain or treat a discharge or potential discharge of a dangerous waste or hazardous substance;

(i) The owner or operator of a facility which is in compliance with the interim status requirements of WAC 173-303-400 and 173-303-805, until final administrative disposition of his final facility permit;

(j) The owner or operator of a totally enclosed treatment facility or elementary neutralization or wastewater treatment unit as defined in WAC 173-303-040, provided that he ~~((complies with the))~~ has a permit by rule pursuant to the requirements of WAC 173-303-802(5); and

(k) The addition, by a generator, of absorbent material to waste in a container, or of waste to absorbent material in a container, provided that these actions occur at the time the waste is first placed in containers and the generator complies with WAC 173-303-200 (1)(b) and 173-303-395 (1)(a) and (b).

(4) The owner or operator of a final status TSD facility which manages special waste may comply with the special requirements selected under WAC 173-303-550 through 173-303-560 in lieu of the final facility standards of WAC 173-303-600 through 173-303-670, but only for those special wastes which he manages and only after the department has issued or modified his final facility permit in accordance with WAC 173-303-800 through 173-303-840 to incorporate the special requirements.

(5) The owner or operator of a facility which recycles dangerous waste may, for such recycled wastes only, comply with the applicable recycling standards specified in WAC 173-303-120 and 173-303-500 through 173-303-525 in lieu of the final facility standards.

(6) The owner or operator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-610 CLOSURE AND POSTCLOSURE. (1) Applicability.

(a) Subsections (2) through (6) of this section, (which concern closure), apply to the owners and operators of all dangerous waste facilities.

(b) Subsections (7) through (11) of this section, (which concern postclosure care), apply to the owners and operators of all regulated units (as defined in WAC 173-303-040(~~((75))~~)) at which dangerous waste will remain after closure, to tank systems that are required under WAC 173-303-640(8) to meet the requirements of landfills, to surface impoundments (~~((and))~~), waste piles, and miscellaneous units as specified in WAC 173-303-650(6) (~~((and))~~), 173-303-660(9), and 173-303-680(4), respectively and, unless otherwise authorized by the department, to the owners and operators of all facilities which, at closure, cannot meet the removal or decontamination limits specified in subsection (2)(b) of this section.

(c) For the purposes of the closure and postclosure requirements, any portion of a facility which closes is subject to the applicable closure and postclosure standards even if the rest of the facility does not close and continues to operate.

(2) Closure performance standard. The owner or operator must close the facility in a manner that:

(a)(i) Minimizes the need for further maintenance;

(ii) Controls, minimizes or eliminates to the extent necessary to protect human health and the environment, postclosure escape of dangerous waste, dangerous constituents, leachate, contaminated run-off, or dangerous waste decomposition products to the ground, surface water, ground water, or the atmosphere; and

(iii) Returns the land to the appearance and use of surrounding land areas to the degree possible given the nature of the previous dangerous waste activity.

(b) Where the closure requirements of this section, or of WAC 173-303-630(10), 173-303-640(8), 173-303-650(6), 173-303-655(8), 173-303-660(9), ((~~or~~)) 173-303-670(8), or 173-303-680 (2) through (4) call for the removal or decontamination of dangerous wastes, waste residues, or equipment, bases, liners, soils or other materials containing or contaminated with dangerous wastes or waste residue, then such removal or decontamination must assure that the levels of dangerous waste or dangerous waste constituents or residues do not exceed:

(i) Background environmental levels, for any dangerous waste, managed at the facility, which either is listed under WAC 173-303-081 or 173-303-082 or is designated by the characteristics of WAC 173-303-090; and

(ii) At least the designation limits of WAC 173-303-084, or 173-303-101 through 173-303-103 for any dangerous waste, managed at the facility, which is not listed under WAC 173-303-081 or 173-303-082 and is not designated by the characteristics of WAC 173-303-090. In addition to these limits, the department may specify in the closure plan for a facility any lower limits for removal or decontamination which the department deems appropriate.

(3) Closure plan; amendment of plan.

(a) The owner or operator of a dangerous waste management facility must have a written closure plan. In addition, certain surface impoundments and waste piles from which the owner or operator intends to remove or decontaminate the dangerous waste at partial or final closure are required by WAC 173-303-650(6) and 173-303-660(9) to have contingent closure plans. The plan must be submitted with the permit application, in accordance with WAC 173-303-806(4), and approved by the department as part of the permit issuance procedures under WAC 173-303-840. The approved closure plan will become a condition of any permit. The department's decision must assure that the approved closure plan is consistent with subsections (2), (3), (4), (5), and (6) of this section, and the applicable requirements of WAC 173-303-630(10), 173-303-640(8), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6), ((~~and~~)) 173-303-670(8), and 173-303-680(2). A copy of the approved plan and all revisions to the plan must be furnished to the department upon request, including request by mail until final closure is completed and certified in accordance with subsection (6) of this section. The plan must identify steps necessary to perform partial and/or final closure of the facility at any point during its active life. The closure plan must include at least:

(i) A description of how each dangerous waste management unit at the facility will be closed in accordance with subsection (2) of this section;

(ii) A description of how final closure of the facility will be conducted in accordance with subsection (2) of this section. The description must identify the maximum extent of the operation which will be unclosed during the active life of the facility;

(iii) An estimate of the maximum inventory of dangerous wastes ever on-site over the active life of the facility. (Any change in this estimate is a minor modification under WAC 173-303-830(4));

(iv) A detailed description of the methods to be used during partial closures and final closure, including, but not limited to, methods for removing, transporting, treating, storing, or disposing of all dangerous wastes, and identification of the type(s) of the off-site dangerous waste management units to be used, if applicable;

(v) A detailed description of the steps needed to remove or decontaminate all dangerous waste residues and contaminated containment system components, equipment, structures, and soils during partial and final closure, including, but not limited to, procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination required to satisfy the closure performance standard;

(vi) A detailed description of other activities necessary during the closure period to ensure that all partial closures and final closure satisfy the closure performance standards, including, but not limited to, ground water monitoring, leachate collection, and run-on and run-off control; and

(vii) A schedule for closure of each dangerous waste management unit and for final closure of the facility. The schedule must include, at a minimum, the total time required to close each dangerous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of partial and final closure. (For example, in the case of a landfill unit, estimates of the time

required to treat or dispose of all dangerous waste inventory and of the time required to place a final cover must be included.) Additionally, for facilities that use trust funds to establish financial assurance under WAC 173-303-620 (4) or (6) and that are expected to close prior to the expiration of the permit, an estimate of the expected year of final closure.

(b) The owner or operator must submit a written notification or request for a permit modification to authorize a change in operating plans, facility design, or the approved closure plan in accordance with the applicable procedures in WAC 173-303-800 through 173-303-840. The written notification or request must include a copy of the amended closure plan for review or approval by the department.

(i) The owner or operator may submit a written notification or request to the department for a permit modification to amend the closure plan at any time prior to the notification of partial or final closure of the facility.

(ii) The owner or operator must submit a written notification or request for a permit modification to authorize a change in the approved closure plan whenever:

(A) Changes in operating plans or facility design affect the closure plan; or

(B) There is a change in the expected year of closure, if applicable; or

(C) In conducting partial or final closure activities, unexpected events require a modification of the approved closure plan.

(iii) The owner or operator must submit a written request for a permit modification including a copy of the amended closure plan for approval at least sixty days prior to the proposed change in facility design or operation, or no later than sixty days after an unexpected event has occurred which has affected the closure plan. If an unexpected event occurs during the partial or final closure period, the owner or operator must request a permit modification no later than thirty days after the unexpected event. An owner or operator of a surface impoundment or waste pile that intends to remove all dangerous waste at closure and is not otherwise required to prepare a contingent closure plan under WAC 173-303-650(6) or 173-303-660(9), must submit an amended closure plan to the department no later than sixty days from the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the requirements of WAC 173-303-665, or no later than thirty days from that date if the determination is made during partial or final closure. The department will approve, disapprove, or modify this amended plan in accordance with the procedures in WAC 173-303-800 through 173-303-840. The approved closure plan will become a condition of any permit issued.

(iv) The department may request modifications to the plan under the conditions described in (b)(ii) of this subsection. The owner or operator must submit the modified plan within sixty days of the department's request, or within thirty days if the change in facility conditions occurs during partial or final closure. Any modifications requested by the department will be approved in accordance with the procedures in WAC 173-303-800 through 173-303-840.

(c) Notification of partial closure and final closure.

(i) The owner or operator must notify the department in writing at least sixty days prior to the date on which he expects to begin closure of a surface impoundment, waste pile, land treatment, or landfill unit, or final closure of a facility with such a unit. The owner or operator must notify the department in writing at least forty-five days prior to the date on which he expects to begin final closure of a facility with only treatment or storage tanks, container storage, or incinerator units to be closed.

(ii) The date when he "expects to begin closure" must be either no later than thirty days after the date on which any dangerous waste management unit receives the known final volume of dangerous wastes or, if there is a reasonable possibility that the dangerous waste management unit will receive additional dangerous wastes, no later than one year after the date on which the unit received the most recent volume of dangerous waste. If the owner or operator of a dangerous waste management unit can demonstrate to the department that the dangerous waste management unit or facility has the capacity to receive additional dangerous wastes and he has taken, and will continue to take, all steps to prevent threats to human health and the environment, including compliance with all applicable permit requirements, the department may approve an extension to this one-year limit.

(iii) If the facility's permit is terminated, or if the facility is otherwise ordered, by judicial decree or final order to cease receiving dangerous wastes or to close, then the requirements of (c) of this subsection do not apply. However, the owner or operator must close the facility in accordance with the deadlines established in subsection (4) of this section.

(iv) Removal of wastes and decontamination or dismantling of equipment. Nothing in this subsection shall preclude the owner or operator from removing dangerous wastes and decontaminating or dismantling equipment in accordance with the approved partial or final closure plan at any time before or after notification of partial or final closure.

(4) Closure; time allowed for closure.

(a) Within ninety days after receiving the final volume of dangerous wastes at a dangerous waste management unit or facility, the owner or operator must treat, remove from the unit or facility, or dispose of on site, all dangerous wastes in accordance with the approved closure plan. The department may approve a longer period if the owner or operator complies with all applicable requirements for requesting a modification to the permit and demonstrates that he has taken and will continue to take all steps to prevent threats to human health and the environment, including compliance with all applicable permit requirements, and either:

(i) The activities required to comply with this paragraph will, of necessity, take longer than ninety days to complete; or

(ii)(A) The dangerous waste management unit or facility has the capacity to receive additional dangerous wastes;

(B) There is a reasonable likelihood that he or another person will recommence operation of the dangerous waste management unit or the facility within one year; and

(C) Closure of the dangerous waste management unit or facility would be incompatible with continued operation of the site.

(b) The owner or operator must complete partial and final closure activities in accordance with the approved closure plan and within one hundred eighty days after receiving the final volume of dangerous wastes at the dangerous waste management unit or facility. The department may approve an extension to the closure period if the owner or operator complies with all applicable requirements for requesting a modification to the permit and demonstrates that he has taken and will continue to take all steps to prevent threats to human health and the environment from the unclosed but not operating dangerous waste management unit or facility, including compliance with all applicable permit requirements, and either:

(i) The partial or final closure activities will, of necessity, take longer than one hundred eighty days to complete; or

(ii)(A) The dangerous waste management unit or facility has the capacity to receive additional dangerous wastes;

(B) There is reasonable likelihood that he or another person will recommence operation of the dangerous waste management unit or the facility within one year; and

(C) Closure of the dangerous waste management unit or facility would be incompatible with continued operation of the site.

(c) The demonstrations referred to in (a) and (b) of this subsection must be made as follows: The demonstrations in (a) of this subsection must be made at least thirty days prior to the expiration of the specified ninety-day period; and the demonstration in (b) of this subsection must be made at least thirty days prior to the expiration of the specified one hundred eighty-day period.

(5) Disposal or decontamination of equipment, structures and soils. During the partial and final closure periods, all contaminated equipment, structures and soils must be properly disposed of or decontaminated unless otherwise specified in WAC 173-303-640(8), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6), or under the authority of WAC 173-303-680 (2) and (4). By removing any dangerous wastes or dangerous constituents during partial and final closure, the owner or operator may become a generator of dangerous waste and must handle that waste in accordance with all applicable requirements of WAC 173-303-170 through 173-303-230.

(6) Certification of closure. Within sixty days of completion of closure of each dangerous waste (~~surface impoundment, waste pile, land treatment, and landfill~~) management unit (including tank systems and container storage areas), and within sixty days of the completion of final closure, the owner or operator must submit to the department by registered mail, a certification that the dangerous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure plan. The certification must be

signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the department upon request until it releases the owner or operator from the financial assurance requirements for closure under WAC 173-303-620(4).

(7) Postclosure care and use of property.

(a) Postclosure care for each dangerous waste management unit subject to postclosure requirements must begin after completion of closure of the unit and continue for thirty years after that date and must consist of at least the following:

(i) Ground water monitoring and reporting as applicable; and

(ii) Maintenance and monitoring of waste containment systems as applicable.

(b) Any time preceding partial closure of a dangerous waste management unit subject to postclosure care requirements or final closure, or any time during the postclosure period for a particular unit, the department may, in accordance with the permit modification procedures in WAC 173-303-800 through 173-303-840:

(i) Shorten the postclosure care period applicable to the dangerous waste management unit, or facility, if all disposal units have been closed, if it finds that the reduced period is sufficient to protect human health and the environment (e.g., leachate or ground water monitoring results, characteristics of the dangerous waste, application of advanced technology, or alternative disposal, treatment, or reuse techniques indicate that the dangerous waste management unit or facility is secure); or

(ii) Extend the postclosure care period applicable to the dangerous waste management unit or facility if it finds that the extended period is necessary to protect human health and the environment (e.g., leachate or ground water monitoring results indicate a potential for migration of dangerous waste at levels which may be harmful to human health and the environment).

(c) The department may require, at partial or final closure, continuation of any of the security requirements of WAC 173-303-310 during part or all of the postclosure period when:

(i) Dangerous wastes may remain exposed after completion of partial or final closure; or

(ii) Access by the public or domestic livestock may pose a hazard to human health.

(d) Postclosure use of property on or in which dangerous wastes remain after partial or final closure must never be allowed to disturb the integrity of the final cover, liner(s), or any other components of any containment system, or the function of the facility's monitoring systems, unless the department finds that the disturbance:

(i) Is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or

(ii) Is necessary to reduce a threat to human health or the environment.

(e) All postclosure care activities must be in accordance with the provisions of the approved postclosure plan as specified in subsection (8) of this section.

(8) Postclosure plan; amendment of plan.

(a) The owner or operator of a dangerous waste disposal unit must have a written postclosure plan. In addition, certain surface impoundments and certain piles from which the owner or operator intends to remove or decontaminate the dangerous wastes at partial or final closure are required by WAC 173-303-650 and 173-303-660, respectively, to have written contingent postclosure plans. Owners or operators of surface impoundments and waste piles not otherwise required to prepare contingent postclosure plans under WAC 173-303-650 or 173-303-660 must submit a postclosure plan to the department within ninety days from the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the postclosure requirements. The plan must be submitted with the permit application, in accordance with WAC 173-303-806, and approved by the department as part of the permit issuance procedures under WAC 173-303-840. The approved postclosure plan will become a condition of any permit issued.

(b) For each dangerous waste management unit subject to the requirements of this subsection, the postclosure plan must identify the activities which will be carried on after closure and the frequency of these activities, and include at least:

(i) A description of the planned ground water monitoring activities and frequencies at which they will be performed;

(ii) A description of the planned maintenance activities, and frequencies at which they will be performed, to ensure:

(A) The integrity of the cap and final cover or other containment structures where applicable; and

(B) The function of the facility monitoring equipment;

(iii) And the name, address, and phone number of the person or office to contact about the dangerous waste disposal unit or facility during the postclosure care period.

(c) Until final closure of the facility, a copy of the approved postclosure plan must be furnished to the department upon request, including request by mail. After final closure has been certified, the person or office specified in (b)(iii) of this subsection must keep the approved postclosure plan during the remainder of the postclosure period.

(d) Amendment of plan. The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved postclosure plan in accordance with the applicable requirements of WAC 173-303-800 through 173-303-840. The written notification or request must include a copy of the amended postclosure plan for review or approval by the department.

(i) The owner or operator may submit a written notification or request to the department for a permit modification to amend the postclosure plan at any time during the active life of the facility or during the postclosure care period.

(ii) The owner or operator must submit a written notification of or request for a permit modification to authorize a change in the approved postclosure plan whenever:

(A) Changes in operating plans or facility design affect the approved postclosure plan; or

(B) There is a change in the expected year of final closure, if applicable; or

(C) Events which occur during the active life of the facility, including partial and final closures, affect the approved postclosure plan.

(iii) The owner or operator must submit a written request for a permit modification at least sixty days prior to the proposed change in facility design or operation, or no later than sixty days after an unexpected event has occurred which has affected the postclosure plan. An owner or operator of a surface impoundment or waste pile that intends to remove all dangerous waste at closure and is not otherwise required to submit a contingent postclosure plan under WAC 173-303-650 or 173-303-660 must submit a postclosure plan to the department no later than ninety days after the date that the owner or operator or department determines that the dangerous waste management unit must be closed as a landfill, subject to the requirements of WAC 173-303-665. The department will approve, disapprove, or modify this plan in accordance with the procedures in WAC 173-303-800 through 173-303-840. The approved postclosure plan will become a permit condition.

(iv) The department may request modifications to the plan under the conditions described in (d)(ii) of this subsection. The owner or operator must submit the modified plan no later than sixty days after the department's request, or no later than ninety days if the unit is a surface impoundment or waste pile not previously required to prepare a contingent postclosure plan. Any modifications requested by the department will be approved, disapproved, or modified in accordance with the procedures in WAC 173-303-800 through 173-303-840.

(9) Notice to local land authority. No later than the submission of the certification of closure of each dangerous waste disposal unit, the owner or operator of a disposal facility must submit to the local zoning authority or the authority with jurisdiction over local land use and to the department a survey plat indicating the location and dimensions of landfill cells or other dangerous waste disposal units with respect to permanently surveyed benchmarks. This plat must be prepared and certified by a professional land surveyor. The plat filed with the local zoning authority or the authority with jurisdiction over local land use must contain a note, prominently displayed, which states the owner's or operator's obligation to restrict disturbance of the dangerous waste disposal unit in accordance with the applicable requirements of this section. In addition, no later than sixty days after certification of closure of each dangerous waste disposal unit, the owner or operator must submit to the local zoning authority or the authority with jurisdiction over local land use and to the department, a record of the type, location, and quantity of dangerous wastes disposed of within each cell or other disposal unit of the facility. For wastes disposed of before November 19, 1980 (March 12, 1982, for facilities subject to this chapter but not subject to 40 CFR Part 264), the owner or operator must identify the type, location, and quantity of the dangerous wastes to the best of his knowledge and in accordance with any records he has kept.

(10) Notice in deed to property.

(a) No later than sixty days after certification of closure of each dangerous waste disposal unit, the owner or operator must submit to the local zoning authority, or the authority with jurisdiction over local land use, and to the department a record of the type, location, and quantity of dangerous wastes disposed of within each cell or other disposal unit of the facility. For hazardous wastes (as defined in WAC 173-303-040(~~(39)~~)) disposed of before January 12, 1981, the owner or operator must identify the type, location, and quantity of the dangerous wastes to the best of his knowledge and in accordance with any records he has kept.

(b) Within sixty days of certification of closure of the first dangerous waste disposal unit and within sixty days of certification of closure of the last dangerous waste disposal unit, the owner or operator must:

(i) Record, in accordance with state law, a notation on the deed to the facility property, or on some other instrument which is normally examined during title search, that will in perpetuity notify any potential purchaser of the property that:

(A) The land has been used to manage dangerous wastes;

(B) Its use is restricted under this section; and

(C) The survey plat and record of the type, location, and quantity of dangerous wastes disposed of within each cell or other dangerous waste disposal unit of the facility required in subsection (9) of this section have been filed with the local zoning authority, or the authority with jurisdiction over local land use, and with the department; and

(ii) Submit a certification, signed by the owner or operator, that he has recorded the notation specified in (b)(i) of this subsection, including a copy of the document in which the notation has been placed, to the department.

(c) If the owner or operator or any subsequent owner of the land upon which a dangerous waste facility was located wishes to remove dangerous wastes and dangerous waste residues, the liner, if any, or contaminated soils, he must request a modification to the postclosure permit in accordance with the applicable requirements in WAC 173-303-800 through 173-303-840. The owner or operator must demonstrate that the removal of dangerous wastes will satisfy the criteria of subsection (7)(d) of this section. By removing dangerous waste, the owner or operator may become a generator of dangerous waste and must manage it in accordance with all applicable requirements of this chapter. If he is granted a permit modification or otherwise granted approval to conduct such removal activities, the owner or operator may request that the department approve either:

(i) The removal of the notation on the deed to the facility property or other instrument normally examined during title search; or

(ii) The addition of a notation to the deed or instrument indicating the removal of the dangerous waste.

(11) Certification of completion of postclosure care. No later than sixty days after completion of the established postclosure care period for each dangerous waste disposal unit, the owner or operator must submit to the department, by registered mail, a certification that the postclosure care period for the dangerous waste disposal unit was performed in accordance with the specifications in the approved postclosure plan. The certification must be signed by the owner or operator and an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the department upon request until he releases the owner or operator from the financial assurance requirements for postclosure care under WAC 173-303-620(6).

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-620 FINANCIAL REQUIREMENTS. (1) Applicability.

(a) The requirements of subsections (3), (4), (7), (8), (9), and (10) of this section, apply to owners and operators of all dangerous waste facilities, except as provided otherwise in this section.

(b) The requirements of subsections (5) and (6) of this section apply only to owners and operators of dangerous waste disposal facilities, to tank systems that are required under WAC 173-303-640(8) to meet the requirements of landfills, to disposal miscellaneous units, and to piles and surface impoundments to the extent that WAC 173-303-650 and 173-303-660, respectively, require that such facilities comply with this section.

(c) States and the federal government are exempt from the requirements of this section, except that operators of facilities who are under contract with the state or federal government must meet the requirements of this section.

(2) Definitions. As used in this section, the following listed or referenced terms shall have the meanings given below:

(a) "Closure plan" means the plan for closure prepared in accordance with the requirements of WAC 173-303-610(3);

(b) "Current closure cost estimate" means the most recent of the estimates prepared in accordance with subsection (3) of this section;

(c) "Current postclosure cost estimate" means the most recent of the estimates prepared in accordance with subsection (5) of this section;

(d) "Parent corporation" means a corporation which directly owns at least fifty percent of the voting stock of the corporation which is the facility owner or operator; the latter corporation is deemed a "subsidiary" of the parent corporation;

(e) "Postclosure plan" means the plan for postclosure care prepared in accordance with the requirements of WAC 173-303-610 (7), (8), (9), and (10);

(f) "Regional administrator" means the department;

(g) "Hazardous waste" means dangerous waste; and

(h) The additional terms listed and defined in 40 CFR 264.141 (f) ((and)), (g), and (h) are adopted by reference.

(3) Cost estimate for facility closure.

(a) The owner or operator must have a detailed written estimate, in current dollars, of the cost of closing the facility in accordance with the requirements in WAC 173-303-610 (2) through (6), and applicable closure requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), 173-303-665(6), ((and)) 173-303-670(8), and 173-303-680 (2) through (4). The closure cost estimate:

(i) Must equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan (see WAC 173-303-610 (3)(a));

(ii) Must be based on the costs to the owner or operator of hiring a third party to close the facility. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of parent corporation in subsection (2)(d) of this section.) The owner or operator may use costs for on-site disposal if he can demonstrate that on-site disposal capacity will exist at all times over the life of the facility;

(iii) May not incorporate any salvage value that may be realized with the sale of dangerous wastes, facility structures or equipment, land, or other assets associated with the facility at the time of partial or final closure; and

(iv) May not incorporate a zero cost for dangerous wastes that might have economic value.

(b) During the active life of the facility, the owner or operator must revise the closure cost estimate no later than thirty days after the department has approved the request to modify the closure plan, if the change in the closure plan increases the cost of closure. The revised closure cost estimate must be adjusted for inflation as specified in (c)(i) and (ii) of this subsection.

(c) During the active life of the facility, the owner or operator must adjust the closure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with this section. For owners and operators using the financial test or corporate guarantee, the closure cost estimate must be updated for inflation within thirty days after the close of the firm's fiscal year and before submission of updated information to the department as specified in subsection (4) of this section. The adjustment may be made by recalculating the maximum costs of closure in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its survey of current business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility the latest closure cost estimate prepared in accordance with (a) and (b) of this subsection, and, when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted closure cost estimate.

(4) Financial assurance for facility closure.

(a) An owner or operator of a TSD facility must establish financial assurance for closure of the facility. The owner or operator must choose from the following options or combination of options:

(i) Closure trust fund;

(ii) Surety bond guaranteeing payment into a closure trust fund;

(iii) Surety bond guaranteeing performance of closure;

(iv) Closure letter of credit;

(v) Closure insurance; or

(vi) Financial test and corporate guarantee for closure.

(b) In satisfying the requirements of financial assurance for facility closure in this subsection, the owner or operator shall meet all the requirements set forth in 40 CFR 264.143.

(5) Cost estimate for postclosure monitoring and maintenance.

(a) The owner or operator of a facility subject to postclosure monitoring or maintenance requirements must have a detailed written estimate, in current dollars, of the annual cost of postclosure monitoring and maintenance of the facility in accordance with the applicable postclosure regulations in WAC 173-303-610 (7) through (10), 173-303-650(6), 173-303-655(8), 173-303-660(9), ((and)) 173-303-665(6), and 173-303-680(4). The postclosure cost estimate must be based on the costs to the owner or operator of hiring a third party to conduct postclosure care activities. A third party is a party who is neither a parent nor a subsidiary of the owner or operator. (See definition of parent corporation in subsection (2)(d) of this section.) The postclosure cost estimate is calculated by multiplying the annual postclosure cost estimate by the number of years of postclosure care required by WAC 173-303-610.

(b) During the active life of the facility, the owner or operator must revise the postclosure cost estimate within thirty days after the department has approved the request to modify the postclosure plan, if the change in the postclosure plan increases the cost of postclosure care. The revised postclosure cost estimate must be adjusted for inflation as specified in (c)(i) and (ii) of this subsection.

(c) During the active life of the facility, the owner or operator must adjust the postclosure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with subsection (6) of this section. For owners or operators using the financial test or corporate guarantee, the postclosure cost estimate must be updated for inflation within thirty days after the close of the firm's fiscal year and before the submission of updated information to the department as specified in subsection (6) of this section. The adjustment may be made by recalculating the postclosure cost estimate in current dollars or by using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the postclosure cost estimate by the inflation factor. The result is the adjusted postclosure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted postclosure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility the latest postclosure cost estimate prepared in accordance with (a) and (b) of this subsection, and, when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted postclosure cost estimate.

(6) Financial assurance for postclosure monitoring and maintenance.

(a) An owner or operator of a facility subject to postclosure monitoring or maintenance requirements must establish financial assurance for postclosure care in accordance with the approved postclosure care plan. He must choose from the following options or combination of options:

(i) Postclosure trust fund;

(ii) Surety bond guaranteeing payment into a postclosure trust fund;

(iii) Surety bond guaranteeing performance of postclosure care;

(iv) Postclosure letter of credit;

(v) Postclosure insurance; or

(vi) Financial test and corporate guarantee for postclosure care.

(b) In satisfying the requirements of financial assurance for facility postclosure care in this subsection, the owner or operator shall meet all the requirements set forth in 40 CFR 264.145.

(7) Use of a mechanism for financial assurance of both closure and postclosure care. An owner or operator may satisfy the requirements for financial assurance for both closure and postclosure care for one or

more facilities by using a trust fund, surety bond, letter of credit, insurance, financial test, or corporate guarantee that meets the specifications for the mechanism in both 40 CFR 264.143 and 264.145. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for financial assurance of closure and of postclosure care.

(8) Liability requirements.

(a) An owner or operator of a TSD facility or a group of such facilities must demonstrate financial responsibility for bodily injury and property damages to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must meet the requirements of 40 CFR 264.147(a) ~~(or, when applicable, (g))~~.

(b) An owner or operator of a facility with a regulated unit or units (as defined in WAC 173-303-040~~((75))~~) or a disposal miscellaneous unit or units used to manage dangerous waste or a group of such facilities must demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator must meet the requirements of 40 CFR 264.147(b) ~~((or, when applicable, (g)))~~.

(c) Request for variance. If an owner or operator can demonstrate to the satisfaction of the department that the levels of financial responsibility required by (a) or (b) of this subsection are not consistent with the degree and duration of risk associated with treatment, storage, or disposal at the facility or group of facilities, the owner or operator may obtain a variance from the department. The request for a variance must be submitted to the department as part of the application under WAC 173-303-806(4) for a facility that does not have a permit, or pursuant to the procedures for permit modification under WAC 173-303-830 for a facility that has a permit. If granted, the variance will take the form of an adjusted level of required liability coverage, such level to be based on the department's assessment of the degree and duration of risk associated with the ownership or operation of the facility or group of facilities. The department may require an owner or operator who requests a variance to provide such technical and engineering information as is deemed necessary by the department to determine a level of financial responsibility other than that required by (a) or (b) of this subsection. Any request for a variance for a permitted facility will be treated as a request for a permit modification under WAC 173-303-830.

(d) Adjustments by the department. If the department determines that the levels of financial responsibility required by (a) or (b) of this subsection are not consistent with the degree and duration of risk associated with treatment, storage, or disposal at the facility or group of facilities, the department may adjust the level of financial responsibility required under (a) or (b) of this subsection as may be necessary to protect human health and the environment. This adjusted level will be based on the department's assessment of the degree and duration of risk associated with the ownership or operation of the facility or group of facilities. In addition, if the department determines that there is a significant risk to human health and the environment from nonsudden accidental occurrences resulting from the operations of a facility that has no regulated units (as defined in WAC 173-303-040~~((75))~~), it may require that the owner or operator of the facility comply with (b) of this subsection. An owner or operator must furnish to the department within a reasonable time, any information which the department requests to determine whether cause exists for such adjustments of level or type of coverage. Any adjustments of level or type of coverage for a facility that has a permit will be treated as a permit modification under WAC 173-303-830.

(e) Period of coverage. An owner or operator must continuously provide liability coverage for a facility as required by this subsection until certifications of closure of the facility, as specified in WAC 173-303-610(6), are received by the department.

(9) Incapacity of owners or operators, guarantor or financial institutions.

(a) An owner or operator must notify the department by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), United States Code, naming the owner or operator as debtor, within ten days after commencement of the proceeding. A guarantor of a corporate guarantee as specified in 40 CFR 264.143(f) and 264.145(f) must make such a notification if he is named as debtor, as required under the terms of the corporate guarantee (40 CFR 264.151(h)).

(b) An owner or operator who fulfills the requirements of 40 CFR 264.143, 264.145, or 264.147 (a) or (b) by obtaining a trust fund, surety bond, letter of credit, or insurance policy will be deemed to be without the required financial assurance or liability coverage in the event of bankruptcy of the trustee or issuing institution, or a suspension or revocation of the authority of the trustee institution to act as trustee or of the institution issuing the surety bond, letter of credit, or insurance policy to issue such instruments. The owner or operator must establish other financial assurance or liability coverage within sixty days after such an event.

(10) Wording of the instruments. The financial instruments required by this section shall contain the wording specified by 40 CFR 264.151, except that:

(a) The words "regional administrator" and "environmental protection agency" must be replaced with the word "department";

(b) The words "hazardous waste" must be replaced with the words "dangerous waste"; and

(c) Any other words specified by the department shall be changed as necessary to assure financial responsibility of the facility in accordance with the requirements of this section.

Copies of the financial instruments with the appropriate word changes will be available from the department by June 30, 1984.

AMENDATORY SECTION (Amending Order DE-85-10, filed 6/3/86)

WAC 173-303-630 USE AND MANAGEMENT OF CONTAINERS. (1) Applicability. The regulations in this section apply to owners and operators of all dangerous waste facilities that store containers of dangerous waste.

(2) Condition of containers. If a container holding dangerous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the owner or operator must transfer the dangerous waste from the container to a container that is in good condition or manage the waste in some other way that complies with the requirements of chapter 173-303 WAC. In addition, the owner or operator must address leaks and spills in accordance with the applicable provisions of WAC 173-303-145 and 173-303-360.

(3) Identification of containers. The owner or operator must label containers in a manner which adequately identifies the major risk(s) associated with the contents of the containers for employees, emergency response personnel and the public (Note—If there is already a system in use that performs this function in accordance with local, state or federal regulations, then such system will be adequate). The owner or operator must affix labels upon transfer of dangerous wastes from one container to another. The owner or operator must destroy or otherwise remove labels from the emptied container, unless the container will continue to be used for storing dangerous waste at the facility. The owner or operator must ensure that labels are not obscured, removed, or otherwise unreadable in the course of inspection required under WAC 173-303-320.

(4) Compatibility of waste with containers. The owner or operator must use a container made of or lined with materials which will not react with, and are otherwise compatible with, the dangerous waste to be stored, so that the ability of the container to contain the waste is not impaired.

(5) Management of containers.

(a) A container holding dangerous waste must always be closed, except when it is necessary to add or remove waste.

(b) A container holding dangerous waste must not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.

(c) A minimum three-foot separation is required between aisles of containers holding dangerous waste(s).

(6) Inspections. At least weekly, the owner or operator must inspect areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion, deterioration, or other factors.

(7) Containment.

(a) Container storage areas must have a containment system that is capable of collecting and holding spills and leaks. In addition to the necessary leak containment capacity, uncovered storage areas must be capable of holding the additional volume that would result from the precipitation of a maximum twenty-five year storm of twenty-four hours duration. The containment system must:

(i) Have a base underlying the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated rainfall until the collected material is detected and removed.

The base must be sloped or the containment system must be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;

(ii) Be designed for positive drainage control (such as a locked drainage valve) to prevent release of contaminated liquids and so that uncontaminated precipitation can be drained promptly for convenience of operation. Spilled or leaked waste and accumulated precipitation must be removed from the containment system in as timely a manner as is necessary to prevent overflow; and

(iii) Have sufficient capacity to contain ten percent of the volume of all containers or the volume of the largest container, whichever is greater. Only containers holding free liquids, or holding wastes designated as F020, F021, F022, F023, F026, or F027 need to be considered in this determination.

(b) Run-on into the containment system must be prevented, unless the department waives this requirement in the permit after determining that the collection system has sufficient excess capacity in addition to that required in (a)(iii) of this subsection to accommodate any run-on which might enter the system.

(c) Storage areas that store containers holding only wastes that do not contain free liquids, do not exhibit either the characteristic of ignitability or reactivity as described in WAC 173-303-090 (5) or (7), and are not designated as F020, F021, F022, F023, F026, or F027, need not have a containment system as described in this subsection: PROVIDED, That:

(i) The storage area is sloped or is otherwise designed and operated to drain and remove liquid resulting from precipitation; or

(ii) The containers are elevated or are otherwise protected from contact with accumulated liquids.

(d) EHW in containers must be protected from the elements by means of a building or other protective covering that otherwise allows adequate inspection under subsection (6) of this section.

(8) Special requirements for ignitable or reactive waste.

(a) Containers holding reactive waste exhibiting a characteristic specified in WAC 173-303-090 (7)(a)(vi), (vii) or (viii) must be stored in a manner equivalent to the Uniform Fire Code's "American Table of Distances for Storage of Explosives," Table 77-201, 1979 edition.

(b) The owner or operator shall design, operate, and maintain ignitable waste and reactive waste (other than a reactive waste which must meet (a) of this subsection) container storage in a manner equivalent with the Uniform Fire Code. Where no specific standard or requirements are specified in the Uniform Fire Code, or in existing state or local fire codes, applicable sections of the NFPA Pamphlet # 30, "Flammable and Combustible Liquids Code," shall be used. The owner/operator shall also comply with the requirements of WAC 173-303-395 (1)(d).

(9) Special requirements for incompatible wastes.

(a) Incompatible wastes, or incompatible wastes and materials must not be placed in the same container, unless WAC 173-303-395 (1)(b) is complied with.

(b) Dangerous waste must not be placed in an unwashed container that previously held an incompatible waste or material.

(c) A storage container holding a dangerous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device. Containment systems for incompatible wastes shall be separate.

(10) Closure. At closure, all dangerous waste and dangerous waste residues must be removed from the containment system. Remaining containers, liners, bases, and soil containing or contaminated with dangerous waste or dangerous waste residues must be decontaminated or removed.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-645 ((GROUND WATER PROTECTION)) RELEASES FROM SOLID WASTE MANAGEMENT UNITS. (1) Applicability.

(a)(i) Except as provided in (b) of this subsection, the regulations in this section apply to owners and operators of facilities that treat, store, or dispose of dangerous waste ((in surface impoundments, waste piles, land treatment units, or landfills)). The owner or operator must satisfy the requirements ((of this section)) identified in (a)(ii) of this subsection for all wastes (or constituents thereof) contained in ((any such

waste management unit at the facility that is a "regulated unit" (as defined in WAC 173-303-040(75)). Any waste or waste constituent migrating beyond the waste management area under subsection (6)(b) of this section, is assumed to originate from a regulated unit unless the owner or operator can prove to the satisfaction of the department that such waste or waste constituent originated from another source.

(b) The owner or operator is not subject to regulation under this section if:

(i) He designs and operates a surface impoundment in compliance with WAC 173-303-650(3) (except as provided for surface impoundments treating or storing EHW), a pile in compliance with WAC 173-303-660 (1)(c), (3), or (4), or a landfill in compliance with WAC 173-303-665(3);

(ii) solid waste management units at the facility, regardless of the time at which waste was placed in such units.

(ii) All solid waste management units must comply with the requirements in subsection (12) of this section. Regulated units (as defined in WAC 173-303-040) must comply with the requirements of subsections (2) through (11) of this section, in lieu of subsection (12) of this section, for purposes of detecting, characterizing, and responding to releases to the uppermost aquifer. The financial responsibility requirements of subsection (12) of this section apply to regulated units.

(b) The owner or operator's regulated unit or units are not subject to regulation for releases into the uppermost aquifer under this section if:

(i) The owner or operator is exempted under WAC 173-303-600; or

(ii) He operates a unit which the department finds:

(A) Is an engineered structure;

(B) Does not receive or contain liquid waste or waste containing free liquids;

(C) Is designed and operated to exclude liquid, precipitation, and other run-on and run-off;

(D) Has both inner and outer layers of containment enclosing the waste;

(E) Has a leak detection system built into each containment layer;

(F) The owner or operator will provide continuing operation and maintenance of these leak detection systems during the active life of the unit and the closure and post-closure care periods; and

(G) To a reasonable degree of certainty, will not allow dangerous constituents to migrate beyond the outer containment layer prior to the end of the post-closure care period.

(iii) The department finds, pursuant to WAC 173-303-655 (8)(d), that the treatment zone of a land treatment unit does not contain levels of dangerous constituents that are above background levels of those constituents by an amount that is statistically significant, and if an unsaturated zone monitoring program meeting the requirements of WAC 173-303-655(6) has not shown a statistically significant increase in dangerous constituents below the treatment zone during the operating life of the unit. An exemption under this subsection can only relieve an owner or operator of responsibility to meet the requirements of this section during the postclosure care period; or

((iii)) (iv) The department finds that there is no potential for migration of liquid from a regulated unit to the uppermost aquifer during the active life of the regulated unit (including the closure period) and the postclosure care period. This demonstration must be certified by a qualified geologist or geotechnical engineer. In order to provide an adequate margin of safety in the prediction of potential migration of liquid, the owner or operator must base any predictions made under this subsection on assumptions that maximize the rate of liquid migration.

(c) The regulations under this section apply during the active life of the regulated unit (including the closure period). After closure of the regulated unit, the regulations in this section:

(i) Do not apply if all waste, waste residues, contaminated containment system components, and contaminated subsoils are removed or decontaminated at closure in accordance with the removal or decontamination limits specified in WAC 173-303-610 (2)(b);

(ii) Apply during the postclosure care period if the owner or operator is conducting a detection monitoring program under subsection (9) of this section; and

(iii) Apply during the compliance period under subsection (7) of this section, if the owner or operator is conducting a compliance monitoring program under subsection (10) of this section, or a corrective action program under subsection (11) of this section.

(d) Regulations in this section may apply to miscellaneous units when necessary to comply with WAC 173-303-680 (2) through (4).

(2) Required programs.

(a) Owners and operators subject to this section must conduct a monitoring and response program as follows:

(i) Whenever dangerous constituents under subsection (4) of this section, from a regulated unit are detected at the compliance point under subsection (6) of this section, the owner or operator must institute a compliance monitoring program under subsection (10) of this section. Detected is defined as statistically significant evidence of contamination as described in subsection (9)(g) of this section;

(ii) Whenever the ground water protection standard under subsection (3) of this section, is exceeded, the owner or operator must institute a corrective action program under subsection (11) of this section. Exceeded is defined as statistically significant evidence of increased contamination as described in subsection (10)(h) of this section;

(iii) Whenever dangerous constituents under subsection (4) of this section, from a regulated unit exceed concentration limits under subsection (5) of this section, in ground water between the compliance point under subsection (6) of this section and the downgradient facility property boundary, the owner or operator must institute a corrective action program under subsection (11) of this section; and

(iv) In all other cases, the owner or operator must institute a detection monitoring program under subsection (9) of this section.

(b) The department will specify in the facility permit the specific elements of the monitoring and response program. The department may include one or more of the programs identified in (a) of this subsection, in the facility permit as may be necessary to protect human health and the environment and will specify the circumstances under which each of the programs will be required. In deciding whether to require the owner or operator to be prepared to institute a particular program, the department will consider the potential adverse effects on human health and the environment that might occur before final administrative action on a permit modification application to incorporate such a program could be taken.

(3) Ground water protection standard. The owner or operator must comply with conditions specified in the facility permit that are designed to ensure that dangerous constituents under subsection (4) of this section, (~~entering~~) detected in the ground water from a regulated unit do not exceed the concentration limits under subsection (5) of this section, in the uppermost aquifer underlying the waste management area beyond the point of compliance under subsection (6) of this section, during the compliance period under subsection (7) of this section. To the extent practical, the department will establish this ground water protection standard in the facility permit at the time the permit is issued. If the department determines that an established standard is not protective enough, or if the department decides that it is not practical to establish standards at the time of permit issuance, the department will establish the groundwater protection standard in the facility permit when dangerous constituents have (~~entered~~) been detected in the groundwater from a regulated unit.

(4) Dangerous constituents.

(a) The department will specify in the facility permit the dangerous constituents to which the ground water protection standard of subsection (3) of this section, applies. Dangerous constituents are constituents identified in 40 CFR Part 264 Appendix IX (this list is available from the department upon request), and any other constituents not listed there which have caused a waste to be regulated under this chapter, that may be or have been detected in ground water in the uppermost aquifer underlying a regulated unit and that are reasonably expected to be in or derived from waste contained in a regulated unit, unless the department has excluded them under (b) of this subsection.

The department may also specify in the permit indicator parameters (e.g., specific conductance, pH, total organic carbon (TOC), total organic halogen (TOX), or heavy metals), waste constituents or reaction products as identified in the detection monitoring program under subsection (9)(a) of this section, that provide a reliable indication of the presence of dangerous constituents in the ground water.

(b) The department will exclude a 40 CFR Part 264 Appendix IX, or other identified constituent from the list of dangerous constituents specified in the facility permit if it finds that the constituent is not capable of posing a substantial present or potential hazard to human health or the environment. In deciding whether to grant an exemption, the department will consider the following:

(i) Potential adverse effects on ground water quality, considering:

(A) The physical and chemical characteristics of the waste in the regulated unit, including its potential for migration;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity of ground water and the direction of ground water flow;

(D) The proximity and withdrawal rates of ground water users;

(E) The current and future uses of ground water in the area;

(F) The existing quality of ground water, including other sources of contamination and their cumulative impact on the ground water quality;

(G) The potential for health risks caused by human exposure to waste constituents;

(H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(I) The persistence and permanence of the potential adverse effects;

(ii) Potential adverse effects on hydraulically-connected surface water quality, considering:

(A) The volume and physical and chemical characteristics of the waste in the regulated unit;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity and quality of ground water, and the direction of ground water flow;

(D) The patterns of rainfall in the region;

(E) The proximity of the regulated unit to surface waters;

(F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;

(G) The existing quality of surface water, including other sources of contamination and the cumulative impact on surface water quality;

(H) The potential for health risks caused by human exposure to waste constituents;

(I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(J) The persistence and permanence of the potential adverse effects; and

(iii) Any identification of underground sources of drinking water and exempted aquifers made pursuant to chapter 90.48 RCW, chapter 270, Laws of 1983, and other applicable state laws and regulations.

(5) Concentration limits.

(a) The department will specify in the facility permit concentration limits in the ground water for dangerous constituents established under subsection (4) of this section. The concentration of a dangerous constituent:

(i) Must not exceed the background level of that constituent in the ground water at the time that limit is specified in the permit; or

(ii) For any of the constituents listed in Table 1 of this subsection, must not exceed the respective value given in that table if the background level of the constituent is below the value given in Table 1; or

(iii) Must not exceed an alternate limit established by the department under (b) of this subsection.

Table 1. Maximum Concentration of Constituents for Ground Water Protection

| Constituent | Maximum Concentration ¹ |
|-----------------------|------------------------------------|
| Arsenic _____ | 0.05 |
| Barium _____ | 1.0 |
| Cadmium _____ | 0.01 |
| Chromium _____ | 0.05 |
| Lead _____ | 0.05 |
| Mercury _____ | 0.002 |
| Selenium _____ | 0.01 |
| Silver _____ | 0.05 |
| Endrin _____ | 0.0002 |
| Lindane _____ | 0.004 |
| Methoxychlor _____ | 0.1 |
| Toxaphene _____ | 0.005 |
| 2,4-D _____ | 0.1 |
| 2,4,5-TP Silvex _____ | 0.01 |

¹Milligrams per liter.

(b) The department will establish an alternate concentration limit for a dangerous constituent if it finds that the constituent will not pose a substantial present or potential hazard to human health or the environment as long as the alternate concentration limit is not exceeded. In establishing alternate concentration limits, the department will consider the same factors listed in subsection (4)(b) (i) through (iii) of this section.

(6) Point of compliance.

(a) The department will specify in the facility permit the point of compliance at which the ground water protection standard of subsection (3) of this section, applies and at which monitoring must be conducted. The point of compliance is a vertical surface located at the hydraulically downgradient limit of the waste management area that extends down into the uppermost aquifer underlying the regulated units. Alternatively, the point of compliance may be any closer points identified by the department at the time the permit is issued, considering the risks of the facility, the wastes and constituents managed there, the potential for waste constituents to have already migrated past the alternate compliance point, and the potential threats to ground and surface waters.

(b) The waste management area is the limit projected in the horizontal plane of the area on which waste will be placed during the active life of a regulated unit. The waste management area includes horizontal space taken up by any liner, dike, or other barrier designed to contain waste in a regulated unit. If the facility contains more than one regulated unit, the waste management area is described by an imaginary line circumscribing the several regulated units.

(7) Compliance period.

(a) The department will specify in the facility permit the compliance period during which the ground water protection standard of subsection (3) of this section applies. The compliance period is the number of years equal to the active life of the waste management area (including any waste management activity prior to permitting, and the closure period).

(b) The compliance period begins when the owner or operator initiates a compliance monitoring program meeting the requirements of subsection (10) of this section.

(c) If the owner or operator is engaged in a corrective action program at the end of the compliance period specified in (a) of this subsection, the compliance period is extended until the owner or operator can demonstrate that the ground water protection standard of subsection (3) of this section, has not been exceeded for a period of three consecutive years.

(8) General ground water monitoring requirements.

The owner or operator must comply with the requirements of this subsection for any ground water monitoring program developed to satisfy subsections (9), (10), or (11) of this section.

(a) The ground water monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield ground water samples from the uppermost aquifer that:

(i) Represent the quality of background water that has not been affected by leakage from a regulated unit; ~~(and)~~

(A) A determination of background quality may include sampling of wells that are not hydraulically upgradient of the waste management area where:

(I) Hydrogeologic conditions do not allow the owner or operator to determine what wells are hydraulically upgradient; and

(II) Sampling at other wells will provide an indication of background ground water quality that is representative or more representative than that provided by the upgradient wells; and

(ii) Represent the quality of ground water passing the point of compliance.

(iii) Allow for the detection of contamination when dangerous waste or dangerous constituents have migrated from the waste management area to the uppermost aquifer.

(b) If a facility contains more than one regulated unit, separate ground water monitoring systems are not required for each regulated unit, provided that provisions for sampling the ground water in the uppermost aquifer will enable detection and measurement at the compliance point of dangerous constituents from the regulated units that have entered the ground water in the uppermost aquifer.

(c) All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must allow collection of representative ground water samples. Wells must be constructed in such a manner as to prevent contamination of the samples, the sampled strata, and between aquifers and water bearing strata. Wells must meet the requirements set forth in Parts 1 and 3 of chapter 173-160 WAC, "Minimum standards for construction and maintenance of wells."

(d) The ground water monitoring program must include at a minimum, procedures and techniques for:

(i) Decontamination of drilling and sampling equipment;

(ii) Sample collection;

(iii) Sample preservation and shipment;

(iv) Analytical procedures and quality assurance; and

(v) Chain of custody control.

(e) The ground water monitoring program must include consistent sampling and analytical methods that ensure reliable ground water sampling, accurately measure dangerous constituents and indicator parameters in ground water samples, and provide a reliable indication of groundwater quality below the waste management area.

(f) The ground water monitoring program must include a determination of the ground water surface elevation each time ground water is sampled.

~~(g) (Where appropriate, the ground water monitoring program must establish background ground water quality for each of the dangerous constituents or monitoring parameters or constituents specified in the permit:~~

~~(i) In the detection monitoring program under subsection (9) of this section, background ground water quality for a monitoring parameter or constituent must be based on data from quarterly sampling of wells upgradient from the waste management area for one year:~~

~~(ii) In the compliance monitoring program under subsection (10) of this section, background ground water quality for a dangerous constituent must be based on data from upgradient wells that:~~

~~(A) Is available before the permit is issued;~~

~~(B) Accounts for measurement errors in sampling and analysis; and~~

~~(C) Accounts, to the extent feasible, for seasonal fluctuations in background ground water quality if such fluctuations are expected to affect the concentration of the dangerous constituent:~~

~~(iii) Background ground water quality may be based on sampling of wells that are not upgradient from the waste management area where:~~

~~(A) Hydrogeologic conditions do not allow the owner or operator to determine what wells are upgradient; or~~

~~(B) Sampling at other wells will provide an indication of background ground water quality that is as representative or more representative than that provided by the upgradient wells:~~

~~(iv) In developing the data base used to determine a background value for each parameter or constituent, the owner or operator must take a minimum of one sample from each well and a minimum of four samples from the entire system used to determine background ground water quality, each time the system is sampled:~~

~~(h) The owner or operator must use the following statistical procedure in determining whether background values or concentration limits have been exceeded:~~

~~(i) If, in a detection monitoring program, the level of a constituent at the compliance point is to be compared to the constituent's background value and that background value has a sample coefficient of variation less than 1.00:~~

~~(A) The owner or operator must take at least four portions from a sample at each well at the compliance point and determine whether the difference between the mean of the constituent at each well (using all portions taken) and the background value for the constituent is significant at the 0.05 level using the Cochran's Approximation to the Behrens-Fisher Student's t-test as described in Appendix IV of 40 CFR Part 264. If the test indicates that the difference is significant, the owner or operator must repeat the same procedure (with at least the same number of portions as used in the first test) with a fresh sample from the monitoring well. If this second round of analyses indicates that the difference is significant, the owner or operator must conclude that a statistically significant change has occurred; or~~

~~(B) The owner or operator may use an equivalent statistical procedure for determining whether a statistically significant change has occurred. The department will specify such a procedure in the facility permit if it finds that the alternative procedure reasonably balances the probability of falsely identifying a noncontaminating regulated unit and the probability of failing to identify a contaminating regulated unit in a manner that is comparable to that of the statistical procedure described in (h)(i)(A) of this subsection; and~~

~~(ii) In all other situations in a detection monitoring program and in a compliance monitoring program, the owner or operator must use a statistical procedure providing reasonable confidence that the migration of dangerous constituents from a regulated unit into and through the aquifer will be indicated. The department will specify a statistical procedure in the facility permit that it finds:~~

~~(A) Is appropriate for the distribution of the data used to establish background values or concentration limits; and~~

~~(B) Provides a reasonable balance between the probability of falsely identifying a noncontaminating regulated unit and the probability of failing to identify a contaminating regulated unit.) In detection monitoring or where appropriate in compliance monitoring, data on each dangerous constituent specified in the permit will be collected from~~

background wells and wells at the compliance point(s). The number and kinds of samples collected to establish background shall be appropriate for the form of statistical test employed, following generally accepted statistical principles. The sample size shall be as large as necessary to ensure with reasonable confidence that a contaminant release to ground water from a facility will be detected. The owner or operator will determine an appropriate sampling procedure and interval for each hazardous constituent listed in the facility permit which shall be specified in the unit permit upon approval by the department. This sampling procedure shall be:

(i) A sequence of at least four samples, taken at an interval that assures, to the greatest extent technically feasible, that an independent sample is obtained, by reference to the uppermost aquifer's effective porosity, hydraulic conductivity and hydraulic gradient, and the fate and transport characteristics of the potential contaminants; or

(ii) An alternate sampling procedure proposed by the owner or operator and approved by the department.

(h) The owner or operator will specify one of the following statistical methods to be used in evaluating ground water monitoring data for each hazardous constituent which, upon approval by the department, will be specified in the unit permit. The statistical test chosen shall be conducted separately for each dangerous constituent in each well. Where practical quantification limits (pql's) are used in any of the following statistical procedures to comply with (i)(v) of this subsection, the pql must be proposed by the owner or operator and approved by the department. Use of any of the following statistical methods must be protective of human health and the environment and must comply with the performance standards outlined in (i) of this subsection.

(i) A parametric analysis of variance (ANOVA) followed by multiple comparisons procedures to identify statistically significant evidence of contamination. The method must include estimation and testing of the contrasts between each compliance well's mean and the background mean levels for each constituent.

(ii) An analysis of variance (ANOVA) based on ranks followed by multiple comparisons procedures to identify statistically significant evidence of contamination. The method must include estimation and testing of the contrasts between each compliance well's median and the background median levels for each constituent.

(iii) A tolerance or prediction interval procedure in which an interval for each constituent is established from the distribution of the background data, and the level of each constituent in each compliance well is compared to the upper tolerance or prediction limit.

(iv) A control chart approach that gives control limits for each constituent.

(v) Another statistical test method submitted by the owner or operator and approved by the department.

(i) Any statistical method chosen under (h) of this subsection for specification in the unit permit shall comply with the following performance standards, as appropriate:

(i) The statistical method used to evaluate ground water monitoring data shall be appropriate for the distribution of chemical parameters or dangerous constituents. If the distribution of the chemical parameters or dangerous constituents is shown by the owner or operator to be inappropriate for a normal theory test, then the data should be transformed or a distribution-free theory test should be used. If the distributions for the constituents differ, more than one statistical method may be needed.

(ii) If an individual well comparison procedure is used to compare an individual compliance well constituent concentration with background constituent concentrations or a ground water protection standard, the test shall be done at a Type I error level no less than 0.01 for each testing period. If a multiple comparisons procedure is used, the Type I experimentwise error rate for each testing period shall be no less than 0.05; however, the Type I error of no less than 0.01 for individual well comparisons must be maintained. This performance standard does not apply to tolerance intervals, prediction intervals, or control charts.

(iii) If a control chart approach is used to evaluate ground water monitoring data, the specific type of control chart and its associated parameter values shall be proposed by the owner or operator and approved by the department if it is protective of human health and the environment.

(iv) If a tolerance interval or a prediction interval is used to evaluate ground water monitoring data, the levels of confidence and, for tolerance intervals, the percentage of the population that the interval must contain, shall be proposed by the owner or operator and approved by the department if it finds these parameters to be protective of human

health and the environment. These parameters will be determined after considering the number of samples in the background data base, the data distribution, and the range of the concentration values for each constituent of concern.

(v) The statistical method shall account for data below the limit of detection with one or more statistical procedures that are protective of human health and the environment. Any practical quantification limit (pql) approved by the department under (h) of this subsection that is used in the statistical method shall be the lowest concentration level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions that are available to the facility.

(vi) If necessary, the statistical method shall include procedures to control or correct for seasonal and spatial variability as well as temporal correlation in the data.

(j) Ground water monitoring data collected in accordance with (g) of this subsection including actual levels of constituents must be maintained in the facility operating record. The department will specify in the permit when the data must be submitted for review.

(9) Detection monitoring program. An owner or operator required to establish a detection monitoring program under this subsection must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must monitor for indicator parameters (e.g., pH, specific conductance, total organic carbon (TOC), total organic halogen (TOX), or heavy metals), waste constituents, or reaction products that provide a reliable indication of the presence of dangerous constituents in ground water. The department will specify the parameters or constituents to be monitored in the facility permit, after considering the following factors:

(i) The types, quantities, and concentrations of constituents in wastes managed at the regulated unit;

(ii) The mobility, stability, and persistence of waste constituents or their reaction products in the unsaturated zone beneath the waste management area;

(iii) The detectability of indicator parameters, waste constituents, and reaction products in ground water; and

(iv) The concentrations or values and coefficients of variation of proposed monitoring parameters or constituents in the ground water background.

(b) The owner or operator must install a ground water monitoring system at the compliance point, as specified under subsection (6) of this section. The ground water monitoring system must comply with subsection (8)(a)(ii), (b), and (c) of this section.

(c) The owner or operator must (establish a background value for each monitoring parameter or constituent specified in the permit pursuant to (a) of this subsection. The permit will specify the background values for each parameter or specify the procedures to be used to calculate the background values. The owner or operator must comply with subsection (8)(g) of this section, in developing the data base used to determine background values. The owner or operator must express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section. In taking samples used in the determination of background values, the owner or operator must use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section.

(d) The owner or operator must determine ground water quality at each monitoring well at the compliance point at least semiannually during the active life of a regulated unit (including the closure period) and the postclosure care period. The owner or operator must express the ground water quality at each monitoring well in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section.) conduct a ground water monitoring program for each chemical parameter and dangerous constituent specified in the permit pursuant to (a) of this subsection in accordance with subsection (8)(g) of this section. The owner or operator must maintain a record of ground water analytical data as measured and in a form necessary for the determination of statistical significance under subsection (8)(h) of this section.

(d) The department will specify the frequencies for collecting samples and conducting statistical tests to determine whether there is statistically significant evidence of contamination for any parameter or dangerous constituent specified in the permit under (a) of this subsection in accordance with subsection (8)(g) of this section. A sequence of at least four samples from each well (background and compliance wells) must be collected at least semiannually during detection monitoring.

(e) The owner or operator must determine the ground water flow rate and direction in the uppermost aquifer at least annually.

(f) The owner or operator must ~~(use procedures and methods for sampling and analysis that meet the requirements of subsection (8)(d) and (c) of this section.~~

~~(g) The owner or operator must determine whether there is a statistically significant increase over background values for any parameter or constituent specified in the permit pursuant to (a) of this subsection; each time he determines ground water quality at the compliance point under (d) of this subsection:~~

~~(i) In determining whether a statistically significant increase has occurred, the owner or operator must compare the ground water quality at each monitoring well at the compliance point for each parameter or constituent to the background value for that parameter or constituent, according to the statistical procedure specified in the permit under subsection (8)(h) of this section.~~

~~(ii) The owner or operator must determine whether there has been a statistically significant increase at each monitoring well at the compliance point within a reasonable time period after completion of sampling. The department will specify that time period in the facility permit, after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.~~

~~(h) If the owner or operator determines, pursuant to (g) of this subsection, that there is a statistically significant increase for parameters or constituents specified pursuant to (a) of this subsection, at any monitoring well at the compliance point, he must:~~

~~(i) Notify the department of this finding in writing within seven days. The notification must indicate what parameters or constituents have shown statistically significant increases;~~

~~(ii) Immediately sample the ground water in all monitoring wells and determine the concentration of all constituents identified in 40 CFR Part 264 Appendix IX, and all other dangerous constituents not listed in 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, that are present in ground water;~~

~~(iii) Establish a background value for each constituent identified in 40 CFR Part 264 Appendix IX, and all other dangerous constituents not listed in 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, that has been found at the compliance point under (h)(ii) of this subsection, as follows:~~

~~(A) The owner or operator must comply with subsection (8)(g) of this section, in developing the data base used to determine background values;~~

~~(B) The owner or operator must express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section; and~~

~~(C) In taking samples used in the determination of background values, the owner or operator must use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section;~~

~~(iv) Within a maximum of forty-five days, submit to the department an application for a permit modification to establish a compliance monitoring program meeting the requirements of subsection (10) of this section. The application must include the following information:~~

~~(A) An identification of the concentration of any constituents identified in 40 CFR Part 264 Appendix IX, and any other dangerous constituents not listed in 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section, found in the ground water at each monitoring well at the compliance point;~~

~~(B) Any proposed changes to the ground water monitoring system at the facility necessary to meet the requirements of subsection (10) of this section;~~

~~(C) Any proposed changes to the monitoring frequency, sampling and analysis procedures or methods, or statistical procedures used at the facility necessary to meet the requirements of subsection (10) of this section;~~

~~(D) For each dangerous constituent found at the compliance point, a proposed concentration limit under subsection (5)(a)(i) or (ii) of this section, or a notice of intent to seek a variance under subsection (5)(b) of this section; and~~

~~(v) Within ninety days, submit to the department:~~

~~(A) All data necessary to justify any variance sought under subsection (5)(b) of this section; and~~

~~(B) An engineering feasibility plan necessary to meet the requirements of subsection (11) of this section, unless:~~

~~(f) All dangerous constituents identified under (h)(ii) of this subsection, are listed in Table 1 of subsection (5) of this section, and their concentrations do not exceed the respective values given in that table; or~~

~~(H) The owner or operator has sought a variance under subsection (5)(b) of this section, for every dangerous constituent identified under (h)(ii) of this subsection.~~

~~(i) If the owner or operator determines, pursuant to (g) of this subsection, that there is a statistically significant increase of parameters or constituents specified pursuant to (a) of this subsection, at any monitoring well at the compliance point, he may demonstrate that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. While the owner or operator may make a demonstration under this subsection in addition to, or in lieu of, submitting a permit modification application under (h)(iv) of this subsection, he is not relieved of the requirement to submit a permit modification application within the time specified in (h)(iv) of this subsection, unless the demonstration made under this subsection successfully shows that a source other than his regulated unit(s) caused the increase or that the increase resulted from error in sampling, analysis, or evaluation. In making a demonstration under this subsection, the owner or operator must:~~

~~(i) Notify the department in writing within seven days of determining a statistically significant increase at the compliance point that he intends to make a demonstration under this subsection;~~

~~(ii) Within forty-five days, submit a report to the department which demonstrates that a source other than a regulated unit caused the increase, or that the increase resulted from error in sampling, analysis, or evaluation;~~

~~(iii) Within forty-five days, submit to the department an application for a permit modification to make any appropriate changes to the detection monitoring program at the facility; and~~

~~(iv) Continue to monitor in accordance with the detection monitoring program established under this section.~~

~~(j) If the owner or operator determines that the detection monitoring program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.~~

~~(k) The owner or operator must assure that monitoring and corrective action measures necessary to achieve compliance with the ground water protection standard under subsection (3) of this section, are taken during the term of the permit.) determine whether there is statistically significant evidence of contamination for any chemical parameter of dangerous constituent specified in the permit pursuant to (a) of this subsection at a frequency specified under (d) of this subsection.~~

~~(i) In determining whether statistically significant evidence of contamination exists, the owner or operator must use the method(s) specified in the permit under subsection (8)(h) of this section. These method(s) must compare data collected at the compliance point(s) to the background ground water quality data.~~

~~(ii) The owner or operator must determine whether there is statistically significant evidence of contamination at each monitoring well as the compliance point within a reasonable period of time after completion of sampling. The department will specify in the facility permit what period of time is reasonable after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.~~

~~(g) If the owner or operator determines pursuant to (f) of this subsection that there is statistically significant evidence of contamination for chemical parameters or dangerous constituents specified pursuant to (a) of this subsection at any monitoring well at the compliance point, he or she must:~~

~~(i) Notify the department of this finding in writing within seven days. The notification must indicate what chemical parameters or dangerous constituents have shown statistically significant evidence of contamination;~~

~~(ii) Immediately sample the ground water in all monitoring wells and determine whether constituents in the list of Appendix IX of Part 264 are present, and if so, in what concentration.~~

~~(iii) For any Appendix IX compounds found in the analysis pursuant to (g)(ii) of this subsection, the owner or operator may resample within one month and repeat the analysis for those compounds detected. If the results of the second analysis confirm the initial results, then these constituents will form the basis for compliance monitoring. If the owner or operator does not resample for the compounds found pursuant to (g)(ii) of this subsection, the dangerous constituents found during this~~

initial Appendix IX analysis will form the basis for compliance monitoring.

(iv) Within ninety days, submit to the department an application for a permit modification to establish a compliance monitoring program meeting the requirements of subsection (10) of this section. The application must include the following information:

(A) An identification of the concentration or any Appendix IX constituent detected in the ground water at each monitoring well at the compliance point;

(B) Any proposed changes to the ground water monitoring system at the facility necessary to meet the requirements of subsection (10) of this section;

(C) Any proposed additions or changes to the monitoring frequency, sampling and analysis procedures or methods, or statistical methods used at the facility necessary to meet the requirements of subsection (10) of this section;

(D) For each dangerous constituent detected at the compliance point, a proposed concentration limit under subsection (5)(a)(i) or (ii) of this section, or a notice of intent to seek an alternate concentration limit under subsection (5)(b) of this section; and

(v) Within one hundred eighty days, submit to the department:

(A) All data necessary to justify and alternate concentration limit sought under subsection (5)(b) of this section; and

(B) An engineering feasibility plan for a corrective action program necessary to meet the requirement of subsection (11) of this section unless:

(I) All dangerous constituents identified under (g)(ii) of this subsection are listed in Table I of subsection (5) of this section and their concentrations do not exceed the respective values given in that Table; or

(II) The owner or operator has sought an alternate concentration limit under subsection (5)(b) of this section for every dangerous constituent identified under (g)(ii) of this subsection.

(vi) If the owner or operator determines, pursuant to (f) of this subsection, that there is a statistically significant difference for chemical parameters or dangerous constituents specified pursuant to (a) of this subsection at any monitoring well at the compliance point, he or she may demonstrate that a source other than a regulated unit caused the contamination or that the detection is an artifact caused by an error in sampling, analysis, or statistical evaluation or natural variation in the ground water. The owner operator may make a demonstration under this subsection in addition to, or in lieu of, submitting a permit modification application under (g)(iv) of this subsection; however, the owner or operator is not relieved of the requirement to submit a permit modification application within the time specified in (g)(iv) of this subsection unless the demonstration made under this subsection successfully shows that a source other than a regulated unit caused the increase, or that the increase resulted from error in sampling, analysis, or evaluation. In making a demonstration under this subsection, the owner or operator must:

(A) Notify the department in writing within seven days of determining statistically significant evidence of contamination at the compliance point that he intends to make a demonstration under this subsection;

(B) Within ninety days, submit a report to the department which demonstrates that a source other than a regulated unit caused the contamination or that the contamination resulted from error in sampling, analysis, or evaluation;

(C) Within ninety days, submit to the department an application for a permit modification to make any appropriate changes to the detection monitoring program facility; and

(D) Continue to monitor in accordance with the detection monitoring program established under this section.

(h) If the owner or operator determines that the detection monitoring program no longer satisfies the requirements of this section, he or she must, within ninety days, submit an application for a permit modification to make any appropriate changes to the program.

(10) Compliance monitoring program. An owner or operator required to establish a compliance monitoring program under this section must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must monitor the ground water to determine whether regulated units are in compliance with the ground water

protection standard under subsection (3) of this section. The department will specify the ground water protection standard in the facility permit, including:

(i) A list of the dangerous constituents and parameters identified under subsection (4) of this section;

(ii) Concentration limits under subsection (5) of this section for each of those dangerous constituents and parameters;

(iii) The compliance point under subsection (6) of this section; and

(iv) The compliance period under subsection (7) of this section.

(b) The owner or operator must install a ground water monitoring system at the compliance point as specified under subsection (6) of this section. The ground water monitoring system must comply with subsection (8)(a)(ii), (b), and (c) of this section.

(c) ((Where a concentration limit established under (a)(ii) of this subsection, is based on background ground water quality, the department will specify the concentration limit in the permit as follows:

(i) If there is a high temporal correlation between upgradient and compliance point concentrations of the dangerous constituents and parameters, the owner or operator may establish the concentration limit through sampling at upgradient wells each time ground water is sampled at the compliance point. The department will specify the procedures used for determining the concentration limit in this manner in the permit. In all other cases, the concentration limit will be the mean of the pooled data on the concentration of the dangerous constituent or parameter;

(ii) If a dangerous constituent from Table I under subsection (5) of this section is identified and the difference between the respective concentration limit in Table I and the background value of that constituent under subsection (8)(g) of this section is not statistically significant, the owner or operator must use the background value of the constituent as the concentration limit. In determining whether this difference is statistically significant, the owner or operator must use an approved statistical procedure providing reasonable confidence that a real difference will be indicated. The statistical procedure must:

(A) Be appropriate for the distribution of the data used to establish background values; and

(B) Provide a reasonable balance between the probability of falsely identifying a significant difference and the probability of failing to identify a significant difference; and

(iii) The owner or operator must:

(A) Comply with subsection (8)(g) of this section, in developing the data base used to determine background values;

(B) Express background values in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section; and

(C) Use a ground water monitoring system that complies with subsection (8)(a)(i), (b), and (c) of this section.

(d) The owner or operator must determine the concentration of dangerous constituents and parameters in ground water at each monitoring well at the compliance point at least quarterly during the compliance period. The owner or operator must express the concentration at each monitoring well in a form necessary for the determination of statistically significant increases under subsection (8)(h) of this section.)) The department will specify the sampling procedures and statistical methods appropriate for the constituents and the facility, consistent with subsection (8)(g) and (h) of this section.

(i) The owner or operator must conduct a sampling program for each chemical parameter or dangerous constituent in accordance with subsection (8) (g) of this section.

(ii) The owner or operator must record ground water analytical data as measured and in form necessary for the determination of statistical significance under subsection (8)(h) of this section for the compliance period of the facility.

(d) The owner or operator must determine whether there is statistically significant evidence of increased contamination for any chemical parameter or dangerous constituent specified in the permit, pursuant to (a) of this subsection, at a frequency specified under (f) of this subsection.

(i) In determining whether statistically significant evidence of increased contamination exists, the owner or operator must use the method(s) specified in the permit under subsection (8)(h) of this section. The method(s) must compare data collected at the compliance point(s) to a concentration limit developed in accordance with subsection (5) of this section.

(ii) The owner or operator must determine whether there is statistically significant evidence of increased contamination at each monitoring well at the compliance point within a reasonable time period after completion of sampling. The department will specify that time period in the facility permit, after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.

(e) The owner or operator must determine the rate and direction of ground water flow in the uppermost aquifer at least annually.

(f) The owner or operator must analyze samples from all monitoring wells at the compliance point for constituents identified in 40 CFR Part 264 Appendix IX, and any other dangerous constituents not listed in 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section at least annually to determine whether additional dangerous constituents are present in the uppermost aquifer. If the owner or operator finds constituents identified in 40 CFR Part 264 Appendix IX, and any other dangerous constituents not listed in 40 CFR Part 264 Appendix IX, but which are specified in the facility permit pursuant to subsection (4)(a) of this section in the ground water that are not identified in the permit as dangerous constituents, he must report the concentrations of these additional constituents to the department within seven days after completion of the analysis.

(g) The owner or operator must use procedures and methods for sampling and analysis that meet the requirements of subsection (8)(d) and (c) of this section.

(h) The owner or operator must determine whether there is a statistically significant increase over the concentration limits for any dangerous constituents specified in the permit each time he determines the concentration of dangerous constituents in ground water at the compliance point:

(i) In determining whether a statistically significant increase has occurred, the owner or operator must compare the ground water quality at each monitoring well at the compliance point for each dangerous constituent to the concentration limit for that constituent according to the statistical procedures specified in the permit under subsection (8)(h) of this section.

(ii) The owner or operator must determine whether there has been a statistically significant increase at each monitoring well at the compliance point, within a reasonable time period after completion of sampling. The department will specify that time period in the facility permit, after considering the complexity of the statistical test and the availability of laboratory facilities to perform the analysis of ground water samples.

(iii) The department will specify the frequencies for collecting samples and conducting statistical tests to determine statistically significant evidence of increased contamination in accordance with subsection (8)(g) of this section. A sequence of at least four samples from each well (background and compliance wells) must be collected at least semiannually during the compliance period of the facility.

(g) The owner or operator must analyze samples from all monitoring wells at the compliance point for all constituents contained in Appendix IX of Part 264 at least annually to determine whether additional dangerous constituents are present in the uppermost aquifer and, if so, at what concentration, pursuant to procedures in (f) of this subsection. If the owner or operator finds Appendix IX constituents in the ground water that are not already identified in the permit as monitoring constituents, the owner or operator may resample within one month and repeat the Appendix IX analysis. If the second analysis confirms the presence of new constituents, the owner or operator must report the concentration of these additional constituents to the department within seven days after the completion of the second analysis and add them to the monitoring list. If the owner or operator chooses not to resample, then he or she must report the concentrations of these additional constituents to the department within seven days after completion of the initial analysis and add them to the monitoring list. If the owner or operator determines, pursuant to ((h)) (d) of this subsection, that ((the ground water protection standard is)) any concentration limits under subsection (5) of this section are being exceeded at any monitoring well at the point of compliance, he must:

(i) Notify the department of this finding in writing within seven days. The notification must indicate what concentration limits have been exceeded;

(ii) Submit to the department an application for a permit modification to establish a corrective action program meeting the requirements of subsection (11) of this section, within ninety days, or within sixty days if an engineering feasibility study has been previously submitted

to the department under subsection (9)(h)(v) of this section. For regulated units managing EHW, time frames of sixty days and forty-five days, respectively will apply. However, if the department finds that the full extent of the ninety/sixty-day or the sixty/forty-five-day time periods will increase the likelihood to cause a threat to public health, or the environment, it can at its discretion reduce their duration. In specifying shorter limits, the department will consider the following factors:

(A) The physical and chemical characteristics of the dangerous constituents and parameters in the ground water;

(B) The hydrogeological characteristics of the facility and of the surrounding land;

(C) The rate of movement and direction of flow of the affected ground water;

(D) The proximity to and withdrawal rates of ground water users downgradient; and

(E) The current and future uses of ground water in the concerned area; and

(iii) The application must at a minimum include the following information:

(A) A detailed description of corrective actions that will achieve compliance with the ground water protection standard specified in the permit; and

(B) A plan for a ground water monitoring program that will demonstrate the effectiveness of the corrective action.

~~((j)) (i) If the owner or operator determines, pursuant to ((h)) (d) of this subsection, that the ground water ((protection standard is)) concentration limits under this section are being exceeded at any monitoring well at the point of compliance, he may demonstrate that a source other than a regulated unit caused the ((increase or that the increase resulted from)) contamination or that the detection is an artifact caused by an error in sampling, analysis, or statistical evaluation((While the owner or operator may make a demonstration under this subsection in addition to, or in lieu of, submitting a permit modification application under (i)(ii) of this subsection, he is not relieved of the requirement to submit a permit modification application within the time specified in (i)(ii) of this subsection, unless the demonstration made under this paragraph successfully shows that a source other than a regulated unit caused the increase or that the increase resulted from error in sampling, analysis, or evaluation)) or natural variation in the ground water. In making a demonstration under this subsection, the owner or operator must:~~

~~(i) Notify the department in writing within seven days that he intends to make a demonstration under this subsection;~~

~~(ii) Within forty-five days, submit a report to the department which demonstrates that a source other than a regulated unit caused the standard to be exceeded or that the apparent noncompliance with the standards resulted from error in sampling, analysis, or evaluation;~~

~~(iii) Within forty-five days, submit to the department an application for a permit modification to make appropriate changes to the compliance monitoring program at the facility; and~~

~~(iv) Continue to monitor in accord with the compliance monitoring program established under this section.~~

~~((k)) (j) If the owner or operator determines that the compliance monitoring program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.~~

~~((l) The owner or operator must assure that monitoring and corrective action measures necessary to achieve compliance with the ground water protection standard under subsection (3) of this section, are taken during the term of the permit:)~~

(11) Corrective action program. An owner or operator required to establish a corrective action program under this section must, at a minimum, discharge the responsibilities described in this subsection.

(a) The owner or operator must take corrective action to ensure that regulated units are in compliance with the ground water protection standard under subsection (3) of this section. The department will specify the ground water protection standard in the facility permit, including:

(i) A list of the dangerous constituents and parameters identified under subsection (4) of this section;

(ii) Concentration limits under subsection (5) of this section, for each of those dangerous constituents and parameters;

(iii) The compliance point under subsection (6) of this section; and

(iv) The compliance period under subsection (7) of this section.

(b) The owner or operator must implement a corrective action program that prevents dangerous constituents and parameters from exceeding their respective concentration limits at the compliance point by

removing the dangerous waste constituents and parameters or treating them in place. The permit will specify the specific measures that will be taken.

(c) The owner or operator must begin corrective action within a reasonable time period after the ground water protection standard is exceeded. The department will specify that time period in the facility permit. If a facility permit includes a corrective action program in addition to a compliance monitoring program, the permit will specify when the corrective action will begin and such a requirement will operate in lieu of subsection (10)(i)(ii) of this section.

(d) In conjunction with a corrective action program, the owner or operator must establish and implement a ground water monitoring program to demonstrate the effectiveness of the corrective action program. Such a monitoring program may be based on the requirements for a compliance monitoring program under subsection (10) of this section, and must be as effective as that program in determining compliance with the ground water protection standard under subsection (3) of this section, and in determining the success of a corrective action program under (e) of this subsection, where appropriate.

(e) In addition to the other requirements of this section, the owner or operator must conduct a corrective action program to remove or treat in place any dangerous constituents or parameters under subsection (4) of this section, that exceed concentration limits under subsection (5) of this section, in ground water between the compliance point under subsection (6) of this section, and the downgradient facility property boundary. The permit will specify the measures to be taken.

(i) Corrective action measures under this subsection must be initiated at the effective date of the modified permit and completed without time delays considering the extent of contamination.

(ii) Corrective action measures under this subsection may be terminated once the concentration of dangerous constituents and parameters under subsection (4) of this section, is reduced to levels below their respective concentration limits under subsection (5) of this section.

(f) The owner or operator must continue corrective action measures during the compliance period to the extent necessary to ensure that the ground water protection standard is not exceeded. If the owner or operator is conducting corrective action at the end of the compliance period, he must continue that corrective action for as long as necessary to achieve compliance with the ground water protection standard. The owner or operator may terminate corrective action measures taken beyond the period equal to the active life of the waste management area (including the closure period) if he can demonstrate, based on data from the ground water monitoring program under (d) of this subsection, that the ground water protection standard of subsection (3) of this section, has not been exceeded for a period of three consecutive years.

(g) The owner or operator must report in writing to the department on the effectiveness of the corrective action program. The owner or operator must submit these reports semiannually.

(h) If the owner or operator determines that the corrective action program no longer satisfies the requirements of this section, he must, within forty-five days, submit an application for a permit modification to make any appropriate changes to the program.

(12) Corrective action for solid waste management units.

(a) The owner or operator of a facility seeking a permit for the treatment, storage, or disposal of dangerous waste must institute corrective action as necessary to protect human health and the environment for all releases of dangerous waste or constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in such unit.

(b) Corrective action will be specified in the permit. The permit will contain schedules of compliance for such corrective action (where such corrective action cannot be completed prior to issuance of the permit) and assurances of financial responsibility for completing such corrective action.

(c) The owner or operator must implement corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the satisfaction of the department that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such actions. The owner/operator is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied. On-site measures to address such releases will be determined on a case-by-case basis. Assurances of financial responsibility for such corrective action must be provided.

READOPTED SECTION (Readopting Order 88-29, filed 9/6/88)

WAC 173-303-650 SURFACE IMPOUNDMENTS. (1) Applicability. The regulations in this section apply to owners and operators of facilities that use surface impoundments to treat, store, or dispose of dangerous waste.

(2) Design and operating requirements.

(a)(i) A surface impoundment (except for an existing portion of a surface impoundment) must have a liner that is designed, constructed, and installed to prevent any migration of wastes out of the impoundment to the adjacent subsurface soil or ground water or surface water at any time during the active life (including the closure period) of the impoundment. The liner may be constructed of materials that may allow wastes to migrate into the liner (but not into the adjacent subsurface soil or ground water or surface water) during the active life of the facility, provided that the impoundment is closed in accordance with subsection (6)(a)(i) of this section. For impoundments that will be closed in accordance with subsection (6)(a)(ii) of this section, the liner must be constructed of materials that can prevent wastes from migrating into the liner during the active life of the facility. The liner must be:

(A) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(B) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift;

(C) Installed to cover all surrounding earth likely to be in contact with the waste or leachate; and

(D) For EHW management, the owner or operator shall submit an engineering report with his permit application under WAC 173-303-806(4) stating the basis for selecting the liner(s). The report shall be certified by a licensed professional engineer.

(ii) The owner or operator of a new surface impoundment installed after October 31, 1984, and in which liquid EHW is managed must:

(A) Install a double lined system which incorporates the specifications of subsection (3)(a), (b), and (c) of this section; and

(B) Must comply with either the ground water monitoring requirements of WAC 173-303-645, or the unsaturated zone monitoring requirements of WAC 173-303-655(6).

(b) The owner or operator will be exempted from the requirements of (a) of this subsection, if the department finds, based on a demonstration by the owner or operator, that alternate design and operating practices, together with location characteristics, will prevent the migration of any dangerous constituents listed in WAC 173-303-9905, or which otherwise cause his wastes to be regulated under this chapter, into the ground water or surface water at any future time. In deciding whether to grant an exemption, the department will consider:

(i) The nature and quantity of the wastes;

(ii) The proposed alternate design and operation;

(iii) The hydrogeologic setting of the facility, including the attenuative capacity and thickness of the liners and soils present between the impoundment and ground water or surface water; and

(iv) All other factors which would influence the quality and mobility of the leachate produced and the potential for it to migrate to ground water or surface water.

(c) A surface impoundment must be designed, constructed, maintained, and operated to prevent overtopping resulting from normal or abnormal operations; overfilling; wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms, and other equipment; and human error.

(d) A surface impoundment must be designed so that any flow of waste into the impoundment can be immediately shut off in the event of overtopping or liner failure.

(e) A surface impoundment must be designed to repel birds.

(f) A surface impoundment must have dikes that are designed, constructed, and maintained with sufficient structural integrity to prevent their failure. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the unit.

(g) Earthen dikes must be kept free of:

(i) Perennial woody plants with root systems which could weaken its structural integrity; and

(ii) Burrowing mammals which could weaken its structural integrity or create leaks through burrows.

(h) Earthen dikes must have a protective cover, such as grass, shale or rock to minimize wind and water erosion and to preserve their structural integrity.

(i) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this subsection are satisfied.

(3) Double-lined surface impoundments; exemption from WAC 173-303-645, ground water protection requirements.

(a) Except as provided in subsection (2)(a)(ii) of this section, the owner or operator of a double-lined surface impoundment is not subject to regulation under WAC 173-303-645 if the following conditions are met:

(i) The impoundment (including its underlying liners) must be located entirely above the seasonal high water table;

(ii) The impoundment must be underlain by two liners which are designed and constructed in a manner that prevents the migration of liquids into or out of the space between the liners. Both liners must meet all the specifications of subsection (2)(a)(i) of this section;

(iii) A leak detection system must be designed, constructed, maintained, and operated between the liners to detect any migration of liquids into the space between the liners; and

(iv) A leachate detection, collection and removal system must be designed and operated to remove accumulated liquids from the system as quickly as possible so as to avoid unnecessary buildup of hydrostatic pressure in the system.

(b) If liquid leaks into the leak detection system, the owner or operator must:

(i) Notify the department of the leak in writing within seven days after detecting the leak; and

(ii)(A) Within a period of time specified in the permit, remove accumulated liquid, repair or replace the liner which is leaking to prevent the migration of liquids through the liner, and obtain a certification from a qualified engineer that, to the best of his knowledge and opinion, the leak has been stopped; or

(B) If a detection monitoring program pursuant to WAC 173-303-645(9) has already been established in the permit (to be complied with only if a leak occurs), begin to comply with that program and any other applicable requirements of WAC 173-303-645 within the period of time specified in the permit.

(c) The department will specify in the permit all design and operating practices that are necessary to ensure that the requirements of this section are satisfied.

(4) Monitoring and inspection.

(a) During construction and installation, liners (except in the case of existing portions of surface impoundments exempt from subsection (2)(a)(i) of this section) and cover systems (e.g., membranes, sheets, or coatings) must be inspected for uniformity, damage, and imperfections (e.g., holes, cracks, thin spots, or foreign materials). Immediately after construction or installation:

(i) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures, or blisters; and

(ii) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes, or other structural nonuniformities that may cause an increase in the permeability of the liner or cover.

(b) While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

(i) Deterioration, malfunctions, or improper operation of overtopping control systems;

(ii) Sudden drops in the level of the impoundment's contents;

(iii) The presence of liquids in leak detection systems, where installed to comply with subsection (3) of this section; and

(iv) Severe erosion or other signs of deterioration in dikes or other containment devices.

(c) Prior to the issuance of a permit, and after any extended period of time (at least six months) during which the impoundment was not in service, the owner or operator must obtain a certification from a qualified engineer that the impoundment's dike, including that portion of any dike which provides freeboard, has structural integrity. The certification must establish, in particular, that the dike:

(i) Will withstand the stress of the pressure exerted by the types and amounts of wastes to be placed in the impoundment; and

(ii) Will not fail due to scouring or piping, without dependence on any liner system included in the surface impoundment construction.

(5) Emergency repairs; contingency plans.

(a) A surface impoundment must be removed from service in accordance with (b) of this subsection when:

(i) Unexpected changes of liquid levels occur; or

(ii) The dike leaks.

(b) When a surface impoundment must be removed from service as required by (a) of this subsection, the owner or operator must:

(i) Immediately shut off the flow or stop the addition of wastes into the impoundment;

(ii) Immediately contain any surface leakage which has occurred or is occurring;

(iii) Immediately stop the leak;

(iv) Take any other necessary steps to stop or prevent catastrophic failure;

(v) Empty the impoundment, if a leak cannot be stopped by any other means; and

(vi) Notify the department of the problem in writing within seven days after detecting the problem.

(c) As part of the contingency plan required in WAC 173-303-340 through 173-303-360, the owner or operator must specify:

(i) A procedure for complying with the requirements of (b) of this subsection; and

(ii) A containment system evaluation and repair plan describing: Testing and monitoring techniques; procedures to be followed to evaluate the integrity of the containment system in the event of a possible failure; description of a schedule of actions to be taken in the event of a possible failure; and the repair techniques and materials (and their availability) to be used in the event of leakage due to containment system failure or deterioration which does not require the impoundment to be removed from service.

(d) No surface impoundment that has been removed from service in accordance with the requirements of this section may be restored to service unless the portion of the impoundment which was failing is repaired and the following steps are taken:

(i) If the impoundment was removed from service as the result of actual or imminent dike failure, the dike's structural integrity must be recertified in accordance with subsection (4)(c) of this section;

(ii) If the impoundment was removed from service as the result of a sudden drop in the liquid level, then:

(A) For any existing portion of the impoundment, a liner must be installed in compliance with subsection (2)(a)(i) or (3) of this section; and

(B) For any other portion of the impoundment, the repaired liner system must be certified by a qualified engineer as meeting the design specifications approved in the permit.

(e) A surface impoundment that has been removed from service in accordance with the requirements of this section and that is not being repaired must be closed in accordance with the provisions of subsection (6) of this section.

(6) Closure and post-closure care.

(a) At closure, the owner or operator must:

(i) Remove or decontaminate all dangerous waste and dangerous waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with dangerous waste and leachate, and manage them as dangerous waste; or

(ii) If the surface impoundment will be closed as a landfill, except that this option is prohibited if EHW would remain in the closed unit(s):

(A) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues;

(B) Stabilize remaining wastes to a bearing capacity sufficient to support a final cover; and

(C) Cover the surface impoundment with a final cover designed and constructed to:

(I) Provide long-term minimization of the migration of liquids through the closed impoundment with a material that has a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present;

(II) Function with minimum maintenance;

(III) Promote drainage and minimize erosion or abrasion of the final cover; and

(IV) Accommodate settling and subsidence so that the cover's integrity is maintained.

(b) If some waste residues or contaminated materials are left in place at final closure (except that no EHW may ever be left in place), the owner or operator must comply with all post-closure requirements

contained in WAC 173-303-610 (7), (8), (9), and (10), including maintenance and monitoring throughout the post-closure care period (specified in the permit). The owner or operator must:

(i) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;

(ii) Maintain and monitor the leak detection system in accordance with subsection (3) of this section, where such a system is present between double liner systems;

(iii) Maintain and monitor the ground water monitoring system and comply with all applicable requirements of WAC 173-303-645; and

(iv) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

(c)(i) If an owner or operator plans to close a surface impoundment in accordance with (a)(i) of this subsection, and the impoundment does not comply with the liner requirements of subsection (2)(a)(i) of this section, and is not exempt from them in accordance with subsection (2)(b) of this section, then:

(A) The closure plan for the impoundment under WAC 173-303-610(3) must include both a plan for complying with (a)(i) of this subsection, and a contingent plan for complying with (a)(ii) of this subsection in case not all contaminated subsoils can be practicably removed at closure; and

(B) The owner or operator must prepare a contingent post-closure plan under WAC 173-303-610(8) for complying with (b) of this subsection in case not all contaminated subsoils can be practicably removed at closure.

(ii) The cost estimates calculated under WAC 173-303-620 (3) and (5) for closure and post-closure care of an impoundment subject to (c) of this subsection must include the cost of complying with the contingent closure plan and the contingent post-closure plan, but are not required to include the cost of expected closure under (a)(i) of this subsection.

(d) During the post-closure care period, if liquids leak into a leak detection system installed under subsection (3) of this section, the owner or operator must notify the department of the leak in writing within seven days after detecting the leak. The department will then modify the permit to require compliance with applicable requirements of WAC 173-303-645, or, if so requested by the owner or operator, to require removal of all materials in accordance with (a)(i) of this subsection.

(7) Special requirements for ignitable or reactive waste. Ignitable or reactive waste must not be placed in a surface impoundment, unless:

(a) The waste is treated, rendered, or mixed before or immediately after placement in the impoundment so that:

(i) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or reactive waste under WAC 173-303-090; and

(ii) WAC 173-303-395 (1)(b) is complied with; or

(b) The waste is managed in such a way that it is protected from any material or conditions which may cause it to ignite or react; or

(c) The surface impoundment is used solely for emergencies.

(8) Special requirements for incompatible wastes. Incompatible wastes and materials must not be placed in the same surface impoundment, unless WAC 173-303-395 (1)(b) is complied with.

(9) Special requirements for dangerous wastes F020, F021, F022, F023, F026, and F027.

(a) The wastes F020, F021, F022, F023, F026, or F027 must not be placed in a surface impoundment unless the owner or operator operates the surface impoundment in accordance with a management plan for these wastes that is approved by the department pursuant to the standards set out in this subsection, and in accord with all other applicable requirements of this section. The factors to be considered are:

(i) The volume, physical, and chemical characteristics of the wastes, including their potential to migrate through soil or to volatilize or escape into the atmosphere;

(ii) The attenuative properties of underlying and surrounding soils or other materials;

(iii) The mobilizing properties of other materials co-disposed with these wastes; and

(iv) The effectiveness of additional treatment, design, or monitoring techniques.

(b) The department may determine that additional design, operating, and monitoring requirements are necessary in order to reduce the possibility of migration of these wastes to ground water, surface water, or air so as to protect human health and the environment.

NEW SECTION

WAC 173-303-680 MISCELLANEOUS UNITS. (1) Applicability. The requirements of this section apply to owners and operators of facilities that treat, store, or dispose of dangerous waste in miscellaneous units, except as WAC 173-303-600 provides otherwise.

(2) Environmental performance standards. A miscellaneous unit must be located, designed, constructed, operated, maintained, and closed in a manner that will ensure protection of human health and the environment. Permits for miscellaneous units are to contain such terms and provisions as necessary to protect human health and the environment, including, but not limited to, as appropriate, design and operating requirements, detection and monitoring requirements, and requirements for responses to releases of dangerous waste or dangerous constituents from the unit. Permit terms and provisions shall include those requirements in WAC 173-303-630 through 173-303-670, 173-303-806, and 40 CFR Part 146 that are appropriate for the miscellaneous units being permitted. Protection of human health and the environment includes, but is not limited to:

(a) Prevention of any releases that may have adverse effects on human health or the environment due to migration of wastes constituents in the ground water or subsurface environment, considering:

(i) The volume and physical and chemical characteristics of the waste in the unit, including its potential for migration through soil, liners, or other containing structures;

(ii) The hydrologic and geologic characteristics of the unit and the surrounding area;

(iii) The existing quality of ground water, including other sources of contamination and their cumulative impact on the ground water;

(iv) The quantity and direction of ground water flow;

(v) The proximity to and withdrawal rates of current and potential ground water users;

(vi) The patterns of land use in the region;

(vii) The potential for deposition or migration of waste constituents into subsurface physical structures, and into the root zone of food-chain crops and other vegetation;

(viii) The potential for health risks caused by human exposure to waste constituents; and

(ix) The potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents.

(b) Prevention of any release that may have adverse effects on human health or the environment due to migration of waste constituents in surface water, or wetlands or on the soil surface considering:

(i) The volume and physical and chemical characteristics of the waste in the unit;

(ii) The effectiveness and reliability of containing, confining, and collecting systems and structures in preventing migration;

(iii) The hydrologic characteristics of the unit and the surrounding area, including the topography of the land around the unit;

(iv) The patterns of precipitation in the region;

(v) The quantity, quality, and direction of ground water flow;

(vi) The proximity of the unit to surface waters;

(vii) The current and potential uses of nearby surface waters and any water quality standards established for those surface waters;

(viii) The existing quality of surface waters and surface soils, including other sources of contamination and their cumulative impact on surface waters and surface soils;

(ix) The patterns of land use in the region;

(x) The potential for health risks caused by human exposure to waste constituents; and

(xi) The potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents.

(c) Prevention of any release that may have adverse effects on human health or the environment due to migration of waste constituents in the air, considering:

(i) The volume and physical and chemical characteristics of the waste in the unit, including its potential for the emission and dispersal of gases, aerosols and particulates;

(ii) The effectiveness and reliability of systems and structures to reduce or prevent emissions of dangerous constituents to the air;

(iii) The operating characteristics of the unit;

(iv) The atmospheric, meteorologic, and topographic characteristics of the unit and the surrounding area;

(v) The existing quality of the air, including other sources of contamination and their cumulative impact on the air;

(vi) The potential for health risks caused by human exposure to waste constituents; and

(vii) The potential for damage to domestic animals, wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents.

(3) Monitoring, analysis, inspection, response, reporting, and corrective action. Monitoring, testing, analytical data, inspections, response, and reporting procedures and frequencies must ensure compliance with subsection (2) of this section, WAC 173-303-320, 173-303-340(1), 173-303-380(3), 173-303-390 (1) and (3), and 173-303-645(12) as well as meet any additional requirements needed to protect human health and the environment as specified in the permit.

(4) Postclosure care. A miscellaneous unit that is a disposal unit must be maintained in a manner that complied with subsection (2) of this section during the postclosure care period. In addition, if a treatment or storage unit has contaminated soils or ground water that cannot be completely removed or decontaminated during closure, then that unit must also meet the requirements of subsection (2) of this section during postclosure care. The postclosure plan under WAC 173-303-610(8) must specify the procedures that will be used to satisfy this requirement.

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

WAC 173-303-800 PERMIT REQUIREMENTS FOR DANGEROUS WASTE MANAGEMENT FACILITIES. (1) The purpose of WAC 173-303-800 through 173-303-840 is to establish the requirements for permits which will allow a dangerous waste facility to operate without endangering the public health and the environment.

(2) The owner/operator of a dangerous waste facility that transfers, treats, stores, or disposes (TSD) or recycles dangerous waste shall, when required by this chapter, obtain a permit covering the active life, closure period, ground water protection compliance period, and for any regulated unit (as defined in WAC 173-303-040((75))), and for any facility which at closure does not meet the removal or decontamination limits of WAC 173-303-610 (2)(b), post-closure care period in accordance with WAC 173-303-800 through 173-303-840.

(3) TSD facility permits will be granted only if the objectives of the siting and performance standards set forth in WAC 173-303-420 and 173-303-283 are met.

(4) Permits shall be issued according to the requirements of all applicable TSD facility standards.

(5) The owner/operator of a TSD facility is responsible for obtaining all other applicable federal, state, and local permits authorizing the development and operation of the TSD facility.

(6) The terms used in regard to permits which are not defined in WAC 173-303-040 shall have the same meanings as set forth in 40 CFR 270.2.

(7) Exemptions.

(a) A permit for an on-site cleanup action may be exempted as provided in a consent decree or order signed by the department and issued pursuant to chapter 70.105D RCW.

(b) A permit is not required for an on-site cleanup action performed by the department pursuant to chapter 70.105D RCW.

(8) Each permit issued under this chapter shall contain terms and conditions as the department determines necessary to protect human health and the environment.

AMENDATORY SECTION (Amending Order 88-29, filed 9/6/88)

WAC 173-303-802 PERMITS BY RULE. (1) Purpose and applicability. This section provides for permit by rule for particular facilities and activities managing dangerous wastes, provided that certain conditions are met. These facilities, activities, and conditions are listed in this section. Owners and operators of facilities with permits by rule are not required to submit an application for a dangerous waste facility permit.

(2) Ocean disposal barges or vessels. The owner or operator of a barge or other vessel which accepts dangerous waste for ocean disposal, shall have a permit by rule if the owner or operator:

(a) Has a permit for ocean dumping issued under 40 CFR Part 220 (Ocean Dumping, authorized by the Marine Protection, Research, and Sanctuaries Act, as amended, 33 U.S.C. § 1420 et seq.);

(b) Complies with the conditions of that permit; and

(c) Complies with the following dangerous waste regulations:

(i) WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;

(iii) WAC 173-303-370, manifest system;

(iv) WAC 173-303-380 (1)(a), operating record;

(v) WAC 173-303-390(2), annual report; and

(vi) WAC 173-303-390(1), unmanifested waste report.

(3) Underground injection wells. Underground injection wells with an underground injection control (UIC) permit for underground injection shall have a permit by rule if the owner or operator has a UIC permit issued by the department under a federally approved program for underground injection control, and complies with the conditions of the permit and requirements of 40 CFR 144.14 and applicable state waste discharge rules. All underground injection wells must comply with WAC 173-303-060, notification and identification numbers. However, underground injection wells disposing of EHW are prohibited.

(4) Publicly owned treatment works (POTW). The owner or operator of a POTW which accepts dangerous waste for treatment, shall have a permit by rule if the owner or operator:

(a) Has a National Pollutant Discharge Elimination System (NPDES) permit;

(b) Complies with the conditions of that permit;

(c) Complies with the following regulations:

(i) WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-170 through 173-303-230 when initiating shipments of dangerous waste;

(iii) WAC 173-303-283, performance standards;

(iv) WAC 173-303-370, manifest system;

(v) WAC 173-303-380 (1)(a), operating record;

(vi) WAC 173-303-390(2), annual report; and

(vii) WAC 173-303-390(1), unmanifested waste reports;

(d) Accepts the waste only if it meets all federal, state, and local pretreatment requirements which would be applicable to the waste if it were being discharged into the POTW through a sewer, pipe, or similar conveyance; and

(e) Accepts no EHW for disposal at the POTW.

(5) Totally enclosed treatment facilities or elementary neutralization or wastewater treatment units.

(a) The owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit that treats dangerous wastes shall have a permit by rule, except as provided in (b) ((or (c))) of this subsection, if he ((complies with)):

(i) ((WAC 173-303-060, notification and identification numbers;

(ii) WAC 173-303-310, 173-303-350, 173-303-360, 173-303-370, 173-303-380 (1)(d), and 173-303-390 of the general facility standards; and

(iii) WAC 173-303-283, performance standards;

(b) A facility is not required to have a permit by rule under this subsection if the owner or operator can demonstrate to the department's satisfaction that:

(i) The facility already has an existing permit (or permits) issued under federal, state or local authority (such as NPDES, state waste discharge, pretreatment, etc.); and

(ii) The permit (or permits) include, either separately or jointly in the case of multiple permits, all requirements specified in (a) of this subsection.

(c)) Has a NPDES permit, state waste discharge permit, pretreatment permit (or written discharge authorization from the local sewerage authority) and the permit or authorization provides effluent limits for the hazardous constituents, and provides for the use of all known, available, and reasonable methods of prevention, control, and treatment of pollution pursuant to chapter 90.48 RCW, prior to discharge;

(ii) Complies with the conditions of that permit;

(iii) Complies with the following regulations:

(A) WAC 173-303-060, notification and identification numbers;

(B) WAC 173-303-070, designation of dangerous waste;

(C) WAC 173-303-283, performance standards;

(D) WAC 173-303-310, security;

(E) WAC 173-303-350, contingency plan and emergency procedures;

(F) WAC 173-303-360, emergencies;

(G) WAC 173-303-370, manifest system;

(H) WAC 173-303-380 (1)(d), operating record;

(I) WAC 173-303-390, facility reporting.

(iv) Does not discharge EHW from the facility or unit.

(b) The department may require the owner or operator of a totally enclosed treatment facility or an elementary neutralization or wastewater treatment unit subject to either (a) ((or (b))) of this subsection

to apply for and obtain a final facility permit in accordance with WAC 173-303-800 through 173-303-840, if:

(i) The owner or operator violates the general facility or performance requirements specified in (a) of this subsection;

(ii) The owner or operator is conducting other activities which require him to obtain a final facility permit;

(iii) The department determines that the general facility or performance requirements specified in (a) of this subsection, are not sufficient to protect public health or the environment and that additional requirements under this chapter are necessary to provide such protection; or

(iv) The owner or operator does not comply with applicable local, state or federal requirements established pursuant to sections 402 or 307(b) of the Federal Clean Water Act, or chapter 90.48 RCW.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-805 INTERIM STATUS PERMITS. (1) Applicability. This section applies to all facilities eligible for an interim status permit. When a facility is owned by one person but is operated by another person, it is the operator's duty to qualify for interim status, except that the owner must also sign an interim status application. Prior to submittal of an interim status permit application the requirements of WAC 173-303-281 must be met.

(2) Failure to qualify for interim status. If the department has reason to believe upon examination of a Part A application that it fails to provide the required information, it shall notify the owner or operator in writing of the apparent deficiency. Such notice shall specify the grounds for the department's belief that the application is deficient. The owner or operator shall have thirty days from receipt to respond to such a notification and to explain or cure the alleged deficiency in his Part A application. If, after such notification and opportunity for response, the department determines that the application is deficient it may take appropriate enforcement action.

(3) Interim status for facilities under RCRA interim status. Any existing facility operating under interim status gained under section 3005 of RCRA shall be deemed to have an interim status permit under this chapter provided that the owner/operator complies with the applicable requirements of WAC 173-303-400 and this section.

(4) Interim status for facilities managing state-designated (non-RCRA) dangerous wastes. Any existing facility which does not satisfy subsection (3) of this section, but which is only managing dangerous wastes that are not hazardous wastes under 40 CFR Part 261, shall be deemed to have an interim status permit provided that the owner/operator of the facility has complied with the notification requirements of WAC 173-303-060 by May 11, 1982 and has submitted Part A of his permit application by August 9, 1982. If an existing facility becomes subject to this chapter due to amendments to this chapter and the facility was not previously subject to this chapter, then the owner/operator of an existing facility may qualify for an interim status permit by complying with the notification requirements of WAC 173-303-060 within three months, and submitting Part A of his permit application within six months, after the adoption date of the amendments which cause the facility to be subject to the requirements of this chapter. Facilities qualifying for interim status under this subsection shall not be deemed to have interim status under section 3005 of RCRA, and may only manage non-RCRA wastes until they either qualify separately for interim status under section 3005 of RCRA or receive a final status facility permit allowing them to manage RCRA wastes.

(5) Maintaining the interim status permit.

(a) Timely notification and submission of a Part A application qualifies the owner/operator of the existing TSD facility for the interim status permit, until the department terminates interim status pursuant to subsection (8) of this section.

(b) Interim status for the existing TSD facility shall be maintained while the department makes final administrative disposition of a final facility permit pursuant to WAC 173-303-806 if:

(i) The owner/operator has submitted his final facility permit application (as described in WAC 173-303-806) within six months of the written request by the department to submit such application; and

(ii) Grounds for terminating interim status (as described in subsection (8) of this section) do not exist.

(c) The owner/operator of an interim status facility must update his Part A whenever he is managing wastes that are newly regulated under this chapter, and as necessary to comply with subsection (7) of this section. Failure to comply with this updating requirement is a violation of interim status.

(6) Prohibitions for interim status permits. Facilities with an interim status permit shall not:

(a) Treat, store, or dispose of dangerous waste not specified in Part A of the permit application;

(b) Employ processes not specified in Part A of the permit application; or

(c) Exceed the design capacities specified in Part A of the permit application.

(7) Changes during interim status.

~~((a) Dangerous wastes not previously identified in Part A of the application may be treated, stored, or disposed at a facility with interim status if the owner/operator submits to the department a revised Part A permit application prior to accepting the new dangerous wastes.~~

~~(b) Increases in the design capacity of processes used at a facility with interim status may be made if the owner or operator submits a revised Part A permit application prior to such a change, the requirements of WAC 173-303-281 are met and the department approves the change because of a lack of available treatment, storage, or disposal capacity at other permitted TSD facilities.~~

~~(c) Changes in the processes for the treatment, storage, or disposal of dangerous waste may be made at a facility with interim status, or additional processes may be added if the owner or operator submits a revised Part A permit application prior to such changes, the requirements of WAC 173-303-281 are met and the department approves the change because:~~

~~(i) It is necessary to prevent a threat to public health or the environment because of an emergency situation; or~~

~~(ii) It is necessary to comply with state, local, or federal regulations.~~

~~(d) Changes in the ownership or operational control of a facility with interim status may be made if the new owner or operator submits a revised Part A permit application no later than ninety days prior to the scheduled change. When a transfer of ownership or operational control of a facility occurs, the old owner or operator shall comply with the interim status financial requirements of 40 CFR Part 265 subpart H (as referenced in WAC 173-303-400), until the new owner or operator has demonstrated to the department that he is complying with the financial requirements. The new owner or operator must demonstrate compliance with the financial requirements within six months of the date of the change in the ownership or operational control of the facility. All other interim status duties are transferred effective immediately upon the date of the change of ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with the interim status financial requirements, the department shall notify the old owner or operator in writing that he no longer needs to comply with the interim status financial requirements as of the date of demonstration.~~

~~(e) In no event shall changes be made to a TSD facility under the interim status permit which amount to reconstruction of the facility. Reconstruction occurs when the capital investment in the changes to the facility exceeds fifty percent of the capital cost of a comparable entirely new TSD facility.~~

~~(f) Any revisions to an existing interim status permit must be made on the applicable Part A form(s), (forms 1 or 3 are available from the department). The owner and operator certification page must be signed and included with those sections completed.~~

~~(g) Changes under this subsection do not include changes made solely for the purpose of complying with requirements of WAC 173-303-640(4) for tanks and ancillary equipment.))~~

(a) Except as provided in (b) of this subsection, the owner or operator of an interim status facility may make the following changes at the facility:

(i) Treatment, storage, or disposal of new dangerous wastes not previously identified in Part A of the permit application (and, in the case of newly listed or identified wastes, addition of the units being used to treat, store, or dispose of the dangerous wastes on the effective date of the listing or identification) if the owner or operator submits a revised Part A permit application prior to such treatment, storage, or disposal (along with a justification detailing the equipment and process or processes that the owner or operator will use to treat, store, or dispose of the new dangerous wastes) and if the department does not explicitly deny the changes within sixty days of receipt of the revised application;

(ii) Increases in the design capacity of processes used at the facility if the owner or operator submits a revised Part A permit application prior to such a change (along with a justification explaining the need for the change), the requirements of WAC 173-303-281 are met, and the department approves the changes because:

(A) There is a lack of available treatment, storage, or disposal capacity at other dangerous waste management facilities; or

(B) The change is necessary to comply with a federal, state, or local requirement.

(iii) Changes in the processes for the treatment, storage, or disposal of dangerous waste or addition of processes if the owner or operator submits a revised Part A permit application prior to such change (along with a justification explaining the need for the change) and the department approves the change because:

(A) The change is necessary to prevent a threat to human health and the environment because of an emergency situation; or

(B) The change is necessary to comply with a federal, state, or local requirement.

(iv) Changes in the ownership or operational control of a facility if the new owner or operator submits a revised Part A permit application no later than ninety days prior to the scheduled change. When a transfer of operational control of a facility occurs, the old owner or operator shall comply with the interim status financial requirements of 40 CFR Part 265, Subpart H (as referenced in WAC 173-303-400), until the new owner or operator has demonstrated to the department that he is complying with the financial requirements. Upon demonstration to the department by the new owner or operator of compliance with the interim status financial requirements, the department shall notify the old owner or operator in writing that he no longer needs to comply with the interim status financial requirements as of the date of demonstration. The new owner or operator must demonstrate compliance with the financial requirements within six months of the date of the change in ownership or operational control of the facility. All other interim status duties are transferred effective immediately upon the date of the change in ownership or operational control of the facility.

(v) Changes made in accordance with an interim status corrective action order issued by EPA under section 3008(h) of RCRA or other federal authority, by the department under chapter 70.105 RCW or other state authority, or by a court in a judicial action brought by EPA or by the department. Changes under this subsection (7)(a)(v) are limited to the treatment, storage, or disposal of solid waste from releases that originate within the boundary of the facility.

(b) Except as specifically allowed under this subsection (7)(b), changes listed under (a) of this subsection may not be made if they amount to reconstruction of the dangerous waste management facility. Reconstruction occurs when the capital investment in the changes to the facility exceeds fifty percent of the capital cost of a comparable entirely new dangerous waste management facility. If all other requirements are met, the following changes may be made even if they amount to a reconstruction:

(i) Changes made solely for the purposes of complying with the requirements of WAC 173-303-640(4) for tanks and ancillary equipment.

(ii) If necessary to comply with federal, state, or local requirements, changes to an existing unit, changes solely involving tanks or containers, or addition of replacement surface impoundments that satisfy the standards of section 3004(o) of RCRA.

(iii) Changes that are necessary to allow owners or operators to continue handling newly listed or identified dangerous wastes that have been treated, stored, or disposed of at the facility prior to the effective date of the rule establishing the new listing or identification.

(iv) Changes during closure of a facility or of a unit within a facility made in accordance with an approved closure plan.

(v) Changes necessary to comply with an interim status corrective action order issued by EPA under section 3008(h) or other federal authority, by an authorized state under comparable state authority, or by a court in a judicial proceeding brought by EPA or an authorized state, provided that such changes are limited to the treatment, storage, or disposal of solid waste from releases that originate within the boundary of the facility.

(vi) Changes to treat or store, in tanks or containers, hazardous wastes subject to land disposal restrictions imposed by 40 CFR Part 268 or RCRA section 3004, provided that such changes are made solely for the purpose of complying with 40 CFR Part 268 or RCRA section 3004.

(8) Termination of interim status permit. The following are causes for terminating an interim status permit, or for denying a revised permit application:

(a) Final administrative disposition of a final facility permit application is made pursuant to WAC 173-303-806;

(b) When the department on examination or reexamination of a Part A application determines that it fails to meet the applicable standards of this chapter, it may notify the owner or operator that the application is deficient and that the interim status permit has been revoked. The owner or operator will then be subject to enforcement for operating without a permit;

(c) Failure to submit a requested Part B application on time, or to provide in full the information required in the Part B application;

(d) Violation of applicable interim status standards; or

(e) A determination that the permit applicant has failed to satisfy the performance standards of WAC 173-303-283.

(9) Special waste facilities. If the department determines, pursuant to WAC 173-303-550 through 173-303-560, that interim status standards can be reduced, the department will issue a notice of interim status modification stating what standards will be applied. Failure to comply with the conditions and standards as stated in the notice of modification or with the requirements of this section shall form a basis for revoking the notice. Upon revocation of the notice of interim status modification by the department, the owner or operator shall be subject to all of the requirements applicable to interim status dangerous waste management facilities. Before issuing the notice of modification, the department shall provide public notice of its intent, shall allow thirty days for public comment, and shall hold a public hearing if there is a significant degree of public interest or there is written notice of opposition and the department receives a request for a hearing during the comment period. Notice of a public hearing shall be provided at least fifteen days in advance, and the public comment period shall be extended to include the date of the hearing if it will occur after the initial thirty-day comment period. Within fifteen days of the end of the public comment period the department shall, based on comments received, issue, modify and issue, or deny the notice of interim status modification.

AMENDATORY SECTION (Amending WSR 90-20-016, filed 9/21/90, effective 10/22/90)

WAC 173-303-806 FINAL FACILITY PERMITS. (1) Applicability. This section applies to all dangerous waste facilities required to have a final facility permit. The final facility permit requirements are applicable to:

(a) Final status TSD facilities;

(b) Special waste management facilities; and

(c) Certain recycling facilities that are not exempt from the permit requirements.

(2) Application. Any person subject to the permit requirements of this section who intends to operate a new TSD facility must comply with WAC 173-303-281 and apply for a final facility permit. The department may, at any time, require the owner or operator of an existing TSD facility to apply for a final facility permit. Such owner or operator will be allowed one hundred eighty days to submit his application; the department may extend the length of the application period if it finds that there are good reasons to do so. The owner or operator of an existing TSD facility may voluntarily apply for a final facility permit at any time. Any person seeking a final facility permit shall complete, sign, and submit an application to the department. An application shall consist of a Part A permit form (which can be obtained from the department), and the contents of Part B as specified in subsection (4) of this section.

(3) Effective regulations. A final facility permit will include all applicable requirements of this chapter which are in effect on the date that the permit is issued by the department. WAC 173-303-840(7) provides a means for reopening permit proceedings at the discretion of the department where new requirements become effective during the permitting process and are of sufficient magnitude to make additional proceedings desirable. Any other changes to the final facility permit will be in accordance with the permit modification requirements of WAC 173-303-830.

(4) Contents of Part B. Part B of a permit application shall consist of the information required in (a) through ((h)) (i) of this subsection.

(a) General requirements. Part B of the permit application consists of the general information requirements of this subsection, and the specific information requirements in (b) through (h) of this subsection as applicable to the facility. The Part B information requirements presented in (a) through (h) of this subsection, reflect the standards promulgated in WAC 173-303-600. These information requirements are necessary in order for the department to determine compliance with WAC 173-303-600 through 173-303-670. If owners and operators of

TSD facilities can demonstrate that the information prescribed in Part B cannot be provided to the extent required, the department may make allowance for submission of such information on a case-by-case basis. Information required in Part B shall be submitted to the department and signed in accordance with requirements in WAC 173-303-810(12). Certain technical data, such as design drawings and specifications, and engineering studies shall be certified by a registered professional engineer. The following information is required for all TSD facilities, except as WAC 173-303-600(3) provides otherwise.

- (i) A general description of the facility.
- (ii) Chemical, biological, and physical analyses of the dangerous waste to be handled at the facility. At a minimum, these analyses shall contain all the information which must be known to treat, store, or dispose of the wastes properly in accordance with WAC 173-303-600.
- (iii) A copy of the waste analysis plan required by WAC 173-303-300(5) and, if applicable WAC 173-303-300 (5)(g).
- (iv) A description of the security procedures and equipment required by WAC 173-303-310, or a justification demonstrating the reasons for requesting a waiver of this requirement.
- (v) A copy of the general inspection schedule required by WAC 173-303-320(2): Include where applicable, as part of the inspection schedule, specific requirements in WAC 173-303-395 (1)(d), 173-303-630(6), 173-303-640 (4) and (6), 173-303-650(4), 173-303-655(4), 173-303-660 (4) and (5), 173-303-665(4), ((and)) 173-303-670(7), and 173-303-680(3).
- (vi) A justification of any request for a waiver(s) of the preparedness and prevention requirements of WAC 173-303-340, or a description of the procedures used to comply with these requirements.
- (vii) A copy of the contingency plan required by WAC 173-303-350: Include, where applicable, as part of the contingency plan, specific requirements in WAC 173-303-640(8), 173-303-650(5) and 173-303-660(6).
- (viii) A description of procedures, structures, or equipment used at the facility to:
 - (A) Prevent hazards and contain spills in unloading/loading operations (for example, ramps, berms, pavement, special forklifts);
 - (B) Prevent run-off from dangerous waste handling areas to other areas of the facility or environment, or to prevent flooding (for example, berms, dikes, trenches);
 - (C) Prevent contamination of water supplies;
 - (D) Mitigate effects of equipment failure and power outages; and
 - (E) Prevent undue exposure of personnel to dangerous waste (for example, protective clothing).
- (ix) A description of precautions to prevent accidental ignition or reaction of ignitable, reactive, or incompatible wastes as required to demonstrate compliance with WAC 173-303-395 including documentation demonstrating compliance with WAC 173-303-395 (1)(c).
- (x) Traffic pattern, estimated volume (number, types of vehicles) and control (for example, show turns across traffic lanes, and stacking lanes (if appropriate); describe access road surfacing and load bearing capacity; show traffic control signals).
- (xi) Seismic risk consideration. The owner/operator of a proposed facility or expansion of an existing facility shall identify the seismic risk zone in which the facility is intended to be located. Where state or local maps are not available, United States Geological Survey Open File Report number 82-1033 may be used to identify seismic risk zones. The owner/operator shall demonstrate that the facility can and will be designed to resist seismic ground motion and that the design is sufficient to withstand the maximum horizontal acceleration of a design earthquake specified in the demonstration.
- (xii) An outline of both the introductory and continuing training programs by owners or operators to prepare persons to operate or maintain the TSD facility in a safe manner as required to demonstrate compliance with WAC 173-303-330. A brief description of how training will be designed to meet actual job tasks in accordance with requirements in WAC 173-303-330 (1)(d).
- (xiii) A copy of the closure plan and, where applicable, the post-closure plan required by WAC 173-303-610 (3) and (8). Include, where applicable, as part of the plans, specific requirements in WAC 173-303-630(10), 173-303-640(5), 173-303-650(6), 173-303-655(8), 173-303-660(9), ((and)) 173-303-665(6), and 173-303-680 (2) and (4).
- (xiv) For dangerous waste disposal units that have been closed, documentation that notices required under WAC 173-303-610(10) have been filed.

(xv) The most recent closure cost estimate for the facility prepared in accordance with WAC 173-303-620(3) and a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(4). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvi) Where applicable, the most recent post-closure cost estimate for the facility prepared in accordance with WAC 173-303-620(5) plus a copy of the documentation required to demonstrate financial assurance under WAC 173-303-620(6). For a new facility, a copy of the required documentation may be submitted sixty days prior to the initial receipt of dangerous wastes, if that is later than the submission of the Part B.

(xvii) Where applicable, a copy of the insurance policy or other documentation which comprises compliance with the requirements of WAC 173-303-620(8). For a new facility, documentation showing the amount of insurance meeting the specification of WAC 173-303-620 (8)(a) and, if applicable, WAC 173-303-620 (8)(b), that the owner or operator plans to have in effect before initial receipt of dangerous waste for treatment, storage, or disposal. A request for a variance in the amount of required coverage, for a new or existing facility, may be submitted as specified in WAC 173-303-620 (8)(c).

(xviii) A topographic map showing a distance of one thousand feet around the facility at a scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). Contours must be shown on the map. The contour interval must be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the facility. For example, contours with an interval of 1.5 meters (5 feet), if relief is greater than 6.1 meters (20 feet), or an interval of 0.6 meters (2 feet), if relief is less than 6.1 meters (20 feet). Owners and operators of TSD facilities located in mountainous areas should use large contour intervals to adequately show topographic profiles of facilities. The map shall clearly show the following:

- (A) Map scale and date;
- (B) One hundred-year floodplain area;
- (C) Surface waters including intermittent streams;
- (D) Surrounding land uses (residential, commercial, agricultural, recreational);
- (E) A wind rose (i.e., prevailing windspeed and direction);
- (F) Orientation of the map (north arrow);
- (G) Legal boundaries of the TSD facility site;
- (H) Access control (fences, gates);
- (I) Injection and withdrawal wells both on-site and off-site;
- (J) Buildings; treatment, storage, or disposal operations; or other structure (recreation areas, run-off control systems, access and internal roads, storm, sanitary, and process sewerage systems, loading and unloading areas, fire control facilities, etc.);
- (K) Barriers for drainage or flood control; and
- (L) Location of operational units within the TSD facility site, where dangerous waste is (or will be) treated, stored, or disposed (include equipment clean-up areas).

(Note - For large TSD facilities the department will allow the use of other scales on a case-by-case basis.)

(xix) Applicants may be required to submit such information as may be necessary to enable the department to carry out its duties under other state or federal laws as required.

(xx) Additional information requirements. The following additional information regarding protection of ground water is required from owners or operators of dangerous waste surface impoundments, waste piles, land treatment units, and landfills except as otherwise provided in WAC 173-303-645 (1)(b):

(A) A summary of the ground water monitoring data obtained during the interim status period under 40 CFR 265.90 through 265.94, where applicable;

(B) Identification of the uppermost aquifer and aquifers hydraulically interconnected beneath the facility property, including ground water flow direction and rate, and the basis for such identification (i.e., the information obtained from hydrogeologic investigations of the facility area);

(C) On the topographic map required under (a)(xviii) of this subsection, a delineation of the waste management area, the property boundary, the proposed "point of compliance" as defined under WAC 173-303-645(6), the proposed location of ground water monitoring wells as required under WAC 173-303-645(8), and, to the extent possible, the information required in (a)(xx)(B) of this subsection;

(D) A description of any plume of contamination that has entered the ground water from a regulated unit at the time that the application was submitted that:

(I) Delineates the extent of the plume on the topographic map required under (a)(xviii) of this subsection;

(II) Identifies the concentration of each constituent throughout the plume or identifies the maximum concentrations of each constituent in the plume. (Constituents are those listed in WAC 173-303-9905, and any other constituents not listed there which have caused a managed waste to be regulated under this chapter.);

(E) Detailed plans and an engineering report describing the proposed ground water monitoring program to be implemented to meet the requirements of WAC 173-303-645(8);

(F) If the presence of dangerous constituents has not been detected in the ground water at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a detection monitoring program which meets the requirements of WAC 173-303-645(9). This submission must address the following items specified under WAC 173-303-645(9):

(I) A proposed list of indicator parameters, waste constituents, or reaction products that can provide a reliable indication of the presence of dangerous constituents in the ground water;

(II) A proposed ground water monitoring system;

(III) Background values for each proposed monitoring parameter or constituent, or procedures to calculate such values; and

(IV) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data;

(G) If the presence of dangerous constituents has been detected in the ground water at the point of compliance at the time of permit application, the owner or operator must submit sufficient information, supporting data, and analyses to establish a compliance monitoring program which meets the requirements of WAC 173-303-645(10). The owner or operator must also submit an engineering feasibility plan for a corrective action program necessary to meet the requirements of WAC 173-303-645(11) except as provided in WAC 173-303-645(9)(h)(v). Alternatively, the owner or operator can obtain written authorization in advance from the department to submit a proposed permit schedule for development and submittal of such information. To demonstrate compliance with WAC 173-303-645(10), the owner or operator must address the following items:

(I) A description of the wastes previously handled at the facility;

(II) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(III) A list of constituents and parameters for which compliance monitoring will be undertaken in accordance with WAC 173-303-645(8) and (10);

(IV) Proposed concentration limits for each dangerous constituent and parameter, based on the criteria set forth in WAC 173-303-645(5)(a), including a justification for establishing any alternate concentration limits;

(V) Detailed plans and an engineering report describing the proposed ground water monitoring system, in accordance with the requirements of WAC 173-303-645(8); and

(VI) A description of proposed sampling, analysis and statistical comparison procedures to be utilized in evaluating ground water monitoring data; and

(H) If dangerous constituents or parameters have been measured in the ground water which exceed the concentration limits established under WAC 173-303-645(5), Table 1, or if ground water monitoring conducted at the time of permit application under 40 CFR 265.90 through 265.94 at the waste boundary indicates the presence of dangerous constituents from the facility in ground water over background concentrations, the owner or operator must submit sufficient information, supporting data, and analyses to establish a corrective action program which meets the requirements of WAC 173-303-645(11). However, an owner or operator is not required to submit information to establish a corrective action program if he demonstrates to the department that alternate concentration limits will protect human health and the environment after considering the criteria listed in WAC 173-303-645(5). An owner or operator who is not required to establish a corrective action program for this reason must instead submit sufficient information to establish a compliance monitoring program which meets the requirements of WAC 173-303-645(10) and (a)(xx)(F) of this subsection. To demonstrate compliance with WAC 173-303-645(11), the owner or operator must address, at a minimum, the following items:

(I) A characterization of the contaminated ground water, including concentrations of dangerous constituents and parameters;

(II) The concentration limit for each dangerous constituent and parameter found in the ground water as set forth in WAC 173-303-645(5);

(III) Detailed plans and an engineering report describing the corrective action to be taken;

(IV) A description of how the ground water monitoring program will demonstrate the adequacy of the corrective action; and

(V) The permit may contain a schedule for submittal of the information required in (a)(xx)(H)(III) and (IV) of this subsection, provided the owner or operator obtains written authorization from the department prior to submittal of the complete permit application.

(xxi) Contingent ground water protection program. The following actions are required for owners or operators of proposed land-based facilities and may be required for owners/operators of existing land-based facilities, except as provided in WAC 173-303-645(1)(b).

(A) Contingent ground water protection program. The owner or operator shall develop a contingent ground water protection program. The purpose of this program will be to prevent the migration of dangerous waste or dangerous waste constituents from waste management units to the nearest hydraulically downgradient receptor at any time during the life of the facility. For the purposes of this subsection, the downgradient receptor shall be the facility property line, perennial surface water or domestic well, whichever is nearest to the dangerous waste management unit. The contingent ground water protection program shall at a minimum:

(I) Define the local and regional hydrogeologic characteristics. The contingent ground water protection program shall be based on a sufficient understanding of site geology, hydrology, and other factors to allow evaluation of its adequacy by the department. Site characterization shall be performed in sufficient detail to provide, at a minimum, the following information: Site geostratigraphy; site hydrostratigraphy; identification of aquifers, aquitards, and aquicludes; flow models for each stratum (i.e., porous media or fracture flow); the distribution of vertical and horizontal hydraulic conductivity; effective porosity; horizontal and vertical hydraulic gradients; ground water travel time to receptors; and heterogeneity for each stratigraphic unit. Site interpretative models shall include ranges of tested values: The provisions of WAC 173-303-806(4)(a)(xx) and 173-303-645, shall be used as guidance in the development of the contingent ground water protection program.

(II) Identify the range of potential release scenarios that could occur during facility operation and the postclosure care period. The scenarios shall incorporate the intended design(s) of the dangerous waste management unit(s), wastes to be placed in the dangerous waste management unit(s), waste and leachate chemistry, waste, and soil and rock geochemical interactions, and the results of site characterization pursuant to WAC 173-303-806(4)(a)(xx) and (xxi);

(III) Include specific physical action to be taken if dangerous waste or dangerous waste constituents are detected in one or more of the monitoring wells. The physical actions shall be based upon engineering feasibility studies describing remedial actions established from site specific conditions and waste features. Such actions may include installation of a pump and treat system between the monitoring well and the receptor or installation of a section of slurry wall to decrease ground water travel times. The description of the systems shall also provide how the remediation system will achieve cleanup, its efficiency, and the timeframes involved;

(IV) Incorporate the design, construction, and sampling methods outlined in WAC 173-303-645(8)(c), (d), (e), (f), and (g);

(V) Demonstrate to the satisfaction of the department that the owner/operator of the dangerous waste management facility has the financial capability to implement the proposed ground water protection plan; and

(VI) Include reporting procedures to the department.

(B) The response actions identified in WAC 173-303-806(4)(a)(xxi)(A)(III) shall be activated if the presence of dangerous waste or dangerous waste constituents have been detected at the point of compliance in accordance with WAC 173-303-645(9)(g), and shall continue until the concentration of dangerous waste or dangerous waste constituents under WAC 173-303-645(4) are reduced to levels below their respective concentration limits specified in WAC 173-303-645(5).

(C) If the owner/operator does not demonstrate that the ground water protection program will prevent the migration of dangerous waste or its constituents to the nearest receptor, the department will

require corrections to be made in the protection program, increase setbacks from the nearest receptor, or deny the permit.

(xxii) Additional requirements for incineration facilities. The following actions regarding the protection of human health and the environment must be taken by owners/operators of proposed hazardous waste incineration facilities and may be required for owners or operators of existing incineration facilities.

(A) Ambient monitoring program. The owner/operator shall be required to develop an ambient monitoring program. The purpose of this ambient monitoring program will be to: Gather baseline environmental information characterizing on-site and off-site environmental conditions prior to facility operation; and, to identify and measure changes in the environment which may be linked to the construction and operation of the facility. The ambient monitoring program shall, at a minimum:

(I) Include a characterization of facility emission sources and pathways of contaminant transport.

(II) Characterize local and regional ecosystems, including agricultural, and their sensitivity to the potential contaminants from the facility.

(III) Incorporate the findings of the environmental impact statement's health risk assessment and/or other assessments specific to the proposal or available to the scientific community regarding emissions from dangerous waste management facilities and their potential human health and environmental effects.

(IV) Identify sensitive indicator plants and animals for biomonitoring, identify specific chemical constituents of concern, sampling locations, sampling frequency, sampling and analytical methods, chain of custody procedures, quality assurance/quality control procedures, reporting times, recordkeeping procedures, and data evaluation procedures.

(B) Environmental review procedures. The owner/operator shall establish procedures to allow for public review of facility operation and all monitoring data required by the facility's permit. In developing this process, the owner/operator shall, at a minimum:

(I) Coordinate this effort with the public and interested local organizations;

(II) Identify the informational needs of the community and develop a public information process which meets these needs; and

(III) Develop procedures allowing full access by the public to all monitoring data required by the permit.

(C) Impact mitigation plan. Prior to the department issuing a permit, the owner/operator shall submit an impact mitigation plan which demonstrates to the satisfaction of the department that the owner/operator will mitigate all probable significant adverse impacts, including economic, due to facility location and operations. The owner/operator shall use as a basis for identifying probable significant adverse economic impacts those probable economic impacts identified during a public review process, such as the environmental impact statement scoping process, if applicable.

The plan must include, but is not limited to, a description of what the owner/operator will do to reduce or prevent any probable significant impacts before they occur, to mitigate such impacts should they occur, and to ensure the owner/operator has and will have the financial capability to implement such preventative and mitigative measures. Mitigation measures may include, as an element, financial compensation to adversely affected parties.

This plan may be submitted with environmental reports the department requires for compliance with the State Environmental Policy Act, with the written citizen proponent negotiation report and agreements, or with the Part B permit application. If the plan does not demonstrate that the owner/operator is capable of adequately mitigating the identified probable significant adverse economic impacts, the department will require modification of the plan or of the proposed facility location, or will deny the permit application. The department must be satisfied with the plan prior to the issuance of the permit.

(b) Specific Part B information requirements for containers. Except as otherwise provided in WAC 173-303-600(3), owners or operators of facilities that store containers of dangerous waste must provide the following additional information:

(i) A description of the containment system to demonstrate compliance with WAC 173-303-630(7). Show at least the following:

(A) Basic design parameters, dimensions, and materials of construction including allowance for a twenty-five-year, twenty-four-hour storm;

(B) How the design promotes positive drainage control or how containers are kept from contact with standing liquids in the containment system;

(C) Capacity of the containment system relative to the volume of the largest container to be stored;

(D) Provisions for preventing or managing run-on;

(E) How accumulated liquids can be analyzed and removed to prevent overflow; and

(F) A description of the building or other protective covering for EHW containers;

(ii) For storage areas that store containers holding wastes that do not contain free liquids, a demonstration of compliance with WAC 173-303-630 (7)(c), including:

(A) Test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

(B) A description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids;

(iii) A description of the procedures for labeling containers;

(iv) Sketches, drawings, or data demonstrating compliance with WAC 173-303-630(8) (location of buffer zone and containers holding ignitable or reactive wastes) and WAC 173-303-630 (9)(c) (location of incompatible wastes), where applicable; and

(v) Where incompatible wastes are stored or otherwise managed in containers, a description of the procedures used to ensure compliance with WAC 173-303-630 (9)(a) and (b), and 173-303-395 (1)(b) and (c).

(c) Specific Part B information requirements for tanks. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use tanks to store or treat dangerous waste must provide the following information:

(i) A written assessment that is reviewed and certified by an independent, qualified, registered professional engineer as to the structural integrity and suitability for handling dangerous waste of each tank system, as required under WAC 173-303-640 (2) and (3);

(ii) Dimensions and capacity of each tank;

(iii) Description of feed systems, safety cutoff, bypass systems, and pressure controls (e.g., vents);

(iv) A diagram of piping, instrumentation, and process flow for each tank system;

(v) A description of materials and equipment used to provide external corrosion protection, as required under WAC 173-303-640 (3)(a)(iii)(B);

(vi) For new tank systems, a detailed description of how the tank system(s) will be installed in compliance with WAC 173-303-640 (3)(b), (c), (d), and (e);

(vii) Detailed plans and a description of how the secondary containment system for each tank system is or will be designed, constructed, and operated to meet the requirements of WAC 173-303-640 (4)(a), (b), (c), (d), (e), and (f);

(viii) For tank systems for which a variance from the requirements of WAC 173-303-640(4) is sought (as provided by WAC 173-303-640 (4)(g)):

(A) Detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous waste or dangerous constituents into the ground water or surface water during the life of the facility; or

(B) A detailed assessment of the substantial present or potential hazards posed to human health or the environment should a release enter the environment.

(ix) Description of controls and practices to prevent spills and overflows, as required under WAC 173-303-640 (5)(b);

(x) For tank systems in which ignitable, reactive, or incompatible wastes are to be stored or treated, a description of how operating procedures and tank system and facility design will achieve compliance with the requirements of WAC 173-303-640 (9) and (10);

(xi) A description of the marking and/or labeling of tanks; and

(xii) Tank design to prevent escape of vapors and emissions of acutely or chronically toxic (upon inhalation) EHW.

(d) Specific Part B information requirements for surface impoundments. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store, treat, or dispose of dangerous waste in surface impoundments must provide the following additional information:

(i) A list of the dangerous wastes placed or to be placed in each surface impoundment;

(ii) Detailed plans and an engineering report describing how the surface impoundment is or will be designed, constructed, operated and maintained to meet the requirements of WAC 173-303-650(2). This submission must address the following items as specified in WAC 173-303-650(2):

(A) The liner system (except for an existing portion of a surface impoundment), including the certification required by WAC 173-303-650 (2)(a)(i)(D) for EHW management. If an exemption from the requirement for a liner is sought as provided by WAC 173-303-650 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituents into the ground water or surface water at any future time;

(B) Prevention of overtopping; and

(C) Structural integrity of dikes;

(iii) If any exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-650(3), detailed plans and an engineering report explaining the location of the saturated zone in relation to the surface impoundment, and the design of a double-liner system that incorporates a leak detection system between the liners;

(iv) A description of how each surface impoundment, including the liner and cover systems and appurtenances for control of overtopping, will be inspected in order to meet the requirements of WAC 173-303-650 (4)(a) and (b). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) A certification by a qualified engineer which attests to the structural integrity of each dike, as required under WAC 173-303-650 (4)(c). For new units, the owner or operator must submit a statement by a qualified engineer that he will provide such a certification upon completion of construction in accordance with the plans and specifications;

(vi) A description of the procedure to be used for removing a surface impoundment from service, as required under WAC 173-303-650 (5)(b) and (c). This information should be included in the contingency plan submitted under (a)(vii) of this subsection;

(vii) A description of how dangerous waste residues and contaminated materials will be removed from the unit at closure, as required under WAC 173-303-650 (6)(a)(i). For any wastes not to be removed from the unit upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-650 (6)(a)(ii) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(viii) If ignitable or reactive wastes are to be placed in a surface impoundment, an explanation of how WAC 173-303-650(7) will be complied with;

(ix) If incompatible wastes, or incompatible wastes and materials will be placed in a surface impoundment, an explanation of how WAC 173-303-650(8) will be complied with; and

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how the surface impoundment is or will be designed to meet the requirements of WAC 173-303-650(9).

(e) Specific Part B information requirements for waste piles. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that store or treat dangerous waste in waste piles must provide the following additional information:

(i) A list of dangerous wastes placed or to be placed in each waste pile;

(ii) If an exemption is sought to WAC 173-303-660(2), and 173-303-645 as provided by WAC 173-303-660 (1)(c), an explanation of how the standards of WAC 173-303-660 (1)(c) will be complied with;

(iii) Detailed plans and an engineering report describing how the pile is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(2). This submission must address the following items as specified in WAC 173-303-660(2):

(A) The liner system (except for an existing portion of a pile), including the licensed engineer's certification when required by WAC 173-303-660 (2)(c). If an exemption from the requirement for a liner is sought, as provided by WAC 173-303-660 (2)(d), the owner or operator must submit detailed plans and engineering and hydrogeologic reports, as applicable, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding units associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iv) If an exemption from WAC 173-303-645 is sought as provided by WAC 173-303-660 (3) or (4), submit detailed plans and an engineering report describing how the requirements of WAC 173-303-660 (3)(a) or (4)(a) will be complied with;

(v) A description of how each waste pile, including the liner and appurtenances for control of run-on and run-off, will be inspected in order to meet the requirements of WAC 173-303-660(5). This information should be included in the inspection plan submitted under (a)(v) of this subsection. If an exemption is sought to WAC 173-303-645 pursuant to WAC 173-303-660(4), describe in the inspection plan how the inspection requirements of WAC 173-303-660 (4)(a)(iii) will be complied with;

(vi) If treatment is carried out on or in the pile, details of the process and equipment used, and the nature and quality of the residuals;

(vii) If ignitable or reactive wastes are to be placed in a waste pile, an explanation of how the requirements of WAC 173-303-660(7) will be complied with;

(viii) If incompatible wastes, or incompatible wastes and materials will be placed in a waste pile, an explanation of how WAC 173-303-660(8) will be complied with;

(ix) A description of how dangerous waste, waste residues and contaminated materials will be removed from the waste pile at closure, as required under WAC 173-303-660 (9)(a). For any waste not to be removed from the waste pile upon closure, the owner or operator must submit detailed plans and an engineering report describing how WAC 173-303-665 (6)(a) and (b) will be complied with. This information should be included in the closure plan and, where applicable, the post-closure plan submitted under (a)(xiii) of this subsection;

(x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a waste pile that is not enclosed (as defined in WAC 173-303-660 (1)(c)) is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-660(10).

(f) Specific Part B information requirements for incinerators. Except as WAC 173-303-670(1) provides otherwise, owners and operators of facilities that incinerate dangerous waste must fulfill the informational requirements of (f) of this subsection.

(i) When seeking an exemption under WAC 173-303-670 (1)(b) (ignitable or reactive wastes only):

(A) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is ignitable; or

(B) Documentation that the waste is listed as a dangerous waste in WAC 173-303-080, solely because it is reactive for characteristics other than those listed in WAC 173-303-090 (7)(a)(iv) and (v), and will not be burned when other dangerous wastes are present in the combustion zone; or

(C) Documentation that the waste is a dangerous waste solely because it possesses the characteristic of ignitability, as determined by the tests for characteristics of dangerous waste under WAC 173-303-090; or

(D) Documentation that the waste is a dangerous waste solely because it possesses the reactivity characteristics listed in WAC 173-303-090 (7)(a)(i), (ii), (iii), (vi), (vii), and (viii), and that it will not be burned when other dangerous wastes are present in the combustion zone.

(ii) Submit a trial burn plan or the results of a trial burn, including all required determinations, in accordance with WAC 173-303-807.

(iii) In lieu of a trial burn, the applicant may submit the following information;

(A) An analysis of each waste or mixture of wastes to be burned including:

(I) Heating value of the waste in the form and composition in which it will be burned;

(II) Viscosity (if applicable), or description of physical form of the waste, and specific gravity of the waste;

(III) An identification of any dangerous organic constituents listed in WAC 173-303-9905 or, if not listed, which cause the waste(s) to be regulated, which are present in the waste to be burned, except that the applicant need not analyze for constituents which would reasonably not be expected to be found in the waste. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The

waste analysis must rely on analytical techniques specified in WAC 173-303-110(3), or their equivalent;

(IV) An approximate quantification of the dangerous constituents identified in the waste, within the precision produced by the analytical methods specified in WAC 173-303-110(3); and

(V) A quantification of those dangerous constituents in the waste which may be designated as principal organic dangerous constituents (PODC's) based on data submitted from other trial or operational burns which demonstrate compliance with the performance standards in WAC 173-303-670(4);

(B) A detailed engineering description of the incinerator, including:

(I) Manufacturer's name and model number of incinerator;

(II) Type of incinerator;

(III) Linear dimension of incinerator unit including cross sectional area of combustion chamber;

(IV) Description of auxiliary fuel system (type/feed);

(V) Capacity of prime mover;

(VI) Description of automatic waste feed cutoff system(s);

(VII) Stack gas monitoring and pollution control monitoring system;

(VIII) Nozzle and burner design;

(IX) Construction materials; and

(X) Location and description of temperature, pressure, and flow indicating devices and control devices;

(C) A description and analysis of the waste to be burned compared with the waste for which data from operational or trial burns are provided to support the contention that a trial burn is not needed. The data should include those items listed in (f)(iii)(A) of this subsection. This analysis should specify the principal organic dangerous constituents (PODC's) which the applicant has identified in the waste for which a permit is sought, and any differences from the PODC's in the waste for which burn data are provided;

(D) The design and operating conditions of the incinerator unit to be used, compared with that for which comparative burn data are available;

(E) A description of the results submitted from any previously conducted trial burn(s) including:

(I) Sampling and analysis techniques used to calculate performance standards in WAC 173-303-670(4); and

(II) Methods and results of monitoring temperatures, waste feed rates, carbon monoxide, and an appropriate indicator of combustion gas velocity (including a statement concerning the precision and accuracy of this measurement);

(F) The expected incinerator operation information to demonstrate compliance with WAC 173-303-670 (4) and (6), including:

(I) Expected carbon monoxide (CO) level in the stack exhaust gas;

(II) Waste feed rate;

(III) Combustion zone temperature;

(IV) Indication of combustion gas velocity;

(V) Expected stack gas volume, flow rate, and temperature;

(VI) Computed residence time for waste in the combustion zone;

(VII) Expected hydrochloric acid removal efficiency;

(VIII) Expected fugitive emissions and their control procedures; and

(IX) Proposed waste feed cutoff limits based on the identified significant operating parameters;

(G) Such supplemental information as the department finds necessary to achieve the purposes of this subsection;

(H) Waste analysis data, including that submitted in (f)(iii)(A) of this subsection, sufficient to allow the department to specify as permit principal organic dangerous constituents (permit PODC's) those constituents for which destruction and removal efficiencies will be required; and

(I) Test protocols and sampling and analytical data to demonstrate the designation status under WAC 173-303-070 of:

(I) Incinerator ash residues, if any; and

(II) Residues from the air pollution control devices.

(iv) The department shall approve a permit application without a trial burn if the department finds that:

(A) The wastes are sufficiently similar; and

(B) The incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under WAC 173-303-670(6)) operating conditions that will ensure that the performance standards in WAC 173-303-670(4) will be met by the incinerator.

(g) Specific Part B information requirements for land treatment facilities. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that use land treatment to dispose of dangerous waste must provide the following additional information:

(i) A description of plans to conduct a treatment demonstration as required under WAC 173-303-655(3). The description must include the following information:

(A) The wastes for which the demonstration will be made and the potential dangerous constituents in the waste;

(B) The data sources to be used to make the demonstration (e.g., literature, laboratory data, field data, or operating data);

(C) Any specific laboratory or field test that will be conducted, including:

(I) The type of test (e.g., column leaching, degradation);

(II) Materials and methods, including analytical procedures;

(III) Expected time for completion; and

(IV) Characteristics of the unit that will be simulated in the demonstration, including treatment zone characteristics, climatic conditions, and operating practices;

(ii) A description of a land treatment program, as required under WAC 173-303-655(2). This information must be submitted with the plans for the treatment demonstration, and updated following the treatment demonstration. The land treatment program must address the following items:

(A) The wastes to be land treated;

(B) Design measures and operating practices necessary to maximize treatment in accordance with WAC 173-303-655 (4)(a) including:

(I) Waste application method and rate;

(II) Measures to control soil pH;

(III) Enhancement of microbial or chemical reactions; and

(IV) Control of moisture content;

(C) Provisions for unsaturated zone monitoring, including:

(I) Sampling equipment, procedures, and frequency;

(II) Procedures for selecting sampling locations;

(III) Analytical procedures;

(IV) Chain of custody control;

(V) Procedures for establishing background values;

(VI) Statistical methods for interpreting results; and

(VII) The justification for any dangerous constituents recommended for selection as principal dangerous constituents, in accordance with the criteria for such selection in WAC 173-303-655 (6)(a);

(D) A list of dangerous constituents reasonably expected to be in, or derived from, the wastes to be land treated based on waste analysis performed pursuant to WAC 173-303-300;

(E) The proposed dimensions of the treatment zone;

(iii) A description of how the unit is or will be designed, constructed, operated, and maintained in order to meet the requirements of WAC 173-303-655(4). This submission must address the following items:

(A) Control of run-on;

(B) Collection and control of run-off;

(C) Minimization of run-off of dangerous constituents from the treatment zone;

(D) Management of collection and holding facilities associated with run-on and run-off control systems;

(E) Periodic inspection of the unit. This information should be included in the inspection plan submitted under (a)(v) of this subsection; and

(F) Control of wind dispersal of particulate matter, if applicable;

(iv) If food-chain crops are to be grown in or on the treatment zone of the land treatment unit, a description of how the demonstration required under WAC 173-303-655(5) will be conducted including:

(A) Characteristics of the food-chain crop for which the demonstration will be made;

(B) Characteristics of the waste, treatment zone, and waste application method and rate to be used in the demonstration;

(C) Procedures for crop growth, sample collection, sample analysis, and data evaluation;

(D) Characteristics of the comparison crop including the location and conditions under which it was or will be grown; and

(E) If cadmium is present in the land treated waste, a description of how the requirements of WAC 173-303-655 (5)(b) will be complied with;

(v) A description of the vegetative cover to be applied to closed portions of the facility, and a plan for maintaining such cover during the post-closure care period, as required under WAC 173-303-655 (8)(a)(viii) and (c)(ii). This information should be included in the closure plan and, where applicable, the post-closure care plan submitted under (a)(xiii) of this subsection;

(vi) If ignitable or reactive wastes will be placed in or on the treatment zone, an explanation of how the requirements of WAC 173-303-655(9) will be complied with; and

(vii) If incompatible wastes, or incompatible wastes and materials, will be placed in or on the same treatment zone, an explanation of how WAC 173-303-655(10) will be complied with.

(viii) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a land treatment facility is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-655(12).

(h) Specific Part B information requirements for landfills. Except as otherwise provided in WAC 173-303-600(3), owners and operators of facilities that dispose of dangerous waste in landfills must provide the following additional information:

(i) A list of the dangerous wastes placed or to be placed in each landfill or landfill cell;

(ii) Detailed plans and an engineering report describing how the landfill is or will be designed, constructed, operated and maintained to comply with the requirements of WAC 173-303-665(2). This submission must address the following items as specified in WAC 173-303-665(2):

(A) The liner system and leachate collection and removal system (except for an existing portion of a landfill), including the licensed engineer's certification required by WAC 173-303-665 (2)(a)(i). If an exemption from the requirements for a liner and a leachate collection and removal system is sought, as provided by WAC 173-303-665 (2)(b), submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any dangerous constituent into the ground water or surface water at any future time;

(B) Control of run-on;

(C) Control of run-off;

(D) Management of collection and holding facilities associated with run-on and run-off control systems; and

(E) Control of wind dispersal of particulate matter, where applicable;

(iii) If an exemption from WAC 173-303-645 is sought, as provided by WAC 173-303-665(3), the owner or operator must submit detailed plans and an engineering report explaining the location of the saturated zone in relation to the landfill, the design of a double-liner system that incorporates a leak detection system between the liners, and a leachate collection and removal system above the liners;

(iv) A description of how each landfill, including the liner and cover systems, will be inspected in order to meet the requirements of WAC 173-303-665(4). This information should be included in the inspection plan submitted under (a)(v) of this subsection;

(v) Detailed plans and an engineering report describing the final cover which will be applied to each landfill or landfill cell at closure in accordance with WAC 173-303-665 (6)(a), and a description of how each landfill will be maintained and monitored after closure in accordance with WAC 173-303-665 (6)(b) and (c). This information should be included in the closure and post-closure plans submitted under (a)(xiii) of this subsection;

(vi) ~~((If ignitable or reactive wastes will be landfilled, an explanation of how the standards of WAC 173-303-665(7) will be complied with;~~

~~((vii)) If incompatible wastes, or incompatible wastes and materials will be landfilled, an explanation of how WAC 173-303-665((8)) (7) will be complied with;~~

~~((viii) If bulk of noncontainerized liquid waste or wastes containing free liquids is to be landfilled, an explanation of how the requirements of WAC 173-303-665(9) will be complied with;~~

~~((ix) If containers of dangerous waste are to be landfilled, an explanation of how the requirements of WAC 173-303-665(10) will be complied with; and~~

~~((x) Where applicable, a waste management plan for Dangerous Waste Nos. F020, F021, F022, F023, F026, or F027 describing how a landfill is or will be designed, constructed, operated, and maintained to meet the requirements of WAC 173-303-665(11).))~~

(vii) A description of how each landfill will be designed and operated in order to comply with WAC 173-303-140.

(i) Specific Part B information requirements for miscellaneous units. Except as otherwise provided in WAC 173-303-680(1), owners and operators of facilities that treat, store, or dispose of dangerous waste in miscellaneous units must provide the following additional information:

(i) A detailed description of the unit being used or proposed for use, including the following:

(A) Physical characteristics, materials of construction, and dimensions of the unit;

(B) Detailed plans and engineering reports describing how the unit will be located, designed, constructed, operated, maintained, monitored, inspected, and closed to comply with the requirements of WAC 173-303-680 (2) and (3); and

(C) For disposal units, a detailed description of the plans to comply with the postclosure requirements of WAC 173-303-680(4).

(ii) Detailed hydrologic, geologic, and meteorologic assessments and land-use maps for the region surrounding the site that address and ensure compliance of the unit with each factor in the environmental performance standards of WAC 173-303-680(2). If the applicant can demonstrate that he does not violate the environmental performance standards of WAC 173-303-680(2) and the department agrees with such demonstration, preliminary hydrologic, geologic, and meteorologic assessments will suffice.

(iii) Information on the potential pathways of exposure of humans or environmental receptors to dangerous waste or dangerous constituents and on the potential magnitude and nature of such exposures.

(iv) For any treatment unit, a report on a demonstration of the effectiveness of the treatment based on laboratory or field data.

(v) Any additional information determined by the department to be necessary for evaluation of compliance of the unit with the environmental performance standards of WAC 173-303-680(2).

(5) Construction. A person may begin physical construction of a new facility, or of new portions of an existing facility if the new portions would amount to reconstruction under interim status (WAC 173-303-805(7)), only after complying with WAC 173-303-281, submitting Part A and Part B of the permit application and receiving a final facility permit. All permit applications must be submitted at least one hundred eighty days before physical construction is expected to begin.

(6) Reapplications. Any dangerous waste facility with an effective final facility permit shall submit a new application one hundred eighty days prior to the expiration date of the effective permit, unless the department grants a later date provided that such date will never be later than the expiration date of the effective permit.

(7) Continuation of expiring permits.

(a) When the owner/operator submits a timely application for a final facility permit and the application is determined by the department to be complete pursuant to subsection (8) of this section, the facility is allowed to continue operating under the expiring or expired permit until the effective date of the new permit.

(b) When the facility is not in compliance with the conditions of the expiring or expired permit, the department may choose to do any of the following:

(i) Initiate enforcement action based upon the permit which has been continued;

(ii) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(iii) Issue a new permit with appropriate conditions; and/or

(iv) Take other actions authorized by this chapter.

(8) Completeness. The department shall not issue a final facility permit before receiving a complete application, except for permits by rule or emergency permits. An application for a permit is complete when the application form and any supplemental information has been submitted to the department's satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity.

(9) Recordkeeping. Applicants shall keep records of all data used to complete the permit applications, and any supplemental information submitted to the department for a period of at least three years from the date the application is signed.

(10) General permit conditions. All final facility permits shall contain general permit conditions described in WAC 173-303-810.

(11) Permit duration.

(a) Final facility permits shall be effective for a fixed term not to exceed ten years.

(b) The department may issue any final facility permit for a duration that is less than the full allowable term.

(c) The term of a final facility permit shall not be extended beyond ten years, unless otherwise authorized under subsection (7) of this section.

(12) Grounds for termination. The following are causes for terminating a final facility permit during its term:

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers public health or the environment and the hazard can only be controlled by permit modification or termination.

(13) Grounds for denial. A permit application shall be denied if it is determined that the proposed location and/or activity endangers public health and the environment as demonstrated by the permit applicant's failure to satisfy the performance standards of WAC 173-303-283.

(14) Permit changes. All final facility permits shall be subject to the requirements of permit changes, WAC 173-303-830.

(15) Procedures for decision making. Issuance of final facility permits will be subject to the procedures for decision making described in WAC 173-303-840.

(16) Other requirements for final special waste and recycling facility permits. In lieu of issuing a final special waste or recycling facility permit, the department may, after providing opportunity for public comment in accordance with WAC 173-303-840, defer to a permit already issued under other statutory authority administered by the department (such as the State Water Pollution Control Act, chapter 90-48 RCW, the State Clean Air Act, chapter 70.94 RCW, etc.) which incorporates the requirements of this section, and WAC 173-303-500 through 173-303-525 for recycling facilities or WAC 173-303-550 through 173-303-560 for special waste facilities.

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-807 TRIAL BURNS FOR DANGEROUS WASTE INCINERATOR FINAL FACILITY PERMITS. (1) Purpose and applicability. For purposes of determining operational readiness and establishing conditions in final facility permits for dangerous waste incinerators, the department may approve trial burns. Trial burns shall not exceed seven hundred twenty hours operating time, except that the department may extend the duration of this operational period once, up to seven hundred twenty additional hours, at the request of the owner/operator of the incinerator when good cause is shown. The permit may be modified to reflect the extension according to WAC 173-303-830(4). The procedures for requesting and approving trial burns are described in:

(a) Subsection (10) of this section for existing incinerators with interim status permits; and

(b) Subsection (11) of this section for new incinerators and for incinerators with final facility permits in which the owner/operator wishes to burn new wastes not currently included in the permit.

(2) Trial burn plan. The trial burn must be conducted in accordance with a trial burn plan prepared by the applicant and approved by the department. The trial burn plan will then become a condition of the permit and will include the following information:

(a) An analysis of each waste or mixture of waste to be burned which includes:

(i) Heating value of the waste in the form and composition in which it will be burned;

(ii) Viscosity (if applicable), or description of physical form of the waste, and specific gravity of the waste;

(iii) An analysis identifying any dangerous organic constituents listed in WAC 173-303-9905, and any other dangerous constituents which, although not listed, caused the waste to be regulated as a dangerous waste, which are reasonably expected to be present in the waste to be burned. The constituents excluded from analysis must be identified and the basis for their exclusion stated. The waste analysis must rely on analytical techniques specified or referenced in WAC 173-303-110, or their equivalent;

(iv) An approximate quantification of the dangerous constituents identified in the waste, within the precision produced by the analytical methods specified or referenced in WAC 173-303-110; and

(v) A quantification of those dangerous constituents in the waste which may be designated as principal organic dangerous constituents (PODC) based on data submitted from other trial or operational burns which demonstrate compliance with the performance standard in WAC 173-303-670(4);

(b) A detailed engineering description of the incinerator for which the trial burn permit is sought including:

(i) Manufacturer's name and model number of incinerator (if available);

(ii) Type of incinerator;

(iii) Linear dimensions of the incinerator unit including the cross sectional area of the combustion chamber;

(iv) Description of the auxiliary fuel system (type/feed);

(v) Capacity of the prime air mover;

(vi) Description of automatic waste feed cutoff system(s);

(vii) Stack gas monitoring and pollution control equipment;

(viii) Nozzle and burner design;

(ix) Construction materials; and

(x) Location and description of temperature, pressure, and flow indicating and control devices;

(c) A detailed description of sampling and monitoring procedures, including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis;

(d) A detailed test schedule for each waste for which the trial burn is planned including date(s), duration, quantity of waste to be burned, and other factors relevant to the department's decision under subsection (5) of this section;

(e) A detailed test protocol, including, for each waste identified, the ranges of temperature, waste feed rate, air feed rate, use of auxiliary fuel, and other relevant parameters that will be varied to affect the destruction and removal efficiency of the incinerator;

(f) A description of, and planned operating conditions for, any emission control equipment which will be used;

(g) Procedures for rapidly stopping waste feed, shutting down the incinerator, and controlling emissions in the event of an equipment malfunction;

(h) A detailed test protocol to sample and analyze the following for designation under WAC 173-303-070:

(i) Any incinerator ash residue collected in the incinerator; and

(ii) Any residues collected in the air pollution control devices; and

(i) Such other information as the department reasonably finds necessary to determine whether to approve the trial burn plan in light of the purposes of this section.

(3) Additional information required. The department, in reviewing the trial burn plan, shall evaluate the adequacy of the information provided and may require the applicant to supplement this information, if necessary, to achieve the purposes of this section.

(4) Trial PODCs. Based on the waste analysis data in the trial burn plan, the department will specify as trial principal organic dangerous constituents (trial PODCs) those constituents for which destruction and removal efficiencies must be calculated during the trial burn. These trial PODCs will be specified by the department based on its estimate of the difficulty of incineration of the constituents identified in the waste analysis, the concentration or mass in the waste feed, and the dangerous waste constituent or constituents identified in WAC 173-303-9905, or identified as causing the waste to be regulated as a dangerous waste.

(5) Approval of the plan. The department shall approve a trial burn plan if it finds that:

(a) The trial burn is likely to determine whether the incinerator performance standard required by WAC 173-303-670(4) can be met;

(b) The trial burn itself will not present an imminent hazard to public health or the environment;

(c) The trial burn will help the department to determine operating requirements to be specified under WAC 173-303-670(6); and

(d) The information sought in (a), (b), and (c) of this subsection cannot reasonably be developed through other means.

(6) Trial burns. During each approved trial burn (or as soon after the burn as is practicable), the applicant must make the following determinations:

(a) A quantitative analysis of the trial PODCs in the waste feed to the incinerator;

(b) A quantitative analysis of the exhaust gas for the concentration and mass emissions of the trial PODCs, O₂, hydrogen chloride (HCl), carbon monoxide (CO) and dangerous combustion byproducts, including the total mass emission rate of byproducts as a percent of the total mass feed rate of PODCs fed to the incinerator;

(c) A quantitative analysis of the scrubber water (if any), ash residues, and other residues, for the purpose of estimating the fate of the trial PODCs and whether they are designated according to WAC 173-303-070;

(d) A total mass balance of the trial PODCs in the waste;

(e) A computation of destruction and removal efficiency (DRE), in accordance with the DRE formula specified in WAC 173-303-670(4)(a);

(f) If the HCl emission rate exceeds 1.8 kilograms of HCl per hour (4 pounds per hour), a computation of HCl removal efficiency in accordance with WAC 173-303-670 (4)(c)(i);

(g) A computation of particulate emissions, in accordance with WAC 173-303-670 (4)(c)(ii);

(h) An identification of sources of fugitive emissions and their means of control;

(i) A measurement of average, maximum, and minimum temperatures, and combustion gas velocity;

(j) A continuous measurement of carbon monoxide in the exhaust gas;

(k) An identification of any existing air emission standards where a state or local air pollution control authority has established emission standards and such standards are applicable to the incinerator; and

(l) Such other information as the department may specify as necessary to ensure that the trial burn will determine compliance with the performance standard of WAC 173-303-670(4), and to establish the operating conditions required by WAC 173-303-670(6).

(7) Certification. The applicant shall submit to the department a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and must submit the results of all determinations required by subsection (6) of this section. This submission shall be made within thirty days of the completion of the trial burn, or later if approved by the department.

(8) Submission of data. All data collected during any trial burn must be submitted to the department following the completion of the trial burn.

(9) Signatures required. All submissions required under this section shall be certified on behalf of the applicant by the signature of a person authorized to sign a permit application under WAC 173-303-810(12).

(10) Existing incinerators with interim status permits.

(a) The owner/operator of an existing incinerator currently operating under an interim status permit may, when required by the department (or when he chooses) to apply for a final facility permit, request the department to approve of a trial burn. The trial burn may be requested for the purposes of determining feasibility of compliance with the performance standards of WAC 173-303-670(4) and the operating conditions of WAC 173-303-670(6). If a trial burn is requested, the owner/operator shall prepare and submit a trial burn plan and, upon approval by the department, perform a trial burn in accordance with subsections (2) through (9) of this section.

(b) If the department approves the trial burn, it shall issue a notice of interim status modification granting such approval and specifying the conditions applicable to the trial burn. The notice of modification shall be a condition of the interim status permit. Note: The national emission standards for hazardous air pollutants may require review for a notice of construction. Owners and operators should consult chapter 173-400 WAC or local air pollution control agency regulations for applicability.

(c) If the trial burn is approved before submitting a final facility permit application, the owner/operator shall complete the trial burn and submit the information described in subsection (6) of this section, with Part B of the permit application. If completion of this process conflicts with the date set for submission of Part B of the final facility permit application, the owner/operator must contact the department to extend the date for submitting the Part B or the trial burn results. If the applicant submits a trial burn plan with Part B of the final facility permit application, the department will specify in the notice of interim status modification issued under (b) of this subsection, a time period for conducting the trial burn and submitting the results.

(11) New incinerators and new wastes.

(a)(i) The owner/operator of a new incinerator may submit with Part B of a final facility permit application a request for approval of a trial burn. This request shall include a statement of why the trial burn is desirable, and a trial burn plan prepared in accordance with subsection (2) of this section.

(ii) The department shall proceed to issue a final facility permit in accordance with WAC 173-303-806. The permit shall include the trial burn plan, and shall establish operating conditions for the trial burn including but not limited to those described in WAC 173-303-670(6). The time period for conducting the trial burn and submitting the results shall also be specified in the permit.

(iii) After the trial burn has been completed and the results submitted to the department, the final facility permit shall be modified in accordance with WAC 173-303-830 (~~including minor modifications, if~~

~~applicable~~)) (4) to establish the final operating requirements and performance standards for the incinerator.

(b) The owner/operator of an incinerator with a final facility permit who wishes to burn new wastes not currently included in his permit may request approval of a trial burn for the new wastes. The request and approval shall be handled in the same way as described in (a) of this subsection, except that in lieu of issuing an entirely new final facility permit the department will modify the existing final facility permit in accordance with WAC 173-303-830.

AMENDATORY SECTION (Amending Order DE 83-36, filed 4/18/84)

WAC 173-303-808 DEMONSTRATIONS FOR DANGEROUS WASTE LAND TREATMENT FINAL FACILITY PERMITS. (1) Purpose and applicability. This section is applicable to the owner/operator of a land treatment facility who must demonstrate that his proposed treatment will be successful. The purpose of this section is to allow the department to issue a land treatment demonstration permit.

(2) Permit issuance. The department may issue a land treatment demonstration permit either in advance of or as part of a final facility permit so that the owner/operator of a land treatment facility can make the demonstration required in WAC 173-303-655(3). If issued in advance of the final facility permit, the land treatment demonstration permit shall be issued as described in subsection (3) of this section, as a demonstration permit only. If issued as part of the final facility permit, the land treatment demonstration and final facility permit shall be issued as described in subsection (4) of this section, as a phased permit. The determination for which procedure to follow will be made by the department based on the information submitted by the owner/operator in Part B of the final facility permit application.

(3) Demonstration permit only.

(a) If the department finds that the Part B does not contain enough information regarding the proposed treatment to allow the department to establish permit conditions necessary for compliance with all requirements of WAC 173-303-655, it may issue a land treatment demonstration permit only. The demonstration permit will be issued in accordance with the decision-making procedures of WAC 173-303-840. The demonstration permit may be issued either as a treatment or disposal permit, will cover only the field test or laboratory analyses, shall contain only those requirements necessary to meet the standards in WAC 173-303-655(3), and shall provide a specific time period for the demonstration. The department may extend the demonstration period as a modification (or minor modification, if applicable) to the demonstration permit.

(b) Within thirty days (unless the department approves a later date) of the end of the treatment demonstration, the owner/operator shall submit a revised Part B to the department containing the results of the field tests or laboratory analyses and all data developed during the demonstration period. The department shall then use the information and Part B to determine whether or not there is adequate information to issue a final facility permit which will incorporate conditions sufficient to provide compliance with all requirements of WAC 173-303-655. If the information is adequate, the department will proceed under WAC 173-303-806 to issue a final facility permit. If the information is not adequate, the department may, as the situation warrants, either issue a modification to the demonstration permit in accordance with the procedures of subsection (3)(a) of this section, or deny the final facility permit application.

(4) Phased permit.

(a) The department may issue a two-phase final facility permit if it finds that, based on information submitted in Part B of the permit application, substantial (although incomplete and inconclusive) information exists upon which to base the issuance of a final facility permit. The phased permit will be issued in the same manner as a final facility permit under WAC 173-303-806, except that it shall contain a first phase for making a land treatment demonstration, and a second phase (to become effective after completion of the first phase) for establishing conditions for operation of the land treatment facility.

(b) If the department finds that a phased permit may be issued, it will establish, as requirements in the first phase of the facility permit, conditions for conducting the field tests or laboratory analyses. These permit conditions will include design and operating parameters (including the duration of the tests or analyses and, in the case of field tests, the horizontal and vertical dimensions of the treatment zone), monitoring procedures, post-demonstration cleanup activities, and any other conditions which the department finds may be necessary under

WAC 173-303-655 (3)(c). The department will include conditions in the second phase of the facility permit to attempt to meet all WAC 173-303-655 requirements pertaining to unit design, construction, operation, and maintenance. The department will establish these conditions in the second phase of the permit based upon the substantial but incomplete or inconclusive information contained in the Part B application.

(i) The first phase of the permit will be effective as provided in WAC 173-303-840 (8)(b).

(ii) The second phase of the permit will be effective as provided in (d) of this subsection.

(c) When the owner or operator who has been issued a two-phase permit has completed the treatment demonstration, he must submit to the department a certification, signed by a person authorized to sign a permit application or report under WAC 173-303-810(12), that the field tests or laboratory analyses have been carried out in accordance with the conditions specified in phase one of the permit for conducting such tests or analyses. The owner or operator must also submit all data collected during the field tests or laboratory analyses within thirty days of completion of those tests or analyses unless the department approves a later date.

(d) If the department determines that the results of the field tests or laboratory analyses meet the requirements of WAC 173-303-655(3), it will modify the second phase of the permit to incorporate any requirements necessary for operation of the facility in compliance with WAC 173-303-655, based upon the results of the field tests or laboratory analyses.

(i) This permit modification may proceed (~~as a minor modification~~) under WAC 173-303-830(4) (~~provided any such change is minor~~); or otherwise will proceed as a modification under WAC 173-303-830 (3)(a)(ii). If such modifications are necessary, the second phase of the permit will become effective only after those modifications have been made.

(ii) If no modifications of the second phase of the permit are necessary (~~or if only minor modifications are necessary and have been made~~), the department will give notice of its final decision to the permit applicant and to each person who submitted written comments on the phased permit or who requested notice of the final decision on the second phase of the permit. The second phase of the permit then will become effective as specified in WAC 173-303-840 (8)(b).

(iii) If modifications under WAC 173-303-830(3) are necessary, the second phase of the permit will become effective only after those modifications have been made.

(e) If the department determines that the results of the field tests or laboratory analyses do not meet the requirements of WAC 173-303-655(3), the second phase of the permit will not become effective, and the department will, as the situation warrants, either:

(i) Modify the permit according to WAC 173-303-830(3) to allow for additional field tests or laboratory analyses; or

(ii) Proceed to terminate the permit according to WAC 173-303-840.

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-810 GENERAL PERMIT CONDITIONS. (1) Purpose and applicability. This section sets forth the general permit conditions that are applicable to all permits, except interim status permits and permits by rule, to assure compliance with this chapter. If the conditions of this section are incorporated in a permit by reference, a specific citation to this section must be given in the permit.

(2) Duty to comply. The permittee must comply with all conditions of his permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee need not comply with the conditions of his permit to the extent and for the duration such noncompliance is authorized in an emergency permit.

(3) Duty to reapply. If the permittee wishes to continue an activity regulated by the permit after its expiration date, the permittee must apply for and obtain a new permit.

(4) Duty to halt or reduce activity. A permittee who has not complied with his permit, and who subsequently is subject to enforcement actions, may not argue that it would have been necessary to halt or reduce the permitted activities in order to maintain compliance with the conditions of the permit.

(5) Duty to mitigate. The permittee shall take all steps required by the department to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit.

(6) Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

(7) Permit actions. The permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance, does not stay any permit condition.

(8) Effect of a permit. The issuance of a permit does not convey any property rights of any sort, or any exclusive privilege. The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local laws or regulations.

(9) Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information which it may request to determine whether cause exists for modifying, revoking and reissuing, or terminating a permit, or to determine compliance with a permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by the permit.

(10) Inspection and entry. The permittee shall allow representatives of the department, upon the presentation of proper credentials, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and

(d) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by chapter 173-303 WAC, any substances or parameters at any location.

(11) Monitoring and monitoring records.

(a) All permits shall specify:

(i) Requirements concerning the proper use, maintenance, and installation, when appropriate, of monitoring equipment or methods; and

(ii) Required monitoring including type, intervals, and frequency sufficient to yield data which are representative of the monitored activity including, when appropriate, continuous monitoring.

(b) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(c) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the department at any time.

(d) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;

(ii) The individual(s) who performed the sampling or measurements;

(iii) The date(s) analyses were performed;

(iv) The individual(s) who performed the analyses;

(v) The analytical techniques or methods used; and

(vi) The results of such analyses.

(e) The permittee shall maintain all records of ground water quality and ground water surface elevations for the active life of the facility, and for the post-closure period as well.

(12) Signatory requirement. All applications, reports, or information submitted to the department shall be signed in accordance with this subsection and shall be certified according to subsection (13) of this section.

(a) Applications. When a dangerous waste facility is owned by one person, but is operated by another person, then the operator shall be the permit applicant and responsible for developing the permit application and all accompanying materials, except that the owner must

also sign and certify the permit application. Permit applications shall be signed as follows:

(i) For a corporation: By a responsible corporate officer. For the purposes of this subsection, a responsible corporate officer means:

(A) A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(B) The manager of one or more manufacturing, production or operating facilities employing more than two hundred fifty persons or having gross annual sales or expenditures exceeding twenty-five million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

(ii) For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

(iii) For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this subsection, a principal executive officer of a federal agency includes:

(A) The chief executive officer of the agency; or

(B) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

(b) Reports. All reports required by permits and other information requested by the department shall be signed by a person described in (a) of this subsection, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(i) The authorization is made in writing by a person described in (a) of this subsection;

(ii) The authorization specifies either an individual or a position having responsibility for overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

(iii) The written authorization is submitted to the department.

(c) Changes to authorization. If an authorization under (b) of this subsection is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) of this subsection must be submitted to the department prior to or together with any reports, information, or applications to be signed by an authorized representative.

(13) Certification.

(a) Except as provided in (b) of this subsection, any person signing the documents required under (a) or (b) of subsection (12) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(b) When a dangerous waste facility is owned by one person, but is operated by another person, then the permit application must be certified as follows:

(i) The operator must make the certification described under (a) of this subsection; and

(ii) The owner must make the following certification:

"I certify under penalty of law that I own the real property described in, and am aware of the contents of, this permit application, and that I have received a copy of this application. As owner of the real property, I understand that I am responsible for complying with any requirements of chapter 173-303 WAC with which only I am able to comply, and that there are significant penalties for failure to comply with such requirements."

(14) Reporting. The following reports shall be provided:

(a) Planned changes. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. For a new TSD facility and for a facility being modified, the permittee may not treat, store, or dispose of dangerous waste in the new or modified portion of the facility until:

(i) The permittee has submitted to the department by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and either

(ii) The department has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or

(iii) Within fifteen days of the date of submission of the letter, the permittee has not received notice from the department of its intent to inspect, prior inspection is waived and the permittee may commence treatment, storage, or disposal of dangerous waste.

(b) Anticipated noncompliance. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee may not treat, store, or dispose of dangerous waste; and for a facility being modified, the permittee may not treat, store, or dispose of dangerous waste in the modified portion of the facility except as provided in WAC 173-303-830(4).

(c) Transfers. The permit is not transferable to any person except after notice to the department. The department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.

(d) Monitoring reports. Monitoring results (including monitoring of the facility's impacts as required by the applicable sections of this chapter) shall be reported at the intervals specified elsewhere in the permit.

(e) Compliance schedules. Reports of permit compliance or noncompliance or any progress reports on interim and final permit requirements contained in any compliance schedule shall be submitted no later than fourteen days following each scheduled date.

(f) Immediate reporting. The permittee shall immediately report any noncompliance which may endanger health or the environment. Information shall be provided orally to the department as soon as the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances provided that the department may waive the written submission requirement in favor of a written report, to be submitted within fifteen days. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

Information which must be reported immediately shall include:

(i) Release of dangerous waste that may cause an endangerment to drinking water supplies or ground or surface waters;

(ii) Any information of a release or discharge of dangerous waste, fire, or explosion from the permitted facility which could threaten the environment or human health outside the facility;

(iii) The following description of any such occurrence:

(A) Name, address, and telephone number of the owner or operator;

(B) Name, address, and telephone number of the facility;

(C) Date, time, and type of incident;

(D) Name and quantity of material(s) involved;

(E) The extent of injuries, if any;

(F) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

(G) Estimated quantity and disposition of recovered material that resulted from the incident.

(g) Other noncompliance. The permittee shall report all instances of noncompliance not reported under (d), (e), and (f) of this subsection, at the time monitoring reports are submitted. The reports shall contain the information listed in (f) of this subsection.

(h) Other information. Where the permittee becomes aware that he failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the department, he shall promptly submit this information.

(i) Other reports. In addition, the following reports are required when appropriate:

(i) Manifest discrepancy report as required by WAC 173-303-370(5);

(ii) Unmanifested waste report as required by WAC 173-303-390(1); and

(iii) Annual report as required by WAC 173-303-390(2).

(15) Confidentiality.

(a) Information submitted by the owner/operator of a facility identified as confidential will be treated in accordance with chapter 42.17 RCW and RCW 43.21A.160.

(b) Proprietary information can be held confidential if the owner/operator indicates to the department the degree of harm if the information is made to the public.

(c) Claims of confidentiality for permit application information must be substantiated at the time the application is submitted and in the manner prescribed in the application instructions. Claims of confidentiality for the name and address of any permit applicant will be denied.

(d) If a submitter does not provide substantiation, the department will notify the owner/operator by certified mail of the requirement to do so. If the department does not receive the substantiation within ten days after the submitter receives the notice, the department shall place the unsubstantiated information in the public file.

(e) The department will determine if the owner/operator's request meets the confidential information criteria.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-830 PERMIT CHANGES. (1) Purpose and applicability. This section describes the types of permit changes that may be made to all permits issued by the department. This section does not apply to permits by rule or interim status permits.

(2) Transfer of permits.

(a) A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under (b) of this subsection or subsection (3) of this section) ~~((or a minor modification has been made))~~ to identify the new permittee and incorporate such other requirements as ~~((stipulated under subsection (4) of this section))~~ may be necessary under the appropriate act.

(b) Changes in the ownership or operational control of a facility may be made as a Class 1 modification with prior written approval of the department in accordance with subsection (4) of this section. The new owner or operator must submit a revised permit application no later than ninety days prior to the scheduled change. A written agreement containing a specific date for transfer of permit responsibility between the current and new permittees must also be submitted to the department. When a transfer of ownership or operational control occurs, the old owner or operator shall comply with the requirements of WAC 173-303-620 (Financial requirements) until the new owner or operator has demonstrated that he or she is complying with the financial requirements. The new owner or operator must demonstrate compliance with the financial requirements within six months of the date of the change of ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with the financial requirements, the department shall notify the old owner or operator that he or she no longer needs to comply with the financial requirements as of the date of demonstration.

(3) Modification or revocation and reissuance of permits. When the department receives any information (for example, inspects the facility, receives information submitted by the permittee as required in the permit, receives a request for ~~((modification or))~~ revocation and reissuance, or conducts a review of the permit file), the department may determine whether or not one or more of the causes listed in (a) and (b) of this subsection for modification or revocation and reissuance or both exist. If cause exists, the department may modify or revoke and reissue the permit accordingly, subject to the limitations of (c) of this subsection, and may request an updated application if necessary. When a permit is modified, only the conditions subject to modification are reopened. If a permit is revoked and reissued, the entire permit is reopened and subject to revision and the permit is reissued for a new term. If cause does not exist under this subsection ~~((3) or (4) of this section)),~~ the department shall not modify or revoke and reissue the permit, except on request of the permittee. If a permit modification ~~((satisfies the criteria in subsection (4) of this section for "minor modifications,"~~ the permit may be modified without a draft permit or public review)) is requested by the permittee, the department shall approve or deny the request according to the procedures of subsection (4) of this section. Otherwise, a draft permit must be prepared and public review provided in accordance with WAC 173-303-840.

(a) Causes for modification. The following are causes for modification but not revocation and reissuance of permits, unless agreed to or requested by the permittee:

(i) Alterations. There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit;

(ii) Information. Permits may be modified during their terms if the department receives information that was not available at the time of permit issuance and which would have justified the application of different permit conditions at the time of issuance;

(iii) New regulations. The standards or regulations on which the permit was based have been changed by statute, through promulgation of amended standards or regulations or by judicial decision after the permit was issued. Permits may be modified during their terms for this cause only when:

(A) The permit condition requested to be modified was based on an effective regulation; and

(B) The department has revised, withdrawn, or modified that portion of the regulation on which the permit condition was based; and either

(I) The department decides to modify the permit because there would be a potential threat to public health or the environment if the permit does not incorporate the requirements of the amended regulation; or

(II) A permittee requests modification within ninety days after the date the regulation amendments are adopted;

(iv) Compliance schedules. The department determines good cause exists for modification of a compliance schedule, such as an act of God, strike, flood, or materials shortage, or other events over which the permittee has little or no control and for which there is no reasonably available remedy;

(v) Closure plans or postclosure. When modification of a closure or postclosure plan is required under WAC 173-303-610 (3) or (8);

(vi) Revocation of changes approved prior to notice of closure. After the department receives the notification of expected closure under WAC 173-303-610(3), the department may determine that previously approved changes are no longer warranted. These include:

(A) Extension of the ninety or one hundred eighty day periods under WAC 173-303-610(4);

(B) Modification of the thirty year postclosure period under WAC 173-303-610(7);

(C) Continuation of security requirements under WAC 173-303-610(7); or

(D) Permission to disturb the integrity of the containment system under WAC 173-303-610(7);

(vii) When the permittee has filed a request under WAC 173-303-620 for a variance to the level of financial responsibility or when the department demonstrates under WAC 173-303-620 that an upward adjustment of the level of financial responsibility is required;

(viii) When the corrective action program specified in the permit under WAC 173-303-645 has not brought the regulated unit into compliance with the ground water protection standard within a reasonable period of time;

(ix) To include a detection monitoring program meeting the requirements of WAC 173-303-645, when the owner or operator has been conducting a compliance monitoring program under WAC 173-303-645 or a corrective action program under WAC 173-303-645 and compliance period ends before the end of the postclosure care period for the unit;

(x) When a permit requires a compliance monitoring program under WAC 173-303-645, but monitoring data collected prior to permit issuance indicate that the facility is exceeding the ground water protection standard;

(xi) To include conditions applicable to units at a facility that were not previously included in the facility's permit; or

(xii) When a land treatment unit is not achieving complete treatment of dangerous constituents under its current permit conditions.

(b) Causes for modification or revocation and reissuance. The following are causes to modify, or alternatively, revoke and reissue a permit:

(i) Cause exists for termination under WAC 173-303-806 (12) for final facility permits, and the department determines that modification or revocation and reissuance is appropriate; or

(ii) The department has received notification of a proposed transfer of the permit.

(c) Facility siting. Suitability of the facility location will not be considered at the time of permit modification or revocation and reissuance unless new information or standards indicate that a threat to human health or the environment exists which was unknown at the time of permit issuance.

~~(((4) Minor modifications of permits. Unless the permittee indicates otherwise, the department may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section without following the procedures of WAC 173-303-840. Any~~

permit modification not processed as a minor modification under this section must be made for cause and with a draft permit and public notice as required in WAC 173-303-840. Minor modifications may only be made to:

(a) Correct typographical errors;
 (b) Require more frequent monitoring or reporting by the permittee;
 (c) Change an interim compliance date in a schedule of compliance, provided the new date is not more than one hundred twenty days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement;

(d) Allow for a change in ownership or operational control of a facility where the department determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility between the current and new permittees has been submitted to the department. Changes in the ownership or operational control of a facility may be made if the new owner or operator submits a revised permit application no later than ninety days prior to the scheduled change. When a transfer of ownership or operational control of a facility occurs, the old owner or operator shall comply with the requirements of WAC 173-303-620 (Financial requirements), until the new owner or operator has demonstrated to the department that he is complying with the requirements of that section. The new owner or operator must demonstrate compliance with financial requirements within six months of the date of the change in the ownership or operational control of the facility. Upon demonstration to the department by the new owner or operator of compliance with WAC 173-303-620, the department shall notify the old owner or operator in writing that he no longer needs to comply with the financial requirements as of the date of demonstration;

(e) Change the lists of facility emergency coordinators or equipment in the permit's contingency plan;

(f) Change the following:

(i) Estimates of maximum inventory under WAC 173-303-610 (3)(a)(iii);

(ii) Estimates of expected year of closure or schedules for final closure under WAC 173-303-610 (3)(a)(vii); or

(iii) Approve periods longer than ninety days or one hundred eighty days under WAC 173-303-610 (4)(a) or (b);

(g) Change the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided that the change is minor;

(h) Change the operating requirements set in the permit for conducting a trial burn, provided that the change is minor;

(i) Grant one extension of the time period for determining operational readiness following completion of construction, for up to seven hundred twenty hours operating time for treatment of dangerous waste in an incinerator;

(j) Change the treatment program requirements for land treatment units under WAC 173-303-655(2) to improve treatment of dangerous constituents, provided that the change is minor;

(k) Change any conditions specified in the permit for land treatment units to reflect the results of field tests or laboratory analyses used in making a treatment demonstration in accordance with WAC 173-303-808, provided that the change is minor; and

(l) Allow a second treatment demonstration for land treatment to be conducted when the results of the first demonstration have not shown the conditions under which the waste or wastes can be treated completely as required by WAC 173-303-655, provided that the conditions for the second demonstration are substantially the same as the conditions for the first demonstration.))

(4) Permit modification at the request of the permittee.

(a) Class 1 modifications.

(i) Except as provided in (a)(ii) of this subsection, the permittee may put into effect Class 1 modifications listed in Appendix I of this section under the following conditions:

(A) The permittee must notify the department concerning the modification by certified mail or other means that establish proof of delivery within seven calendar days after the change is put into effect. This notice must specify the changes being made to permit conditions or supporting documents referenced by the permit and must explain why they are necessary. Along with the notice, the permittee must provide the applicable information required by WAC 173-303-806(4), 173-303-807, and 173-303-808.

(B) The permittee must send a notice of the modification to all persons on the facility mailing list, maintained by the department in accordance with WAC 173-303-840 (3)(e)(i)(D), and the appropriate units of state and local government, as specified in WAC 173-303-840

(3)(e)(i)(E). This notification must be made within ninety calendar days after the change is put into effect. For the Class 1 modifications that require prior department approval, the notification must be made within ninety calendar days after the department approves the request.

(C) Any person may request the department to review, and the department may for cause reject, any Class 1 modification. The department must inform the permittee by certified mail that a Class 1 modification has been rejected, explaining the reasons for the rejection. If a Class 1 modification has been rejected, the permittee must comply with the original permit conditions.

(ii) Class 1 permit modifications identified in Appendix I by an asterisk may be made only with the prior written approval of the department.

(iii) For a Class 1 permit modification, the permittee may elect to follow the procedures in (b) of this subsection for Class 2 modifications instead of the Class 1 procedures. The permittee must inform the department of this decision in the notice required in (b)(i) of this subsection.

(b) Class 2 modifications.

(i) For Class 2 modifications, listed in Appendix I of this section, the permittee must submit a modification request to the department that:

(A) Describes the exact change to be made to the permit conditions and supporting documents referenced by the permit;

(B) Identifies that the modification is a Class 2 modification;

(C) Explains why the modification is needed; and

(D) Provides the applicable information required by WAC 173-303-806(4), 173-303-807, and 173-303-808.

(ii) The permittee must send a notice of the modification request to all persons on the facility mailing list maintained by the department and to the appropriate units of state and local government as specified in WAC 173-303-840 (3)(e)(i)(E) and must publish this notice in a major local newspaper of general circulation. This notice must be mailed and published within seven days before or after the date of submission of the modification request, and the permittee must provide to the department evidence of the mailing and publication. The notice must include:

(A) Announcement of a sixty-day comment period, in accordance with (b)(v) of this subsection, and the name and address of a departmental contact to whom comments must be sent;

(B) Announcement of the date, time, and place for a public meeting held in accordance with (b)(iv) of this subsection;

(C) Name and telephone number of the permittee's contact person;

(D) Name and telephone number of a departmental contact person;

(E) Location where copies of the modification request and any supporting documents can be viewed and copied; and

(F) The following statement: "The permittee's compliance history during the life of the permit being modified is available from the department of ecology contact person."

(iii) The permittee must place a copy of the permit modification request and supporting documents in a location accessible to the public in the vicinity of the permitted facility.

(iv) The permittee must hold a public meeting no earlier than fifteen days after the publication of the notice required in (b)(ii) of this subsection and no later than fifteen days before the close of the sixty-day comment period. The meeting must be held to the extent practicable in the vicinity of the permitted facility.

(v) The public shall be provided sixty days to comment on the modification request. The comment period will begin on the date the permittee publishes the notice in the local newspaper. Comments should be submitted to the department of ecology contact identified in the public notice.

(vi)(A) No later than ninety days after receipt of the notification request, the department must:

(I) Approve the modification request, with or without changes, and modify the permit accordingly;

(II) Deny the request;

(III) Determine that the modification request must follow the procedures in (c) of this subsection for Class 3 modifications for the following reasons:

(AA) There is significant public concern about the proposed modification; or

(BB) The complex nature of the change requires the more extensive procedures of Class 3;

(IV) Approve the request, with or without changes, as a temporary authorization having a term of up to one hundred eighty days; or

(V) Notify the permittee that he or she will decide on the request within the next thirty days.

(B) If the department notifies the permittee of a thirty-day extension for a decision, the department must, no later than one hundred twenty days after receipt of the modification request:

(I) Approve the modification request, with or without changes, and modify the permit accordingly;

(II) Deny the request; or

(III) Determine that the modification request must follow the procedures in (c) of this subsection for Class 3 modifications for the following reasons:

(AA) There is significant public concern about the proposed modification; or

(BB) The complex nature of the change requires the more extensive procedures of Class 3.

(IV) Approve the request, with or without changes, as a temporary authorization having a term of up to one hundred eighty days.

(C) If the department fails to make one of the decisions specified in (b)(vi)(B) of this subsection by the one hundred twentieth day after receipt of the modification request, the permittee is automatically authorized to conduct the activities described in the modification request for up to one hundred eighty days, without formal departmental action. The authorized activities must be conducted as described in the permit modification request and must be in compliance with all appropriate standards of 40 CFR Part 265 (as referenced by WAC 173-303-400). If the department approves, with or without changes, or denies the modification request during the term of the temporary or automatic authorization provided for in (b)(vi)(A), (B), or (C) of this subsection, such action cancels the temporary or automatic authorization.

(D)(I) In the case of an automatic authorization under (b)(vi)(C) of this subsection, or a temporary authorization under (b)(vi)(A)(IV) or (B)(IV) of this subsection, if the department has not made a final approval or denial of the modification request by the date fifty days prior to the end of the temporary or automatic authorization, the permittee must within seven days of that time send a notification to persons on the facility mailing list, and make a reasonable effort to notify other persons who submitted written comments on the modification request, that:

(AA) The permittee has been authorized temporarily to conduct the activities described in the permit modification request; and

(BB) Unless the department acts to give final approval or denial of the request by the end of the authorization period, the permittee will receive authorization to conduct such activities for the life of the permit.

(II) If the owner/operator fails to notify the public by the date specified in (b)(vi)(D)(I) of this subsection, the effective date of the permanent authorization will be deferred until fifty days after the owner/operator notifies the public.

(E) Except as provided in (b)(vi)(G) of this subsection, if the department does not finally approve or deny a modification request before the end of the automatic or temporary authorization period or reclassify the modification as a Class 3, the permittee is authorized to conduct the activities described in the permit modification request for the life of the permit unless modified later under subsection (3) or (4) of this section. The activities authorized under this subsection (b)(vi)(E) must be conducted as described in the permit modification request and must be in compliance with all appropriate standards of 40 CFR Part 265 (as referenced by WAC 173-303-400).

(F) In making a decision to approve or deny a modification request, including a decision to issue a temporary authorization or to reclassify a modification as a Class 3, the department must consider all written comments submitted during the public comment period and must respond in writing to all significant comments in his or her decision.

(G) With the written consent of the permittee, the department may extend indefinitely or for a specified period the time periods for final approval or denial of a modification request or for reclassifying a modification as a Class 3.

(vii) The department may deny or change the terms of a Class 2 permit modification request under (b)(6)(i) through (iii) of this subsection for the following reasons:

(A) The modification request is incomplete;

(B) The requested modification does not comply with the appropriate requirements of WAC 173-303-283 through 173-303-395 and 173-303-600 through 173-303-680 or other applicable requirements; or

(C) The conditions of the modification fail to protect human health and the environment.

(viii) The permittee may perform any construction associated with a Class 2 permit modification request beginning sixty days after the submission of the request unless the department establishes a later date for commencing construction and informs the permittee in writing before day sixty.

(c) Class 3 modifications.

(i) For Class 3 modifications listed in Appendix I of this section, the permittee must submit a modification request to the department that:

(A) Describes the exact change to be made to the permit conditions and supporting documents referenced by the permit;

(B) Identifies that the modification is a Class 3 modification;

(C) Explains why the modification is needed; and

(D) Provides the applicable information required by WAC 173-303-806(4), 173-303-807, and 173-303-808.

(ii) The permittee must send a notice of the modification request to all persons on the facility mailing list maintained by the department and to the appropriate units of state and local government as specified in WAC 173-303-840 (3)(e)(i)(E) and must publish this notice in a major local newspaper of general circulation. This notice must be mailed and published within seven days before or after the date of submission of the modification request, and the permittee must provide to the department evidence of the mailing and publication. The notice must include:

(A) Announcement of a sixty-day comment period, and a name and address of an agency contact to whom comments must be sent;

(B) Announcement of the date, time, and place for a public meeting on the modification request, in accordance with (c)(4) of this subsection;

(C) Name and telephone number of the permittee's contact person;

(D) Name and telephone number of a departmental contact person;

(E) Location where copies of the modification request and any supporting documents can be viewed and copied; and

(F) The following statement: "The permittee's compliance history during the life of the permit being modified is available from the department of ecology contact person."

(iii) The permittee must place a copy of the permit modification request and supporting documents in a location accessible to the public in the vicinity of the permitted facility.

(iv) The permittee must hold a public meeting no earlier than fifteen days after the publication of the notice required in (c)(ii) of this subsection and no later than fifteen days before the close of the sixty-day comment period. The meeting must be held to the extent practicable in the vicinity of the permitted facility.

(v) The public shall be provided at least sixty days to comment on the modification request. The comment period will begin on the date the permittee publishes the notice in the local newspaper. Comments should be submitted to the department of ecology contact identified in the notice.

(vi) After the conclusion of the sixty-day comment period, the department must grant or deny the permit modification request according to the permit modification procedures of WAC 173-303-840. In addition, the department must consider and respond to all significant written comments received during the sixty-day comment period.

(d) Other modifications.

(i) In the case of modifications not explicitly listed in Appendix I of this section, the permittee may submit a Class 3 modification request to the department, or he or she may request a determination by the department that the modification should be reviewed and approved as a Class 1 or Class 2 modification. If the permittee requests that the modification be classified as a Class 1 or 2 modification, he or she must provide the department with the necessary information to support the requested classification.

(ii) The department shall make the determination described in (d)(i) of this subsection as promptly as practicable. In determining the appropriate class for a specific modification, the department shall consider the similarity of the modification to other modifications codified in Appendix I and the following criteria:

(A) Class 1 modifications apply to minor changes that keep the permit current with routine changes to the facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment. In the case of Class 1 modifications, the department may require prior approval.

(B) Class 2 modifications apply to changes that are necessary to enable a permittee to respond, in a timely manner, to:

(I) Common variations in the types and quantities of the wastes managed under the facility permit;

(II) Technological advancements; and
(III) Changes necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the permit.

(C) Class 3 modifications substantially alter the facility or its operation.

(e) Temporary authorizations.

(i) Upon request of the permittee, the department may, without prior public notice and comment, grant the permittee a temporary authorization in accordance with this subsection. Temporary authorizations must have a term of not more than one hundred eighty days.

(ii)(A) The permittee may request a temporary authorization for:

(I) Any Class 2 modification meeting the criteria in (e)(iii)(B) of this subsection; and

(II) Any Class 3 modification that meets the criteria in (e)(iii)(B)(I) or (II) of this subsection; or that meets the criteria in (e)(iii)(B)(III) through (V) of this subsection and provides improved management or treatment of a dangerous waste already listed in the facility permit.

(B) The temporary authorization request must include:

(I) A description of the activities to be conducted under the temporary authorization;

(II) An explanation of why the temporary authorization is necessary; and

(III) Sufficient information to ensure compliance with the standards in WAC 173-303-280 through 173-303-395 and 173-303-600 through 173-303-680.

(C) The permittee must send a notice about the temporary authorization request to all persons on the facility mailing list maintained by the department and to appropriate units of state and local governments as specified in WAC 173-303-840 (3)(e)(i)(E). This notification must be made within seven days of submission of the authorization request.

(iii) The department shall approve or deny the temporary authorization as quickly as practical. To issue a temporary authorization, the department must find:

(A) The authorized activities are in compliance with the standards of WAC 173-303-280 through 173-303-395 and 173-303-600 through 173-303-680.

(B) The temporary authorization is necessary to achieve one of the following objectives before action is likely to be taken on a modification request:

(I) To facilitate timely implementation of closure or corrective action activities;

(II) To allow treatment or storage in tanks or containers of restricted wastes in accordance with 40 CFR Part 268;

(III) To prevent disruption of ongoing waste management activities;

(IV) To enable the permittee to respond to sudden changes in the types or quantities of the wastes managed under the facility permit; or

(V) To facilitate other changes to protect human health and the environment.

(iv) A temporary authorization may be reissued for one additional term of up to one hundred eighty days provided that the permittee has requested a Class 2 or 3 permit modification for the activity covered in the temporary authorization, and:

(A) The reissued temporary authorization constitutes the department's decision on a Class 2 permit modification in accordance with (b)(vi)(A)(IV) or (B)(IV) of this subsection; or

(B) The department determines that the reissued temporary authorization involving a Class 3 permit modification request is warranted to allow the authorized activities to continue while the modification procedures of (c) of this subsection are conducted.

(f) Public notice and appeals of permit modification decisions.

(i) The department shall notify persons on the facility mailing list and appropriate units of state and local government within ten days of any decision under this section to grant or deny a Class 2 or 3 permit modification request. The department shall also notify such persons within ten days after an automatic authorization for a Class 2 modification goes into effect under (b)(vi)(C) or (E) of this subsection.

(ii) The department's decision to grant or deny a Class 2 or 3 permit modification request under this section may be appealed under the permit appeal procedures of WAC 173-303-845.

(iii) An automatic authorization that goes into effect under (b)(vi)(C) or (E) of this subsection may be appealed under the permit appeal procedures of WAC 173-303-845; however, the permittee may continue to conduct the activities pursuant to the automatic authorization until the appeal has been granted pursuant to WAC 173-303-845, notwithstanding the provisions of WAC 173-303-840 (8)(b).

(g) Newly listed or identified wastes.

(i) The permittee is authorized to continue to manage wastes listed or identified as dangerous under WAC 173-303-070 if he or she:

(A) Was in existence as a dangerous waste facility with respect to the newly listed or identified waste on the effective date of the final rule listing or identifying the waste;

(B) Submits a Class 1 modification request on or before the date on which the waste becomes subject to the new requirements;

(C) Is in compliance with the standards of 40 CFR Part 265 (as referenced in WAC 173-303-400);

(D) In the case of Classes 2 and 3 modifications, also submits a complete permit modification request within one hundred eighty days after the effective date of the rule listing or identifying the waste; and

(E) In the case of land disposal units, certifies that such unit is in compliance with all applicable Part 265 ground water monitoring and financial responsibility requirements (as referenced in WAC 173-303-400) on the date twelve months after the effective date of the rule identifying or listing the waste as dangerous. If the owner or operator fails to clarify compliance with these requirements, he or she shall lose authority to operate under this section.

(ii) New wastes or units added to a facility's permit under this subsection do not constitute expansions for the purpose of the twenty-five percent capacity expansion limit for Class 2 modifications.

(h) Permit modification list. The department must maintain a list of all approved permit modifications and must publish a notice once a year in a state-wide newspaper that an updated list is available for review.

APPENDIX I

Modifications Class

A. General Permit Provisions

1. Administrative and informational changes 1
2. Correction of typographical errors 1
3. Equipment replacement or upgrading with functionally equivalent components (e.g., pipes, valves, pumps, conveyors, controls) 1
4. Changes in the frequency of or procedures for monitoring, reporting, sampling, or maintenance activities by the permittee:
a. To provide for more frequent monitoring, reporting, sampling, or maintenance 1
b. Other changes 2
5. Schedule of compliance:
a. Changes in interim compliance dates, with prior approval of the Director 1
b. Extension of final compliance date 3
6. Changes in expiration date of permit to allow earlier permit termination, with prior approval of the Director 1
7. Changes in ownership or operational control of a facility, provided the procedures of § 270.40(b) are followed 1

B. General Facility Standards

1. Changes to waste sampling or analysis methods:
a. To conform with agency guidance or regulations 1
b. Other changes 2
2. Changes to analytical quality assurance/control plan:
a. To conform with agency guidance or regulations 1
b. Other changes 2
3. Changes in procedures for maintaining the operating record . . . 1
4. Changes in frequency or content of inspection schedules 2
5. Changes in the training plan:
a. That affect the type or decrease the amount of training given to employees 2
b. Other changes 1
6. Contingency plan:
a. Changes in emergency procedures (i.e., spill or release response procedures) 2
b. Replacement with functionally equivalent equipment, upgrade, or relocate emergency equipment listed 1
c. Removal of equipment from emergency equipment list 2
d. Changes in name, address, or phone number of coordinators or other persons or agencies identified in the plan 1

Note: When a permit modification (such as introduction of a new unit) requires a change in facility plans or other general facility standards, that change shall be reviewed under the same procedures as the permit modification.

C. Ground Water Protection

1. Changes to wells:

| Modifications | Class |
|---|-------|
| a. Changes in the number, location, depth, or design of upgradient or downgradient wells of permitted ground water monitoring system | 2 |
| b. Replacement of an existing well that has been damaged or rendered inoperable, without change to location, design, or depth of the well | 1 |
| 2. Changes in ground water sampling or analysis procedures or monitoring schedule, with prior approval of the Director | 1 |
| 3. Changes in statistical procedure for determining whether a statistically significant change in ground water quality between upgradient and downgradient wells has occurred, with prior approval of the Director | 1 |
| 4. Changes in point of compliance | 2 |
| 5. Changes in indicator parameters, hazardous constituents, or concentration limits (including ACLs): | |
| a. As specified in the ground water protection standard | 3 |
| b. As specified in the detection monitoring program | 2 |
| 6. Changes to a detection monitoring program as required by § 264.98(j), unless otherwise specified in this appendix | 2 |
| 7. Compliance monitoring program: | |
| a. Addition of compliance monitoring program as required by §§ 264.98(h)(4) and 264.99 | 3 |
| b. Changes to a compliance monitoring program as required by § 264.99(k), unless otherwise specified in this appendix | 2 |
| 8. Corrective action program: | |
| a. Addition of a corrective action program as required by §§ 264.99(i)(2) and 264.100 | 3 |
| b. Changes to a corrective action program as required by § 264.100(h), unless otherwise specified in this Appendix | 2 |
| D. Closure | |
| 1. Changes to the closure plan: | |
| a. Changes in estimate of maximum extent of operations or maximum inventory of waste on-site at any time during the active life of the facility, with prior approval of the Director | 1 |
| b. Changes in the closure schedule for any unit, changes in the final closure schedule for the facility, or extension of the closure period, with prior approval of the Director | 1 |
| c. Changes in the expected year of final closure, where other permit conditions are not changed, with prior approval of the Director | 1 |
| d. Changes in procedures for decontamination of facility equipment or structures, with prior approval of the Director | 1 |
| e. Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, unless otherwise specified in this appendix | 2 |
| 2. Creation of a new landfill unit as part of closure | 3 |
| 3. Addition of the following new units to be used temporarily for closure activities: | |
| a. Surface impoundments | 3 |
| b. Incinerators | 3 |
| c. Waste piles that do not comply with § 264.250(c) | 3 |
| d. Waste piles that comply with § 264.250(c) | 2 |
| e. Tanks or containers (other than specified below) | 2 |
| f. Tanks used for neutralization, dewatering, phase separation, or component separation, with prior approval of the Director | 1 |
| E. Post-Closure | |
| 1. Changes in name, address, or phone number of contact in post-closure plan | 1 |
| 2. Extension of post-closure care period | 2 |
| 3. Reduction in the post-closure care period | 3 |
| 4. Changes to the expected year of final closure, where other permit conditions are not changed | 1 |
| 5. Changes in post-closure plan necessitated by events occurring during the active life of the facility, including partial and final closure | 2 |
| F. Containers | |
| 1. Modification or addition of container units: | |
| a. Resulting in greater than 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a) below | 3 |
| b. Resulting in up to 25% increase in the facility's container storage capacity, except as provided in F(1)(c) and F(4)(a) below | 2 |
| c. Or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in 40 CFR 268.8(a)(2)(ii), with prior | |

| Modifications | Class |
|---|-------|
| approval of the department. This modification may also involve addition of new waste codes or narrative descriptions of wastes. It is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028). | |
| 2: | |
| a. Modification of a container unit without increasing the capacity of the unit | 2 |
| b. Addition of a roof to a container unit without alteration of the containment system | 1 |
| 3. Storage of different wastes in containers: | |
| a. That require additional or different management practices from those authorized in the permit, except as provided in F(4) below | 3 |
| b. That do not require additional or different management practices from those authorized in the permit | 2 |
| Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes. | |
| 4. Storage of treatment of different wastes in containers: | |
| a. That require addition of units or change in treatment process or management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards, or that are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in § 268.8(a)(2)(ii). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) | 1 |
| b. That do not require the addition of units or a change in the treatment process or management standards, and provided that the units have previously received wastes of the same type (e.g., incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) | 1 |
| G. Tanks | |
| 1: | |
| a. Modification or addition of tank units resulting in greater than 25% increase in the facility's tank capacity, except as provided in G(1)(c), G(1)(d), and G(1)(e) below | 3 |
| b. Modification or addition of tank units resulting in up to 25% increase in the facility's tank capacity, except as provided in G(1)(d) and G(1)(e) below | 2 |
| c. Addition of a new tank that will operate for more than 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation | 2 |
| d. After prior approval of the department, addition of a new tank that will operate for up to 90 days using any of the following physical or chemical treatment technologies: neutralization, dewatering, phase separation, or component separation | 1 |
| e. Modification or addition of tank units or treatment processes necessary to treat wastes that are restricted from land disposal to meet some or all of the applicable treatment standards or to treat wastes to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in § 268.8(a)(2)(ii), with prior approval of the department. This modification may also involve addition of new waste codes. It is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) | 1 |
| 2. Modification of a tank unit or secondary containment system without increasing the capacity of the unit | 2 |
| 3. Replacement of a tank with a tank that meets the same design standards and has a capacity within +/- 10% of the replaced tank provided | 1 |
| -The capacity difference is no more than 1500 gallons, | |
| -The facility's permitted tank capacity is not increased, and | |
| -The replacement tank meets the same conditions in the permit. | |
| 4. Modification of a tank management practice | 2 |
| 5. Management of different wastes in tanks: | |
| a. That require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process from that authorized in the permit, except as provided in G(5)(c) below | 3 |
| b. That do not require additional or different management practices, tank design, different fire protection specifications, or significantly different tank treatment process than authorized in the permit, except as provided in G(5)(d) | 2 |

Modifications Class

c. That require addition of units or change in treatment processes or management standards, provided that the wastes are restricted from land disposal and are to be treated to meet some or all of the applicable treatment standards or that are to be treated to satisfy (in whole or in part) the standard of "use of practically available technology that yields the greatest environmental benefit" contained in § 268.8(a)(2)(ii). The modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) 1

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

H. Surface Impoundments

- 1. Modification or addition of surface impoundment units that result in increasing the facility's surface impoundment storage or treatment capacity 3
2. Replacement of a surface impoundment unit 3
3. Modification of a surface impoundment unit without increasing the facility's surface impoundment storage or treatment capacity and without modifying the unit's liner, leak detection system, or leachate collection system 2
4. Modification of a surface impoundment management practice 2
5. Treatment, storage, or disposal of different wastes in surface impoundments:
a. That require additional or different management practices or different design of the liner or leak detection system than authorized in the permit 3
b. That do not require additional or different management practices or different design of the liner or leak detection system than authorized in the permit 2
c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in § 268.8(a)(2)(ii), and provided that the unit meets the minimum technological requirements stated in § 268.5(h)(2). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) 1
d. That are residues from wastewater treatment or incineration, provided that disposal occurs in a unit that meets the minimum technological requirements stated in § 268.5(h)(2), and provided further that the surface impoundment has previously received wastes of the same type (for example, incinerator scrubber water). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) 1

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

I. Enclosed Waste Piles. For all waste piles except those complying with § 264.250(c), modifications are treated the same as for a landfill. The following modifications are applicable only to waste piles complying with § 264.250(c).

- 1. Modification or addition of waste pile units:
a. Resulting in greater than 25% increase in the facility's waste pile storage or treatment capacity 3
b. Resulting in up to 25% increase in the facility's waste pile storage or treatment capacity 2
2. Modification of waste pile unit without increasing the capacity of the unit 2
3. Replacement of a waste pile unit with another waste pile unit of the same design and capacity and meeting all waste pile conditions in the permit 1
4. Modification of a waste pile management practice 2
5. Storage or treatment of different wastes in waste piles:
a. That require additional or different management practices or different design of the unit 3
b. That do not require additional or different management practices or different design of the unit 2

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

J. Landfills and Unenclosed Waste Piles

- 1. Modification or addition of landfill units that result in increasing the facility's disposal capacity 3
2. Replacement of a landfill 3
3. Addition or modification of a liner, leachate collection system, leachate detection system, run-off control, or final cover system 3

Modifications Class

- 4. Modification of a landfill unit without changing a liner, leachate collection system, leachate detection system, run-off control, or final cover system 2
5. Modification of a landfill management practice 2
6. Landfill different wastes:
a. That require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system 3
b. That do not require additional or different management practices, different design of the liner, leachate collection system, or leachate detection system 2
c. That are wastes restricted from land disposal that meet the applicable treatment standards or that are treated to satisfy the standard of "use of practically available technology that yields the greatest environmental benefit" contained in § 268.8(a)(2)(ii), and provided that the landfill unit meets the minimum technological requirements stated in § 268.5(h)(2). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) 1
d. That are residues from wastewater treatment or incineration, provided that disposal occurs in a landfill unit that meets the minimum technological requirements stated in §268.5(h)(2), and provided further that the landfill has previously received wastes of the same type (for example, incinerator ash). This modification is not applicable to dioxin-containing wastes (F020, 021, 022, 023, 026, 027, and 028) 1

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

K. Land Treatment

- 1. Lateral expansion of or other modification of a land treatment unit to increase areal extent 3
2. Modification of run-on control system 2
3. Modify run-off control system 2
4. Other modifications of land treatment unit component specifications or standards required in permit 2
5. Management of different wastes in land treatment units:
a. That require a change in permit operating conditions or unit design specifications 3
b. That do not require a change in permit operating conditions or unit design specifications 2

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

- 6. Modification of a land treatment unit management practice to:
a. Increase rate or change method of waste application 3
b. Decrease rate of waste application 2
7. Modification of a land treatment unit management practice to change measures of pH or moisture content, or to enhance microbial or chemical reactions 2
8. Modification of a land treatment unit management practice to grow food chain crops, to add to or replace existing permitted crops with different food chain crops, or to modify operating plans for distribution of animal feeds resulting from such crops 3
9. Modification of operating practice due to detection of releases from the land treatment unit pursuant to § 264.278(g)(2) 3
10. Changes in the unsaturated zone monitoring system, resulting in a change to the location, depth, number of sampling points, or replace unsaturated zone monitoring devices or components of devices with devices or components that have specifications different from permit requirements 3
11. Changes in the unsaturated zone monitoring system that do not result in a change to the location, depth, number of sampling points, or that replace unsaturated zone monitoring devices or components of devices with devices or components having specifications different from permit requirements 2
12. Changes in background values for hazardous constituents in soil and soil-pore liquid 2
13. Changes in sampling, analysis, or statistical procedure 2
14. Changes in land treatment demonstration program prior to or during the demonstration 2
15. Changes in any condition specified in the permit for a land treatment unit to reflect results of the land treatment demonstration, provided performance standards are met, and the Director's prior approval has been received 2
16. Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown

Modifications Class

the conditions under which the wastes can be treated completely, provided the conditions for the second demonstration are substantially the same as the conditions for the first demonstration and have received the prior approval of the Director 2

17. Changes to allow a second land treatment demonstration to be conducted when the results of the first demonstration have not shown the conditions under which the wastes can be treated completely, where the conditions for the second demonstration are not substantially the same as the conditions for the first demonstration 3

18. Changes in vegetative cover requirements for closure 2

L. Incinerators

1. Changes to increase by more than 25% any of the following limits authorized in the permit: A thermal feed rate limit, a waste feed rate limit, or an organic chlorine feed rate limit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means 3

2. Changes to increase by up to 25% any of the following limits authorized in the permit: A thermal feed rate limit, a waste feed limit, or an organic chlorine feed rate limit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means 2

3. Modification of an incinerator unit by changing the internal size or geometry of the primary or secondary combustion units, by adding a primary or secondary combustion unit, by substantially changing the design of any component used to remove HCl or particulate from the combustion gases, or by changing other features of the incinerator that could affect its capability to meet the regulatory performance standards. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means 3

4. Modification of an incinerator unit in a manner that would not likely affect the capability of the unit to meet the regulatory performance standards but which would change the operating conditions or monitoring requirements specified in the permit. The Director may require a new trial burn to demonstrate compliance with the regulatory performance standards 2

5. Operating requirements:

a. Modification of the limits specified in the permit for minimum combustion gas temperature, minimum combustion gas residence time, or oxygen concentration in the secondary combustion chamber. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means 3

b. Modification of any stack gas emission limits specified in the permit, or modification of any conditions in the permit concerning emergency shutdown or automatic waste feed cutoff procedures or controls 3

c. Modification of any other operating condition or any inspection or recordkeeping requirement specified in the permit 2

6. Incineration of different wastes:

a. If the waste contains a POHC that is more difficult to incinerate than authorized by the permit or if incineration of the waste requires compliance with different regulatory performance standards than specified in the permit. The Director will require a new trial burn to substantiate compliance with the regulatory performance standards unless this demonstration can be made through other means 3

b. If the waste does not contain a POHC that is more difficult to incinerate than authorized by the permit and if incineration of the waste does not require compliance with different regulatory performance standards than specified in the permit 2

Note: See § 270.42(g) for modification procedures to be used for the management of newly listed or identified wastes.

7. Shakedown and trial burn:

a. Modification of the trial burn plan or any of the permit conditions applicable during the shakedown period for determining operational readiness after construction, the trial burn period, or the period immediately following the trial burn 2

b. Authorization of up to an additional 720 hours of waste incineration during the shakedown period for determining operational readiness after construction, with the prior approval of the Director 1

Modifications Class

c. Changes in the operating requirements set in the permit for conducting a trial burn, provided the change is minor and has received the prior approval of the Director 1

d. Changes in the ranges of the operating requirements set in the permit to reflect the results of the trial burn, provided the change is minor and has received the prior approval of the Director 1

8. Substitution of an alternate type of fuel that is not specified in the permit 1

¹ Class 1 modifications requiring prior Agency approval.

(5) Permit termination. The department shall follow the applicable procedures in WAC 173-303-840, procedures for decision making, in terminating any permit. The following are causes for terminating a permit during its term or for denying a permit renewal application:

(a) Noncompliance by the permittee with any condition of the permit;

(b) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

(c) A determination that the permitted activity endangers public health or the environment and can only be regulated to acceptable levels by permit modification or termination.

(6) Schedules of compliance.

(a) General. The permit may, when appropriate, specify a schedule of compliance leading to compliance with chapter 173-303 WAC.

(b) Time for compliance. Any schedules of compliance under this section shall require compliance as soon as possible.

(c) Interim dates. If a permit establishes a schedule of compliance which exceeds one year from the date of permit issuance, the schedule shall set forth interim requirements and the dates for their achievement as follows;

(i) The time between interim dates shall not exceed one year; or

(ii) If the time necessary for completion of any interim requirement (such as the construction of a control facility) is more than one year and is not readily divisible into stages for completion, the permit shall specify interim dates for the submission of reports of progress toward completion of the interim requirements and indicate a projected completion date.

(d) Reporting. The permit shall be written to require that no later than fourteen days following each interim date and the final date of compliance, the permittee shall notify the department in writing of its compliance or noncompliance with the interim or final requirements.

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-9903 DISCARDED CHEMICAL PRODUCTS LIST.

DISCARDED CHEMICAL PRODUCTS LIST

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* |
|--|--|-------------------------|-------------------------|
| <u>ACUTELY DANGEROUS CHEMICAL PRODUCTS</u> | | | |
| P023 | Acetaldehyde, chloro- | EHW | B H |
| U001 | Acetaldehyde | EHW | C |
| U034 | Acetaldehyde, trichloro- | EHW | H |
| P002 | Acetamide, N-(aminothioxomethyl)- | EHW | B |
| P057 | Acetamide, 2-fluoro- | EHW | B H |
| P058 | Acetic acid, fluoro-, sodium salt | EHW | A H |
| U144 | Acetic acid, lead salt | EHW | D EP |
| P066 | Acetimidic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester | EHW | B |
| U003 | Acetonitrile | EHW | C I |
| P001 | 3-(alpha-Acetonyl-benzyl)-4-hydroxycoumarin and salts | EHW | A |
| P002 | 1-Acetyl-2-thiourea | EHW | B |
| U006 | Acetyl chloride | EHW | C H O R |
| P003 | Acrolein | EHW | X I |
| U007 | Acrylamide | EHW | C |
| U008 | Acrylic acid | EHW | C O I |
| U009 | Acrylonitrile | EHW | C + I |
| P070 | Aldicarb | EHW | B |
| P004 | Aldrin | EHW | X H |

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* | Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* |
|---------------------|---|-------------------------|-------------------------|---------------------|--|-------------------------|-------------------------|
| P005 | Allyl alcohol | EHW | B I | U030 | 4-Bromophenyl phenyl ether | EHW | H |
| P006 | Aluminum phosphide (R,T) | EHW | B R | P018 | Brucine | EHW | A |
| P007 | 5-(Aminomethyl)-3-isoxazol | EHW | B | U128 | 1,3-Butadiene, 1,1,2,3,4,4-hexachloro- | EHW | C H |
| P008 | 4-alpha-Aminopyridine | EHW | B | U035 | Butanoic acid, 4-[bis(2-chloroethyl) amino] benzene- | EHW | H + |
| P009 | Ammonium picrate | EHW | R | | | | |
| P119 | Ammonium vanadate | EHW | B | U160 | 2-Butanone peroxide | EHW | B R |
| U012 | Aniline | EHW | C I | U053 | 2-Butenal | EHW | B I |
| P010 | Arsenic acid | EHW | B | U074 | 2-Butene, 1,4-dichloro- | EHW | C H I |
| P012 | Arsenic (III) oxide | EHW | B + | U032 | Calcium chromate | EHW | C + EP |
| P011 | Arsenic (V) oxide | EHW | B | P021 | Calcium cyanide | EHW | B |
| P011 | Arsenic pentoxide | EHW | B | P123 | Camphene, octachloro- | EHW | X H |
| P012 | Arsenic trioxide | EHW | B + | U178 | Carbamic acid, methylnitroso-, ethyl ester | EHW | C + |
| P038 | Arsine, diethyl- | EHW | B | | | | |
| U015 | Azaserine | EHW | C + | U176 | Carbamide, N-ethyl-N-nitroso- | EHW | C + |
| P054 | Aziridine | EHW | B + | U177 | Carbamide, N-methyl-N-nitroso- | EHW | C + |
| U010 | Azirino(2',3':3,4)pyrrolo(1,2a)indole-4,7-dione, 6-amino-8-((aminocarbonyl)oxy) methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl- | EHW | B + | U219 | Carbamide, thio- | EHW | C + |
| P013 | Barium cyanide | EHW | A | P103 | Carbamimidoseleonic acid | EHW | B |
| U157 | Benz[j]aceanthrylene, 1,2-dihydro-3-methyl- | EHW | H P | U097 | Carbamoyl chloride, dimethyl- | EHW | D H + |
| U017 | Benzal chloride | EHW | D H | P022 | Carbon bisulfide | EHW | D I ? |
| U018 | Benz[a]anthracene | EHW | P + | P022 | Carbon disulfide | EHW | D I ? |
| U018 | 1,2-Benzanthracene | EHW | P + | U156 | Carbonochloridic acid, methyl ester | EHW | B H I |
| U094 | 1,2-Benzanthracene, 7,12-dimethyl- | EHW | C P | U033 | Carbon oxyfluoride | EHW | B H R |
| U012 | Benzenamine | EHW | C I | U211 | Carbon tetrachloride | EHW | C H + |
| P024 | Benzenamine, 4-chloro- | EHW | C H | P095 | Carbonyl chloride | EHW | B H |
| U049 | Benzenamine, 4-chloro-2-methyl- | EHW | H | U033 | Carbonyl fluoride | EHW | B H R |
| U093 | Benzenamine, N, N-dimethyl-4-(phenylazo)- | EHW | C + | U035 | Chlorambucil | EHW | H + |
| U158 | Benzenamine, 4,4-methylenebis(2-chloro- | EHW | H + | U036 | Chlordane, technical | EHW | X H |
| P077 | Benzenamine, 4-nitro- | EHW | D ? | P033 | Chlorine cyanide | EHW | A H |
| P028 | Benzene, (chloromethyl)- | EHW | B H + | U026 | Chlorinaphazine | EHW | H + |
| U019 | Benzene | EHW | C + I | P023 | Chloroacetaldehyde | EHW | B H |
| U038 | Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy, ethyl ester | EHW | H | P024 | p-Chloroaniline | EHW | C H |
| U030 | Benzene, 1-bromo-4-phenoxy- | EHW | H | U037 | Chlorobenzene | EHW | B H I |
| U037 | Benzene, chloro- | EHW | B H I | U039 | 4-Chloro-m-cresol | EHW | H |
| U190 | 1,2-Benzenedicarboxylic acid anhydride | EHW | C | U041 | 1-Chloro-2,3-epoxypropane | EHW | C H + I |
| U070 | Benzene, 1,2-dichloro- | EHW | B H | U042 | 2-Chloroethyl vinyl ether | EHW | C H |
| U071 | Benzene, 1,3-dichloro- | EHW | B H | U044 | Chloroform | EHW | C H + |
| U072 | Benzene, 1,4-dichloro- | EHW | B H | U046 | Chloromethyl methyl ether | EHW | D H + I |
| U017 | Benzene, (dichloromethyl)- | EHW | D H | U047 | beta-Chloronaphthalene | EHW | D H |
| U223 | Benzene, 1,3-diisocyanatomethyl- | EHW | B R | U048 | o-Chlorophenol | EHW | D H |
| U239 | Benzene, dimethyl- | EHW | C I | P026 | 1-(o-Chlorophenyl)thiourea | EHW | A H |
| U201 | 1,3-Benzenediol | EHW | C | P027 | 3-Chloropropionitrile | EHW | B H |
| U127 | Benzene, hexachloro- | EHW | H | U049 | 4-Chloro-o-toluidine, hydrochloride | EHW | H |
| U056 | Benzene, hexahydro- | EHW | C I | U032 | Chromic acid, calcium salt | EHW | C + EP |
| U188 | Benzene, hydroxy- | EHW | C | U050 | Chrysene | EHW | P + |
| U220 | Benzene, methyl- | EHW | C I | P029 | Copper cyanides | EHW | B |
| U105 | Benzene, 1-methyl-2,4-dinitro | EHW | C | U052 | Cresols | EHW | B |
| U106 | Benzene, 1-methyl-2,6-dinitro- | EHW | C | U052 | Cresylic acid | EHW | B |
| U055 | Benzene, (1,methylethyl)- | EHW | C I | U053 | Crotonaldehyde | EHW | B I |
| U169 | Benzene, nitro- | EHW | C I | U055 | Cummene | EHW | C I |
| U183 | Benzene, pentachloro | EHW | H | P030 | Cyanides (soluble cyanide salts), not elsewhere specified | EHW | A |
| U185 | Benzene, pentachloronitro- | EHW | D H + | P031 | Cyanogen | EHW | B I |
| U020 | Benzenesulfonic acid chloride | EHW | D H O R | U246 | Cyanogen bromide | EHW | C H |
| U020 | Benzenesulfonyl chloride | EHW | D H O R | P033 | Cyanogen chloride | EHW | A H |
| U207 | Benzene, 1,2,4,5-tetrachloro- | EHW | D H | U197 | 1,4-Cyclohexadienedione | EHW | C |
| U023 | Benzene, (trichloromethyl)- | EHW | H O R | U056 | Cyclohexane | EHW | C I |
| P042 | 1,2-Benzenediol, 4-[1-hydroxy-2-(methyl-amino)ethyl]- | EHW | B | U057 | Cyclohexanone | EHW | C I |
| P014 | Benzenethiol | EHW | A | U130 | 1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro- | EHW | X H |
| U021 | Benzidine | EHW | B + | U058 | Cyclophosphamide | EHW | C H + I |
| U022 | Benzo[a]pyrene | EHW | P + | U240 | 2,4-D, salts and esters | EHW | B H |
| U022 | 3,4-Benzopyrene | EHW | P + | U060 | DDD | EHW | C H + |
| U197 | p-Benzoquinone | EHW | C | U061 | DDT | EHW | X H + |
| U023 | Benzotrichloride | EHW | H O R | U142 | Decachlorooctahydro-1,3,4-metheno-2H-cyclobuta[c,d]-pentalen-2-one | EHW | X H |
| U050 | 1,2-Benzphenanthrene | EHW | P + | | | | |
| P028 | Benzyl chloride | EHW | B H + | U062 | Diallate | EHW | C H + |
| P015 | Beryllium dust | EHW | C + | U133 | Diamine | EHW | B + R |
| U085 | 2,2'-Bioxirane | EHW | B I | U063 | Dibenz[a,h]anthracene | EHW | A P + |
| U021 | '1,1'-Biphenyl)-4,4'-diamine | EHW | B + | U063 | 1,2:5,6-Dibenzanthracene | EHW | P + A |
| U073 | (1,1'-Biphenyl)-4,4'-diamine, 3,3'-dichloro- | EHW | H + | U064 | 1,2:7,8-Dibenzopyrene | EHW | P + |
| U095 | (1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethyl- | EHW | C + | U064 | Dibenz[a,i]pyrene | EHW | P + |
| U024 | Bis(2-chloroethoxy) methane | EHW | C H | U066 | 1,2-Dibromo-3-chloropropane | EHW | C H + |
| U027 | Bis(2-chloroisopropyl) ether | EHW | C H O | U062 | S-(2,3-Dichloroallyl) diisopropylthiocarbamate | EHW | C H + |
| P016 | Bis(chloromethyl) ether | EHW | B H + | U070 | o-Dichlorobenzene | EHW | B H |
| U246 | Bromine cyanide | EHW | C H | U071 | m-Dichlorobenzene | EHW | B H |
| P017 | Bromoacetone | EHW | C H | U072 | p-Dichlorobenzene | EHW | B H |
| U225 | Bromofom | EHW | H | U073 | 3,3'-Dichlorobenzidine | EHW | H + |
| | | | | U074 | 1,4-Dichloro-2-butene | EHW | C H I |
| | | | | U075 | Dichlorodifluoromethane | EHW | H |
| | | | | U060 | Dichloro diphenyl dichloroethane | EHW | C H + |
| | | | | U061 | Dichloro diphenyl trichloroethane | EHW | X H + |
| | | | | U078 | 1,1-Dichloroethylene | EHW | C H + |
| | | | | U079 | 1,2-Dichloroethylene | EHW | D H |
| | | | | U025 | Dichloroethyl ether | EHW | C H |

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* | Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* |
|---------------------|---|-------------------------|-------------------------|---------------------|---|-------------------------|-------------------------|
| U081 | 2,4-Dichlorophenol | EHW | D H | P057 | Fluoroacetamide | EHW | B H |
| U082 | 2,6-Dichlorophenol | EHW | D H | P058 | Fluoroacetic acid, sodium salt | EHW | A H |
| U240 | 2,4-Dichlorophenoxyacetic acid, salts and esters | EHW | B H | U122 | Formaldehyde | EHW | C |
| P036 | Dichlorophenylarsine | EHW | B H | P065 | Fulminic acid, mercury (II) salt | EHW | R ? |
| U083 | 1,2-Dichloropropane | EHW | C H I | U125 | 2-Furancarboxaldehyde | EHW | C I |
| U084 | 1,3-Dichloropropene | EHW | C H | U147 | 2,5-Furandione | EHW | C |
| P037 | Dieldrin | EHW | X H + | U125 | Furfural | EHW | C I |
| U085 | 1,2,3,4-Diepoxybutane | EHW | B I | U126 | Glycidylaldehyde | EHW | C + |
| P038 | Diethylarsine | EHW | B | U163 | Guanidine, N-nitroso-N-methyl-N'nitro- | EHW | C + |
| P039 | O,O-Diethyl S-[2-(ethylthio)ethyl] phosphorodithioate | EHW | A | P059 | Heptachlor | EHW | X H + |
| U087 | O,O-Diethyl-S-methyl-dithiophosphate | EHW | B | U127 | Hexachlorobenzene | EHW | H |
| P041 | Diethyl-p-nitrophenyl phosphate | EHW | A | U128 | Hexachlorobutadiene | EHW | C H |
| P040 | O,O-Diethyl O-pyrazenyl phosphorothioate | EHW | A | U129 | Hexachlorocyclohexane (gamma isomer) | EHW | H + |
| P043 | Diisopropyl fluorophosphate | EHW | B H | U130 | Hexachlorocyclopentadiene | EHW | X H |
| P044 | Dimethoate | EHW | A | P051 | 1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, endo-1,4,5,8-dimethanophthalene | EHW | X H |
| U092 | Dimethylamine | EHW | C I | P037 | 1,2,3,4,10,10-Hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-endo, exo-1,4,5,8-dimethanonaphthalene | EHW | X H + |
| U093 | Dimethylaminoazobenzene | EHW | C + | U131 | Hexachloroethane | EHW | H |
| U094 | 7,12-Dimethylbenz[a]anthracene | EHW | C P | P060 | 1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4,5,8-endo, endo-dimethanonaphthalene | EHW | B H |
| U095 | 3,3'-Dimethylbenzidine | EHW | C + | P004 | 1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4,5,8-endo, exodimethanonaphthalene | EHW | B H |
| U096 | alpha, alpha-Dimethylbenzylhydroperoxide | EHW | C R | P060 | Hexachlorohexahydro-endo, endo-dimethanonaphthalene | EHW | B H |
| U097 | Dimethylcarbamoyl chloride | EHW | D H + | U132 | Hexachlorophene | EHW | C H |
| U099 | 1,2-Dimethylhydrazine | EHW | C + I | U243 | Hexachloropropene | EHW | H |
| P045 | 3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino)carbonyl] oxime | EHW | B | P062 | Hexaethyl tetraphosphate | EHW | B |
| P071 | O,O-Dimethyl O-p-nitrophenyl phosphorothioate | EHW | A | U133 | Hydrazine | EHW | B + R |
| P082 | Dimethylnitrosamine | EHW | B + | P116 | Hydrazinecarbothioamide | EHW | B |
| P046 | alpha, alpha-Dimethylphenethylamine | EHW | C | U099 | Hydrazine, 1,2-dimethyl- | EHW | C + I |
| U103 | Dimethyl sulfate | EHW | C O + | U109 | Hydrazine, 1,2-diphenyl- | EHW | C |
| P047 | 4,6-Dinitro-o-cresol and salts | EHW | B | P068 | Hydrazine, methyl- | EHW | A I |
| P034 | 4,6-Dinitro-o-cyclohexylphenol | EHW | C | P063 | Hydrocyanic acid | EHW | A |
| P048 | 2,4-Dinitrophenol | EHW | B | P063 | Hydrogen cyanide | EHW | A |
| U105 | 2,4-Dinitrotoluene | EHW | C | P096 | Hydrogen phosphide | EHW | B I |
| U106 | 2,6-Dinitrotoluene | EHW | C | U135 | Hydrogen sulfide | EHW | B I |
| P020 | Dinoseb | EHW | B | U096 | Hydroperoxide, 1-methyl-1-phenylethyl- | EHW | C R |
| U109 | 1,2-Diphenylhydrazine | EHW | C | U245 | Indomethacin | EHW | B H |
| P035 | Diphosphoramidate, octamethyl | EHW | ? | P064 | Isocyanic acid, methyl ester | EHW | I ? |
| U110 | Dipropylamine | EHW | C I | P007 | 3(2H)-Isoxazolone, 5-(aminomethyl)- | EHW | B |
| U111 | Di-n-propylnitrosamine | EHW | C + | U142 | Kepon | EHW | X H |
| P039 | Disulfoton | EHW | A | U143 | Lasiocarpine | EHW | C + |
| P049 | 2,4-Dithiobiuret | EHW | A | U144 | Lead acetate | EHW | D EP |
| P109 | Dithiopyrophosphoric acid, tetraethyl ester | EHW | A | U129 | Lindane | EHW | H + |
| P050 | Endosulfan | EHW | X H | U147 | Maleic anhydride | EHW | C |
| P088 | Endothall | EHW | B | U149 | Malononitrile | EHW | C |
| P051 | Endrin | EHW | X H | U151 | Mercury | EHW | EP |
| P042 | Epinephrine | EHW | B | P092 | Mercury, (acetato-O)phenyl- | EHW | B |
| U001 | Ethanal | EHW | C | P065 | Mercury fulminate | EHW | R ? |
| U174 | Ethanamine, N-ethyl-N-nitroso- | EHW | C + | U152 | Methacrylonitrile | EHW | B I |
| P046 | Ethanamine, 1,1-dimethyl-2-phenyl- | EHW | C | U092 | Methanamine, N-methyl- | EHW | C I |
| U067 | Ethane, 1,2-dibromo- | EHW | C H + | P016 | Methane, oxybis(chloro)- | EHW | B H + |
| U076 | Ethane, 1,1-dichloro- | EHW | D H | P112 | Methane, tetranitro- | EHW | A R |
| U077 | Ethane, 1,2-dichloro- | EHW | D H | U029 | Methane, bromo- | EHW | H |
| U114 | 1,2-Ethanediybiscarbomodithioic acid | EHW | B | U045 | Methane, chloro- | EHW | H I |
| U131 | Ethane, 1,1,1,2,2,2-hexachloro- | EHW | H | U046 | Methane, chloromethoxy- | EHW | D H + I |
| U024 | Ethane, 1,1'-[methylenebis(oxy)] bis[2-chloro- | EHW | C H | U068 | Methane, dibromo- | EHW | C H + |
| U247 | Ethane, 1,1,1-trichloro-2,2-bis(p-methoxy phenyl) | EHW | D H | U080 | Methane, dichloro- | EHW | C H |
| U003 | Ethanenitrile | EHW | C | U075 | Methane, dichlorodifluoro- | EHW | H |
| U025 | Ethane, 1,1'-oxybis[2-chloro- | EHW | C H | U138 | Methane, iodo- | EHW | H + |
| U184 | Ethane, pentachloro- | EHW | A H | U211 | Methane, tetrachloro- | EHW | C H + |
| U208 | Ethane, 1,1,1,2-tetrachloro- | EHW | H | P118 | Methanethiol, trichloro- | EHW | H |
| U209 | Ethane, 1,1,2,2-Tetrachloro- | EHW | H | U153 | Methanethiol | EHW | B I |
| U227 | Ethane, 1,1,2-trichloro- | EHW | C H | U225 | Methane, tribromo | EHW | H |
| P084 | Ethenamine, N-methyl-N-nitroso | EHW | B + | U121 | Methane, trichlorofluoro- | EHW | H |
| U043 | Ethene, chloro- | EHW | D H + | U044 | Methane, trichloro- | EHW | C H + |
| U042 | Ethane, 2-chloroethoxy- | EHW | C H | P059 | 4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro- | EHW | X H + |
| U078 | Ethene, 1,1-dichloro- | EHW | C H + | U036 | 4,7-Methanoindan, 1,2,4,5,6,7,8,8-octachloro-3a,4,7,7a-tetrahydro- | EHW | X H |
| U079 | Ethene, trans-1,2-dichloro- | EHW | D H | P066 | Methomyl | EHW | B |
| U210 | Ethene, 1,1,2,2-tetrachloro- | EHW | C H | P067 | 2-Methylaziridine | EHW | B + I |
| U006 | Ethanoyl chloride | EHW | C H O R | P068 | Methyl hydrazine | EHW | A I |
| P101 | Ethyl cyanide | EHW | B | P064 | Methyl isocyanate | EHW | I ? |
| U038 | Ethyl 4,4'-dichlorobenzilate | EHW | D H | P069 | 2-Methylactonitrile | EHW | A |
| U114 | Ethylenebis(dithiocarbamic acid), salts and esters | EHW | B | P071 | Methyl parathion | EHW | A |
| U067 | Ethylene dibromide | EHW | C H | U029 | Methyl bromide | EHW | H |
| U077 | Ethylene dichloride | EHW | D H | U045 | Methyl chloride | EHW | H I |
| U115 | Ethylene oxide | EHW | C I | U156 | Methyl chlorocarbonate | EHW | B H I |
| P054 | Ethylenimine | EHW | B + | U226 | Methylchloroform | EHW | C H |
| U076 | Ethylidene dichloride | EHW | D H | | | | |
| P097 | Fampfur | EHW | A | | | | |
| P056 | Fluorine | EHW | B | | | | |

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* | Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* |
|---------------------|--|-------------------------|-------------------------|---------------------|--|-------------------------|-------------------------|
| U157 | 3-Methylcholanthrene | EHW | H P | P095 | Phosgene | EHW | B H |
| U158 | 4,4'-Methylenebis(2-chloroaniline) | EHW | H + | P096 | Phosphine | EHW | B I |
| U132 | 2,2'-Methylenebis(3,4,6-trichlorophenol) | EHW | C H | P041 | Phosphoric acid, diethyl p-nitrophenyl ester | EHW | A |
| U068 | Methylene bromide | EHW | C H + | P044 | Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester | EHW | A |
| U080 | Methylene chloride | EHW | C H | P043 | Phosphorofluoridic acid, bis(1-methyl-ethyl)ester | EHW | B H |
| U122 | Methylene oxide | EHW | C | P094 | Phosphorothiac acid, O,O-diethyl S-(ethylthio)methyl ester | EHW | X |
| U160 | Methyl ethyl ketone peroxide | EHW | B R | P097 | Phosphorothioic acid, O,O-dimethyl O-[p-((dimethylamino)-sulfonyl)phenyl]ester | EHW | A |
| U138 | Methyl iodide | EHW | H + | P089 | Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl)ester | EHW | X |
| U163 | N-Methyl-N'-nitro-N-nitrosoguanidine | EHW | C + R | P040 | Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester | EHW | A |
| U010 | Mitomycin C | EHW | B + | U189 | Phosphorus sulfide | EHW | B I R |
| U165 | Naphthalene | EHW | B | U190 | Phthalic anhydride | EHW | C |
| U047 | Naphthalene, 2-chloro- | EHW | D H | U191 | 2-Picoline | EHW | C |
| U166 | 1,4-Naphthalenedione | EHW | C | P110 | Plumbane, tetraethyl- | EHW | A |
| U236 | 2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-(1,1'-biphenyl)-4,4'-diyl)]-bis(azo)bis(5-amino-4-hydroxy)-, tetrasodium salt | EHW | H + | P098 | Potassium cyanide | EHW | A |
| U166 | 1,4-Naphthoquinone | EHW | C | P099 | Potassium silver cyanide | EHW | A |
| U167 | 1-Naphthylamine | EHW | B + | P070 | Propanal, 2-methyl-2(methylthio)-O-[(methylamino)carbonyl]oxime | EHW | B |
| U168 | 2-Naphthylamine | EHW | B + | U194 | 1-Propanamine | EHW | C I |
| U167 | alpha-Naphthylamine | EHW | B + | U110 | 1-Propanamine, N-propyl- | EHW | C I |
| U168 | beta-Naphthylamine | EHW | B + | U066 | Propane, 1,2-dibromo-3-chloro- | EHW | C H + |
| U026 | 2-Naphthylamine, N,N-bis(2-chloro-ethyl)- | EHW | H + | U149 | Propanedinitrile | EHW | C |
| P072 | alpha-Naphthylthiourea | EHW | B | P101 | Propanenitrile | EHW | B |
| P073 | Nickel carbonyl | EHW | B | P027 | Propanenitrile, 3-chloro- | EHW | B H |
| P074 | Nickel cyanide | EHW | D R ? | P079 | Propanenitrile, 2-hydroxy-2-methyl- | EHW | A |
| P074 | Nickel (II) cyanide | EHW | D R ? | U171 | Propane, 2-nitro- | EHW | C I |
| P073 | Nickel tetracarbonyl | EHW | B | U027 | Propane, 2,2'-oxybis[2-chloro- | EHW | C H O |
| P075 | Nicotine and salts | EHW | B | P081 | 1,2,3-Propanetriol, trinitrate- | EHW | R ? |
| P076 | Nitric oxide | EHW | B ? | U235 | 1-Propanol, 2,3-dibromo-, phosphate (3:1) | EHW | D H |
| P077 | p-Nitroaniline | EHW | D ? | U126 | 1-Propanol, 2,3-epoxy- | EHW | C + |
| U169 | Nitrobenzene | EHW | C I | P017 | 2-Propanone, 1-bromo- | EHW | C H |
| P078 | Nitrogen dioxide | EHW | A | P102 | Propargyl alcohol | EHW | X |
| P076 | Nitrogen (II) oxide | EHW | B | P003 | 2-Propenal | EHW | X |
| P078 | Nitrogen (IV) oxide | EHW | A | U007 | 2-Propenamide | EHW | C |
| P081 | Nitroglycerine | EHW | R ? | U084 | Propene, 1,3-dichloro- | EHW | C H |
| U170 | p-Nitrophenol | EHW | C | U243 | 1-Propene, 1,1,2,3,3,3-hexachloro- | EHW | H |
| U171 | 2-Nitropropane | EHW | C I | U009 | 2-Propenenitrile | EHW | C + I |
| U174 | N-Nitrosodiethylamine | EHW | C + | U152 | 2-Propenenitrile, 2-methyl- | EHW | B I |
| P082 | N-Nitrosodimethylamine | EHW | B + | U008 | 2-Propenoic acid | EHW | C O I |
| U176 | N-Nitroso-N-ethylurea | EHW | C + | P005 | 2-Propen-1-ol | EHW | B I |
| U177 | N-Nitroso-N-methylurea | EHW | C + | See F027 | Propionic acid, 2-(2,4,5-trichlorophenoxy)- | EHW | B H |
| U178 | N-Nitroso-N-methylurethane | EHW | C + | U194 | n-Propylamine | EHW | C I |
| P084 | N-Nitrosomethylvinylamine | EHW | B + | U083 | Propylene dichloride | EHW | C H I |
| U179 | N-Nitrosopiperidine | EHW | C + | P067 | 1,2-Propylenimine | EHW | B + I |
| U111 | N-Nitroso-n-propylamine | EHW | C + | P102 | 2-Propyn-1-ol | EHW | X |
| P050 | 5-Norbornene-2,3,-dimethanol, 1,4,5,6,7,7-hexachloro, cyclic sulfite | EHW | X H | P008 | 4-Pyridinamine | EHW | B |
| P085 | Octamethylpyrophosphoramide | EHW | A | P075 | Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts | EHW | B |
| P087 | Osmium oxide | EHW | B | U196 | Pyridine | EHW | C I |
| P087 | Osmium tetroxide | EHW | B | U179 | Pyridine, hexahydro-N-nitroso- | EHW | C + |
| P088 | 7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid | EHW | B | U191 | Pyridine,2-methyl- | EHW | C |
| U058 | 2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloro ethyl)amino]tetrahydro-, 2-oxide | EHW | C H I + | P111 | Pyrophosphoric acid, tetraethyl ester | EHW | A |
| U115 | Oxirane | EHW | C I | U201 | Resorcinol | EHW | C |
| U041 | Oxirane, 2-(chloromethyl)- | EHW | C H + I | P103 | Selenourea | EHW | B |
| P089 | Parathion | EHW | X | U015 | L-Serine, diazoacetate (ester) | EHW | C + |
| U183 | Pentachlorobenzene | EHW | H | P104 | Silver cyanide | EHW | C |
| U184 | Pentachloroethane | EHW | A H | See F027 | Silvex | EHW | B H |
| U185 | Pentachloronitrobenzene | EHW | D H + | P105 | Sodium azide | EHW | A |
| See F027 | Pentachlorophenol | EHW | A H | P106 | Sodium cyanide | EHW | A |
| U188 | Phenol | EHW | C | P107 | Strontium sulfide | EHW | R |
| P034 | Phenol, 2-cyclohexyl-4,6-dinitro- | EHW | C | P108 | Strychnidin-10-one, and salts | EHW | B |
| P048 | Phenol, 2,4-dinitro- | EHW | B | P018 | Strychnidin-10-one, 2,3-dimethoxy- | EHW | A |
| P047 | Phenol, 2-methyl-4,6 dinitro-, and salts | EHW | B | P108 | Strychnine and salts | EHW | B |
| P020 | Phenol, 2,4-dinitro-6-(1-methylpropyl)- | EHW | B | U135 | Sulfur hydride | EHW | B I |
| P009 | Phenol, 2,4,6-trinitro-, ammonium salt | EHW | R | U103 | Sulfuric acid, dimethyl ester | EHW | C O + |
| U048 | Phenol, 2-chloro- | EHW | D H | P115 | Sulfuric acid, thallium (I) salt | EHW | B |
| U039 | Phenol, 4-chloro-3-methyl- | EHW | H | U189 | Sulfur phosphide | EHW | B I R |
| U081 | Phenol, 2,4-dichloro- | EHW | D H | See F027 | 2,4,5-T | EHW | B H + |
| U082 | Phenol, 2,6-dichloro- | EHW | D H | See F027 | 1,2,4,5-Tetrachlorobenzene | EHW | D H |
| U170 | Phenol, 4-nitro- | EHW | C | U208 | 1,1,1,2-Tetrachloroethane | EHW | H |
| See F027 | Phenol, pentachloro- | EHW | A H | U209 | 1,1,2,2-Tetrachloroethane | EHW | H |
| See F027 | Phenol, 2,3,4,6-tetrachloro- | EHW | C H | U210 | Tetrachloroethylene | EHW | C H + |
| See F027 | Phenol, 2,4,5-trichloro- | EHW | A H | U212 | 2,3,4,6-Tetrachlorophenol | EHW | C H |
| See F027 | Phenol, 2,4,6-trichloro- | EHW | A H | P109 | Tetraethyldithiopyrophosphate | EHW | A |
| P036 | Phenyl dichloroarsine | EHW | B H | P110 | Tetraethyl lead | EHW | A |
| P092 | Phenylmercuric acetate | EHW | B | P111 | Tetraethylpyrophosphate | EHW | A |
| P093 | N-Phenylthiourea | EHW | A | | | | |
| P094 | Phorate | EHW | X | | | | |

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* | Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* |
|---------------------|---|-------------------------|-------------------------|---------------------|--|-------------------------|-------------------------|
| P112 | Tetranitromethane | EHW | A R | U244 | Bis(dimethylthiocarbomoyl) disulfide | DW | D |
| P062 | Tetraphosphoric acid, hexaethyl ester | EHW | B | U028 | Bis(2-ethoxyethyl) phthalate | DW | ? |
| P113 | Thallic oxide | EHW | B | U172 | 1-Butanamine, N-butyl-N-nitroso- | DW | D + |
| P113 | Thallium (III) oxide | EHW | B | U031 | 1-Butanol | DW | D I |
| P114 | Thallium (I) selenide | EHW | C | U159 | 2-Butanone | DW | D I |
| P115 | Thallium (I) sulfate | EHW | B | U031 | n-Butyl alcohol | DW | D I |
| P045 | Thiofanox | EHW | B | U136 | Cacodylic acid | DW | D |
| P049 | Thioimidodicarbonic diamide | EHW | A | U238 | Carbamic acid, ethyl ester | DW | + |
| U153 | Thiomethanol | EHW | B I | U215 | Carbonic acid, dithallium(I) salt | DW | ? |
| P014 | Thiophenol | EHW | A | U051 | Creosote | DW | D |
| P116 | Thiosemicarbazide | EHW | B H + | U059 | Daunomycin | DW | + |
| U219 | Thiourea | EHW | C + | U221 | Diaminotoluene | DW | ? |
| P026 | Thiourea, (2-chlorophenyl)- | EHW | A H | U069 | Dibutyl phthalate | DW | D |
| P072 | Thiourea, 1-naphthalenyl- | EHW | B | U192 | 3,5-Dichloro-N-(1,1-dimethyl-2-propynyl) benzamide | DW | ? |
| P093 | Thiourea, phenyl- | EHW | A | U108 | 1,4-Diethylene dioxide | DW | D + |
| U220 | Toluene | EHW | C I | U086 | N,N-Diethylhydrazine | DW | + |
| U223 | Toluene diisocyanate | EHW | B R | U088 | Diethyl phthalate | DW | ? |
| P123 | Toxaphene | EHW | X H | U089 | Diethylstilbestrol | DW | + |
| U226 | 1,1,1-Trichloroethane | EHW | C H | U148 | 1,2-Dihydro-3-,6-pyridizinedione | DW | D |
| U227 | 1,1,2-Trichloroethane | EHW | C H | U090 | Dihydrosafrole | DW | D + |
| U228 | Trichloroethene | EHW | C H + | U091 | 3,3'-Dimethoxybenzidine | DW | D + |
| U228 | Trichloroethylene | EHW | C H + | U098 | 1,1-Dimethylhydrazine | DW | + I |
| P118 | Trichloromethanethiol | EHW | H | U101 | 2,4-Dimethylphenol | DW | D |
| U121 | Trichloromonofluoromethane | EHW | H | U102 | Dimethyl phthalate | DW | ? |
| See F027 | 2,4,5-Trichlorophenol | EHW | A H | U107 | Di-n-octyl phthalate | DW | ? |
| See F027 | 2,4,6-Trichlorophenol | EHW | A H | U108 | 1,4-Dioxane | DW | D + |
| U232 | 2,4,5-Trichlorophenoxy-acetic acid, salts and esters | EHW | B H + | U117 | Ethane, 1,1'-oxybis- | DW | D I |
| U233 | 2,4,5-Trichlorophenoxy-propionic acid, salts and esters | EHW | B H + | U218 | Ethanethioamide | DW | + |
| U235 | Tris(2,3-dibromopropyl) phosphate | EHW | D H | U173 | Ethanol, 2,2-(nitrosoimino)bis- | DW | + |
| U236 | Trypan blue | EHW | H + | U004 | Ethanone, 1-phenyl- | DW | D |
| U237 | Uracil, 5[bis(2-chloroethyl)amino]- | EHW | B H + | U112 | Ethyl acetate | DW | D I |
| U237 | Uracil mustard | EHW | B H + | U113 | Ethyl acrylate | DW | D I |
| P119 | Vanadic acid, ammonium salt | EHW | B | U238 | Ethyl carbamate (urethan) | DW | + |
| P120 | Vanadium pentoxide | EHW | B | U116 | Ethylene thiourea | DW | D + |
| P120 | Vanadium (V) oxide | EHW | B | U117 | Ethyl ether | DW | D I |
| U043 | Vinyl chloride | EHW | D H + | U118 | Ethyl methacrylate | DW | I |
| P001 | Warfarin | EHW | A | U119 | Ethyl methanesulfonate | DW | + |
| U239 | Xylene | EHW | C I | U139 | Ferric dextran | DW | + |
| P121 | Zinc cyanide | EHW | C | U120 | Fluoranthene | DW | D |
| P122 | Zinc phosphide | EHW | B R | U123 | Formic Acid | DW | D O |
| | | | | U124 | Furan | DW | I |
| | | | | U213 | Furan, tetrahydro- | DW | I |
| | | | | U124 | Furfuran | DW | I |
| | | | | U206 | D-Glucopyranose, 2-deoxy-2(3-methyl-3-nitrosoureido)- | DW | + |
| | | | | U086 | Hydraxine, 1,2-diethyl- | DW | + |
| | | | | U098 | Hydrazine, 1,1-dimethyl- | DW | + I |
| | | | | U134 | Hydrofluoric acid | DW | D O |
| | | | | U134 | Hydrogen fluoride | DW | D O |
| | | | | U136 | Hydroxydimethylarsine oxide | DW | D |
| | | | | U116 | 2-Imidazolidinethione | DW | D + |
| | | | | U137 | Indeno[1,2,3-cd]pyrene | DW | + |
| | | | | U139 | Iron dextran | DW | + |
| | | | | U140 | Isobutyl alcohol | DW | D I |
| | | | | U141 | Isosafrole | DW | D + |
| | | | | U145 | Lead phosphate | DW | + |
| | | | | U146 | Lead subacetate | DW | + |
| | | | | U148 | Maleic hydrazide | DW | D |
| | | | | U150 | Melphalan | DW | + |
| | | | | U119 | Methanesulfonic acid, ethyl ester | DW | + |
| | | | | U123 | Methanoic acid | DW | D O |
| | | | | U154 | Methanol | DW | D I |
| | | | | U155 | Methapyrilene | DW | D |
| | | | | U154 | Methyl alcohol | DW | D I |
| | | | | U186 | 1-Methylbutadiene | DW | D I |
| | | | | U159 | Methyl ethyl ketone | DW | D I |
| | | | | U161 | Methyl isobutyl ketone | DW | D I |
| | | | | U162 | Methyl methacrylate | DW | D I |
| | | | | U161 | 4-Methyl-2-pentanone | DW | + |
| | | | | U164 | Methylthiourea | DW | + |
| | | | | U059 | 5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxo-hexopyranosyl)oxyl]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy- | DW | + |
| | | | | U172 | N-Nitrosodi-n-butylamine | DW | D + |
| | | | | U173 | N-Nitrosodiethanolamine | DW | + |
| | | | | U180 | N-Nitrosopyrrolidine | DW | D + |
| | | | | U181 | 5-Nitro-o-toluidine | DW | D |
| | | | | U193 | 1,2-Oxathiolane, 2,2-dioxide | DW | + |
| | | | | U182 | Paraldehyde | DW | D I |
| | | | | U186 | 1,3-Pentadiene | DW | D I |
| | | | | U187 | Phenacetin | DW | D + |
| | | | | U101 | Phenol, 2,4-dimethyl- | DW | D |

MODERATELY DANGEROUS CHEMICAL PRODUCTS

| | | | |
|------|--|----|-----|
| U187 | Acetamide, N-(4-ethoxyphenyl)- | DW | D + |
| U005 | Acetamide, N-9H-fluoren-2-yl- | DW | ? |
| U112 | Acetic acid, ethyl ester | DW | D I |
| U214 | Acetic acid, thallium(I) salt | DW | ? |
| U002 | Acetone | DW | D I |
| U004 | Acetophenone | DW | D |
| U005 | 2-Acetylamino fluorene | DW | ? |
| U150 | Alanine, 3-[p-bis(2-chloroethyl)amino] phenyl-, L- | DW | + |
| U328 | 2-Amino-1-methylbenzene | DW | D + |
| U353 | 4-Amino-1-methylbenzene | DW | D |
| U011 | Amitrole | DW | D + |
| U014 | Auramine | DW | + |
| U016 | Benz[c]acridine | DW | + |
| U016 | 3,4-Benzacridine | DW | + |
| U014 | Benzenamine, 4,4-carbonimidoylbis(N,N-dimethyl- | DW | + |
| U222 | Benzenamine, 2-methyl-, hydrochloride | DW | D + |
| U181 | Benzenamine, 2-methyl-5-nitro | DW | D |
| U028 | 1,2-Benzenedicarboxylic acid, [bis(2-ethyl-hexyl)] ester | DW | ? |
| U069 | 1,2-Benzenedicarboxylic acid, dibutyl ester | DW | D |
| U088 | 1,2-Benzenedicarboxylic acid, diethyl ester | DW | ? |
| U102 | 1,2-Benzenedicarboxylic acid, dimethyl ester | DW | ? |
| U107 | 1,2-Benzenedicarboxylic acid, di-n-octyl ester | DW | ? |
| U203 | Benzene, 1,2-methylenedioxy-4-allyl- | DW | D + |
| U141 | Benzene, 1,2-methylenedioxy-4-propenyl- | DW | D + |
| U090 | Benzene, 1,2-methylenedioxy-4-propyl- | DW | D + |
| U234 | Benzene, 1,3,5-trinitro- | DW | D R |
| U202 | 1,2-Benzisothiazilin-3-one, 1,1-dioxide, and salts | DW | + |
| U120 | Benzo[j,k]fluorene | DW | D |
| U091 | (1,1'-Biphenyl)-4,4'-diamine, 3,3'-dimethoxy- | DW | D + |

| Dangerous Waste No. | Substance | WDOE Hazard Designation | Reason for Designation* | Dangerous Waste No. | Sources | | |
|---------------------|--|-------------------------|-------------------------|---------------------|--|------|---|
| U137 | 1,10-(1,2-Phenylene)pyrene | DW | + | F002 | The following spent halogenated solvents: Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, ((and)) trichlorofluoromethane and 1,1,2 trichloroethane; and the still bottoms from the recovery of these solvents. (See footnote 1, below.) | | |
| U145 | Phosphoric acid, lead salt | DW | + | | | | |
| U087 | Phosphorodithioic acid, O,O-diethyl-, S-methyl ester | DW | ? | F003 | The following spent nonhalogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, and methanol; and the still bottoms from the recovery of these solvents. | | |
| U192 | Pronamide | DW | ? | | | | |
| U193 | 1,3-Propane sultone | DW | + | | | | |
| U140 | 1-Propanol, 2-methyl- | DW | D I | | | | |
| U002 | 2-Propanone | DW | D I | | | | |
| U113 | 2-Propenoic acid, ethyl ester | DW | D I | | | | |
| U118 | 2-Propenoic acid, 2-methyl-, ethyl ester | DW | I | | | | |
| U162 | 2-Propenoic acid, 2-methyl-, methyl ester | DW | D I | | | | |
| U155 | Pyridine, 2-[(2dimethylamino) ethyl]- 2-phenylamino | | | | | | |
| U164 | 4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo- | DW | + | | | F004 | The following spent nonhalogenated solvents: Cresols and cresylic acid, nitrobenzene; and the still bottoms from the recovery of these solvents. |
| U180 | Pyrrrole, tetrahydro-N-nitroso- | DW | D + | | | F005 | The following spent nonhalogenated solvents: Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, 2-nitropropane; and the still bottoms from the recovery of these solvents. |
| U200 | Reserpine | DW | ? | | | | |
| U202 | Saccharin and salts | DW | + | F006 | Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum. | | |
| U203 | Safrole | DW | D + | | | | |
| U204 | Selenious acid | DW | O | | | | |
| U204 | Selenium dioxide | DW | O | | | | |
| U205 | Selenium disulfide | DW | R | | | | |
| U089 | 4,4'-Stilbenediol, alpha, alpha'-diethyl- | DW | + | | | | |
| U206 | Streptozotocin | DW | + | | | | |
| U205 | Sulfur selenide | DW | R | | | | |
| U213 | Tetrahydrofuran | DW | I | | | | |
| U214 | Thallium(1) acetate | DW | ? | | | | |
| U215 | Thallium(1) carbonate | DW | ? | | | | |
| U216 | Thallium(1) chloride | DW | ? | | | | |
| U217 | Thallium(1) nitrate | DW | ? | | | | |
| U218 | Thioacetamide | DW | + | F019 | Wastewater treatment sludges from the chemical conversion coating of aluminum. | | |
| U244 | Thiran | DW | D | | | | |
| U221 | Toluenediamine | DW | ? | F007 | Spent cyanide plating bath solutions from electroplating operations. | | |
| U328 | o-Toluidine | DW | D + | | | | |
| U353 | p-Toluidine | DW | D | F008 | Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process. | | |
| U222 | o-Toluidine hydrochloride | DW | D + | | | | |
| U011 | 1H-1,2,4-Triazol-3-amine | DW | D + | F009 | Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process. | | |
| U234 | sym-Trinitrobenzene | DW | D R | | | | |
| U182 | 1,3,5-Trioxane, 2,4,6-trimethyl- | DW | D I | F010 | Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process. | | |
| U200 | Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-,methyl ester | DW | ? | | | | |

- * EHW = Extremely Hazardous Waste
- DW = Dangerous Waste
- X = Toxic, Category X
- A = Toxic, Category A
- B = Toxic, Category B
- C = Toxic, Category C
- D = Toxic, Category D
- ? = Toxic, Category not determined
- H = Persistent, Halogenated Hydrocarbon
- O = Corrosive
- P = Persistent, Polycyclic Aromatic Hydrocarbon
- + = IARC Animal or Human, ((Positive or Suspected)) Sufficient or Limited Carcinogen
- I = Ignitable
- R = Reactive
- EP = ((Extraction Procedure)) Toxicity Characteristic

AMENDATORY SECTION (Amending Order 88-24, filed 1/4/89)

WAC 173-303-9904 DANGEROUS WASTE SOURCES LIST.

DANGEROUS WASTE SOURCES LIST

| Dangerous Waste No. | Sources |
|---------------------|---|
| | Nonspecific Sources |
| Generic: | |
| F001 | The following spent halogenated solvents used in degreasing: Tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride, and chlorinated fluorocarbons; and sludges from the recovery of these solvents in degreasing operations. (See footnote 1, below.) |

| | |
|------|--|
| F021 | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives. (See footnote 2, below.) |
| F022 | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions. (See footnote 2, below.) |
| F023 | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- and |

| Dangerous Waste No. | Sources | Dangerous Waste No. | Sources |
|---------------------|---|---------------------|--|
| | tetrachlorophenols. (See footnote 2, below.) (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.) | K016 | Heavy ends or distillation residues from the production of carbon tetrachloride. (See footnote 1, below.) |
| F026 | Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions. (See footnote 2, below.) | K017 | Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin. (See footnote 1, below.) |
| F027 | Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (See footnote 2, below.) (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.) | K018 | Heavy ends from the fractionation column in ethyl chloride production. (See footnote 1, below.) |
| F028 | Residues resulting from the incineration or thermal treatment of soil contaminated with nonspecific sources wastes F020, F021, F022, F023, F026 and F027. | K019 | Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production. (See footnote 1, below.) |
| F024 | Wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes from the production of chlorinated aliphatic hydrocarbons, having carbon content from one to five, utilizing free radical catalyzed processes. (See footnote 1, below.) (This listing does not include light ends, spent filters and filter aids, spent dessicants, wastewater, wastewater treatment sludges, spent catalysts, and wastes listed under specific sources, below.) | K020 | Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production. (See footnote 1, below.) |
| | Specific Sources | K021 | Aqueous spent antimony catalyst waste from fluoromethanes production. (See footnote 1, below.) |
| | Wood Preservation: | K022 | Distillation bottom tars from the production of phenol/acetone from cumene. |
| K001 | Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol. (See footnote 1, below.) | K023 | Distillation light ends from the production of phthalic anhydride from naphthalene. |
| | Inorganic Pigments: | K024 | Distillation bottoms from the production of phthalic anhydride from naphthalene. |
| K002 | Wastewater treatment sludge from the production of chrome yellow and orange pigments. | K093 | Distillation light ends from the production of phthalic anhydride from ortho-xylene. |
| K003 | Wastewater treatment sludge from the production of molybdate orange pigments. | K094 | Distillation bottoms from the production of phthalic anhydride from ortho-xylene. |
| K004 | Wastewater treatment sludge from the production of zinc yellow pigments. | K025 | Distillation bottoms from the production of nitrobenzene by the nitration of benzene. |
| K005 | Wastewater treatment sludge from the production of chrome green pigments. | K026 | Stripping still tails from the production of methyl ethyl pyridines. |
| K006 | Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated). | K027 | Centrifuge and distillation residues from toluene diisocyanate production. |
| K007 | Wastewater treatment sludge from the production of iron blue pigments. | K028 | Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane. (See footnote 1, below.) |
| K008 | Oven residue from the production of chrome oxide green pigments. | K029 | Waste from the product steam stripper in the production of 1,1,1-trichloroethane. (See footnote 1, below.) |
| | Organic Chemicals: | K095 | Distillation bottoms from the production of 1,1,1-trichloroethane. (See footnote 1, below.) |
| K009 | Distillation bottoms from the production of acetaldehyde from ethylene. | K096 | Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane. (See footnote 1, below.) |
| K010 | Distillation side cuts from the production of acetaldehyde from ethylene. | K030 | Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene. (See footnote 1, below.) |
| K011 | Bottom stream from the wastewater stripper in the production of acrylonitrile. | K083 | Distillation bottoms from aniline production. |
| K013 | Bottom stream from the acetonitrile column in the production of acrylonitrile. | K103 | Process residues from aniline extraction from the production of aniline. |
| K014 | Bottoms from the acetonitrile purification column in the production of acrylonitrile. | K104 | Combined wastewater streams generated from nitrobenzene/aniline production. |
| K015 | Still bottoms from the distillation of benzyl chloride. (See footnote 1, below.) | K085 | Distillation of fractionation column bottoms from the production of chlorobenzenes. (See footnote 1, below.) |
| | | K105 | Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes. (See footnote 1, below.) |
| | | K111 | Product washwaters from the production of dinitrotoluene via nitration of toluene. |
| | | K112 | Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene. |
| | | K113 | Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene. |

| Dangerous Waste No. | Sources |
|----------------------|---|
| K114 | Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene. |
| K115 | Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene. |
| K116 | Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine. (See footnote 1, below.) |
| Explosives: | |
| K044 | Wastewater treatment sludges from the manufacturing and processing of explosives. |
| K045 | Spent carbon from the treatment of wastewater containing explosives. |
| K046 | Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds. |
| K047 | Pink/red water from TNT operations. |
| Inorganic Chemicals: | |
| K071 | Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used. |
| K073 | Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production. (See footnote 1, below.) |
| K106 | Wastewater treatment sludge from the mercury cell process in chlorine production. |
| Petroleum Refining: | |
| K048 | Dissolved air flotation (DAF) float from the petroleum refining industry. |
| K049 | Slop oil emulsion solids from the petroleum refining industry. |
| K050 | Heat exchanger bundle cleaning sludge from the petroleum refining industry. |
| K051 | API separator sludge from the petroleum refining industry. |
| K052 | Tank bottoms (leaded) from the petroleum refining industry. |
| Iron and Steel: | |
| K061 | Emission control dust/sludge from the primary production of steel in electric furnaces. |
| K062 | Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332). |
| Pesticides: | |
| K031 | Byproduct salts generated in the production of MSMA and cacodylic acid. |
| K032 | Wastewater treatment sludge from the production of chlordane. (See footnote 3, below.) |
| K033 | Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane. (See footnote 3, below.) |
| K034 | Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane. (See footnote 3, below.) |
| K097 | Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane. (See footnote 3, below.) |
| K035 | Wastewater treatment sludges generated in the production of creosote. |

| Dangerous Waste No. | Sources |
|---------------------|---|
| K036 | Still bottoms from toluene reclamation distillation in the production of disulfoton. |
| K037 | Wastewater treatment sludges from the production of disulfoton. |
| K038 | Wastewater from the washing and stripping of phorate production. (See footnote 3, below.) |
| K039 | Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate. (See footnote 3, below.) |
| K040 | Wastewater treatment sludge from the production of phorate. (See footnote 3, below.) |
| K041 | Wastewater treatment sludge from the production of toxaphene. (See footnote 3, below.) |
| K098 | Untreated process wastewater from the production of toxaphene. (See footnote 3, below.) |
| K042 | Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T. (See footnote 1, below.) |
| K043 | 2,6-Dichlorophenol waste from the production of 2,4-D. (See footnote 1, below.) |
| K099 | Untreated wastewater from the production of 2,4-D. (See footnote 1, below.) |
| K123 | Process wastewater (including supernates, filtrates, and wastewaters) from the production of ethylenebisdithiocarbamic acid and its salts. |
| K124 | Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts. |
| K125 | Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts. |
| K126 | Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts. |

Primary Copper:

K064 Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production.

Primary Lead:

K065 Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.

Primary Zinc:

K066 Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.

Primary Aluminum:

K088 Spent potliners from primary aluminum reduction.

Ferroalloys:

K090 Emission control dust or sludge from ferrochromium-silicon production.

K091 Emission control dust or sludge from ferrochromium production.

Secondary Lead:

K069 Emission control dust/sludge from secondary lead smelting.

K100 Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.

Veterinary Pharmaceuticals:

K084 Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

| Dangerous Waste No. | Sources |
|---------------------|--|
| K101 | Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. |
| K102 | Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds. |

Ink Formulation:

| | |
|------|---|
| K086 | Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead. |
|------|---|

Coking:

| | |
|------|---|
| K060 | Ammonia still-lime sludge from coking operations. |
| K087 | Decanter tank tar sludge from coking operations. |

Footnotes

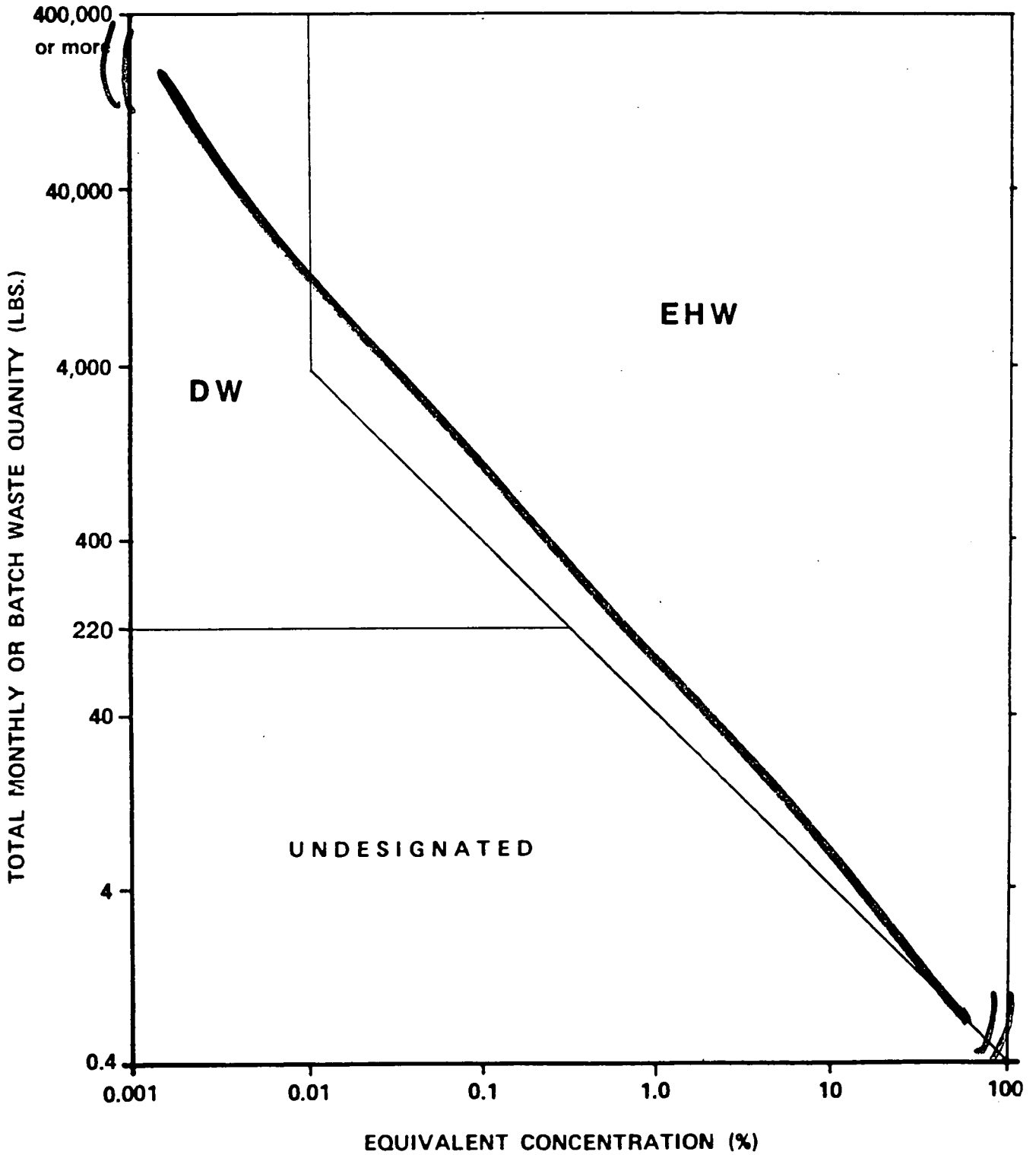
- 1 These wastes contain or may contain halogenated hydrocarbons. Although WAC 173-303-082 states that these wastes are DW, WAC 173-303-070(5), special knowledge, requires generators who know that their waste contains greater than one percent of these listed halogenated hydrocarbons to designate their waste EHW.
- 2 For wastes listed with the dangerous waste numbers F020, F021, F022, F023, F026, or F027 the quantity exclusion limit is 2.2 lbs. (1 kg) per month or per batch.
- 3 These wastes contain or may contain X Category toxic constituents. Although WAC 173-303-082 states that these wastes are DW, WAC 173-303-070(5), special knowledge, requires generators who know that their waste contains greater than 0.1 percent of these listed toxic constituents to designate their waste EHW.

State Sources

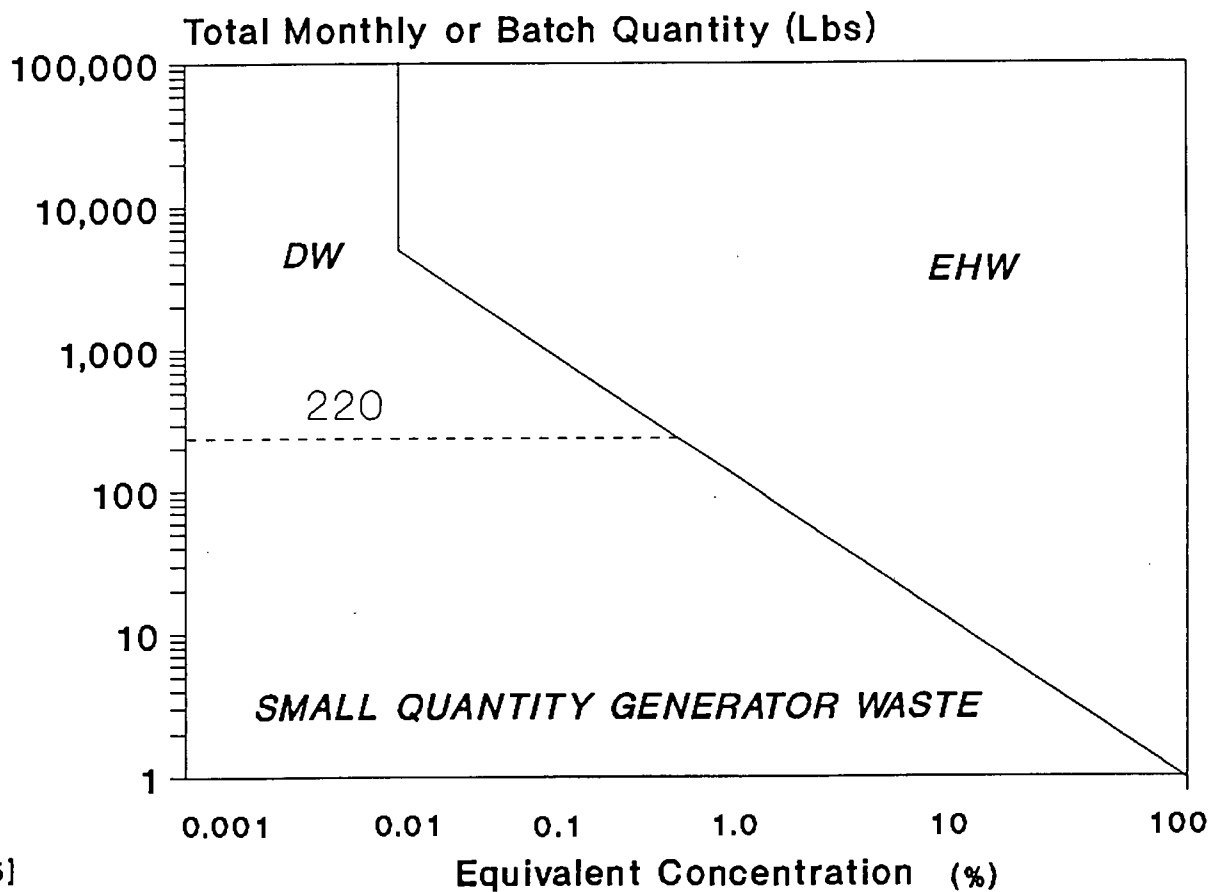
| | |
|------|--|
| W001 | The following wastes generated from the salvaging, rebuilding, or discarding of transformers, <u>bushing</u> , or capacitors which contain polychlorinated biphenyls (PCB): Cooling and insulating fluids; cores, including core papers, from unrinsed transformers and capacitors; transformers and capacitors which will no longer be used for their intended use, except for those transformers or capacitors which have been rinsed; and, rinsate from the rinsing of transformers and capacitors. For the purposes of this listing, the rinsing of PCB containing items shall be conducted as follows: First, the item is drained of all free flowing liquid; second, the item is filled with solvent and allowed to stand for at least eighteen hours; last, the item is drained thoroughly and the solvent is collected. Solvents may include kerosene, xylene, toluene and other solvents in which PCB are readily soluble. (Note—Certain PCB wastes are excluded from this listing under WAC 173-303-071 (3)(k). The generator should check that section to determine if his PCB waste is excluded from the requirements of chapter 173-303 WAC.) |
|------|--|

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-9906 TOXIC DANGEROUS WASTE MIXTURES GRAPH.



WAC 173-303-9906 TOXIC DANGEROUS WASTE MIXTURES GRAPH

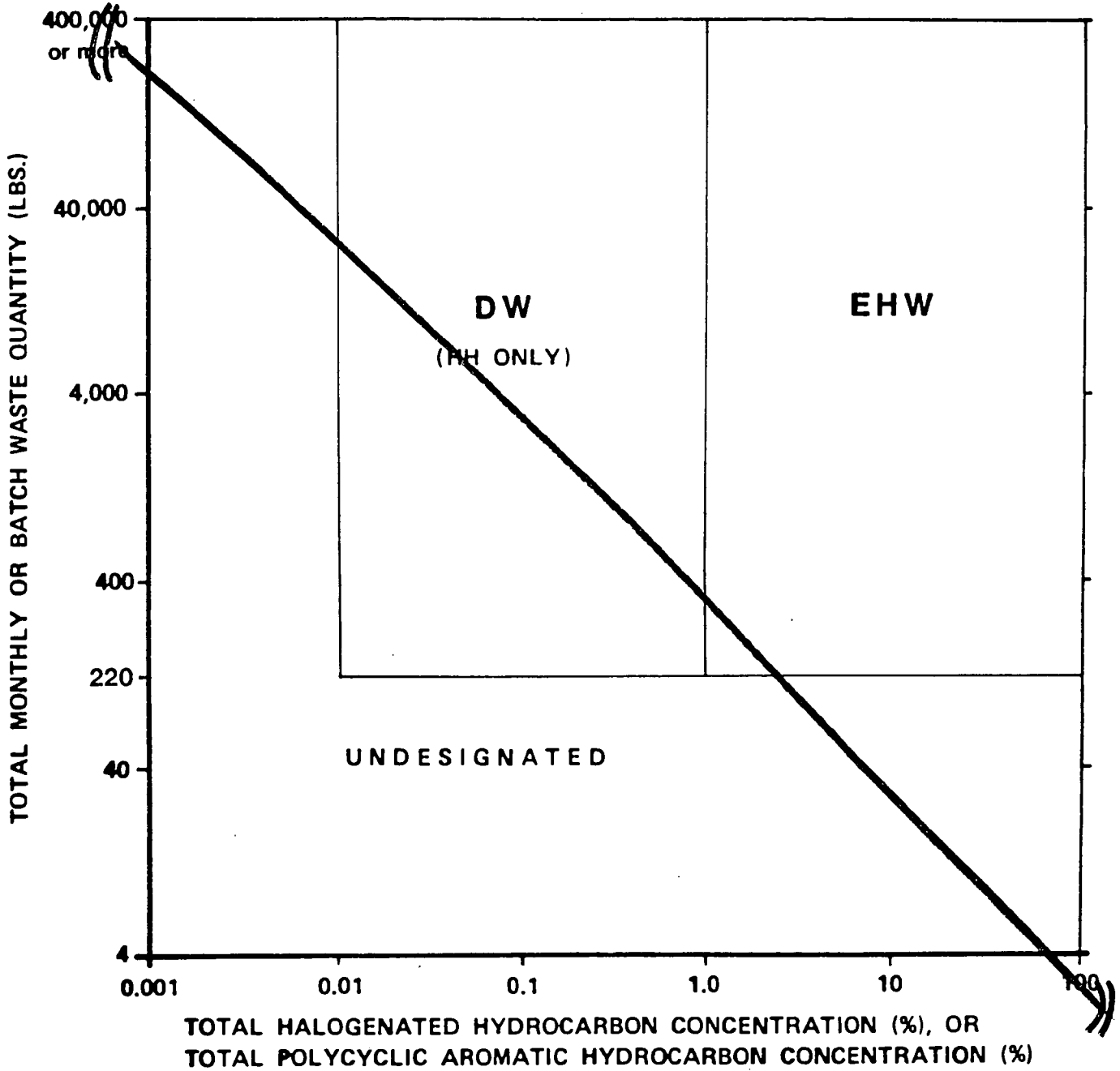


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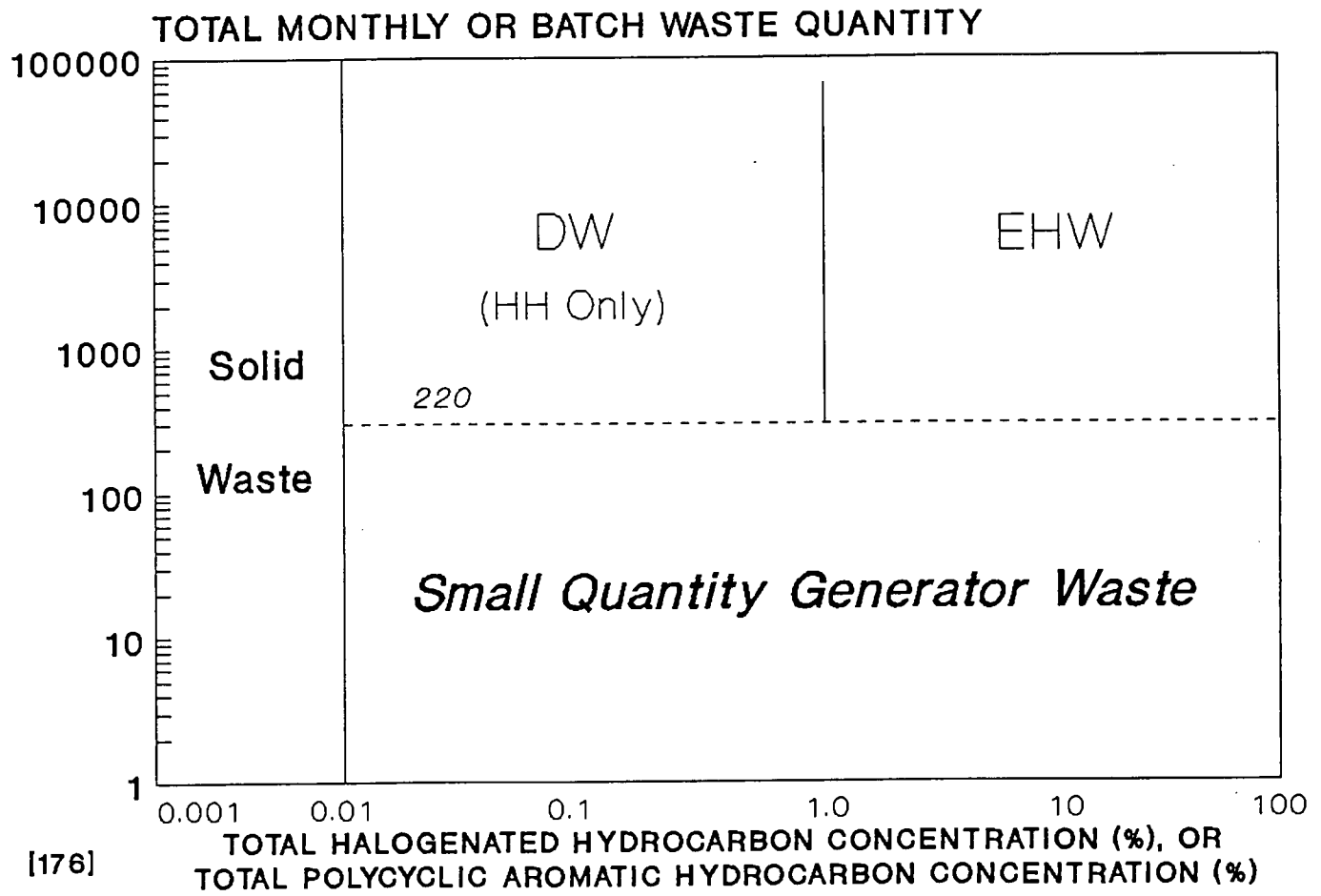
[338]

AMENDATORY SECTION (Amending Order DE-87-4, filed 6/26/87)

WAC 173-303-9907 PERSISTENT DANGEROUS WASTE MIXTURES GRAPH.



WAC 173-303-9907 PERSISTENT DANGEROUS WASTE MIXTURES GRAPH



[340]

[176]

WSR 90-20-102
PROPOSED RULES
UNIVERSITY OF WASHINGTON

[Filed October 2, 1990, 11:17 a.m.]

Original Notice.

Title of Rule: WAC 478-124-035 Conduct on campus code—Anabolic steroids.

Purpose: Comply with RCW 69.41.340.

Statutory Authority for Adoption: RCW 28B.20.130(1).

Statute Being Implemented: RCW 69.41.340.

Summary: RCW 69.41.340 requires the university to promulgate rules "regarding loss of eligibility to participate in school-sponsored athletic events for any student athlete found to have violated" chapter 69.41 RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Ernest R. Morris, 476 Schmitz Hall, 543-4024.

Name of Proponent: University of Washington, public.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: RCW 69.41.030 prohibits the possession, delivery, use or sale of legend drugs, including anabolic steroids, except upon valid prescription or order of a practitioner. RCW 69.41.340 requires the imposing of sanctions against student-athletes found in violation of chapter 69.41 RCW. The proposed WAC sets forth the sanctions the university may impose in such a situation.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: HUB 106B, University of Washington, on November 7, 1990, at 12:00 noon.

Submit Written Comments to: Melody Tereski, Rules Coordination Office, AI-10, University of Washington, Seattle, Washington 98195, by November 6, 1990.

Date of Intended Adoption: November 16, 1990.

September 25, 1990

Melody Tereski

Administrative Procedures Officer

NEW SECTION

WAC 478-124-035 CONDUCT ON CAMPUS CODE—ANABOLIC STEROIDS. Any student found by the university to have violated chapter 69.41 RCW, which, among other things, prohibits the possession, delivery, use or sale of legend drugs, including anabolic steroids, except upon valid prescription or order of a physician, is subject to additional sanctions, including disqualification from participation in university-sponsored athletic events.

WSR 90-20-103

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 90-113—Filed October 2, 1990, 1:43 p.m.]

Date of Adoption: October 1, 1990.

Purpose: Commercial fishing rule.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-609.

Statutory Authority for Adoption: RCW 75.10.110.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Area 7A provide protection for United States and Canadian origin chinook stocks. Openings in Areas 7 and 7A provide opportunity to harvest non-Indian allocation of United States and Canadian origin coho, per preseason agreement. Opening in Areas 6D, 7B, 8A, 8D, 10, 11, 12, 12A, and 12B provide opportunity to harvest non-Indian allocation of coho destined for Strait, Nooksack-Samish, Stillaguamish-Snohomish, South Sound and Hood Canal regions of origin. In-season restriction in Area 10 is necessary to provide commercial/recreational gear separation. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: Immediately.

October 1, 1990
 Judith Merchant
 Deputy
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-610 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 or Atlantic salmon for commercial purposes taken from the following Puget Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

* Area 6D - Gillnets using 5-inch minimum mesh and fishing no more than 900 feet of net, and Purse Seines using the 5-inch strip, may fish continuously from 12:01 AM Sunday September 23 through 4 PM Friday October 26.

* Area 7A, in that portion north and west of the East Point Line (as described in WAC 220-47-269) - Under the control of the Pacific Salmon Commission. Drift Gillnet gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

* Areas 7 and 7A - Reef Nets may fish from 5 AM to 9 PM daily, Monday, Wednesday and Thursday October 1, 3 and 4.

* Area 7B - Gillnets using 5-inch minimum mesh and Purse Seines may fish continuously through 4 PM Friday October 26.

* Areas 8A and 8D - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM daily, Tuesday and Wednesday October 2 and 3 and Gillnets using 5-inch minimum mesh may fish from 5 PM to 9 AM nightly, Monday and Tuesday nights October 1 and 2.

* Areas 10 and 11 - Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM Tuesday October 2 and Gillnets using 5-inch minimum mesh may fish from

5 PM Monday October 1 to 9 AM Tuesday October 2. This opening excludes those waters of area 10 east of a line projected from Alki Pt. to the light at Fourmile Rock.

* Areas 12, 12A and 12B – Purse Seines using the 5-inch strip may fish from 5 AM to 9 PM daily, Tuesday, Wednesday and Thursday October 2, 3 and 4 and Gill-nets using 5-inch minimum mesh may fish from 5 PM to 9 AM nightly, Monday, Tuesday and Wednesday nights October 1, 2 and 3.

* Areas 4B, 5, 6, 6A, 6B, 6C, 7C, 7D, 7E, 8, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-47-609 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (90-112)

WSR 90-20-104
PERMANENT RULES
OFFICE OF
INSURANCE COMMISSIONER

[Order R 90-11—Filed October 2, 1990, 2:08 p.m.]

Date of Adoption: October 2, 1990.

Purpose: To amend WAC 284-30-800 to permit gifts from title insurance companies and their agents to producers of title business not in excess of \$25 per year.

Citation of Existing Rules Affected by this Order: Amending WAC 284-30-800.

Statutory Authority for Adoption: RCW 48.02.060 (3)(a), 48.30.140, 48.30.150, 48.01.030 and 48.30.010(2).

Pursuant to notice filed as WSR 90-17-059 on August 14, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990
Dick Marquardt
Insurance Commissioner
by Patricia D. Petersen
Deputy Insurance Commissioner

AMENDATORY SECTION (Amending Order R 88-6, filed 5/17/88)

WAC 284-30-800 UNFAIR PRACTICES APPLICABLE TO TITLE INSURERS AND THEIR AGENTS. (1) RCW 48.30.140 and 48.30.150, pertaining to "rebating" and "illegal inducements," are applicable to title insurers and their agents. Because those statutes primarily affect inducements or gifts to an insured and an insured's employee or representative, they

do not directly prevent similar conduct with respect to others who have considerable control or influence over the selection of the title insurer to be used in real estate transactions. As a result, insureds do not always have free choice or unbiased recommendations as to the title insurer selected. To prevent unfair methods of competition and unfair or deceptive acts or practices, this rule is adopted.

(2) It is an unfair method of competition and an unfair and deceptive act or practice for a title insurer or its agent, directly or indirectly, to offer, promise, allow, give, set off, or pay anything of value exceeding ~~((twelve))~~ twenty-five dollars, calculated in the aggregate over a twelve-month period on a per person basis in the manner specified in RCW 48.30.140(4), to any person as an inducement, payment, or reward for placing or causing title insurance business to be given to the title insurer.

(3) Subsection (2) of this section specifically applies to and prohibits inducements, payments, and rewards to real estate agents and brokers, lawyers, mortgagees, mortgage loan brokers, financial institutions, escrow agents, persons who lend money for the purchase of real estate or interests therein, building contractors, real estate developers and subdividers, and any other person who is or may be in a position to influence the selection of a title insurer, except advertising agencies, broadcasters, or publishers, and their agents and distributors, and bona fide employees and agents of title insurers, for routine advertising or other legitimate services.

(4) This section does not affect the relationship of a title insurer and its agent with insureds, prospective insureds, their employees or others acting on their behalf. That relationship continues to be subject to the limitations and restrictions set forth in the rebating and illegal inducement statutes, RCW 48.30.140 and 48.30.150(~~(; which continue to limit gifts, payments and other inducements to a five dollar maximum, per person, per year)~~)).

WSR 90-20-105
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
(Forest Fire Advisory Board)
[Memorandum—October 1, 1990]

The next scheduled meeting of the Forest Fire Advisory board is Thursday, November 8, 1990. The meeting will begin at 9:00 a.m. and will be held in Fire Control's conference room, located in Building 5 of the Rowesix Complex in Lacey.

Topics for discussion include status of fund, interagency teams, status of fire protection district assistance committee and fire season. Please let us know of any other topics you would like to have included on the agenda.

WSR 90-20-106

PROPOSED RULES

BOARD OF

FUNERAL DIRECTORS AND EMBALMERS

[Filed October 2, 1990, 2:48 p.m.]

Original Notice.

Title of Rule: Amending WAC 308-48-540 Continuing education requirement to reinstate lapsed license or registration, 308-48-560 Continuing education documentation may be required, and 308-48-590 Qualification for board approval of continuing education activities; new sections WAC 308-48-601 Approval not required and 308-48-610 Mandatory continuing education requirements; and repealing WAC 308-48-520 Effective date of continuing education requirement, 308-48-580 Board approval of continuing education activities, and 308-48-600 Procedure for obtaining board approval of continuing education activity.

Purpose: To revise the procedures for continuing education approval to improve efficiency and reduce administrative costs.

Statutory Authority for Adoption: RCW 18.39.175(7).

Statute Being Implemented: RCW 18.39.175(7).

Summary: The current continuing education rules would be amended so that prior approval of each continuing education program would not be required.

Reasons Supporting Proposal: The revision would reduce administrative costs and improve efficiency.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Donnellan, P.O. Box 9012, Olympia, WA 98504, (206) 586-4905.

Name of Proponent: Washington State Board of Funeral Directors and Embalmers, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The primary change in the proposal is to remove the requirement for prior approval of continuing education programs. All other changes are to conform existing rules to that modification.

Proposal Changes the Following Existing Rules: WAC 308-48-540 provides clarification of continuing education time reports; WAC 308-48-560 provides additional requirement to maintain evidence of continuing education courses at place of employment; WAC 308-48-590 deletes requirement for prior board approval of continuing education programs; and WAC 308-48-520, 308-48-580 and 308-48-600 are repealed as obsolete under the proposed changes.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wright Building, Suite 300, 3rd Floor Conference Room, 464 12th Avenue, Seattle, WA, on November 13, 1990, at 9:30 a.m.

Submit Written Comments to: Jon Donnellan, by November 9, 1990.

Date of Intended Adoption: November 13, 1990.

September 25, 1990

Jon Donnellan

Acting Program Administrator

AMENDATORY SECTION (Amending Order PL 504, filed 12/19/84)

WAC 308-48-540 CONTINUING EDUCATION REQUIREMENT TO REINSTATE LAPSED LICENSE OR REGISTRATION. Any person seeking to reinstate a license or registration which has lapsed for less than one year must comply with the continuing education requirements for regular renewal of the license or registration. Any person seeking to reinstate a license or registration which has lapsed for one year or longer must present satisfactory evidence of having completed at least ten hours of approved continuing education activities for ~~((each))~~ the two-year period prior to his or her reinstatement.

AMENDATORY SECTION (Amending Order PL 504, filed 12/19/84)

WAC 308-48-560 CONTINUING EDUCATION DOCUMENTATION MAY BE REQUIRED. The board of funeral directors and embalmers reserves the right to require any licensee or registrant to submit evidence, e.g., course or program certificate of training, transcript, course or workshop brochure description, evidence of attendance, etc., in addition to the sworn statement in order to demonstrate compliance with the continuing education requirement. It is therefore the responsibility of each licensee or registrant to maintain records, certificates or other evidence of compliance with the continuing education requirements. The original or a copy of such evidence of compliance shall be available for inspection at the licensee or registrant's principal place of employment.

AMENDATORY SECTION (Amending Order PM 697, filed 12/9/87)

WAC 308-48-590 QUALIFICATION FOR BOARD APPROVAL OF CONTINUING EDUCATION ACTIVITIES. ~~((+))~~ In order for a continuing education activity to qualify for board approval, the following qualifications must be met:

- ~~((a))~~ (1) The activity must contribute directly to the professional competency of the licensee or registrant;
- ~~((b))~~ (2) The activity must relate to the practice of mortuary science or, for a registrant, be a course required for initial licensure;
- ~~((c))~~ (3) The activity must be conducted by individuals who are ~~((considered by the board to be))~~ knowledgeable in the subject matter of the program by virtue of education, training, or experience.

~~((2) The board may approve as continuing education activities courses, lectures, seminars, correspondence or homestudy programs, or other instructional programs which meet the above qualifications and which the board determines would be beneficial in improving the knowledge or service capability of licensees and registered apprentices.))~~

NEW SECTION

WAC 308-48-601 APPROVAL NOT REQUIRED. (1) It will be unnecessary to inquire into the prior approval of any continuing education. The board will accept any continuing education that reasonably falls within these regulations and relies upon each individual licensee's integrity in complying with this requirement.

(2) Continuing education program sponsors need not apply for nor expect to receive prior board approval for a formal continuing education program. The number of creditable hours may be determined by counting the contact hours of instruction each fifty minute block of instruction may be counted as one hour. The board relies upon the integrity of program sponsors to present continuing education that constitutes a meritorious learning experience.

NEW SECTION

WAC 308-48-610 MANDATORY CONTINUING EDUCATION REQUIREMENTS. The board reserves the option to require licensees to attend specific continuing education programs on topics of significant importance to the profession. The licensees will receive at least one year's advance notice of such requirement along with information concerning available sources or methods of compliance.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-48-520 EFFECTIVE DATE OF CONTINUING EDUCATION REQUIREMENT.

WAC 308-48-580 BOARD APPROVAL OF CONTINUING EDUCATION ACTIVITIES.

WAC 308-48-600 PROCEDURE FOR OBTAINING BOARD APPROVAL OF CONTINUING EDUCATION ACTIVITY.

WSR 90-20-107

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 90-26—Filed October 2, 1990, 2:50 p.m.]

Date of Adoption: October 2, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-450 Whatcom County.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-13-090 on June 20, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 87-07, filed 6/9/87)

WAC 173-19-450 WHATCOM COUNTY. Whatcom County master program approved August 27, 1976. Revision approved April 11, 1977. Revision approved August 11, 1978. Revision approved December 22, 1981. Revision approved January 5, 1982. Revision approved March 4, 1982. Revision approved December 15, 1982. Revision approved March 1, 1984. Revision approved January 31, 1985. Revision approved June 9, 1987. Revision approved October 2, 1990.

WSR 90-20-108

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 90-28—Filed October 2, 1990, 2:55 p.m.]

Date of Adoption: October 2, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-2510 Issaquah, city of.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-13-092 on June 20, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-2510 ISSAQUAH, CITY OF. City of Issaquah master program approved ((.....)) October 2, 1990.

WSR 90-20-109

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Filed October 2, 1990, 3:02 p.m.]

Date of Adoption: October 2, 1990.

Purpose: New WAC chapter to provide the administrative procedures for the Referendum 38 program which provides grants and loans for the rehabilitation, construction, and improvement of agricultural water supply facilities.

Statutory Authority for Adoption: RCW 43.17.060.

Pursuant to notice filed as WSR 90-13-104 on June 21, 1990.

Changes Other than Editing from Proposed to Adopted Version: The changes from the original rule were merely editorial and for clarification purposes. They include: Changing the department's deadline for deciding on applications from April 30 to May 31, to accurately reflect the 90 day period mentioned in the text (WAC 173-170-030(4) and 173-170-060(4)); changing term "fifty-two-week federal treasury bills" to "one year federal treasury bills" in WAC 173-170-050(2), 173-170-080 (6)(a) through (d); changing "nonsignificant declaration" in WAC 173-170-070(3) to the more correct "declaration of nonsignificance"; wording the interest schedule in WAC 173-170-080 (6)(a) through (d) to correct what would have been a 364-day grace period; and amending WAC 173-170-110(3) to show that the financial limit applies to fisheries and/or recreational projects, not just one or the other and to clarify that the ceiling on those projects is not part of the general limitation on implementation funding contained in WAC 173-170-080(5).

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990

Fred Olson

Deputy Director

Chapter 173-170 WAC AGRICULTURAL WATER SUPPLY FACILITIES

NEW SECTION

WAC 173-170-010 PURPOSE AND AUTHORITY. The purpose of this chapter is to establish requirements for the grant and loan program covering rehabilitation, improvement, and construction of agricultural water supply facilities pursuant to Referendum 38, chapter 43.99E RCW. The department shall provide grants and loans to applicants for water supply facilities for agricultural use alone or in combination with fishery, recreational, or other beneficial uses of water. In this regard, an objective of providing state assistance to public

bodies engaged in irrigation shall be to assist those entities in improving their efficiency of water use beyond current levels.

Note: All statutes, rules, or regulations cited in this chapter are available for review at Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711.

NEW SECTION

WAC 173-170-020 DEFINITIONS. (1) "Department" means the Washington state department of ecology.

(2) "Agreement" means a binding legal document containing all applicable terms and conditions pertaining to loans and/or grants entered into under Referendum 38 which is signed by the program manager for the department's water resources program and by the duly authorized official of the applicant.

(3) "Agricultural water supply facility" means a water supply and distribution system used for agricultural purposes and owned or operated by a public body, including but not limited to all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to the acquisition, construction, installation, or use of any such water supply or distribution system.

(4) "Applicant" means the public body making a request for financial assistance under Referendum 38.

(5) "Class A project" means a construction element associated with an agricultural water supply facility which:

(a) Results in improved water use efficiency and/or quantitative water savings as determined by the department; and

(b) Is one or more of the following: (i) Canal and lateral linings; (ii) piped conveyance and distribution system; (iii) consolidation and/or realignment of delivery systems; (iv) flow measuring devices, e.g., flow control devices; (v) entire structures/regulating structures (which are new or replace obsolete ones) including: (A) Checks, (B) checkdrops, (C) siphons, (D) turnouts, (E) flumes, (F) reregulation reservoirs; (vi) multiple use water storage dams and reservoirs; (vii) automation with central control of regulating structures including on-off control of pumping plants in canals and laterals; (viii) new booster pumps for pressurized systems; (ix) project pumping plants;

(c) In the event there are technological advances that increase water use efficiency and/or result in significant water savings that are not described in (a) of this subsection, such project element(s) will be evaluated as a Class A project by the department.

(6) "Class B project" means a construction element associated with an agricultural water supply facility which:

(a) Does not contribute to quantitative water savings as determined by the department; and

(b) Is one or more of the following: (i) In-line water withdrawal pumping plant; (ii) well drilling, well pumps; (iii) diversion dams; (iv) replacement, rehabilitation, or improvement of in-line booster pump(s); (v) rehabilitation or improvement of storage dam(s) or part(s) thereof.

(7) "Emergency project" means a capital improvement construction element to repair, due to natural causes (except drought), water supply, diversion or conveyance facilities, which is necessary to prevent unsafe conditions or ensure the continued delivery or conveyance of water in the agricultural water supply system.

(8) "Financial assistance" means grants and loans as authorized by chapter 43.99E RCW, Referendum 38.

(9) "Fisheries facility" means a construction element associated with an agricultural water supply facility which:

(a) Is identified as an integral element of a project for the construction, rehabilitation, and/or improvement of an agricultural water supply facility; and

(b) Will provide recognized benefits to the anadromous and/or resident fish species of the state.

(10) "Implementation phase" means the acquisition, design, construction, and improvement of agricultural water supply facilities within an irrigation district or a specific area or drainage basin for storing, diverting, transporting, or distributing water to land for irrigation and for protecting and enhancing fisheries, recreational, or other beneficial uses that may be associated with such facilities.

(11) "Local clearinghouse" means the county or regional comprehensive planning agency designated to serve as a coordinating office for certain local areas. A list of clearinghouses is available from the department. The local clearinghouses review proposed projects for conformance to regional plans, ask for comments from other agencies, and relay these remarks back to the applicant. This process helps assure that policies and comprehensive plans of cities, counties, or regions will be followed.

(12) "Payment schedule" means the due dates for loan payments and any interest thereon, as included in the loan agreement.

(13) "Planning phase" means the preparation of a comprehensive water conservation plan which conforms with WAC 173-170-060, which covers the applicant's entire jurisdiction and service area.

(14) "Plans and specifications" means engineering information and calculations to support the project and construction drawings with necessary engineering detail of the project and complete material specifications and standards to support the drawings and project. These will be prepared in sufficient detail and, upon approval by the department, become part of the bid documents which allow contractors to bid on and construct agricultural water supply facilities or attendant fisheries facilities or recreational facilities or a portion thereof.

(15) "Public body" means the state of Washington or any agency, political subdivision, taxing district, or municipal or public corporation thereof; an agency of the federal government; and those Indian tribes which may constitutionally receive grants or loans from the state of Washington.

(16) "Recreational facility" means a water and/or water-associated system which:

(a) Is identified as an integral element of an agricultural water supply facility; and

(b) Will provide recognized benefits for human use and recreation through fishing, boating, water skiing, swimming, rafting, picnicking, and/or camping.

(17) "Referendum 38" means the grant and loan financial assistance program and its procedures, which pertain to agricultural water supply facilities alone or in combination with fishery, recreational, or other beneficial uses of water, as authorized in chapter 43.99E RCW.

(18) "Request for financial assistance" means the formal application packet, as described in WAC 173-170-030 and 173-170-060, submitted to the department requesting grant and/or loan funds to accomplish an eligible project.

(19) "Small parcels" means those lands which:

(a) Have been platted or subdivided prior to the enactment of the 1985 amendment to RCW 58.17.310; and

(b) Are entitled to receive irrigation water for non-commercial use; and

(c) Lie wholly within an irrigation district established under state laws prior to July 28, 1985.

(20) "Water use efficiency elements" means those implementation projects or portions thereof which result in reduced operational and conveyance losses and improved delivery of requisite amounts of water to farms within the limits of the pertinent water right permit or certificate.

NEW SECTION

WAC 173-170-030 APPLICATION PROCESS—PLANNING PHASE. (1) Requests for financial assistance for the planning phase shall be submitted to the department between November 1 of any year and the last day of February of the following year.

(2) The applicant shall submit an application form with the following minimum information:

(a) Who shall prepare the comprehensive plan;

(b) A projected completion date for the comprehensive plan;

(c) A United States Geological Survey Quadrangle or comparable map of the area to be covered by the comprehensive plan.

(3) Requests for loan funding must be accompanied by a resolution executed by the applicant's governing body that they will follow the procedures for indebtedness in chapter 87.03 RCW and establish a reserve account into which funds will be deposited in an amount adequate to provide coverage for principal and interest payments due under the loan agreement, whenever circumstances beyond the applicant's control preclude payments from standard sources.

(4) Within ninety days of receipt of the request for financial assistance, the department will notify the applicant of its preliminary findings regarding eligibility. In all cases the department shall make its final selection of funded projects and notify the applicants no later than May 31 following the application period.

NEW SECTION

WAC 173-170-040 COMPREHENSIVE WATER CONSERVATION PLAN—CONTENTS—FUNDING. The comprehensive water conservation plan, which is the ultimate work product due at the end of the planning phase, will address and provide information on the following topics for the geographical area indicated in the request for financial assistance:

Applicant Organization

(1) Applicant's statutory authority; history of organization management; assessment authority; and operation procedures and management policies.

Land Base and Land Use

(2) Layout map showing:

(a) Boundaries of the applicant's jurisdiction and service area;

(b) Location of: (i) The lands which are assessed by the applicant, and (ii) those lands to which water is delivered in accordance with the water rights or water right claims or otherwise;

(c) Land use information including total acres irrigated over a representative historical period and cropping patterns for each year of a recent five-year period.

Water Supply, Use, and Rights

(3) Layout map showing location of: (a) Natural features (streams, rivers, lakes, ground water aquifers) including those in the watershed(s) where the water supply originates; and (b) all of the applicant's existing water supply facilities inside and out of its service area.

(4) Information on the applicant's and/or pertinent individual's water rights and/or water right claims for irrigation water supply, including ongoing or future water rights or water rights claims, conflicts, and litigation.

(5) Hydrologic water supply data including historical records of surface water availability (natural flows and storage), and ground water pumpages and other pertinent aquifer data on availability for withdrawal for water supply purposes.

(6) Quantities of surface water diverted and/or ground water withdrawn for water supply for each year of a recent five-year period. (Annual and monthly acre-feet and maximum and minimum monthly flows in cfs (surface) and gpm (ground water).)

(7) Identify and assess the hydrological water flow system within the applicant's service area as it pertains to the quantities of water: (a) Diverted or withdrawn, (b) conveyed and distributed, (c) delivered and applied on farm, (d) which recharge the ground water and are returned to the agricultural water supply system, and (e) which comprise return flows for further irrigation downstream within the agricultural water supply system.

(8) Identify the quality of water supply and an assessment of the water quality impacts from use of the agricultural water supply system within the applicant's jurisdiction.

Present Facilities and Operations

(9) Identify and describe the present physical system utilized for the storage, diversion, pumping, conveyance, and distribution of the water supply.

(10) Assess and evaluate the existing water supply system including system efficiencies and energy use.

Water Needs and Adequacy of Water Supply

(11) Forecast future trends of land use.

(12) Estimate irrigation water requirements for the present and anticipated land use and cropping patterns.

(13) Relate the water needs to present water supply available.

Evaluation of Opportunities for Improvements in Water Supply and Distribution System Efficiencies

(14) Identify improvements in water supply and distribution system efficiencies (structural and nonstructural).

(15) Document a system improvements and rehabilitation plan, prepare preliminary designs and cost estimates, and estimate time frame for implementation. Identify location of improvements on layout map.

(16) Quantify the reasonable net water savings that would result from the efficiency improvements.

(17) Identify and describe opportunities for improving irrigation water management.

(18) Quantify any net energy savings that would result from efficiency improvements.

(19) Evaluate the socioeconomic impacts from the efficiency improvements and rehabilitation plan and changes or modifications of the systems operations and management policies. Discuss and quantify the benefits that accrue from the implementation of the improvements and rehabilitation plan.

(20) Assess and evaluate the impacts and benefits of transferring the net water savings to other water uses and resources.

(21) Identify associated wetlands and assess the impacts on them from implementation of the physical system's improvements and rehabilitation plan.

(22) Evaluate the impacts on water quality standards from implementation of the physical system's improvements and rehabilitation plan.

(23) Evaluate other environmental impacts from the efficiency improvements and rehabilitation plan. Develop a plan regarding compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA) if applicable.

Financial

(24) Develop a financial program that addresses the implementation of the improvements and rehabilitation plan. The financial program should include, among other elements, a time schedule for completing the comprehensive water conservation plan, a summary of the applicant's current indebtedness and repayment plans, present and future operation, maintenance and energy costs (with and without implementation of the proposed project), and a schedule of assessments to cover planned indebtedness to complete implementation of the comprehensive water conservation plan.

NEW SECTION

WAC 173-170-050 PLANNING PHASE—FUNDING. (1) Financial assistance will be available for the planning phase in the form of:

(a) Grants in the amount of fifty percent of the total eligible phase costs; and

(b) Concurrent loans in the amount of forty percent of the total eligible phase costs.

(2) Loans shall be for a maximum five-year period, repayable at an annual percentage rate which equals the rate for one year federal treasury bills at the first auction following July 1 of the year in which the loan agreement is entered into, discounted by four percent.

(3) Comprehensive water conservation plans must precede the implementation phase for projects approved after the effective date of these rules, with the following exceptions:

(a) Specific project work approved by the department prior to the effective date of these rules; or

(b) Project work that is currently in the implementation phase, when these rules become effective; or

(c) Specific project work that is approved by the department as part of a phased project begun prior to the effective date of these rules.

For these exceptions, work may proceed without an approved comprehensive water conservation plan, provided that the applicant undertakes and completes its plan covering such projects within two years from the effective date of these rules.

(4) Financial assistance for the planning phase, regardless of the form it takes, may not exceed two hundred thousand dollars per applicant. This ceiling shall not be subject to the review contained in WAC 173-170-080(5).

NEW SECTION

WAC 173-170-060 APPLICATION PROCESS—IMPLEMENTATION PHASE. (1) Requests for financial assistance for the implementation phase shall be submitted to the department between November 1 of any year and the last day of February of the following year.

(2) The applicant will submit two preapplication forms to the nearest local clearinghouse; one for the department and one for planning and community affairs. These forms are available from either the department or the clearinghouse.

(3) The applicant shall accompany the request for financial assistance with a copy of the completed comprehensive water conservation plan as approved by the department indicating which part(s) of the plan the proposed project fits under and the location of the proposed project on a United States Geological Survey Quadrangle map or any other comparable and readily available map.

(4) Within ninety days of receipt of the request for financial assistance, the department will notify the applicant of its preliminary findings regarding eligibility as to organization, type of project, purpose(s) of project, and conformance with the objectives of Referendum 38. In all cases the department shall make its final selection of

funded projects and notify the applicant no later than May 31 of the year following the close of the current application period.

(5) Requests for loan funding must be accompanied by a resolution executed by the applicant's governing body that they will follow the procedures for indebtedness in chapter 87.03 RCW and establish a reserve account into which funds will be deposited in an amount adequate to provide coverage for principal and interest payments due under the loan agreement, whenever circumstances beyond the applicant's control preclude payments from standard sources.

NEW SECTION

WAC 173-170-070 CRITERIA FOR APPROVAL OF REQUESTS FOR FINANCIAL ASSISTANCE—IMPLEMENTATION PHASE. (1)(a) The implementation phase project(s) must be included in a comprehensive water conservation plan approved by the department.

(b) For projects that received approval from the department prior to the effective date of these rules, work may proceed provided the applicant undertakes and completes a comprehensive water conservation plan within two years of the effective date of these rules.

(2) The agricultural water supply facilities must be designed to accomplish the purpose of the planned project. Accepted engineering design principles, criteria, and concepts will be used in the design of the facilities and approved by the department. Cost estimates for the proposed project must be prepared in detail. Plans and specifications must be approved by the department prior to advertising for construction bids.

(3) The State Environmental Policy Act (SEPA) requirements for any proposed actions must be met. The SEPA rules, chapter 197-11 WAC, will be followed to determine the environmental impacts of the proposed project. A copy of the environmental assessment and the final impact statement, if appropriate, must be submitted to the department. If no impact statement has been prepared, a copy of the declaration of nonsignificance in accordance with chapter 197-11 WAC must be submitted to the department.

(4) Documentation showing all lands and land rights required for satisfactory construction, operation, and maintenance of the project have been or can be acquired.

(5) The project will not be in conflict with any applicable federal, state, and local laws, orders, regulations, rules, licenses, and permits.

NEW SECTION

WAC 173-170-080 IMPLEMENTATION PHASE—FUNDING. (1) Implementation phase projects will be categorized by the department as Class A projects or Class B projects in accordance with the definitions for those terms under WAC 173-170-020 (5) and (6).

(2) For projects that received approval from the department prior to the effective date of these rules and where the applicant is working on the comprehensive

water conservation plan, financial assistance will be available as follows:

(a) For Class A projects, grants in the amount of twenty-five percent of the total eligible project costs; and concurrent loans in the amount of sixty-five percent of the total eligible project costs.

(b) For Class B projects, grants in the amount of fifteen percent of the total eligible project costs; and concurrent loans in the amount of seventy-five percent of the total eligible project costs.

(3) Financial assistance for Class A projects subject to a completed comprehensive water conservation plan will be available in the form of:

(a) Grants in the amount of thirty percent of the total eligible project costs; and

(b) Concurrent loans in the amount of sixty percent of the total eligible project costs.

(4) Financial assistance for Class B projects subject to a completed comprehensive water conservation plan will be available in the form of:

(a) Grants in the amount of fifteen percent of the total eligible project costs; and

(b) Concurrent loans in the amount of seventy-five percent of the total eligible project costs.

(5) Financial assistance for implementation phase projects shall be limited to a total of one million five hundred thousand dollars per applicant regardless of the form such financial assistance takes, with the following possibility of increase. This cap shall be subject to review on July 1, 1994. In the event that demand on the Referendum 38 fund is significantly less than anticipated this cap may be adjusted upwards to provide more funding possibilities to applicants already at the upper limit.

(6) Loans shall be available on the following repayment and interest schedule:

(a) Loans for up to a maximum five-year period, repayable with interest at an annual percentage rate which equals the rate for one year federal treasury bills at the first auction following July 1 of the year in which the loan agreement is entered into, discounted by four percent.

(b) Loans for five years through a maximum ten-year period, repayable with interest at an annual percentage rate which equals the rate for one year federal treasury bills at the first auction following July 1 of the year in which the loan agreement is entered into, discounted by two percent.

(c) Loans for ten years through a maximum fifteen-year period, repayable with interest at an annual percentage rate which equals the rate for one year federal treasury bills at the first auction following July 1 of the year in which the loan agreement is entered into, discounted by one percent.

(d) Loans for fifteen years through a maximum twenty-five-year period, repayable with interest at an annual percentage rate which equals the rate for one year federal treasury bills at the first auction following July 1 of the year in which the loan agreement is entered into.

NEW SECTION

WAC 173-170-090 EMERGENCY PROJECTS—APPLICATIONS—DESIGNATION—FUNDING.

(1) Applications for emergency projects may be accepted at any time throughout the year. The application shall indicate:

(a) The nature of the occurrence that caused the need for repairs;

(b) The location of needed repairs;

(c) A project description of the repairs; and

(d) A summary of how the repairs fit within the long-range improvements addressed in the comprehensive water conservation plan.

If the comprehensive water conservation plan has not been completed, a summary of how the repairs fit within proposed long-range improvements.

(2) Upon receipt of the application the department will designate the emergency project as a Class A or Class B project. A decision on whether to fund the emergency project will be made within fifteen days of receipt of the application. The department may agree to the applicant incurring costs prior to an agreement being signed and shall so indicate by letter to the applicant.

(3) Financial assistance for emergency projects shall take the following form:

(a) For Class A projects, grants in the amount of thirty percent of the total eligible project costs; and concurrent loans in the amount of sixty percent of the total eligible project costs; or,

(b) For Class B projects, grants in the amount of fifteen percent of the total eligible project costs; and concurrent loans in the amount of seventy-five percent of the total eligible project costs.

NEW SECTION

WAC 173-170-100 SMALL PARCELS—FUNDING. (1) A small parcel element is that part of an implementation project that provides irrigation water for noncommercial use to small parcels, as defined in WAC 173-170-020(19).

(2) Financial assistance for the small parcel element shall be available in the form of:

(a) Grants in the amount of fifteen percent of the small parcel element's total eligible costs; and

(b) Loans in the amount of fifty percent when unaccompanied by a grant or thirty-five percent in combination with a grant of the small parcel element's total eligible costs.

(3) Financial assistance, whether grant, loan, or a combination grant and loan, may not exceed one hundred thousand dollars for any one applicant.

(4) Total funds available state-wide for small parcel elements is one million dollars. Any moneys unspent out of that fund on July 1, 1995, shall be transferred to the general implementation fund and shall no longer be available for small parcel elements.

NEW SECTION

WAC 173-170-110 FISHERIES AND RECREATIONAL FACILITIES—FUNDING. (1) A fisheries or recreational facility element is the part of an implementation project that provides public benefits through concomitant use of water within an agricultural water

supply facility. Specific elements are defined in WAC 173-170-020 (9) and (16).

(2) Financial assistance for the fisheries and/or recreational element shall be available as grants in the amount of seventy-five percent of the fisheries and/or recreational element's total eligible costs.

(3) Financial assistance for a fisheries and/or recreational element may not exceed five hundred twenty-five thousand dollars for any one applicant, which sum is not part of the cap on funding for the implementation phase, contained in WAC 173-170-080(5).

NEW SECTION

WAC 173-170-120 SUPPLEMENTAL GUIDELINES. The department will publish guidelines which will describe in greater detail the financial assistance application, application review and funding issuance processes, the terms of financial assistance, and other elements of this program. These guidelines will also describe recommended methodologies for the completion of the comprehensive water conservation plan.

WSR 90-20-110

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 90-33—Filed October 2, 1990, 3:06 p.m.]

Date of Adoption: October 2, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-4205 Tumwater, city of.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-15-057 on July 17, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order 90-07, filed 5/16/90)

WAC 173-19-4205 TUMWATER, CITY OF. City of Tumwater master program approved May 21, 1976. Revision approved August 30, 1984. Revision approved September 29, 1987. Revision approved May 15, 1990. Revision approved October 2, 1990.

WSR 90-20-111

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 90-35—Filed October 2, 1990, 3:09 p.m.]

Date of Adoption: October 2, 1990.

Purpose: Adoption of a revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order:
Amending WAC 173-19-2521 Seattle, city of.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 90-15-059 on July 17, 1990.

Effective Date of Rule: Thirty-one days after filing.

October 2, 1990

Fred Olson

Deputy Director

AMENDATORY SECTION (Amending Order DE 87-24, filed 12/1/87)

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. Revision approved September 10, 1980. Revision approved February 24, 1981. Revision approved May 14, 1981. Revision approved October 1, 1981. Revision approved January 5, 1982. Revision approved February 24, 1983. Revision approved June 7, 1983. Revision approved July 12, 1983. Revision approved October 13, 1983. Revision approved October 1, 1985. Revision approved October 20, 1986. Revision approved February 11, 1987. Revision approved November 10, 1987. Revision approved October 2, 1990.

WSR 90-20-112

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 2, 1990, 3:10 p.m.]

Original Notice.

Title of Rule: Chapter 16-470 WAC, Rules relating to apple maggot and plum curculio quarantine.

Purpose: To redefine the apple maggot interior quarantine area to exclude apple producing areas of the northwest.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Statute Being Implemented: Chapter 17.24 RCW.

Summary: The proposed changes remove certain counties from the list of areas currently under interior quarantine in Washington state. These counties were placed under quarantine as a precaution to protect the commercial apple production areas from infestation.

Reasons Supporting Proposal: These counties were extensively surveyed in 1990 and no apple maggot was detected in Whatcom, Skagit, Snohomish, Island, or San Juan. Clallam and Jefferson counties will not be removed because of positive apple maggot finds.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: William E. Brookreson, 6120 Capitol Boulevard, Tumwater, WA, (206) 586-5306.

Name of Proponent: Department of Agriculture, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The current apple maggot quarantine places an

interior quarantine on movement of apples from all counties west of the crest of the Cascade Mountains. The proposed changes list the quarantine from those counties where, to date, no apple maggot has been detected. Lifting the quarantine from those counties will eliminate marketing problems both in terms of product image and paperwork necessary to move apples from those counties into markets such as California.

Proposal Changes the Following Existing Rules: It removes certain counties from the areas subject to apple maggot interior quarantine.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Whatcom County Courthouse Annex, First Floor Meeting Room, 1000 North Forest Street, Bellingham, WA 98225, on November 15, 1990, at 1:00 p.m.

Submit Written Comments to: William E. Brookreson, 406 General Administration Building, AX-41, Olympia, WA 98504, by November 15, 1990.

Date of Intended Adoption: November 30, 1990.

October 2, 1990

William E. Brookreson

Assistant Director

AMENDATORY SECTION (Amending Order 1881, filed 3/12/86)

WAC 16-470-100 QUARANTINE—APPLE MAGGOT AND PLUM CURCULIO—AREA UNDER ORDER. (1) The following areas are declared by the director to be under quarantine for apple maggot:

(a) Exterior quarantine. All states or foreign countries where apple maggot is known to occur including but not limited to the states of North Dakota, South Dakota, Nebraska, Oklahoma, and Texas, and all states east thereof including the District of Columbia, and the states of Idaho, Oregon, Utah, and California, and any other areas where apple maggot is detected.

(b) Interior quarantine. ~~((All)) The entire counties ((west) of ((the crest of the Cascade mountain range, and)) Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, King, Klickitat, Lewis, Mason, Pacific, Spokane, Skamania, ((and Klickitat counties within the state of Washington)) Thurston and Wahkiakum, and any other counties where apple maggot is detected.~~

(c) Regional area quarantine. When mutually agreed upon, and formally accepted by the directors of the Washington state department of agriculture and Oregon state department of agriculture the following shall apply: In Oregon state the counties of Wasco and Hood River and in Washington state the counties of Skamania and Klickitat will be considered a single production area. Commercial fruit produced in these counties may move freely throughout this production area unless regulatory measures as prescribed in WAC 16-470-120 are implemented.

(2) The following areas are declared by the director to be under quarantine for plum curculio: Utah, and, in the eastern United States, all states and districts east of and including the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and any other areas where plum curculio is detected.

(3) The following definitions shall apply to WAC 16-470-100 through 16-470-120:

(a) "Apple maggot (*Rhagoletis pomonella*)" means a dipterous insect belonging to the family Tephritidae which in the larval stage lives within fruit of its host plants with potential for causing extensive damage to fruit of certain crops.

(b) "Plum curculio (*Conotrachelus nenuphar*)" means a coleopterous insect of the family Curculionidae which in the larval stage lives within the fruit of its host plants with potential for causing extensive damage to fruit of certain crops.

(c) "Threatened with infestation" means that any life stage of apple maggot or plum curculio has been found within one-half mile of production site including any portion of an orchard outside or beyond the one-half mile boundary if any portion of the orchard is within the one-half mile area.

WSR 90-20-113
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 33—Filed October 2, 1990, 3:45 p.m.]

Date of Adoption: October 2, 1990.

Purpose: To ensure compliance with 34 CFR 76.780 – 872, Department of Education regulations governing state-administered grant programs, and with the Hatch Amendment.

Citation of Existing Rules Affected by this Order: Amending WAC 392-168-125.

Statutory Authority for Adoption: RCW 25A.02.100 [28A.02.100].

Pursuant to RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: United States Department of Education, Office of Special Education Programs has made amendment of this regulation a condition of receipt of 90-91 funding.

Effective Date of Rule: Immediately.

October 2, 1990
Judith A. Billings
Superintendent of
Public Instruction

[AMENDATORY SECTION (Amending Order 90-09, filed 5/9/90, effective 6/9/90)]

WAC 392-168-125 **DEFINITION—COMPLAINT.** As used in this chapter, the term "complaint" means an allegation, by the complainant, that the state, a local school district, an educational service district, or other subgrantee receiving federal funds has ~~((systematically))~~ violated a federal statute or regulation or a state regulation that applies to a federal program covered under this chapter.

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

WSR 90-20-114
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed October 2, 1990, 3:47 p.m.]

Original Notice.

Title of Rule: WAC 392-168-125 Definition—Complaint.

Purpose: To remove the requirement that citizens alleging violation of regulations governing certain federal programs, state that the alleged violation is of a "systematic" nature.

Statutory Authority for Adoption: RCW 28A.02.100.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: John C. Brattain, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6733; Implementation and Enforcement: John Pearson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6733.

Name of Proponent: Superintendent of Public Instruction, governmental.

Rule is necessary because of federal law, 34 CFR Subtitle A.

Explanation of Rule, its Purpose, and Anticipated Effects: 34 CFR 76.780-872 permits citizens to file complaints against the Superintendent of Public Instruction or its subgrantees alleging violation of federal or state statutes or regulations governing specified federal programs. The federal government has determined that the current requirement that such allegations allege systematic noncompliance inflicts a restriction of the right to complain beyond the intent of federal regulation 3.

Proposal Changes the Following Existing Rules: Strikes the word "systematic" from current regulation.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on November 9, 1990, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 14, 1990.

October 2, 1990
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 90-09, filed 5/9/90, effective 6/9/90)

WAC 392-168-125 **DEFINITION—COMPLAINT.** As used in this chapter, the term "complaint" means an allegation, by the complainant, that the state, a local school district, an educational service district, or other subgrantee receiving federal funds has ~~((systematically))~~ violated a federal statute or regulation or a state regulation that applies to a federal program covered under this chapter.

WSR 90-20-115
WITHDRAWAL OF PROPOSED RULES
BOARD OF
PILOTAGE COMMISSIONERS

[Filed October 2, 1990, 4:09 p.m.]

On September 25, 1990, I inadvertently filed WSR 90-20-038 proposed rule-making form continuing WSR 90-14-086. I should have filed a rule-making order. I did not attend the regularly scheduled September board meeting of the Board of Pilotage Commissioners so I misunderstood the action that was taken at that meeting. Therefore, I would like to formally withdraw the continuance, WSR 90-20-038, filed September 25, 1990.

Marjorie T. Smitch
Assistant Attorney General

WSR 90-20-116
PERMANENT RULES
BOARD OF
PILOTAGE COMMISSIONERS
 [Filed October 2, 1990, 4:10 p.m.]

Date of Adoption: September 13, 1990.
 Purpose: To provide a transportation fee in Port Angeles for the Puget Sound pilotage district.
 Citation of Existing Rules Affected by this Order: Amending WAC 296-116-300.
 Statutory Authority for Adoption: RCW 88.16.035.
 Pursuant to notice filed as WSR 90-14-086 on July 3, 1990; and WSR 90-17-034 on August 9, 1990.
 Changes Other than Editing from Proposed to Adopted Version: The ten dollar fee remained the same. It was just decided to place it in a different location in the text of the rule.
 Effective Date of Rule: Thirty-one days after filing.
 October 2, 1990
 Marjorie Smitch
 Assistant Attorney General

AMENDATORY SECTION (Amending WSR 90-08-095, filed 4/4/90, effective 5/5/90)

WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. These rates shall become effective on May 1, 1989.

| CLASSIFICATION | RATE |
|--|---------------------------------------|
| Ship length overall (LOA) Charges: | per LOA rate schedule in this section |
| Boarding fee: Per each boarding/deboarding at the Port Angeles pilot station. | \$ 26.00 |
| Harbor shift - Live ship (Seattle Port) | LOA Zone I |
| Harbor shift - Live ship (other than Seattle Port) | LOA Zone I |
| Harbor shift - Dead ship | Double LOA Zone I |
| Dead ship towing charge: LOA of tug + LOA of tow + beam of tow Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable. | Double LOA Zone |
| Waterway and bridge charges: Ships up to 90' beam: A charge of \$141.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall have an additional charge of \$67.00 per bridge. | |
| Ships 90' beam and/or over: A charge of \$190.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any | |

| CLASSIFICATION | RATE |
|--|-------------------|
| vessel movements required to transit through bridges shall have an additional charge of \$133.00 per bridge. (The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.) | |
| Two or three pilots required: In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate. | |
| Compass adjustment | \$189.00 |
| Radio direction finder calibration | \$189.00 |
| Launching vessels | \$285.00 |
| Trial trips, 6 hours or less (Minimum \$534.00) | \$ 89.00 per hr. |
| Trial trips, over 6 hours (two pilots) | \$178.00 per hr. |
| Shilshole Bay - Salmon Bay | \$111.00 |
| Salmon Bay - Lake Union | \$ 87.00 |
| Lake Union - Lake Washington (plus LOA zone from Webster Point) | \$111.00 |
| Cancellation charge | LOA Zone I |
| Cancellation charge - Port Angeles (when pilot is ordered and vessel proceeds without stopping for pilot.) | LOA Zone I |
| Docking delay after anchoring: Applicable harbor shift rate to apply, plus \$89.00 per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$89.00 for every hour or fraction thereof. | \$ 89.00 per hr. |
| Sailing delay: No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is \$89.00 for every hour or fraction thereof. | \$ 89.00 per hour |
| Slowdown: When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of \$89.00 per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time. | |
| Super ships: 20,000 to 50,000 gross tons: Additional charge to LOA zone mileage of \$0.0472 a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons. 50,000 gross tons and up: In excess of 50,000 gross tons, the charge shall be \$0.0565 per gross ton. | |
| For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply. | |
| Delayed arrival-Port Angeles: When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of \$89.00 for each hour delay, or fraction thereof, | \$ 89.00 per hour |

CLASSIFICATION

RATE

shall be assessed in addition to all other appropriate charges.

Transportation to vessels on Puget Sound:

| | |
|-------------------------------|-----------|
| March Point or Anacortes | \$ 112.00 |
| Bangor | 65.00 |
| Bellingham | 124.00 |
| Bremerton | 34.00 |
| Cherry Point | 146.00 |
| Dupont | 65.00 |
| Edmonds | 23.00 |
| Everett | 42.00 |
| Ferndale | 134.00 |
| Manchester | 51.00 |
| Mukilteo | 41.00 |
| Olympia | 84.00 |
| Point Wells | 23.00 |
| Port Gamble | 60.00 |
| Port Townsend (Indian Island) | 85.00 |
| Semiahmoo (Blaine) | 153.00 |
| Tacoma | 43.00 |
| Tacoma Smelter | 49.00 |
| Winslow | 34.00 |

| LOA | ZONE I Intra Harbor | ZONE II 0-30 Miles | ZONE III 31-50 Miles | ZONE IV 51-75 Miles | ZONE V 76-100 Miles | ZONE VI 101 Miles & Over |
|-------------|------------------------|-----------------------|-------------------------|------------------------|------------------------|-----------------------------|
| 550 - 559 | 174 | 261 | 412 | 632 | 821 | 1016 |
| 560 - 569 | 181 | 271 | 420 | 638 | 830 | 1026 |
| 570 - 579 | 184 | 275 | 424 | 640 | 837 | 1033 |
| 580 - 589 | 192 | 279 | 432 | 645 | 843 | 1044 |
| 590 - 599 | 201 | 285 | 435 | 649 | 855 | 1055 |
| 600 - 609 | 208 | 293 | 441 | 651 | 864 | 1061 |
| 610 - 619 | 220 | 296 | 449 | 655 | 874 | 1070 |
| 620 - 629 | 229 | 300 | 455 | 660 | 883 | 1082 |
| 630 - 639 | 241 | 307 | 459 | 662 | 891 | 1093 |
| 640 - 649 | 251 | 313 | 464 | 665 | 901 | 1101 |
| 650 - 659 | 267 | 319 | 472 | 670 | 911 | 1111 |
| 660 - 669 | 275 | 322 | 477 | 673 | 920 | 1120 |
| 670 - 679 | 283 | 330 | 482 | 685 | 931 | 1127 |
| 680 - 689 | 288 | 337 | 488 | 692 | 939 | 1138 |
| 690 - 699 | 296 | 342 | 494 | 705 | 950 | 1161 |
| 700 - 719 | 310 | 353 | 504 | 712 | 966 | 1175 |
| 720 - 739 | 328 | 364 | 516 | 722 | 987 | 1194 |
| 740 - 759 | 342 | 379 | 527 | 730 | 1006 | 1215 |
| 760 - 779 | 356 | 395 | 539 | 741 | 1026 | 1233 |
| 780 - 799 | 373 | 410 | 549 | 752 | 1044 | 1254 |
| 800 - 819 | 388 | 424 | 560 | 757 | 1061 | 1272 |
| 820 - 839 | 401 | 438 | 572 | 768 | 1082 | 1288 |
| 840 - 859 | 419 | 456 | 584 | 776 | 1101 | 1310 |
| 860 - 879 | 433 | 472 | 596 | 798 | 1120 | 1328 |
| 880 - 899 | 449 | 487 | 606 | 816 | 1138 | 1348 |
| 900 - 919 | 462 | 501 | 617 | 835 | 1161 | 1367 |
| 920 - 939 | 478 | 516 | 632 | 855 | 1175 | 1385 |
| 940 - 959 | 494 | 530 | 641 | 874 | 1194 | 1403 |
| 960 - 979 | 507 | 546 | 653 | 891 | 1215 | 1423 |
| 980 - 999 | 525 | 560 | 663 | 911 | 1233 | 1441 |
| 1000 & over | 539 | 579 | 675 | 931 | 1254 | 1461 |

- (a) Intraharbor transportation for the Port Angeles port area - transportation between Port Angeles pilot station and Port Angeles harbor docks - \$10.00.
- (b) Interport shifts: Transportation paid to and from both points.
- ((b)) (c) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- ((c)) (d) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- ((d)) (e) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.60 per mile.

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

| LOA | ZONE I Intra Harbor | ZONE II 0-30 Miles | ZONE III 31-50 Miles | ZONE IV 51-75 Miles | ZONE V 76-100 Miles | ZONE VI 101 Miles & Over |
|-----------|------------------------|-----------------------|-------------------------|------------------------|------------------------|-----------------------------|
| Up to 449 | 133 | 208 | 361 | 541 | 730 | 950 |
| 450 - 459 | 136 | 213 | 364 | 549 | 741 | 953 |
| 460 - 469 | 140 | 216 | 368 | 558 | 752 | 957 |
| 470 - 479 | 145 | 221 | 373 | 570 | 755 | 960 |
| 480 - 489 | 148 | 226 | 375 | 580 | 760 | 963 |
| 490 - 499 | 151 | 228 | 379 | 590 | 768 | 968 |
| 500 - 509 | 158 | 232 | 386 | 599 | 774 | 975 |
| 510 - 519 | 160 | 237 | 390 | 606 | 782 | 978 |
| 520 - 529 | 162 | 246 | 396 | 609 | 789 | 987 |
| 530 - 539 | 168 | 249 | 401 | 616 | 801 | 997 |
| 540 - 549 | 171 | 253 | 409 | 623 | 815 | 1006 |

**WSR 90-20-117
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed October 2, 1990, 4:24 p.m.]

Original Notice.

Title of Rule: WAC 480-70-600, 480-70-610, 480-70-620, 480-70-630 and 480-70-640, relating to bidding for residential recycling authority. The proposed new sections are shown below as Appendix A, Docket No. TG-2315. 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.

Purpose: The proposed sections are intended to implement RCW 81.77.150, which calls for the commission to adopt rules awarding recycling authority from residences through a competitive bidding process.

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: RCW 81.77.150.

Summary: These sections provide a process for awarding authority to collect recyclable materials from residences.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Paul Curl, Secretary and Transportation Staff, 1300 South Evergreen Park Drive S.W., Olympia, WA, (206) 753-6451.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization as reflected in RCW 80.01.040.

Rule is not necessitated by federal law, federal or state court decision.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on November 28, 1990, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by November 19, 1990.

Date of Intended Adoption: November 28, 1990.

October 2, 1990

Paul Curl
Secretary

APPENDIX "A"

NEW SECTION

WAC 480-70-600 BIDDING—DEFINITIONS. Unless the language or context indicates that a different meaning is intended, the following words, terms, and phrases shall, for purposes of WAC 480-70-600 through 480-70-640, be given the meanings given to them in this section.

(1) "Authority to collect recyclables" means the exclusive right to collect a given recyclable material or materials in a given service area or territory.

(2) "Competitor" means a potential bidder for recycling authority.

(3) "Effective competition" means the existence of more than one entity which is fit, willing, and able to provide recycling services in a defined geographic area.

(4) "Market" means a specific geographic area or territory for the collection of recyclable materials from residential sources.

(5) "Local government" means a city or county exercising solid waste planning authority under chapter 70.95 RCW.

(6) "Petition" means a petition to the commission to determine the competitiveness of a market for the collection of source separated recyclables pursuant to RCW 81.77.150(1).

(7) "Solid waste plan" means a comprehensive solid waste management plan prepared, approved, and adopted pursuant to chapter 70.95 RCW.

(8) "Territory" means a geographic market defined by the commission.

NEW SECTION

WAC 480-70-610 BIDDING—DETERMINATION OF MARKET BOUNDARIES AND COMPETITIVENESS. (1) On its own motion, or upon petition by any person, the commission shall determine the competitiveness of a market for the collection of source separated recyclable materials from residences.

(2) The commission shall determine the boundaries of a market to be bid. In determining the territory, the commission may consider: The petition or motion for market competitiveness; urban and rural designations in the local solid waste management plan; the certificate territories of solid waste collection companies regulated under chapter 81.77 RCW; local topography and geography; local roads; the number of homes to be served; and any other information deemed pertinent by the commission; however, the commission shall use the local solid waste management plan, prepared, approved, and adopted pursuant to chapter 70.95 RCW, to the fullest extent possible.

(3) The commission shall determine the competitiveness of the market by assessing (a) whether sufficient competition exists to ensure that

no single competitor can exercise undue market power in the bidding process; and (b) whether competitive bidding will result in cost-effective recycling.

(4) Authority awarded using competitive bidding shall last no longer than five years.

NEW SECTION

WAC 480-70-620 BIDDING—PETITIONS. (1) Petitions to the commission seeking determination of market competitiveness for the collection of recyclables shall be considered in the same manner as petitions for declaratory orders under WAC 480-09-230. Commission procedural rules in chapter 480-09 WAC shall apply.

(2) Petitions shall indicate the name(s) and address(es) of the petitioner(s); materials proposed to be collected; the territory proposed to be served; estimated number of residences in the proposed territory; and local government(s) with solid waste planning authority in the service area.

(3) The commission shall notify local governments, solid waste collection companies operating recycling collection programs in the territory described in the petition, and any other interested persons of the petition and of the time and place for any hearings conducted pursuant to such petition.

NEW SECTION

WAC 480-70-630 BIDDING—NOTIFICATION OF LOCAL GOVERNMENT. If the commission finds that a market is effectively competitive it shall notify the local government that a competitive bidding process should be used to award authority to collect recyclables.

NEW SECTION

WAC 480-70-640 BIDDING PROCESS. (1) The local government shall specify the evaluation process to be used in selecting the winning bidder, including but not limited to: The timeline for evaluating bidders, the official mailing address of the evaluation committee, criteria for selecting winning bidders, and any other criteria that will be used to determine if all bids should be rejected.

(2) The local government shall prepare specifications for the bidding program, including, but not limited to: The boundaries of the market to be bid as determined by commission hearing; the number of residences to be served in the territory; materials to be collected; the most accurate estimate of volumes of materials available in the waste stream; proposed means of processing and marketing materials collected by the program; factors to be considered in evaluating the bids; timelines for bidding and selection; eligibility requirements; minimum performance standards; and the term of such authority. The local government shall use the local solid waste management plan, prepared, approved, and adopted pursuant to chapter 70.95 RCW, to the fullest extent possible in preparing such bid specifications.

(3) The bid specifications may specify how adjustments will be made for changes in business costs over the period of the authority. Specific adjustments, such as inflation, cost of living, changes in market prices of recyclables, or other factors, may be specified in the bid specifications, or the bid specifications may designate conditions under which the bid price will be reopened to adjust for changes.

(4) The local government may specify how cost and pricing will be handled in the authority awarded by bid, which may include but shall not be limited to:

- (a) The overall revenue requirement for the program; and/or
- (b) The rate structure of the program.

(5)(a) The local government shall place a notice that recycling authority shall be let through competitive bidding, and invite bids for the work, in a newspaper of general circulation within the service area not less than two times, at least one week apart.

(b) Such notice shall include, but not be limited to, information on how interested parties may examine the bid specifications and obtain procedures for bidding.

(6) All bids must be in writing, signed by the bidder or the bidder's authorized representative, and accompanied by a bid proposal deposit in the form of a cashier's check, postal money order, or surety bond to the local government for a sum of not less than five percent of the amount of the bid, and no bid shall be considered unless accompanied by such bid proposal deposit. Bid proposal deposits from unsuccessful bidders shall be returned after the successful bidder and the local government sign a contract obligating the successful bidder to provide service.

(7) Bids shall be sent to the local government in sealed envelopes with an accompanying cover letter, where they shall be held until expiration of the period for accepting bids as specified by the bid specifications.

(8) Bids shall be opened by the local government at the time and date specified in the bid specifications.

(9) The local government or its representative shall evaluate the bids and select the winning bidder or reject all bids according to the criteria specified under subsection (2) of this section.

(10) The local government shall notify the winning bidder of its selection and negotiate a timetable for implementation of the recycling program.

(11) The local government and successful bidder shall negotiate a contract which shall set forth the bid specifications, the winning bid, a timetable for implementation, rates, operational parameters, billing, enforcement responsibilities, and such other matters as are necessary to implement the recycling program.

(12) Successful bidders are bound by the price and/or rates contained in their winning bid.

(13) Authority shall be issued for not longer than five years. For purposes of determining the term, such authority shall be considered to begin on the date that such programs begin providing service to the public.

(14) If the successful bidder cannot implement the program within sixty days after notification, the local government may award authority to collect recyclables to the second qualifying bidder.

WSR 90-20-118
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 3, 1990, 8:57 a.m.]

Continuance of WSR 90-18-051.

Title of Rule: WAC 296-14-400 Reopening for benefits and 296-20-097 Reopenings.

Purpose: The department wants to do research and have procedures in effect prior to filing the rules for adoption. Therefore, we wish to continue the adoption date to November 5, 1990.

Statutory Authority for Adoption: RCW 51.32.190 and 51.32.210.

Statute Being Implemented: RCW 51.32.190 and 51.32.210.

Date of Intended Adoption: November 5, 1990.

October 3, 1990
Joseph A. Dear
Director

WSR 90-20-119
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 3, 1990, 8:59 a.m.]

Original Notice.

Title of Rule: Manual of rules, classifications, rates and rating system for Washington workers' compensation insurance.

Purpose: Revise base rates, experience rating, and retrospective rating tables applicable to workers' compensation insurance underwritten by the Washington state fund, Department of Labor and Industries.

Statutory Authority for Adoption: RCW 51.04.020(1).

Statute Being Implemented: RCW 51.16.035.

Summary: Agency proposes to adjust base rates for all existing risk classifications including a general rate increase of 7.2 percent and adjust the experience rating and retrospective rating tables.

Reasons Supporting Proposal: RCW 51.16.035 requires the department to maintain actuarial solvency of the industrial insurance funds. The rate adjustment is proposed to offset increases in medical costs, higher utilization of benefits by claimants, and cost of living adjustments by the legislature.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Douglas Connell and William White, 905 Plum Street S.E., Olympia, 586-8401.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Revision to base rates is intended to recognize recent loss (claims) experience and reported exposure (hours worked) over which those losses can be spread. A general rate increase of 7.2 percent is proposed to maintain fund solvency required by RCW 51.16.035. Amendments to the experience rating tables reflect the updating of the experience period to include more current information. The overall effect of these changes will produce a net premium increase of 7.2 percent. Revision to the retrospective rating plan table is intended to reflect the general rate increase. Enrolled employers will notice little or no change to their current plan size or group.

Proposal Changes the Following Existing Rules: WAC 296-17-850 through 296-17-920, amends base rates table to reflect rate adjustments of +3.2 percent in the accident fund and +14.0 percent in the medical aid fund. The supplemental pension fund will not be changed. The net change will equal an increase of 7.2 percent. The experience rating tables are updated to reflect the more current experience period losses and exposures.

Small Business Economic Impact Statement: This statement pertains to revisions in chapter 296-17 WAC, proposed by the Department of Labor and Industries to become effective January 1, 1991, and is prepared to conform with sections 3(2) and 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing Rules: Base rates are established separately for accident fund and medical aid fund coverage in each risk classification within chapter 296-17 WAC, and an assessment rate for all risk classifications is prescribed for the supplemental pension. An "experience rating plan" is also established, which provides adjustment of the base industrial insurance rate by class up or down to a "merit rate" based upon past reporting experience of each individual employer. Chapter 296-17 WAC also provides optional rating plans referred to as retrospective rating. These optional rating plans are available on an

elective basis to employers and industry groups and provide them with additional opportunities to reduce their workers' compensation insurance costs through accident prevention and active claims management.

Treatment of Small Business Under Existing Rules: Risk classification definitions are keyed to the nature of an employer's business and/or employment, and are independent of business size. Once applicable classifications are determined, base rates are identical for all employers within each classification. Experience rating increases or decreases individual employer's accident fund rates, providing rate reductions for favorable past experience and rate increases for unfavorable past experience. Within the experience-rating plan, small employers with loss-free records in the rating experience period are allowed rate credits in excess of those initially computed by the rating plan based on risk size, by a maximum modification for loss-free firms of various sizes in WAC 296-17-890. During 1989 medical aid premiums became subject to experience rating under a three-year phase-in plan. Experience rating of medical aid premiums is achieved in much the same fashion as the accident fund. Employers and industry groups (associations) wishing to further reduce their workers' compensation insurance costs can participate in optional retrospective rating plans. Dependent on the plan selected and the employers' actual losses, adjustments are made to premiums paid in; if actual losses are below expected losses for the plan selected, dividends are paid to the employer. Employers with losses which are greater than expected losses pay additional premiums within the limits as determined by their selected plans.

Effect of Proposed Revisions: Overall premium will increase an average of 7.2 percent from the 1990 level. This increase is based on a 3.2 percent increase in the accident fund, 14.0 percent increase in the medical aid fund, and no change to the supplemental pension fund, and is spread equally among the 296 risk classifications. In addition to the general rate increase, adjustments are being made to each risk classification to reflect more current loss experience associated with each industry and a projection of estimated exposure (work hours) over which those costs can be spread. For example, plywood manufacturing will see a 9 percent reduction in overall premium rates, even after the 7.2 percent general rate increase because of improved loss experience. A 34 percent cap has been applied to two individual classifications. The rates for those classifications would have been substantially more if the accident fund and medical aid fund premiums had not been capped. Reforestation rates, as an example, should have been increased 59 percent, but is being limited to 34 percent because of the cap. The overall effect of the rate increase and adjustments will be the same for small and large employers and their employees. There is no increase in administrative costs for employers to comply with these changes, since no new records or forms are required for compliance and all other requirements are unchanged. In addition to the rate changes which are at the industry level, employers individually will be affected by their losses through the department's experience-rating plan. Employers with favorable past experience will pay reduced

rates, while those employers with above-average loss experience will generally pay higher rates. For employers in the same risk classification having experience records producing the same experience factor, the premium cost per hour of labor will be independent of the size of the employer. Included in the experience-rating plan calculation for employers is the third-year adjustment of the medical aid phase-in. Expansion of the experience-rating plan is likewise independent of employer size. Adjustments are also being made to the retrospective rating plan size group table. This change is the result of the 7.9 percent increase in rates in the accident and medical aid funds. The revision will result in employers and associations generally staying in the same size group ranges in 1991 as in 1990.

Hearing Locations: November 13, 1990, at 2 p.m., General Administration Building, First Floor Conference Room, 11th and Columbia, Olympia, Washington; on November 14, 1990, at 10 a.m., Holiday Inn, 9 North 9th Street, Yakima, WA; and on November 15, 1990, at 10 a.m., Spokane Falls Community College, Spartan Union Building, West 3510 Ft. George Wright Drive, Spokane, WA.

Submit Written Comments to: Douglas Connell, Assistant Director, Employer Services, 905 Plum Street S.E., Olympia, WA 98504, by November 13, 1990.

Date of Intended Adoption: November 30, 1990.

October 3, 1990
Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-855 EXPERIENCE MODIFICATION. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

$$\text{MODIFICATION} = \frac{A_p + WAc + (1-W)Ee + B}{E + B}$$

The components A_p , WAc , and $(1-W)Ee$ are values which shall be charged against an employer's experience record. The component, E , shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

" A_p " signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ~~((\\$7,808))~~ \$7,536 the primary actual loss shall be determined from the formula:

$$\text{Primary loss} = \frac{((+9,520)) \ 18,840}{\text{Total loss} + ((+7,72)) \ 11,304} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ~~((\\$7,808))~~ \$7,536 the full value of the claim shall be considered a primary loss.

" A_e " signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each

claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAe" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ee" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-875 TABLE I.

Primary Losses for Selected Claim Values

| CLAIM VALUE | PRIMARY LOSS |
|-------------------------|-------------------|
| ((7,808)) 7,536 | ((7,808)) 7,536 |
| ((8,133)) 8,342 | 8,000 |
| ((10,020)) 10,399 | 9,000 |
| ((12,303)) 12,787 | 10,000 |
| ((15,121)) 15,860 | 11,000 |
| ((18,689)) 19,832 | 12,000 |
| ((22,704)) 32,698 | 14,000 |
| ((53,236)) 63,685 | 16,000 |
| ((116,981*)) 114,195* | ((17,744)) 17,143 |
| ((195,200**)) 188,400** | ((18,415)) 17,774 |

* Average death value
 ** Maximum claim value

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-880 TABLE II.

"B" and "W" Values

Maximum Claim Value = \$((195,200)) 188,400
 Average Death Value = \$((116,981)) 114,195

| Expected Losses | B | W |
|-----------------|--------|------|
| ((4,228 & Under | 36,830 | 0.00 |
| 4,229 - 8,521 | 36,462 | 0.01 |
| 8,522 - 12,878 | 36,093 | 0.02 |
| 12,879 - 17,300 | 35,725 | 0.03 |
| 17,301 - 21,790 | 35,357 | 0.04 |
| 21,791 - 26,350 | 34,989 | 0.05 |
| 26,351 - 30,980 | 34,620 | 0.06 |
| 30,981 - 35,683 | 34,252 | 0.07 |
| 35,684 - 40,462 | 33,884 | 0.08 |
| 40,463 - 45,316 | 33,515 | 0.09 |
| 45,317 - 50,249 | 33,147 | 0.10 |
| 50,250 - 55,264 | 32,779 | 0.11 |
| 55,265 - 60,361 | 32,410 | 0.12 |
| 60,362 - 65,543 | 32,042 | 0.13 |
| 65,544 - 70,813 | 31,674 | 0.14 |
| 70,814 - 76,173 | 31,306 | 0.15 |
| 76,174 - 81,625 | 30,937 | 0.16 |
| 81,626 - 87,173 | 30,569 | 0.17 |

| Expected Losses | B | W |
|-----------------------|--------|------|
| 87,174 - 92,818 | 30,201 | 0.18 |
| 92,819 - 98,564 | 29,832 | 0.19 |
| 98,565 - 104,412 | 29,464 | 0.20 |
| 104,413 - 110,368 | 29,096 | 0.21 |
| 110,369 - 116,433 | 28,727 | 0.22 |
| 116,434 - 122,610 | 28,359 | 0.23 |
| 122,611 - 128,904 | 27,991 | 0.24 |
| 128,905 - 135,318 | 27,623 | 0.25 |
| 135,319 - 141,855 | 27,254 | 0.26 |
| 141,856 - 148,519 | 26,886 | 0.27 |
| 148,520 - 155,315 | 26,518 | 0.28 |
| 155,316 - 162,246 | 26,149 | 0.29 |
| 162,247 - 169,316 | 25,781 | 0.30 |
| 169,317 - 176,531 | 25,413 | 0.31 |
| 176,532 - 183,894 | 25,044 | 0.32 |
| 183,895 - 191,411 | 24,676 | 0.33 |
| 191,412 - 199,086 | 24,308 | 0.34 |
| 199,087 - 206,927 | 23,940 | 0.35 |
| 206,928 - 214,936 | 23,571 | 0.36 |
| 214,937 - 223,122 | 23,203 | 0.37 |
| 223,123 - 231,490 | 22,835 | 0.38 |
| 231,491 - 240,045 | 22,466 | 0.39 |
| 240,046 - 248,795 | 22,098 | 0.40 |
| 248,796 - 257,749 | 21,730 | 0.41 |
| 257,750 - 266,910 | 21,361 | 0.42 |
| 266,911 - 276,289 | 20,993 | 0.43 |
| 276,290 - 285,894 | 20,625 | 0.44 |
| 285,895 - 295,732 | 20,256 | 0.45 |
| 295,733 - 305,812 | 19,888 | 0.46 |
| 305,813 - 316,145 | 19,520 | 0.47 |
| 316,146 - 326,741 | 19,152 | 0.48 |
| 326,742 - 337,609 | 18,783 | 0.49 |
| 337,610 - 348,761 | 18,415 | 0.50 |
| 348,762 - 360,209 | 18,047 | 0.51 |
| 360,210 - 371,963 | 17,678 | 0.52 |
| 371,964 - 384,039 | 17,310 | 0.53 |
| 384,040 - 396,450 | 16,942 | 0.54 |
| 396,451 - 409,209 | 16,573 | 0.55 |
| 409,210 - 422,333 | 16,205 | 0.56 |
| 422,334 - 435,837 | 15,837 | 0.57 |
| 435,838 - 449,740 | 15,469 | 0.58 |
| 449,741 - 464,059 | 15,100 | 0.59 |
| 464,060 - 478,814 | 14,732 | 0.60 |
| 478,815 - 494,027 | 14,364 | 0.61 |
| 494,028 - 509,717 | 13,995 | 0.62 |
| 509,718 - 525,910 | 13,627 | 0.63 |
| 525,911 - 542,631 | 13,259 | 0.64 |
| 542,632 - 559,905 | 12,890 | 0.65 |
| 559,906 - 577,763 | 12,522 | 0.66 |
| 577,764 - 596,234 | 12,154 | 0.67 |
| 596,235 - 615,353 | 11,786 | 0.68 |
| 615,354 - 635,152 | 11,417 | 0.69 |
| 635,153 - 655,671 | 11,049 | 0.70 |
| 655,672 - 676,952 | 10,681 | 0.71 |
| 676,953 - 699,036 | 10,312 | 0.72 |
| 699,037 - 721,972 | 9,944 | 0.73 |
| 721,973 - 745,811 | 9,576 | 0.74 |
| 745,812 - 770,607 | 9,207 | 0.75 |
| 770,608 - 796,421 | 8,839 | 0.76 |
| 796,422 - 823,318 | 8,471 | 0.77 |
| 823,319 - 851,369 | 8,103 | 0.78 |
| 851,370 - 880,650 | 7,734 | 0.79 |
| 880,651 - 911,244 | 7,366 | 0.80 |
| 911,245 - 943,246 | 6,998 | 0.81 |
| 943,247 - 976,753 | 6,629 | 0.82 |
| 976,754 - 1,011,877 | 6,261 | 0.83 |
| 1,011,878 - 1,048,739 | 5,893 | 0.84 |
| 1,048,740 - 1,087,472 | 5,524 | 0.85 |
| 1,087,473 - 1,128,224 | 5,156 | 0.86 |
| 1,128,225 - 1,171,159 | 4,788 | 0.87 |
| 1,171,160 - 1,216,459 | 4,420 | 0.88 |
| 1,216,460 - 1,264,327 | 4,051 | 0.89 |
| 1,264,328 - 1,314,988 | 3,683 | 0.90 |
| 1,314,989 - 1,368,698 | 3,315 | 0.91 |
| 1,368,699 - 1,425,742 | 2,946 | 0.92 |

| Expected Losses | B | W |
|-----------------------|--------|--------|
| 1,425,743 - 1,486,441 | 2,578 | 0.93 |
| 1,486,442 - 1,551,164 | 2,210 | 0.94 |
| 1,551,165 - 1,620,324 | 1,841 | 0.95 |
| 1,620,325 - 1,694,398 | 1,473 | 0.96 |
| 1,694,399 - 1,773,931 | 1,105 | 0.97 |
| 1,773,932 - 1,859,556 | 737 | 0.98 |
| 1,859,557 - 1,951,999 | 368 | 0.99 |
| 1,952,000 & Over | 0 | 1.00)) |
| 4,081 & Under | 35,548 | 0.00 |
| 4,082 - 8,224 | 35,193 | 0.01 |
| 8,225 - 12,428 | 34,837 | 0.02 |
| 12,429 - 16,697 | 34,482 | 0.03 |
| 16,698 - 21,031 | 34,126 | 0.04 |
| 21,032 - 25,432 | 33,771 | 0.05 |
| 25,433 - 29,900 | 33,415 | 0.06 |
| 29,901 - 34,440 | 33,060 | 0.07 |
| 34,441 - 39,052 | 32,704 | 0.08 |
| 39,053 - 43,738 | 32,349 | 0.09 |
| 43,739 - 48,499 | 31,993 | 0.10 |
| 48,500 - 53,339 | 31,638 | 0.11 |
| 53,340 - 58,258 | 31,282 | 0.12 |
| 58,259 - 63,261 | 30,927 | 0.13 |
| 63,262 - 68,346 | 30,571 | 0.14 |
| 68,347 - 73,520 | 30,216 | 0.15 |
| 73,521 - 78,782 | 29,860 | 0.16 |
| 78,783 - 84,137 | 29,505 | 0.17 |
| 84,138 - 89,585 | 29,149 | 0.18 |
| 89,586 - 95,131 | 28,794 | 0.19 |
| 95,132 - 100,775 | 28,438 | 0.20 |
| 100,776 - 106,524 | 28,083 | 0.21 |
| 106,525 - 112,377 | 27,727 | 0.22 |
| 112,378 - 118,340 | 27,372 | 0.23 |
| 118,341 - 124,414 | 27,016 | 0.24 |
| 124,415 - 130,604 | 26,661 | 0.25 |
| 130,605 - 136,914 | 26,306 | 0.26 |
| 136,915 - 143,345 | 25,950 | 0.27 |
| 143,346 - 149,905 | 25,595 | 0.28 |
| 149,906 - 156,593 | 25,239 | 0.29 |
| 156,594 - 163,418 | 24,884 | 0.30 |
| 163,419 - 170,381 | 24,528 | 0.31 |
| 170,382 - 177,488 | 24,173 | 0.32 |
| 177,489 - 184,743 | 23,817 | 0.33 |
| 184,744 - 192,152 | 23,462 | 0.34 |
| 192,153 - 199,718 | 23,106 | 0.35 |
| 199,719 - 207,450 | 22,751 | 0.36 |
| 207,451 - 215,349 | 22,395 | 0.37 |
| 215,350 - 223,426 | 22,040 | 0.38 |
| 223,427 - 231,683 | 21,684 | 0.39 |
| 231,684 - 240,129 | 21,329 | 0.40 |
| 240,130 - 248,769 | 20,973 | 0.41 |
| 248,770 - 257,613 | 20,618 | 0.42 |
| 257,614 - 266,664 | 20,262 | 0.43 |
| 266,665 - 275,935 | 19,907 | 0.44 |
| 275,936 - 285,429 | 19,551 | 0.45 |
| 285,430 - 295,160 | 19,196 | 0.46 |
| 295,161 - 305,132 | 18,840 | 0.47 |
| 305,133 - 315,359 | 18,485 | 0.48 |
| 315,360 - 325,848 | 18,129 | 0.49 |
| 325,849 - 336,611 | 17,774 | 0.50 |
| 336,612 - 347,660 | 17,419 | 0.51 |
| 347,661 - 359,006 | 17,063 | 0.52 |
| 359,007 - 370,661 | 16,708 | 0.53 |
| 370,662 - 382,639 | 16,352 | 0.54 |
| 382,640 - 394,954 | 15,997 | 0.55 |
| 394,955 - 407,620 | 15,641 | 0.56 |
| 407,621 - 420,655 | 15,286 | 0.57 |
| 420,656 - 434,073 | 14,930 | 0.58 |
| 434,074 - 447,894 | 14,575 | 0.59 |
| 447,895 - 462,134 | 14,219 | 0.60 |
| 462,135 - 476,817 | 13,864 | 0.61 |
| 476,818 - 491,960 | 13,508 | 0.62 |
| 491,961 - 507,590 | 13,153 | 0.63 |
| 507,591 - 523,727 | 12,797 | 0.64 |
| 523,728 - 540,401 | 12,442 | 0.65 |
| 540,402 - 557,636 | 12,086 | 0.66 |

| Expected Losses | B | W |
|-----------------------|--------|------|
| 557,637 - 575,465 | 11,731 | 0.67 |
| 575,466 - 593,916 | 11,375 | 0.68 |
| 593,917 - 613,027 | 11,020 | 0.69 |
| 613,028 - 632,831 | 10,664 | 0.70 |
| 632,832 - 653,370 | 10,309 | 0.71 |
| 653,371 - 674,685 | 9,953 | 0.72 |
| 674,686 - 696,822 | 9,598 | 0.73 |
| 696,823 - 719,830 | 9,242 | 0.74 |
| 719,831 - 743,762 | 8,887 | 0.75 |
| 743,763 - 768,677 | 8,532 | 0.76 |
| 768,678 - 794,637 | 8,176 | 0.77 |
| 794,638 - 821,711 | 7,821 | 0.78 |
| 821,712 - 849,971 | 7,465 | 0.79 |
| 849,972 - 879,501 | 7,110 | 0.80 |
| 879,502 - 910,387 | 6,754 | 0.81 |
| 910,388 - 942,727 | 6,399 | 0.82 |
| 942,728 - 976,627 | 6,043 | 0.83 |
| 976,628 - 1,012,205 | 5,688 | 0.84 |
| 1,012,206 - 1,049,588 | 5,332 | 0.85 |
| 1,049,589 - 1,088,922 | 4,977 | 0.86 |
| 1,088,923 - 1,130,361 | 4,621 | 0.87 |
| 1,130,362 - 1,174,083 | 4,266 | 0.88 |
| 1,174,084 - 1,220,283 | 3,910 | 0.89 |
| 1,220,284 - 1,269,180 | 3,555 | 0.90 |
| 1,269,181 - 1,321,018 | 3,199 | 0.91 |
| 1,321,019 - 1,376,075 | 2,844 | 0.92 |
| 1,376,076 - 1,434,660 | 2,488 | 0.93 |
| 1,434,661 - 1,497,128 | 2,133 | 0.94 |
| 1,497,129 - 1,563,878 | 1,777 | 0.95 |
| 1,563,879 - 1,635,372 | 1,422 | 0.96 |
| 1,635,373 - 1,712,135 | 1,066 | 0.97 |
| 1,712,136 - 1,794,776 | 711 | 0.98 |
| 1,794,777 - 1,883,999 | 355 | 0.99 |
| 1,884,000 & Over | 0 | 1.00 |

AMENDATORY SECTION (Amending WSR 90-13-018, filed 6/8/90, effective 7/9/90)

WAC 296-17-885 TABLE III.

| ((CLASS | Expected Loss Rates and D-Ratios | | | D-RATIO |
|---------|----------------------------------|--------|--------|---------|
| | 1986 | 1987 | 1988 | |
| 0101 | 1.0704 | .9817 | .8683 | .409 |
| 0102 | 1.0477 | .9644 | .8513 | .468 |
| 0103 | 1.3726 | 1.2600 | 1.1188 | .406 |
| 0104 | 1.1143 | 1.0164 | .9001 | .330 |
| 0105 | .9767 | .8972 | .7955 | .422 |
| 0106 | 2.0719 | 1.9065 | 1.6985 | .432 |
| 0107 | .9024 | .8287 | .7329 | .429 |
| 0108 | .8723 | .7999 | .7056 | .418 |
| 0109 | 2.3494 | 2.1497 | 1.9037 | .372 |
| 0201 | 1.6872 | 1.5406 | 1.3643 | .345 |
| 0202 | 2.5949 | 2.3783 | 2.1253 | .339 |
| 0206 | 1.3955 | 1.2760 | 1.1291 | .367 |
| 0301 | .5383 | .4966 | .4391 | .500 |
| 0302 | 1.5129 | 1.3900 | 1.2240 | .449 |
| 0306 | .7058 | .6491 | .5741 | .452 |
| 0307 | .6944 | .6390 | .5658 | .456 |
| 0401 | 1.2094 | 1.1102 | .9822 | .445 |
| 0402 | .4824 | .4457 | .3955 | .406 |
| 0403 | .9808 | .9001 | .7985 | .406 |
| 0502 | .9117 | .8373 | .7387 | .437 |
| 0503 | .2960 | .2732 | .2422 | .450 |
| 0504 | 1.2094 | 1.1102 | .9822 | .423 |
| 0505 | 1.2292 | 1.1288 | .9971 | .436 |
| 0506 | 3.0066 | 2.7636 | 2.4494 | .436 |
| 0507 | 2.7268 | 2.5097 | 2.2163 | .468 |
| 0508 | 2.9591 | 2.7054 | 2.4016 | .348 |
| 0509 | 1.8578 | 1.7004 | 1.5088 | .366 |
| 0510 | 1.1320 | 1.0416 | .9207 | .460 |
| 0511 | 1.0032 | .9227 | .8164 | .454 |
| 0512 | 1.3228 | 1.2172 | 1.0754 | .463 |
| 0513 | .7048 | .6482 | .5733 | .453 |

| ((CLASS | 1986 | 1987 | 1988 | D-RATIO |
|---------|--------|--------|--------|---------|
| 0514 | 1.1633 | 1.0683 | .9468 | .428 |
| 0515 | 1.8952 | 1.7394 | 1.5359 | .426 |
| 0516 | 1.4878 | 1.3680 | 1.2082 | .451 |
| 0517 | 1.3810 | 1.2671 | 1.1217 | .413 |
| 0518 | 1.1378 | 1.0455 | .9227 | .444 |
| 0519 | 1.4509 | 1.3342 | 1.1788 | .452 |
| 0601 | .4375 | .4028 | .3570 | .461 |
| 0602 | .3640 | .3351 | .2969 | .459 |
| 0603 | .6461 | .5939 | .5246 | .446 |
| 0604 | 1.6417 | 1.5046 | 1.3440 | .341 |
| 0606 | .2167 | .1999 | .1771 | .490 |
| 0607 | .2403 | .2214 | .1960 | .485 |
| 0608 | .2438 | .2249 | .1990 | .499 |
| 0701 | 1.3727 | 1.2559 | 1.1090 | .385 |
| 0803 | .3159 | .2905 | .2575 | .443 |
| 0804 | .5846 | .5367 | .4754 | .421 |
| 0901 | 1.8248 | 1.6645 | 1.4738 | .333 |
| 1002 | .8656 | .7992 | .7058 | .516 |
| 1003 | .5366 | .4940 | .4370 | .466 |
| 1004 | .5366 | .4940 | .4370 | .466 |
| 1005 | 3.2974 | 3.0351 | 2.6728 | .475 |
| 1007 | .2012 | .1855 | .1643 | .478 |
| 1101 | .5224 | .4825 | .4281 | .518 |
| 1102 | 1.0482 | .9621 | .8505 | .425 |
| 1103 | .3985 | .3675 | .3250 | .493 |
| 1104 | .4725 | .4353 | .3859 | .472 |
| 1106 | .1890 | .1747 | .1553 | .538 |
| 1108 | .4150 | .3828 | .3392 | .491 |
| 1109 | .7282 | .6712 | .5938 | .485 |
| 1301 | .2022 | .1859 | .1649 | .440 |
| 1303 | .1702 | .1563 | .1384 | .441 |
| 1304 | .0164 | .0152 | .0135 | .512 |
| 1305 | .2814 | .2598 | .2300 | .510 |
| 1401 | 1.1698 | 1.0792 | .9670 | .461 |
| 1404 | .5294 | .4879 | .4315 | .484 |
| 1405 | .4731 | .4359 | .3855 | .479 |
| 1501 | .3326 | .3063 | .2712 | .470 |
| 1507 | .2184 | .2013 | .1785 | .478 |
| 1701 | 1.5226 | 1.3903 | 1.2292 | .353 |
| 1702 | 1.5226 | 1.3903 | 1.2292 | .353 |
| 1703 | .4016 | .3686 | .3258 | .420 |
| 1704 | .8110 | .7437 | .6589 | .401 |
| 1801 | .9320 | .8561 | .7588 | .424 |
| 1802 | .4605 | .4237 | .3758 | .452 |
| 2002 | .5330 | .4904 | .4353 | .450 |
| 2003 | .3475 | .3207 | .2843 | .504 |
| 2004 | .6197 | .5707 | .5043 | .475 |
| 2005 | .3139 | .2894 | .2570 | .481 |
| 2007 | .3098 | .2853 | .2535 | .464 |
| 2008 | .2351 | .2161 | .1915 | .436 |
| 2101 | .5361 | .4940 | .4384 | .472 |
| 2102 | .3475 | .3207 | .2843 | .504 |
| 2104 | .2930 | .2709 | .2395 | .542 |
| 2105 | .3922 | .3610 | .3197 | .457 |
| 2106 | .3792 | .3491 | .3100 | .452 |
| 2201 | .2066 | .1907 | .1689 | .511 |
| 2202 | .4204 | .3876 | .3443 | .481 |
| 2203 | .2737 | .2526 | .2231 | .506 |
| 2401 | .4624 | .4258 | .3767 | .473 |
| 2903 | .5862 | .5420 | .4789 | .540 |
| 2904 | .7069 | .6519 | .5813 | .475 |
| 2905 | .4531 | .4182 | .3703 | .513 |
| 2906 | .4823 | .4441 | .3926 | .475 |
| 2907 | .4262 | .3931 | .3475 | .500 |
| 2908 | .7897 | .7269 | .6431 | .462 |
| 2909 | .5450 | .5017 | .4442 | .464 |
| 3101 | .5293 | .4851 | .4297 | .393 |
| 3102 | .3745 | .3441 | .3049 | .433 |
| 3103 | .3745 | .3441 | .3049 | .433 |
| 3104 | .4947 | .4558 | .4064 | .457 |
| 3105 | .8299 | .7629 | .6736 | .451 |
| 3301 | .6583 | .6087 | .5365 | .543 |
| 3302 | .6583 | .6087 | .5365 | .543 |
| 3303 | .2224 | .2047 | .1818 | .446 |
| 3304 | .6583 | .6087 | .5365 | .543 |

| ((CLASS | 1986 | 1987 | 1988 | D-RATIO |
|---------|--------|--------|--------|---------|
| 3309 | .3122 | .2873 | .2552 | .445 |
| 3401 | .3344 | .3081 | .2733 | .476 |
| 3402 | .3215 | .2971 | .2628 | .527 |
| 3403 | .1206 | .1111 | .0986 | .485 |
| 3404 | .3612 | .3337 | .2954 | .518 |
| 3405 | .2059 | .1898 | .1681 | .489 |
| 3406 | .1654 | .1528 | .1360 | .504 |
| 3407 | .2596 | .2386 | .2116 | .437 |
| 3408 | .0907 | .0836 | .0741 | .456 |
| 3409 | .1469 | .1354 | .1204 | .464 |
| 3501 | .6602 | .6067 | .5383 | .428 |
| 3503 | .2111 | .1948 | .1724 | .514 |
| 3506 | .6333 | .5813 | .5145 | .416 |
| 3508 | .4937 | .4563 | .4037 | .537 |
| 3509 | .3154 | .2925 | .2582 | .600 |
| 3510 | .4937 | .4563 | .4037 | .537 |
| 3602 | .0764 | .0707 | .0627 | .538 |
| 3603 | .5101 | .4706 | .4168 | .498 |
| 3604 | 1.0656 | .9779 | .8672 | .408 |
| 3605 | .3799 | .3502 | .3100 | .485 |
| 3606 | .6866 | .6319 | .5614 | .447 |
| 3701 | .2372 | .2187 | .1939 | .483 |
| 3702 | .3849 | .3532 | .3132 | .410 |
| 3707 | .3418 | .3155 | .2784 | .511 |
| 3708 | .2435 | .2246 | .1986 | .501 |
| 3801 | .1905 | .1756 | .1554 | .486 |
| 3802 | .1564 | .1446 | .1290 | .536 |
| 3808 | .2332 | .2155 | .1906 | .524 |
| 3901 | .1380 | .1272 | .1129 | .483 |
| 3902 | .4583 | .4227 | .3742 | .495 |
| 3903 | .9887 | .9101 | .8093 | .450 |
| 3905 | .1265 | .1172 | .1042 | .562 |
| 3906 | .3408 | .3139 | .2781 | .472 |
| 3909 | .2599 | .2397 | .2129 | .487 |
| 4002 | .6021 | .5543 | .4907 | .463 |
| 4101 | .1901 | .1754 | .1562 | .484 |
| 4103 | .2355 | .2173 | .1925 | .509 |
| 4107 | .0953 | .0878 | .0780 | .485 |
| 4108 | .1901 | .1754 | .1562 | .484 |
| 4109 | .1901 | .1754 | .1562 | .484 |
| 4201 | .2452 | .2257 | .1997 | .463 |
| 4301 | .7605 | .7009 | .6189 | .488 |
| 4302 | .6187 | .5693 | .5035 | .464 |
| 4303 | .2372 | .2187 | .1939 | .483 |
| 4304 | .5227 | .4824 | .4277 | .507 |
| 4305 | .9921 | .9120 | .8085 | .438 |
| 4401 | .4059 | .3751 | .3312 | .533 |
| 4402 | .6336 | .5840 | .5169 | .481 |
| 4404 | .5392 | .4978 | .4396 | .514 |
| 4501 | .1268 | .1164 | .1032 | .420 |
| 4502 | .0322 | .0297 | .0263 | .411 |
| 4504 | .0725 | .0671 | .0596 | .526 |
| 4601 | .5632 | .5176 | .4619 | .396 |
| 4802 | .2812 | .2593 | .2294 | .496 |
| 4803 | .3236 | .2989 | .2639 | .525 |
| 4804 | .5123 | .4728 | .4194 | .504 |
| 4805 | .3321 | .3061 | .2711 | .485 |
| 4806 | .0837 | .0771 | .0682 | .495 |
| 4808 | .3892 | .3582 | .3173 | .460 |
| 4809 | .2125 | .1963 | .1742 | .525 |
| 4810 | .1448 | .1337 | .1184 | .500 |
| 4811 | .2658 | .2446 | .2166 | .455 |
| 4812 | .3799 | .3504 | .3098 | .502 |
| 4901 | .0414 | .0382 | .0338 | .494 |
| 4902 | .0324 | .0298 | .0264 | .482 |
| 4903 | .0414 | .0382 | .0338 | .494 |
| 4904 | .0164 | .0152 | .0135 | .512 |
| 4905 | .2852 | .2639 | .2340 | .550 |
| 4906 | .0459 | .0423 | .0376 | .479 |
| 4907 | .0771 | .0711 | .0630 | .462 |
| 4908 | .1095 | .1010 | .0904 | .464 |
| 4909 | .1095 | .1010 | .0904 | .464 |
| 4910 | .2960 | .2732 | .2422 | .499 |
| 5001 | 3.5218 | 3.2287 | 2.8550 | .406 |
| 5002 | .4629 | .4275 | .3774 | .521 |

| ((CLASS | 1986 | 1987 | 1988 | D-RATIO |
|---------|---------|---------|---------|---------|
| 5003 | 1.1451 | 1.0501 | .9292 | .406 |
| 5004 | 2.2503 | 2.0665 | 1.8243 | .436 |
| 5101 | .5740 | .5282 | .4672 | .459 |
| 5102 | .6781 | .6246 | .5526 | .472 |
| 5103 | .6781 | .6246 | .5526 | .472 |
| 5106 | .5535 | .5091 | .4527 | .432 |
| 5108 | .6276 | .5780 | .5118 | .471 |
| 5109 | .4273 | .3915 | .3470 | .385 |
| 5201 | .2741 | .2523 | .2238 | .462 |
| 5204 | 1.1802 | 1.0877 | .9553 | .498 |
| 5206 | .2850 | .2615 | .2312 | .419 |
| 5207 | .1515 | .1402 | .1243 | .539 |
| 5208 | .8187 | .7533 | .6661 | .460 |
| 5209 | .5020 | .4623 | .4093 | .468 |
| 5301 | .0209 | .0193 | .0171 | .490 |
| 5305 | .0262 | .0241 | .0214 | .426 |
| 5306 | .0299 | .0276 | .0244 | .448 |
| 5307 | .2928 | .2702 | .2389 | .507 |
| 6103 | .0362 | .0334 | .0297 | .534 |
| 6104 | .2820 | .2599 | .2305 | .482 |
| 6105 | .1388 | .1280 | .1133 | .485 |
| 6107 | .0928 | .0856 | .0760 | .482 |
| 6108 | .4737 | .4385 | .3880 | .565 |
| 6109 | .0322 | .0298 | .0264 | .540 |
| 6110 | .2619 | .2425 | .2146 | .569 |
| 6201 | .1258 | .1159 | .1030 | .476 |
| 6202 | .5459 | .5010 | .4449 | .404 |
| 6203 | .0780 | .0719 | .0638 | .457 |
| 6204 | .1349 | .1246 | .1106 | .521 |
| 6205 | .1349 | .1246 | .1106 | .521 |
| 6206 | .1349 | .1246 | .1106 | .521 |
| 6207 | .8171 | .7539 | .6702 | .495 |
| 6208 | .2100 | .1936 | .1717 | .482 |
| 6209 | .2029 | .1872 | .1666 | .492 |
| 6301 | .1011 | .0930 | .0825 | .435 |
| 6302 | .1418 | .1302 | .1156 | .412 |
| 6303 | .0532 | .0491 | .0436 | .460 |
| 6304 | .1126 | .1038 | .0923 | .478 |
| 6305 | .0512 | .0473 | .0421 | .509 |
| 6306 | .2294 | .2112 | .1879 | .454 |
| 6308 | .0335 | .0308 | .0273 | .446 |
| 6309 | .1043 | .0964 | .0857 | .531 |
| 6402 | .2092 | .1928 | .1706 | .489 |
| 6403 | .1496 | .1384 | .1227 | .543 |
| 6404 | .1222 | .1129 | .1001 | .539 |
| 6405 | .4910 | .4524 | .4004 | .476 |
| 6406 | .0676 | .0625 | .0555 | .514 |
| 6407 | .1491 | .1377 | .1223 | .512 |
| 6408 | .3069 | .2820 | .2511 | .407 |
| 6409 | .3871 | .3564 | .3176 | .444 |
| 6501 | .0601 | .0557 | .0493 | .550 |
| 6502 | .0163 | .0151 | .0134 | .480 |
| 6503 | .0828 | .0755 | .0673 | .317 |
| 6504 | .3064 | .2837 | .2526 | .563 |
| 6505 | .1597 | .1475 | .1310 | .516 |
| 6506 | .0633 | .0584 | .0519 | .499 |
| 6508 | .3623 | .3342 | .2962 | .498 |
| 6509 | .1846 | .1703 | .1511 | .491 |
| 6601 | .1626 | .1500 | .1334 | .493 |
| 6602 | .4824 | .4457 | .3955 | .518 |
| 6603 | .2236 | .2062 | .1829 | .487 |
| 6604 | .0575 | .0528 | .0468 | .455 |
| 6605 | .1931 | .1782 | .1577 | .510 |
| 6607 | .1515 | .1402 | .1243 | .539 |
| 6608 | .2019 | .1857 | .1640 | .453 |
| 6704 | .1682 | .1551 | .1379 | .482 |
| 6705 | .6760 | .6250 | .5547 | .535 |
| 6706 | .3265 | .3011 | .2677 | .480 |
| 6707 | 1.5956* | 1.4781* | 1.3124* | .576 |
| 6708 | 4.3646 | 4.0262 | 3.6128 | .451 |
| 6709 | .1379 | .1277 | .1136 | .554 |
| 6801 | .3725 | .3412 | .3024 | .386 |
| 6802 | .3128 | .2881 | .2557 | .464 |
| 6803 | 1.3764 | 1.2480 | 1.1036 | .272 |
| 6804 | .1978 | .1816 | .1611 | .401 |

| ((CLASS | 1986 | 1987 | 1988 | D-RATIO |
|---------|---------|---------|---------|---------|
| 6809 | 2.2170 | 2.0490 | 1.8297 | .520 |
| 6901 | .0337 | .0311 | .0285 | .682 |
| 6902 | .4291 | .3939 | .3484 | .428 |
| 6903 | 5.2349 | 4.7702 | 4.2438 | .287 |
| 6904 | .1602 | .1474 | .1308 | .446 |
| 6905 | .2031 | .1862 | .1655 | .386 |
| 6906 | .0835 | .0772 | .0705 | .682 |
| 6907 | 1.2509 | 1.1500 | 1.0158 | .450 |
| 6908 | .3141 | .2898 | .2562 | .504 |
| 6909 | .0541 | .0499 | .0443 | .470 |
| 7101 | .0235 | .0216 | .0192 | .431 |
| 7102 | 2.9918* | 2.7652* | 2.4818* | .508 |
| 7103 | .1717 | .1581 | .1399 | .457 |
| 7104 | .0395 | .0364 | .0321 | .466 |
| 7105 | .2809 | .2594 | .2293 | .519 |
| 7106 | .5610 | .5161 | .4556 | .500 |
| 7107 | 1.2771 | 1.1776 | 1.0481 | .498 |
| 7108 | 2.1598 | 1.9890 | 1.7559 | .481 |
| 7109 | 5.4194 | 4.9873 | 4.4167 | .457 |
| 7110 | .2809 | .2594 | .2293 | .521 |
| 7111 | .2809 | .2594 | .2293 | .521 |
| 7112 | .5609 | .5161 | .4556 | .463 |
| 7113 | .5609 | .5161 | .4556 | .463 |
| 7114 | .5609 | .5161 | .4556 | .463 |
| 7115 | .5609 | .5161 | .4556 | .463 |
| 7116 | .5609 | .5161 | .4556 | .463 |
| 7117 | 1.2771 | 1.1776 | 1.0481 | .476 |
| 7118 | 2.1598 | 1.9890 | 1.7559 | .477 |
| 7119 | 2.1598 | 1.9890 | 1.7559 | .477 |
| 7120 | 5.4194 | 4.9873 | 4.4167 | .457 |
| 7121 | 5.4194 | 4.9873 | 4.4167 | .457 |
| 7201 | .5870 | .5415 | .4766 | .513 |
| 7202 | .0296 | .0272 | .0241 | .446 |
| 7203 | .1084 | .0999 | .0888 | .457 |
| 7204 | .0000 | .0000 | .0000 | .682 |
| 7301 | .5554 | .5123 | .4536 | .496 |
| 7302 | .6295 | .5812 | .5172 | .500 |
| 7307 | 1.1401 | 1.0555 | .9371 | .563 |
| 7308 | .2154 | .1985 | .1762 | .477 |
| 7309 | .1379 | .1277 | .1136 | .554 |

*Daily expected loss rate)

| CLASS | 1987 | 1988 | 1989 | D-RATIO |
|-------|--------|--------|--------|---------|
| 0101 | 0.9540 | 0.8893 | 0.9247 | 0.430 |
| 0102 | 1.1313 | 1.0545 | 1.0701 | 0.459 |
| 0103 | 1.0848 | 1.0133 | 1.0014 | 0.433 |
| 0104 | 1.1351 | 1.0613 | 1.1056 | 0.346 |
| 0105 | 0.9325 | 0.8698 | 0.8026 | 0.473 |
| 0106 | 2.4378 | 2.2748 | 2.2322 | 0.498 |
| 0107 | 0.8040 | 0.7497 | 0.8066 | 0.422 |
| 0108 | 0.8242 | 0.7695 | 0.8193 | 0.407 |
| 0109 | 2.5440 | 2.3735 | 2.4862 | 0.416 |
| 0201 | 1.5113 | 1.4102 | 1.4618 | 0.397 |
| 0202 | 1.9089 | 1.7899 | 1.8575 | 0.377 |
| 0206 | 1.3625 | 1.2695 | 1.3492 | 0.417 |
| 0301 | 0.5209 | 0.4851 | 0.4563 | 0.544 |
| 0302 | 1.4004 | 1.3052 | 1.3641 | 0.403 |
| 0306 | 0.7249 | 0.6757 | 0.6883 | 0.455 |
| 0307 | 0.6153 | 0.5734 | 0.5726 | 0.477 |
| 0403 | 0.8659 | 0.8084 | 0.8109 | 0.473 |
| 0502 | 0.8389 | 0.7810 | 0.8355 | 0.462 |
| 0504 | 1.1629 | 1.0847 | 1.0897 | 0.442 |
| 0506 | 2.8913 | 2.6958 | 2.7210 | 0.478 |
| 0507 | 2.5644 | 2.3880 | 2.2512 | 0.487 |
| 0508 | 2.8169 | 2.6323 | 2.7526 | 0.368 |
| 0509 | 1.5863 | 1.4834 | 1.5396 | 0.400 |
| 0510 | 1.1011 | 1.0253 | 0.9905 | 0.486 |
| 0511 | 0.9164 | 0.8524 | 0.8435 | 0.507 |
| 0512 | 1.1699 | 1.0897 | 1.1309 | 0.464 |
| 0513 | 0.6855 | 0.6382 | 0.5953 | 0.517 |
| 0514 | 1.0428 | 0.9728 | 0.9894 | 0.457 |
| 0515 | 1.8054 | 1.6823 | 1.7411 | 0.430 |
| 0516 | 1.4721 | 1.3716 | 1.3886 | 0.472 |
| 0517 | 1.4462 | 1.3492 | 1.4174 | 0.453 |
| 0518 | 1.1654 | 1.0854 | 1.1432 | 0.432 |

| CLASS | 1987 | 1988 | 1989 | D-RATIO |
|-------|--------|--------|--------|---------|
| 0519 | 1.3730 | 1.2782 | 1.3382 | 0.487 |
| 0601 | 0.4688 | 0.4373 | 0.4530 | 0.478 |
| 0602 | 0.3020 | 0.2811 | 0.2930 | 0.510 |
| 0603 | 0.6734 | 0.6283 | 0.6027 | 0.443 |
| 0604 | 0.9663 | 0.9020 | 0.8486 | 0.404 |
| 0606 | 0.2152 | 0.2009 | 0.1978 | 0.527 |
| 0607 | 0.2486 | 0.2322 | 0.2110 | 0.505 |
| 0608 | 0.2191 | 0.2043 | 0.1990 | 0.522 |
| 0701 | 1.4795 | 1.3791 | 1.4530 | 0.387 |
| 0803 | 0.2994 | 0.2796 | 0.2603 | 0.464 |
| 0804 | 0.6953 | 0.6490 | 0.6317 | 0.440 |
| 0901 | 1.5799 | 1.4774 | 1.4571 | 0.357 |
| 1002 | 0.8154 | 0.7598 | 0.7035 | 0.511 |
| 1003 | 0.4682 | 0.4368 | 0.4244 | 0.474 |
| 1004 | 0.4682 | 0.4368 | 0.4244 | 0.474 |
| 1005 | 3.5407 | 3.2930 | 2.9655 | 0.478 |
| 1007 | 0.1990 | 0.1857 | 0.1870 | 0.505 |
| 1101 | 0.4378 | 0.4082 | 0.3865 | 0.530 |
| 1102 | 0.9179 | 0.8549 | 0.8451 | 0.459 |
| 1103 | 0.3648 | 0.3403 | 0.3167 | 0.510 |
| 1104 | 0.5263 | 0.4917 | 0.4460 | 0.497 |
| 1106 | 0.1968 | 0.1839 | 0.1636 | 0.575 |
| 1108 | 0.4064 | 0.3795 | 0.3634 | 0.506 |
| 1109 | 0.6895 | 0.6434 | 0.5650 | 0.523 |
| 1301 | 0.1989 | 0.1860 | 0.2013 | 0.443 |
| 1303 | 0.1704 | 0.1588 | 0.1591 | 0.478 |
| 1304 | 0.0166 | 0.0155 | 0.0160 | 0.547 |
| 1305 | 0.2527 | 0.2354 | 0.2198 | 0.545 |
| 1401 | 0.7362 | 0.6896 | 0.6585 | 0.470 |
| 1404 | 0.5258 | 0.4902 | 0.4305 | 0.519 |
| 1405 | 0.4545 | 0.4240 | 0.3971 | 0.501 |
| 1501 | 0.3182 | 0.2971 | 0.2762 | 0.511 |
| 1507 | 0.2167 | 0.2025 | 0.1961 | 0.514 |
| 1701 | 1.2937 | 1.2084 | 1.2587 | 0.360 |
| 1702 | 1.2937 | 1.2084 | 1.2587 | 0.360 |
| 1703 | 0.3829 | 0.3572 | 0.3498 | 0.437 |
| 1704 | 0.7678 | 0.7172 | 0.6983 | 0.426 |
| 1801 | 0.8348 | 0.7785 | 0.8010 | 0.438 |
| 1802 | 0.5086 | 0.4747 | 0.4343 | 0.504 |
| 2002 | 0.5677 | 0.5308 | 0.4896 | 0.484 |
| 2003 | 0.3495 | 0.3264 | 0.3138 | 0.518 |
| 2004 | 0.6769 | 0.6311 | 0.5812 | 0.505 |
| 2005 | 0.3100 | 0.2901 | 0.2625 | 0.498 |
| 2007 | 0.3407 | 0.3191 | 0.2930 | 0.495 |
| 2008 | 0.2245 | 0.2096 | 0.1941 | 0.460 |
| 2101 | 0.5010 | 0.4671 | 0.4256 | 0.500 |
| 2102 | 0.3495 | 0.3264 | 0.3138 | 0.518 |
| 2104 | 0.3255 | 0.3037 | 0.2417 | 0.554 |
| 2105 | 0.4050 | 0.3780 | 0.3801 | 0.482 |
| 2106 | 0.3755 | 0.3509 | 0.3235 | 0.493 |
| 2201 | 0.2003 | 0.1868 | 0.1742 | 0.533 |
| 2202 | 0.4211 | 0.3936 | 0.3605 | 0.510 |
| 2203 | 0.2681 | 0.2498 | 0.2253 | 0.526 |
| 2401 | 0.4408 | 0.4113 | 0.3846 | 0.503 |
| 2903 | 0.6410 | 0.5978 | 0.5506 | 0.531 |
| 2904 | 0.5860 | 0.5470 | 0.5040 | 0.502 |
| 2905 | 0.4278 | 0.3993 | 0.3453 | 0.538 |
| 2906 | 0.4224 | 0.3936 | 0.3852 | 0.490 |
| 2907 | 0.4081 | 0.3802 | 0.3500 | 0.531 |
| 2908 | 0.7820 | 0.7293 | 0.6926 | 0.500 |
| 2909 | 0.5709 | 0.5327 | 0.4850 | 0.496 |
| 3101 | 0.5839 | 0.5449 | 0.5358 | 0.443 |
| 3102 | 0.3871 | 0.3618 | 0.3506 | 0.439 |
| 3103 | 0.3871 | 0.3618 | 0.3506 | 0.439 |
| 3104 | 0.4319 | 0.4044 | 0.4153 | 0.473 |
| 3105 | 0.7620 | 0.7097 | 0.6470 | 0.513 |
| 3303 | 0.2168 | 0.2027 | 0.1827 | 0.478 |
| 3304 | 0.6264 | 0.5831 | 0.5124 | 0.561 |
| 3309 | 0.3346 | 0.3135 | 0.2842 | 0.489 |
| 3401 | 0.3148 | 0.2937 | 0.2866 | 0.496 |
| 3402 | 0.3469 | 0.3235 | 0.3040 | 0.524 |
| 3403 | 0.1184 | 0.1107 | 0.1100 | 0.504 |
| 3404 | 0.3353 | 0.3126 | 0.2899 | 0.543 |
| 3405 | 0.2225 | 0.2077 | 0.1938 | 0.521 |
| 3406 | 0.1617 | 0.1514 | 0.1384 | 0.536 |

| CLASS | 1987 | 1988 | 1989 | D-RATIO |
|-------|--------|--------|--------|---------|
| 3407 | 0.2511 | 0.2347 | 0.2364 | 0.435 |
| 3408 | 0.0780 | 0.0728 | 0.0750 | 0.485 |
| 3409 | 0.1151 | 0.1075 | 0.0991 | 0.499 |
| 3501 | 0.6036 | 0.5638 | 0.5284 | 0.461 |
| 3503 | 0.1981 | 0.1850 | 0.1542 | 0.538 |
| 3506 | 0.6091 | 0.5683 | 0.5906 | 0.447 |
| 3508 | 0.3449 | 0.3215 | 0.3013 | 0.531 |
| 3509 | 0.3539 | 0.3288 | 0.3052 | 0.619 |
| 3510 | 0.3449 | 0.3215 | 0.3013 | 0.531 |
| 3602 | 0.0894 | 0.0837 | 0.0748 | 0.564 |
| 3603 | 0.4658 | 0.4353 | 0.4137 | 0.507 |
| 3604 | 1.0593 | 0.9891 | 0.9099 | 0.461 |
| 3605 | 0.3912 | 0.3647 | 0.3335 | 0.519 |
| 3606 | 0.7206 | 0.6735 | 0.6170 | 0.491 |
| 3701 | 0.2244 | 0.2093 | 0.2003 | 0.518 |
| 3702 | 0.3680 | 0.3437 | 0.3331 | 0.446 |
| 3707 | 0.3454 | 0.3217 | 0.2963 | 0.530 |
| 3708 | 0.2443 | 0.2281 | 0.2061 | 0.525 |
| 3801 | 0.1783 | 0.1662 | 0.1588 | 0.514 |
| 3802 | 0.1404 | 0.1310 | 0.1251 | 0.576 |
| 3808 | 0.2364 | 0.2204 | 0.2028 | 0.541 |
| 3901 | 0.1391 | 0.1300 | 0.1151 | 0.528 |
| 3902 | 0.4536 | 0.4231 | 0.3826 | 0.535 |
| 3903 | 0.9758 | 0.9139 | 0.8308 | 0.473 |
| 3905 | 0.1208 | 0.1131 | 0.1059 | 0.563 |
| 3906 | 0.3528 | 0.3296 | 0.3223 | 0.495 |
| 3909 | 0.2658 | 0.2487 | 0.2210 | 0.501 |
| 4002 | 0.5535 | 0.5164 | 0.4940 | 0.484 |
| 4101 | 0.1805 | 0.1688 | 0.1530 | 0.526 |
| 4103 | 0.1971 | 0.1841 | 0.1906 | 0.516 |
| 4107 | 0.0913 | 0.0854 | 0.0857 | 0.506 |
| 4108 | 0.1805 | 0.1688 | 0.1530 | 0.526 |
| 4109 | 0.1805 | 0.1688 | 0.1530 | 0.526 |
| 4201 | 0.1948 | 0.1815 | 0.1858 | 0.499 |
| 4301 | 0.7090 | 0.6611 | 0.6084 | 0.516 |
| 4302 | 0.5763 | 0.5368 | 0.4932 | 0.504 |
| 4303 | 0.2343 | 0.2185 | 0.2003 | 0.518 |
| 4304 | 0.5337 | 0.4983 | 0.4570 | 0.533 |
| 4305 | 0.8728 | 0.8128 | 0.8568 | 0.484 |
| 4401 | 0.4419 | 0.4110 | 0.3824 | 0.556 |
| 4402 | 0.6131 | 0.5717 | 0.5301 | 0.516 |
| 4404 | 0.5109 | 0.4755 | 0.4361 | 0.528 |
| 4501 | 0.1143 | 0.1069 | 0.1037 | 0.445 |
| 4502 | 0.0340 | 0.0318 | 0.0311 | 0.429 |
| 4504 | 0.0713 | 0.0667 | 0.0593 | 0.554 |
| 4601 | 0.5444 | 0.5107 | 0.4853 | 0.436 |
| 4802 | 0.3436 | 0.3209 | 0.2684 | 0.502 |
| 4803 | 0.3951 | 0.3691 | 0.2288 | 0.540 |
| 4804 | 0.4701 | 0.4387 | 0.4041 | 0.536 |
| 4805 | 0.3301 | 0.3079 | 0.2684 | 0.537 |
| 4806 | 0.0971 | 0.0907 | 0.0652 | 0.526 |
| 4808 | 0.4372 | 0.4085 | 0.3659 | 0.467 |
| 4809 | 0.2019 | 0.1884 | 0.1739 | 0.560 |
| 4810 | 0.1748 | 0.1634 | 0.1276 | 0.516 |
| 4811 | 0.2816 | 0.2632 | 0.2068 | 0.499 |
| 4812 | 0.4140 | 0.3858 | 0.3598 | 0.529 |
| 4901 | 0.0385 | 0.0360 | 0.0372 | 0.530 |
| 4902 | 0.0308 | 0.0286 | 0.0277 | 0.528 |
| 4903 | 0.0385 | 0.0360 | 0.0372 | 0.530 |
| 4904 | 0.0122 | 0.0114 | 0.0109 | 0.534 |
| 4905 | 0.2672 | 0.2497 | 0.2192 | 0.574 |
| 4906 | 0.0456 | 0.0425 | 0.0407 | 0.521 |
| 4907 | 0.0687 | 0.0642 | 0.0589 | 0.486 |
| 4908 | 0.1085 | 0.1021 | 0.0933 | 0.491 |
| 4909 | 0.1085 | 0.1021 | 0.0933 | 0.491 |
| 4910 | 0.3019 | 0.2819 | 0.2491 | 0.526 |
| 5001 | 3.2554 | 3.0359 | 3.2021 | 0.410 |
| 5002 | 0.4264 | 0.3966 | 0.3965 | 0.538 |
| 5003 | 1.0854 | 1.0128 | 1.0137 | 0.417 |
| 5004 | 2.7567 | 2.5668 | 2.2824 | 0.487 |
| 5101 | 0.5771 | 0.5381 | 0.4935 | 0.506 |
| 5103 | 0.7464 | 0.6960 | 0.6186 | 0.530 |
| 5106 | 0.5021 | 0.4704 | 0.4418 | 0.454 |
| 5108 | 0.5877 | 0.5481 | 0.5384 | 0.491 |
| 5109 | 0.3568 | 0.3336 | 0.3143 | 0.442 |

| CLASS | 1987 | 1988 | 1989 | D-RATIO |
|-------|--------|--------|--------|---------|
| 5201 | 0.2534 | 0.2367 | 0.2299 | 0.483 |
| 5204 | 0.9601 | 0.8913 | 0.8601 | 0.509 |
| 5206 | 0.2916 | 0.2722 | 0.2772 | 0.449 |
| 5207 | 0.1353 | 0.1263 | 0.1114 | 0.572 |
| 5208 | 0.7363 | 0.6858 | 0.6686 | 0.502 |
| 5209 | 0.5200 | 0.4851 | 0.4455 | 0.531 |
| 5301 | 0.0197 | 0.0185 | 0.0180 | 0.507 |
| 5305 | 0.0274 | 0.0257 | 0.0249 | 0.464 |
| 5306 | 0.0327 | 0.0307 | 0.0294 | 0.462 |
| 5307 | 0.2890 | 0.2695 | 0.2682 | 0.517 |
| 6103 | 0.0385 | 0.0361 | 0.0347 | 0.553 |
| 6104 | 0.2590 | 0.2417 | 0.2199 | 0.518 |
| 6105 | 0.1404 | 0.1311 | 0.1197 | 0.529 |
| 6107 | 0.0947 | 0.0886 | 0.0853 | 0.534 |
| 6108 | 0.4407 | 0.4106 | 0.3824 | 0.585 |
| 6109 | 0.0316 | 0.0295 | 0.0270 | 0.566 |
| 6110 | 0.3272 | 0.3052 | 0.2779 | 0.595 |
| 6201 | 0.1206 | 0.1127 | 0.1099 | 0.508 |
| 6202 | 0.5161 | 0.4829 | 0.4447 | 0.447 |
| 6203 | 0.0731 | 0.0684 | 0.0630 | 0.488 |
| 6204 | 0.1447 | 0.1352 | 0.1223 | 0.561 |
| 6205 | 0.1447 | 0.1352 | 0.1223 | 0.561 |
| 6206 | 0.1447 | 0.1352 | 0.1223 | 0.561 |
| 6207 | 0.8330 | 0.7794 | 0.7157 | 0.524 |
| 6208 | 0.2352 | 0.2199 | 0.1979 | 0.512 |
| 6209 | 0.1954 | 0.1831 | 0.1667 | 0.522 |
| 6301 | 0.0884 | 0.0825 | 0.0914 | 0.446 |
| 6302 | 0.1438 | 0.1346 | 0.1236 | 0.427 |
| 6303 | 0.0536 | 0.0502 | 0.0482 | 0.462 |
| 6304 | 0.1256 | 0.1178 | 0.1005 | 0.520 |
| 6305 | 0.0624 | 0.0585 | 0.0478 | 0.527 |
| 6306 | 0.2052 | 0.1916 | 0.1709 | 0.498 |
| 6308 | 0.0331 | 0.0309 | 0.0285 | 0.480 |
| 6309 | 0.1154 | 0.1081 | 0.0941 | 0.538 |
| 6402 | 0.2156 | 0.2012 | 0.1741 | 0.515 |
| 6403 | 0.1590 | 0.1487 | 0.1333 | 0.572 |
| 6404 | 0.1481 | 0.1383 | 0.1166 | 0.567 |
| 6405 | 0.4374 | 0.4079 | 0.3969 | 0.511 |
| 6406 | 0.0720 | 0.0674 | 0.0617 | 0.542 |
| 6407 | 0.1702 | 0.1593 | 0.1324 | 0.548 |
| 6408 | 0.2751 | 0.2574 | 0.2465 | 0.459 |
| 6409 | 0.4091 | 0.3835 | 0.3821 | 0.440 |
| 6501 | 0.0630 | 0.0588 | 0.0537 | 0.575 |
| 6502 | 0.0153 | 0.0143 | 0.0137 | 0.500 |
| 6503 | 0.0663 | 0.0621 | 0.0651 | 0.347 |
| 6504 | 0.3100 | 0.2902 | 0.2582 | 0.579 |
| 6505 | 0.1196 | 0.1118 | 0.1034 | 0.525 |
| 6506 | 0.0703 | 0.0658 | 0.0594 | 0.537 |
| 6508 | 0.3423 | 0.3198 | 0.2999 | 0.520 |
| 6509 | 0.1855 | 0.1734 | 0.1586 | 0.494 |
| 6601 | 0.1661 | 0.1555 | 0.1391 | 0.526 |
| 6602 | 0.4186 | 0.3906 | 0.3565 | 0.555 |
| 6603 | 0.2175 | 0.2031 | 0.1935 | 0.515 |
| 6604 | 0.0522 | 0.0488 | 0.0479 | 0.469 |
| 6605 | 0.2035 | 0.1896 | 0.1941 | 0.545 |
| 6607 | 0.1353 | 0.1263 | 0.1114 | 0.572 |
| 6608 | 0.1875 | 0.1746 | 0.1736 | 0.485 |
| 6704 | 0.1461 | 0.1367 | 0.1264 | 0.508 |
| 6705 | 0.7478 | 0.6996 | 0.5816 | 0.551 |
| 6706 | 0.3072 | 0.2873 | 0.2920 | 0.506 |
| 6707 | 1.6173 | 1.5090 | 1.4239 | 0.597 |
| 6708 | 3.6600 | 3.4501 | 3.3134 | 0.442 |
| 6709 | 0.1581 | 0.1481 | 0.1304 | 0.581 |
| 6801 | 0.2804 | 0.2619 | 0.2704 | 0.421 |
| 6802 | 0.2689 | 0.2514 | 0.2378 | 0.500 |
| 6803 | 1.0920 | 1.0206 | 1.0764 | 0.291 |
| 6804 | 0.1622 | 0.1516 | 0.1517 | 0.459 |
| 6809 | 2.3598 | 2.2179 | 2.1201 | 0.526 |
| 6901 | 0.0282 | 0.0269 | 0.0255 | 0.684 |
| 6902 | 0.3914 | 0.3653 | 0.3551 | 0.436 |
| 6903 | 5.2752 | 4.9492 | 5.1944 | 0.286 |
| 6904 | 0.1442 | 0.1346 | 0.1439 | 0.487 |
| 6905 | 0.1964 | 0.1838 | 0.1813 | 0.438 |
| 6906 | 0.0866 | 0.0827 | 0.0801 | 0.684 |
| 6907 | 1.2033 | 1.1213 | 1.0618 | 0.492 |

| CLASS | 1987 | 1988 | 1989 | D-RATIO |
|-------|--------|--------|--------|---------|
| 6908 | 0.3274 | 0.3050 | 0.2757 | 0.543 |
| 6909 | 0.0534 | 0.0499 | 0.0483 | 0.502 |
| 7101 | 0.0209 | 0.0195 | 0.0203 | 0.451 |
| 7102 | 2.7750 | 2.6116 | 2.6911 | 0.528 |
| 7103 | 0.1709 | 0.1594 | 0.1561 | 0.498 |
| 7104 | 0.0383 | 0.0369 | 0.0184 | 0.462 |
| 7105 | 0.2680 | 0.2477 | 0.0310 | 0.456 |
| 7106 | 0.5278 | 0.5160 | 0.1750 | 0.487 |
| 7107 | 1.2206 | 1.1997 | 0.1745 | 0.484 |
| 7108 | 2.0387 | 2.0055 | 0.1757 | 0.492 |
| 7109 | 5.1202 | 4.9501 | 0.2335 | 0.537 |
| 7110 | 0.2782 | 0.2592 | 0.2368 | 0.516 |
| 7111 | 0.3118 | 0.2900 | 0.2723 | 0.553 |
| 7112 | 0.5257 | 0.4896 | 0.4680 | 0.472 |
| 7113 | 0.5625 | 0.5246 | 0.4827 | 0.455 |
| 7114 | 0.5356 | 0.4991 | 0.4570 | 0.494 |
| 7115 | 0.5311 | 0.4950 | 0.4545 | 0.472 |
| 7116 | 0.5609 | 0.5227 | 0.4795 | 0.480 |
| 7117 | 1.2773 | 1.1948 | 1.0909 | 0.506 |
| 7118 | 2.2359 | 2.0846 | 1.9117 | 0.481 |
| 7119 | 1.9925 | 1.8563 | 1.7022 | 0.484 |
| 7120 | 5.2474 | 4.8998 | 4.4972 | 0.467 |
| 7121 | 5.2466 | 4.8990 | 4.4965 | 0.467 |
| 7201 | 0.6538 | 0.6069 | 0.5666 | 0.536 |
| 7202 | 0.0287 | 0.0269 | 0.0258 | 0.484 |
| 7203 | 0.1118 | 0.1049 | 0.0945 | 0.480 |
| 7204 | 0.0000 | 0.0000 | 0.0000 | 0.684 |
| 7301 | 0.5616 | 0.5235 | 0.4652 | 0.524 |
| 7302 | 0.5829 | 0.5453 | 0.5226 | 0.551 |
| 7307 | 0.9195 | 0.8556 | 0.6761 | 0.571 |
| 7308 | 0.2109 | 0.1974 | 0.1743 | 0.489 |
| 7309 | 0.1581 | 0.1481 | 0.1304 | 0.581 |

*Daily expected loss rate

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-890 TABLE IV.

Maximum experience modifications for firms with no compensable accidents:

| Expected Loss Range | Maximum Experience Modification |
|---------------------|---------------------------------|
| (1,848 & Under | 0.90 |
| 1,849 - 1,977 | 0.89 |
| 1,978 - 2,116 | 0.88 |
| 2,117 - 2,268 | 0.87 |
| 2,269 - 2,432 | 0.86 |
| 2,433 - 2,610 | 0.85 |
| 2,611 - 2,804 | 0.84 |
| 2,805 - 3,014 | 0.83 |
| 3,015 - 3,243 | 0.82 |
| 3,244 - 3,493 | 0.81 |
| 3,494 - 3,766 | 0.80 |
| 3,767 - 4,063 | 0.79 |
| 4,064 - 4,389 | 0.78 |
| 4,390 - 4,745 | 0.77 |
| 4,746 - 5,135 | 0.76 |
| 5,136 - 5,564 | 0.75 |
| 5,565 - 6,035 | 0.74 |
| 6,036 - 6,552 | 0.73 |
| 6,553 - 7,123 | 0.72 |
| 7,124 - 7,752 | 0.71 |
| 7,753 - 8,447 | 0.70 |
| 8,448 - 9,216 | 0.69 |
| 9,217 - 10,067 | 0.68 |
| 10,068 - 11,012 | 0.67 |
| 11,013 - 12,062 | 0.66 |
| 12,063 - 13,230 | 0.65 |
| 13,231 - 14,533 | 0.64 |
| 14,534 - 15,988 | 0.63 |

| Expected Loss Range | Maximum Experience Modification |
|---------------------|---------------------------------|
| 15,989 - 17,615 | 0.62 |
| 17,616 - 19,439 | 0.61 |
| 19,440 & Over | 0.60)) |
| 1,783 & Under | 0.90 |
| 1,784 - 1,908 | 0.89 |
| 1,909 - 2,043 | 0.88 |
| 2,044 - 2,189 | 0.87 |
| 2,190 - 2,347 | 0.86 |
| 2,348 - 2,519 | 0.85 |
| 2,520 - 2,706 | 0.84 |
| 2,707 - 2,909 | 0.83 |
| 2,910 - 3,130 | 0.82 |
| 3,131 - 3,371 | 0.81 |
| 3,372 - 3,634 | 0.80 |
| 3,635 - 3,922 | 0.79 |
| 3,923 - 4,236 | 0.78 |
| 4,237 - 4,580 | 0.77 |
| 4,581 - 4,957 | 0.76 |
| 4,958 - 5,370 | 0.75 |
| 5,371 - 5,824 | 0.74 |
| 5,825 - 6,324 | 0.73 |
| 6,325 - 6,875 | 0.72 |
| 6,876 - 7,482 | 0.71 |
| 7,483 - 8,153 | 0.70 |
| 8,154 - 8,895 | 0.69 |
| 8,896 - 9,717 | 0.68 |
| 9,718 - 10,628 | 0.67 |
| 10,629 - 11,642 | 0.66 |
| 11,643 - 12,769 | 0.65 |
| 12,770 - 14,027 | 0.64 |
| 14,028 - 15,431 | 0.63 |
| 15,432 - 17,001 | 0.62 |
| 17,002 - 18,762 | 0.61 |
| 18,763 & Over | 0.60 |

| Class | Base Rates Effective January 1, ((+1990)) 1991 | |
|-------|--|------------------|
| | Accident Fund | Medical Aid Fund |
| 0510 | 1.1487 | 0.7237 |
| 0511 | 1.0313 | 0.6550 |
| 0512 | 1.4676 | 0.8291 |
| 0513 | 0.6854 | 0.4539 |
| 0514 | 1.2017 | 0.7746 |
| 0515 | 2.2189 | 1.0423 |
| 0516 | 1.6437 | 0.8907 |
| 0517 | 1.5523 | 0.8465 |
| 0518 | 1.3461 | 0.6423 |
| 0519 | 1.6420 | 0.8924 |
| 0601 | 0.4442 | 0.3137 |
| 0602 | 0.3726 | 0.2609 |
| 0603 | 0.6717 | 0.3846 |
| 0604 | 1.2664 | 1.3686 |
| 0606 | 0.2002 | 0.1655 |
| 0607 | 0.2147 | 0.1698 |
| 0608 | 0.2342 | 0.1749 |
| 0701 | 1.7049 | 0.6622 |
| 0803 | 0.2848 | 0.2240 |
| 0804 | 0.5882 | 0.3742 |
| 0901 | 2.0753 | 0.8865 |
| 1002 | 0.8094 | 0.5984 |
| 1003 | 0.5306 | 0.3604 |
| 1004 | 0.5306 | 0.3604 |
| 1005 | 3.3817 | 1.7917 |
| 1007 | 0.1959 | 0.1474 |
| 1101 | 0.4344 | 0.4307 |
| 1102 | 1.1343 | 0.6137 |
| 1103 | 0.3711 | 0.2769 |
| 1104 | 0.4029 | 0.3524 |
| 1106 | 0.1346 | 0.1708 |
| 1108 | 0.3739 | 0.3141 |
| 1109 | 0.6326 | 0.5085 |
| 1301 | 0.2114 | 0.1467 |
| 1303 | 0.1782 | 0.1092 |
| 1304 | 0.0145 | 0.0140 |
| 1305 | 0.2501 | 0.2113 |
| 1401 | 0.6842 | 1.2560 |
| 1404 | 0.4608 | 0.3679 |
| 1405 | 0.4459 | 0.3241 |
| 1501 | 0.3059 | 0.2331 |
| 1507 | 0.1970 | 0.1672 |
| 1701 | 1.8744 | 0.7117 |
| 1702 | 1.8744 | 0.7117 |
| 1703 | 0.4290 | 0.2340 |
| 1704 | 0.8234 | 0.5071 |
| 1801 | 0.9655 | 0.6276 |
| 1802 | 0.4027 | 0.3356 |
| 2002 | 0.4557 | 0.4026 |
| 2003 | 0.3053 | 0.2736 |
| 2004 | 0.5936 | 0.4019 |
| 2005 | 0.2485 | 0.2555 |
| 2007 | 0.2506 | 0.2495 |
| 2008 | 0.2187 | 0.1577 |
| 2101 | 0.4421 | 0.4184 |
| 2102 | 0.3053 | 0.2736 |
| 2104 | 0.2206 | 0.2184 |
| 2105 | 0.3938 | 0.2723 |
| 2106 | 0.3166 | 0.2949 |
| 2201 | 0.1805 | 0.1578 |
| 2202 | 0.3371 | 0.3425 |
| 2203 | 0.2528 | 0.1839 |
| 2401 | 0.4367 | 0.3146 |
| 2903 | 0.5209 | 0.4355 |
| 2904 | 0.4963 | 0.6544 |
| 2905 | 0.3683 | 0.3413 |
| 2906 | 0.4900 | 0.3164 |
| 2907 | 0.3939 | 0.2957 |
| 2908 | 0.7648 | 0.5287 |
| 2909 | 0.4905 | 0.3789 |
| 3101 | 0.5539 | 0.3201 |

AMENDATORY SECTION (Amending WSR 90-13-018, filed 6/8/90, effective 7/9/90)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID BASE RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund and medical aid fund base rates by class of industry shall be as set forth below.

Base Rates Effective January 1, ((+1990)) 1991

| Class | Accident Fund | Medical Aid Fund |
|--------|---------------|------------------|
| ((0101 | 1.2222 | 0.6207 |
| 0102 | 1.1529 | 0.6391 |
| 0103 | 1.3079 | 0.9728 |
| 0104 | 1.3381 | 0.5465 |
| 0105 | 0.8936 | 0.6653 |
| 0106 | 1.8695 | 1.5910 |
| 0107 | 1.0469 | 0.5469 |
| 0108 | 1.0913 | 0.4396 |
| 0109 | 2.7192 | 1.3186 |
| 0201 | 1.9953 | 0.8657 |
| 0202 | 2.2044 | 2.1940 |
| 0206 | 1.6933 | 0.7296 |
| 0301 | 0.5045 | 0.3799 |
| 0302 | 1.8706 | 0.7567 |
| 0306 | 0.7548 | 0.4520 |
| 0307 | 0.6983 | 0.4755 |
| 0403 | 0.9842 | 0.6665 |
| 0502 | 1.1202 | 0.4946 |
| 0504 | 1.2989 | 0.7388 |
| 0506 | 3.0344 | 2.0654 |
| 0507 | 2.7529 | 1.6845 |
| 0508 | 3.1977 | 1.8432 |
| 0509 | 2.0130 | 1.1533 |

Base Rates Effective
January 1, ((+1990)) 1991

Base Rates Effective
January 1, ((+1990)) 1991

| Class | Accident Fund | Medical Aid Fund | Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|-------|---------------|------------------|
| 3102 | 0.3669 | 0.2495 | 4905 | 0.2132 | 0.2437 |
| 3103 | 0.3669 | 0.2495 | 4906 | 0.0387 | 0.0373 |
| 3104 | 0.3991 | 0.4489 | 4907 | 0.0664 | 0.0575 |
| 3105 | 0.8326 | 0.4832 | 4908 | 0.0648 | 0.1138 |
| 3303 | 0.1834 | 0.1699 | 4909 | 0.0648 | 0.1138 |
| 3304 | 0.5999 | 0.4410 | 4910 | 0.2404 | 0.2291 |
| 3309 | 0.2575 | 0.2408 | 5001 | 4.1269 | 1.9893 |
| 3401 | 0.3063 | 0.2532 | 5002 | 0.4747 | 0.3181 |
| 3402 | 0.2883 | 0.2417 | 5003 | 1.2407 | 0.6748 |
| 3403 | 0.1080 | 0.0962 | 5004 | 2.1618 | 1.3200 |
| 3404 | 0.3137 | 0.2770 | 5101 | 0.5408 | 0.3774 |
| 3405 | 0.1876 | 0.1481 | 5103 | 0.6031 | 0.4655 |
| 3406 | 0.1164 | 0.1532 | 5106 | 0.4607 | 0.4385 |
| 3407 | 0.2554 | 0.1832 | 5108 | 0.6117 | 0.4403 |
| 3408 | 0.0888 | 0.0676 | 5109 | 0.4191 | 0.2661 |
| 3409 | 0.1154 | 0.1224 | 5201 | 0.2518 | 0.2040 |
| 3501 | 0.5964 | 0.4696 | 5204 | 1.3680 | 0.5900 |
| 3503 | 0.1683 | 0.1547 | 5206 | 0.3167 | 0.1679 |
| 3506 | 0.6986 | 0.3926 | 5207 | 0.1128 | 0.1300 |
| 3508 | 0.4346 | 0.3791 | 5208 | 0.8342 | 0.5292 |
| 3509 | 0.2862 | 0.2381 | 5209 | 0.4570 | 0.3511 |
| 3510 | 0.4346 | 0.3791 | 5301 | 0.0170 | 0.0181 |
| 3602 | 0.0594 | 0.0639 | 5305 | 0.0226 | 0.0208 |
| 3603 | 0.4602 | 0.3822 | 5306 | 0.0270 | 0.0224 |
| 3604 | 0.9838 | 0.7083 | 5307 | 0.2887 | 0.2099 |
| 3605 | 0.3380 | 0.2729 | 6103 | 0.0270 | 0.0336 |
| 3701 | 0.2121 | 0.1807 | 6104 | 0.2352 | 0.2178 |
| 3702 | 0.3769 | 0.2550 | 6105 | 0.1220 | 0.1014 |
| 3707 | 0.3250 | 0.2282 | 6107 | 0.0794 | 0.0753 |
| 3708 | 0.2160 | 0.1737 | 6108 | 0.4048 | 0.3793 |
| 3801 | 0.1783 | 0.1368 | 6109 | 0.0265 | 0.0262 |
| 3802 | 0.1125 | 0.1494 | 6110 | 0.2190 | 0.2094 |
| 3808 | 0.2045 | 0.1751 | 6201 | 0.1071 | 0.1034 |
| 3901 | 0.1106 | 0.1083 | 6202 | 0.4829 | 0.3862 |
| 3902 | 0.4003 | 0.3342 | 6203 | 0.0646 | 0.0613 |
| 3903 | 0.7843 | 0.7985 | 6204 | 0.1052 | 0.1133 |
| 3905 | 0.0882 | 0.1223 | 6205 | 0.1052 | 0.1133 |
| 3906 | 0.3249 | 0.2451 | 6206 | 0.1052 | 0.1133 |
| 3909 | 0.2004 | 0.2132 | 6207 | 0.6270 | 0.7017 |
| 4002 | 0.5786 | 0.4115 | 6208 | 0.1726 | 0.1629 |
| 4101 | 0.1382 | 0.1690 | 6209 | 0.1496 | 0.1792 |
| 4103 | 0.2298 | 0.1807 | 6301 | 0.1102 | 0.0717 |
| 4107 | 0.0862 | 0.0761 | 6302 | 0.1234 | 0.1020 |
| 4108 | 0.1382 | 0.1690 | 6303 | 0.0438 | 0.0443 |
| 4109 | 0.1382 | 0.1690 | 6304 | 0.0814 | 0.0941 |
| 4201 | 0.2556 | 0.1667 | 6305 | 0.0340 | 0.0447 |
| 4301 | 0.7354 | 0.4891 | 6306 | 0.1733 | 0.1911 |
| 4302 | 0.5859 | 0.4048 | 6308 | 0.0314 | 0.0223 |
| 4304 | 0.4350 | 0.4134 | 6309 | 0.0750 | 0.0909 |
| 4305 | 1.0451 | 0.6882 | 6402 | 0.1763 | 0.1491 |
| 4401 | 0.3784 | 0.2870 | 6403 | 0.1151 | 0.1269 |
| 4402 | 0.5770 | 0.4500 | 6404 | 0.0894 | 0.1014 |
| 4404 | 0.5039 | 0.3671 | 6405 | 0.4745 | 0.3454 |
| 4501 | 0.1210 | 0.0877 | 6406 | 0.0523 | 0.0579 |
| 4502 | 0.0312 | 0.0221 | 6407 | 0.1051 | 0.1255 |
| 4504 | 0.0506 | 0.0664 | 6408 | 0.2551 | 0.2477 |
| 4601 | 0.4303 | 0.4894 | 6409 | 0.3150 | 0.3364 |
| 4802 | 0.2294 | 0.1985 | 6501 | 0.0492 | 0.0490 |
| 4803 | 0.1907 | 0.2251 | 6502 | 0.0134 | 0.0137 |
| 4804 | 0.4266 | 0.4071 | 6503 | 0.0863 | 0.0543 |
| 4805 | 0.2771 | 0.2427 | 6504 | 0.1988 | 0.2993 |
| 4806 | 0.0582 | 0.0581 | 6505 | 0.1237 | 0.1376 |
| 4808 | 0.3406 | 0.2731 | 6506 | 0.0471 | 0.0551 |
| 4809 | 0.1701 | 0.1777 | 6508 | 0.3163 | 0.2780 |
| 4810 | 0.1044 | 0.1089 | 6509 | 0.1504 | 0.1477 |
| 4811 | 0.2027 | 0.1841 | 6601 | 0.1238 | 0.1369 |
| 4812 | 0.3549 | 0.2651 | 6602 | 0.3818 | 0.4025 |
| 4901 | 0.0409 | 0.0312 | 6603 | 0.1959 | 0.1738 |
| 4902 | 0.0290 | 0.0249 | 6604 | 0.0564 | 0.0394 |
| 4903 | 0.0409 | 0.0312 | 6605 | 0.1945 | 0.1410 |
| 4904 | 0.0134 | 0.0140 | 6607 | 0.1128 | 0.1300 |

Base Rates Effective
January 1, ((+990)) 1991

Base Rates Effective
January 1, ((+990)) 1991

| Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|
| 6608 | 0.2158 | 0.1242 |
| 6614 | 127.2820** | 148.8180** |
| 6615 | 95.0120** | 111.0880** |
| 6616 | 12.4930** | 14.6070** |
| 6617 | 9.2660** | 10.8340** |
| 6618 | 68.7350** | 80.3650** |
| 6704 | 0.1288 | 0.1451 |
| 6705 | 0.4702 | 0.5796 |
| 6706 | 0.2826 | 0.2770 |
| 6707 | 9.69* | 11.66* |
| 6708 | 2.6540 | 3.6860 |
| 6709 | 0.0916 | 0.1311 |
| 6801 | 0.4098 | 0.2252 |
| 6802 | 0.2748 | 0.2381 |
| 6803 | 1.8750 | 0.4345 |
| 6804 | 0.1968 | 0.1352 |
| 6809 | 1.4431 | 2.2613 |
| 6901 | | 0.0566 |
| 6902 | 0.4463 | 0.2594 |
| 6903 | 5.7307 | 3.0914 |
| 6904 | 0.1658 | 0.1170 |
| 6905 | 0.1962 | 0.1404 |
| 6906 | | 0.1404 |
| 6907 | 1.2887 | 0.7471 |
| 6908 | 0.2810 | 0.2223 |
| 6909 | 0.0461 | 0.0441 |
| 7101 | 0.0248 | 0.0159 |
| 7102 | 13.34* | 27.76* |
| 7103 | 0.1688 | 0.1181 |
| 7104 | 0.0162 | 0.0188 |
| 7105 | 0.0379 | 0.0269 |
| 7106 | 0.1942 | 0.1470 |
| 7107 | 0.1942 | 0.1470 |
| 7108 | 0.1926 | 0.1470 |
| 7109 | 0.2520 | 0.2019 |
| 7110 | 0.2520 | 0.2019 |
| 7111 | 0.2611 | 0.2019 |
| 7112 | 0.5796 | 0.3398 |
| 7113 | 0.5544 | 0.3398 |
| 7114 | 0.5544 | 0.3398 |
| 7115 | 0.5544 | 0.3398 |
| 7116 | 0.5544 | 0.3398 |
| 7117 | 0.9528 | 1.1142 |
| 7118 | 2.1091 | 1.3442 |
| 7119 | 2.1091 | 1.3442 |
| 7120 | 4.9234 | 3.7491 |
| 7121 | 4.9234 | 3.7491 |
| 7201 | 0.6148 | 0.3426 |
| 7202 | 0.0267 | 0.0220 |
| 7203 | 0.0823 | 0.0909 |
| 7204 | | |
| 7301 | 0.4707 | 0.4096 |
| 7302 | 0.4842 | 0.5661 |
| 7307 | 0.7184 | 1.0230 |
| 7308 | 0.1702 | 0.1699 |
| 7309 | 0.0916 | 0.1311 |
| 0101 | 1.1963 | 0.6806 |
| 0102 | 1.3225 | 0.8664 |
| 0103 | 1.1948 | 0.8453 |
| 0104 | 1.5032 | 0.6980 |
| 0105 | 0.9554 | 0.6901 |
| 0106 | 2.4857 | 2.1245 |
| 0107 | 1.0657 | 0.5652 |
| 0108 | 1.0529 | 0.6031 |
| 0109 | 3.2607 | 1.7599 |
| 0201 | 1.9767 | 0.9592 |
| 0202 | 2.0413 | 1.7329 |
| 0206 | 1.8773 | 0.8357 |
| 0301 | 0.5109 | 0.4379 |
| 0302 | 1.8681 | 0.8778 |
| 0306 | 0.8553 | 0.5514 |

| Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|
| 0307 | 0.6859 | 0.4906 |
| 0403 | 0.9276 | 0.7385 |
| 0502 | 1.1020 | 0.5976 |
| 0504 | 1.3447 | 0.8784 |
| 0506 | 3.2648 | 2.3160 |
| 0507 | 2.7437 | 1.8854 |
| 0508 | 3.6487 | 1.8670 |
| 0509 | 1.8730 | 1.2442 |
| 0510 | 1.2157 | 0.8201 |
| 0511 | 1.0639 | 0.6698 |
| 0512 | 1.4133 | 0.9005 |
| 0513 | 0.7060 | 0.5235 |
| 0514 | 1.2089 | 0.8115 |
| 0515 | 2.2891 | 1.2416 |
| 0516 | 1.7296 | 1.1097 |
| 0517 | 1.7376 | 1.1542 |
| 0518 | 1.5331 | 0.7829 |
| 0519 | 1.6910 | 1.0500 |
| 0601 | 0.5200 | 0.4131 |
| 0602 | 0.3498 | 0.2542 |
| 0603 | 0.7414 | 0.4872 |
| 0604 | 1.1097 | 0.6011 |
| 0606 | 0.2062 | 0.2052 |
| 0607 | 0.2196 | 0.2180 |
| 0608 | 0.2213 | 0.1914 |
| 0701 | 2.1000 | 0.7979 |
| 0803 | 0.2966 | 0.2375 |
| 0804 | 0.7743 | 0.5117 |
| 0901 | 1.9242 | 0.9889 |
| 1002 | 0.8025 | 0.6541 |
| 1003 | 0.4962 | 0.3749 |
| 1004 | 0.4962 | 0.3749 |
| 1005 | 3.8685 | 2.1981 |
| 1007 | 0.2070 | 0.1794 |
| 1101 | 0.4145 | 0.3893 |
| 1102 | 1.0760 | 0.6496 |
| 1103 | 0.3480 | 0.3081 |
| 1104 | 0.4751 | 0.4476 |
| 1106 | 0.1496 | 0.1946 |
| 1108 | 0.3850 | 0.3681 |
| 1109 | 0.5967 | 0.5773 |
| 1301 | 0.2295 | 0.1824 |
| 1303 | 0.1918 | 0.1344 |
| 1304 | 0.0158 | 0.0176 |
| 1305 | 0.2424 | 0.2151 |
| 1401 | 0.6355 | 0.7278 |
| 1404 | 0.4811 | 0.4104 |
| 1405 | 0.4429 | 0.3773 |
| 1501 | 0.2909 | 0.2821 |
| 1507 | 0.2029 | 0.2043 |
| 1701 | 1.7413 | 0.7666 |
| 1702 | 1.7413 | 0.7666 |
| 1703 | 0.4417 | 0.2689 |
| 1704 | 0.8479 | 0.5716 |
| 1801 | 1.0244 | 0.6016 |
| 1802 | 0.4644 | 0.4363 |
| 2002 | 0.5053 | 0.5075 |
| 2003 | 0.3270 | 0.3249 |
| 2004 | 0.6657 | 0.5342 |
| 2005 | 0.2515 | 0.2943 |
| 2007 | 0.2752 | 0.3341 |
| 2008 | 0.2207 | 0.1776 |
| 2101 | 0.4958 | 0.3812 |
| 2102 | 0.3270 | 0.3249 |
| 2104 | 0.2446 | 0.2605 |
| 2105 | 0.4336 | 0.3486 |
| 2106 | 0.3414 | 0.3279 |
| 2201 | 0.1873 | 0.1748 |
| 2202 | 0.3576 | 0.3919 |
| 2203 | 0.2559 | 0.2107 |
| 2401 | 0.4251 | 0.3701 |

Base Rates Effective
January 1, ((+990)) 1991Base Rates Effective
January 1, ((+990)) 1991

| Class | Accident Fund | Medical Aid Fund | Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|-------|---------------|------------------|
| 2903 | 0.5850 | 0.5617 | 4806 | 0.0649 | 0.0708 |
| 2904 | 0.5449 | 0.4980 | 4808 | 0.4000 | 0.3536 |
| 2905 | 0.3545 | 0.3651 | 4809 | 0.1707 | 0.1933 |
| 2906 | 0.4642 | 0.3273 | 4810 | 0.1238 | 0.1417 |
| 2907 | 0.3955 | 0.3306 | 4811 | 0.2129 | 0.2158 |
| 2908 | 0.7941 | 0.6345 | 4812 | 0.4067 | 0.3395 |
| 2909 | 0.5429 | 0.4580 | 4901 | 0.0400 | 0.0373 |
| 3101 | 0.6623 | 0.4288 | 4902 | 0.0312 | 0.0263 |
| 3102 | 0.4098 | 0.3060 | 4903 | 0.0400 | 0.0373 |
| 3103 | 0.4098 | 0.3060 | 4904 | 0.0107 | 0.0121 |
| 3104 | 0.4132 | 0.4460 | 4905 | 0.2021 | 0.2587 |
| 3105 | 0.7658 | 0.5697 | 4906 | 0.0418 | 0.0428 |
| 3303 | 0.1941 | 0.1830 | 4907 | 0.0631 | 0.0586 |
| 3304 | 0.5642 | 0.5054 | 4908 | 0.0635 | 0.1324 |
| 3309 | 0.2600 | 0.3311 | 4909 | 0.0635 | 0.1324 |
| 3401 | 0.3144 | 0.2786 | 4910 | 0.2505 | 0.2690 |
| 3402 | 0.3262 | 0.3060 | 5001 | 4.2256 | 2.2446 |
| 3403 | 0.1122 | 0.1161 | 5002 | 0.4678 | 0.3543 |
| 3404 | 0.3048 | 0.2997 | 5003 | 1.2838 | 0.7727 |
| 3405 | 0.2034 | 0.1991 | 5004 | 2.8593 | 1.8177 |
| 3406 | 0.1199 | 0.1703 | 5101 | 0.5569 | 0.4629 |
| 3407 | 0.2703 | 0.2128 | 5103 | 0.6738 | 0.6111 |
| 3408 | 0.0834 | 0.0711 | 5106 | 0.4359 | 0.4759 |
| 3409 | 0.1046 | 0.1006 | 5108 | 0.6175 | 0.4917 |
| 3501 | 0.6005 | 0.4834 | 5109 | 0.3537 | 0.2897 |
| 3503 | 0.1568 | 0.1649 | 5201 | 0.2527 | 0.2214 |
| 3506 | 0.7268 | 0.4767 | 5204 | 1.1664 | 0.5955 |
| 3508 | 0.3257 | 0.3008 | 5206 | 0.3302 | 0.2361 |
| 3509 | 0.3307 | 0.3126 | 5207 | 0.1043 | 0.1296 |
| 3510 | 0.3257 | 0.3008 | 5208 | 0.8053 | 0.5711 |
| 3602 | 0.0641 | 0.0932 | 5209 | 0.4760 | 0.4504 |
| 3603 | 0.4251 | 0.4334 | 5301 | 0.0175 | 0.0199 |
| 3604 | 1.0512 | 0.8141 | 5305 | 0.0248 | 0.0265 |
| 3605 | 0.3728 | 0.3177 | 5306 | 0.0299 | 0.0310 |
| 3606 | 0.6462 | 0.6302 | 5307 | 0.2931 | 0.2638 |
| 3701 | 0.2171 | 0.1983 | 6103 | 0.0304 | 0.0425 |
| 3702 | 0.3951 | 0.2853 | 6104 | 0.2369 | 0.2192 |
| 3707 | 0.3401 | 0.2741 | 6105 | 0.1238 | 0.1252 |
| 3708 | 0.2118 | 0.2172 | 6107 | 0.0818 | 0.0963 |
| 3801 | 0.1785 | 0.1502 | 6108 | 0.3876 | 0.4162 |
| 3802 | 0.1253 | 0.1371 | 6109 | 0.0263 | 0.0304 |
| 3808 | 0.2199 | 0.2022 | 6110 | 0.2650 | 0.3204 |
| 3901 | 0.1128 | 0.1274 | 6201 | 0.1080 | 0.1205 |
| 3902 | 0.4066 | 0.3896 | 6202 | 0.4747 | 0.4389 |
| 3903 | 0.8077 | 0.9127 | 6203 | 0.0611 | 0.0698 |
| 3905 | 0.0875 | 0.1357 | 6204 | 0.1135 | 0.1431 |
| 3906 | 0.3480 | 0.3181 | 6205 | 0.1135 | 0.1431 |
| 3909 | 0.2109 | 0.2489 | 6206 | 0.1135 | 0.1431 |
| 4002 | 0.5686 | 0.4478 | 6207 | 0.6636 | 0.8310 |
| 4101 | 0.1442 | 0.1752 | 6208 | 0.1967 | 0.2148 |
| 4103 | 0.1970 | 0.1988 | 6209 | 0.1437 | 0.2049 |
| 4107 | 0.0852 | 0.0929 | 6301 | 0.1053 | 0.0818 |
| 4108 | 0.1442 | 0.1752 | 6302 | 0.1283 | 0.1253 |
| 4109 | 0.1442 | 0.1752 | 6303 | 0.0489 | 0.0508 |
| 4201 | 0.2206 | 0.1622 | 6304 | 0.0850 | 0.1254 |
| 4301 | 0.6767 | 0.5833 | 6305 | 0.0379 | 0.0623 |
| 4302 | 0.5868 | 0.4293 | 6306 | 0.1812 | 0.1725 |
| 4303 | 0.2171 | 0.1983 | 6308 | 0.0318 | 0.0268 |
| 4304 | 0.4661 | 0.4862 | 6309 | 0.0829 | 0.1141 |
| 4305 | 1.0580 | 0.6998 | 6402 | 0.1828 | 0.1790 |
| 4401 | 0.4399 | 0.3558 | 6403 | 0.1186 | 0.1618 |
| 4402 | 0.5863 | 0.5118 | 6404 | 0.1082 | 0.1366 |
| 4404 | 0.5191 | 0.3829 | 6405 | 0.4452 | 0.3758 |
| 4501 | 0.1154 | 0.0973 | 6406 | 0.0543 | 0.0749 |
| 4502 | 0.0348 | 0.0288 | 6407 | 0.1169 | 0.1607 |
| 4504 | 0.0514 | 0.0732 | 6408 | 0.2522 | 0.2560 |
| 4601 | 0.4527 | 0.5496 | 6409 | 0.3754 | 0.4121 |
| 4802 | 0.2842 | 0.2716 | 6501 | 0.0558 | 0.0567 |
| 4803 | 0.2201 | 0.2588 | 6502 | 0.0134 | 0.0149 |
| 4804 | 0.4213 | 0.4204 | 6503 | 0.0786 | 0.0523 |
| 4805 | 0.2855 | 0.2732 | 6504 | 0.2105 | 0.3345 |

Base Rates Effective
January 1, ((1990)) 1991

| Class | Accident Fund | Medical Aid Fund |
|-------|---------------|------------------|
| 6505 | 0.1017 | 0.1137 |
| 6506 | 0.0531 | 0.0712 |
| 6508 | 0.3067 | 0.3169 |
| 6509 | 0.1585 | 0.1705 |
| 6601 | 0.1269 | 0.1639 |
| 6602 | 0.3608 | 0.3844 |
| 6603 | 0.1974 | 0.2046 |
| 6604 | 0.0540 | 0.0443 |
| 6605 | 0.2129 | 0.1914 |
| 6607 | 0.1043 | 0.1296 |
| 6608 | 0.2149 | 0.1411 |
| 6614 | 147.1050** | 171.9950** |
| 6615 | 109.7640** | 128.3360** |
| 6616 | 14.3370** | 16.7630** |
| 6617 | 10.6490** | 12.4510** |
| 6618 | 68.7350** | 80.3650** |
| 6704 | 0.1223 | 0.1408 |
| 6705 | 0.5183 | 0.7021 |
| 6706 | 0.2880 | 0.3189 |
| 6707 | 10.64* | 13.37* |
| 6708 | 2.7390 | 4.2020 |
| 6709 | 0.1010 | 0.1748 |
| 6801 | 0.3366 | 0.2120 |
| 6802 | 0.2442 | 0.2488 |
| 6803 | 1.6859 | 0.4081 |
| 6804 | 0.1687 | 0.1429 |
| 6809 | 1.5013 | 2.9637 |
| 6901 | --- | 0.0552 |
| 6902 | 0.4453 | 0.2763 |
| 6903 | 6.6776 | 3.6229 |
| 6904 | 0.1616 | 0.1350 |
| 6905 | 0.1981 | 0.1733 |
| 6906 | --- | 0.1733 |
| 6907 | 1.2560 | 0.9301 |
| 6908 | 0.3101 | 0.2628 |
| 6909 | 0.0475 | 0.0529 |
| 7101 | 0.0240 | 0.0175 |
| 7102 | 13.74* | 31.73* |
| 7103 | 0.1788 | 0.1429 |
| 7104 | 0.0164 | 0.0216 |
| 7105 | 0.0351 | 0.0286 |
| 7106 | 0.1955 | 0.1657 |
| 7107 | 0.1960 | 0.1641 |
| 7108 | 0.1927 | 0.1707 |
| 7109 | 0.2564 | 0.2297 |
| 7110 | 0.2629 | 0.2283 |
| 7111 | 0.3091 | 0.2584 |
| 7112 | 0.5797 | 0.3793 |
| 7113 | 0.5804 | 0.4077 |
| 7114 | 0.5308 | 0.4124 |
| 7115 | 0.5546 | 0.3777 |
| 7116 | 0.5702 | 0.4160 |
| 7117 | 1.0412 | 1.2323 |
| 7118 | 2.2324 | 1.7034 |
| 7119 | 2.0456 | 1.4557 |
| 7120 | 5.0268 | 4.2330 |
| 7121 | 5.0262 | 4.2322 |
| 7201 | 0.7208 | 0.4515 |
| 7202 | 0.0251 | 0.0282 |
| 7203 | 0.0835 | 0.1131 |
| 7204 | --- | --- |
| 7301 | 0.5188 | 0.4458 |
| 7302 | 0.4670 | 0.6296 |
| 7307 | 0.7465 | 0.6666 |
| 7308 | 0.1663 | 0.1956 |
| 7309 | 0.1010 | 0.1748 |

*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

**These rates are calculated on a per license basis for parimutuel race tracks and are base rated.

AMENDATORY SECTION (Amending Order 89-22, filed 12/1/89, effective 1/1/90)

WAC 296-17-919 TABLE I.

RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, ((1990)) 1991

| Size Group Number | Standard Premium Range |
|-------------------|------------------------|
| (84 | \$ 3,430 - \$ 3,956 |
| 83 | 3,957 - 4,542 |
| 82 | 4,543 - 5,192 |
| 81 | 5,193 - 5,912 |
| 80 | 5,913 - 6,707 |
| 79 | 6,708 - 7,584 |
| 78 | 7,585 - 8,549 |
| 77 | 8,550 - 9,610 |
| 76 | 9,611 - 10,773 |
| 75 | 10,774 - 12,047 |
| 74 | 12,048 - 13,440 |
| 73 | 13,441 - 14,961 |
| 72 | 14,962 - 16,620 |
| 71 | 16,621 - 18,427 |
| 70 | 18,428 - 20,393 |
| 69 | 20,394 - 22,529 |
| 68 | 22,530 - 23,149 |
| 67 | 23,150 - 24,450 |
| 66 | 24,451 - 25,845 |
| 65 | 25,846 - 27,344 |
| 64 | 27,345 - 28,955 |
| 63 | 28,956 - 30,688 |
| 62 | 30,689 - 32,556 |
| 61 | 32,557 - 34,571 |
| 60 | 34,572 - 36,748 |
| 59 | 36,749 - 39,102 |
| 58 | 39,103 - 41,651 |
| 57 | 41,652 - 44,416 |
| 56 | 44,417 - 47,419 |
| 55 | 47,420 - 50,685 |
| 54 | 50,686 - 54,243 |
| 53 | 54,244 - 58,125 |
| 52 | 58,126 - 62,367 |
| 51 | 62,368 - 67,012 |
| 50 | 67,013 - 72,106 |
| 49 | 72,107 - 77,703 |
| 48 | 77,704 - 83,866 |
| 47 | 83,867 - 90,664 |
| 46 | 90,665 - 98,180 |
| 45 | 98,181 - 106,507 |
| 44 | 106,508 - 112,526 |
| 43 | 112,527 - 119,928 |
| 42 | 119,929 - 128,010 |
| 41 | 128,011 - 136,854 |
| 40 | 136,855 - 146,554 |
| 39 | 146,555 - 157,217 |
| 38 | 157,218 - 168,968 |
| 37 | 168,969 - 181,951 |
| 36 | 181,952 - 196,336 |
| 35 | 196,337 - 212,318 |
| 34 | 212,319 - 230,132 |
| 33 | 230,133 - 250,049 |
| 32 | 250,050 - 272,396 |
| 31 | 272,397 - 297,561 |
| 30 | 297,562 - 326,009 |
| 29 | 326,010 - 358,304 |
| 28 | 358,305 - 395,129 |
| 27 | 395,130 - 437,321 |
| 26 | 437,322 - 485,911 |
| 25 | 485,912 - 542,180 |
| 24 | 542,181 - 607,735 |
| 23 | 607,736 - 684,605 |
| 22 | 684,606 - 775,387 |
| 21 | 775,388 - 883,432 |

| Size Group Number | Standard Premium Range |
|-------------------|-------------------------|
| 20 | 883,433 - 1,013,121 |
| 19 | 1,013,122 - 1,170,258 |
| 18 | 1,170,259 - 1,362,646 |
| 17 | 1,362,647 - 1,600,938 |
| 16 | 1,600,939 - 1,781,791 |
| 15 | 1,781,792 - 1,988,139 |
| 14 | 1,988,140 - 2,218,748 |
| 13 | 2,218,749 - 2,587,774 |
| 12 | 2,587,775 - 3,042,862 |
| 11 | 3,042,863 - 3,992,113 |
| 10 | 3,992,114 - 5,448,295 |
| 9 | 5,448,296 - 7,095,502 |
| 8 | 7,095,503 - 9,585,723 |
| 7 | 9,585,724 - 13,506,841 |
| 6 | 13,506,842 - 20,237,405 |
| 5 | 20,237,406 & over)) |
| 84 | \$ 3,701 - \$ 4,269 |
| 83 | 4,270 - 4,901 |
| 82 | 4,902 - 5,602 |
| 81 | 5,603 - 6,379 |
| 80 | 6,380 - 7,237 |
| 79 | 7,238 - 8,183 |
| 78 | 8,184 - 9,224 |
| 77 | 9,225 - 10,369 |
| 76 | 10,370 - 11,624 |
| 75 | 11,625 - 12,999 |
| 74 | 13,000 - 14,502 |
| 73 | 14,503 - 16,143 |
| 72 | 16,144 - 17,933 |
| 71 | 17,934 - 19,883 |
| 70 | 19,884 - 22,004 |
| 69 | 22,005 - 24,309 |
| 68 | 24,310 - 24,978 |
| 67 | 24,979 - 26,382 |
| 66 | 26,383 - 27,887 |
| 65 | 27,888 - 29,504 |
| 64 | 29,505 - 31,243 |
| 63 | 31,244 - 33,112 |
| 62 | 33,113 - 35,128 |
| 61 | 35,129 - 37,302 |
| 60 | 37,303 - 39,651 |
| 59 | 39,652 - 42,191 |
| 58 | 42,192 - 44,942 |
| 57 | 44,943 - 47,925 |
| 56 | 47,926 - 51,165 |
| 55 | 51,166 - 54,689 |
| 54 | 54,690 - 58,528 |
| 53 | 58,529 - 62,717 |
| 52 | 62,718 - 67,294 |
| 51 | 67,295 - 72,306 |
| 50 | 72,307 - 77,802 |
| 49 | 77,803 - 83,842 |
| 48 | 83,843 - 90,491 |
| 47 | 90,492 - 97,827 |
| 46 | 97,828 - 105,936 |
| 45 | 105,937 - 114,921 |
| 44 | 114,922 - 121,416 |
| 43 | 121,417 - 129,402 |
| 42 | 129,403 - 138,123 |
| 41 | 138,124 - 147,666 |
| 40 | 147,667 - 158,132 |
| 39 | 158,133 - 169,637 |
| 38 | 169,638 - 182,317 |
| 37 | 182,318 - 196,325 |
| 36 | 196,326 - 211,847 |
| 35 | 211,848 - 229,091 |
| 34 | 229,092 - 248,313 |
| 33 | 248,314 - 269,803 |
| 32 | 269,804 - 293,915 |
| 31 | 293,916 - 321,068 |
| 30 | 321,069 - 351,764 |
| 29 | 351,765 - 386,610 |

| Size Group Number | Standard Premium Range |
|-------------------|-------------------------|
| 28 | 386,611 - 426,344 |
| 27 | 426,345 - 471,869 |
| 26 | 471,870 - 524,298 |
| 25 | 524,299 - 585,012 |
| 24 | 585,013 - 655,746 |
| 23 | 655,747 - 738,689 |
| 22 | 738,690 - 836,643 |
| 21 | 836,644 - 953,223 |
| 20 | 953,224 - 1,093,158 |
| 19 | 1,093,159 - 1,262,708 |
| 18 | 1,262,709 - 1,470,295 |
| 17 | 1,470,296 - 1,727,412 |
| 16 | 1,727,413 - 1,922,553 |
| 15 | 1,922,554 - 2,145,202 |
| 14 | 2,145,203 - 2,394,029 |
| 13 | 2,394,030 - 2,792,208 |
| 12 | 2,792,209 - 3,283,248 |
| 11 | 3,283,249 - 4,307,490 |
| 10 | 4,307,491 - 5,878,710 |
| 9 | 5,878,711 - 7,656,047 |
| 8 | 7,656,048 - 10,342,995 |
| 7 | 10,342,996 - 14,573,882 |
| 6 | 14,573,883 - 21,836,160 |
| 5 | 21,836,161 & Over |

**WSR 90-20-120
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Filed October 3, 1990, 9:00 a.m.]

Original Notice.

Title of Rule: Rights of a victim who has repressed memory of a criminal act.

Purpose: Establish guidelines for determining eligibility of victims who have repressed memory of past criminal acts.

Statutory Authority for Adoption: RCW 7.68.030.

Statute Being Implemented: RCW 7.68.060 as amended by chapter 3, Laws of 1990.

Summary: Guidance is provided to establish when the right to file a claim for compensation accrues for a victim of a childhood criminal act.

Reasons Supporting Proposal: Legislative amendments in 1990 expand the opportunity for persons to apply for crime victim compensation. The proposed rule enumerates the factors the department will consider, giving greatest weight to the needs of the victim.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark M. McDermott, 406 Legion Way S.E., Olympia, 98504, (206) 753-3487.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule establishes standards for department approval of claims filed by victims who have repressed memory of childhood criminal acts. This regulation is

designed to provide the maximum availability of counseling and other benefits to persons victimized as a child while providing discretion to deny claims where the factors warrant.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not because the rule does not impact any small business.

Hearing Location: Office Building 2 (DSHS) Auditorium, on November 15, 1990, at 1:30 p.m.

Submit Written Comments to: Mark M. McDermott, Assistant Director, by December 10, 1990.

Date of Intended Adoption: December 14, 1990.

October 3, 1990

Joseph A. Dear
Director

NEW SECTION

WAC 296-30-190 RIGHTS OF A VICTIM WHO HAS REPPRESSED MEMORY OF A CRIMINAL ACT. (1) The rights of a victim who has repressed conscious memory of a childhood criminal act accrue on the date the elements of the crime are discovered, or on the date that the elements of the crime reasonably should have been discovered, whichever shall first occur.

(2) In determining whether a victim reasonably should have discovered the elements of the crime, the department shall consider whether a prudent person, in the exercise of reasonable diligence, would have discovered the elements of the crime. Factors including the nature and circumstances of the crime, and the age and circumstances of the victim, shall be among those factors considered, giving greatest weight to the needs of the victim.

WSR 90-20-121
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Order 90-18—Filed October 3, 1990, 9:10 a.m.]

Original Notice.

Title of Rule: Chapter 296-24 WAC, General safety and health standards; chapter 296-52 WAC, Safety standards for the possession, handling and use of explosives; chapter 296-62 WAC, General occupational health standards; chapter 296-115 WAC, Safety requirements for passenger vessels; chapter 296-155 WAC, Safety standards for construction work; and chapter 296-305 WAC, Safety standards for firefighters.

Purpose: Chapter 296-24 WAC, the purposes of the proposed state-initiated amendments to this chapter are to incorporate the contents of various WISHA regional directives that have been in effect from as early as 1977; correct a reference; amend existing sections relating to motor vehicles to conform with other WISHA standards and existing federal and state regulations; and amend one section relating to powered platforms, to allow for the use of new fall protection technology and make the state regulation identical to OSHA requirements.

Chapter 296-52 WAC, the purpose of the proposed state-initiated amendments to this chapter is to amend

sections relating to explosives to be at-least-as-effective-as the federal regulations.

Chapter 296-62 WAC, the purposes of the proposed amendments to this chapter are to incorporate the contents of various WISHA regional directives that have been in effect from as early as 1977; and federal-initiated amendments to sections relating to asbestos, tremolite, anthophyllite, and actinolite.

Chapter 296-115 WAC, the purposes of the proposed state-initiated amendments to this chapter include the following: Incorporate exemptions, standardize appellate time, amend and add definitions, clarifications, add the term "unintentional grounding" as a condition of reinspection, reduce the "haul out" time, add the United States Coast Guard navigation rules international/inland by reference, require the owner to swing the vessel to determine compass deviation from true headings, and allow a state of Washington operator's license as an alternative to a United States Coast Guard operator's license.

Chapter 296-155 WAC, the purposes of the proposed state-initiated amendments to this chapter are to amend a section relating to hoists and elevators to address the need to lockout equipment; correct an error in earlier rule promulgation by readoption of subsections which were deleted through typographical error; reduce compliance requirements from annual x-ray of booms; and propose a new Part C-1, Fall restraint and fall arrest. These proposed new sections are related to fall protection in the construction industry. Various sections throughout chapter 296-155 WAC are proposed for amendment to reflect the requirements of the new sections. Additional federal-initiated changes are proposed to Part N of this chapter. These sections relate to excavation work are to be at-least-as effective-as the federal final rule published in Federal Register Volume 54, Number 209, dated October 31, 1989.

Chapter 296-305 WAC, the purpose of the proposed state-initiated amendments to this chapter is to reduce the requirement for annual testing of aerial devices to conform to information received by Underwriters Testing Laboratories regarding possible damage to equipment.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Statute Being Implemented: RCW 49.17.040, [49.17].050, and [49.17].060.

Summary: Proposed state-initiated new sections or amendments to the following sections are to incorporate the contents of various WISHA regional directives that have been in effect from as early as 1977: WAC 296-24-020, 296-24-065, 296-24-084, 296-24-150, 296-24-15001, 296-24-15003, 296-24-16531, 296-24-19505, 296-24-19509, 296-24-200, 296-24-23023, 296-24-23027, 296-24-233, 296-24-23533, 296-24-68203, 296-24-75009, 296-24-75011, 296-24-76555, 296-24-95611, 296-62-07314, 296-62-07329, 296-62-07715, 296-155-485, 296-155-525, 296-155-625, 296-155-682, and 296-155-950. The incorporation of these directives in standards is a continuation of the Division of Industrial Safety and Health's efforts to reduce the number of outstanding WISHA regional directives

(WRD) to a functional minimum in relation to the accepted definition of a WRD which contains a disposition limitation statement. Additional proposed state-initiated changes to WAC 296-24-233 and proposed new section WAC 296-24-23303 relating to motor vehicles are to conform with other WISHA standards and existing federal and state regulations; proposed state-initiated amendment to WAC 296-24-450, relating to chlorine cylinders, is a housekeeping change to correct the edition number and date of a reference; proposed state-initiated amendments to WAC 296-24-87035, relating to powered platforms, are to allow for the use of new fall protection technology and make the state regulation identical to OSHA requirements; proposed state-initiated amendments to WAC 296-52-417, 296-52-465, 296-52-489, 296-52-493 and 296-52-497, relating to explosives, are to be at-least-as-effective-as the federal regulations; proposed amendments to WAC 296-62-07719, 296-62-07721, 296-62-07725, 296-62-07731 and 296-62-07733, relating to asbestos, tremolite, anthophyllite and actinolite, are federal-initiated changes to include changes published in Federal Register Volume 55, Number 24, dated February 5, 1990; the proposed state-initiated amendments to chapter 296-115 WAC, Safety requirements for passenger vessels include the following: WAC 296-115-005, proposal incorporates exemptions to the application of this chapter as contained in RCW 88.04.075. WAC 296-115-010, proposal is to amend the time in which appeals may be filed from 20 to 15 days. This will standardize the appellate time frame with other vertical standards. WAC 296-115-015, proposal is to amend the definition of "approved" to reflect the acceptability of all nationally recognized testing laboratories; add the definitions of "bare boat" charter and "commercial," and redefine "passenger for hire" to clarify the intent of the standard. Proposed amendments to the terms "steam vessel" and "U.S.C.G. Navigation Rule" are to reflect changes in United States Coast Guard terminology. WAC 296-115-025, proposal is to amend the section to clarify the intent of the rule and add the term "unintentional grounding" as a condition of reinspection. WAC 296-115-035, proposal is to reduce the "haul out" time to comply with United States Coast Guard regulations. WAC 296-115-060, proposal is to amend the section to comply with RCW 88.04.025. WAC 296-115-070, proposal is to incorporate United States Coast Guard navigation rules international/inland by reference, and require the owner to swing the vessel to determine compass deviation from true headings. WAC 296-115-100, proposal is to allow a state of Washington operator's license as an alternative to a United States Coast Guard operator's license; proposed state-initiated amendments to WAC 296-155-530 relating to hoists and elevators are to address the need to lockout equipment prior to beginning work in an elevator shaft or similar enclosure; proposed state-initiated changes are in a proposed new Part C-1, Fall restraint and fall arrest in chapter 296-155 WAC, Safety standards for construction work, that include WAC 296-155-24501, 296-155-24503, 296-155-24505, 296-155-24510, 296-155-24515, 296-155-24520, 296-155-24521, and 296-155-24525. These sections relate to fall protection in the

construction industry; proposed state-initiated amendments to WAC 296-155-500, are to delete definitions no longer applicable. The following new sections and proposed state-initiated amendments are to reflect the correct requirements, information, references, etc. to conform with the proposed new Part C-1, Fall restraint and fall arrest in chapter 296-155 WAC, Safety standards for construction work. Amended sections are WAC 296-155-480, 296-155-485, 296-155-48529, 296-155-48531, 296-155-48533, 296-155-505, 296-155-50503, 296-155-525, 296-155-620, 296-155-682, 296-155-688, 296-155-689, 296-155-700, 296-155-705, and 296-155-720. Repealed sections are WAC 296-155-225, 296-155-230, and 296-155-50501; proposed state-initiated housekeeping changes WAC 296-155-682 are to correct an error in earlier rule promulgation by re-adoption of sections which were deleted through typographical error. Subsection (8) is amended to reduce compliance requirements from annual x-ray of booms to any effective means of nondestructive testing which will result in a substantial costs savings for stakeholders; proposed federal-initiated changes to Part N of chapter 296-155 WAC, Safety standards for construction work, include proposed amendments to WAC 296-155-650 and 296-155-655, new sections WAC 296-155-657, 296-155-66103, 296-155-66105, 296-155-66109, and 296-155-664, and repeal of WAC 296-155-65505, 296-155-660, 296-155-66005, 296-155-665, 296-155-66501, 296-155-66502, 296-155-66503, 296-155-66504, and 296-155-66505. These proposed new sections, repeals or amendments are to be at-least-as-effective-as the federal final rule published in Federal Register Volume 54, Number 209, dated October 31, 1989; and proposed state-initiated amendments to WAC 296-305-110 reduce the requirement for annual testing of aerial devices to conform to information received by Underwriters Testing Laboratories regarding possible damage to equipment.

Reasons Supporting Proposal: To ensure a safe and healthful workplace for all employees in Washington state.

Name of Agency Personnel Responsible for Drafting: Ray V. Wax, 805 Plum Street, Olympia, WA, 753-6381; Implementation and Enforcement: J. N. Kirchoff, 805 Plum Street, Olympia, WA, 753-6500.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is necessary because of federal law, Federal Register Volume 54, Number 209, dated October 31, 1989, for WAC 296-155-650, 296-155-655, 296-155-65505, 296-155-657, 296-155-660, 296-155-66005, 296-155-66103, 296-155-66105, 296-155-66109, 296-155-664, 296-155-665, 296-155-66501, 296-155-66502, 296-155-66503, 296-155-66504, and 296-155-66505; and Federal Register Volume 55, Number 24, dated February 5, 1990, for WAC 296-62-07719, 296-62-07721, 296-62-07725, 296-62-07731, and 296-62-07733.

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above and Small Business Economic Impact Statement below.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The department has considered whether these rules are subject to the Regulatory Fairness Act and has determined that they are not for the following reasons: Proposed amendments to the following sections are amended solely to incorporate the contents of various WISHA regional directives that have been in effect from as early as 1977: WAC 296-24-020, 296-24-065, 296-24-084, 296-24-150, 296-24-15001, 296-24-15003, 296-24-16531, 296-24-19505, 296-24-19509, 296-24-200, 296-24-23023, 296-24-23027, 296-24-233, 296-24-23533, 296-24-68203, 296-24-75009, 296-24-75011, 296-24-76555, 296-24-95611, 296-62-07314, 296-62-07329, 296-62-07715, 296-155-485, 296-155-525, 296-155-625, 296-155-682, and 296-155-950. The incorporation of these directives in standards is a continuation of the Division of Industrial Safety and Health's efforts to reduce the number of outstanding WISHA regional directives (WRD) to a functional minimum in relation to the accepted definition of a WRD which contains a disposition limitation statement. The proposal is to expand explanations and definitions and the intent of the standards narrative to ensure more consistent interpretation and applications. The proposed amendments have no new compliance requirements and will have no economic impact on small business; proposed amendments to WAC 296-24-233 are to conform with other WISHA standards, other state agencies rules and regulations, and federal rules and regulations. These changes will not impose any new compliance requirements; proposed amendment to WAC 296-24-450 is a housekeeping change to correct a reference. There are no new compliance requirements; proposed amendments to WAC 296-24-87035 reduces attachment strength requirements and allows for the use of fall arrest systems previously subjected to impact loading after inspection and determination by a competent person to be undamaged. These are reductions in requirements and will have no adverse economic affect. Additionally, these proposed changes allow the use of new fall protection technology and reductions in requirements make state regulations identical to OSHA rules; proposed amendments to WAC 296-52-417 are being made to make the standard comparable to the federal rule. The definitions added are terms that have always been used, but were not in the revised standard, therefore there are no new terms or requirements as a result of this change; proposed amendments to WAC 296-52-465 are made to make the standard more comparable to the federal final rule. There is no new compliance requirement as a result of this change; proposed amendments to WAC 296-52-489, 296-52-493, and 296-52-497 are to incorporate items omitted when the explosive-construction, Part T of chapter 296-155 WAC, Safety standards for construction work, was incorporated into chapter 296-52 WAC, Safety standards for the possession, handling and use of explosives. Inclusion of the various statements throughout the section makes the state standard at-least-as-effective-as the federal rule. There are no new regulatory

requirements as a result of this change; proposed amendments to WAC 296-62-07719, 296-62-07721, 296-62-07725, 296-62-07731 and 296-62-07733, are being made solely to conform to comply with federal laws and regulations; proposed amendments to WAC 296-62-07755 is a federal-initiated change to list organizations providing smoking cessation program information. The proposed amendment is provided for informational purposes only. There are no additional compliance requirements; proposed amendments to WAC 296-115-005 are to incorporate exemptions to the application contained in RCW 88.04.075. These proposed amendments will have no effect on stakeholders and are made solely to comply with RCW 88.04.075; proposed amendments to WAC 296-115-010 are to amend the time in which appeals from the decisions of the marine and dock section of the Division of Industrial Safety and Health may be filed from the twenty to fifteen days. Additional amendment corrects typographical errors. These proposed amendments are made to standardize the appellate time frame with other vertical standards and we perceive no impact on stakeholders; proposed amendments to WAC 296-115-015 are made to redefine "approved" to reflect the acceptability of all nationally recognized testing laboratories; the terms "bare boat" charter and "commercial" are proposed, and "passenger for hire" is redefined to clarify the intent of the standard. The term "steam vessel," and "United States Coast Guard navigation rule" title is amended to reflect changes in USCG terminology. The proposed amendments will have no impact on stakeholders; proposed amendments to WAC 296-115-025 are to clarify the intent of the rule by amending "or accident" to read "or any other accident," amend "each inspection" to clarify the intent of the rule, and add the term "unintentional grounding" as a condition of reinspection. The proposed amendments are for rule clarification only and impose no new requirements on stakeholders; proposed amendments to WAC 296-115-035 are to reduce the time between the "haul out" or dry dock inspections from sixty to twenty-four months to reflect a change in United States Coast Guard regulations, and will result in an increased cost to stakeholders. Chapter 88.04 RCW mandates that regulations contained within chapter 296-115 WAC shall approximate where applicable, United States Coast Guard regulations. These amendments are being made solely to comply with state and federal regulations; proposed amendments to WAC 296-115-060 prohibit the rental, lease or hire out of a charter boat to carry more than six passengers, or the advertisement of a vessel for that purpose, unless the vessel is in compliance with the provisions of chapter 296-115 WAC. There are no new requirements, amended to comply with RCW 88.04.025. Additional proposed amendments to WAC 296-115-060 change verbiage of first-aid certification requirement to more closely follow the requirements contained in chapter 296-24 WAC, General safety and health standards, and incorporate first-aid course curriculum from that chapter to provide clarification of standard. There are no new compliance requirements; proposed amendments to WAC 296-115-070 deletes WAC 296-115-070 (1) through (17)(d) and

incorporates USCG navigation rules international/land—Commandments instruction M16672.29 by reference. The proposed amendments require that a copy of the above-referenced manual shall be on board while underway. Proposed amendments also require the owner to "swing the vessel" to determine compass deviation from true headings when applicable. These new requirements will have a minimum increase in time for stakeholders to comply. The expenditure of 1/4 to 1/2 manhours over the course of one year is a negligible impact and does not create an economic burden on employers; proposed amendment to WAC 296-115-100 is to adopt a state of Washington operator's license as an alternate to United States Coast Guard operator's license. There are no new compliance requirements. This amendment provides an option for charter boat operators; proposed amendments to WAC 296-155-530 address the need to lockout equipment prior to beginning work in an elevator shaft or similar enclosure. The proposed amendments reinforce existing lockout requirements found in chapter 296-155 WAC, Safety standards for construction work. The following proposed new sections are a new Part C-1 to chapter 296-155 WAC, Safety standards for construction work. Proposed new section WAC 296-155-24501 establishes scope and application of new Part C-1 to chapter 296-155 WAC relating to fall restraint and fall arrest. Proposed new section WAC 296-155-24503 provides definitions. There are no new compliance requirements in these sections. Proposed new section WAC 296-155-24525 is an appendix that provides a listing of additional standards that require the use of fall restraint or fall protection for employees. This information is provided for the convenience of the user and has no compliance requirements. The following sections contain amendments directly related to the new Part C-1 to chapter 296-155 WAC, Safety standards for construction work. New compliance requirements and the economic impact of coming into compliance for each of these sections are covered in the new sections described above: WAC 296-155-480, 296-155-500, 296-155-505, 296-155-50501, 296-155-50503, 296-155-688, 296-155-689, 296-155-700, 296-155-705, and 296-155-720. WAC 296-155-225 and 296-155-230 are proposed for repeal because the requirements are relocated within Part C-1 of chapter 296-155 WAC, Safety Standards for construction work. There are no new compliance requirements; proposed amendments to WAC 296-155-650 and 296-155-655, new sections WAC 296-155-657, 296-155-66103, 296-155-66105, 296-155-66109, and 296-155-664, and repealed sections WAC 296-155-65505, 296-155-660, 296-155-66005, 296-155-665, 296-155-66501, 296-155-66502, 296-155-66503, 296-155-66504, and 296-155-66505 are solely to comply with federal-initiated changes and be at-least-as effective-as the federal final rule published in Federal Register Volume 54, Number 209, dated October 31, 1989. The proposed changes amend and add requirements relating [to] excavations. Additional proposed state-initiated options are to provide an alternative method for meeting the requirements of Part N of chapter 296-155 WAC. This option could have an economic impact on small businesses if they

chose this method, however, it is nonmandatory. Since the department is providing this option for the convenience of the user, then the burden would be on the employer. Additional amendments to WAC 296-155-682 are proposed state-initiated housekeeping changes are to correct an error in earlier rule promulgation by readoption of sections which were deleted through typographical error. Subsection (8) is amended to reduce compliance requirements from annual x-ray of booms to any effective means of nondestructive testing which will result in a substantial cost savings for stakeholders. There is a reduction in compliance with a positive economic impact on stakeholders; and proposed amendments to WAC 296-305-110 rescind the requirement to conduct animal testing of aerial devices 1 1/2 times their rated capacity. Information received from the Underwriters Testing Laboratories indicates a potential for equipment damage resulting from the procedure. This is a reduction in requirements and will have no impact on stakeholders.

The department has considered whether the following rule amendments and adoptions are subject to the Regulatory Fairness Act and has determined that they are and that they will result in economic impacts on the affected industries. However, it has been determined that the impacts have been satisfactorily mitigated so as not to create a disproportionate economic burden on small business. The proposed new section WAC 296-24-23303 relating to motor vehicle inspection reports will not result in a disproportional higher burden on small business. The time required and cost to comply will be based on the number of vehicles the employer operates. The work would be proportional to the size of the firm, and the burden of compliance would not fall more heavily on small business; proposed amendments to WAC 296-155-480 are to reduce the height from 25 feet to 10 feet, at which workers on ladders may perform work, which requires the use of both hands, without utilizing a safety belt. The proposed amendment will increase the number of tasks which will require the use of safety belts. The increased cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business. The following proposed new sections are a new Part C-1 to chapter 296-155 WAC, Safety standards for construction work. Proposed new section WAC 296-155-24505 establishes a requirement for all employers to develop and implement a comprehensive written fall protection work plan for any job site where their employees will be exposed to a fall hazard(s) of 10 feet or greater. It establishes a requirement to train affected workers in the use of the fall arrest/restraint system selected by the employer. There will be no disproportionate adverse economic impact on small business. The size and complexity of jobs bid by small and large employers would normally relate to the size of the business. Preparation of the plan and the training required by the plan would require a greater expenditure of time and money for those firms with the largest number of employees. Proposed new section WAC 296-155-24510 establishes a new classification of fall restraint and reduces anchorage strength requirements for this classification. The new section extends the option of utilizing a safety monitor system previously available only for use in built-up

roofing, to all work done on surfaces exceeding 45 inches in all directions, and where the pitch of the surface is less than 4 in 12, when used in conjunction with a warning line system. The proposed new rule provides an optional alternative to fall protection methods. If two businesses have to provide a safety monitor for each group of eight employees, the small firm would likely have to provide fewer monitors than the large firm. Therefore, the cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business. The proposed new section also requires that a class III full body harness shall be used for all fall arrest applications where the height exceeds 10 feet. The department finds no disproportionate adverse economic impact on small business as costs incurred for compliance would be greater for those employers having the greatest number of employees. The initial cost to all employers not using a safety monitor system will entail the purchase of full body harnesses. If two businesses have to purchase full body harnesses for each employee, the small firm would likely have to purchase fewer harnesses than the large firm. Therefore, the cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business. Proposed new section WAC 296-155-24515 extends the fall protection provisions previously only available to workers engaged in built-up roofing, to all work on low pitch roof perimeters with a pitch of less than 4 in 12, and reduces from 16 feet to 10 feet the height at which fall restraint or fall protection must be utilized to protect workers. The reduction in height and prohibiting against the use of the safety monitor system, except in conjunction with a warning line system, will result in employers having to provide fall protection by buildings where it was not previously required. It has been determined that the proposed amendments are alternatives to methods of providing fall protection that is cost related to the number of employees. Therefore, the cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business. The proposed new section also relocates rules previously codified in other sections of this chapter. The relocation of rules has no new compliance requirements. Proposed new section WAC 296-155-24520 installs the criteria for establishing a control zone, which is required when a combination of safety monitor system, and warning line system is selected as the method of protecting workers on low pitch roofs or walking/working surfaces with less than 4 in 12 pitch. The proposed new rule provides employers an optional method of fall protection not previously available. The proposed rules provide an option which has been determined to be based directly on a per employee cost. Employers with the largest number of workers would bear the greatest cost and the burden of compliance will not fall more heavily on small business. Proposed new section WAC 296-155-24521 requires that the safety monitor shall be a foreman, and may engage in no other duties while performing this function, and may supervise not more than eight workers. The proposed new rule provides an optional alternative to fall protection requirements. The department finds no disproportionate adverse economic impact on small business

as costs incurred for compliance would be greater for those employers having the greatest number of employees. The initial cost to all employers not using a safety monitor system will entail the purchase of full body harnesses. If two businesses have to purchase full body harnesses for each employee, the small firm would likely have to purchase fewer harnesses than the large firm. Therefore, the cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business; proposed amendments to the following sections are to reflect the new requirement to provide full body harnesses for fall arrest applications, in lieu of safety belts, which were previously used, WAC 296-155-485, 296-155-48529, 296-155-48531, 296-155-48533, 296-155-525, and 296-155-620. There will be an initial cost to all employers of the purchase of full body harnesses. However, if two firms have to purchase full body harnesses for each employee, the small firm would likely have to purchase fewer harnesses than the large firm. Therefore, the cost is proportional to the size of the firm and the burden of compliance will not fall more heavily on small business.

Hearing Location: General Administration Building, Olympia, Washington 98504, on November 8, 1990, at 9:30 a.m.

Submit Written Comments to: Division of Industrial Safety and Health, J. N. Kirchoff, Assistant Director, by 5:00 p.m., November 8, 1990.

Date of Intended Adoption: December 10, 1990.

October 3, 1990
Joseph A. Dear
Director

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-24-020 MANAGEMENT'S RESPONSIBILITY. (1) It shall be the responsibility of management to establish and supervise:

- (a) A safe and healthful working environment.
- (b) An accident prevention program as required by these standards.
- (c) Training programs to improve the skill and competency of all employees in the field of occupational safety and health. Such training shall include the on-the-job instructions on the safe use of powered materials handling equipment, machine tool operations, use of toxic materials and operation of utility systems prior to assignments to jobs involving such exposures.

(2) After the emergency actions following accidents that cause serious injuries that have immediate symptoms, a preliminary investigation of the cause of the accident shall be conducted. The investigation shall be conducted by a person designated by the employer, the immediate supervisor of the injured employee, witnesses, employee representative, and any other person with the special expertise required to evaluate the facts relating to the cause of the accident. The findings of the investigation shall be documented by the employer for reference at any following formal investigation. If the employee representative is the business agent of the employee bargaining unit that is unavailable to participate without delaying the investigation group, the employer may proceed, and satisfy the requirements of subsection (2) of this section by using one of the following alternatives:

- (a) The shop steward acts as the employee representative.
- (b) An employee representative member of the safety committee acts as the employee representative.
- (c) The employees select a person to represent them.
- (3) Reporting of fatality or multiple hospitalization accidents.

(a) Within 24 hours after the occurrence of an employment accident which results in an immediate or probable fatality ~~((§))~~ to one or more employees, or which results in hospitalization of two or more employees, the employer of any employee so injured or killed shall report the accident either orally or in writing to the nearest office of the

department. The reporting may be by telephone or telegraph. The reporting shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries. The director may require such additional reports, in writing or otherwise, as ~~((he deems))~~ deemed necessary, concerning the accident.

(b) Equipment involved in an accident resulting in an immediate or probable fatality, shall not be moved, until a representative of the division of industrial safety and health investigates the accident and releases such equipment, except where removal is essential to prevent further accident. Where necessary to remove the victim, such equipment may be moved only to the extent of making possible such removal.

(c) Upon arrival of division of industrial safety and health investigator, employer shall assign to assist the investigator, the immediate supervisor and all employees who were witnesses to the accident, or whoever the investigator deems necessary to complete ~~((his))~~ the investigation.

(4) Each employer shall maintain in each establishment a system for maintaining records of occupational injuries and illnesses as prescribed by ~~((chapter 296-27 WAC))~~ WAC 296-27-030.

Note: Recordable cases include:

1. Every occupational death.
2. Every industrial illness.
3. Every occupational injury that involves one of the following:
 - a. Unconsciousness.
 - b. Inability to perform all phases of regular job.
 - c. Inability to work full time on regular job.
 - d. Temporary assignment to another job.
 - e. Medical treatment beyond first-aid.

(5) All employers with eleven or more employees shall record occupational injury and illness information on forms OSHA 101 - Supplementary Record Occupational Injuries and Illnesses and OSHA 200 - Log and Summary. Forms other than OSHA 101 may be substituted for the Supplementary Record of Occupational Injuries and Illnesses if they contain the same items.

(6) Machinery, tools, materials or equipment, whether owned by the employer or under control of another firm or individual, which does not meet the compliance requirements of this chapter, or any other applicable vertical standard of a specific industry, shall not be utilized by employees.

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-065 FIRST-AID KIT. (1) All employers who employ men and women covered by the Industrial Safety and Health Act shall furnish first-aid kits as required by the division of safety, department of labor and industries, (RCW 51.36.030).

(2) First-aid supplies shall be readily accessible when required.

(3) In the absence of readily accessible first aid supplies such as first aid kits, first aid stations, first aid rooms or their equivalent, all crew trucks, power shovels, cranes, locomotives, loaders, dozers, logging trucks, speeders, freight trucks and similar equipment shall be equipped with not less than a ten package first-aid kit.

(4) All crew vehicles used for transporting ~~((workmen))~~ workers shall be equipped with not less than a ten package first-aid kit. When more than five employees are being transported on any one trip, the kit shall be increased in size to comply with a 16, 24, or 36-package kit depending upon the number of personnel normally being transported.

(5) At least one first-aid kit shall be available on construction jobs, line crews, and other transient or short duration jobs. The size and quantity of first-aid kits, required to be located at any site, shall be determined by the number of personnel normally dependent upon each kit as outlined in the following table:

| NUMBER OF PERSONNEL NORMALLY ASSIGNED TO WORKSITE | MINIMUM FIRST-AID SUPPLIES REQUIRED AT WORKSITE |
|---|---|
| 1 - 50 persons | First-Aid Kit |
| 1 - 5 | 10 package kit |
| 6 - 15 | 16 package kit |
| 16 - 30 | 24 package kit |
| 31 - 50 | 36 package kit |

| NUMBER OF PERSONNEL NORMALLY ASSIGNED TO WORKSITE | MINIMUM FIRST-AID SUPPLIES REQUIRED AT WORKSITE |
|---|---|
| 51 - 200 persons | First-Aid Station |
| 51 - 75 | One 36 and one 10 package kit |
| 76 - 100 | One 36 and one 16 package kit |
| 101 - 150 | One 36 and one 24 package kit |
| 151 - 200 | Two 36 package kits |
| Over 200 Persons | First-Aid Room Refer to WAC 296-24-070 |

(6) Employers shall establish a procedure to assure that first-aid kits and required contents are maintained in a serviceable condition. Unit-type kits have all items in the first-aid kit individually wrapped, sealed, and packaged in comparable sized packages. The commercial or cabinet-type kits do not require all items to be individually wrapped and sealed, but only those which must be kept sterile. Items such as scissors, tweezers, tubes of ointments with caps, or rolls of adhesive tape, need not be individually wrapped, sealed, or disposed of after a single use or application. Individual packaging and sealing shall be required only for those items which must be kept sterile in a first-aid kit.

(7) First-aid kits shall contain at least the following items:

10 Package Kit

- 1 Pkg. Adhesive bandages, 1" (16 per pkg.)
- 1 Pkg. Bandage compress, 4" (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 1 Pkg. Triangular bandage, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 5 Pkgs. of consulting physician's choice**

16 Package Kit

- 1 Pkg. Absorbent gauze, 24" x 72" (1 per pkg.)
- 1 Pkg. Adhesive bandages, 1" (16 per pkg.)
- 2 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 1 Pkg. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 2 Pkgs. Triangular bandages, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 7 Pkgs. of consulting physician's choice**

24 Package Kit

- 2 Pkgs. Absorbent gauze, 24" x 72" (1 per pkg.)
- 2 Pkgs. Adhesive bandages, 1" (16 per pkg.)
- 2 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 1 Pkg. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 6 Pkgs. Triangular bandages (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 9 Pkgs. of consulting physician's choice**

36 Package Kit

- 4 Pkgs. Absorbent gauze, 24" x 72" (1 per pkg.)
- 2 Pkgs. Adhesive bandages, 1" (16 per pkg.)
- 5 Pkgs. Bandage compresses, 4" (1 per pkg.)
- 2 Pkgs. Eye dressing (1 per pkg.)
- 1 Pkg. Scissors* and tweezers (1 each per pkg.)
- 8 Pkgs. Triangular bandages, 40" (1 per pkg.)
- 1 Pkg. Antiseptic soap or pads (3 per pkg.)
- 13 Pkgs. of consulting physician's choice**

*Scissors shall be capable of cutting 2 layers of 15 oz. cotton cloth or its equivalent.

**First-aid kits shall be maintained at the ten, sixteen, twenty-four or thirty-six package level. In the event the consulting physician chooses not to recommend items, the department of labor and industries shall be contacted for recommended items to complete the kit.

(8) Where the eyes or body of any person may be exposed to injurious chemicals and/or materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided, within the work area, for immediate emergency use.

(9) When practical, a poster shall be fastened and maintained either on or in the cover of each first-aid kit and at or near all phones plainly stating, the phone numbers of available doctors, hospitals, and ambulance services within the district of the worksite.

(10) When required by the department, in addition to the first-aid kit which must be kept on the equipment or at the place of work, there shall be available within the closest practicable distance from the operations (not to exceed 1/2 mile) the following items:

- 1 set of arm and leg splints.
- 2 all wool blankets or blankets equal in strength and fire resistant (properly protected and marked).
- 1 stretcher.

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-084 OCCUPATIONAL HEAD PROTECTION.

(1) Helmets for the protection of employees against impact and penetration of falling and flying objects shall meet the specifications contained in American National Standards Institute, Z89.1-1969, Safety Requirements for Industrial Head Protection.

(2) Helmets for the head protection of employees exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2-1970.

(3) Persons working in the shops around machinery or in locations which present a hair catching or fire hazard shall wear caps or other type of head covering which completely covers the hair. Caps with metal buttons or metal visors shall not be worn around electrical hazards.

Note 1: The following will define hair lengths considered hazardous:

(a) When the length would exceed the circumference of exposed revolving shafts or tools in fixed machines by 200 percent.

(b) When the length would exceed the radius of pressure rolls with exposed in-running nip points.

(c) When the employee is exposed to an ignition source and the employee may, with hair aflame, run into an area containing class -1 flammable liquids or combustible atmospheres.

(d) When exposures require personal protective devices, such as mask-type respirators or ear-cup-type hearing protection devices, and hair, either facial or head, would interfere with a proper seal.

Note 2: When hair length is judged hazardous from a hair catching standpoint (instances (a) or (b) under interpretations in Note 1) minimal confinement shall be within netting which controls all loose ends.

Note 3: If hazardous from fire hazard aspects (instance (c) of Note 1) the hair must be confined within a solid-type material.

(4) Hard hats shall be worn by employees who work around or under scaffolds or other overhead structures, or who are otherwise exposed to the hazards of falling materials and propelled objects.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-24-150 MACHINERY AND MACHINE GUARDING—GENERAL REQUIREMENTS FOR ALL MACHINES—SCOPE AND APPLICATION. (1) All sections of this chapter which include WAC 296-24-150 in the section number apply to machinery and machine guarding.

(2) All sections which include WAC 296-24-150 in the section number also applies to combination, multipurpose powered machines, commonly referred to as "iron workers," that punch, shear, notch, cope, and form metals or other materials and to single-end punches, double-end punches, structural shearing machines, notching machines, coping machines, beam punches, detail punches, and spacing punches. It also applies to machines similar in construction and function to mechanical power presses, but which are specifically identified by the respective manufacturers as "iron workers," and to machines whose most distinguishing feature is the multiple work stations at which various operations may be performed singly or simultaneously, including, but not limited to, punching, shearing, notching, coping, and forming.

(3) Mechanical powered machines that shear, punch, form, or assemble metal or material by means of tools or dies attached to slides, and are identified by their respective manufacturers as "mechanical power presses" are regulated by sections which include WAC 296-24-195 in the subsection number.

(4) Machines used in the forming of hot metal including hot trimming presses, forging hammers, hot forging presses, upsetters, hot bending and hot metal presses, etc., are regulated by WAC 296-24-200.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-24-15001 MACHINE GUARDING. (1) Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are—barrier guards, two-hand tripping devices, electronic safety devices, etc.

(2) General requirements for machine guards. Guards shall be affixed to the machine where possible and secured elsewhere if for any reason attachment to the machine is not possible. The guard shall be such that it does not offer an accident hazard in itself.

(3) Point of operation guarding.

(a) Point of operation is the area on a machine where work is actually performed upon the material being processed.

(b) The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefor, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of ~~((his))~~ the employee's body in the danger zone during the operating cycle.

(c) Circular meat cutting saws shall be guarded in one of the following ways:

(i) A suspended counter-balanced circular meat cutting saw that requires two-handed operation shall be deemed adequately guarded if provided with a guard that covers at least twenty-five degrees of the circumference of the blade and it conforms to the requirements of (c)(iv) of this subsection.

(ii) A suspended counter-balanced circular meat cutting saw that requires only one-handed operation shall be deemed adequately guarded if provided with a guard that covers at least ninety degrees of the circumference of the blade and it conforms to the requirements of (c)(iv) of this subsection.

(iii) A nonsuspended circular meat saw, either one-handed or two-handed operation, shall be deemed adequately guarded if provided with a guard that covers at least ninety degrees of the circumference of the blade and it conforms to the requirements of (c)(iv) of this subsection.

(iv) All circular meat cutting saws shall conform to the following:

(A) A "deadman" control shall be required.

(B) The guard protecting the operator from contact with the blade shall be located between the operator and the blade.

(C) The maximum number of degrees of circumferential guarding of the blade shall be provided based on specific applications in meat cutting operations.

(D) A brake that automatically activates upon release of the operating control(s) is required.

(d) Special handtools for placing and removing material shall be such as to permit easy handling of material without the operator placing a hand in the danger zone. Such tools shall not be in lieu of other guarding required by this section, but can only be used to supplement protection provided.

(e) The following are some of the machines which usually require point of operation guarding:

(i) Guillotine cutters.

(ii) Shears.

(iii) Alligator shears.

(iv) Power presses. (Including platen presses.)

(v) Milling machines.

(vi) Power saws.

(vii) Jointers.

(viii) Portable power tools.

(ix) Forming rolls and calenders.

(4) Barrels, containers, and drums. Revolving drums, barrels, and containers shall be guarded by an enclosure which is interlocked with the drive mechanism, so that the barrel, drum, or container cannot revolve unless the guard enclosure is in place.

(5) Exposure of blades. When the periphery of the blades of a fan is less than seven feet above the floor or working level, the blades shall be guarded. The guard shall have openings no larger than one-half inch. Safeguards shall be so constructed that rods, pipes, or like material being handled by ~~((workmen))~~ workers will not enter same, and come in contact with moving machinery. Fan blade guards of any material are acceptable where the material provides protection to workers and meets the requirements of figure O-12 of WAC 296-24-18005(5).

(6) Cams and other machine parts which move in such a manner as to create shearing or crushing hazards shall, if exposed to contact, be guarded with a standard safeguard.

(7) Guarding food waste disposal equipment. "Garb-el" or equipment with similar configuration and operational characteristics, will have the worm screw conveyor completely covered by a properly designed and mounted trimboard cover in place during operation of the mechanism.

(8) Garbage disposal units with feed-openings or charging-throats, large enough to allow body parts to contact points of operation shall be guarded:

(a) WAC 296-24-20531, table 0-12 provides mesh size or crossed-metal strip opening and distance of installation from the points of operation which shall be used.

(b) The guard material shall be of sufficient strength that a downward thrust of a body part will not cause the guard to stretch or open larger than two inches.

AMENDATORY SECTION (Amending Orders 73-5 and 73-4, filed 5/9/73 and 5/7/73)

WAC 296-24-15003 ANCHORING FIXED MACHINERY. Machines designed for a fixed location shall be securely anchored to prevent walking or moving.

However, machines using rubber feet or other nonskid (high coefficient of friction) foot pads or similar vibration dampening materials (in lieu of anchoring fixed machinery to prevent walking) shall be acceptable provided the machines do not present a tipping or falling-over or walking hazard.

AMENDATORY SECTION (Amending Order 83-19, filed 7/13/83, effective 9/12/83)

WAC 296-24-16531 PROFILE AND SWING-HEAD LATHES AND HEEL TURNING MACHINE. (1) Each profile and swing-head lathe shall have all cutting heads covered by a metal guard. If such a guard is constructed of sheet metal, the material used shall be not less than one-sixteenth inch in thickness; and if cast iron is used, it shall not be less than three-sixteenths inch in thickness.

(2) Cutting heads on turning lathes, whether rotating or not, shall be covered as completely as possible by hoods or shields, which should be hinged to the machines so that they can be thrown back for making adjustments.

(3) Shoe last and spoke lathes, doweling machines, heel turning machines, and other automatic turning lathes of the rotating knife type shall be equipped with hoods enclosing the cutter blades completely except at the contact points while the stock is being cut.

(4) Lathes used for turning long pieces of stock held only between the two centers shall be equipped with long curved guards extending over the tops of the lathes in order to prevent the work pieces from being thrown out of the machines if they should become loose.

(5) Where an exhaust system is used, the guard shall form part or all of the exhaust hood and shall be constructed of metal of a thickness not less than that specified in subsection (1) of this section.

(6) Wood turning lathes of the type found in school/vocational classrooms or woodshops are regulated by WAC 296-24-15001.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-19505 MECHANICAL POWER PRESS GUARDING AND CONSTRUCTION, GENERAL. (1) Hazards to personnel associated with broken or falling machine components. Machine components shall be designed, secured, or covered to minimize hazards caused by breakage, or loosening and falling or release of mechanical energy (i.e. broken springs).

(2) Brakes. Friction brakes provided for stopping or holding a slide movement shall be inherently self-engaging by requiring power or force from an external source to cause disengagement; brake capacity shall be sufficient to stop the motion of the slide quickly and capable of holding the slide and its attachments at any point in its travel.

(3) Machines using full revolution positive clutches.

(a) Machines using full revolution clutches shall incorporate a single-stroke mechanism. Single stroke mechanism will not be required where full revolution-type presses are used for production-type work, with automatic feeding and injection on a continuous operation and the points of operation are fully enclosed by a fixed barrier guard with no employee exposure.

(b) If the single-stroke mechanism is dependent upon spring action, the spring(s) shall be of the compression type, operating on a rod or guided within a hole or tube, and designed to prevent interleaving of the spring coils in event of breakage.

(c) During diesetting operations, when guards are not applicable and for presses provided with barring holes in the flywheel, the diesetters shall be protected by:

(i) Deenergizing the press and the flywheel at rest; and

(ii) The prime mover power to the press is locked-out; and

(iii) The slide is moved by manually turning the crankshaft with the aid of a turnover bar (a lever) inserted through the barring hole in the flywheel.

Note: Two methods of ensuring removal of the turnover bar from the barring hole, per ANSI B11.1-1971, Section 2.51 are:

1. Use of spring action on the end of the bar, or

2. Use of storage pockets for the bar, incorporating an interlocking switch.

(d) During diesetting operations, when guards are not applicable on presses over 60 tons in size where the slide cannot be moved manually, safeguarding will be provided if the press is equipped with a "jog" mode of operation, and:

(i) The flywheel is brought to rest and the clutch is engaged before the drive motor is jogged; and

(ii) The "jog" control requires two-handed operations; or

(iii) The "jog" control is a single control protected against accidental actuation and so located that the worker cannot reach into the point-of-operation while operating the single control.

(e) Safeguarding of the diesetter, as set forth in subdivisions (c) and (d) of this section, constitutes a "device" as defined in WAC 296-24-19501.

(4) Foot pedals (treadle).

(a) The pedal mechanism shall be protected to prevent unintended operation from falling or moving objects or by accidental stepping onto the pedal.

(b) A pad with a nonslip contact area shall be firmly attached to the pedal.

(c) The pedal return spring(s) shall be of the compression type, operating on a rod or guided within a hole or tube, or designed to prevent interleaving of spring coils in event of breakage.

(d) If pedal counterweights are provided, the path of the travel of the weight shall be enclosed.

(5) Hand operated levers.

(a) Hand-lever-operated power presses shall be equipped with a spring latch on the operating lever to prevent premature or accidental tripping.

(b) The operating levers on hand-tripped presses having more than one operating station shall be interlocked to prevent the tripping of the press except by the "concurrent" use of all levers.

(6) Two-hand trip.

(a) A two-hand trip shall have the individual operator's hand controls protected against unintentional operation and have the individual operator's hand controls arranged by design and construction and/or separation to require the use of both hands to trip the press and use a control arrangement requiring concurrent operation of the individual operator's hand controls.

(b) Two-hand trip systems on full revolution clutch machines shall incorporate an antirepeat feature.

(c) If two-hand trip systems are used on multiple operator presses, each operator shall have a separate set of controls.

(7) Machines using part revolution clutches.

(a) The clutch shall release and the brake shall be applied when the external clutch engaging means is removed, deactivated, or deenergized.

(b) A red color stop control shall be provided with the clutch/brake control system. Momentary operation of the stop control shall immediately deactivate the clutch and apply the brake. The stop control shall override any other control, and reactivation of the clutch shall require use of the operating (tripping) means which has been selected.

(c) A means of selecting off, "inch" single stroke, and "continuous" (when the continuous function is furnished) shall be supplied with the clutch/brake control to select type of operation of the press. Fixing of selection shall be by means capable of supervision by the employer.

(d) Use of the "inch" mode constitutes use of a "device" within the meaning of WAC 296-24-19501. Installed "inch" mode provides point-of-operation safeguarding for diesetters. The "inch" operating means shall be designed to prevent exposure of the workers hands within the point of operation by:

(i) Requiring the concurrent use of both hands to actuate the clutch, or

(ii) Being a single control protected against accidental actuation and so located that the worker cannot reach into the point of operation while operating the single control.

(e) Two-hand controls for single stroke shall conform to the following requirements:

(i) Each hand control shall be protected against unintended operation and arranged by design, construction, and/or separation so that the concurrent use of both hands is required to trip the press.

(ii) The control system shall be designed to permit an adjustment which will require concurrent pressure from both hands during the die closing portion of the stroke.

(iii) The control system shall incorporate an antirepeat feature.

(iv) The control system shall be designed to require release of all operator's hand controls before an interrupted stroke can be resumed. This requirement pertains only to those single stroke two-hand controls manufactured and installed on or after August 31, 1971.

(f) [Reserved.]

(g) Controls for more than one operating station shall be designed to be activated and deactivated in complete sets of two operator's hand controls per operating station by means capable of being supervised by the employer. The clutch/brake control system shall be designed and constructed to prevent actuation of the clutch if all operating stations are bypassed.

(h) Those clutch/brake control systems which contain both single and continuous functions shall be designed so that completion of continuous circuits may be supervised by the employer. The initiation of continuous run shall require a prior action or decision by the operator in addition to the selection of "continuous" on the stroking selector, before actuation of the operating means will result in continuous stroking.

(i) If foot control is provided, the selection method between hand and foot control shall be separate from the stroking selector and shall be designed so that the selection may be supervised by the employer.

(j) Foot operated tripping controls, if used, shall be protected so as to prevent operation from falling or moving objects, or from unintended operation by accidental stepping onto the foot control.

(k) The control of air-clutch machines shall be designed to prevent a significant increase in the normal stopping time due to failure within the operating valve mechanism, and to inhibit further operation if such failure does occur. These requirements shall apply only to those clutch/brake air-valve controls manufactured and installed on or after August 31, 1971, but shall not apply to machines intended only for continuous automatic feeding applications.

(l) The clutch/brake control shall incorporate an automatic means to prevent initiation or continued activation of the single stroke or continuous functions unless the press drive motor is energized and in the forward direction.

(m) The clutch/brake control shall automatically deactivate in event of failure of the power or pressure supply for the clutch engaging means. Reactivation of clutch shall require restoration of normal supply and the use of the tripping mechanism(s).

(n) The clutch/brake control shall automatically deactivate in event of failure of the counterbalance(s) air supply. Reactivation of the clutch shall require restoration of normal air supply and use of the tripping mechanism(s).

(o) Selection of bar operation shall be by means capable of being supervised by the employer. A separate pushbutton shall be employed to activate the clutch, and the clutch shall be activated only if the driver motor is deenergized.

(8) Electrical.

(a) A main power disconnect switch capable of being locked only in the Off position shall be provided with every power press control system.

(b) The motor start button shall be protected against accidental operation.

(c) All mechanical power press controls shall incorporate a type of drive motor starter that will disconnect the drive motor from the power source in event of control voltage or power source failure, and require operation of the motor start button to restart the motor when voltage conditions are restored to normal.

(d) All a.c. control circuits and solenoid valve coils shall be powered by not more than a nominal 120-volt a.c. supply obtained from a transformer with an isolated secondary. Higher voltages that may be necessary for operation of machine or control mechanisms shall be isolated from any control mechanism handled by the operator, but motor

starters with integral start-stop buttons may utilize line voltage control. All d.c. control circuits shall be powered by not more than nominal 240-volt d.c. supply isolated from any higher voltages.

(e) All clutch/brake control electrical circuits shall be protected against the possibility of an accidental ground in the control circuit causing false operation of the press.

(f) Electrical clutch/brake control circuits shall incorporate features to minimize the possibility of an unintended stroke in event of the failure of a control component to function properly, including relays, limit switches, and static output circuits.

(9) Slide counterbalance systems.

(a) Spring counterbalance systems when used shall incorporate means to retain system parts in event of breakage.

(b) Spring counterbalances when used shall have the capability to hold the slide and its attachments at midstroke, without brake applied.

(c) Air counterbalance cylinders shall incorporate means to retain the piston and rod in case of breakage or loosening.

(d) Air counterbalance cylinders shall have adequate capability to hold the slide and its attachments at any point in stroke, without brake applied.

(e) Air counterbalance cylinders shall incorporate means to prevent failure of capability (sudden loss of pressure) in event of air supply failure.

(10) Air controlling equipment. Air controlling equipment shall be protected against foreign material and water entering the pneumatic system of the press. A means of air lubrication shall be provided when needed.

(11) Hydraulic equipment. The maximum anticipated working pressures in any hydraulic system on a mechanical power press shall not exceed the safe working pressure rating of any component used in that system.

(12) Pressure vessels. All pressure vessels used in conjunction with power presses shall conform to the American Society of Mechanical Engineers Code for Pressure Vessels, 1968 Edition.

(13) Control reliability. When required by subsection 19507(5) of WAC 296-24-195, the control system 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 initiation of a successive stroke until the failure is corrected. The failure shall be detectable by a simple test, or indicated by the control system. This requirement does not apply to those elements of the control system which have no effect on the protection against point of operation injuries.

(14) Brake system monitoring. When required by subsection 19507(5) of WAC 296-24-195, the brake monitor shall meet the following requirements:

(a) Be so constructed as to automatically prevent the activation of a successive stroke if the stopping time or braking distance deteriorates to a point where the safety distance being utilized does not meet the requirements set forth in item 19507 (3)(c)(v) or 19507 (3)(g)(iii) of this section. The brake monitor used with the Type B gate or movable barrier device shall be installed in a manner to detect slide top-stop overrun beyond the normal limit reasonably established by the employer.

(b) Be installed on a press such that it indicates when the performance of the braking system has deteriorated to the extent described in subdivision 19505 (14)(a) of this section; and

(c) Be constructed and installed in a manner to monitor brake system performance on each stroke.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-19509 DESIGN, CONSTRUCTION, SETTING AND FEEDING OF DIES. (1) General requirements. Effective February 1, 1975, the employer shall:

(a) Use dies and operating methods designed to control or eliminate hazards to operating personnel, and

(b) Furnish and enforce the use of hand tools for freeing and removing stuck work or scrap pieces from the die, so that no employee need reach into the point of operation for such purposes.

(2) [Reserved.]

(3) Scrap handling. The employer shall provide means for handling scrap from roll feed or random length stock operations. Scrap cutters used in conjunction with scrap handling systems shall be safeguarded in accordance with WAC 296-24-19507 and 296-24-205, mechanical power-transmission apparatus.

(4) Guide post hazard. The hazard created by a guide post (when it is located in the immediate vicinity of the operator) when separated from its bushing by more than one-fourth inch shall be considered as a point of operation hazard and be protected in accordance with WAC 296-24-19507.

(5) Unitized tooling. If unitized tooling is used, the opening between the top of the punch holder and the face of the slide, or striking pad, shall be safeguarded in accordance with the requirements of WAC 296-24-19507.

(6) Tonnage, stroke and weight designation. All dies shall be:

(a) Stamped with the tonnage and stroke requirements, or have these characteristics recorded if these records are readily available to the die setter;

(b) Stamped to indicate upper die weight when necessary for air counterbalance pressure adjustment; and

(c) Stamped to indicate complete die weight when handling equipment may become overloaded.

(7) Die fastening. Provision shall be made in both the upper and lower shoes for securely mounting the die to the bolster and slide. Where clamp caps or setscrews are used in conjunction with punch stems, additional means of securing the upper shoe to the slide shall be used.

(8) Die handling. Handling equipment attach points shall be provided on all dies requiring mechanical handling.

(9) Diesetting.

(a) When diesetters are operating a mechanical power press, such as running test and production parts, diesetting or trouble shooting, they shall be protected by point-of-operation guards or devices.

(b) The employer shall establish a diesetting procedure that will insure compliance with WAC 296-24-19507.

((b)) (c) The employer shall provide spring loaded turnover bars, for presses designed to accept such turnover bars.

((c)) (d) The employer shall provide die stops or other means to prevent losing control of the die while setting or removing dies in presses which are inclined.

((d)) (e) The employer shall provide and enforce the use of safety blocks for use whenever dies are being adjusted or repaired in the press.

((e)) (f) The employer shall provide brushes, swabs, lubricating rolls and automatic or manual pressure guns so that operators and diesetters shall not be required to reach into the point of operation or other hazard areas to lubricate material, punches or dies.

AMENDATORY SECTION (Amending Orders 73-5 and 73-4, filed 5/9/73 and 5/7/73)

WAC 296-24-200 **FORGING MACHINES.** Machines used in the forming of hot metal including hot trimming presses, forging hammers, hot forging presses, upsetters, hot bending and hot metal presses among other forging machines are regulated by sections which include WAC 296-24-200 in the subsection number.

AMENDATORY SECTION (Amending Orders 73-5 and 73-4, filed 5/9/73 and 5/7/73)

WAC 296-24-23023 **TRUCKS AND RAILROAD CARS.** (1) The brakes of highway trucks shall be set and wheel chocks placed under the rear wheels to prevent the trucks from rolling while they are boarded with powered industrial trucks.

(2) Wheel stops or other recognized positive protection shall be provided to prevent railroad cars from moving during loading or unloading operations.

(3) Fixed jacks may be necessary to support a semitrailer and prevent up-ending during the loading or unloading when the trailer is not coupled to a tractor.

(4) Positive protection shall be provided to prevent railroad cars from being moved while dockboards or bridge plates are in position.

(5) Trucks/trailers equipped with a rear-end protection device to prevent cars from being wedged underneath the rear end during a collision, may facilitate the use of a mechanical means to secure the truck/trailer to the loading dock attaching to the device. Wheel chocks will not be required when the following provisions are utilized:

(a) A positive mechanical means to secure trucks or trailers is permitted, provided that the system is installed and used in a manner that effectively prevents movement away from the dock during loading, unloading, and boarding by handtrucks or powered industrial trucks.

(b) All of the mechanical equipment shall be installed, maintained, and used as recommended by the manufacturer.

(c) Any damaged mechanical equipment shall be removed from service immediately and shall not be used as a means of complying with the requirements to secure trucks and trailers.

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-23027 **TRUCK OPERATIONS.** (1) Trucks shall not be driven up to anyone standing in front of a bench or other fixed object.

(2) No person shall be allowed to stand or pass under the elevated portion of any truck, whether loaded or empty.

(3) Unauthorized personnel shall not be permitted to ride on powered industrial trucks. A safe place to ride shall be provided where riding of trucks is authorized.

(4) The employer shall prohibit arms or legs from being placed between the uprights of the mast or outside the running lines of the truck.

(5) When leaving a powered industrial truck unattended, load engaging means shall be fully lowered, controls shall be neutralized, power shall be shut off, and brakes set. Wheels blocked if the truck is parked on an incline.

(a) A powered industrial truck is unattended when the operator is 25 feet or more away from the vehicle, which remains in ((his)) view, or whenever the operator leaves the vehicle and it is not in ((his)) view.

(b) When the operator of an industrial truck is dismounted and within 25 feet of the truck, still in ((his)) view, the load engaging means shall be fully lowered, controls neutralized, and the brakes set to prevent movement.

(6) A safe distance shall be maintained from the edge of ramps or platforms while on any elevated dock, or platform or freight car. Trucks shall not be used for opening or closing freight car doors unless the truck is using an approved device specifically designed to open and close doors.

(a) The design of the door opening or closing device shall require the force applied by the device to the door to be in a direction parallel with the door travel.

(b) The truck operator shall be trained in the use of the door opening or closing device and keep the operation in full view while opening or closing.

(c) Employees or other persons will stand clear while the door is being moved with a device.

(7) Brakes shall be set and wheel blocks shall be in place to prevent movement of trucks, trailers, or railroad cars while loading or unloading. Fixed jacks may be necessary to support a semitrailer during loading or unloading when the trailer is not coupled to a tractor. The flooring of trucks, trailers, and railroad cars shall be checked for breaks and weakness before they are driven onto. Mechanical means may be utilized to secure trucks/trailers to loading docks in lieu of wheel chocks to prevent movement (reference WAC 296-24-23023).

(8) There shall be sufficient headroom under overhead installations, lights, pipes, sprinkler system, etc.

(9) An overhead guard shall be used as protection against falling objects. It should be noted that an overhead guard is intended to offer protection from the impact of small packages, boxes, bagged material, etc., representative of the job application, but not to withstand the impact of a falling capacity load.

(10) A load backrest extension shall be used whenever necessary to minimize the possibility of the load or part of it from falling rearward.

(11) Only approved industrial trucks shall be used in hazardous locations.

(12) Whenever a truck is equipped with vertical only, or vertical and horizontal controls elevatable with the lifting carriage or forks for lifting personnel, the following additional precautions shall be taken for the protection of personnel being elevated.

(a) Use of a safety platform firmly secured to the lifting carriage and/or forks.

(b) Means shall be provided whereby personnel on the platform can shut off power to the truck.

(c) Such protection from falling objects as indicated necessary by the operating conditions shall be provided.

(13) Using forklifts as elevated work platforms. A platform or structure built specifically for hoisting persons may be used providing the following requirements are complied with: (a) The structure must be securely attached to the forks and shall have standard guardrails and toeboards installed on all sides.

(b) The hydraulic system shall be so designed that the lift mechanism will not drop faster than 135 feet per minute in the event of a

failure in any part of the system. Forklifts used for elevating work platforms shall be identified that they are so designed.

(c) A safety strap shall be installed or the control lever shall be locked to prevent the boom from tilting.

(d) An operator shall attend the lift equipment while workers are on the platform.

(e) The operator shall be in the normal operating position while raising or lowering the platform.

(f) The vehicle shall not travel from point to point while workers are on the platform except that inching or maneuvering at very slow speed is permissible.

(g) The area between workers on the platform and the mast shall be adequately guarded to prevent contact with chains or other shear points.

(14) Fire aisles, access to stairways, and fire equipment shall be kept clear.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-24-233 MOTOR VEHICLES ((TRUCKS)) AND TRAILERS. (1) Only qualified drivers shall be permitted to operate motor vehicles ((trucks)), and shall possess a current motor vehicle operator's license.

(2) Motor vehicles ((trucks)) must be equipped with brakes which will safely hold the maximum load on maximum grades.

(3) Trailers must be equipped with good, workable air brakes, or other type of brake equipment approved by the state commission on equipment. Air must be cut into the trailer brake system at the time that the trailer is coupled to the truck.

(4) Brakes on ((trucks)) vehicles and trailers must be tested before equipment descends a steep grade.

(5) ((Truck)) Drivers shall at all times operate equipment at a safe speed for roadway conditions.

(6) Safe methods of loading and unloading motor vehicle trucks and trailers shall be observed at all times.

(7) To prevent accidents during the backing of ((trucks)) vehicles where vision is obstructed, a ((signalman)) signalperson shall be stationed at a point giving ((him)) a clear view of the rear of the ((truck)) vehicle and the operator of the ((truck)) vehicle at all times.

Exception: Passenger cars and pickups not towing trailers.

(8) ((Truck)) Drivers shall sound their horn before starting to back, and shall sound the horn intermittently during the entire backing operation.

(9) Dump trucks shall have a device installed on the frame which will be of sufficient strength to hold the bed in the raised position when employees are working in an exposed position underneath.

(10) ~~((All parts and accessories of trucks and trailers shall be kept in good repair and safe condition. Fires worn beyond the point of safety shall not be used.~~

~~((11)) All motor vehicle trucks and trailers shall be equipped with standard lights, horn, flags, flares, etc., to conform to the state of Washington motor vehicles laws.~~

((12)) All loads transported on trucks and/or trucks and trailers shall be properly secured and distributed, and limited to a safe operating load for the condition of the roadway, and the capacity of the bridges, trestles, and other structures.

~~((13))~~ ((11)) Precautions to be taken while inflating tires. Unmounted split-rim wheels shall be placed in a safety cage or other device shall be used which will prevent a split-rim from striking the worker if it should dislodge while the tire is being inflated.

~~((14))~~ ((12)) Trucks parked on an incline shall have the steered wheels turned into the curb and shall have at least one "driver" wheel chocked on each side, independent of the braking system. Trucks equipped with an approved, functioning, secondary parking brake system, designed to supplement the regular parking brake in instances of frequent stops of short intervals (such as pickup and delivery) will meet the requirement for "chocks."

~~((15))~~ ((13)) Motor vehicles used regularly for transportation of ((workmen)) workers shall be well equipped, covered against the weather and maintained in good mechanical condition at all times.

(a) Seats, which shall be properly secured, shall be provided in each vehicle to accommodate the total number of workers normally transported. Where it becomes necessary under emergency conditions to transport more workers than the seating capacity of the truck will accommodate, all workers not having seats shall ride within the vehicle. Under no circumstances shall workers ride on fenders or running boards of the vehicle.

(b) No worker shall ride in or on any vehicle with ((his)) legs hanging over the end or sides. A safety bar should be placed across the rear opening of all manhaul trucks which are not equipped with tail gates.

(c) Vehicles shall be equipped with compartments or screen of such strength to retain sharp tools which could present a hazard to employees being transported.

(d) All dump-trucks used to transport workers shall be equipped with an adequate safety chain or locking device which will eliminate the possibility of the body of the truck being raised while workers are riding in the truck.

(e) Explosives or highly inflammable materials shall not be carried in or on any vehicle while it is used to transport workers.

~~((f))~~ ~~((Exhaust systems shall be installed and maintained in proper condition, and shall be so designed as to eliminate the exposure of the workers to the exhaust gases and fumes.~~

~~((g))~~ ((i)) The number of persons allowed in the cab of a single bench seat crew truck shall not exceed two in addition to the driver. Crew trucks designed and constructed with additional seating capacity behind the normal driver's seat may carry additional passengers in the seating area behind the driver's seat. Crew trucks with bucket-type seats may carry only the number of passengers for which the bucket seats are provided. In any seating arrangement, the driver must be able to maintain full freedom of motion. Additionally, the number of passengers or seating arrangement shall not obstruct the driver's normal vision.

((ii)) When trucks are designed and constructed with larger than normal seating capacity in the front seat, the total number of passengers may be increased provided that the operator's vision and control functions, as required in ~~((15))~~ ~~((g))~~ ~~((i))~~ ((13)) ~~((f))~~, are maintained.

~~((h))~~ ((g)) All enclosed crew trucks shall have an emergency exit in addition to the regular entrance.

~~((i))~~ ((h)) Trucks used for hauling ((gravel)) shall not be used as crew trucks unless they are equipped as follows:

(i) Steps in proper place or places.

(ii) Wooden floors.

(iii) Seats are securely fastened.

(iv) Truck is properly covered.

(v) All other general regulations covering crew trucks are fully conformed with.

~~((j))~~ ((i)) Half-ton vehicles shall haul not more than six persons including driver. Three-quarter-ton vehicles shall haul not more than eight persons including driver.

~~((k))~~ ((j)) All vehicles carrying crews shall be equipped with stretchers and fire extinguishers.

~~((l))~~ ((k)) No heating units in which there are open fires shall be used in vehicles transporting crews.

NEW SECTION

WAC 296-24-23303 VEHICLE INSPECTIONS REPORTS.

(1) Motor vehicles and trailers shall be inspected at the beginning of each day. Exception: Single motor vehicles with a manufacturer's or licensed gross vehicle weight of less than 10,000 pounds need not keep/maintain written inspection records.

(2) When the motor vehicle or trailer is used on a round-the-clock basis they shall be inspected at the beginning of each shift.

(3) The inspection reports shall be in writing and shall cover at least the following parts and accessories:

(a) Service brakes including trailer brake connections;

(b) Parking (hand) brake;

(c) Steering mechanism;

(d) Lighting devices and reflectors;

(e) Tires;

(f) Horn;

(g) Windshield wipers;

(h) Rear vision mirrors;

(i) Coupling devices;

(j) Wheels and rims;

(k) Emergency equipment;

(l) Exhaust system;

(m) Pushout windows, emergency doors, and emergency door marking lights in buses shall be inspected at least every 90 days.

(4) The inspection report shall identify the motor vehicle and/or trailer.

(5) List any defect or deficiency discovered by or reported to the operator which would affect the safe operation of the vehicle.

(6) If no defect or deficiency is discovered by or reported to the operator, the report shall so indicate.

(7) The person doing the inspection shall sign the inspection report.
 (8) Prior to operating a motor vehicle and/or trailer the employer shall make repair of any items listed on the vehicle inspection report(s) that would be likely to affect the safety of operation of the vehicle.

(9) Employers shall certify on the inspection report which lists any defect(s) or deficiency(ies) that the defect(s) or deficiency(ies) has been corrected or that correction is unnecessary before the vehicle is operated.

(10) The employer shall retain the original copy of each vehicle inspection report and the certification of repairs for at least three months from the date the report was prepared.

(11) A legible copy of the last vehicle inspection report, certified if required, shall be carried on the motor vehicle.

(12) Copies of the vehicle inspection reports and certification of repairs shall be made available to the director or authorized representative.

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-450 CHLORINE CYLINDERS USED IN CHLORINATOR SYSTEMS. Ventilation, storage of tanks and use of tanks shall meet specifications of The Chlorine Manual, The Chlorine Institute, Inc., (~~third edition, 1959~~) fifth edition, 1986.

AMENDATORY SECTION (Amending Order 88-04, filed 5/11/88)

WAC 296-24-68203 CYLINDERS AND CONTAINERS. (1) Approval and marking. All portable cylinders used for the storage and shipment of compressed gases shall be constructed and maintained in accordance with the regulations of the United States Department of Transportation, 49 CFR Parts 171-179.

(a) Compressed gas cylinders shall be legibly marked, for the purpose of identifying the gas content, with either the chemical or the trade name of the gas. Such marking shall be by means of stenciling, stamping, or labeling, and shall not be readily removable. Whenever practical, the marking shall be located on the shoulder of the cylinder.

Note: This method conforms to the American National Standard Method for Marking Portable Compressed Gas Containers to Identify the Material Contained, ANSI Z 48.1-1954.

(b) Compressed gas cylinders shall be equipped with connections complying with the American National Standard Compressed Gas Cylinder Valve Outlet and Inlet Connections, ANSI B 57.1-1965.

(c) All cylinders with a water weight capacity of over thirty pounds shall be equipped with means of connecting a valve protection cap or with a collar or recess to protect the valve.

(2) Storage of cylinders - general.

(a) Cylinders shall be kept away from radiators and other sources of heat.

(b) Inside of buildings, cylinders shall be stored in a well-protected, well-ventilated, dry location, at least twenty feet from highly combustible materials such as oil or excelsior. Cylinders should be stored in definitely assigned places away from elevators, stairs, or gangways. Assigned storage spaces shall be located where cylinders will not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons. Cylinders shall not be kept in unventilated enclosures such as lockers and cupboards.

(c) Empty cylinders shall have their valves closed.

(d) Valve protection caps, where cylinder is designed to accept a cap, shall always be in place, hand-tight, except when cylinders are in use or connected for use.

(3) Fuel-gas cylinder storage. Inside a building, cylinders, except those in actual use or attached ready for use, shall be limited to a total gas capacity of two thousand cubic feet or three hundred pounds of liquefied petroleum gas.

(a) For storage in excess of two thousand cubic feet total gas capacity of cylinders or three hundred pounds of liquefied petroleum gas, a separate room or compartment conforming to the requirements specified in WAC 296-24-68211 (6)(h) and (i) shall be provided, or cylinders shall be kept outside or in a special building. Special buildings, rooms or compartments shall have no open flame for heating or lighting and shall be well ventilated. They may also be used for storage of calcium carbide in quantities not to exceed six hundred pounds, when contained in metal containers complying with WAC 296-24-68213 (1)(a) and (b). Signs should be conspicuously posted in such rooms reading, "Danger—No smoking, matches or open lights," or other equivalent wording.

(b) Acetylene cylinders shall be stored valve end up.

(4) Oxygen storage.

(a) Oxygen cylinders shall not be stored near highly combustible material, especially oil and grease; or near reserve stocks of carbide and acetylene or other fuel-gas cylinders, or near any other substance likely to cause or accelerate fire; or in an acetylene generator compartment.

(b) Oxygen cylinders stored in outside generator houses shall be separated from the generator or carbide storage rooms by a noncombustible partition having a fire-resistance rating of at least one hour. This partition shall be without openings and shall be gastight.

(c) Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of twenty feet or by a noncombustible barrier at least five feet high having a fire-resistance rating of at least one-half hour. (Cylinders "in-use," secured to a hand truck or structural member, with regulators, hoses, and torch temporarily removed for security purposes overnight or weekends, are not considered "in-storage.")

(d) Where a liquid oxygen system is to be used to supply gaseous oxygen for welding or cutting and the system has a storage capacity of more than thirteen thousand cubic feet of oxygen (measured at 14.7 psi(a) and 70°F), connected in service or ready for service, or more than twenty-five thousand cubic feet of oxygen (measured at 14.7 psi(a) and 70°F), including unconnected reserves on hand at the site, it shall comply with the provisions of the Standard for Bulk Oxygen Systems at Consumer Sites, NFPA No. 566-1965.

(5) Operating procedures.

(a) Cylinders, cylinder valves, couplings, regulators, hose, and apparatus shall be kept free from oily or greasy substances. Oxygen cylinders or apparatus shall not be handled with oily hands or gloves. A jet of oxygen must never be permitted to strike an oily surface, greasy clothes, or enter a fuel oil or other storage tank.

(b) When transporting cylinders by a crane or derrick, a cradle, boat, or suitable platform shall be used. Slings or electric magnets shall not be used for this purpose. Valve-protection caps, where cylinder is designed to accept a cap, shall always be in place.

(c) Cylinders shall not be dropped or struck or permitted to strike each other violently.

(d) Valve-protection caps shall not be used for lifting cylinders from one vertical position to another. Bars shall not be used under valves or valve-protection caps to pry cylinders loose when frozen to the ground or otherwise fixed; the use of warm (not boiling) water is recommended. Valve-protection caps are designed to protect cylinder valves from damage.

(e) Unless cylinders are secured on a special truck, regulators shall be removed and valve-protection caps, when provided for, shall be put in place before cylinders are moved.

(f) Cylinders not having fixed hand wheels shall have keys, handles, or nonadjustable wrenches on valve stems while these cylinders are in service. In multiple cylinder installations only one key or handle is required for each manifold.

(g) Cylinder valves shall be closed before moving cylinders.

(h) Cylinder valves shall be closed when work is finished.

(i) Valves of empty cylinders shall be closed.

(j) Cylinders shall be kept far enough away from the actual welding or cutting operation so that sparks, hot slag, or flame will not reach them, or fire-resistant shields shall be provided.

(k) Cylinders shall not be placed where they might become part of an electric circuit. Contacts with third rails, trolley wires, etc., shall be avoided. Cylinders shall be kept away from radiators, piping systems, layout tables, etc., that may be used for grounding electric circuits such as for arc welding machines. Any practice such as the tapping of an electrode against a cylinder to strike an arc shall be prohibited.

(l) Cylinders shall never be used as rollers or supports, whether full or empty.

(m) The numbers and markings stamped into cylinders shall not be tampered with.

(n) No person, other than the gas supplier, shall attempt to mix gases in a cylinder. No one, except the owner of the cylinder or the person authorized by ~~(him)~~ the owner, shall refill a cylinder.

(o) No one shall tamper with safety devices in cylinders or valves.

(p) Cylinders shall not be dropped or otherwise roughly handled.

(q) Unless connected to a manifold, oxygen from a cylinder shall not be used without first attaching an oxygen regulator to the cylinder valve. Before connecting the regulator to the cylinder valve, the valve shall be opened slightly for an instant and then closed. (Always stand to one side of the outlet when opening the cylinder valve.)

(r) A hammer or wrench shall not be used to open cylinder valves. If valves cannot be opened by hand, the supplier shall be notified.

(s) Cylinder valves shall not be tampered with nor should any attempt be made to repair them. If trouble is experienced, the supplier should be sent a report promptly indicating the character of the trouble and the cylinder's serial number. Supplier's instructions as to its disposition shall be followed.

(t) Complete removal of the stem from a diaphragm-type cylinder valve shall be avoided.

(u) Fuel-gas cylinders shall be placed with valve end up whenever they are in use. Liquefied gases shall be stored and shipped with the valve end up.

(v) Cylinders shall be handled carefully. Cylinders shall not be subjected to rough handling, knocks, or falls which are liable to damage the cylinder, valve or safety devices and cause leakage.

(w) Before connecting a regulator to a cylinder valve, the valve shall be opened slightly and closed immediately. The valve shall be opened while standing to one side of the outlet; never in front of it. Fuel-gas cylinder valves shall not be cracked near other welding work or near sparks, flame, or other possible sources of ignition.

(x) Before a regulator is removed from a cylinder valve, the cylinder valve shall be closed and the gas released from the regulator.

(y) Nothing shall be placed on top of an acetylene cylinder when in use which may damage the safety device or interfere with the quick closing of the valve.

(z) If cylinders are found to have leaky valves or fittings which cannot be stopped by closing of the valve, the cylinders shall be taken outdoors away from sources of ignition and slowly emptied.

(aa) A warning should be placed near cylinders having leaking fuse plugs or other leaking safety devices not to approach them with a lighted cigarette or other source of ignition. Such cylinders should be plainly tagged; the supplier should be promptly notified and ((his)) instructions provided by the supplier shall be followed as to their return.

(bb) Safety devices shall not be tampered with.

(cc) Fuel-gas shall not be used from cylinders through torches or other devices equipped with shutoff valves without reducing the pressure through a suitable regulator attached to the cylinder valve or manifold.

(dd) The cylinder valve shall always be opened slowly.

(ee) An acetylene cylinder valve shall not be opened more than one and one-half turns of the spindle, and preferably no more than three-fourths of a turn.

(ff) Where a special wrench is required it shall be left in position on the stem of the valve while the cylinder is in use so that the fuel-gas flow can be quickly turned off in case of emergency. In the case of manifolded or coupled cylinders at least one such wrench shall always be available for immediate use.

(gg) When cylinders are transported by powered vehicle they shall be secured in a vertical position.

(hh) A suitable cylinder truck, chain, or other steadying device shall be used to prevent cylinders from being knocked over while in use.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-24-75009 STAIRWAY RAILINGS AND GUARDS.

(1) Every flight of stairs having four or more risers shall be equipped with standard stair railings or standard handrails as specified in (a) through (e) of this rule, except that vehicle service pit stairways will be exempt from the requirement if such hand or stair rails would prevent vehicle movement into a position over the pit, the width of the stair to be measured clear of all obstructions except handrails:

(a) On stairways less than 44 inches wide having both sides enclosed, at least one handrail, preferably on the right side descending.

(b) On stairways less than 44 inches wide having one side open, at least one stair railing on open side.

(c) On stairways less than 44 inches wide having both sides open, one stair railing on each side.

(d) On stairways more than 44 inches wide but less than 88 inches wide, one handrail on each enclosed side and one stair railing on each open side.

(e) On stairways 88 or more inches wide, one handrail on each enclosed side, one stair railing on each open side, and one intermediate stair railing located approximately midway of the width.

(2) Winding stairs shall be equipped with a handrail offset to prevent walking on all portions of the treads having width less than 6 inches.

(3) Nonindustrial and "monumental" steps are excluded as they are not "industrial" stairs; however, when public and private building steps are located at loading or receiving docks, in maintenance areas, etc., or are used exclusively by employees, the requirements of this standard shall apply.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-24-75011 RAILING, TOEBOARDS, AND COVER SPECIFICATIONS. (1) A standard railing shall consist of top rail, intermediate rail, and posts, and shall have a vertical height of from thirty-six to forty-two inches nominal from upper surface of top rail to floor, platform, runway, or ramp level(;;) and:

(a) The top rail shall be smooth-surfaced throughout the length of the railing.

(b) The intermediate rail shall be approximately halfway between the top rail and the floor, platform, runway, or ramp.

(c) The ends of the rails shall not overhang the terminal posts except where such overhang does not constitute a projection hazard.

(d) Guardrails with heights greater than 42 inches are permissible provided the extra height does not create a dangerous situation for employees and that additional mid-rails were installed so that openings beneath the top rail would not permit the passage of a 19-inch or larger spherical object.

(2) A stair railing shall be of construction similar to a standard railing but the vertical height shall be not more than thirty-four inches nor less than thirty inches from upper surface of top rail to surface of tread in line with face of riser at forward edge of tread.

(3) Minimum requirements for standard railings under various types of construction are specified in this subsection. Dimensions specified are based on the U.S. Department of Agriculture Wood Handbook, No. 72, 1955 (No. 1 (S4S) Southern Yellow Pine (Modulus of Rupture 7,400 p.s.i.)) for wood; ANSI G 41.5-1970, American National Standard Specifications for Structural Steel, for structural steel; and ANSI B 125.1-1970, American National Standard Specifications for Welded and Seamless Steel Pipe, for pipe.

(a) For wood railings, the posts shall be of at least two-inch by four-inch nominal stock spaced not to exceed six feet; the top and intermediate rails shall be of at least two-inch by four-inch nominal stock. If top rail is made of two right-angle pieces of one-inch by four-inch stock, posts may be spaced on eight-foot centers, with two-inch by four-inch intermediate rail.

(b) For pipe railings, posts and top and intermediate railings shall be at least one and one-half inches nominal diameter (outside diameter) with posts spaced not more than eight feet on centers.

(c) For structural steel railings, posts and top and intermediate rails shall be of two-inch by two-inch by three-eighths-inch angles or other metal shapes of equivalent bending strength with posts spaced not more than eight feet on centers.

(d) The anchoring of posts and framing of members for railings of all types shall be of such construction that the completed structure shall be capable of withstanding a load of at least two hundred pounds applied in any direction at any point on the top rail.

(e) Other types, sizes, and arrangements of railing construction are acceptable provided they meet the following conditions:

(i) A smooth-surfaced top rail at a height above floor, platform, runway, or ramp level of from thirty-six to forty-two inches nominal;

(ii) A strength to withstand at least the minimum requirement of two hundred pounds top rail pressure;

(iii) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(iv) Elimination of overhang of rail ends unless such overhang does not constitute a hazard; such as, baluster railings, scrollwork railings, paneled railings.

(4) A standard toeboard shall be a minimum of four inches nominal in vertical height from its top edge to the level of the floor, platform, runway, or ramp. It shall be securely fastened in place and with not more than one-quarter-inch clearance above floor level. It may be made of any substantial material either solid or with openings not over one inch in greatest dimension.

Where material is piled to such height that a standard toeboard does not provide protection, paneling from floor to intermediate rail, or to top rail shall be provided.

(5) A handrail shall consist of a lengthwise member mounted directly on a wall or partition by means of brackets attached to the lower side of the handrail so as to offer no obstruction to a smooth surface

along the top and both sides of the handrail. The handrail shall be of rounded or other section that will furnish an adequate handhold for anyone grasping it to avoid falling. The ends of the handrail should be turned in to the supporting wall or otherwise arranged so as not to constitute a projection hazard.

(a) The height of handrails shall be not more than thirty-four inches nor less than thirty inches from upper surface of handrail to surface of tread in line with face of riser or to surface of ramp.

(b) The size of handrails shall be: When of hardwood, at least two inches in diameter; when of metal pipe, at least one and one-half inches in diameter. The length of brackets shall be such as will give a clearance between handrail and wall or any projection thereon of at least one and one-half inches. The spacing of brackets shall not exceed eight feet.

(c) The mounting of handrails shall be such that the completed structure is capable of withstanding a load of at least two hundred pounds applied in any direction at any point on the rail.

(6) All handrails and railings shall be provided with a clearance of not less than one and one-half inches between the handrail or railing and any other object.

(7) Floor opening covers may be of any material that meets the following strength requirements:

(a) Trench or conduit covers and their supports, when located in plant roadways, shall be designed to carry a truck rear-axle load of at least twenty thousand pounds.

(b) Manhole covers and their supports, when located in plant roadways, shall comply with local standard highway requirements if any; otherwise, they shall be designed to carry a truck rear-axle of at least twenty thousand pounds.

(c) The construction of floor opening covers may be of any material that meets the strength requirements. Covers projecting not more than one inch above the floor level may be used providing all edges are chamfered to an angle with the horizontal of not over thirty degrees. All hinges, handles, bolts, or other parts shall set flush with the floor or cover surface.

(8) Skylight screens shall be of such construction and mounting that they are capable of withstanding a load of at least two hundred pounds applied perpendicularly at any one area on the screen. They shall also be of such construction and mounting that under ordinary loads or impacts, they will not deflect downward sufficiently to break the glass below them. The construction shall be of grillwork with openings not more than four inches long or of slatwork with openings not more than two inches wide with length unrestricted.

(9) Wall opening barriers (rails, rollers, picket fences, and half doors) shall be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least two hundred pounds applied in any direction (except upward) at any point on the top rail or corresponding member.

(10) Wall opening grab handles shall be not less than twelve inches in length and shall be so mounted as to give one and one-half inches clearance from the side framing of the wall opening. The size, material, and anchoring of the grab handle shall be such that the completed structure is capable of withstanding a load of at least two hundred pounds applied in any direction at any point of the handle.

(11) Wall opening screens shall be of such construction and mounting that they are capable of withstanding a load of at least two hundred pounds applied horizontally at any point on the near side of the screen. They may be of solid construction, of grillwork with openings not more than eight inches long, or of slatwork with openings not more than four inches wide with length unrestricted.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-24-95611 SPECIFIC PURPOSE EQUIPMENT AND INSTALLATIONS. (1) Electric signs and outline lighting.

(a) Disconnecting means. Signs operated by electronic or electromechanical controllers located outside the sign shall have a disconnecting means located inside the controller enclosure or within sight of the controller location, and it shall be capable of being locked in the open position. Such disconnecting means shall have no pole that can be operated independently, and it shall open all ungrounded conductors that supply the controller and sign. All other signs, except the portable type, and all outline lighting installations shall have an externally operable disconnecting means which can open all ungrounded conductors and is within the sight of the sign or outline lighting it controls.

(b) Doors or covers giving access to uninsulated parts of indoor signs or outline lighting exceeding 600 volts and accessible to other than

qualified persons shall either be provided with interlock switches to disconnect the primary circuit or shall be so fastened that the use of other than ordinary tools will be necessary to open them.

(2) Cranes and hoists. This subsection applies to the installation of electric equipment and wiring used in connection with cranes, monorail hoists, hoists, and all runways.

(a) Disconnecting means.

(i) A readily accessible disconnecting means shall be provided between the runway contact conductors and the power supply.

(ii) Another disconnecting means, capable of being locked in the open position, shall be provided in the leads from the runway contact conductors or other power supply on any crane or monorail hoist.

(A) If this additional disconnection means is not readily accessible from the crane or monorail hoist operating station means shall be provided at the operating station, to open the power circuit to all motors of the crane or monorail hoist.

(B) The additional disconnect may be omitted if a monorail hoist or hand-propelled crane bridge installation meets all of the following:

(I) The unit is floor controlled;

(II) The unit is within view of the power supply disconnecting means; and

(III) No fixed work platform has been provided for servicing the unit.

(b) Control. A limit switch or other device shall be provided to prevent the load block from passing the safe upper limit of travel of any hoisting mechanism.

(c) Clearance. The dimension of the working space in the direction of access to live parts which may require examination, adjustment, servicing, or maintenance while alive shall be a minimum of 2 feet 6 inches. Where controls are enclosed in cabinets, the door(s) shall either open at least 90 degrees or be removable.

(3) Elevators, dumbwaiters, escalators, and moving walks.

(a) Disconnecting means. Elevators, dumbwaiters, escalators, and moving walks shall have a single means for disconnecting all ungrounded main power supply conductors for each unit.

(b) Warning signs. If interconnections between control panels are necessary for operation of the system on a multirail installation that remains energized from a source other than the disconnecting means, a warning sign shall be mounted on or adjacent to the disconnecting means. The sign shall be clearly legible and shall read "Warning—Parts of the control panel are not de-energized by this switch." (See WAC 296-24-95603 (2)(c).)

(c) Control panels. If control panels are not located in the same space as the drive machine, they shall be located in cabinets with doors or panels capable of being locked closed.

(4) Electric welders—disconnecting means.

(a) A disconnecting means shall be provided in the supply circuit for each motor-generator arc welder, and for each AC transformer and DC rectifier arc welder which is not equipped with a disconnect mounted as an integral part of the welder.

(b) A switch or circuit breaker shall be provided by which each resistance welder and its control equipment can be isolated from the supply circuit. The ampere rating of this disconnecting means may not be less than the supply conductor ampacity.

(5) Data processing systems—disconnecting means. A disconnecting means shall be provided to disconnect the power to all electronic equipment in data processing or computer rooms. This disconnecting means shall be controlled from locations readily accessible to the operator at the principal exit doors. There shall also be a similar disconnecting means to disconnect the air conditioning system serving this area.

(6) X-ray equipment. This subsection applies to x-ray equipment for other than medical or dental use.

(a) Disconnecting means.

(i) A disconnecting means shall be provided in the supply circuit. The disconnecting means shall be operable from a location readily accessible from the x-ray control. For equipment connected to a 120-volt branch circuit of 30 amperes or less, a grounding-type attachment plug cap and receptacle of proper rating may serve as a disconnecting means.

(ii) If more than one piece of equipment is operated from the same high-voltage circuit, each piece or each group of equipment as a unit shall be provided with a high-voltage switch or equivalent disconnecting means. This disconnecting means shall be constructed, enclosed, or located so as to avoid contact by employees with its live parts.

(b) Control.

(i) Radiographic and fluoroscopic types. Radiographic and fluoroscopic-type equipment shall be effectively enclosed or shall have interlocks that de-energize the equipment automatically to prevent ready access to live current-carrying parts.

(ii) Diffraction and irradiation types. Diffraction-type and irradiation-type equipment shall be provided with a means to indicate when it is energized unless the equipment or installation is effectively enclosed or is provided with interlocks to prevent access to live current-carrying parts during operation.

(7) Induction and dielectric heating equipment.

(a) Scope. Subdivisions (b) and (c) of this subsection cover induction and dielectric heating equipment and accessories for industrial and scientific applications, but not for medical dental applications or for appliances.

(b) Guarding and grounding.

(i) Enclosures. The converting apparatus (including the DC line) and high-frequency electric circuits (excluding the output circuits and remote-control circuits) shall be completely contained within enclosures of noncombustible material.

(ii) Panel controls. All panel controls shall be of dead-front construction.

(iii) Access to internal equipment. Where doors are used for access to voltages from 500 to 1000 volts AC or DC, either door locks or interlocks shall be provided. Where doors are used for access to voltages of over 1000 volts AC or DC, either mechanical lockouts with a disconnecting means to prevent access until voltage is removed from the cubicle, or both door interlocking and mechanical door locks, shall be provided.

(iv) Warning labels. "Danger" labels shall be attached on the equipment and shall be plainly visible even when doors are open or panels are removed from compartments containing voltages of over 250 volts AC or DC.

(v) Work applicator shielding. Protective cages or adequate shielding shall be used to guard work applicators other than induction heating coils. Induction heating coils shall be protected by insulation and/or refractory materials. Interlock switches shall be used on all hinged access doors, sliding panels, or other such means of access to the applicator. Interlock switches shall be connected in such a manner as to remove all power from the applicator when any one of the access doors or panels is open. Interlocks on access doors or panels are not required if the applicator is an induction heating coil at DC ground potential or operating at less than 150 volts AC.

(vi) Disconnecting means. A readily accessible disconnecting means shall be provided by which each unit of heating equipment can be isolated from its supply circuit.

(c) Remote control. If remote controls are used for applying power, a selector switch shall be provided and interlocked to provide power from only one control point at a time. Switches operated by foot pressure shall be provided with a shield over the contact button to avoid accidental closing the switch.

(8) Electrolytic cells.

(a) Scope. These provisions for electrolytic cells apply to the installation of the electrical components and accessory equipment of electrolytic cells, electrolytic cell lines, and process power supply for the production of aluminum, cadmium, chlorine, copper, fluorine, hydrogen peroxide, magnesium, sodium, sodium chlorate, and zinc. Cells used as a source of electric energy and for electroplating processes and cells used for production of hydrogen are not covered by these provisions.

(b) Definitions applicable to this subsection.

Cell line: An assembly of electrically interconnected electrolytic cells supplied by a source of direct-current power.

Cell line attachments and auxiliary equipment: Cell line attachments and auxiliary equipment include, but are not limited to: Auxiliary tanks; process piping; duct work; structural supports; exposed cell line conductors; conduits and other raceways; pumps; positioning equipment and cell cutout or bypass electrical devices. Auxiliary equipment also includes tools, welding machines, crucibles, and other portable equipment used for operation and maintenance within the electrolytic cell line working zone. In the cell line working zone, auxiliary equipment includes the exposed conductive surfaces of ungrounded cranes and crane-mounted cell-servicing equipment.

Cell line working zone: The cell line working zone is the space envelope wherein operation or maintenance is normally performed on or in the vicinity of exposed energized surfaces of cell lines or their attachments.

Electrolytic cells: A receptacle or vessel in which electrochemical reactions are caused by applying energy for the purpose of refining or producing usable materials.

(c) Application. Installations covered by subsection (8) of this section shall comply with all applicable provisions of this section except as follows:

(i) Overcurrent protection of electrolytic cell DC process power circuits need not comply with the requirements of WAC 296-24-95607(5).

(ii) Equipment located or used within the cell line working zone or associated with the cell line DC power circuits need not comply with the provisions of WAC 296-24-95607(6).

(iii) Electrolytic cells, cell line conductors, cell line attachments, and the wiring of auxiliary equipment and devices within the cell line working zone need not comply with the provisions of WAC 296-24-95605 and 296-24-95607 (2) and (3).

(d) Disconnecting means.

(i) If more than one DC cell line process power supply serves the same cell line, a disconnecting means shall be provided on the cell line circuit side of each power supply to disconnect it from the cell line circuit.

(ii) Removable links or removable conductors may be used as the disconnecting means.

(e) Portable electric equipment.

(i) The frames and enclosures of portable electric equipment used within the cell line working zone may not be grounded. However, these frames and enclosures may be grounded if the cell line circuit voltage does not exceed 200 volts DC or if the frames are guarded.

(ii) Ungrounded portable electric equipment shall be distinctively marked and may not be interchangeable with grounded portable electric equipment.

(f) Power supply circuits and receptacles for portable electric equipment.

(i) Circuits supplying power to ungrounded receptacles for hand-held, cord-and plug-connected equipment shall be electrically isolated from any distribution system supplying areas other than the cell line working zone and shall be ungrounded. Power for these circuits shall be supplied through isolating transformers.

(ii) Receptacles and their mating plugs for ungrounded equipment may not have provision for a grounding conductor and shall be of a configuration which prevents their use for equipment required to be grounded.

(iii) Receptacles on circuits supplied by an isolating transformer with an ungrounded secondary shall have a distinctive configuration, shall be distinctively marked, and may not be used in any other location in the plant.

(g) Fixed and portable electric equipment.

(i) AC systems supplying fixed and portable electric equipment within the cell line working zone need not be grounded.

(ii) Exposed conductive surfaces, such as electric equipment housings, cabinets, boxes, motors, raceways and the like that are within the cell line working zone need not be grounded.

(iii) Auxiliary electrical devices, such as motors, transducers, sensors, control devices, and alarms, mounted on an electrolytic cell or other energized surface, shall be connected by any of the following means:

(A) Multiconductor hard usage or extra hard usage flexible cord;

(B) Wire or cable in suitable raceways; or

(C) Exposed metal conduit, cable tray, armored cable, or similar metallic systems installed with insulating breaks such that they will not cause a potentially hazardous electrical condition.

(iv) Fixed electric equipment may be bonded to the energized conductive surfaces of the cell line, its attachments, or auxiliaries. If fixed electric equipment is mounted on an energized conductive surface, it shall be bonded to that surface.

(h) Auxiliary nonelectric connections. Auxiliary nonelectric connections, such as air hoses, water hoses, and the like, to an electrolytic cell, its attachments, or auxiliary equipment may not have continuous conductive reinforcing wire, armor, braids, and the like. Hoses shall be of a nonconductive material.

(i) Cranes and hoists.

(i) The conductive surfaces of cranes and hoists that enter the cell line working zone need not be grounded. The portion of an overhead crane or hoist which contacts an energized electrolytic cell or energized attachments shall be insulated from ground.

(ii) Remote crane or hoist controls which may introduce hazardous electrical conditions into the cell line working zone shall employ one or more of the following systems:

- (A) Insulated and ungrounded control circuit;
 - (B) Nonconductive rope operator;
 - (C) Pendent pushbutton with nonconductive supporting means and having nonconductive surfaces or ungrounded exposed conductive surfaces; or
 - (D) Radio.
- (9) Electrically driven or controlled irrigation machines. (See WAC 296-24-95603 (2)(c).)

(a) Lightning protection. If an electrically driven or controlled irrigation machine has a stationary point, a driven ground rod shall be connected to the machine at the stationary point for lightning protection.

(b) Disconnecting means. The main disconnecting means for a center pivot irrigation machine shall be located at the point of connection of electrical power to the machine and shall be readily accessible and capable of being locked in the open position. A disconnecting means shall be provided for each motor and controller.

(10) Swimming pools, fountains, and similar installations.

(a) Scope. Subdivisions (b) through (e) of this subsection apply to electric wiring for and equipment in or adjacent to all swimming, wading, therapeutic, and decorative pools and fountains, whether permanently installed or storable, and to metallic auxiliary equipment, such as pumps, filters, and similar equipment. Therapeutic pools in health care facilities are exempt from these provisions.

(b) Lighting and receptacles.

(i) Receptacles. A single receptacle of the locking and grounding type that provides power for a permanently installed swimming pool recirculating pump motor may be located not less than 5 feet from the inside walls of a pool. All other receptacles on the property shall be located at least 10 feet from the inside walls of a pool. Receptacles which are located within 15 feet of the inside walls of the pool shall be protected by ground-fault circuit interrupters.

Note: In determining these dimensions, the distance to be measured is the shortest path the supply cord of an appliance connected to the receptacle would follow without piercing a floor, wall, or ceiling of a building or other effective permanent barrier.

(ii) Lighting fixtures and lighting outlets.

(A) Unless they are 12 feet above the maximum water level, lighting fixtures and lighting outlets may not be installed over a pool or over the area extending 5 feet horizontally from the inside walls of a pool. However, a lighting fixture or lighting outlet which has been installed before April 16, 1981, may be located less than 5 feet measured horizontally from the inside walls of a pool if it is at least 5 feet above the surface of the maximum water level and shall be rigidly attached to the existing structure. It shall also be protected by a ground-fault circuit interrupter installed in the branch circuit supplying the fixture.

(B) Unless installed 5 feet above the maximum water level and rigidly attached to the structure adjacent to or enclosing the pool, lighting fixtures and lighting outlets installed in the area extending between 5 feet and 10 feet horizontally from the inside walls of a pool shall be protected by a ground-fault circuit interrupter.

(c) Cord-connected and plug-connected equipment. Flexible cords used with the following equipment may not exceed 3 feet in length and shall have a copper equipment grounding conductor with a grounding-type attachment plug.

(i) Cord-connected and plug-connected lighting fixtures installed within 16 feet of the water surface of permanently installed pools.

(ii) Other cord-connected and plug-connected, fixed or stationary equipment used with permanently installed pools.

(d) Underwater equipment.

(i) A ground-fault circuit interrupter shall be installed in the branch circuit supplying underwater fixtures operating at more than 15 volts. Equipment installed underwater shall be approved for the purpose.

(ii) No underwater lighting fixtures may be installed for operation at over 150 volts between conductors.

(e) Fountains. All electric equipment operating at more than 15 volts, including power supply cords, used with fountains shall be protected by ground-fault circuit interrupters. (See WAC 296-24-95603 (2)(c).)

(11) Safety procedure and protective equipment required for exposure to movie theater Xenon bulbs. Exposure also includes opening of the lamphouse where the bulb is installed. The following are minimum requirements for theater personnel or others who install, change, or dispose of Xenon bulbs and are exposed to potential explosion hazard:

(a) All bulbs, new, used or subject to future disposal, must be stored in the protective jacket provided until time of use.

(b) Protective equipment shall be furnished at no cost to the employee and the use shall be strictly enforced for any exposed employee.

Basic safety equipment required is:

(i) Full protective face shield with crown protector.

(ii) Safety glasses for use under face shield. (To meet required impact resistance test of ANSI Z87.1.)

(iii) Impact resistant, long-sleeved jacket of a length adequate to protect vital organs.

(iv) Impact resistant gloves.

(c) A bulb subject to disposal should be removed with the regular, proper precautions, carefully placed in its protective jacket or cover and deliberately broken by dropping from a sufficient height. An unbroken bulb must never be disposed of as regular garbage or trash.

(d) Bulbs must be handled only at room temperature. If they have been in operation, adequate time (at least 10 minutes) must be allowed for the bulb to cool to room temperature before handling.

AMENDATORY SECTION (Amending Order 90-01, filed 4/10/90, effective 5/25/90)

WAC 296-24-87035 APPENDIX C—PERSONAL FALL ARREST SYSTEM (PART I—MANDATORY; PARTS II AND III—NONMANDATORY). (1) Use of the appendix.

Part I of Appendix C sets out the mandatory criteria for personal fall arrest systems used by all employees using powered platforms. Part II sets out nonmandatory test procedures which may be used to determine compliance with applicable requirements contained in Part I of this appendix. Part III provides nonmandatory guidelines which are intended to assist employers in complying with these provisions.

Part I

Personal fall arrest systems (mandatory)—(1) Scope and application. This section establishes the application of and performance criteria for personal fall arrest systems which are required for use by all employees using powered platforms under WAC 296-24-87019.

(2) Definitions.

(a) Anchorage. A secure point of attachment for lifelines, lanyards or deceleration devices, and which is independent of the means of supporting or suspending the employee.

(b) Body harness. A design of straps which may be secured about the employee in a manner to distribute the fall arrest forces over at least the thighs, pelvis, waist, chest and shoulders with means for attaching it to other components of a personal fall arrest system.

(c) Buckle. Any device for holding the body harness closed around the employee's body.

(d) Competent person. A person who is capable of identifying hazardous or dangerous conditions in the personal fall arrest system or any component thereof, as well as in their application and use with related equipment.

(e) Connector. A device which is used to couple (connect) parts of the system together. It may be an independent component of the system (such as a carabiner), or an integral component of part of the system (such as a buckle or dee-ring sewn into a body belt or body harness, or a snap-hook spliced or sewn to a lanyard or self-retracting lanyard).

(f) Deceleration device. Any mechanism, such as a rope grab, ripstitch lanyard, specially woven lanyard, tearing or deforming lanyard, or automatic self retracting-lifeline/lanyard, which serves to dissipate a substantial amount of energy during a fall arrest, or otherwise limits the energy imposed on an employee during fall arrest.

(g) Deceleration distance. The additional vertical distance a falling employee travels, excluding lifeline elongation and free fall distance, before stopping, from the point at which the deceleration device begins to operate. It is measured as the distance between the location of an employee's body belt or body harness attachment point at the moment of activation (at the onset of fall arrest forces) of the deceleration device during a fall, and the location of that attachment point after the employee comes to a full stop.

(h) Equivalent. Alternative designs, materials or methods which the employer can demonstrate will provide an equal or greater degree of safety for employees than the methods, materials or designs specified in the standard.

(i) Free fall. The act of falling before the personal fall arrest system begins to apply force to arrest the fall.

(j) Free fall distance. The vertical displacement of the fall arrest attachment point on the employee's body harness between onset of the

fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, lifeline and lanyard elongation but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before they operate and fall arrest forces occur.

(k) Lanyard. A flexible line of rope, wire rope, or strap which is used to secure the body harness to a deceleration device, lifeline, or anchorage.

(l) Lifeline. A component consisting of a flexible line for connection to an anchorage at one end to hang vertically (vertical lifeline), or for connection to anchorages at both ends to stretch horizontally (horizontal lifeline), and which serves as a means for connecting other components of a personal fall arrest system to the anchorage.

(m) Personal fall arrest system. A system used to arrest an employee in a fall from a working level. It consists of an anchorage, connectors, body harness and may include a lanyard, deceleration device, lifeline, or suitable combinations of these.

(n) Qualified person. A person with a recognized degree or professional certificate and extensive knowledge and experience in the subject field who is capable of design, analysis, evaluation and specifications in the subject work, project, or product.

(o) Rope grab. A deceleration device which travels on a lifeline and automatically frictionally engages the lifeline and locks so as to arrest the fall of an employee. A rope grab usually employs the principle of inertial locking, cam/lever locking, or both.

(p) Self-retracting lifeline/lanyard. A deceleration device which contains a drum-wound line which may be slowly extracted from, or retracted onto, the drum under slight tension during normal employee movement, and which, after onset of a fall, automatically locks the drum and arrests the fall.

(q) Snap-hook. A connector comprised of a hookshaped member with a normally closed keeper, or similar arrangement, which may be opened to permit the hook to receive an object and, when released, automatically closes to retain the object. Snap-hooks are generally one of two types:

(i) The locking type with a self-closing, self-locking keeper which remains closed and locked until unlocked and pressed open for connection or disconnection, or

(ii) The nonlocking type with a self-closing keeper which remains closed until pressed open for connection or disconnection.

(r) Tie-off. The act of an employee, wearing personal fall protection equipment, connecting directly or indirectly to an anchorage. It also means the condition of an employee being connected to an anchorage.

(3) Design for system components.

(a) Connectors shall be drop forged, pressed or formed steel, or made of equivalent materials.

(b) Connectors shall have a corrosion-resistant finish, and all surfaces and edges shall be smooth to prevent damage to interfacing parts of the system.

(c) Lanyards and vertical lifelines which tie-off one employee shall have a minimum breaking strength of ~~((5,400))~~ 5,000 pounds ~~((23.9))~~ 22.2 kN).

(d) Self-retracting lifelines and lanyards which automatically limit free fall distance to 2 feet (0.61 m) or less shall have components capable of sustaining a minimum static tensile load of ~~((5,400))~~ 3,000 pounds ~~((23.9))~~ 13.3 kN applied to the device with the lifeline or lanyard in the fully extended position.

(e) Self-retracting lifelines and lanyards which do not limit free fall distance to 2 feet (0.61 m) or less, ripstitch lanyards, and tearing and deforming lanyards shall be capable of sustaining a minimum tensile load of 5,400 pounds (23.9 kN) applied to the device with the lifeline or lanyard in the fully extended position.

(f) Dec-rings and snap-hooks shall be capable of sustaining a minimum tensile load of 5000 pounds (22.2 N).

(g) Dec-rings and snap-hooks shall be 100 percent proof-tested to a minimum tensile load of 3600 pounds (16 kN) without cracking, breaking, or taking permanent deformation.

(h) Snap-hooks shall be sized to be compatible with the member to which they are connected so as to prevent unintentional disengagement of the snap-hook by depression of the snap-hook keeper by the connected member, or shall be a locking type snap-hook designed and used to prevent disengagement of the snap-hook by the contact of the snap-hook keeper by the connected member.

(i) Horizontal lifelines, where used, shall be designed, and installed as part of a complete personal fall arrest system, which maintains a safety factor of at least 2, under the supervision of a qualified person.

(j) Anchorages to which personal fall arrest equipment is attached shall be capable of supporting at least ~~((5,400))~~ 5,000 pounds ~~((23.9))~~ 22.2 kN) per employee attached, or shall be designed, installed, and used as part of a complete personal fall arrest system which maintains a safety factor of at least ~~((2))~~ two, under the supervision of a qualified person.

(k) Ropes and straps (webbing) used in lanyards, lifelines, and strength components of body harnesses, shall be made from synthetic fibers or wire rope.

(4) System performance criteria.

(a) Personal fall arrest systems shall, when stopping a fall:

(i) Limit maximum arresting force on an employee to 1,800 pounds (8 kN) when used with a body harness;

(ii) Bring an employee to a complete stop and limit maximum deceleration distance an employee travels to 3.5 feet (1.07 m); and

(iii) Shall have sufficient strength to withstand twice the potential impact energy of an employee free falling a distance of 6 feet (1.8 m), or the free fall distance permitted by the system, whichever is less.

(b) (i) When used by employees having a combined person and tool weight of less than 310 pounds (140 kg), personal fall arrest systems which meet the criteria and protocols contained in subsections (2), (3), and (4) in Part II of this appendix shall be considered as complying with the provisions of (a) of this subsection.

(ii) When used by employees having a combined tool and body weight of 310 pounds (140 kg) or more, personal fall arrest systems which meet the criteria and protocols contained in subsections (2), (3), and (4) of Part II may be considered as complying with the provisions of (a) of this subsection provided that the criteria and protocols are modified appropriately to provide proper protection for such heavier weights.

(5) Care and use.

(a) Snap-hooks, unless of a locking type designed and used to prevent disengagement from the following connections, shall not be engaged:

(i) Directly to webbing, rope or wire rope;

(ii) To each other;

(iii) To a dec-ring to which another snap-hook or other connector is attached;

(iv) To a horizontal lifeline; or

(v) To any object which is incompatibly shaped or dimensioned in relation to the snap-hook such that the connected object could depress the snap-hook keeper a sufficient amount to release itself.

(b) Devices used to connect to a horizontal lifeline which may become a vertical lifeline shall be capable of locking in either direction on the lifeline.

(c) Personal fall arrest systems shall be rigged such that an employee can neither free fall more than 6 feet (1.8 m), nor contact any lower level.

(d) The attachment point of the body harness shall be located in the center of the wearer's back near shoulder level, or above the wearer's head.

(e) When vertical lifelines are used, each employee shall be provided with a separate lifeline.

(f) Personal fall arrest systems or components shall be used only for employee fall protection.

(g) Personal fall arrest systems or components subjected to impact loading shall be immediately removed from service and shall not be used again for employee protection unless inspected and determined by a competent person to be undamaged and suitable for reuse.

(h) The employer shall provide for prompt rescue of employees in the event of a fall or shall assure the self-rescue capability of employees.

(i) Before using a personal fall arrest system, and after any component or system is changed, employees shall be trained in accordance with the requirements of WAC 296-24-87017(1), in the safe use of the system.

(6) Inspections. Personal fall arrest systems shall be inspected prior to each use for mildew, wear, damage and other deterioration, and defective components shall be removed from service if their strength or function may be adversely affected.

PART II

Test methods for personal fall arrest systems (nonmandatory)

(1) General. Subsections (2), (3), (4) and (5) of this Part II set forth test procedures which may be used to determine compliance with the requirements in subsection (4) of Part I of this appendix.

(2) General conditions for all tests in Part II.

(a) Lifelines, lanyards and deceleration devices should be attached to an anchorage and connected to the body harness in the same manner as they would be when used to protect employees.

(b) The anchorage should be rigid, and should not have a deflection greater than .04 inches (1 mm) when a force of 2,250 pounds (10 kN) is applied.

(c) The frequency response of the load measuring instrumentation should be 120 Hz.

(d) The test weight used in the strength and force tests should be a rigid, metal, cylindrical or torso-shaped object with a girth of 38 inches plus or minus 4 inches (96 cm plus or minus 10 cm).

(e) The lanyard or lifeline used to create the free fall distance should be supplied with the system, or in its absence, the least elastic lanyard or lifeline available to be used with the system.

(f) The test weight for each test should be hoisted to the required level and should be quickly released without having any appreciable motion imparted to it.

(g) The system's performance should be evaluated taking into account the range of environmental conditions for which it is designed to be used.

(h) Following the test, the system need not be capable of further operation.

(3) Strength test.

(a) During the testing of all systems, a test weight of 300 pounds plus or minus 5 pounds (135 kg plus or minus 2.5 kg) should be used. (See subsection (2)(d) of this part.)

(b) The test consists of dropping the test weight once. A new unused system should be used for each test.

(c) For lanyard systems, the lanyard length should be 6 feet plus or minus 2 inches (1.83 m plus or minus 5 cm) as measured from the fixed anchorage to the attachment point on the body belt or body harness.

(d) For rope-grab-type deceleration systems, the length of the lifeline above the centerline of the grabbing mechanism to the lifeline's anchorage point should not exceed 2 feet (0.61 m).

(e) For lanyard systems, for systems with deceleration devices which do not automatically limit free fall distance to 2 feet (0.61 m) or less, and for systems with deceleration devices which have a connection distance in excess of one foot (0.3 m) (measured between the centerline of the lifeline and the attachment point to the body harness), the test weight should be rigged to free fall a distance of 7.5 feet (2.3 m) from a point that is 1.5 feet (46 cm) above the anchorage point, to its hanging location (6 feet below the anchorage). The test weight should fall without interference, obstruction, or hitting the floor or ground during the test. In some cases a nonelastic wire lanyard of sufficient length may need to be added to the system (for test purposes) to create the necessary free fall distance.

(f) For deceleration device systems with integral lifelines or lanyards which automatically limit free fall distance to 2 feet (0.61 m) or less, the test weight should be rigged to free fall a distance of 4 feet (1.22 m).

(g) Any weight which detaches from the harness should constitute failure for the strength test.

(4) Force test.

(a) General. The test consists of dropping the respective test weight specified in (b)(i) or (c)(i) of this subsection once. A new, unused system should be used for each test.

(b) For lanyard systems.

(i) A test weight of 220 pounds plus or minus three pounds (100 kg plus or minus 1.6 kg) should be used. (See subsection (2)(d) above.)

(ii) Lanyard length should be 6 feet plus or minus 2 inches (1.83 m plus or minus 5 cm) as measured from the fixed anchorage to the attachment on the body harness.

(iii) The test weight should fall free from the anchorage level to its hanging location (a total of 6 feet (1.83 m) free fall distance) without interference, obstruction, or hitting the floor or ground during the test.

(c) For all other systems.

(i) A test weight of 220 pounds plus or minus 3 pounds (100 kg plus or minus 1.6 kg) should be used. (See subsection (2)(d) above.)

(ii) The free fall distance to be used in the test should be the maximum fall distance physically permitted by the system during normal use conditions, up to a maximum free fall distance for the test weight of 6 feet (1.83 m), except as follows:

(A) For deceleration systems which have a connection link or lanyard, the test weight should free fall a distance equal to the connection distance (measured between the centerline of the lifeline and the attachment point to the body harness).

(B) For deceleration device systems with integral lifelines or lanyards which automatically limit free fall distance to 2 feet (0.61 m) or less, the test weight should free fall a distance equal to that permitted by the system in normal use. (For example, to test a system with a self-retracting lifeline or lanyard, the test weight should be supported and the system allowed to retract the lifeline or lanyard as it would in normal use. The test weight would then be released and the force and deceleration distance measured).

(d) A system fails the force test if the recorded maximum arresting force exceeds 2,520 pounds (11.2 kN) when using a body harness.

(e) The maximum elongation and deceleration distance should be recorded during the force test.

(5) Deceleration device tests.

(a) General. The device should be evaluated or tested under the environmental conditions, (such as rain, ice, grease, dirt, type of lifeline, etc.), for which the device is designed.

(b) Rope-grab-type deceleration devices.

(i) Devices should be moved on a lifeline 1,000 times over the same length of line a distance of not less than one foot (30.5 cm), and the mechanism should lock each time.

(ii) Unless the device is permanently marked to indicate the type(s) of lifeline which must be used, several types (different diameters and different materials), of lifelines should be used to test the device.

(c) Other self-activating-type deceleration devices. The locking mechanisms of other self-activating-type deceleration devices designed for more than one arrest should lock each of 1,000 times as they would in normal service.

Part III

Additional nonmandatory guidelines for personal fall arrest systems. The following information constitutes additional guidelines for use in complying with requirements for a personal fall arrest system.

(1) Selection and use considerations. The kind of personal fall arrest system selected should match the particular work situation, and any possible free fall distance should be kept to a minimum. Consideration should be given to the particular work environment. For example, the presence of acids, dirt, moisture, oil, grease, etc., and their effect on the system, should be evaluated. Hot or cold environments may also have an adverse effect on the system. Wire rope should not be used where an electrical hazard is anticipated. As required by the standard, the employer must plan to have means available to promptly rescue an employee should a fall occur, since the suspended employee may not be able to reach a work level independently.

Where lanyards, connectors, and lifelines are subject to damage by work operations such as welding, chemical cleaning, and sandblasting, the component should be protected, or other securing systems should be used. The employer should fully evaluate the work conditions and environment (including seasonal weather changes) before selecting the appropriate personal fall protection system. Once in use, the system's effectiveness should be monitored. In some cases, a program for cleaning and maintenance of the system may be necessary.

(2) Testing considerations. Before purchasing or putting into use a personal fall arrest system, an employer should obtain from the supplier information about the system based on its performance during testing so that the employer can know if the system meets this standard. Testing should be done using recognized test methods. Part II of this Appendix C contains test methods recognized for evaluating the performance of fall arrest systems. Not all systems may need to be individually tested; the performance of some systems may be based on data and calculations derived from testing of similar systems, provided that enough information is available to demonstrate similarity of function and design.

(3) Component compatibility considerations. Ideally, a personal fall arrest system is designed, tested, and supplied as a complete system. However, it is common practice for lanyards, connectors, lifelines, deceleration devices, and body harnesses to be interchanged since some components wear out before others. The employer and employee should realize that not all components are interchangeable. For instance, a lanyard should not be connected between a body harness and a deceleration device of the self-retracting type since this can result in additional free fall for which the system was not designed. Any substitution or change to a personal fall arrest system should be fully evaluated or tested by a competent person to determine that it meets the standard, before the modified system is put in use.

(4) Employee training considerations. Thorough employee training in the selection and use of personal fall arrest systems is imperative. As stated in the standard, before the equipment is used, employees must

be trained in the safe use of the system. This should include the following: Application limits; proper anchoring and tie-off techniques; estimation of free fall distance, including determination of deceleration distance, and total fall distance to prevent striking a lower level; methods of use; and inspection and storage of the system. Careless or improper use of the equipment can result in serious injury or death. Employers and employees should become familiar with the material in this Appendix, as well as manufacturer's recommendations, before a system is used. Of uppermost importance is the reduction in strength caused by certain tie-offs (such as using knots, tying around sharp edges, etc.) and maximum permitted free fall distance. Also, to be stressed are the importance of inspections prior to use, the limitations of the equipment, and unique conditions at the worksite which may be important in determining the type of system to use.

(5) Instruction considerations. Employers should obtain comprehensive instructions from the supplier as to the system's proper use and application, including, where applicable:

- (a) The force measured during the sample force test;
- (b) The maximum elongation measured for lanyards during the force test;
- (c) The deceleration distance measured for deceleration devices during the force test;
- (d) Caution statements on critical use limitations;
- (e) Application limits;
- (f) Proper hook-up, anchoring and tie-off techniques, including the proper dee-ring or other attachment point to use on the body harness for fall arrest;
- (g) Proper climbing techniques;
- (h) Methods of inspection, use, cleaning, and storage; and
- (i) Specific lifelines which may be used. This information should be provided to employees during training.

(6) Inspection considerations. As stated in WAC 296-24-87035(6), personal fall arrest systems must be regularly inspected. Any component with any significant defect, such as cuts, tears, abrasions, mold, or undue stretching; alterations or additions which might affect its efficiency; damage due to deterioration; contact with fire, acids, or other corrosives; distorted hooks or faulty hook springs; tongues unfitted to the shoulder of buckles; loose or damaged mountings; nonfunctioning parts; or wearing or internal deterioration in the ropes must be withdrawn from service immediately, and should be tagged or marked as unusable, or destroyed.

(7) Rescue considerations. As required by WAC 296-24-87035 (5)(h) when personal fall arrest systems are used, the employer must assure that employees can be promptly rescued or can rescue themselves should a fall occur. The availability of rescue personnel, ladders or other rescue equipment should be evaluated. In some situations, equipment which allows employees to rescue themselves after the fall has been arrested may be desirable, such as devices which have descent capability.

(8) Tie-off considerations.

(a) One of the most important aspects of personal fall protection systems is fully planning the system before it is put into use. Probably the most overlooked component is planning for suitable anchorage points. Such planning should ideally be done before the structure or building is constructed so that anchorage points can be incorporated during construction for use later for window cleaning or other building maintenance. If properly planned, these anchorage points may be used during construction, as well as afterwards.

(b) Employers and employees should at all times be aware that the strength of a personal fall arrest system is based on its being attached to an anchoring system which does not significantly reduce the strength of the system (such as a properly dimensioned eye-bolt/snap-hook anchorage). Therefore, if a means of attachment is used that will reduce the strength of the system, that component should be replaced by a stronger one, but one that will also maintain the appropriate maximum arrest force characteristics.

(c) Tie-off using a knot in a rope lanyard or lifeline (at any location) can reduce the lifeline or lanyard strength by 50 percent or more. Therefore, a stronger lanyard or lifeline should be used to compensate for the weakening effect of the knot, or the lanyard length should be reduced (or the tie-off location raised) to minimize free fall distance, or the lanyard or lifeline should be replaced by one which has an appropriately incorporated connector to eliminate the need for a knot.

(d) Tie-off of a rope lanyard or lifeline around an "H" or "I" beam or similar support can reduce its strength as much as 70 percent due to the cutting action of the beam edges. Therefore, use should be made of

a webbing lanyard or wire core lifeline around the beam; or the lanyard or lifeline should be protected from the edge; or free fall distance should be greatly minimized.

(e) Tie-off where the line passes over or around rough or sharp surfaces reduces strength drastically. Such a tie-off should be avoided or an alternative tie-off rigging should be used. Such alternatives may include use of a snap-hook/dee-ring connection, wire rope tie-off, an effective padding of the surfaces, or an abrasion-resistance strap around or over the problem surface.

(f) Horizontal lifelines may, depending on their geometry and angle of sag, be subjected to greater loads than the impact load imposed by an attached component. When the angle of horizontal lifeline sag is less than 30 degrees, the impact force imparted to the lifeline by an attached lanyard is greatly amplified. For example, with a sag angle of 15 degrees, the force amplification is about 2:1 and at 5 degrees sag, it is about 6:1. Depending on the angle of sag, and the line's elasticity, the strength of the horizontal lifeline and the anchorages to which it is attached should be increased a number of times over that of the lanyard. Extreme care should be taken in considering a horizontal lifeline for multiple tie-offs. The reason for this is that in multiple tie-offs to a horizontal lifeline, if one employee falls, the movement of the falling employee and the horizontal lifeline during arrest of the fall may cause other employees to also fall. Horizontal lifeline and anchorage strength should be increased for each additional employee to be tied-off. For these and other reasons, the design of systems using horizontal lifelines must only be done by qualified persons. Testing of installed lifelines and anchors prior to use is recommended.

(g) The strength of an eye-bolt is rated along the axis of the bolt and its strength is greatly reduced if the force is applied at an angle to this axis (in the direction of shear). Also, care should be exercised in selecting the proper diameter of the eye to avoid accidental disengagement of snap-hooks not designed to be compatible for the connection.

(h) Due to the significant reduction in the strength of the lifeline/lanyard (in some cases, as much as a 70 percent reduction), the sliding hitch knot should not be used for lifeline/lanyard connections except in emergency situations where no other available system is practical. The "one-and-one" sliding hitch knot should never be used because it is unreliable in stopping a fall. The "two-and-two," or "three-and-three" knot (preferable), may be used in emergency situations; however, care should be taken to limit free fall distance to a minimum because of reduced lifeline/lanyard strength.

(9) Vertical lifeline considerations. As required by the standard, each employee must have a separate lifeline when the lifeline is vertical. The reason for this is that in multiple tie-offs to a single lifeline, if one employee falls, the movement of the lifeline during the arrest of the fall may pull other employees' lanyards, causing them to fall as well.

(10) Snap-hook considerations.

(a) Although not required by this standard for all connections, locking snap-hooks designed for connection to suitable objects (of sufficient strength) are highly recommended in lieu of the nonlocking type. Locking snap-hooks incorporate a positive locking mechanism in addition to the spring loaded keeper, which will not allow the keeper to open under moderate pressure without someone first releasing the mechanism. Such a feature, properly designed, effectively prevents roll-out from occurring.

(b) As required by the standard WAC 296-24-87035 (5)(a) the following connections must be avoided (unless properly designed locking snap-hooks are used) because they are conditions which can result in roll-out when a nonlocking snap-hook is used:

- Direct connection of a snap-hook to a horizontal lifeline.
- Two (or more) snap-hooks connected to one dee-ring.
- Two snap-hooks connected to each other.
- A snap-hook connected back on its integral lanyard.
- A snap-hook connected to a webbing loop or webbing lanyard.
- Improper dimensions of the dee-ring, rebar, or other connection point in relation to the snap-hook dimensions which would allow the snap-hook keeper to be depressed by a turning motion of the snap-hook.

(11) Free fall considerations. The employer and employee should at all times be aware that a system's maximum arresting force is evaluated under normal use conditions established by the manufacturer, and in no case using a free fall distance in excess of 6 feet (1.8 m). A few extra feet of free fall can significantly increase the arresting force on the employee, possibly to the point of causing injury. Because of this, the free fall distance should be kept at a minimum, and, as required by the standard, in no case greater than 6 feet (1.8 m). To help assure

this, the tie-off attachment point to the lifeline or anchor should be located at or above the connection point of the fall arrest equipment to harness. (Since otherwise additional free fall distance is added to the length of the connecting means (i.e. lanyard)). Attaching to the working surface will often result in a free fall greater than 6 feet (1.8 m). For instance, if a 6 foot (1.8 m) lanyard is used, the total free fall distance will be the distance from the working level to the body harness attachment point plus the 6 feet (1.8 m) of lanyard length. Another important consideration is that the arresting force which the fall system must withstand also goes up with greater distances of free fall, possibly exceeding the strength of the system.

(12) Elongation and deceleration distance considerations. Other factors involved in a proper tie-off are elongation and deceleration distance. During the arresting of a fall, a lanyard will experience a length of stretching or elongation, whereas activation of a deceleration device will result in a certain stopping distance. These distances should be available with the lanyard or device's instructions and must be added to the free fall distance to arrive at the total fall distance before an employee is fully stopped. The additional stopping distance may be very significant if the lanyard or deceleration device is attached near or at the end of a long lifeline, which may itself add considerable distance due to its own elongation. As required by the standard, sufficient distance to allow for all of these factors must also be maintained between the employee and obstructions below, to prevent an injury due to impact before the system fully arrests the fall. In addition, a minimum of 12 feet (3.7 m) of lifeline should be allowed below the securing point of a rope grab type deceleration device, and the end terminated to prevent the device from sliding off the lifeline. Alternatively, the lifeline should extend to the ground or the next working level below. These measures are suggested to prevent the worker from inadvertently moving past the end of the lifeline and having the rope grab become disengaged from the lifeline.

(13) Obstruction considerations. The location of the tie-off should also consider the hazard of obstructions in the potential fall path of the employee. Tie-offs which minimize the possibilities of exaggerated swinging should be considered.

(14) Other considerations. Because of the design of some personal fall arrest systems, additional considerations may be required for proper tie-off. For example, heavy deceleration devices of the self-retracting type should be secured overhead in order to avoid the weight of the device having to be supported by the employee. Also, if self-retracting equipment is connected to a horizontal lifeline, the sag in the lifeline should be minimized to prevent the device from sliding down the lifeline to a position which creates a swing hazard during fall arrest. In all cases, manufacturer's instructions should be followed.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-52-417 DEFINITIONS. Definitions as used in this chapter, unless a different meaning is plainly required by the context:

(1) "American Table of Distances" (also known as Quantity Distance Tables) means American Table of Distances for Storage of Explosives as revised and approved by the Institute of the Makers of Explosives, June 5, 1964.

(2) "Approved storage facility" means a facility for the storage of explosive materials conforming to the requirements of this part and covered by a license or permit issued under authority of the Internal Revenue Service. (See WAC 296-52-441.)

(3) "Attend" means the physical presence of an authorized person within the field of vision of explosives. The said attendant shall be awake, alert and not engaged in activities which may divert ((his)) attention so that in case of an emergency ((he)) the attendant can get to the explosives quickly and without interference, except for brief periods of necessary absence, during which absence simple theft of explosives is not ordinarily possible.

((fz)) (4) "Authorized," "approved" or "approval" means authorized, approved, or approval by the department of labor and industries or other approving agency or individual as specified by the provisions of this chapter.

((fz)) (5) "Barricaded" means the effective screening of a building containing explosives from a magazine or other building, railway, or highway by a natural or an artificial barrier. A straight line from the top of any sidewall of the building containing explosives to the cave line of any magazine or other building or to a point twelve feet above the center of a railway or highway shall pass through such barrier.

((fz)) (6) "Blast area" means the area of a blast within the influence of flying rock missiles, gases, and concussion.

((fz)) (7) "Blast pattern" means the plan of the drill holes laid out on a bench; an expression of the burden distance and the spacing distance and their relationship to each other.

((fz)) (8) "Blast site" means the area where explosive material is handled during loading, including the perimeter of blast holes and 50 feet in all directions from loaded holes or holes to be loaded. In underground mines 15 feet of solid rib or pillar can be substituted for the 50 foot distance.

((fz)) (9) "Blaster" means that qualified person in charge of and responsible for the loading and firing of a blast.

((fz)) (10) "Blasting agent" means any material or mixture consisting of a fuel and oxidizer, intended for blasting, not otherwise classified as an explosive, and in which none of the ingredients are classified as an explosive, provided that the finished product, as mixed and packaged for use or shipment, cannot be detonated when unconfined by means of a No. 8 test blasting cap.

(11) "Block holing" means the breaking of boulders by firing a charge of explosives that has been loaded in a drill hole.

(12) "Conveyance" means any unit for transporting explosives or blasting agents, including but not limited to trucks, trailers, rail cars, barges, and vessels.

((fz)) (13) "Day box" means a box which is not approved as a magazine for unattended storage of explosives. Such box may be used for storage of explosives during working hours on a job site, provided that it shall always be guarded against theft, particularly in inhabited areas, and shall be attended or locked and secured against outright lifting, as the risk demands. Caps shall be safely separated from other explosives. Such day boxes shall be marked with the word "explosives" and be constructed in accordance with WAC 296-52-457(7).

((fz)) (14) "Dealer" means any person who purchases explosives or blasting agents for the sole purpose of resale, and not for use or consumption.

((fz)) (15) "Department" means the department of labor and industries.

((fz)) (16) "Detonating cord" means a round, flexible cord containing a center core of high explosive and used to initiate other explosives.

((fz)) (17) "Detonator" means any device containing any initiating or primary explosive that is used for initiating detonation. The term includes, but is not limited to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses, detonating cord delay connectors, and nonelectric instantaneous and delay blasting caps which use detonating cord, shock tube, or any other replacement for electric leg wires.

((fz)) (18) "Director" means the director of the department of labor and industries, or ((his)) the designated representative.

((fz)) (19) "Division" means the division of industrial safety and health of the department.

((fz)) (20) "Efficient artificial barricade" means an artificial mound or properly revetted wall of earth of a minimum thickness of not less than three feet or such other artificial barricade as approved by the department of labor and industries.

(21) "Electric blasting cap" means a blasting cap designed for and capable of detonation by means of an electric current.

(22) "Electric blasting circuitry" means:

(a) Bus wire. An expendable wire, used in parallel or series, in parallel circuits, to which are connected the leg wires of electric blasting caps.

(b) Connecting wire. An insulated expendable wire used between electric blasting caps and the leading wires or between the bus wire and the leading wires.

(c) Leading wire. An insulated wire used between the electric power source and the electric blasting cap circuit.

(d) Permanent blasting wire. A permanently mounted insulated wire used between the electric power source and the electric blasting cap circuit.

(23) "Electric delay blasting caps" means caps designed to detonate at a predetermined period of time after energy is applied to the ignition system.

((fz)) (24) "Explosive" or "explosives" whenever used in this chapter means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities or packing, that an ignition by fire, by friction, by concussion, by percussion, or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of

producing destructive effects on contiguous objects or of destroying life or limb. In addition, the term "explosives" shall include all material which is classified as Class A, Class B, and Class C explosives by the federal Department of Transportation: PROVIDED, That for the purposes of this chapter small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder not exceeding five pounds shall not be defined as explosives: PROVIDED, That such black powder is intended to be used solely for sporting, recreational, or cultural purposes in antique firearms. Classification of explosives shall include but not be limited to the following:

Note: Classification of explosives is described by the U.S. Department of Transportation as follows (see 49 CFR, Parts 100-199) (1984):

- (a) Class A explosives: (Possessing detonating hazard) dynamite, nitroglycerin, picric acid, lead azide, fulminate of mercury, black powder exceeding five pounds, blasting caps in quantities of 1001 or more, and detonating primers.
- (b) Class B explosives: (Possessing flammable hazard) propellant explosives, including smokeless propellants exceeding fifty pounds.
- (c) Class C explosives: (Including certain types of manufactured articles which contain Class A or Class B explosives, or both, as components but in restricted quantities) blasting caps in quantities of 1000 or less.

~~((18))~~ (25) "Explosive-actuated power devices" means any tool or special mechanized device which is actuated by explosives, but not to include propellant-actuated power devices.

~~((19))~~ (26) "Explosives manufacturing building" means any building or other structure (excepting magazines) containing explosives, in which the manufacture of explosives, or any processing involving explosives, is carried on, and any building where explosives are used as a component part or ingredient in the manufacture of any article or device.

~~((20))~~ (27) "Explosives manufacturing plant" means all lands, with the buildings situated thereon, used in connection with the manufacturing or processing of explosives or in which any process involving explosives is carried on, or the storage of explosives thereat, as well as any premises where explosives are used as a component part or ingredient in the manufacture of any article or device.

~~((21))~~ (28) "Factory building" means the same as "manufacturing building."

~~((22))~~ (29) "Forbidden or not acceptable explosives" means explosives which are forbidden or not acceptable for transportation by common carriers by rail freight, rail express, highway, or water in accordance with the regulations of the federal Department of Transportation.

~~((23))~~ (30) "Fuel" means a substance which may react with oxygen to produce combustion.

~~((24))~~ "Fuse cap (fuse detonator)" means a detonator which is initiated by a safety fuse; also referred to as an ordinary blasting cap.)

~~((25))~~ (31) "Fuse (safety)" means a flexible cord containing an internal burning medium by which fire or flame is conveyed at a continuous and uniform rate from the point of ignition to the point of use, usually a fuse detonator.

(32) "Fuse cap (fuse detonator)" means a detonator which is initiated by a safety fuse; also referred to as an ordinary blasting cap.

(33) "Fuse lighters" means special devices for the purpose of igniting safety fuse.

~~((26))~~ (34) "Handler" means any person/individual who handles explosives for purposes of transporting, moving, or assisting a licensed user (blaster) in loading, firing, blasting, or disposing of explosives and blasting agents. This does not include employees of a licensed manufacturer engaged in manufacturing process, drivers of common carriers or contract haulers.

~~((27))~~ (35) "Handloader" means any person who engages in the noncommercial assembling of small arms ammunition for ~~(his own)~~ personal use, specifically the operation of installing new primers, powder, and projectiles into cartridge cases.

~~((28))~~ (36) "Handloader components" means small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder as used in muzzle loading firearms not exceeding five pounds.

~~((29))~~ (37) "Highway" means any public street, public alley, or public road.

~~((30))~~ (38) "Inhabited building" means only a building regularly occupied in whole or in part as a habitation for human beings, or any church, schoolhouse, railroad station, store, or other building where people are accustomed to assemble, other than any building or structure occupied in connection with the manufacture, transportation, storage, or use of explosives. ~~(The)~~ A magazine for indoor storage is

not required to be a cubic yard in size as long as it is constructed as stated in WAC 296-52-090(3).

Note: The interpretation of an uninhabited building as defined by the "Bureau of Alcohol, Tobacco, and Firearms" Department of the Treasury, which is the federal regulatory agency of explosives, allows 50 pounds of high explosives or 5,000 caps in a warehouse, wholesale, or retail establishments. It also states: "No indoor facilities for storage of high explosive shall be located in a residence or dwelling." We only allow 1,000 caps, which is computed to 1-1/2 pounds of explosives and is much less than the Bureau of Alcohol, Tobacco, and Firearms allows. Therefore, the department will allow indoor storage to include shops and maintenance buildings.

~~((31))~~ (39) "Magazine" means any building, structure or container, other than an explosive manufacturing building, approved for the storage of explosive materials.

~~((32))~~ (40) "Manufacturer" means any person engaged in the business of manufacturing explosive materials for purposes of sale, distribution, or use.

(41) "Misfire" means the complete or partial failure of an explosive charge to explode as planned.

~~((33))~~ (42) "Motor vehicle" means any self-propelled automobile, truck, tractor, semitrailer or full trailer, or other conveyance used for the transportation of freight.

~~((34))~~ (43) "Mudcap" means covering the required number of cartridges that have been laid on top of a boulder with a three or four inch layer of mud (free from rocks or other material which might constitute a missile hazard). Mudcapping is also commonly known as "bulldozing" and "dobyng."

~~((35))~~ (44) "Natural barricade" means any natural hill, mound, wall, or barrier composed of earth or rock or other solid material of a minimum thickness of not less than three feet.

(45) "Nonelectric delay blasting cap" means a blasting cap with an integral delay element in conjunction with and capable of being detonated by a detonation impulse or signal from miniaturized detonating cord.

~~((36))~~ (46) "Oxidizer" means a substance that yields oxygen readily to stimulate the combustion of organic matter or other fuel.

~~((37))~~ (47) "Permanent magazines" means magazines that are permanently fastened to a foundation and that are left unattended. The capacity of said permanent magazines shall not exceed the limits stated in RCW 70.74.040. Permanent magazines shall be approved and licensed.

~~((38))~~ (48) "Person" means any individual, firm, copartnership, corporation, company, association, joint stock association, and including any trustee, receiver, assignee, or personal representative thereof.

~~((39))~~ (49) "Person responsible," for an explosives magazine, means the legal person who actually operates the magazine and who is responsible for the proper storage, protection and removal of the explosives. The responsible person may be the owner or the lessee or the authorized operator of the magazine.

~~((40))~~ (50) "Portable magazines" also called "field" magazines means magazines that are designed to be unattended and that are not permanently fastened to a foundation. Said magazines shall be so constructed or secured that they can not be readily lifted and carried away by unauthorized persons. The capacity of said portable magazines shall be limited to the amount of explosives required for efficient operation. Portable magazines shall be approved and licensed.

~~((41))~~ (51) "Possess" means the physical possession of explosives in one's hand, vehicle, magazine or building.

(52) "Primary blasting" means the blasting operation by which the original rock formation is dislodged from its natural location.

~~((42))~~ (53) "Primer" means a unit, package, cartridge, or container of explosives ~~(used)~~ into which a detonator or detonating cord is inserted or attached to initiate other explosives or blasting agents.

~~((43))~~ (54) "Propellant-actuated power device" means any tool or special mechanized device or gas generator system which is actuated by a propellant or which releases and directs work through a propellant charge.

~~((44))~~ (55) "Public conveyance" means any railroad car, streetcar, ferry, cab, bus, airplane, or other vehicle which is carrying passengers for hire.

~~((45))~~ (56) "Public utility transmission system" means power transmission lines over 751 volts, telephone cables, or microwave transmission systems, or buried or exposed pipelines carrying water, natural gas, petroleum, or crude oil, or refined products and chemicals, whose services are regulated by the utilities and transportation commission, municipal, or other publicly owned systems.

~~((46))~~ (57) "Purchaser" means any person who buys, accepts, or receives any explosives or blasting agents.

~~((47))~~ (58) "Pyrotechnics" means any combustible or explosive compositions or manufactured articles designed and prepared for the purpose of producing audible or visible effects which are commonly referred to as fireworks.

~~((48))~~ (59) "Railroad" means any steam, electric, or other railroad which carries passengers for hire.

~~((49))~~ (60) "Railroad freight car" means cars that are built for and loaded with explosives and operated in accordance with DOT rules.

(61) "Safety fuse" means a flexible cord containing an internal burning medium by which fire is conveyed at a continuous and uniform rate for the purpose of firing blasting caps.

(62) "Secondary blasting" means the reduction of oversize material by the use of explosives to the dimension required for handling, including mudcapping and blockholing.

~~((50))~~ (63) "Semiconductive hose" means a hose with an electrical resistance high enough to limit flow of stray electric currents to safe levels, yet not so high as to prevent drainage of static electric charges to ground; hose of not more than 2 megohms resistance over its entire length and of not less than 5,000 ohms per foot meets the requirement.

~~((51))~~ (64) "Shall" means that the rule establishes a minimum standard which is mandatory.

~~((52))~~ (65) "Small arms ammunition" means any shotgun, rifle, pistol, or revolver cartridge, and cartridges for propellant-actuated power devices and industrial guns. Military-type ammunition containing explosive bursting charges, incendiary, tracer, spotting, or pyrotechnic projectiles is excluded from this definition.

~~((53))~~ (66) "Small arms ammunition primers" means small percussion-sensitive explosive charges encased in a cap or capsule and used to ignite propellant powder and shall include percussion caps as used in muzzle loaders.

~~((54))~~ (67) "Smokeless propellants" means solid chemicals or solid chemical mixtures in excess of fifty pounds which function by rapid combustion.

~~((55))~~ (68) "Special industrial explosive devices" means explosive-actuated power devices and propellant-actuated power devices.

~~((56))~~ (69) "Special industrial explosives materials" means shaped materials and sheet forms and various other extrusions, pellets, and packages of high explosives, which include dynamite, trinitrotoluene (TNT), pentaerythritol tetranitrate (PETN), hexahydro-1, 3, 5-trinitro-s-triazine (RDX), and other similar compounds used for high-energy-rate forming, expanding, and shaping in metal fabrication, and for dismemberment and quick reduction of scrap metal.

(70) "Springing" means the creation of a pocket in the bottom of a drill hole by the use of a moderate quantity of explosives in order that larger quantities or explosives may be inserted therein.

~~((57))~~ (71) "Sprung holes" means to spring or chamber the bottom of the drilled hole to allow room for additional explosives as a bottom load.

(72) "Stemming" means a suitable inert incombustible material or device used to confine or separate explosives in a drill hole, or to cover explosives in mud-capping.

~~((58))~~ (73) "Trailer" means semitrailers or full trailers as defined by DOT, that are built for and loaded with explosives and operated in accordance with DOT rules.

~~((59))~~ (74) "Unclassified explosives" means any two components which, when mixed become capable of detonation by a No. 6 test blasting cap.

~~((60))~~ (75) "User" means any natural person, manufacturer, or blaster who acquires, purchases, or uses explosives as an ultimate consumer or who supervises such use.

~~((61))~~ (76) "Water gels or slurry explosives" comprise a wide variety of materials used for blasting. They all contain substantial proportions of water and high proportions of ammonium nitrate, some of which is in solution in the water. Two broad classes of water gels are:

(a) Those which are sensitized by a material classed as an explosive, such as TNT or smokeless powder,

(b) Those which contain no ingredient classified as an explosive; these are sensitized with metals such as aluminum or with other fuels. Water gels may be premixed at an explosives plant or mixed at the site immediately before delivery into the bore hole.

~~((62))~~ (77) "DOT specification" are regulations of the Department of Transportation published in 49 CFR Chapter I.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-465 STORAGE OF AMMONIUM NITRATE. (1) Scope and definitions.

(a) Except as provided in (d) of this subsection applies to the storage of ammonium nitrate in the form of crystals, flakes, grains, or prills including fertilizer grade, dynamite grade, nitrous oxide grade, technical grade, and other mixtures containing 60 percent or more ammonium nitrate by weight but does not apply to blasting agents.

(b) This section does not apply to the transportation of ammonium nitrate.

(c) This section does not apply to storage under the jurisdiction of and in compliance with the regulations of the United States Coast Guard (see 46 CFR Parts 146-149).

(d) The storage of ammonium nitrate and ammonium nitrate mixtures that are more sensitive than allowed by the "definition of test procedures for ammonium nitrate fertilizer" is prohibited.

(e) Nothing in this section shall apply to the production of ammonium nitrate or to the storage of ammonium nitrate on the premises of the producing plant, provided that no distinct undue hazard to the public is created.

(f) The definition and test procedures for ammonium nitrate fertilizer are those found in the bulletin, "Definition and test procedures for ammonium nitrate fertilizer," available from the National Plant Food Institute, 1700 K Street N.W., Washington, D.C. 20006. This definition limits the contents of organic materials, metals, sulfur, etc., in a product that may be classified ammonium nitrate fertilizer.

(g) The standards for ammonium nitrate (nitrous oxide grade) are those found in the "specifications, properties, and recommendations for packaging, transportation, storage, and use of ammonium nitrate," available from the Compressed Gas Association, Inc., 500 Fifth Avenue, New York, NY 10036.

(2) General provisions.

(a) This subsection applies to all persons storing, having, or keeping ammonium nitrate, and to the owner or lessee of any building, premises, or structure in which ammonium nitrate is stored in quantities of 1,000 pounds or more.

(b) Approval of large quantity storage shall be subject to due consideration of the fire and explosion hazards, including exposure to toxic vapors from burning or decomposing ammonium nitrate.

(c) Storage buildings shall not have basements unless the basements are open on at least one side. Storage buildings shall not be over one story in height.

(d) Storage buildings shall have adequate ventilation or be of a construction that will be self-ventilating in the event of fire.

(e) The wall on the exposed side of a storage building within 50 feet of a combustible building, forest, piles of combustible materials and similar exposure hazards shall be of fire-resistive construction. In lieu of the fire-resistive wall, other suitable means of exposure protection such as a free standing wall may be used. The roof coverings shall be Class C or better, as defined in Roof Coverings, NFPA 203M-1970.

(f) All flooring in storage and handling areas, shall be of noncombustible material or protected against impregnation by ammonium nitrate and shall be without open drains, traps, tunnels, pits, or pockets into which any molten ammonium nitrate could flow and be confined in the event of fire.

(g) The continued use of an existing storage building or structure not in strict conformity with this section may be approved in cases where such continued use will not constitute a hazard to life or adjoining property.

(h) Buildings and structures shall be dry and free from water seepage through the roof, walls, and floors.

(3) Storage of ammonium nitrate in bags, drums, or other containers.

(a) Bags and containers used for ammonium nitrate must comply with specifications and standards required for use in interstate commerce (see 49 CFR Chapter I).

(b) Containers used on the premises in the actual manufacturing or processing need not comply with provisions of (a) of this subsection.

(c) Containers of ammonium nitrate shall not be accepted for storage when the temperature of the ammonium nitrate exceeds 130°F.

(d) Bags of ammonium nitrate shall not be stored within 30 inches of the storage building walls and partitions.

(e) The height of piles shall not exceed 20 feet. The width of piles shall not exceed 20 feet and the length 50 feet except that where the building is of noncombustible construction or is protected by automatic sprinklers the length of piles shall not be limited. In no case shall the

ammonium nitrate be stacked closer than 36 inches below the roof or supporting and spreader beams overhead.

(f) Aisles shall be provided to separate piles by a clear space of not less than 3 feet in width. At least one service or main aisle in the storage area shall be not less than 4 feet in width.

(4) Storage of bulk ammonium nitrate.

(a) Warehouses shall have adequate ventilation or be capable of adequate ventilation in case of fire.

(b) Unless constructed of noncombustible material or unless adequate facilities for fighting a roof fire are available, bulk storage structures shall not exceed a height of 40 feet.

(c) Bins shall be clean and free of materials which may contaminate ammonium nitrate.

(d) Due to the corrosive and reactive properties of ammonium nitrate, and to avoid contamination, galvanized iron, copper, lead, and zinc shall not be used in a bin construction unless suitably protected. Aluminum bins and wooden bins protected against impregnation by ammonium nitrate are permissible. The partitions dividing the ammonium nitrate storage from other products which would contaminate the ammonium nitrate shall be of tight construction.

(e) The ammonium nitrate storage bins or piles shall be clearly identified by signs reading "ammonium nitrate" with letters at least 2 inches high.

(f) Piles or bins shall be so sized and arranged that all material in the pile is moved out periodically in order to minimize possible caking of the stored ammonium nitrate.

(g) Height or depth of piles shall be limited by the pressure-setting tendency of the product. However, in no case shall the ammonium nitrate be piled higher at any point than 36 inches below the roof or supporting and spreader beams overhead.

(h) Ammonium nitrate shall not be accepted for storage when the temperature of the product exceeds 130°F.

(i) Dynamite, other explosives, and blasting agents shall not be used to break up or loosen caked ammonium nitrate.

(5) Contaminants.

(a) Ammonium nitrate shall be in a separate building or shall be separated by approved type firewalls of not less than 1 hour fire-resistance rating from storage or organic chemicals, acids, or other corrosive materials, materials that may require blasting during processing or handling, compressed flammable gases, flammable and combustible materials or other contaminating substances, including but not limited to animal fats, baled cotton, baled rags, baled scrap paper, bleaching powder, burlap or cotton bags, caustic soda, coal, coke, charcoal, cork, camphor, excelsior, fibers of any kind, fish oils, fish meal, foam rubber, hay, lubricating oil, linseed oil, or other oxidizable or drying oils, naphthalene, oakum, oiled clothing, oiled paper, oiled textiles, paint, straw, sawdust, wood shavings, or vegetable oils. Walls referred to in this subsection need extend only to the underside of the roof.

(b) In lieu of separation walls, ammonium nitrate may be separated from the materials referred to in (a) of this subsection by a space of at least 30 feet.

(c) Flammable liquids such as gasoline, kerosene, solvents, and light fuel oils shall not be stored on the premises except when such storage conforms to WAC 296-24-330, and when walls and sills or curbs are provided in accordance with (a) or (b) of this subsection.

(d) LP-Gas shall not be stored on the premises except when such storage conforms to WAC 296-24-475.

(e) Sulfur and finely divided metals shall not be stored in the same building with ammonium nitrate except when such storage conforms to chapter 296-52 WAC.

(f) Explosives and blasting agents shall not be stored in the same building with ammonium nitrate except on the premises of makers, distributors, and user-compounders of explosives or blasting agents.

(g) Where explosives or blasting agents are stored in separate buildings, other than on the premises of makers, distributors, and user-compounders of explosives or blasting agents, they shall be separated from the ammonium nitrate by the distances and/or barricades specified in Table H-22 of WAC 296-52-481, but by not less than 50 feet.

(h) Storage and/or operations on the premises of makers, distributors, and user-compounders of explosives or blasting agents shall be in conformity with chapter 296-52 WAC.

(6) General precautions.

(a) Electrical installations shall conform to the requirements of chapter 296-46 WAC for ordinary locations. They shall be designed to minimize damage from corrosion.

(b) In areas where lightning storms are prevalent, lightning protection shall be provided. (See the Lightning Protection Code, NFPA 78-1968.)

(c) Provisions shall be made to prevent unauthorized personnel from entering the ammonium nitrate storage area.

(7) Fire protection.

(a) Not more than 2,500 (2270 metric) tons of bagged ammonium nitrate shall be stored in a building or structure not equipped with an automatic sprinkler system. Sprinkler systems shall be of the approved type and installed in accordance with WAC 296-24-607.

(b) Suitable fire control devices such as small hose or portable fire extinguishers shall be provided throughout the warehouse and in the loading and unloading areas. Suitable fire control devices shall comply with the requirements of WAC 296-24-592 and 296-24-602.

(c) Water supplies and fire hydrants shall be available in accordance with recognized good practices.

AMENDATORY SECTION (Amending Order 88-25, filed 11/14/88)

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.

(d) Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives, detonation cord or detonators, except carrying safety fuse, and properly secured, nonsparking equipment used expressly in the handling of such explosives will be permissible.

(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 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.

(c) Motor vehicles or conveyances carrying explosives, blasting agents, or blasting supplies, shall not be taken inside a garage or shop for repairs or servicing.

(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))~~ The attendant shall have been made familiar with the vehicle ~~((he is))~~ to which 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) Hoist operators shall be notified before explosives or blasting agents are transported in a shaft conveyance.

(e) Only a state approved powder car or vehicle shall be used underground.

~~((e))~~ (f) 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))~~ (g) Wires on electric caps shall be kept shunted until wired to the bus wires.

~~((g))~~ (h) 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.

(i) The installation of auxiliary lights on truck beds, which are powered by the truck's electrical system, shall be prohibited.

(j) No one, except the operator, the helper, and/or the powderman, shall be permitted to ride on a conveyor transporting explosives and blasting agents.

(k) No person shall ride in any shaft conveyance transporting explosives and blasting agents.

(l) No explosives or blasting agents shall be transported on a man-haul trip.

(m) The car or conveyance containing explosives or blasting agents shall be pulled, not pushed, whenever possible.

(n) The powder car or conveyance especially built for the purpose of transporting explosives or blasting agents shall bear a reflectorized sign on each side with the word "explosives" in letters not less than 4 inches in height; upon a background of sharply contrasting color.

(o) Compartments for transporting detonators and explosives in the same car or conveyance shall be physically separated by a distance of 24 inches or by a solid partition at least 6 inches thick.

(p) Detonators and other explosives shall not be transported at the same time in any shaft conveyance.

(q) Explosives and/or blasting agents, not in original containers, shall be placed in a suitable container when transported manually.

(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 86-24, filed 5/6/86)

WAC 296-52-493 USE OF EXPLOSIVES AND BLASTING AGENTS. (1) General provisions.

(a) While explosives are being handled or used, smoking, matches, or any other source of fire or flame shall not be allowed within 100 feet of the blast site. No person shall be allowed to handle explosives while under the influence of intoxicating liquors, 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.

(b) Original containers or day box magazines shall be used for taking detonators and other explosives from storage magazines to the blast site.

(c) When blasting is done in congested areas or in close proximity to a structure, railway, or highway or any other installation that may be damaged, the blast shall be covered before firing with a mat or material that is capable of preventing fragments from being thrown.

(d) Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable precaution, including but not limited to warning signals, flags and barricades or woven wire mats to insure the safety of the general public and workers.

(e) Blasting operations shall be conducted during daylight hours whenever possible.

(f) Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph, and steam utilities, the user (blaster) shall notify the appropriate representatives of such utilities at least twenty-four hours in advance of blasting, specifying the location and intended ~~((item))~~ time of such blasting. Verbal notice shall be confirmed with written notice.

(g) Due precautions shall be taken to prevent accidental discharge of electric blasting caps from current induced by radar, radio transmitters, lightning, adjacent powerlines, dust storms, or other sources of extraneous electricity. These precautions shall include:

(i) The suspension of all blasting operations and removal of persons from the blast site during the approach and progress of an electric storm.

(ii) The posting of signs, warning against the use of mobile radio transmitters, on all roads shall be in accordance with the applicable provisions of the American National Standards Institute D6.1-1971,

Manual on Uniform Traffic Control Devices for Streets and Highways, as amended by Washington State Department of Highways Manual M24-01 (HT), (February 22, 1972).

(iii) Ensuring that mobile radio transmitters which are less than 100 feet away from electric blasting caps, when the caps are in other than original containers, shall be deenergized and effectively locked.

(iv) Compliance with the recommendations of The Institute of the Makers of Explosives (IME) with regard to blasting in the vicinity of radio transmitters as stipulated in Radio Frequency Energy—A Potential Hazard in the Use of Electric Blasting Caps, IME Publication No. 20, September (~~1981~~) 1971.

(v) When electric blasting caps are being used in blasting operations in the proximity of fixed radio transmitters, the following table of distances must be observed, unless it is determined by designated test procedures that there is not sufficient radio frequency energy present to create a hazard. The test procedure shall be to attach a No. 47 radio pilot lamp in place of the cap in the blasting circuit progressively as the circuit is connected, starting with the initial hole. In the event the lamp glows, the length of the wires connecting the circuit shall be altered by adding or cutting off wire until the lamp does not glow. A radio frequency field strength meter may be used in lieu of the test lamp.

Electromagnetic radiation. Blasting operations or storage of electrical detonators shall be prohibited in vicinity of operating radio frequency (RF) transmitter stations except where the clearances given below can be observed.

| Transmitter Power Except FM Mobile (Watts) | Minimum Distance (Feet) |
|--|-------------------------------|
| 5 - 25 | 100 |
| 25 - 50 | 150 |
| 50 - 100 | 220 |
| 100 - 250 | 350 |
| 250 - 500 | 450 |
| 500 - 1,000 | 650 |
| 1,000 - 2,500 | 1,000 |
| 2,500 - 5,000 | 1,500 |
| 5,000 - 10,000 | 2,200 |
| 10,000 - 25,000 | 3,500 |
| 25,000 - 50,000 | 5,000 |
| 50,000 - 100,000 | 7,000 |

| Transmitter Power FM Mobile (Watts) | Minimum Distance (Feet) |
|---|-------------------------------|
| 1 - 10 | 5 |
| 10 - 30 | 10 |
| 30 - 60 | 15 |
| 60 - 250 | 30 |

(vi) When necessary to perform blasting operations at distances less than those shown in table, detonating type fuse or other approved type systems shall be used.

(h) No fire shall be fought where the fire is in imminent danger of contact with explosives. All employees shall be removed to a safe area and the fire area guarded against intruders.

(i) Electric detonators shall be shunted until wired into the blasting circuit.

(j) Explosives shall not be handled near open flames, uncontrolled sparks or open electric circuits.

(k) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or approved temporary storage or handling area.

(l) All loading and firing shall be directed and supervised by licensed persons thoroughly experienced in this field.

(m) The employer shall permit only persons having proof of valid safety explosive training to handle explosives at the blasting site.

(n) No explosive shall be loaded or used underground in the presence of combustible gases or combustible dusts.

(2) Storage at use sites.

(a) Empty boxes and paper and fiber packing materials which have previously contained high explosives shall not be used again for any

purpose, but shall be destroyed by burning at an approved isolated location out of doors, and no person shall be nearer than 100 feet after the burning has started.

(b) When opening kegs or wooden cases, no sparking metal tools shall be used; wooden wedges and either wood, fiber or rubber mallets shall be used. Nonsparking metallic slitters may be used for opening fiberboard cases.

(c) Should cartridges or packages of explosives show signs of discoloration or deterioration, the manufacturer or the department shall be notified. Such explosives must be carefully set aside and properly disposed of.

(3) Loading of explosives or blasting agents in blast holes.

(a) Procedures that permit safe and efficient loading shall be established before loading is started.

(b) All drill holes shall be sufficiently large to admit freely the insertion of the cartridges of explosives.

(c) Tamping shall be done only with wood rods or with approved plastic tamping poles without exposed metal parts, but nonsparking metal connectors may be used for jointed poles. Violent tamping shall be avoided. The primer shall never be tamped.

(d) No holes shall be loaded except those to be fired in the next round of blasting. After loading, all remaining explosives and detonators shall be immediately returned to an authorized magazine.

(e) Drilling shall not be started until all remaining butts of old holes are examined for unexploded charges, and if any are found, they shall be refired before work proceeds.

(f) When a charge of explosives has been exploded in a bore hole to enlarge or "spring" it, an interval of at least two hours must be allowed to pass before an additional charge of explosives can be loaded into the hole.

Note: There may be an exception made to this rule provided the sprung hole is thoroughly wet down with water before it is loaded.

(g) No person shall be allowed to deepen drill holes which have contained explosives or blasting agents.

(h) No explosives or blasting agents shall be left unattended unless stored in a licensed magazine.

(i) Users (blasters) shall not load, store or use explosives closer than the length of the steel being used for drilling and in no event nearer than fifty feet of drilling operations.

(j) Machines and all tools not used for loading explosives into bore holes shall be removed from the immediate location of holes being loaded with explosives. Equipment shall not be operated within 50 feet of loaded holes except when equipment is needed to add burden, mats or tracking of drills out of the loading area.

(k) Powerlines and portable electric cables for equipment being used shall be kept a safe distance from explosives or blasting agents being loaded into drill holes. Cables in the proximity of the blast area shall be deenergized and locked out by the blaster.

(l) Holes shall not be drilled where there is danger of intersecting a charged or misfired hole.

(m) All blast holes in open work shall be stemmed to the collar or to a point which will confine the charge.

(n) No explosives for underground operations other than those in Fume Class 1, as set forth by the Institute of Makers of Explosives, shall be used; however, explosives complying with the requirements of Fume Class 2 and Fume Class 3 may be used if adequate ventilation has been provided.

~~((m))~~ (o) Warning signs, indicating a blast area, shall be maintained at all approaches to the blast area. The warning sign lettering shall not be less than 4 inches in height on a contrasting background. All loaded stumps must be marked for identification on logging sites.

~~((m))~~ (p) A bore hole shall never be sprung when it is adjacent to or near a hole which has been loaded. Flashlight batteries shall not be used for springing holes.

~~((m))~~ (q) No loaded holes shall be left unattended or unprotected.

~~((m))~~ (r) The user (blaster) shall keep an accurate, up-to-date record of explosives, blasting agents, and blasting supplies used in a blast and shall keep an accurate running inventory of all explosives and blasting agents stored on the operation.

~~((m))~~ (s) When loading blasting agents pneumatically over electric blasting caps, semiconductor delivery hose shall be used and the equipment shall be bonded and grounded.

(4) Initiation of explosive charges - electric blasting.

(a) Only electric blasting caps shall be used for blasting operations in congested districts, or on highways, or adjacent to highways open to traffic, except where sources of extraneous electricity make such use

dangerous. Blasting cap leg wires shall be kept short-circuited (shunted) until they are connected into the circuit for firing.

(b) Before adopting any system of electrical firing, the user (blaster) shall conduct a thorough survey for extraneous currents, and all dangerous currents shall be eliminated before any holes are loaded.

(c) In any single blast using electric blasting caps, all caps shall be of the same style or function and be of the same manufacture.

(d) Electric blasting shall be carried out by using blasting circuits or power circuits in accordance with the electric blasting cap manufacturer's recommendations.

(e) The firing line shall be checked with an approved testing device at the terminals before being connected to the blasting machine or other power source.

(f) The circuit including all caps shall be tested with an approved testing device before being connected to the firing line.

(g) When firing a circuit of electric blasting caps, care shall be exercised to ensure that an adequate quantity of delivered current is available, in accordance with the manufacturer's recommendations.

(h) Connecting wires and lead wires shall be insulated single solid wires of sufficient current-carrying capacity, and shall not be less than twenty gauge (American wire gauge) solid core insulated wire.

(i) Firing line or leading wires shall be solid single wires of sufficient current-carrying capacity, and shall be not less than fourteen gauge (American wire gauge) solid core insulated wire. Bus wires - depends on the size of the blast, fourteen gauge (American wire gauge) copper is recommended.

(j) The ends of lead wires which are to be connected to a firing device shall be shorted by twisting them together or otherwise connecting them before they are connected to the leg wires or connecting wires, and they shall be kept in the possession of the person who is doing the loading until loading is completed and the leg wires attached. Lead wires shall not be attached to the firing device until the blaster is ready to fire the shot and must be attached by the user (blaster) themselves.

(k) The ends of the leg wires on electric detonators shall be shorted in a similar manner and not separated until all holes are loaded and the loader is ready to connect the leg wires to the connecting wires or lead wires.

(l) When firing electrically, the insulation on all firing lines shall be adequate and in good condition.

(m) A power circuit used for firing electric blasting caps shall not be grounded.

(n) In underground operations when firing from a power circuit, a safety switch shall be placed at intervals in the permanent firing line. This switch shall be made so it can be locked only in the "off" position and shall be provided with a short-circuiting arrangement of the firing lines to the cap circuit.

(o) In underground operations there shall be a "lightning" gap of at least 5 feet in the firing system ahead of the main firing switch; that is, between this switch and the source of power. This gap shall be bridged by a flexible jumper cord just before firing the blast.

(p) When firing from a power circuit, the firing switch shall be locked in the open or "off" position at all times, except when firing. It shall be so designed that the firing lines to the cap circuit are automatically short-circuited when the switch is in the "off" position. Keys to this switch shall be entrusted only to the user (blaster).

(q) Blasting machines shall be in good condition and the efficiency of the machine shall be tested periodically to make certain that it can deliver power at its rated capacity.

(r) When firing with blasting machines, the connections shall be made as recommended by the manufacturer of the electric blasting caps used.

(s) The number of electric blasting caps connected to a blasting machine shall not be in excess of its rated capacity. Furthermore, in primary blasting, a series circuit shall contain no more caps than the limits recommended by the manufacturer of the electric blasting caps in use.

(t) The user (blaster) shall be in charge of the blasting machines, and no other person shall connect the leading wires to the machine.

(u) Users (blasters), when testing circuits to charged holes, shall use only blasting testers especially designed for this purpose.

(v) Whenever the possibility exists that a leading line or blasting wire might be thrown over a live powerline by the force of an explosion, care shall be taken to see that the total length of wires are kept too short to hit the lines, or that the wires are securely anchored to the ground. If neither of these requirements can be satisfied, a nonelectric system shall be used.

(w) In electrical firing, only the person making leading wire connections shall fire the shot. All connections shall be made from the bore hole back to the source of firing current, and the leading wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

(x) After firing an electric blast from a blasting machine, the leading wires shall be immediately disconnected from the machine and short-circuited.

(y) When electric blasting caps have been used, workers shall not return to misfired holes for at least thirty minutes.

(5) Use of safety fuse.

(a) A fuse that is deteriorated or damaged in any way shall not be used.

(b) The hanging of fuse on nails or other projections which will cause a sharp bend to be formed in the fuse is prohibited.

(c) Before capping safety fuse, a short length shall be cut from the end of the supply reel so as to assure a fresh cut end in each blasting cap.

(d) Only a cap crimper of approved design shall be used for attaching blasting caps to safety fuse. Crimpers shall be kept in good repair and accessible for use.

(e) No unused cap or short capped fuse shall be placed in any hole to be blasted; such unused detonators shall be removed from the working place and disposed of or stored in licensed magazine.

(f) No fuse shall be capped, or primers made up, in any magazine or near any possible source of ignition.

(g) Capping of fuse and making of primers shall only be done in a place selected for this purpose and at least one hundred feet distant from any storage magazine.

(h) Fuse must be cut long enough to reach beyond the collar of the bore hole and in no case less than three feet. When shooting choker holes, not less than three feet of fuse shall be used.

(i) At least two persons shall be present when multiple cap and fuse blasting is done by hand lighting methods.

(j) Not more than 12 fuses shall be lighted by each blaster when hand lighting devices are used. However, when two or more safety fuses in a group are lighted as one by means of igniter cord, or other similar fuse-lighting devices, they may be considered as one fuse.

(k) The so-called "drop fuse" method of dropping or pushing a primer or any explosive with a lighted fuse attached is prohibited.

(l) Cap and fuse shall not be used for firing mudcap charges unless charges are separated sufficiently to prevent one charge from dislodging other shots in the blast.

(m) When blasting with safety fuses, consideration shall be given to the length and burning rate of the fuse. Sufficient time, with a margin of safety, shall always be provided for the blaster to reach a place of safety.

(n) The burning rate of the safety fuse in use at any time shall be measured, posted in conspicuous locations, and brought to the attention of all workers concerned with blasting. No fuse shall be used that burns faster than one foot in forty seconds or slower than one foot in fifty-five seconds.

(o) For use in wet places the joint between the cap and fuse shall be waterproofed with a compound prepared for this purpose.

(p) In making up primers only nonsparking skewers shall be used for punching the hole in the cartridge to insert the capped fuse. No blasting cap shall be inserted in the explosives without first making a hole in the cartridge of proper size or using a standard cap crimper.

(q) Only sufficient primers for one day's use shall be made up at one time. They shall be stored in a box type magazine in which no other explosives are stored.

(r) Any loose cartridges of explosives, detonators, primers and capped fuse unused at the end of the shift shall be returned to their respective magazines and locked up.

(6) Use of detonating cord.

(a) Care shall be taken to select a detonating cord consistent with the type and physical condition of the bore hole and stemming and the type of explosives used.

(b) Detonating cord shall be handled and used with the same respect and care given other explosives.

(c) For quantity and distance purposes detonating fuse up to 60 grains per foot should be calculated as equivalent to 9 lbs. of high explosives per 1,000 feet. Heavier cord loads should be rated proportionately.

(d) If using a detonating type cord for blasting the double-trunk-line or loop systems shall be used.

(e) Trunk lines in multiple-row blasts shall make one or more complete loops, with crossties between loops at intervals of not over two hundred feet.

(f) All detonating cord knots shall be tight and all connections shall be kept at right angles to the trunk lines.

(g) The line of detonating cord extending out of a bore hole or from a charge shall be cut from the supply spool before loading the remainder of the bore hole or placing additional charges.

(h) Detonating cord shall be handled and used with care to avoid damaging or severing the cord during and after loading and hooking-up.

(i) Detonating cord connections shall be competent and positive in accordance with approved and recommended methods. Knot-type or other cord-to-cord connections shall be made only with detonating cord in which the explosive core is dry.

(j) All detonating cord trunklines and branchlines shall be free of loops, sharp kinks, or angles that direct the cord back toward the oncoming line of detonation.

(k) All detonating cord connections shall be inspected before firing the blast.

(l) When detonating cord millisecond-delay connectors or short-interval-delay electric blasting caps are used with detonating cord, the practice shall conform strictly to the manufacturer's recommendations.

(m) When connecting a blasting cap or an electric blasting cap to detonating cord, the cap shall be taped or otherwise attached securely along the side or the end of the detonating cord, with the end of the cap containing the explosive charge pointed in the direction in which the detonation is to proceed.

(n) Detonators for firing the trunkline shall not be brought to the loading area nor attached to the detonating cord until everything else is in readiness for the blast.

(7) Firing the blast.

(a) A code of blasting signals equivalent to Table T-1 shall be posted on one or more conspicuous places at the operation, and all employees shall be required to familiarize themselves with the code and conform to it. Danger signs shall be placed at suitable locations.

(b) All charges shall be covered with blasting mats before firing, where blasting may cause injury or damage by flying rock or debris.

(c) Before a blast is fired, a loud warning signal shall be given by the blaster in charge, who has made certain that all surplus explosives are in a safe place and all employees, vehicles, and equipment are at a safe distance, or under sufficient cover.

(d) Flagmen shall be safely stationed on highways which pass through the danger zone so as to stop traffic during blasting operations.

(e) It shall be the duty of the blaster to fix the time of blasting. The blaster shall conduct all blasting operations and no shot shall be fired without the blasters' approval.

(f) Before firing an underground blast, warning shall be given, and all possible entries into the blasting area, and any entrances to any working place where a drift, raise, or other opening is about to hole through, shall be carefully guarded. The blaster shall make sure that all employees are out of the blast area before firing a blast.

TABLE T-1

| | |
|------------------|---|
| WARNING SIGNAL | — A 1-minute series of long blasts 5 minutes prior to blast signal. |
| BLAST SIGNAL | — A series of short blasts 1 minute prior to the shot. |
| ALL CLEAR SIGNAL | — A prolonged blast following the inspection of blast area. |

(8) Inspection after blasting.

(a) Immediately after the blast has been fired, the firing line shall be disconnected from the blasting machine, or where power switches are used, they shall be locked open or in the off position.

(b) Sufficient time shall be allowed, not less than fifteen minutes in tunnels, for the smoke and fumes to leave the blasted area before returning to the shot. An inspection of the area and the surrounding rubble shall be made by the user (blaster) to determine if all charges have been exploded before employees are allowed to return to the operation, and in tunnels, after the muck pile has been wetted down.

(9) Misfires.

(a) If a misfire is found, the user (blaster) shall provide proper safeguards for excluding all employees from the danger zone.

(b) No other work shall be done except that necessary to remove the hazard of the misfire and only those employees necessary to do the work shall remain in the danger zone.

(c) No attempt shall be made to extract explosives from any charged or misfired hole; a new primer shall be put in and the hole re-blasted. If re-firing of the misfired hole presents a hazard, the explosives may be removed by washing out with water or, where the misfire is under water, blown out with air.

(d) If there are any misfires while using cap and fuse, all employees shall remain away from the charge for at least one hour. Misfires shall be handled under the direction of the person in charge of the blasting. All wires shall be carefully traced and a search made for unexploded charges.

(e) When electric blasting caps have been used, workers shall not return to misfired holes for at least thirty minutes. All wires shall be carefully traced and a search made for unexploded charges.

(f) If explosives are suspected of burning in a hole, all persons in the endangered area shall move to a safe location and no one shall return to the hole until the danger has passed, but in no case within one hour.

(g) No drilling, digging, or picking shall be permitted until all missed holes have been detonated or the authorized representative has approved that work can proceed.

(10) Underwater blasting.

(a) A user (blaster) shall conduct all blasting operations, and no shot shall be fired without the blasters' approval.

(b) Loading tubes and casings of dissimilar metals shall not be used because of possible electric transient currents from galvanic action of the metals and water.

(c) Only water-resistant blasting caps and detonating cords shall be used for all underwater blasting. Loading shall be done through a non-sparking metal loading tube when tube is necessary.

(d) No blast shall be fired while any vessel under way is closer than 1,500 feet to the blasting area. Those on board vessels or craft moored or anchored within 1,500 feet shall be notified before a blast is fired.

(e) No blast shall be fired while any swimming or diving operations are in progress in the vicinity of the blasting area. If such operations are in progress, signals and arrangements shall be agreed upon to assure that no blast shall be fired while any persons are in the water.

(f) Blasting flags shall be displayed.

(g) The storage and handling of explosives aboard vessels used in underwater blasting operations shall be according to provisions outlined herein on handling and storing explosives.

(h) When more than one charge is placed under water, a float device shall be attached to an element of each charge in such manner that it will be released by the firing. Misfires shall be handled in accordance with the requirements of WAC 296-52-493(9).

(11) Blasting in excavation work in pressurized air locks.

(a) Detonators and explosives shall not be stored or kept in tunnels, shafts, or caissons. Detonators and explosives for each round shall be taken directly from the magazines to the blasting zone and immediately loaded. Detonators and explosives left over after loading a round shall be removed from the working chamber before the connecting wires are connected up.

(b) When detonators or explosives are brought into an air lock, no employee except the powderman, user (blaster), lock tender and the employees necessary for carrying, shall be permitted to enter the air lock. No material, supplies, or equipment shall be brought through with the explosives.

(c) Primers, detonators and explosives shall be taken separately into pressure working chambers.

(d) The user (blaster) or powderman shall be responsible for the receipt, unloading, storage, and on-site transportation of explosives and detonators.

(e) All metal pipes, rails, air locks, and steel tunnel lining shall be electrically bonded together and grounded at or near the portal or shaft, and such pipes and rails shall be cross-bonded together at not less than 1,000-foot intervals throughout the length of the tunnel. In addition, each air supply pipe shall be grounded at its delivery end.

(f) The explosives suitable for use in wet holes shall be water-resistant and shall be Fume Class 1, or other approved explosives.

(g) When tunnel excavation in rock face is approaching mixed face, and when tunnel excavation is in mixed face, blasting shall be performed with light charges and with light burden on each hole. Advance drilling shall be performed as tunnel excavation in rock face approaches mixed face, to determine the general nature and extent of rock cover and the remaining distance ahead to soft ground as excavation advances.

(12) Vibration and damage control. Blasting operations in or adjacent to cofferdams, piers, underwater structures, buildings, structures, or other facilities shall be carefully planned with full consideration for all forces and conditions involved.

(13) Black blasting powder shall not be used for blasting except when a desired result cannot be obtained with another type of explosive such as in quarrying certain types of dimension stone.

(14) In the use of black blasting powder:

(a) Containers shall not be opened in, or within fifty feet of any magazine; within any building in which a fuel-fired or exposed-element electric heater is in operation; where electrical or incandescent-particle sparks could result in powder ignition; or within fifty feet of any open flame.

(b) Granular powder shall be transferred from containers only by pouring.

(c) Spills of granular powder shall be cleaned up promptly with nonsparking equipment, contaminated powder shall be put into a container of water and its content disposed of promptly after the granules have disintegrated, or the spill area shall be flushed with a copious amount of water to completely disintegrate the granules.

(d) Containers of powder shall be kept securely closed at all times other than when the powder is being transferred from or into a container.

(e) Containers of powder transported by vehicles shall be in a wholly enclosed cargo space.

(f) Misfires shall be disposed of by:

(i) Washing the stemming and powder charge from the bore hole, and

(ii) Removal and disposal of the initiator as a damaged explosive.

(iii) Bore holes of shots that fire but fail to break, or fail to break promptly, shall not be recharged for at least twelve hours.

(15) No person shall store, handle, or transport explosives or blasting agents when such storage, handling, and transportation of explosives or blasting agents constitutes an undue hazard to life.

(16) It shall be unlawful for any person to abandon explosives or explosive substances.

AMENDATORY SECTION (Amending Order 86-24, filed 5/6/86)

WAC 296-52-497 **BLASTING AGENTS.** (1) General. Unless otherwise set forth in this section, blasting agents, excluding water gels, shall be transported, stored, and used in the same manner as explosives. Water gels are covered in WAC 296-52-501.

(2) Fixed location mixing.

(a) Buildings or other facilities used for mixing blasting agents shall be located, with respect to inhabited buildings, passenger railroads, and public highways, in accordance with Table H-21. In determining the distance separating highways, railroads, and inhabited buildings from potential explosions (as prescribed in Table H-21), the sum of all masses which may propagate (i.e., lie at distances less than prescribed in Table H-22) from either individual or combined donor masses are included. However, when the ammonium nitrate must be included, only fifty percent of its weight shall be used because of its reduced blast effects.

(b) Buildings used for the mixing of blasting agents shall conform to the requirements of this section.

(i) Buildings shall be of noncombustible construction or sheet metal on wood studs.

(ii) Floors in a mixing plant shall be of concrete or of other nonabsorbent materials.

(iii) All fuel oil storage facilities shall be separated from the mixing plant and located in such a manner that in case of tank rupture, the oil will drain away from the mixing plant building.

(iv) The building shall be well ventilated.

(v) Heating units which do not depend on combustion processes, when properly designed and located, may be used in the building. All direct sources of heat shall be located outside the mixing building.

(vi) All internal-combustion engines used for electric power generation shall be located outside the mixing plant building, or shall be properly ventilated and isolated by a firewall. The exhaust systems on all such engines shall be located so any spark emission cannot be a hazard to any materials in or adjacent to the plant.

(c) Equipment used for mixing blasting agents shall conform to the requirements of this subsection.

(i) The design of the mixer shall minimize the possibility of frictional heating, compaction, and especially confinement. All bearings and drive assemblies shall be mounted outside the mixer and protected

against the accumulation of dust. All surfaces shall be accessible for cleaning.

(ii) Mixing and packaging equipment shall be constructed of materials compatible with the fuel-ammonium nitrate composition.

(iii) Suitable means shall be provided to prevent the flow of fuel oil to the mixer in case of fire. In gravity flow systems an automatic spring-loaded shutoff valve with fusible link shall be installed.

(d) The provisions of this subsection shall be considered when determining blasting agent compositions.

(i) The sensitivity of the blasting agent shall be determined by means of a No. 8 test blasting cap at regular intervals and after every change in formulation.

(ii) Oxidizers of small particle size, such as crushed ammonium nitrate prills or fines, may be more sensitive than coarser products and shall, therefore, be handled with greater care.

(iii) No hydrocarbon liquid fuel with flashpoint lower than that of No. 2 diesel fuel oil 125°F. minimum shall be used.

(iv) Crude oil and crankcase oil shall not be used.

(v) Metal powders such as aluminum shall be kept dry and shall be stored in containers or bins which are moisture-resistant or weather-tight. Solid fuels shall be used in such manner as to minimize dust explosion hazards.

(vi) Peroxides and chlorates shall not be used.

(e) All electrical switches, controls, motors, and lights located in the mixing room shall conform to the requirements in WAC 296-24-956 ((through 296-24-960)) (25)(b); otherwise they shall be located outside the mixing room. The frame of the mixer and all other equipment that may be used shall be electrically bonded and be provided with a continuous path to the ground.

(f) Safety precautions at mixing plants shall include the requirements of this subsection.

(i) Floors shall be constructed so as to eliminate floor drains and piping into which molten materials could flow and be confined in case of fire.

(ii) The floors and equipment of the mixing and packaging room shall be cleaned regularly and thoroughly to prevent accumulation of oxidizers or fuels and other sensitizers.

(iii) The entire mixing and packaging plant shall be cleaned regularly and thoroughly to prevent excessive accumulation of dust.

(iv) Smoking, matches, open flames, spark-producing devices, and firearms (except firearms carried by guards) shall not be permitted inside of or within 50 feet of any building or facility used for the mixing of blasting agents.

(v) The land surrounding the mixing plant shall be kept clear of brush, dried grass, leaves, and other materials for a distance of at least 25 feet.

(vi) Empty ammonium nitrate bags shall be disposed of daily in a safe manner.

(vii) No welding shall be permitted or open flames used in or around the mixing or storage area of the plant unless the equipment or area has been completely washed down and all oxidizer material removed.

(viii) Before welding or repairs to hollow shafts, all oxidizer material shall be removed from the outside and inside of the shaft and the shaft vented with a minimum one-half inch diameter opening.

(ix) Explosives shall not be permitted inside of or within 50 feet of any building or facility used for the mixing of blasting agents.

(3) Bulk delivery and mixing vehicles.

(a) The provisions of this subsection shall apply to off-highway private operations as well as to all public highway movements.

(b) A bulk vehicle body for delivering and mixing blasting agents shall conform with the requirements of this subsection.

(i) The body shall be constructed of noncombustible materials.

(ii) Vehicles used to transport bulk premixed blasting agents on public highways shall have closed bodies.

(iii) All moving parts of the mixing system shall be designed as to prevent a heat buildup. Shafts or axles which contact the product shall have outboard bearings with 1-inch minimum clearance between the bearings and the outside of the product container. Particular attention shall be given to the clearances on all moving parts.

(iv) A bulk delivery vehicle shall be strong enough to carry the load without difficulty and be in good mechanical condition.

(c) Operation of bulk delivery vehicles shall conform to the requirements of WAC 296-52-489(2). These include the placarding requirements as specified by department of transportation.

(i) The operator shall be trained in the safe operation of the vehicle together with its mixing, conveying, and related equipment. The employer shall assure that the operator is familiar with the commodities

being delivered and the general procedure for handling emergency situations.

(ii) The hauling of either blasting caps or other explosives but not both, shall be permitted on bulk trucks provided that a special wood or nonferrous-lined container is installed for the explosives. Such blasting caps or other explosives shall be in DOT-specified shipping containers: See 49 CFR Chapter I.

(iii) No person shall smoke, carry matches or any flame-producing device, or carry any firearms while in or about bulk vehicles effecting the mixing transfer or down-the-hole loading of blasting agents at or near the blasting site.

(iv) Caution shall be exercised in the movement of the vehicle in the blasting area to avoid driving the vehicle over or dragging hoses over firing lines, cap wires, or explosive materials. The employer shall assure that the driver, in moving the vehicle, has assistance of a second person to guide the driver's movements.

(v) No intransit mixing of materials shall be performed.

(d) Pneumatic loading from bulk delivery vehicles into blastholes primed with electric blasting caps or other static-sensitive systems shall conform to the requirements of this subsection.

(i) A positive grounding device shall be used to prevent the accumulation of static electricity.

(ii) A discharge hose shall be used that has a resistance range that will prevent conducting stray currents, but that is conductive enough to bleed off static buildup.

(iii) A qualified person shall evaluate all systems to determine if they will adequately dissipate static under potential field conditions.

(e) Repairs to bulk delivery vehicles shall conform to the requirements of this section.

(i) No welding or open flames shall be used on or around any part of the delivery equipment unless it has been completely washed down and all oxidizer material removed.

(ii) Before welding or making repairs to hollow shafts, the shaft shall be thoroughly cleaned inside and out and vented with a minimum one-half-inch diameter opening.

(4) Bulk storage bins.

(a) The bin, including supports, shall be constructed of compatible materials, waterproof, and adequately supported and braced to withstand the combination of all loads including impact forces arising from product movement within the bin and accidental vehicle contact with the support legs.

(b) The bin discharge gate shall be designed to provide a closure tight enough to prevent leakage of the stored product. Provision shall also be made so that the gate can be locked.

(c) Bin loading manways or access hatches shall be hinged or otherwise attached to the bin and be designed to permit locking.

(d) Any electrically driven conveyors for loading or unloading bins shall conform to the requirements of WAC 296-24-956 through 296-24-960. They shall be designed to minimize damage from corrosion.

(e) Bins containing blasting agent shall be located, with respect to inhabited buildings, passenger railroads, and public highways, in accordance with Table H-21 and separation from other blasting agent storage and explosives storage shall be in conformity with Table H-22.

(f) Bins containing ammonium nitrate shall be separated from blasting agent storage and explosives storage in conformity with Table H-22.

(5) Transportation of packaged blasting agents.

(a) When blasting agents are transported in the same vehicle with explosives, all of the requirements of WAC 296-52-489 shall be complied with.

(b) Vehicles transporting blasting agents shall only be driven by and in charge of a driver at least twenty-one years of age who is capable, careful, reliable, and in possession of a valid motor vehicle operator's license. Such a person shall also be familiar with the states vehicle and traffic laws.

(c) No matches, firearms, acids, or other corrosive liquids shall be carried in the bed or body of any vehicle containing blasting agents.

(d) No person shall be permitted to ride upon, drive, load, or unload a vehicle containing blasting agents while smoking or under the influence of intoxicants, narcotics, or other dangerous drugs.

(e) It is prohibited for any person to transport or carry any blasting agents upon any public vehicle carrying passengers for hire.

(f) Vehicles transporting blasting agents shall be in safe operating condition at all times.

(g) When offering blasting agents for transportation on public highways the packaging, marking, and labeling of containers of blasting agents shall comply with the requirements of DOT.

(h) Vehicles used for transporting blasting agents on public highways shall be placarded in accordance with DOT regulations.

(6) Use of blasting agents. Persons using blasting agents shall comply with all of the applicable provisions of WAC 296-52-493.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-62-07314 MEDICAL SURVEILLANCE. (1) At no cost to the employee, a program of medical surveillance shall be established and implemented for employees considered for assignment to enter regulated areas, and for authorized employees.

(2) Examinations.

(a) Before an employee is assigned to enter a regulated area, a preassignment physical examination by a physician shall be provided and shall include a personal history of the employee and/or his/her family and occupation background, including genetic and environmental factors.

(i) Taking of employees medical history and background history shall be considered routine part of standard medical practice.

(ii) This provision does not require "genetic testing" of any employee.

(iii) This provision does not require the exclusion of otherwise qualified employees from jobs on the basis of genetic factors.

(b) Authorized employees shall be provided periodic physical examination, not less often than annually, following the preassignment examination.

(c) In all physical examinations, the examining physician shall be requested to consider whether there exist conditions of increased risk, including reduced immunological competence, those undergoing treatment with steroids or cytotoxic agents, pregnancy and cigarette smoking.

(3) Records.

(a) Employers of employees examined pursuant to this subdivision shall cause to be maintained complete and accurate records of all such medical examinations. Records shall be maintained for the duration of the employee's employment. Upon termination of the employee's employment, including retirement or death, or in the event that the employer ceases business without a successor, records, or notarized true copies thereof, shall be forwarded by registered mail to the director.

(b) Records required by this section shall be provided upon request to employees, designated representatives, and the director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. These records shall also be provided upon request to the director.

(c) Any employer who requests a physical examination of one of his employees or prospective employees as required by this section shall obtain from the physician a statement of the employee's suitability for employment in the specific exposure.

AMENDATORY SECTION (Amending Order 86-28, filed 7/25/86)

WAC 296-62-07329 VINYL CHLORIDE. (1) Scope and application.

(a) This section includes requirements for the control of employee exposure to vinyl chloride (chloroethene), Chemical Abstracts Service Registry No. 75014.

(b) This section applies to the manufacture, reaction, packaging, re-packaging, storage, handling or use of vinyl chloride or polyvinyl chloride, but does not apply to the handling or use of fabricated products made of polyvinyl chloride.

(c) This section applies to the transportation of vinyl chloride or polyvinyl chloride except to the extent that the department of transportation may regulate the hazards covered by this section.

(2) Definitions.

(a) "Action level" means a concentration of vinyl chloride of 0.5 ppm averaged over an 8-hour work day.

(b) "Authorized person" means any person specifically authorized by the employer whose duties require him to enter a regulated area or any person entering such an area as a designated representative of employees for the purpose of exercising an opportunity to observe monitoring and measuring procedures.

(c) "Director" means chief, industrial hygiene section, department of labor and industries.

(d) "Emergency" means any occurrence such as, but not limited to, equipment failure, or operation of a relief device which is likely to, or does, result in massive release of vinyl chloride.

(e) "Fabricated product" means a product made wholly or partly from polyvinyl chloride, and which does not require further processing at temperatures, and for times, sufficient to cause mass melting of the polyvinyl chloride resulting in the release of vinyl chloride.

(f) "Hazardous operation" means any operation, procedure, or activity where a release of either vinyl chloride liquid or gas might be expected as a consequence of the operation or because of an accident in the operation, which would result in an employee exposure in excess of the permissible exposure limit.

(g) "Polyvinyl chloride" means polyvinyl chloride homopolymer or copolymer before such is converted to a fabricated product.

(h) "Vinyl chloride" means vinyl chloride monomer.

(3) Permissible exposure limit.

(a) No employee may be exposed to vinyl chloride at concentrations greater than 1 ppm averaged over any 8-hour period, and

(b) No employee may be exposed to vinyl chloride at concentrations greater than 5 ppm averaged over any period not exceeding 15 minutes.

(c) No employee may be exposed to vinyl chloride by direct contact with liquid vinyl chloride.

(4) Monitoring.

(a) A program of initial monitoring and measurement shall be undertaken in each establishment to determine if there is any employee exposed, without regard to the use of respirators, in excess of the action level.

(b) Where a determination conducted under paragraph (4)(a) of this section shows any employee exposures without regard to the use of respirators, in excess of the action level, a program for determining exposures for each such employee shall be established. Such a program:

(i) Shall be repeated at least monthly where any employee is exposed, without regard to the use of respirators, in excess of the permissible exposure limit.

(ii) Shall be repeated not less than quarterly where any employee is exposed, without regard to the use of respirators, in excess of the action level.

(iii) May be discontinued for any employee only when at least two consecutive monitoring determinations, made not less than 5 working days apart, show exposures for that employee at or below the action level.

(c) Whenever there has been a production, process or control change which may result in an increase in the release of vinyl chloride, or the employer has any other reason to suspect that any employee may be exposed in excess of the action level, a determination of employee exposure under subsection (4)(a) of this section shall be performed.

(d) The method of monitoring and measurement shall have an accuracy (with a confidence level of 95 percent) of not less than plus or minus 50 percent from 0.25 through 0.5 ppm, plus or minus 35 percent from over 0.5 ppm through 1.0 ppm, plus or minus 25 percent over 1.0 ppm, (methods meeting these accuracy requirements are available from the director).

(e) Employees or their designated representatives shall be afforded reasonable opportunity to observe the monitoring and measuring required by this subdivision.

(5) Regulated area.

(a) A regulated area shall be established where:

(i) Vinyl chloride or polyvinyl chloride is manufactured, reacted, re-packaged, stored, handled or used; and

(ii) Vinyl chloride concentrations are in excess of the permissible exposure limit.

(b) Access to regulated areas shall be limited to authorized persons.

(6) Methods of compliance. Employee exposures to vinyl chloride shall be controlled to at or below the permissible exposure limit provided in subsection (3) of this section by engineering, work practice, and personal protective controls as follows:

(a) Feasible engineering and work practice controls shall immediately be used to reduce exposures to at or below the permissible exposure limit.

(b) Wherever feasible engineering and work practice controls which can be instituted immediately are not sufficient to reduce exposures to at or below the permissible exposure limit, they shall nonetheless be used to reduce exposures to the lowest practicable level, and shall be supplemented by respiratory protection in accordance with subsection (6) of this section. A program shall be established and implemented to reduce exposures to at or below the permissible exposure limit, or to the greatest extent feasible, solely by means of engineering and work practice controls, as soon as feasible.

(c) Written plans for such a program shall be developed and furnished upon request for examination and copying to the director. Such plans shall be updated at least every six months.

(7) Respiratory protection. Where respiratory protection is required under this section:

(a) The employer shall provide a respirator which meets the requirements of this subdivision and shall assure that the employee uses such respirator.

(b) Respirators shall be selected from among those jointly approved by the Mining Enforcement and Safety Administration, Department of the Interior, and the National Institute for Occupational Safety and Health under the provisions of 30 CFR Part 11.

Note: The Department of Interior published an article in Federal Register in April 1976 which extended time requirement for respirators used for protection against vinyl chloride to have a cartridge or canister with an end-of-service-life indicator. The indicator is an additional safety feature but does not adversely affect the effectiveness of currently approved respirator cartridges or canisters. Until approved end-of-service-life indicators are available, the respirators, cartridges, or canisters presently approved are considered to meet requirements for vinyl chloride when used per manufacturer's instructions.

(c) A respiratory protection program meeting the requirements of chapter 296-62 WAC shall be established and maintained.

(d) Selection of respirators for vinyl chloride shall be as follows:

| Atmospheric concentration of Vinyl Chloride | Required Apparatus |
|---|---|
| (i) Unknown, or above 3,600 ppm | Open-circuit, self-contained breathing apparatus, pressure demand type, with full facepiece. |
| (ii) Not over 3,600 ppm | Combination Type C supplied air respirator, pressure demand type, with full or half facepiece, and auxiliary self-contained air supply. |
| (iii) Not over 250 ppm | Type C, supplied air respirator, continuous flow type, with full or half facepiece, helmet or hood. |
| (iv) Not over 100 ppm | Supplied air respirator demand type, with full facepiece. |
| (v) Not over 25 ppm | (A) A powered air-purifying respirator with hood, helmet, full or half facepiece, and a canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm, or (B) Gas mask, front or back-mounted canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm. |
| (vi) Not over 10 ppm | Any chemical cartridge respirator with a vinyl chloride cartridge which provides a service life of at least 1 hour for concentrations of vinyl chloride up to 10 ppm. |

(e)(i) Entry into unknown concentrations or concentrations greater than 36,000 ppm (lower explosive limit) may be made only for purposes of life rescue; and

(ii) Entry into concentrations of less than 36,000 ppm, but greater than 3,600 ppm may be made only for purposes of life rescue, fire-fighting, or securing equipment so as to prevent a greater hazard from release of vinyl chloride.

(f) Where air-purifying respirators are used:

(i) Air-purifying canisters or cartridges shall be replaced prior to the expiration of their service life or the end of the shift in which they are first used, whichever occurs first, and

(ii) A continuous monitoring and alarm system shall be provided where concentrations of vinyl chloride could reasonably exceed the allowable concentrations for the devices in use. Such system shall be used to alert employees when vinyl chloride concentrations exceed the allowable concentrations for the devices in use.

(g) Apparatus prescribed for higher concentrations may be used for any lower concentration.

(8) Hazardous operations.

(a) Employees engaged in hazardous operations, including entry of vessels to clean polyvinyl chloride residue from vessel walls, shall be provided and required to wear and use;

(i) Respiratory protection in accordance with subsections (3) and (6) of this section; and

(ii) Protective garments to prevent skin contact with liquid vinyl chloride or with polyvinyl chloride residue from vessel walls. The protective garments shall be selected for the operation and its possible exposure conditions.

(b) Protective garments shall be provided clean and dry for each use.

(i) Emergency situations. A written operational plan for emergency situations shall be developed for each facility storing, handling, or otherwise using vinyl chloride as a liquid or compressed gas. Appropriate portions of the plan shall be implemented in the event of an emergency. The plan shall specifically provide that:

(A) Employees engaged in hazardous operations or correcting situations of existing hazardous releases shall be equipped as required in subsection (8) of this section;

(B) Other employees not so equipped shall evacuate the area and not return until conditions are controlled by the methods required in subsection (6) of this section and the emergency is abated.

(9) Training. Each employee engaged in vinyl chloride or polyvinyl chloride operations shall be provided training in a program relating to the hazards of vinyl chloride and precautions for its safe use.

(a) The program shall include:

(i) The nature of the health hazard from chronic exposure to vinyl chloride including specifically the carcinogenic hazard;

(ii) The specific nature of operations which could result in exposure to vinyl chloride in excess of the permissible limit and necessary protective steps;

(iii) The purpose for, proper use, and limitations of respiratory protective devices;

(iv) The fire hazard and acute toxicity of vinyl chloride, and the necessary protective steps;

(v) The purpose for and a description of the monitoring program;

(vi) The purpose for and a description of, the medical surveillance program;

(vii) Emergency procedures:

(A) Specific information to aid the employee in recognition of conditions which may result in the release of vinyl chloride; and

(B) A review of this standard at the employee's first training and indoctrination program, and annually thereafter.

(b) All materials relating to the program shall be provided upon request to the director.

(10) Medical surveillance. A program of medical surveillance shall be instituted for each employee exposed, without regard to the use of respirators, to vinyl chloride in excess of the action level. The program shall provide each such employee with an opportunity for examinations and tests in accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee.

(a) At the time of initial assignment, or upon institution of medical surveillance;

(i) A general physical examination shall be performed with specific attention to detecting enlargement of liver, spleen or kidneys, or dysfunction in these organs, and for abnormalities in skin, connective tissues and the pulmonary system (see Appendix A).

(ii) A medical history shall be taken, including the following topics:

(A) Alcohol intake,

(B) Past history of hepatitis,

(C) Work history and past exposure to potential hepatotoxic agents, including drugs and chemicals,

(D) Past history of blood transfusions, and

(E) Past history of hospitalizations.

(iii) A serum specimen shall be obtained and determinations made of:

(A) Total bilirubin,

(B) Alkaline phosphatase,

(C) Serum glutamic oxalacetic transaminase (SGOT),

(D) Serum glutamic pyruvic transaminase (SGPT), and

(E) Gamma glutamyl transpeptidase.

(b) Examinations provided in accordance with this subdivision shall be performed at least:

(i) Every 6 months for each employee who has been employed in vinyl chloride or polyvinyl chloride manufacturing for 10 years or longer; and

(ii) Annually for all other employees.

(c) Each employee exposed to an emergency shall be afforded appropriate medical surveillance.

(d) A statement of each employee's suitability for continued exposure to vinyl chloride including use of protective equipment and respirators, shall be obtained from the examining physician promptly after any examination. A copy of the physician's statement shall be provided each employee.

(e) If any employee's health would be materially impaired by continued exposure, such employee shall be withdrawn from possible contact with vinyl chloride.

(f) Laboratory analyses for all biological specimens included in medical examinations shall be performed in laboratories licensed under 42 CFR Part 74.

(g) If the examining physician determines that alternative medical examinations to those required by subsection (10)(a) of this section will provide at least equal assurance of detecting medical conditions pertinent to the exposure to vinyl chloride, the employer may accept such alternative examinations as meeting the requirements of subsection (10)(a) of this section, if the employer obtains a statement from the examining physician setting forth the alternative examinations and the rationale for substitution. This statement shall be available upon request for examination and copying to authorized representatives of the director.

(11) Signs and labels.

(a) Entrances to regulated areas shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT AREA AUTHORIZED PERSONNEL ONLY

(b) Areas containing hazardous operations or where an emergency currently exists shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT IN THIS AREA PROTECTIVE EQUIPMENT
REQUIRED AUTHORIZED PERSONNEL ONLY

(c) Containers of polyvinyl chloride resin waste from reactors or other waste contaminated with vinyl chloride shall be legibly labeled:

CONTAMINATED WITH VINYL CHLORIDE CANCER-SUSPECT AGENT

(d) Containers of polyvinyl chloride shall be legibly labeled:

POLYVINYL CHLORIDE (OR TRADE NAME) CONTAINS VINYL CHLORIDE
VINYL CHLORIDE IS A CANCER-SUSPECT AGENT

(e) Containers of vinyl chloride shall be legibly labeled either:

VINYL CHLORIDE EXTREMELY FLAMMABLE GAS UNDER PRESSURE
CANCER-SUSPECT AGENT (OR)

(f) In accordance with 49 CFR Part 173, Subpart H, with the additional legends:

CANCER-SUSPECT AGENT

applied near the label or placard.

(g) No statement shall appear on or near any required sign, label or instruction which contradicts or detracts from the effect of any required warning, information or instruction.

(12) Records.

(a) All records maintained in accordance with this section shall include the name and social security number of each employee where relevant.

(b) Records of required monitoring and measuring and medical records shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209; and 296-62-05213 through 296-62-05217. These records shall be provided upon request to the director. Authorized personnel rosters shall also be provided upon request to the assistant director.

(i) Monitoring and measuring records shall:

(A) State the date of such monitoring and measuring and the concentrations determined and identify the instruments and methods used;

(B) Include any additional information necessary to determine individual employee exposures where such exposures are determined by means other than individual monitoring of employees; and

(C) Be maintained for not less than 30 years.

(ii) Medical records shall be maintained for the duration of the employment of each employee plus 20 years, or 30 years, whichever is longer.

(c) In the event that the employer ceases to do business and there is no successor to receive and retain his records for the prescribed period,

these records shall be transmitted by registered mail to the director, and each employee individually notified in writing of this transfer. The employer shall also comply with any additional requirements set forth in WAC 296-62-05215.

(d) Employees or their designated representatives shall be provided access to examine and copy records of required monitoring and measuring.

(e) Former employees shall be provided access to examine and copy required monitoring and measuring records reflecting their own exposures.

(f) Upon written request of any employee, a copy of the medical record of that employee shall be furnished to any physician designated by the employee.

(13) Reports.

(a) Not later than 1 month after the establishment of a regulated area, the following information shall be reported to the director. Any changes to such information shall be reported within 15 days.

(i) The address and location of each establishment which has one or more regulated areas; and

(ii) The number of employees in each regulated area during normal operations, including maintenance.

(b) Emergencies and the facts obtainable at that time, shall be reported within 24 hours to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of similar nature.

(c) Within 10 working days following any monitoring and measuring which discloses that any employee has been exposed, without regard to the use of respirators, in excess of the permissible exposure limit, each such employee shall be notified in writing of the results of the exposure measurement and the steps being taken to reduce the exposure to within the permissible exposure limit.

(i) Effective January 1, 1975, the provisions set forth in WAC 296-62-07329 shall apply.

APPENDIX A SUPPLEMENTARY MEDICAL INFORMATION

When required tests under paragraph (10)(a) of this section show abnormalities, the tests should be repeated as soon as practicable, preferably within 3 to 4 weeks. If tests remain abnormal, consideration should be given to withdrawal of the employee from contact with vinyl chloride, while a more comprehensive examination is made.

Additional tests which may be useful:

(A) For kidney dysfunction: Urine examination for albumin, red blood cells, and exfoliative abnormal cells.

(B) Pulmonary system: Forced vital capacity, forced expiratory volume at 1 second, and chest roentgenogram (posterior-anterior, 14 x 17 inches).

(C) Additional serum tests: Lactic acid dehydrogenase, lactic acid dehydrogenase isoenzyme, protein determination, and protein electrophoresis.

(D) For a more comprehensive examination on repeated abnormal serum tests: Hepatitis B antigen, and liver scanning.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07715 RESPIRATORY PROTECTION. (1) General. The employer shall provide respirators, and ensure that they are used, where required by WAC 296-62-077 through 296-62-07753. Respirators shall be used in the following circumstances:

(a) During the interval necessary to install or implement feasible engineering and work practice controls;

(b) In work operations, such as maintenance and repair activities, or other activities for which engineering and work practice controls are not feasible;

(c) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limits;

(d) In emergencies;

(e) In all regulated areas; and

(f) Whenever employee exposure exceeds the permissible exposure limits.

(2) Respirator selection.

(a) Where respirators are required under this section, the employer shall select and provide at no cost to the employee, the appropriate respirator as specified in Table 1 of this section and shall ensure that the employee uses the respirator provided. The employer shall select

respirators from among those approved as being acceptable for protection by the Mine Safety and Health Administration (MSHA) or by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(b) The employer shall provide a powered, air-purifying respirator in lieu of any negative pressure respirator specified in Table 1 of this section whenever:

(i) An employee chooses to use this type of respirator; and

(ii) This respirator will provide adequate protection to the employee.

TABLE 1—RESPIRATORY PROTECTION FOR ASBESTOS FIBERS

| Concentration of asbestos fibers | Required Respirator ^a |
|---|--|
| Not in excess of 2 f/cc. | 1. Half-mask, air-purifying respirator, other than a disposable respirator, equipped with high-efficiency filters. |
| Not in excess of 10 f/cc. | 1. Full facepiece air-purifying respirator equipped with high-efficiency filters. |
| Not in excess of 20 f/cc. | 1. Any powered air-purifying respirator equipped with high-efficiency filters. 2. Any supplied-air respirator operated in continuous flow mode. |
| Not in excess of 200 f/cc. | 1. Full facepiece supplied-air respirator operated in pressure demand mode. |
| Greater than 200 f/cc or unknown concentration. | 1. Full facepiece supplied-air respirator operated in pressure-demand mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a HEPA filter. ^c 2. Full facepiece positive-pressure self-contained breathing apparatus (SCBA). |

Note: a. Respirators assigned for higher environmental concentrations may be used at lower concentrations.

b. A high-efficiency filter means a filter that is capable of trapping and retaining at least 99.97 percent of all monodispersed particles of 0.3 micrometers mean aerodynamic diameter or larger.

c. See subsection (5)(c) of this section for fit testing requirements.

(3) Special respiratory protection requirements. (a) Unless specifically identified in this subsection, respirator selection for asbestos removal, demolition, and renovation operations shall be in accordance with Table 1 of subsection (2) of this section. The employer shall provide and require to be worn, at no cost to the employee, a full facepiece supplied-air respirator operated in the pressure demand mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a HEPA filter to employees engaged in the following asbestos operations where concentrations of asbestos fibers are greater than 200 f/cc or of unknown concentration:

((a)) (i) Inside negative pressure enclosures used for removal, demolition, and renovation of friable asbestos from walls, ceilings, vessels, ventilation ducts, elevator shafts, and other structural members, but does not include pipes or piping systems; or

((b)) (ii) Any dry removal of asbestos.

(b) The employer shall provide and require to be worn, at no cost to the employee, a full face piece supplied-air respirator operated in the continuous flow mode equipped with either an auxiliary positive pressure self-contained breathing apparatus or a back-up HEPA filter where daily and historical personal monitoring data indicates the concentration of asbestos fibers is not reasonably expected to exceed 20 f/cc and:

(i) Continuous flow respirators will be operated at a minimum air flow rate of six cubic feet per minute at the face piece using respirable air supplied in accordance with WAC 296-62-07111; and

(ii) The face piece will have been quantitatively fit tested to the user with the air supply disconnected.

(4) Respirator program.

(a) Where respiratory protection is required, the employer shall institute a respirator program in accordance with WAC 296-62-071.

(b) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(c) Employees who wear respirators shall be permitted to leave work areas to wash their faces and respirator facepieces whenever necessary to prevent skin irritation associated with respirator use.

(d) No employee shall be assigned to tasks requiring the use of respirators if, based upon his or her most recent examination, an examining physician determines that the employee will be unable to function normally wearing a respirator, or that the safety or health of the employee or other employees will be impaired by the use of a respirator. Such employee shall be assigned to another job or given the opportunity to transfer to a different position whose duties he or she is able to perform with the same employer, in the same geographical area and with the same seniority, status, and rate of pay the employee had just prior to such transfer, if such a different position is available.

(5) Respirator fit testing.

(a) The employer shall ensure that the respirator issued to the employee exhibits the least possible facepiece leakage and that the respirator is fitted properly.

(b) For each employee wearing negative pressure respirators, employees shall perform either quantitative or qualitative face fit tests at the time of initial fitting and at least every six months thereafter. The qualitative fit tests may be used only for testing the fit of half-mask respirators to be worn in concentrations of asbestos not in excess of 2 f/cc, and shall be conducted in accordance with WAC 296-62-07739, Appendix C. The tests shall be used to select facepieces that provide the required protection as prescribed in Table 1 of this section.

(c) Any supplied-air respirator facepiece equipped with a back-up HEPA filter shall be quantitatively fit tested with the air supply disconnected at the time of initial fitting and at least every six months thereafter. The quantitative fit tests shall be conducted using the procedures described in WAC 296-62-07739(2), Appendix C, for negative pressure respirators.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07719 HYGIENE FACILITIES AND PRACTICES. (1) Change rooms.

(a) The employer shall provide clean change rooms for employees required to work in regulated areas or required by WAC 296-62-07717(1) to wear protective clothing.

Exception: In lieu of the change area requirement specified in this subsection, the employer may permit employees in small-scale, short-duration operations, as described in WAC 296-62-07712(4), to clean their protective clothing with a portable HEPA-equipped vacuum before such employees leave the area where maintenance was performed.

(b) The employer shall ensure that change rooms are in accordance with WAC 296-24-120, and are equipped with two separate lockers or storage facilities, so separated as to prevent contamination of the employee's street clothes from his/her protective work clothing and equipment.

(2) Showers.

(a) The employer shall ensure that employees who work in negative pressure enclosures required by WAC 296-62-07712, or who work in areas where their airborne exposure is above the permissible exposure limits prescribed in WAC 296-62-07705, shower at the end of the work shift.

(b) The employer shall provide shower facilities which comply with WAC 296-24-12009(3).

(c) The employer shall ensure that employees who are required to shower pursuant to (a) of this subsection do not leave the workplace wearing any clothing or equipment worn during the work shift.

(3) Special requirements for removal, demolition, and renovation operations.

(a) Decontamination area. Except for small-scale, short-duration operations, as described in WAC 296-62-07753 Appendix J, the employer shall establish a decontamination area that is adjacent and connected to the regulated area for the decontamination of employees contaminated with asbestos. The decontamination area shall consist of an equipment room, shower area, and clean room in series. The employer shall ensure that employees enter and exit the regulated area through the decontamination area.

(b) Clean room. The clean room shall be equipped with a locker or appropriate storage container for each employee's use.

(c) Shower area. Where feasible, shower facilities shall be provided which comply with WAC 296-24-12009(3). The showers shall be contiguous both to the equipment room and the clean change room, unless the employer can demonstrate that this location is not feasible. Where the employer can demonstrate that it is not feasible to locate the shower between the equipment room and the clean change room, the employer shall ensure that employees:

(i) Remove asbestos contamination from their worksuits using a HEPA vacuum before proceeding to a shower that is not contiguous to the work area; or

(ii) Remove their contaminated worksuits, don clean worksuits, and proceed to a shower that is not contiguous to the work area.

(d) Equipment room. The equipment room shall be supplied with impermeable, labeled bags and containers for the containment and disposal of contaminated protective clothing and equipment.

(e) Decontamination area entry procedures.

(i) The employer shall ensure that employees:

(A) Enter the decontamination area through the clean room;

(B) Remove and deposit street clothing within a locker provided for their use; and

(C) Put on protective clothing and respiratory protection before leaving the clean room.

(ii) Before entering the enclosure, the employer shall ensure that employees pass through the equipment room.

(f) Decontamination area exit procedures.

(i) Before leaving the regulated area, the employer shall ensure that employees remove all gross contamination and debris from their protective clothing.

(ii) The employer shall ensure that employees remove their protective clothing in the equipment room and deposit the clothing in labeled impermeable bags or containers.

(iii) The employer shall ensure that employees do not remove their respirators in the equipment room.

(iv) The employer shall ensure that employees shower prior to entering the clean room. When taking a shower, employees shall be fully wetted, including the face and hair, prior to removing their respirators.

(v) The employer shall ensure that, after showering, employees enter the clean room before changing into street clothes.

(g) Decontamination area for personnel shall not be used for the transportation of asbestos debris.

(h) Waste load-out procedure. The waste load-out area as required by WAC 296-62-07723(7) shall be used as an area for final preparation and external decontamination of waste containers, as a short term storage area for bagged waste, and as a port for transporting waste.

The employer shall ensure waste containers be free of all gross contaminated material before removal from the negative-pressure enclosure. Gross contamination shall be wiped, scraped off, or washed off containers before they are placed into a two chamber air lock which is adjacent to the negative-pressure enclosure. In the first chamber, the exterior of the waste container shall be decontaminated or placed within a second waste container, and then it shall be moved into the second chamber of the air lock for temporary storage or transferred outside of the regulated area. The second waste container shall not be reused unless thoroughly decontaminated.

(4) Lunchrooms.

(a) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure is above the time weighted average and/or excursion limit.

(b) The employer shall ensure that lunchroom facilities have a positive pressure, filtered air supply, and are readily accessible to employees.

(c) The employer shall ensure that employees who work in areas where their airborne exposure is above the time weighted average and/or excursion limit, wash their hands and faces prior to eating, drinking, or smoking.

(d) The employer shall ensure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface asbestos fibers have been removed from the clothing or equipment by vacuuming or other method that removes dust without causing the asbestos to become airborne.

(5) Smoking in work areas. The employer shall ensure that employees do not smoke in work areas where they are occupationally exposed to asbestos because of activities in that work area.

AMENDATORY SECTION (Amending Order 89-10, filed 10/10/89, effective 11/24/89)

WAC 296-62-07721 COMMUNICATION OF HAZARDS TO EMPLOYEES. (1) Upon written or oral request, a copy of the written report required in WAC 296-62-07707 and 296-65-020 shall be given to the collective bargaining representatives or employee representatives of any employee who may be exposed to any asbestos or asbestos-containing material. A copy of the written report shall be posted conspicuously at the location where employees report to work.

(2) Warning signs.

(a) Warning signs shall be provided and displayed at each regulated area. In addition, warning signs shall be posted at all approaches to regulated areas so that an employee may read the signs and take necessary protective steps before entering the area.

(b) The warning signs required by (a) of this subsection shall bear the following information:

DANGER
ASBESTOS
CANCER AND LUNG DISEASE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA

(c) The employer shall ensure that employees working in and contiguous to regulated areas comprehend the warning signs required to be posted by paragraph (2)(a) of this section. Means to ensure employee comprehension may include the use of foreign languages, pictographs, and graphics.

(3) Warning labels.

(a) Warning labels shall be affixed to all products containing asbestos including raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, and to their containers including waste containers. Where feasible, installed asbestos products shall contain a visible label.

(b) Labels shall be printed in large, bold letters on a contrasting background.

(c) The labels shall comply with the requirements of WAC 296-62-05411, and shall include the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
AVOID BREATHING AIRBORNE ASBESTOS FIBERS

(d) Where minerals to be labeled are only tremolite, anthophyllite, or actinolite, the employer may replace the term "asbestos" with the appropriate mineral name.

(4) Material safety data sheets. Employers who are manufacturers or importers of asbestos, or asbestos products shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413, except as provided by subsection (5) of this section.

(5) The provisions for labels required by subsection (3) of this section or for material safety data sheets required by subsection (4) of this section do not apply where:

(a) Asbestos fibers have been modified by a bonding agent, coating, binder, or other material, provided that the manufacturer can demonstrate that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of fibers of asbestos in excess of the action level and/or excursion limit will be released; or

(b) Asbestos is present in a product in concentrations less than 0.1 percent by weight.

(6) Employee information and training.

(a) The employer shall institute a training program for all employees who are exposed to airborne concentrations of asbestos at or above the action level and/or excursion limit and ensure their participation in the program.

(b) Training shall be provided prior to or at the time of initial assignment, unless the employee has received equivalent training within the previous twelve months, and at least annually thereafter.

(c) The training program shall be conducted in a manner which the employee is able to understand. The employer shall ensure that each employee is informed of the following:

- (i) The health effects associated with asbestos;
- (ii) The relationship between smoking and exposure to asbestos in producing lung cancer;

(iii) Methods of recognizing asbestos and the quantity, location, manner of use, release, and storage of asbestos and the specific nature of operations which could result in exposure to asbestos;

(iv) The engineering controls and work practices associated with the employee's job assignment;

(v) The specific procedures implemented to protect employees from exposure to asbestos such as appropriate work practices, housekeeping procedures, hygiene facilities, decontamination procedures, emergency and clean-up procedures, personal protective equipment to be used, and waste disposal procedures, and any necessary instructions in the use of these controls and procedures;

(vi) The purpose, proper use, and limitations of respirators and protective clothing;

(vii) The purpose and a description of the medical surveillance program required by WAC 296-62-07725; ~~(and)~~

(viii) The content of this standard, including appendices;

(ix) The names, addresses, and phone numbers of public health organizations which provide information, materials, and/or conduct programs concerning smoking cessation. The employer may distribute the list of such organizations contained in Appendix I, to comply with this requirement; and

(x) The requirements for posting signs and affixing labels and the meaning of the required legends for such signs and labels.

(d) Access to information and training materials.

(i) The employer shall make a copy of this standard and its appendices readily available without cost to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(iii) The employer shall inform all employees concerning the availability of self-help smoking cessation program material. Upon employee request, the employer shall distribute such material, consisting of NIH Publication No. 89-1647, or equivalent self-help material, which is approved or published by a public health organization listed in Appendix I.

(7) Certification.

(a) All individuals working or supervising asbestos projects, as defined in WAC 296-65-003(4) shall be certified as required by WAC 296-65-010, 296-65-012, and 296-65-030.

(b) In cases excepted under WAC 296-65-030 (2) and (3), all employees shall be trained according to subsection (6) of this section, regardless of their exposure levels.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07725 MEDICAL SURVEILLANCE. (1) General.

(a) Employees covered. The employer shall institute a medical surveillance program for all employees who are or will be exposed to airborne concentrations of fibers of asbestos at or above the action level and/or excursion limit. Exception. Employers in the construction industry shall institute a medical surveillance program for all employees engaged in work involving levels of asbestos at or above the action level for thirty or more days per year, or who are required by this section to wear negative-pressure respirators.

(b) Examination by a physician.

(i) The employer shall ensure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee and at a reasonable time and place.

(ii) Persons other than licensed physicians, who administer the pulmonary function testing required by this section, shall complete a training course in spirometry sponsored by an appropriate academic or professional institution.

(2) Preplacement examinations.

(a) Except as provided by WAC 296-62-07725 (1)(a), before an employee is assigned to an occupation exposed to airborne concentrations of asbestos, a preplacement medical examination shall be provided or made available by the employer. Examinations administered using the thirty or more days per year criteria of WAC 296-62-07725 (1)(a) shall be given within ten working days following the thirtieth day of exposure. Examinations must be given prior to assignment of employees to areas where negative-pressure respirators are worn.

(b) All examinations shall include, as a minimum, a medical and work history: A complete physical examination of all systems with

special emphasis on the pulmonary, cardiovascular, and gastrointestinal systems; completion of the respiratory disease standardized questionnaire in WAC 296-62-07741, Appendix D, Part 1; a chest roentgenogram (posterior-anterior 14x17 inches); pulmonary function tests to include forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV_{1.0}); and any additional tests deemed appropriate by the examining physician. Interpretation and classification of chest roentgenograms shall be conducted in accordance with WAC 296-62-07743, Appendix E.

(3) Periodic examinations.

(a) Periodic medical examinations shall be made available annually.

(b) The scope of the medical examination shall be in conformance with the protocol established in subsection (2)(b) of this section, except that the frequency of chest roentgenograms shall be conducted in accordance with Table 2 of this section, and the abbreviated standardized questionnaire contained in WAC 296-62-07741, Appendix D, Part 2, shall be administered to the employee.

TABLE 2—FREQUENCY OF CHEST ROENTGENOGRAMS

| Years since first exposure | Age of employee | | |
|----------------------------|-----------------|---------------|----------------|
| | 15 to 35 | 35+ to 45 | 45+ |
| 0 to 10..... | Every 5 years | Every 5 years | Every 5 years. |
| 10+ | Every 5 years | Every 2 years | Every 1 year. |

(c) If the examining physician determines that any of the examinations should be provided more frequently than specified, the employer shall provide such examinations to affected employees at the frequencies specified by the physician.

(4) Termination of employment examinations.

(a) The employer shall provide, or make available, a termination of employment medical examination for any employee who has been exposed to airborne concentrations of fibers of asbestos at or above the action level and/or excursion limit.

(b) The medical examination shall be in accordance with the requirements of the periodic examinations stipulated in subsection (3) of this section, and shall be given within thirty calendar days before or after the date of termination of employment.

(5) Recent examinations. No medical examination is required of any employee, if adequate records show that the employee has been examined in accordance with subsection (2), (3), or (4) of this section within the past one-year period.

(6) Information provided to the physician. The employer shall provide the following information to the examining physician:

(a) A copy of this standard and Appendices D, E, and H of WAC 296-62-07741, 296-62-07743, and 296-62-07749 respectively.

(b) A description of the affected employee's duties as they relate to the employee's exposure.

(c) The employee's representative exposure level or anticipated exposure level.

(d) A description of any personal protective and respiratory equipment used or to be used.

(e) Information from previous medical examinations of the affected employee that is not otherwise available to the examining physician.

(7) Physician's written opinion.

(a) The employer shall obtain a written signed opinion from the examining physician. This written opinion shall contain the results of the medical examination and shall include:

(i) The physician's opinion as to whether the employee has any detected medical conditions that would place the employee at an increased risk of material health impairment from exposure to asbestos;

(ii) Any recommended limitations on the employee or upon the use of personal protective equipment such as clothing or respirators; ~~(and)~~

(iii) A statement that the employee has been informed by the physician of the results of the medical examination and of any medical conditions resulting from asbestos exposure that require further explanation or treatment; and

(iv) A statement that the employee has been informed by the physician of the increased risk of lung cancer attributable to the combined effect of smoking and asbestos exposure.

(b) The employer shall instruct the physician not to reveal in the written opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to asbestos.

(c) The employer shall provide a copy of the physician's written opinion to the affected employee within thirty days from its receipt.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07731 DATES. (1) The requirements of the asbestos standard issued in May 1973, as amended, and published in WAC 296-62-07517, remain in effect until compliance is achieved with the parallel provisions of WAC 296-62-077 through 296-62-07753.

(2) Start-up dates. All obligations of WAC 296-62-077 through 296-62-07753 commence on the effective date except as follows:

(a) Hygiene and lunchroom facilities. Changerooms, showers, lavatories, and lunchroom facilities shall be constructed and in use no later than July 20, 1987. However, if as part of the compliance plan for a fixed facility as opposed to mobile or construction type activities it is predicted by an independent engineering firm that engineering controls and work practices will reduce exposures below the time weighted average and/or excursion limit by July 20, 1988, for affected employees, then such facilities need not be completed until one year after the engineering controls are completed, if such controls have not in fact succeeded in reducing exposure to below the permissible exposure limits.

(b) Compliance program. Written compliance programs required by WAC 296-62-07713(2) as a result of initial monitoring shall be completed and available for inspection and copying as soon as possible but no later than July 20, 1987.

(c) Methods of compliance. The engineering and work practice controls as required by WAC 296-62-07713(1) shall be implemented as soon as possible but no later than July 20, 1988.

(3) Compliance date. The requirements of WAC 296-62-07719(5), 296-62-07721 (2)(c), 296-62-07721 (6)(c)(ix), (x) and (d)(iii), and WAC 296-62-07725 (7)(a)(iv) shall be complied with by December 27, 1990.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07733 APPENDICES. (1) The following appendices to this chapter are mandatory.

(a) WAC 296-62-07735, Appendix A—WISHA reference method—Mandatory.

(b) WAC 296-62-07739, Appendix C—Qualitative and quantitative fit testing procedures—Mandatory.

(c) WAC 296-62-07741, Appendix D—Medical questionnaires—Mandatory.

(d) WAC 296-62-07743, Appendix E—Interpretation and classification of chest roentgenograms—Mandatory.

(2) The following appendices to this section are informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

(a) WAC 296-62-07737, Appendix B—Detailed procedure for asbestos sampling and analysis—Nonmandatory.

(b) WAC 296-62-07745, Appendix F—Work practices and engineering controls for automotive brake repair operations—Nonmandatory.

(c) WAC 296-62-07747, Appendix G—Substance technical information for asbestos—Nonmandatory.

(d) WAC 296-62-07749, Appendix H—Medical surveillance guidelines for asbestos—Nonmandatory.

(e) WAC 296-62-07751, Appendix I—Work practices and engineering controls for major asbestos removal, renovation, and demolition operations—Nonmandatory.

(f) WAC 296-62-07753, Appendix J—Work practices and engineering controls for small-scale, short-duration asbestos renovation and maintenance activities—Nonmandatory.

(g) WAC 296-62-07755, Appendix K—Smoking cessation program information for asbestos, tremolite, anthophyllite, and actinolite—Nonmandatory.

NEW SECTION

WAC 296-62-07755 APPENDIX K—SMOKING CESSATION PROGRAM INFORMATION FOR ASBESTOS, TREMOLITE, ANTHOPHYLLITE, AND ACTINOLITE—NONMANDATORY. The following organizations provide smoking cessation information and program material:

(1) The National Cancer Institute operates a toll-free cancer Information Service (CIS) with trained personnel to help you. Call 1-800-4-CANCER* to reach the CIS office serving your area, or write: Office of Cancer Communications, National Cancer Institute, National

Institutes of Health, Building 31, Room 10A24, Bethesda, Maryland 20892.

(2) American Cancer Society, 3340 Peachtree Road, N.E., Atlanta, Georgia 30062, (404) 320-3333. The American Cancer Society (ACS) is a voluntary organization composed of 58 divisions and 3,100 local units. Through "The Great American Smokeout" in November, the annual Cancer Crusade in April, and numerous educational materials, ACS helps people learn about the health hazards of smoking and become successful ex-smokers.

(3) American Heart Association, 7320 Greenville Avenue, Dallas, Texas 75231, (214) 750-5300. The American Heart Association (AHA) is a voluntary organization with 130,000 members (physicians, scientists, and laypersons) in 55 states and regional groups. AHA produces a variety of publications and audiovisual materials about the effects of smoking on the heart. AHA also has developed a guidebook for incorporating a weight-control component into smoking cessation programs.

(4) American Lung Association, 1740 Broadway, New York, New York 10019, (212) 245-8000. A voluntary organization of 7,500 members (physicians, nurses, and laypersons), the American Lung Association (ALA) conducts numerous public information programs about the health effect of smoking. ALA has 59 state and 85 local units. The organization actively supports legislation and information campaigns for nonsmokers' rights and provides help for smokers who want to quit, for example, through "Freedom From Smoking," a self-help smoking cessation program.

(5) Office on Smoking and Health, United States Department of Health and Human Services, 5600 Fishers Lane, Park Building, Room 110, Rockville, Maryland 20857. The Office on Smoking and Health (OSH) is the Department of Health and Human Services' lead agency in smoking control. OSH has sponsored distribution of publications on smoking-related topics, such as free flyers on relapse after initial quitting, helping a friend or family member quit smoking, the health hazards of smoking, and the effects of parental smoking on teenagers.

*In Hawaii, on Oahu call 524-1234 (call collect from neighboring islands), Spanish-speaking staff members are available during daytime hours to callers from the following areas: California, Florida, Georgia, Illinois, New Jersey (area code 210), New York, and Texas. Consult your local telephone directory for listings of local chapters.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-005 SCOPE AND APPLICATION. (1) This chapter shall apply to vessels for hire that carry seven or more passengers when the vessels are operated in inland waters within the jurisdiction of the state of Washington. These rules shall not apply to vessels in the navigable waters of the United States subject to the jurisdiction of the United States Coast Guard.

(2) Pursuant to chapter 88.04 RCW, the director of the department of labor and industries shall administer this chapter. The director is authorized to use the services of the marine dock section to administer this chapter.

(3) All rules adopted by the United States Coast Guard pertaining to inland water passenger vessel service and navigation on inland waters shall be directly applicable and administered as a part of this chapter unless they conflict with specific provisions of this chapter or chapter 88.04 RCW.

(4) Special consideration. In applying the provisions of this section, the director may allow departures from the specific requirements when special circumstances or arrangements warrant such departures. (46 CFR 175.25-1)

(5) The provisions of this chapter shall not apply to:

(a) A vessel that is a charter boat but is being used by the documented or registered owner of the charter boat exclusively for the owner's own noncommercial or personal pleasure purposes;

(b) A vessel owned by a person or corporate entity which is donated and used by a person or nonprofit organization to transport passengers for charitable or noncommercial purposes, regardless of whether consideration is directly or indirectly paid to the owner;

(c) A vessel that is rented, leased, or hired by an operator to transport passengers for noncommercial or personal pleasure purposes; or

(d) A vessel used exclusively for, or incidental to, an educational purpose.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-010 APPEAL OF DECISIONS. (1) Any person aggrieved by a decision of the marine dock section may appeal the decision to the director within ~~((twenty))~~ fifteen working days after receipt of the decision.

(2) The director shall give the chief of the marine and dock section notice of the appeal ~~((ten))~~ and shall give the chief ten working days to comment in writing. At the discretion of the director, an informal conference may be held with all affected parties invited to participate.

(3) The director shall issue a determining order within twenty working days of the receipt of the appeal or within ten working days following conclusion of an informal conference.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-015 DEFINITIONS APPLICABLE TO ALL SECTIONS OF THIS CHAPTER.

Note: Meaning of words. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Approved" - approved by the director; however, if a provision of this chapter states that approval by an agency or organization other than the department such as ~~((Underwriters'))~~ nationally recognized testing laboratories or the United States Coast Guard is required, then approval by the specified authority shall be accepted.

(2) "Authorized person" - a person approved or assigned by the employer to perform a specific type of duty or duties or be at a specific location or locations at the workplace.

(3) "Bare boat" charter - the unconditional lease, rental, or charter of a vessel by the owner or his/her agent, to a person or persons who by written agreement, or contract, assumes all responsibility and liability for the operation, navigation, provisioning, as well as providing liability insurance for the vessel during the term of the agreement, or contract.

Note: "Bare boat" charters are exempt from the provisions of chapter 296-115 WAC unless: they are carrying cargo; they are carrying more than six passengers for a fee or other consideration, or they are engaged in any other commercial venture.

(4) "Carrying passengers or cargo" means the transporting of any person or persons or cargo on a vessel for a fee or other consideration.

(5) "Commercial" - any activity from which the operator, or the person chartering, renting, or leasing a vessel derives a profit, and/or which qualifies as a legitimate business expense under the Internal Revenue Statutes.

(6) "Competent person" - one who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt action to eliminate them.

~~((44))~~ (7) "Confined or enclosed space" - any space having a limited means of egress that is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, tunnels, pipelines and open top spaces more than four feet in depth, such as pits, tubs, vaults, and vessels.

~~((55))~~ (8) "Defect" - any characteristic or condition that tends to weaken or reduce the strength of the tool, object, or structure of which it is a part.

~~((66))~~ (9) "Department" - the department of labor and industries.

~~((77))~~ (10) "Director" - the director of the department of labor and industries, or his designated representative.

~~((88))~~ (11) "Employer" - any person, firm, corporation, partnership, business trust, legal representative, or other business entity that operates a passenger vessel for hire in this state and employs one or more employees or contracts with one or more persons, the essence of which is the personal labor of such persons. Any person, partnership, or business entity that has no employees, and is covered by the Industrial Insurance Act shall be considered both an employer and an employee.

~~((99))~~ (12) "Equipment" (=all machinery, devices, tools, facilities, safeguards, and protective construction used with construction operations) means a system, part, or component of a vessel as originally manufactured, or a system, part, or component manufactured or sold for replacement, repair, or improvement of a system, part, or component of a vessel; an accessory or equipment for, or appurtenance to a

vessel; or a marine safety article, accessory, or equipment, including radio equipment, intended for use by a person on board a vessel.

~~((10))~~ (13) "Hazard" - a condition, potential or inherent, that is likely to cause injury, death, or occupational disease.

~~((11))~~ (14) "Hazardous substance" - a substance that, because it is explosive, flammable, poisonous, corrosive, oxidizing, irritating, or otherwise harmful, is likely to cause death or injury, including all substances listed on the USCG hazardous materials list.

~~((12))~~ (15) "Inspection" - the examination of vessels by the director or an authorized representative of the director.

~~((13))~~ (16) "Marine dock section" - the chief and staff of the marine dock section, department of labor and industries.

~~((14))~~ (17) "Passenger vessel" (~~"= a watercraft capable of carrying seven or more passengers for hire and licensed for such service") means a vessel or barge operating on inland navigable waters of the state of Washington which is not inspected or licensed by the United States Coast Guard and over which the United States Coast Guard does not exercise jurisdiction and which is rented, leased, or chartered to carry more than six persons or cargo.~~

~~((15))~~ "Passenger for hire" - a person (other than master, crew or persons employed) who is carried aboard a vessel for valuable consideration whether directly or indirectly flowing to the owner, charterer, agent or any other person interested in the vessel.

~~(16))~~ (18) "Passenger" - any person or persons, carried on board a vessel in consideration of the payment of a fee or other consideration.

(19) "Port" - left hand side of a vessel as one faces the bow.

~~((17))~~ (20) "Starboard" - right hand side of a vessel as one faces the bow.

~~((18))~~ "Steam vessel" - any vessel propelled by machinery.

~~(19))~~ (21) "Power driven vessel" - any vessel propelled by machinery.

(22) "Qualified" - one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated the ability to solve problems relating to the subject matter, the work, or the project.

~~((20))~~ (23) "Safety factor" - the ratio of the ultimate breaking strength of a member or piece of material or equipment to the actual working stress or safe load when in use.

~~((21))~~ (24) "Safety and health standard" - a standard that requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

~~((22))~~ (25) "Shall" - the provision of the standard is mandatory.

~~((23))~~ (26) "Should" - recommended.

~~((24))~~ (27) "Substantial" - constructed of such strength, of such material, and of such workmanship, that the object referred to will withstand all normal wear, shock, and usage.

~~((25))~~ (28) "Standard safeguard" - a device intended to remove a hazard incidental to the machine, appliance, tool, or equipment to which the device is attached.

Standard safeguards shall be constructed of either metal, wood, other suitable material, or a combination of these. The final determination of the sufficiency of any safeguard rests with the director.

~~((26))~~ (29) "Suitable" - that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

~~((27))~~ (30) "Under way" - a vessel is not at anchor, or made fast to the shore, or aground.

~~((28))~~ "United States Coast Guard rules of navigation" - rules for inland waters, CG 323 and 169 as now adopted or hereafter legally amended by the United States Coast Guard. (46 CFR)

~~(29))~~ (31) "United States Coast Guard Navigation" - rules International/Inland, Commandants Instruction M16672.29 as now adopted, or hereafter legally amended by the United States Coast Guard.

(32) "Working day" - a calendar day, except Saturdays, Sundays, and legal holidays as set forth in RCW 1.16.050, as now or hereafter amended. The time within which an act is to be done under the provisions of this chapter shall be computed by excluding the first working day and including the last working day.

~~((30))~~ (33) "Workman," "personnel," "man," "person," "employee," and other terms of like meaning, unless the context indicates otherwise - an employee of an employer who is employed in the business of his employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his personal labor for an employer whether by manual labor or otherwise.

~~((31))~~ (34) Abbreviations used in this chapter:

(a) "CFR" - Code of Federal Regulations.

(b) "USCG" - United States Coast Guard.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-025 VESSEL INSPECTION AND LICENSING. (1) The department shall inspect all vessels to ensure they are safe and seaworthy at least once each year. The department may also inspect a vessel if requested to do so by the owner, operator, or master of the vessel, and after an explosion, fire, or any other accident involving the vessel.

(2) The department may inspect a vessel upon receipt of a complaint from any person or, in the discretion of the department, at any other time.

(3) The department shall charge the owner of a vessel a fee for each certification or recertification inspection. This fee shall be determined by the director. (See WAC 296-115-120 for fee schedule.)

(4) After the department has inspected a vessel and it is satisfied the vessel is safe and seaworthy, the department shall issue a certificate of inspection for that vessel. The certificate shall be valid for one year after the date of inspection.

(5) The certificate shall set forth the date of the inspection, the names of the vessel and the owner, the number of lifeboats and life preservers required, the number of passengers allowed, and any other information the department may by rule require.

(6)(a) If at any time a vessel is found to be not safe or seaworthy, or not in compliance with the provisions of this chapter, the department may refuse to issue a certificate of inspection until the deficiencies have been corrected and may cancel any certificate of inspection currently issued.

(b) The department shall give the owner of the vessel a written statement of the reasons the vessel was found to be unsafe, unseaworthy, or not in compliance with the provisions of this chapter, including a specific reference to the statute or rule with which the vessel did not comply.

(7) An inspector of the department may, upon the presentation of his or her credentials to the owner, master, operator, or agent in charge of a vessel, board the vessel without delay to make an inspection. The inspector shall inform the owner, master, operator, or agent in charge that his or her intent is to inspect the vessel.

(8) During the inspection, the inspector shall have access to all areas of the vessel. The inspector may question privately the owner, master, operator, or agent in charge of the vessel, or any crew member or passenger on the vessel.

(9) If any person refuses to allow an inspector to board a vessel for an inspection, or refuses to allow access to any areas of the vessel, the department may request a warrant from the superior court for the county in which the vessel is located. The court shall grant the warrant:

(a) If there is evidence that the vessel has sustained a fire ~~((or an))~~, explosion, unintentional grounding, or has been involved in ~~((an))~~ any other accident;

(b) If there is evidence that the vessel is not safe or seaworthy; or

(c) Upon a showing that the inspection furthers a general administrative plan for enforcing the safety requirements of the act.

(10) The owner or master of a vessel shall post the certificate of inspection behind glass in a conspicuous area of the vessel.

(11) No person shall operate a passenger vessel if the vessel does not have a valid certificate of inspection.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/30)

WAC 296-115-035 SPECIFIC INSPECTION REQUIREMENTS. (1) Drydocking or hauling out.

Each vessel subject to the provisions in this section shall be drydocked or hauled out at intervals not to exceed ~~((sixty))~~ twenty-four months and the underwater hull and appendages, propellers, shafting, stern bearings, rudders, through-hull fittings, sea valves and strainers shall be examined to determine that these items are in satisfactory condition. Refer to 46 CFR 176.15.

(2) At the annual inspection the marine dock inspector shall view the vessel afloat and conduct the following tests and inspections of the hull:

(a) Hull exterior and interior, bulkheads, and weather deck.

(b) Examine and test by operation all watertight closures in the hull, decks, and bulkheads.

(c) Inspect all railings and bulwarks and their attachment to the hull.

(d) Inspect weathertight closures above the weather deck and drainage or water from exposed decks and superstructure. Refer to 46 CFR 176.25-5.

(3) At the annual inspection the marine dock inspector shall examine and test the following items:

- (a) Main propulsion machinery.
- (b) Engine starting system.
- (c) Engine control mechanisms.
- (d) Auxiliary machinery.
- (e) Fuel systems.
- (f) Sea valves and bulkhead closure valves.
- (g) Bilge and drainage systems.
- (h) Electrical system, including circuit protection. Refer to 46 CFR 176.25-10 and 176.25-15.

(4) Lifesaving and fire extinguishing equipment. At each annual inspection the marine dock inspector shall inspect the life saving and fire extinguishing equipment for serviceability. Refer to 46 CFR 176.25-20 and 176.25-25.

(5) Miscellaneous systems and equipment. At each annual inspection the marine dock inspector shall inspect and test the vessel's steering apparatus, ground tackle, navigation lights, sanitary facilities, pressure vessels, and any other equipment aboard the vessel for serviceability and safety. Refer to 46 CFR 176.25-35, 176.25-40, and 176.25-45.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-060 OPERATIONS. (1) This section shall apply to all passenger vessel operations within the scope of this chapter.

(2) No person shall rent, lease, or hire out a charter boat, nor carry, advertise for the carrying of, nor arrange for the carrying of, more than six passengers on a vessel for a fee or other consideration on the inland navigable waters of the state unless: The vessel is in compliance with the provisions of this chapter.

(3) Notice of casualty. (Refer to 46 CFR 185.15.)

(a) The owner or person in charge of any vessel involved in a marine accident or casualty involving any of the following shall report the incident immediately to the department.

(i) Damage to property in excess of one thousand five hundred dollars.

(ii) Major damage affecting the seaworthiness or safety of the vessel.

(iii) Loss of life or an injury to a person that incapacitates the person for more than seventy-two hours.

(b) The report shall be in writing to the director and upon receipt of the report the director may request an investigation by a marine dock inspector.

~~((3))~~ (4) Miscellaneous operating requirements. (Refer to 46 CFR 185.20.)

(a) In the case of collision, accident, or other casualty involving a vessel the operator, shall, so far as he can do so without serious danger to his own vessel or persons aboard, render any necessary assistance to other persons affected by the collision, accident, or casualty to save them from danger. He shall also give his name and address and the name of his vessel to any person injured and to the owner of any property damaged.

(b) The person in charge of the vessel shall see that the provisions of the certificate of inspection are strictly adhered to. This shall not be construed as limiting the person in charge from taking any action in an emergency that he deems necessary to help vessels in distress or to prevent loss of life.

(c) Persons operating vessels shall comply with the provisions of the USCG rules of the road for inland waters. (Refer to USCG publication 169.)

(d) The operator of a vessel shall test the vessel's steering gear, signaling whistle, controls, and communication system before getting under way for the day's operation.

(e) Vessels using fuel having a flashpoint of 110°F or lower shall not take on fuel when passengers are on board.

(f) All vessels shall enforce "no smoking" provisions when fueling. Locations on the vessel where flammable or combustible liquids are stored shall be posted "no smoking."

(g) All vessels shall prepare and post emergency check-off lists in a conspicuous place accessible to crew and passengers, covering the following:

(i) Man overboard.

(ii) Fire.

(h) The persons in charge shall conduct emergency drills to ensure that the crew is familiar with their duties in an emergency.

(i) The carriage of hazardous substances is prohibited on vessels. However, the director may authorize a vessel to carry specific types and quantities of hazardous substances if he deems it necessary.

(j) All areas accessible to passengers or crew shall be kept in a clean and sanitary condition. All walking surfaces shall be free of slipping or tripping hazards and in good repair.

~~((4))~~ (5) First-aid training. There shall be present or available on all passenger vessels(~~(;)~~) at all times, a person holding a valid certificate of first-aid training (~~(from the department of labor and industries, United States Bureau of Mines, or the American Red Cross, or equivalent training that can be verified by documentary evidence. A valid first-aid certificate is one that is less than three years old)~~).

~~((5))~~ (6) Valid certification shall be achieved by passing a course of first-aid instruction and participation in practical application of the following subject matter.

Bleeding control and bandaging.

Practical methods of artificial respiration, including mouth to mouth and mouth to nose resuscitation.

Closed chest heart massage.

Poisons.

Shock, unconsciousness, stroke.

Burns, scalds.

Sunstroke, heat exhaustion.

Frostbite, freezing, hypothermia.

Strains, sprains, hernias.

Fractures, dislocations.

Proper transportation of the injured.

Bites, stings.

Subjects covering specific health hazards likely to be encountered by co-workers of first-aid students enrolled in the course.

(7) First-aid equipment. A first-aid kit or first-aid room shall be provided on all passenger vessels. The size and quantity of first-aid supplies or equipment required shall be determined by the number of persons normally dependent upon each kit or equipment. The first-aid kit or supplies shall be in a weatherproof container with individually sealed packages for each type of item. The first-aid station or kit location shall be posted on the container.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-070 RULES OF NAVIGATION. ~~((1) Application. The following rules shall be observed in navigating all steam vessels on the waters within the jurisdiction of the state, excepting the waters which are under the jurisdiction of the United States.~~

~~(2) When two steam vessels are meeting, end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.~~

~~(3) When two steam vessels are crossing so as to involve risk of collision, the vessel that has the other on her own starboard side shall keep out of the way of the other.~~

~~(4) When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.~~

~~(5) When, by any of these rules, one of two vessels is to keep out of the way, the other shall keep her course and speed.~~

~~(6) Every steam vessel, when approaching another steamboat or small boat or vessel of any kind, so as to involve the risk of collision, shall slacken her speed, or if necessary, shall stop and reverse her engine, and every steam vessel shall, when in a fog, go at a moderate speed.~~

~~(7) Any steam vessel overtaking another steam vessel shall keep out of the way of the overtaken steam vessel.~~

~~(8)(a) When steam vessels are running in the same direction, and the vessel that is astern desires to pass on the starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of the desire, and if the vessel ahead answers with one blast, she shall direct her course to starboard; or if she desires to pass on the port side of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of the desire, and if the vessel ahead answers with two blasts, shall direct her course to port. If the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify it by giving several short and rapid blasts of the steam whistle, not less than four, and under no circumstances shall~~

the vessel astern attempt to pass the vessel ahead until they have reached a point where it can be safely done, when the vessel ahead shall signify her willingness by blowing the proper signals. The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel.

(b) Every vessel coming up with another vessel from any direction more than two points abaft her beam, that is, in such a position with reference to the overtaken vessel that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel, and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of the rules in this part, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

(9)(a) When two steam vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when one steam vessel is overtaking another, the steam vessel that has the other on her own port side shall hold her course and speed; and the steam vessel that has the other on her own starboard side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other steam vessel or, if necessary to do so, slacken her speed, stop, or reverse.

(b) If from any cause the conditions covered by this situation prevent immediate compliance with each other's signals, the misunderstanding or objection shall be at once made apparent by blowing the danger signal, and both steam vessels shall be stopped and backed if necessary, until signals for passing with safety are made and understood.

(10) When two steam vessels are approaching each other, and if the courses of the steam vessels are so far on the starboard side of each as not to be considered by the operators as meeting end on, or nearly so, or if the steam vessels are approaching each other, in such manner that passing to the right as in subsection (2) of this section is deemed unsafe by the operator of either steam vessel, the operator first deciding shall give two short and distinct blasts on his steam whistle, which the operator of the other steam vessel shall answer promptly by two blasts of his steam whistle, and they shall pass on the starboard side of each other.

(11) When two steam vessels are approaching each other and the operator of either steam vessel fails to understand the course or intention of the other, whether from the signals being given, answered erroneously, or from other cause, the operator in doubt shall immediately signify it by giving several short and rapid blasts of the whistle, not less than four, and if the vessels have approached within five hundred yards of each other, both shall be immediately slowed to a speed barely sufficient for steerageway until the proper signals are given, answered and understood, or until the boats have passed each other.

(12) When a steam vessel is running in a fog or thick weather the operator shall give a long blast of the whistle at intervals not exceeding one minute.

(13) Distress signals. When a vessel is in distress and requires assistance from other vessels or from the shore the following signal shall be used or displayed by her, either together or separately:

(a) In the daytime — a continuous sounding with any fog signal apparatus, or firing a gun.

(b) At night — flames on the vessel as from a burning tar barrel or oil barrel, a continuous sounding with any fog signal apparatus, or firing a gun.

(14) In construing these provisions, due regard must be had to all the dangers of navigation, and to any special circumstances that may exist, rendering a departure from these provisions necessary to avoid immediate danger.

(15) Every steam vessel that is under sail and not under steam is to be considered a sailing vessel, and every vessel propelled by machinery, whether under sail or not, is to be considered a steam vessel.

(16) All steam vessels shall conform to and obey other rules and regulations prescribed by the United States Coast Guard that are not inconsistent with these rules.

(17) Lights. Every steam vessel, when navigating between sunset and sunrise, shall carry the following lights:

(a) At the foremast head, a bright white light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of twenty points

of the compass; and that throws the light ten points on each side of the vessel from right ahead to two points abaft the beam on either side.

(b) On the starboard side a green light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of ten points of the compass; and that throws the light from right ahead to two points abaft the beam on the starboard side.

(c) On the port side a red light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of ten points of the compass; and that throws the light from right ahead to two points abaft the beam on the port side. The green and red lights shall be fitted with in-board screens, projecting at least three feet forward from the lights, to prevent them from being seen across the bow.

(d) A vessel when underway, if not otherwise required by these rules to carry one or more lights visible from aft, shall carry at her stern a white light that shows an unbroken light over an arc of the horizon of twelve points of the compass; that shows the light six points from right aft on each side of the vessel; and that is visible for at least two miles. The light shall be carried as nearly as practicable on the same level as the side lights.) The operation and navigation of all vessels subject to this chapter shall be in strict accordance with the United States Coast Guard Navigation Rules International/Inland, Commandants Instruction M16672.29 as now adopted, or hereafter legally amended by the United States Coast Guard.

(1) A copy of the United States Coast Guard Navigation Rules International/Inland, Commandants Instruction M16672.29, shall be on board all vessels subject to this chapter at all times when the vessel is under way.

(2) At least annually, where applicable, the operator of each vessel shall "swing the vessel" to determine the actual compass readings in relation to true compass headings, and shall maintain a record on board the vessel.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-100 VIOLATIONS AND SETTING OF PENALTIES. (1) Violations of the mandatory provisions of this chapter shall be subject to penalty. The amount of the penalty will be assessed in accordance with the guidelines and fixed schedules contained herein.

(2) Fixed schedule penalties.

(a) Failure to display certificate of inspection as required: Fifty dollars to owner of the vessel.

(b) Operation of vessel in passenger service without a valid certificate of inspection: To owner of vessel, two hundred dollars per violation; to person who operates vessel, one hundred dollars per violation.

(c) Operation of vessel in passenger service while not in possession of valid USCG/state of Washington operator's license: One hundred dollars per violation to owner of vessel.

AMENDATORY SECTION (Amending Order 90-01, filed 4/10/90, effective 5/25/90)

WAC 296-155-480 LADDERS. (1) General requirements.

All rules for design, construction, maintenance, operation, testing, and use of ladders contained in WAC 296-24-780 through 296-24-81013 of the general safety and health standards shall be complied with.

(a) Only Type I stepladders shall be used on construction worksites, except that painters may use Type II stepladders.

(b) Except where either permanent or temporary stairways or suitable ramps or runways are provided, ladders described in this Part shall be used to give safe access to all elevations.

(c) Ladders shall be maintained in good condition at all times.

(i) The joint between the steps and side rails shall be tight.

(ii) All hardware and fittings securely attached.

(iii) And the moveable parts shall operate freely without binding or undue play.

(iv) The use of ladders with broken or missing rungs or steps, broken or split side rails, or other faulty or defective construction is prohibited.

(v) When ladders with such defects are discovered, they shall be immediately withdrawn from service.

(vi) Inspection of metal ladders shall include checking for corrosion of interiors of open end hollow rungs.

(d) Manufactured portable wood ladders provided by the employer shall be in accordance with the provisions of the American National

Standards Institute, A14.1-1982, Safety Code for Portable Wood Ladders.

(e) Portable metal ladders shall be of strength equivalent to that of wood ladders. Manufactured portable metal ladders provided by the employer shall be in accordance with the provisions of the American National Standards Institute, A14.2-1982, Safety Code for Portable Metal Ladders.

(f) Fixed ladders shall be in accordance with the provisions of the American National Standards Institute, A14.3-1984, Safety Code for Fixed Ladders.

(g) The feet of portable ladders shall be placed on a substantial base, and the area around the top and bottom of the ladder shall be kept clear. Safety feet shall be maintained to ensure proper working condition.

(h) Portable ladders shall be used at such a pitch that the horizontal distance from the top support to the foot of the ladder is about one-quarter of the working length of the ladder (the length along the ladder between the foot and the top support). Ladders shall not be used in a horizontal position as platforms, runways, or scaffolds.

(i) Ladders shall not be placed in passageways, doorways, driveways, or any location where they may be displaced by activities being conducted on any other work, unless protected by barricades or guards.

(j) The side rails shall extend not less than 36 inches above the landing. When this is not practical, grab rails, which provide a secure grip for an employee moving to or from the point of access, shall be installed.

(k) Portable straight ladders in use shall be tied, blocked, equipped with safety shoes or otherwise secured to prevent their being displaced.

(l) Portable metal ladders shall not be used for electrical work or where they may contact electrical conductors.

(m) Unless otherwise stated, all lumber sizes shall be nominal.

(n) When working from a ladder, the ladder shall be secured at both top and bottom.

(o) No type of work shall be performed on a ladder over ~~((25))~~ 10 feet from the ground or floor that requires the use of both hands to perform the work, unless a safety belt is worn and the safety lanyard is secured to the ladder.

(p) Any work that requires wearing eye protection, respirators, or handling of pressure equipment, shall not be performed from a ladder more than ~~((twenty-five))~~ ten feet above the surrounding surface.

(q) Stepladders shall not be used as single ladders.

(r) Tops of ordinary types of stepladders shall not be used as steps.

(s) When working from a stepladder over five feet high a ~~((workman))~~ worker shall not stand on a step higher than the third step from the top of the stepladder.

(t) On two-section extension ladders the minimum overlap for the two sections shall be as follows:

| Size of ladder expanded length (feet): | Overlap (feet) |
|--|----------------|
| Up to and including 36 _____ | 3 |
| Over 36 up to and including 48 _____ | 4 |
| Over 48 up to and including 60 _____ | 5 |

(u) Extension ladders shall always be erected so that the upper section is resting on the bottom section.

(v) When ascending or descending, the user shall face the ladder.

(w) ~~((Workmen))~~ Workers shall not ascend or descend ladders while carrying tools or materials which might interfere with the free use of both hands.

(2) Job-made ladders.

(a) Job-made ladders shall be constructed for intended use.

(b) If a ladder is to provide the only means of access or exit from a working area for twenty-five or more employees, or simultaneous two-way traffic is expected, a double cleat ladder shall be installed.

(c) Double cleat ladders shall not exceed 24 feet in length.

(d) Single cleat ladders shall not exceed 30 feet in length between supports (base and top landing). If ladders are to connect different landings, or if the length required exceeds this maximum length, two or more separate ladders shall be used, offset with a platform between each ladder. Guardrails and toeboards shall be erected on the exposed sides of the platforms.

(e) The width of single cleat ladders shall be at least 15 inches, but not more than 20 inches between rails at the top.

(f) It is preferable that side rails be continuous. If splicing is necessary to attain the required length however, the splice must develop the full strength of a continuous side rail of the same length.

(g) 2-inch by 4-inch lumber shall be used for side rails of single cleat ladders up to 16 feet long; 2-inch by 6-inch lumber, or equivalent, shall be used for single cleat ladders from 16 to 30 feet in length.

(h) 2-inch by 4-inch lumber shall be used for side and middle rails of double cleat ladders up to 12 feet in length; 2-inch by 6-inch lumber for double cleat ladders from 12 to 24 feet in length.

(i) 1-inch by 4-inch lumber shall be used for cleats of single and double cleat ladders, when made of Group 1 woods (see Table J-18).

(j) Cleats shall be inset into the edges of the side rails one-half inch, or filler blocks shall be used on the rails between the cleats. The cleats shall be secured to each rail with three 10d common wire nails or other fasteners of equivalent strength. Cleats shall be uniformly spaced, 12 inches top-to-top.

(k) Side rails shall be parallel or flared top to bottom by not more than one-quarter of an inch for each 2 feet of ladder.

(l) Wood side rails of ladders having cleats shall be not less than 1-1/2 inches thick and 3-1/2 inches deep (2 inches by 4 inches nominal) when made of Group 2 or Group 3 woods (see Table J-18). Wood side rails of Group 4 wood (see Table J-18) may be used in the same cross-section of dimensions for cleat ladders up to 20 feet in length.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-48529 BOOM SUPPORTED ELEVATING WORK PLATFORMS. (1) All applicable rules for design, construction, maintenance, operation, testing and use of boom supported elevating work platforms shall be in accordance with ANSI A92.5-1980.

(2) Minimum rated work load. The minimum rated work load of a work platform shall be three hundred pounds. Either single or multiple ratings may be used.

(a) Work platforms with single ratings shall include means which clearly present the rated work load to the operator at the platform control station.

(b) Work platforms having multiple configurations with multiple ratings shall have means which clearly describe the rated work load of each configuration to the operator at the platform control station. Examples of multiple configurations are:

(i) Outriggers extended to firm footing versus outriggers not extended.

(ii) Large platform versus small platform.

(iii) Extendable boom retracted versus extended.

(iv) Boom elevated versus lowered.

(v) Extendable axles extended versus retracted.

(3) Boom angle indicator: When the rated capacity of the alternate configuration depends on the angle the boom makes with the horizontal, the manufacturer shall install means by which that angle can be determined. Such means shall be clearly displayed to the operator at the platform control station.

(4) Structural safety.

(a) All load-supporting structural elements of the work platform shall have a structural safety factor of not less than two to one based on the minimum yield strength of the materials used.

(b) The load-supporting structural elements of the work platform that are made of nonductile material which will not deform plastically before breaking shall have a structural safety factor of not less than five to one based on the minimum ultimate strength of the materials used.

(c) The design stress used in determining the structural safety factor shall be the maximum stresses developed within the element with the machine operating at its rated work load, used in the type of service for which it was designed, and operated in accordance with manufacturer's operation instructions.

(d) The design stress shall include the effects of stress concentration and dynamic loading as shown in ANSI A92.5-1980.

(5) Platform stability.

(a) Each work platform shall be capable of maintaining stability while sustaining a static load equal to one and one-third times its rated work load, concentrated anywhere twelve inches inside the perimeter of the platform, throughout its entire range of motion while on a slope of five degrees from the horizontal in the direction most likely to cause overturning.

(i) If having the outriggers, stabilizers, or extendable axles in contact with the supporting surface is part of the normal configuration to meet the stability requirements, they shall be extended.

(ii) A visual inspection shall be made to determine whether this test has produced an adverse effect on any component.

(b) Each work platform shall sustain on level ground a test load equal to one and one-half times its rated work load throughout the entire range of motion in which the boom can be placed.

(i) The test load shall be placed with its center of gravity twelve inches inboard from the guardrail while the unit is in the least stable position.

(ii) The work platform shall remain stable during this test.

(iii) A visual inspection shall be made to determine whether this test has produced an adverse effect on any component.

(c) Each work platform shall be capable of maintaining stability when positioned on a five degree slope in its backward stability configuration in the direction and condition most likely to cause overturning, while sustaining a horizontal force of one hundred fifty pounds or fifteen percent of rated capacity, whichever is greater, applied to the upper perimeter of the platform in the direction most likely to cause overturning (see Fig. 1). Note that the most adverse condition may be with zero or with rated work load (concentrated one foot inside perimeter of platform), depending on basket configuration.

(i) If having the outriggers, stabilizers, or extendable axles in contact with the supporting surface is part of the normal configuration to meet stability requirements, they shall be extended.

(ii) A visual inspection shall be made to determine whether this test has produced an adverse effect on any component.

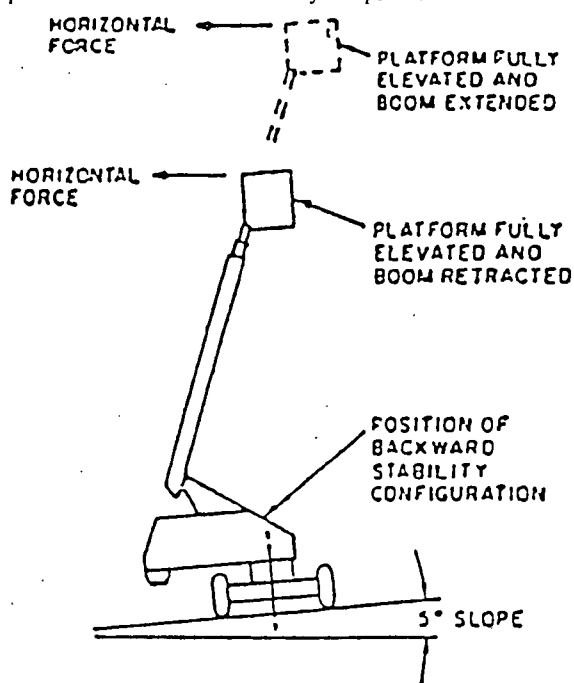


Fig. 1

Backward Stability - Typical Test Condition

(6) Work platform design requirement. The work platform shall be provided with a guardrail or other structure approximately forty-two inches plus or minus three inches high around its upper periphery, with a midrail, and with toeboards not less than four inches high. Guardrails and midrail chains or the equivalent may be substituted across an access opening.

(a) All stepping, standing, and working surfaces shall be skid resistant.

(b) Attachment points shall be provided for a body belt and lanyard for each person occupying the platform.

(7) Work platform controls. Work platforms shall have both primary and secondary controls.

(a) Primary controls shall be readily accessible to the operator on the platform.

(b) Secondary controls shall be designed to override the primary controls and shall be readily accessible from ground level.

(c) Both primary and secondary controls shall be clearly marked, using permanent legible identification which can be easily understood.

(d) All directional controls shall move in the direction of the function which they control when possible, and shall be of the type which

automatically returns to the "off" or the neutral position when released.

(e) Such controls shall be protected against inadvertent operation.

(8) Outrigger interlocks. Where the work platform is equipped with outriggers, stabilizers, or extendable axles, interlocks shall be provided to ensure that the platform cannot be positioned beyond the maximum travel height unless the outriggers, stabilizers, or extendable axles are properly set. Control circuits shall ensure that the driving motor(s) cannot be activated unless the outriggers or stabilizers are disengaged and the platform has been lowered to the maximum travel height (MTH).

(9) Auxiliary operating means: All work platforms shall be provided with an auxiliary means of lowering, retracting, and rotating in the event of primary power loss.

(10) Emergency stop: All work platforms shall be equipped with an emergency stop device, readily accessible to the operator, which will effectively de-energize all powered systems in case of a malfunction.

(11) Tilt alarm: All work platforms shall be fitted with an alarm or other suitable warning at the platform, which will be activated automatically when the machine base is more than five degrees out of level in any direction.

(12) System safety factors.

(a) Where the platform is supporting its rated work load by a system of wire ropes or lift chains, or both, the safety factor of the wire rope or chain shall not be less than eight to one, based on ultimate strength.

(b) All critical components and hoses of hydraulic and pneumatic systems shall have a minimum bursting strength of four times the operating pressure for which the system is designed.

(c) Noncritical components shall have a minimum bursting strength of two times the operating pressure for which the system is designed.

(d) Critical components are defined as those in which a malfunction would result in a free descent of the platform.

(13) Failsafe requirements.

(a) Where the elevation of the platform is accomplished by an electromechanical assembly, the system shall be so designed as to prevent free descent in the event of a generator or power failure.

(b) Where the elevation of the platform is accomplished by a hydraulic or pneumatic cylinder assembly, the system shall be so equipped as to prevent free descent in the event a hydraulic or pneumatic line bursts.

(c) Hydraulically or pneumatically actuated outriggers or stabilizers, or both, shall be so designed as to prevent their retraction in the event a hydraulic or pneumatic line bursts.

(14) Engine requirement.

(a) Fuel lines of internal-combustion-engine-powered work platforms shall be supported to keep chafing to a minimum and located to keep exposure to engine and exhaust heat to a minimum.

(b) Liquid fuel lines shall be hard except where flexible connections are required for isolation from vibration.

(c) LP gas fuel systems shall use flexible LP gas hose or hard lines.

(d) Exhaust lines shall be equipped with mufflers and shall be located to minimize the exposure to noise and fumes of operators and personnel located in the proximity of such units.

(15) Specifications display. There shall be displayed on all work platforms, in a permanent manner, at a readily visible location, the following information:

(a) Special warnings, cautions, or restrictions necessary for safe operation in accordance with ANSI Z35.1-1972 and Z35.4-1973.

(b) Make, model, serial number, and manufacturer's name and address.

(c) Rated work load.

(d) Maximum platform height and maximum travel height.

(e) Reference to studying operating instructions in manual before use.

(f) Alternative configuration statement. If a work platform is capable of several alternative configurations and loads, the alternatives shall be clearly described.

(g) A clear statement of whether or not the platform and its enclosure are electrically insulated. If they are electrically insulated, the voltage at which the platform is rated and the applicable test standard shall be stated.

(h) The rated work load shall be clearly displayed at each entrance to the platform and the operator control station.

(16) Lift manual requirements. Each work platform shall be provided with a manufacturer's manual(s) containing the following information:

(a) Descriptions, specifications, and ratings of the work platform, including the data specified in subsection (17) of this section.

(b) The maximum hydraulic operating pressure and the maximum voltage of the electrical systems which are part of the platform.

(c) Instructions regarding operation, safety rules, maintenance, and repair.

(d) Replacement parts information.

(17) Inspection and maintenance.

(a) Each work platform shall be inspected, maintained, repaired, and kept in proper working condition in accordance with the manufacturer's maintenance and repair manuals.

(b) Any work platform found not to be in safe operating condition shall be removed from service until repaired.

(c) All repairs shall be made by a qualified person in conformance with the manufacturer's maintenance and repair manual(s).

(18) Operator requirements. Only trained and authorized persons shall be permitted to operate the work platform. Before using the work platform, the operator shall:

(a) Be instructed by a qualified person in the intended purpose and function of each of the controls.

(b) Read and understand the manufacturer's operating instructions and safety rules, or be trained by a qualified person on the contents of the manufacturer's operating instructions and safety rules.

(c) Understand by reading or by having a qualified person explain all decals, warnings, and instructions displayed on the work platform.

(d) Prior to use on each work shift, the work platform shall be inspected for defects that would affect its safe operation and use. The inspection shall consist of the following:

(i) Visual inspection for cracked welds or other structural defects, hydraulic leaks, damaged control cables, loose wire connections, and tire damage.

(ii) Function test of the operating controls to ensure that they perform their intended functions. Any suspect items shall be carefully examined and a determination made by a qualified person as to whether they constitute a safety hazard. All unsafe items shall be corrected before further use of the work platform.

(iii) Before the work platform is used and during use, the job site shall be checked for hazards such as ditches, dropoffs or holes, bumps and floor obstructions, debris, overhead obstructions and high-voltage conductors, and other possible hazardous conditions.

(19) Requirements for operation. The work platform shall be used only in accordance with the manufacturer's operating instructions and safety rules, ANSI 92.6-1979 and this standard.

(a) Only trained and authorized personnel shall be permitted to operate the work platform.

(b) Before each elevation of the work platform, the operator shall:

(i) Check for overhead obstructions and high-voltage conductors. A minimum distance of ten feet from energized high-voltage conductors shall be maintained at all times between the conductors and the operator and platform equipment.

(ii) Ensure the work platform is elevated only on a firm and level surface.

(iii) Ensure that the load and its distribution on the platform are in accordance with the manufacturer's rated capacity. The manufacturer's rated work load shall never be exceeded.

(iv) Ensure that outriggers or stabilizers are used in accordance with manufacturer's instructions.

(v) Ensure that platform guardrails are properly installed and gates or openings are closed.

(vi) Check to see that all occupants' ((safety-belts)) full body harnesses are on and properly attached.

(c) Before and during driving while elevated, the operator shall:

(i) Be required to look in the direction of, and keep a clear view of, the path of travel and make sure that the path is firm and level.

(ii) Maintain a safe distance from obstacles, debris, dropoffs, holes, depressions, ramps, and other hazards to safe elevated travel.

(iii) Maintain a safe distance from overhead obstacles.

(d) Under all travel conditions the operator shall limit speed according to conditions of ground surface, congestion, slope, location of personnel, and other factors which may create a hazard of collision or injury to personnel.

(e) Stunt driving and horseplay shall not be permitted.

(f) Personnel shall maintain a firm footing on the platform while working thereon. Safety harness and lanyard devices fixed to attachment points provided and approved by the manufacturer shall be used by all occupants. Use of railings, planks, ladders, or any other device

on the work platform, except as provided in subsection (24) of this section, shall be prohibited.

(g) The operators shall immediately report to ((his)) their supervisor any defects or malfunctions which become evident during operation. Any defects or malfunctions that affect the safety of operation shall be repaired prior to continued use of the work platform.

(h) Altering, modifying, or disabling safety devices or interlocks is prohibited.

(i) Care shall be taken to prevent ropes, electric cords, hoses, and the like from becoming entangled in the work platform when it is being elevated, lowered, or moved.

(j) Work platform rated capacities shall not be exceeded when live loads are transferred to the platform at elevated heights.

(k) The operator shall ensure that the area surrounding the work platform is clear of personnel and equipment before lowering the platform.

(20) Refueling: Fuel tanks shall not be filled while the engine is running. Caution shall be used while filling tanks to avoid spilling fuel.

(21) Battery charging: Batteries shall not be charged except in an open, well ventilated area free of flame, smoking, spark, and fire.

(22) Modifications: There shall be no modification or alteration to work platforms without the modifications being approved and certified in writing by the manufacturer or other equivalent entity, such as a nationally recognized testing laboratory, to be in conformance with all applicable provisions of ANSI A92.5-1980 and this standard.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-48533 CRANE OR DERRICK SUSPENDED PERSONNEL PLATFORMS. (1) Scope, application, and definitions.

(a) Scope and application. This standard applies to the design, construction, testing, use and maintenance of personnel platforms, and the hoisting of personnel platforms on the load lines of cranes or derricks.

(b) Definitions. For the purposes of this section, the following definitions apply:

(i) "Failure" means load refusal, breakage, or separation of components.

(ii) "Hoist" (or hoisting) means all crane or derrick functions such as lowering, lifting, swinging, booming in and out or up and down, or suspending a personnel platform.

(iii) "Load refusal" means the point where the ultimate strength is exceeded.

(iv) "Maximum intended load" means the total load of all employees, tools, materials, and other loads reasonably anticipated to be applied to a personnel platform or personnel platform component at any one time.

(v) "Runway" means a firm, level surface designed, prepared, and designated as a path of travel for the weight and configuration of the crane being used to lift and travel with the crane suspended platform. An existing surface may be used as long as it meets these criteria.

(2) General requirements. The use of a crane or derrick to hoist employees on a personnel platform is prohibited, except when the erection, use, and dismantling of conventional means of reaching the worksite, such as a personnel hoist, ladder, stairway, aerial lift, elevating work platform or scaffold, would be more hazardous, or is not possible because of structural design or worksite conditions.

(3) Cranes and derricks.

(a) Operational criteria.

(b) Hoisting of the personnel platform shall be performed in a slow, controlled, cautious manner with no sudden movements of the crane or derrick, or the platform.

(c) Load lines shall be capable of supporting, without failure, at least seven times the maximum intended load, except that where rotation resistant rope is used, the lines shall be capable of supporting without failure, at least ten times the maximum intended load. The required design factor is achieved by taking the current safety factor of 3.5 (required under WAC 296-155-525 (3)(b)) and applying the fifty percent derating of the crane capacity which is required by (f) of this subsection.

(d) Load and boom hoist drum brakes, swing brakes, and locking devices such as pawls or dogs shall be engaged when the occupied personnel platform is in a stationary working position.

(e) The crane shall be uniformly level within one percent of level grade and located on firm footing. Cranes equipped with outriggers shall have them all fully deployed following manufacturer's specifications, insofar as applicable, when hoisting employees.

(f) The total weight of the loaded personnel platform and related rigging shall not exceed fifty percent of the rated capacity for the radius and configuration of the crane or derrick.

(g) The use of machines having live booms (booms in which lowering is controlled by a brake without aid from other devices which slow the lowering speeds) is prohibited.

(h) Multiple-part line block: When a multiple-part line block is in use, a substantial strap shall be used between the crane hook and common ring, shackle, or other equivalent device, to eliminate employee exposure to the lines running through the block, and to the block itself.

(4) Instruments and components.

(a) Cranes and derricks with variable angle booms shall be equipped with a boom angle indicator, readily visible to the operator.

(b) Cranes with telescoping booms shall be equipped with a device to indicate clearly to the operator, at all times, the boom's extended length, or an accurate determination of the load radius to be used during the lift shall be made prior to hoisting personnel.

(c) A positive acting device shall be used which prevents contact between the load block or overhaul ball and the boom tip (anti-two-blocking device), or a system shall be used which deactivates the hoisting action before damage occurs in the event of a two-blocking situation (two block damage prevention feature).

(d) The load line hoist drum shall have a system or device on the power train, other than the load hoist brake, which regulates the lowering rate of speed of the hoist mechanism (controlled load lowering). Free fall is prohibited.

(5) Rigging.

(a) Lifting bridles on box-type platforms shall consist of four legs of equal length, with one end securely shackled to each corner of the platform and the other end securely attached to a common ring, shackle, or other equivalent device to accommodate the crane hook, or a strap to the crane hook.

(b) Shackle bolts used for rigging of personnel platforms shall be secured against displacement.

(c) A substantial safety line shall pass through the eye of each leg of the bridle adjacent to the common ring, shackle, or equivalent device.

(d) Securely fastened with a minimum amount of slack to the lift line above the headache ball or to the crane hook itself.

(e) All eyes in wire rope slings shall be fabricated with thimbles.

(f) Wire rope, shackles, rings, master links, and other rigging hardware must be capable of supporting, without failure, at least five times the maximum intended load applied or transmitted to that component. Where rotation resistant wire rope is used for slings, they shall be capable of supporting without failure at least ten times the maximum intended load.

(g) Hooks on headache ball assemblies, lower load blocks, or other attachment assemblies shall be of a type that can be closed and locked, eliminating the hook throat opening. Alternatively, an alloy anchor type shackle with a bolt, nut and retaining pin may be used.

(h) Bridles and associated rigging for attaching the personnel platform to the hoist line shall be used only for the platform and the necessary employees, their tools and the materials necessary to do their work, and shall not be used for any other purpose when not hoisting personnel.

(6) Personnel platforms - design criteria.

(a) The personnel platform and suspension system shall be designed by a qualified engineer or a qualified person competent in structural design.

(b) The suspension system shall be designed to minimize tipping of the platform due to movement of employees occupying the platform.

(c) The personnel platform itself, except the guardrail system and body ((belt))harness anchorages, shall be capable of supporting, without failure, its own weight and at least five times the maximum intended load based on a minimum allowance of five hundred pounds for the first person with light tools, and an additional two hundred fifty pounds for each additional person.

(d) Criteria for guardrail systems and body ((belt))harness anchorages are contained in WAC ((296-155-225(4) and)) 296-155-505(6) and 296-155-24510 (3)(a)(i) respectively.

(e) The personnel platform shall be conspicuously posted with a plate or other permanent marking which indicates the weight of the platform and its rated load capacity or maximum intended load.

(7) Platform specifications.

(a) Each personnel platform shall be equipped with a guardrail system which meets the requirements of WAC 296-155-505(6) and, shall be enclosed at least from the toeboard to mid-rail with either solid

construction or expanded metal having openings no greater than one-half inch (1.27 cm).

(b) A grab rail shall be installed inside the entire perimeter of the personnel platform.

(c) Access gates, if installed, shall not swing outward during hoisting.

(d) Access gates, including sliding or folding gates, shall be equipped with a restraining device to prevent accidental opening.

(e) Headroom shall be provided which allows employees to stand upright in the platform.

(f) In addition to the use of hard hats, employees shall be protected by overhead protection on the personnel platform when employees are exposed to falling objects.

(g) All rough edges exposed to contact by employees shall be surfaced or smoothed in order to prevent injury to employees from punctures or lacerations.

(h) All welding of the personnel platform and its components shall be performed by a qualified welder familiar with the weld grades, types, and material specified in the platform design.

(i) Occupants of all personnel platforms shall wear a safety belt or harness and lanyard which meets the requirements of WAC 296-155-225 (3) through (8).

(j) Box-type platform: The workers lanyard shall be secured to an anchorage within the platform meeting the requirements of WAC 296-155-225(4).

(k) Rescue platform:

(i) If the platform is used as a rescue vehicle, the injured worker shall be strapped into the stretcher or basket.

(ii) The basket shall then be secured by lanyard to an anchorage within the platform meeting the requirements of WAC 296-155-225(4).

(l) Boatswains chair: The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(m) Barrel-type platform:

(i) The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(ii) A solid bar or rod shall be substantially attached in a rigid position to the bottom or side of the platform.

(iii) The bottom of the barrel-type platform shall be of a convex shape to cause the platform to lay on its side when lowered to the ground or floor.

(iv) The bar or rod shall extend a minimum of eight feet above the floor of the platform.

(v) Workers shall enter and exit from barrel-type platforms only when they are in an upright position, stable, and securely attached to the load line.

(vi) The employer shall use methods or devices which allow employees to safely enter or exit barrel-type platforms.

(8) Personnel platform loading.

(a) The personnel platform shall not be loaded in excess of its rated load capacity.

(b) The number of employees occupying the personnel platform shall not exceed the number required for the work being performed.

(c) Personnel platforms shall be used only for employees, their tools, and the materials necessary to do their work, and shall not be used to hoist only materials or tools when not hoisting personnel.

(d) Materials and tools for use during a personnel lift shall be secured to prevent displacement.

(e) Materials and tools for use during a personnel lift shall be evenly distributed within the confines of the platform while the platform is suspended.

(9) Trial lift, inspection, and proof testing.

(a) A trial lift with the unoccupied personnel platform loaded at least to the anticipated liftweight shall be made from ground level, or any other location where employees will enter the platform, to each location at which the personnel platform is to be hoisted and positioned. This trial lift shall be performed immediately prior to placing personnel on the platform. The operator shall determine that all systems, controls, and safety devices are activated and functioning properly; that no interferences exist; and that all configurations necessary to reach those work locations will allow the operator to remain under the fifty percent limit of the hoist's rated capacity. Materials and tools to be used during the actual lift can be loaded in the platform, as provided in subsection (8)(d) and (e) of this section for the trial lift. A single trial lift may be performed at one time for all locations that are to be reached from a single set-up position.

(b) The trial lift shall be repeated prior to hoisting employees whenever the crane or derrick is moved and set up in a new location or returned to a previously used location. Additionally, the trial lift shall be repeated when the lift route is changed unless the operator determines that the route change is not significant (i.e., the route change would not affect the safety of hoisted employees).

(c) After the trial lift, and just prior to hoisting personnel, the platform shall be hoisted a few inches and inspected to ensure that it is secure and properly balanced. Employees shall not be hoisted unless the following conditions are determined to exist:

(i) Hoist ropes shall be free of kinks;

(ii) Multiple part lines shall not be twisted around each other;

(iii) The primary attachment shall be centered over the platform; and

(iv) The hoisting system shall be inspected if the load rope is slack to ensure all ropes are properly seated on drums and in sheaves.

(d) A visual inspection of the crane or derrick, rigging, personnel platform, and the crane or derrick base support or ground shall be conducted by a competent person immediately after the trial lift to determine whether the testing has exposed any defect or produced any adverse effect upon any component or structure.

(e) Any defects found during inspections which create a safety hazard shall be corrected before hoisting personnel.

(f) At each job site, prior to hoisting employees on the personnel platform, and after any repair or modification, the platform and rigging shall be proof tested to one hundred twenty-five percent of the platform's rated capacity by holding it in a suspended position for five minutes with the test load evenly distributed on the platform (this may be done concurrently with the trial lift). After proof testing, a competent person shall inspect the platform and rigging. Any deficiencies found shall be corrected and another proof test shall be conducted. Personnel hoisting shall not be conducted until the proof testing requirements are satisfied.

(10) Work practices.

(a) Employees shall keep all parts of the body inside the platform during raising, lowering, and positioning. This provision does not apply to an occupant of the platform performing the duties of a signal person.

(b) Before employees exit or enter a hoisted personnel platform that is not landed, the platform shall be secured to the structure where the work is to be performed, unless securing to the structure creates an unsafe situation.

(c) Tag lines shall be used unless their use creates an unsafe condition.

(d) The crane or derrick operator shall remain at the controls at all times when the crane engine is running and the platform is occupied.

(e) Hoisting of employees shall be promptly discontinued upon indication of any dangerous weather conditions or other impending danger.

(f) Employees being hoisted shall remain in continuous sight of and in direct communication with the operator or signal person. In those situations where direct visual contact with the operator is not possible, and the use of a signal person would create a greater hazard for that person, direct communication alone such as by radio may be used.

(g) Hand signals to the operator shall be in accordance with WAC 296-155-525 (1)(c).

(h) Except over water, employees occupying the personnel platform shall use a full body (~~belt~~) harness system with lanyard appropriately attached to the lower load block or overhaul ball, or to a structural member within the personnel platform capable of supporting a fall impact for employees using the anchorage as specified in WAC 296-155-24510 (3)(a)(i). When working over water, the requirements of WAC 296-155-235 shall apply.

(i) No lifts shall be made on another of the crane's or derrick's load lines while personnel are suspended on a platform.

(11) Traveling.

(a) Hoisting of employees while the crane is traveling is prohibited, except for portal, tower and locomotive cranes, or where the employer demonstrates that there is no less hazardous way to perform the work.

(b) Under any circumstances where a crane would travel while hoisting personnel, the employer shall implement the following procedures to safeguard employees:

(i) Crane travel shall be restricted to a fixed track or runway;

(ii) Travel shall be limited to the load radius of the boom used during the lift; and

(iii) The boom must be parallel to the direction of travel.

(c) A complete trial run shall be performed to test the route of travel before employees are allowed to occupy the platform. This trial

run can be performed at the same time as the trial lift required by subsection (9)(a) of this section which tests the route of the lift.

(d) If travel is done with a rubber tired-carrier, the condition and air pressure of the tires shall be checked. The chart capacity for lifts on rubber shall be used for application of the fifty percent reduction of rated capacity. Notwithstanding subsection (3)(e) of this section, outriggers may be partially retracted as necessary for travel.

(12) Prelift meeting.

(a) A meeting attended by the crane or derrick operator, signal person(s) (if necessary for the lift), employee(s) to be lifted, and the person responsible for the task to be performed shall be held to review the appropriate requirements of this section and the procedures to be followed.

(b) This meeting shall be held prior to the trial lift at each new work location, and shall be repeated for any employees newly assigned to the operation.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-500 DEFINITIONS APPLICABLE TO THIS PART. (1) "Built-up-roofing" means a weatherproofing cover, applied over roof decks, consisting of either a liquid-applied system, a single-ply system, or a multiple-ply system. Liquid-applied systems generally consist of silicone rubber, plastics, or similar material applied by spray or roller equipment. Single-ply systems generally consist of a single layer of synthetic rubber, plastic, or similar material, and a layer of adhesive. Multiple-ply systems generally consist of layers of felt and bitumen, and may be covered with a layer of mineral aggregate.

(2) "Built-up-roofing work" means the hoisting, storage, application, and removal of built-up roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.

(3) "Floor hole" means an opening measuring less than 12 inches but more than 1 inch in its least dimension in any floor, roof, or platform through which materials but not persons may fall, such as a belt hole, pipe opening, or slot opening.

(4) "Floor opening" means an opening measuring 12 inches or more in its least dimension in any floor, roof, or platform, through which persons may fall.

(5) "Handrail" means a single bar or pipe supported on brackets from a wall or partition, as on a stairway or ramp, to furnish persons with a handhold in case of tripping.

(6) "Low-pitched roof" means a roof having a slope less than or equal to four in twelve.

(7) "Mechanical equipment" means all motor or human propelled wheeled equipment except for wheelbarrows and moparts.

(8) (~~"MSS systems" (motion-stopping-safety systems)~~) means fall protection using the following equipment singly or in combination: Standard railings (guardrails) as described in WAC 296-155-505(6); scaffolds or platforms with guardrails as described in WAC 296-155-485; safety nets as described in WAC 296-155-230; and safety belt systems as described in WAC 296-155-225.

(9)) "Nose, nosing" means that portion of a tread projecting beyond the face of the riser immediately below.

((++)) (9) "Platform" means a working space for persons, elevated above the surrounding floor or ground, such as a balcony or platform for the operation of machinery and equipment.

((+++)) (10) "Rise" means the vertical distance from the top of a tread to the top of the next higher tread.

((++2)) (11) "Roof" means the exterior surface on the top of a building. This does not include floors which, because a building has not been completely built, temporarily become the top surface of a building.

((++3)) (12) "Runway" means a passageway for persons, elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.

((++4)) (13) "Safety-monitoring system" means a safety system in which a competent person monitors the safety of all employees in a roofing crew, and warns them when it appears to the monitor that they are unaware of the hazard or are acting in an unsafe manner. The competent person must be on the same roof and within visual distance of the employees, and must be close enough to verbally communicate with the employees.

((++5)) (14) "Stair platform" means an extended step or landing breaking a continuous run of stairs.

((++6)) (15) "Stair railing" means a vertical barrier erected along exposed sides of a stairway to prevent falls of persons.

((+77)) (16) "Stairs, stairways" means a series of steps leading from one level or floor to another, or leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment that are used more or less continuously or routinely by employees or only occasionally by specific individuals. For the purpose of this part, a series of steps and landings having three or more rises constitutes stairs or stairway.

((+88)) (17) "Standard railing" means a vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

((+99)) (18) "Standard strength and construction" means any construction of railings, covers, or other guards that meets the requirements of this part.

((20)) (19) "Toeboard" means a vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent falls of materials.

((21)) (20) "Tread width" means the horizontal distance from front to back of tread, including nosing, when used.

((22)) (21) "Unprotected side or edge" means any side or edge of a roof perimeter where there is no wall three feet (.9 meters) or more in height.

((23)) (22) "Wall opening" means an opening at least 30 inches high and 18 inches wide, in any wall or partition, through which persons may fall, such as an opening for a window, a yard-arm doorway or chute opening.

((24)) (23) "Work area" means that portion of a roof where built-up roofing work is being performed.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-505 GUARDRAILS, HANDRAILS, AND COVERS. (1) General provisions. This part applies to temporary or emergency conditions where there is danger of employees or materials falling through floor, roof, or wall openings, or from stairways, runways, ramps, open sided floors, open sides of structures, bridges, or other open sided walking or working surfaces. When guardrails or covers required by this section must be temporarily removed to perform a specific task, the area shall be constantly attended by a monitor to warn others of the hazard or shall be protected by a movable barrier.

(2) Guarding of floor openings and floor holes.

(a) Floor openings shall be guarded by a standard railing and toe boards or cover, as specified in subsections (2)(g) and (6) of this section. In general, the railing shall be provided on all exposed sides, except at entrances to stairways. All vehicle service pits shall have a cover or removable type standard guardrail. When not in use, pits shall be covered or guarded. Where vehicle service pits are to be used again immediately, and the service man is within a 50 foot distance of the unguarded pit and also within line of sight of the unguarded pit, the cover or guardrail need not be replaced between uses. Where vehicle service pits are used frequently, the perimeters of the pits shall be delineated by high visibility, luminescent, skid resistant paint. Such painted delineation shall be kept clean and free of extraneous materials.

(b) Ladderway floor openings or platforms shall be guarded by standard railings with standard toe boards on all exposed sides, except at entrance to opening, with the passage through the railing either provided with a swinging gate or so offset that a person cannot walk directly into the opening.

(c) Hatchways and chute floor openings shall be guarded by one of the following:

(i) Hinged covers of standard strength and construction and a standard railing with only one exposed side. When the opening is not in use, the cover shall be closed or the exposed side shall be guarded at both top and intermediate positions by removable standard railings;

(ii) A removable standard railing with toe board on not more than two sides of the opening and fixed standard railings with toe boards on all other exposed sides. The removable railing shall be kept in place when the opening is not in use and shall be hinged or otherwise mounted so as to be conveniently replaceable.

(d) Wherever there is danger of falling through a skylight opening, and the skylight itself is not capable of sustaining the weight of a two hundred pound person with a safety factor of four, standard guardrails shall be provided on all exposed sides or the skylight shall be covered in accordance with (g) of this subsection.

(e) Pits and trap-door floor openings shall be guarded by floor opening covers of standard strength and construction. While the cover

is not in place, the pit or trap openings shall be protected on all exposed sides by removable standard railings.

(f) Manhole floor openings shall be guarded by standard covers which need not be hinged in place. While the cover is not in place, the manhole opening shall be protected by standard railings.

(g) All floor opening covers shall be capable of supporting the maximum potential load but never less than two hundred pounds (with a safety factor of four).

(i) The cover shall be recessed to conform to the level of the surrounding floor or to be flush with the perimeter of the opening.

(ii) The cover shall be secured by fastening devices to prevent unintentional removal.

(iii) If it becomes necessary to remove the cover, a monitor shall remain at the opening until the cover is replaced. The monitor shall advise persons entering the area of the hazard, shall prevent exposure to the fall hazard and shall perform no other duties.

(h) Floor holes, into which persons can accidentally walk, shall be guarded by either a standard railing with standard toe board on all exposed sides, or a floor hole cover of standard strength and construction that is secured against accidental displacement. While the cover is not in place, the floor hole shall be protected by a standard railing.

(i) Where doors or gates open directly on a stairway, a platform shall be provided, and the swing of the door shall not reduce the effective width of the platform to less than 20 inches.

(3) Guarding of wall openings.

(a) Wall openings, from which there is a drop of more than 4 feet, and the bottom of the opening is less than 3 feet above the working surface, shall be guarded as follows:

(i) When the height and placement of the opening in relation to the working surface is such that either a standard rail or intermediate rail will effectively reduce the danger of falling, one or both shall be provided;

(ii) The bottom of a wall opening, which is less than 4 inches above the working surface, regardless of width, shall be protected by a standard toe board or an enclosing screen either of solid construction or as specified in (6)(g)(ii) of this section.

(b) An extension platform, outside a wall opening, onto which materials can be hoisted for handling shall have standard guardrails on all exposed sides or equivalent. One side of an extension platform may have removable railings in order to facilitate handling materials.

(c) When a chute is attached to an opening, the provisions of (a) of this subsection shall apply, except that a toe board is not required.

(4) Guarding of open-sided surfaces.

(a) Every open-sided floor, platform or surface four feet or more above adjacent floor or ground level shall be guarded by a standard railing, or the equivalent, as specified in subsection (6)(a) of this section, on all open sides, except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a standard toe board wherever, beneath the open sides, persons can pass, or there is moving machinery, or there is equipment with which falling materials could create a hazard.

(b) Runways shall be guarded by a standard railing, or the equivalent, as specified in subsection (6) of this section, on all open sides, 4 feet or more above floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toe board shall also be provided on each exposed side.

(c) Runways used exclusively for special purposes may have the railing on one side omitted where operating conditions necessitate such omission, providing the falling hazard is minimized by using a runway not less than 18 inches wide.

(d) Where employees entering upon runways become thereby exposed to machinery, electrical equipment, or other danger not a falling hazard, additional guarding shall be provided.

(e) Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards, shall be guarded with a standard railing and toe board.

(f) Open sides of gardens, patios, recreation areas and similar areas located on roofs of buildings or structures shall be guarded by permanent standard railings or the equivalent. Where a planting area has been constructed adjacent to the open sides of the roof and the planting area is raised above the normal walking surface of the roof area, the open side of the planting area shall also be protected with standard railings or the equivalent.

(5) Stairway railings and guards.

(a) Every flight of stairs having four or more risers shall be equipped with standard stair railings or standard handrails as specified below,

the width of the stair to be measured clear of all obstructions except handrails:

(i) On stairways less than 44 inches wide having both sides enclosed, at least one handrail, preferably on the right side descending;

(ii) On stairways less than 44 inches wide having one side open, at least one stair railing on the open side;

(iii) On stairways less than 44 inches wide having both sides open, one stair railing on each side;

(iv) On stairways more than 44 inches wide but less than 88 inches wide, one handrail on each enclosed side and one stair railing on each open side;

(v) On stairways 88 or more inches wide, one handrail on each enclosed side, one stair railing on each open side, and one intermediate stair railing located approximately midway of the width.

(b) Winding stairs shall be equipped with a handrail offset to prevent walking on all portions of the treads having width less than 6 inches.

(6) Standard specifications.

(a) A standard railing shall consist of top rail, intermediate rail, toe board, and posts, and shall have a vertical height of 36 inches to 42 inches from upper surface of top rail to floor, platform, runway, or ramp level. Each length of lumber shall be smooth-surfaced throughout the length of the railing. The intermediate rail shall be halfway between the top rail and the floor, platform, runway, or ramp. The ends of the rails shall not overhang the terminal posts except where such overhang does not constitute a projection hazard. Minimum requirements for standard railings under various types of construction are specified in the following items:

(i) For wood railings, the posts shall be of at least 2-inch by 4-inch stock spaced not to exceed 8 feet; the top rail shall be of at least 2-inch by 4-inch stock; the intermediate rail shall be of at least 1-inch by 6-inch stock.

(ii) For pipe railings, posts and top and intermediate railings shall be at least 1 1/2 inches nominal OD diameter with posts spaced not more than 8 feet on centers.

(iii) For structural steel railings, posts and top and intermediate rails shall be of 2-inch by 2-inch by 3/8-inch angles or other metal shapes of equivalent bending strength, with posts spaced not more than 8 feet on centers.

(iv) For wire rope railings, the top and intermediate railings shall be at least 1/2-inch fibre core rope, or the equivalent to meet strength factor and deflection of subsection (6)(a)(v). Posts shall be spaced not more than 8 feet on centers. The rope shall be stretched taut, so as to present a minimum deflection.

(v) The anchoring of posts and framing of members for railings of all types shall be of such construction that the completed structure shall be capable of withstanding a load of at least 200 pounds applied in any direction at any point on the top rail, with a minimum of deflection.

(vi) Railings receiving heavy stresses from employees trucking or handling materials shall be provided additional strength by the use of heavier stock, closer spacing of posts, bracing, or by other means.

(vii) Other types, sizes, and arrangements of railing construction are acceptable, provided they meet the following conditions:

(A) A smooth-surfaced top rail at a height above floor, platform, runway, or ramp level of between 36 inches and 42 inches;

(B) A strength to withstand at least the minimum requirement of 200 pounds top rail pressure with a minimum of deflection;

(C) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(D) Elimination of overhang of rail ends unless such overhang does not constitute a hazard.

(b) A stair railing shall be of construction similar to a standard railing, but the vertical height shall be not more than 34 inches nor less than 30 inches from upper surface to top rail to surface of tread in line with face of riser at forward edge of tread.

(c)(i) A standard toe board shall be 4 inches minimum in vertical height from its top edge to the level of the floor, platform, runway, or ramp. It shall be securely fastened in place and have not more than 1/4-inch clearance above floor level. It may be made of any substantial material, either solid, or with openings not over 1 inch in greatest dimension.

(ii) Where material is piled to such height that a standard toe board does not provide protection, paneling, or screening from floor to intermediate rail or to top rail shall be provided.

(d)(i) A standard handrail shall be of construction similar to a standard railing except that it is mounted on a wall or partition, and does not include an intermediate rail. It shall have a smooth surface along the top and both sides of the handrail. The handrail shall have an adequate handhold for any one grasping it to avoid falling. Ends of the handrail shall be constructed so as not to constitute a projection hazard.

(ii) The height of handrails shall be not more than 34 inches nor less than 30 inches from upper surface of handrail to surface of tread, in line with face of riser or to surface of ramp.

(iii) All handrails and railings shall be provided with a clearance of approximately 3 inches between the handrail or railing and any other object.

(e) Floor opening covers shall be of any material that meets the following strength requirements:

(i) Conduits, trenches, and manhole covers and their supports, when located in roadways, and vehicular aisles shall be designed to carry a truck rear-axle load of at least 2 times the maximum intended load;

(ii) All floor opening covers shall be capable of supporting the maximum potential load but never less than two hundred pounds (with a safety factor of four).

(A) The cover shall be recessed to conform to the level of the surrounding floor or to be flush with the perimeter of the opening.

(B) The cover shall be secured by fastening devices to prevent unintentional removal.

(C) If it becomes necessary to remove the cover, a monitor shall remain at the opening until the cover is replaced. The monitor shall advise persons entering the area of the hazard, shall prevent exposure to the fall hazard and shall perform no other duties.

(f) Skylight openings that create a falling hazard shall be guarded with a standard railing, or covered in accordance with (e)(ii) of this subsection.

(g) Wall opening protection shall meet the following requirements:

(i) Barriers shall be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least 200 pounds applied in any direction (except upward), with a minimum of deflection at any point on the top rail or corresponding member.

(ii) Screens shall be of such construction and mounting that they are capable of withstanding a load of at least 200 pounds applied horizontally at any point on the near side of the screen. They may be of solid construction, of grill work with openings not more than 8 inches long, or of slat work with openings not more than 4 inches wide with length unrestricted.

~~((7) Guarding of low-pitched roof perimeters during the performance of built-up roofing work:~~

~~(a) General provisions: During the performance of built-up roofing work on low-pitched roofs with a ground-to-eave height greater than 16 feet (4.9 meters), employees engaged in such work shall be protected from falling from all unprotected sides and edges of the roof as follows:~~

~~(i) By the use of a motion-stopping safety system (MSS system); or~~

~~(ii) By the use of a warning line system erected and maintained as provided in subdivision (7)(c) of this section and supplemented for employees working between the warning line and the roof edge by the use of either an MSS system or, where mechanical equipment is not being used or stored, by the use of a safety monitoring system; or~~

~~(iii) By the use of a safety monitoring system on roofs 50 feet (15.25 meters) or less in width (see WAC 296-155-50501 Appendix—Roofs), where mechanical equipment is not being used or stored.~~

~~(b) Exception: The provisions of (7)(a) of this section do not apply at points of access such as stairways, ladders, and ramps, or when employees are on the roof only to inspect, investigate, or estimate roof level conditions. Roof edge materials handling areas and materials storage areas shall be guarded as provided in subdivision (7)(c) of this section.~~

~~(c) Warning lines:~~

~~(i) Warning lines shall be erected around all sides of the work area:~~

~~(A) When mechanical equipment is not being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge;~~

~~(B) When mechanical equipment is being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge which is parallel to the direction of mechanical equipment operation, and not less than 10 feet (3.1 meters) from the roof edge which is perpendicular to the direction of mechanical equipment operation;~~

~~(ii) The warning line shall consist of a rope, wire, or chain, and supporting stanchions erected as follows:~~

~~(A) The rope, wire, or chain shall be flagged at not more than six foot (1.8 meters) intervals with high-visibility material;~~

~~(B) The rope, wire, or chain shall be rigged and supported in such a way that its lowest point (including sag) is no less than 34 inches (.86 meters) from the roof surface and its highest point is no more than 39 inches (1 meter) from the roof surface;~~

~~(C) After being erected, with the rope, wire, or chain attached, stanchions shall be capable of resisting, without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchion, 30 inches (0.76 meters) above the roof surface, perpendicular to the warning line, and in the direction of the roof edge;~~

~~(D) The rope, wire, or chain shall have a minimum tensile strength of 500 pounds (227 kilograms), and after being attached to the stanchions, shall be capable of supporting, without breaking, the loads applied to the stanchions as prescribed in subitem (7)(c)(ii)(C) of this section; and~~

~~(E) The line shall be attached at each stanchion in such a way that pulling on one section of the line between stanchions will not result in slack being taken up in adjacent sections before the stanchion tips over.~~

~~(iii) Access paths shall be erected as follows:~~

~~(A) Points of access, materials handling areas and storage areas shall be connected to the work area by a clear access path formed by two warning lines.~~

~~(B) When the path to a point of access is not in use, a rope, wire, or chain, equal in strength and height to the warning line, shall be placed across the path at the point where the path intersects the warning line erected around the work area.~~

~~(d) Mechanical equipment. Mechanical equipment may be used or stored only in areas where employees are being protected by either a warning line or an MSS system. Mechanical equipment may not be used or stored between the warning line and the roof edge unless the employees are being protected by an MSS system. Mechanical equipment may not be used or stored where the only protection provided is by a safety monitoring system.~~

~~(c) Roof edge materials handling areas and materials storage. Employees working in a roof edge materials handling or materials storage area located on a low-pitched roof with a ground-to-eave height greater than 16 feet (4.9 meters) shall be protected from falling by the use of an MSS system along all unprotected roof sides and edges of the area:~~

~~(i) When guardrails are used at hoisting areas, a minimum of four feet of guardrail shall be erected on each side of the access point through which materials are hoisted.~~

~~(ii) A chain or gate shall be placed across the opening between the guardrail sections when hoisting operations are not taking place.~~

~~(iii) When guardrails are used at bitumen pipe outlets, a minimum of four feet of guardrail shall be erected on each side of the pipe.~~

~~(iv) When safety belt systems are used, they shall not be attached to the hoist.~~

~~(v) When safety belt systems are used, they shall be rigged to allow the movement of employees only as far as the roof edge.~~

~~(vi) Materials may not be stored within six feet of the roof edge unless guardrails are erected at the roof edge.~~

~~(vii) Materials which are piled, grouped, or stacked shall be stable and self-supporting.~~

~~(f) Training:~~

~~(i) The employer shall provide a training program for all employees engaged in built-up roofing work so that they are able to recognize and deal with the hazards of falling associated with working near a roof perimeter. The employees shall also be trained in the safety procedures to be followed in order to prevent such falls.~~

~~(ii) The employer shall assure that employees engaged in built-up roofing work have been trained and instructed in the following areas:~~

~~(A) The nature of fall hazards in the work area near a roof edge;~~

~~(B) The function, use, and operation of the MSS system, warning line, and safety monitoring systems to be used;~~

~~(C) The correct procedures for erecting, maintaining, and disassembling the systems to be used;~~

~~(D) The role of each employee in the safety monitoring system when this system is used;~~

~~(E) The limitations on the use of mechanical equipment; and~~

~~(F) The correct procedures for the handling and storage of equipment and materials.~~

~~(iii) Training shall be provided for each newly hired employee, and for all other employees as necessary, to assure that employees maintain proficiency in the areas listed in item (7)(f)(ii) of this section.))~~

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-620 PILE DRIVING EQUIPMENT. (1) General requirements.

(a) Boilers and piping systems which are a part of, or used with, pile driving equipment shall meet the applicable requirements of the American Society of Mechanical Engineers, Powers Boilers (section I).

(b) All pressure vessels which are a part of or used with, pile driving equipment shall meet the applicable requirements of the American Society of Mechanical Engineers, Pressure Vessels (section VIII).

(c) Overhead protection, which will not obscure the vision of the operator, and which meets the requirements of Part L of this chapter, shall be provided. Protection shall be of 2-inch planking or other solid material of equivalent strength.

(d) Stop blocks shall be provided for the leads to prevent the hammer from being raised against the head block.

(e) A blocking device, capable of safely supporting the weight of the hammer shall be provided for placement in the leads under the hammer at all times while employees are working under the hammer.

(f) Guards shall be provided across the top of the head block to prevent the cable from jumping out of the sheaves.

(g) When the leads must be inclined in the driving of batter piles, provisions shall be made to stabilize the leads.

(h) All working equipment shall be visually inspected at the beginning of each shift.

(i) Fixed leads shall be provided with ladder, and adequate rings, or similar attachment points, so that the loft workers may engage ~~(his safety belt)~~ their full body harness lanyard to the leads. If the leads are provided with loft platform(s) such platform(s) shall be protected by standard guardrails.

(j) Pile drivers with swinging leads shall have a wire rope safety strap on top end.

(k) Spud bars shall be of hard wood with smooth round handle end for safe handling. Iron shod spud bars are prohibited.

(l) A follower block or driving cap shall be used with a drop hammer on all piling except sheet piling.

(m) Steam hose leading to a steam hammer or jet pipe shall be securely attached to the hammer with an adequate length of at least 1/4-inch diameter chain or cable to prevent whipping in the event the joint at the hammer is broken. Air hammer hoses shall be provided with the same protection as required for steam lines.

(n) Safety chains, or equivalent means, shall be provided for each hose connection to prevent the line from thrashing around in case the coupling becomes disconnected.

(o) Steam line controls shall consist of two shutoff valves, one of which shall be a quick-acting lever type within easy reach of the hammer operator.

(p) Guys, outriggers, thrustouts, or counterbalances shall be provided as necessary to maintain stability of pile driver rigs.

(q) Ladders constructed in compliance with this chapter shall be installed on all pile drivers from the hoist platform to the head block, and in such position that workers using ladders will not come in contact with lines, sheaves, etc.

(r) Drop hammers which have been chipped on the face shall not be used for pile driving.

(s) Groove worn drums or spools shall be replaced or properly repaired to present a smooth working surface.

(t) At least two full wraps of cable shall be maintained on hoisting drums.

(u) Proper racks shall be provided for storage of cross-cut saws.

(v) Every hoisting drum used as a pile driver shall be equipped with manually operated dogs or pawls to hold suspended loads. Foot brakes shall only be used to hold suspended loads until drum dogs are engaged. The dogs shall be visible from the operator's station or be equipped with a positive direct connected telltale which shall be visible to the operator.

(w) No counterweight or spring arrangement on dogs shall be permitted which would allow dog to be automatically disengaged either by relieving the load or rolling the drum.

(x) In every crew there shall be designated signalmen. The driver operator or drum person shall receive signals from no others, except when loftman is above. The hammer shall not be lowered except on the loftman's signal.

(y) Spliced hammer lines shall not be used.

(2) Pile driving from barges and floats. Barges or floats supporting pile driving operations shall meet the applicable requirements of WAC 296-155-630.

(3) Pile driving equipment.

(a) Engineers and winchmen shall accept signals only from the designated signalmen.

(b) All employees shall be kept clear when piling is being hoisted into the leads.

(c) When piles are being driven in an excavated pit, the walls of the pit shall be sloped to the angle of repose or sheet-piled and braced.

(d) When steel tube piles are being "blown out," employees shall be kept well beyond the range of falling materials.

(e) When it is necessary to cut off the tops of driven piles, pile driving operations shall be suspended except where the cutting operations are located at least twice the length of the longest pile from the driver.

(f) When driving jacked piles, all access pits shall be provided with ladders and bulkheaded curbs to prevent material from falling into the pit.

(g) Floating equipment such as dredges and pile drivers shall maintain a signal system to shore in the event of an emergency.

(h) The distribution of machinery on floating equipment shall be such that the completed unit floats on an even keel.

(i) Fuel tanks below decks shall be vented to outside of hull and vents shall be equipped with flame arrestors.

(j) All hull compartments shall be ventilated. No person shall work in hull compartments until it is shown the compartments contain no flammable or toxic concentrations.

(k) Light fixtures installed or used within the hull shall be explosion proof.

(l) All floating rigs shall be equipped with ladderways extending from the deck to the waterline where the deck is more than 36 inches above the water. A wire rope shall be hung along both sides of the hull or float and so hung that it shall be at all times near or at the waterline.

(m) Doors of deck houses where deck house sets within 36" of edge of deck and doorways in hull shall be equipped with guard rails or cross chains.

(n) Deck houses shall have a substantial grab rail installed on all sides where such installation will not interfere with operations.

(o) Pile driver and dredge fairlead sheaves, and spudline sheaves shall be guarded to prevent workers or tools being drawn into them.

(p) All work deck shall be kept clear of debris, unnecessary tools and equipment in order to minimize the stumbling hazard. Lines shall be coiled, tools stored and material stacked clear of working spaces.

(q) Night operations shall be adequately lighted for all activity while work is in progress and shall be maintained until workers leave the work area.

(r) Electrical installation and equipment shall be installed and maintained in compliance with the National Electric Code.

(s) All walkways over water and on dredge pontoon discharge pipe lines shall be a minimum of 20" in width with standard handrail along one side on structures and gang planks. Walkways on pontoon lines may be equipped with hand lines in lieu of standard handrail.

(t) Adequate fire extinguishing equipment shall be provided and maintained in a serviceable condition.

(u) Protective equipment shall be used when working with creosote timbers. Protective creams shall be used on exposed skin surfaces and gloves and eye protection worn especially when driving piles.

(v) Pulling piles with hammer or pile line rigged through the head block is prohibited unless driver and rigging are designed to safely withstand the imposed strain.

(w) Truck runways and platforms shall be equipped with a wheel guard on all outside edges. Top of wheel guards shall be a minimum of 10 inches above deck.

(x) Use of foot blocks at base of leads for hammer line or pile line is prohibited.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-688 VERTICAL SLIP FORMS. (1) Slip forms shall be designed and constructed, and the form movement carried out, under the immediate supervision of a person or persons experienced in slip form design and operation. Drawings prepared by a qualified engineer, showing the jack layout, formwork, working decks, and scaffolding, shall be available at the jobsite, and followed.

(2) The steel rods or pipe on which the jacks climb or by which the forms are lifted shall be designed for this purpose. Such rods must be adequately braced where not encased in concrete.

(3) Forms shall be designed to prevent excessive distortion of the structure during the jacking operation.

(4) All vertical slip forms shall be provided with scaffolding or work platforms completely encircling the area of placement.

(5) Jacks and vertical supports shall be positioned in such a manner that the loads do not exceed the rated capacity of the jacks.

(6) The jacks or other lifting devices shall be provided with mechanical dogs or other automatic holding devices to support the slip forms whenever failure of the power supply or lifting mechanism occurs.

(7) The form structure shall be maintained within all design tolerances specified for plumbness during the jacking operation.

(8) Lifting shall proceed steadily and uniformly and shall not exceed the predetermined safe rate of lift. A jacking system, which provides precise, simultaneous movement of the entire form in small preselected increments, is recommended for large structures.

(9) (~~Workmen~~) Workers placing reinforcing steel shall wear (~~safety belts~~) a full body harness tied off by lanyards or otherwise securely fastened when working above the scaffold level.

(10) The total allowable load on slip form platforms shall be determined by the design engineer and enforced by the field supervisor.

(11) Lateral and diagonal bracing of the forms shall be provided to prevent excessive distortion of the structure during the sliding operation.

(12) While the slide is in operation, the form structure shall be maintained in line and plumb.

(13) A field supervisor experienced in slip form construction shall be present on the deck at all times.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-689 PLACING AND REMOVAL OF FORMS.

(1) When moved or raised by crane, cableway, A-frame, or similar mechanical device, forms shall be securely attached to slings having a minimum safety factor of five. Use of No. 9 tie wire, fiber rope, and similar makeshift lashing shall be prohibited.

(2) Taglines shall be used in moving panels or other large sections of forms by crane or hoist.

(3) All hoisting equipment, including hoisting cable used to raise and move forms shall have a minimum safety factor incorporated in the manufacturer's design, and the manufacturer's recommended loading shall not be exceeded. Field-fabricated or shop-fabricated hoisting equipment shall be designed or approved by a registered professional engineer, incorporating a minimum safety factor of five in its design. Panels and built-up form sections shall be equipped with metal hoisting brackets for attachment of slings.

(4) Forms intended for use where there is a free fall of over ten feet shall be equipped with adequate scaffolding and guardrails, or employees working on the forms shall be required to wear (~~safety belts~~) a full body harness during forming and stripping operations.

(5) Vertical forms being raised or removed in sections shall not be released until adequately braced or secured. Overhead forms shall not be released until adequately braced or secured.

(6) (~~Workmen~~) Workers or others at lower levels shall be protected from falling materials. Appropriate warning signs shall be erected along walkways.

(7) Forms shall not be removed until the concrete is cured. The concrete shall be adequately set in order to permit safe removal of the forms, shoring, and bracing. Engineer's specifications and local building codes shall be adhered to in determining the length of time forms should remain in place following concrete placement. In addition, tests shall be made on field-cured concrete specimens in order to insure that concrete has obtained sufficient strength to safely support the load prior to removal of forms.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-700 GENERAL REQUIREMENTS. (1) Erection gangs on structural steel erection shall work under the direction of experienced foreman.

(2) Workers shall not ride on steel being hoisted, nor slide down ropes, columns or ladders.

(3) Wire rope slings shall be used when lifting loads. Care shall be taken to avoid sharp bends by using wood or similar type padding between wire rope and load. Reinforcing steel shall not be lifted by bundling ties.

(4) If float scaffolds are used during steel erection, they shall be used in accordance with WAC 296-155-485(24).

~~((5) Employees shall be provided with safety belts in accordance with WAC 296-155-225 when they are working on float scaffolds.~~

~~(6) On jobs where ordinary precautions would prove impractical, nets shall be provided. Contracting authorities shall specify in contract when it has been determined that nets are required.~~

~~(7) The use of safety belts, lanyards and lifelines in steel erection shall be in accordance with WAC 296-155-225.~~

~~(a) When connecting beams at the periphery of a building or structure where the fall distance is greater than twenty-five feet, employees shall be tied-off by approved safety belts and lifelines.~~

~~(i) To either peripheral columns;~~

~~(ii) Pendant lines secured at the tops of peripheral columns;~~

~~(iii) Catenary lines;~~

~~(iv) Other secure anchorage points.~~

~~(b) When practical, employees shall ccoon or walk the bottom inside flange of peripheral beams when it is necessary to release chokers, land intermediate members, or perform other work on the peripheral beams.~~

~~(c) Pendant lines, catenary lines and other lines used to secure workers shall be capable of supporting a minimum dead weight of five thousand four hundred pounds.~~

~~(d) If the procedure specified in (a) of this subsection is impractical, perimeter safety nets shall be installed at a distance of no more than twenty-five feet below the work surface and extend at least eight feet beyond the perimeter of the building or structure. Nets shall meet the requirements set forth in the applicable portions of WAC 296-155-230:))~~

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-705 FLOORING REQUIREMENTS. (1) Permanent flooring—Skeleton steel construction in tiered buildings.

(a) The permanent floors shall be installed as the erection of structural members progresses, and there shall be not more than eight stories between the erection floor and the uppermost permanent floor, except where the structural integrity is maintained as a result of the design.

(b) At no time shall there be more than four floors or 48 feet of unfinished bolting or welding above the foundation or uppermost permanently secured floor.

(2) Temporary flooring—Skeleton steel construction in tiered buildings.

(a)(i) The derrick or erection floor shall be solidly planked or decked over its entire surface except for access openings. Planking or decking of equivalent strength, shall be of proper thickness to carry the working load. Planking shall be not less than 2 inches thick full size undressed, and shall be laid tight and secured to prevent movement.

(ii) On buildings or structures not adaptable to temporary floors, and where scaffolds are not used, safety nets shall be installed and maintained whenever the potential fall distance exceeds ~~((two stories or 25))~~ 10 feet. The nets shall be hung with sufficient clearance to prevent contacts with the surface of structures below.

(iii) Floor periphery - safety railing. A standard railing including midrail of 1/2-inch wire rope or equivalent shall be installed at the periphery (including all floor openings) of all temporary-planked or temporary metal-decked floors of tier buildings and other multi-floored structures during structural steel assembly.

(b)(i) Where skeleton steel erection is being done, a tightly planked and substantial floor shall be maintained within two stories or twenty-five feet, whichever is less, below and directly under that portion of each tier of beams on which any work is being performed, except when gathering and stacking temporary floor planks on a lower floor, in preparation for transferring such planks for use on an upper floor. Where such a floor is not practicable, subsection (2)(a)(ii) of this section applies.

(ii) When gathering and stacking temporary floor planks, the planks shall be removed successively, working toward the last panel of the temporary floor so that the work is always done from the planked floor.

~~((iii) When gathering and stacking temporary floor planks, from the last panel, the employees assigned to such work shall be protected by safety belts with safety lines attached to a catenary line or other substantial anchorage:))~~

(3) Flooring - other construction.

(a) In the erection of a building having double wood floor construction, the rough flooring shall be completed as the building progresses, including the tier below the one on which floor joists are being installed.

(b) For single wood floor or other flooring systems, the floor immediately below the story where the floor joists are being installed shall be kept planked or decked over.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-720 SAFE WALKING SURFACES ON STRUCTURAL MEMBERS. ~~((+))~~ Structural members with studs, dowels or shear connectors installed on the top side shall not be used as a walkway and/or means of access unless such studs, dowels or shear connectors are covered with suitable material and in such a manner as to provide a walking surface at least as stable and free of hazards as the top surface of the member would provide without attachments installed. For the purpose of this section, "stud," shall mean all protruding metal attachments to structural members.

~~((2) If such structural member is ten feet or more above ground or floor level, employees walking or working on such member shall be protected by a safety belt in accordance with WAC 296-155-225:))~~

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-485 SCAFFOLDING. (1) General requirements. Scaffolds shall be furnished and erected in accordance with this standard for persons engaged in work that cannot be done safely from the ground or from solid construction, except that ladders used for such work shall conform to WAC 296-155-480 through 296-155-48090.

(a) All rules for design, construction, maintenance, operation, testing, and use of scaffolds contained in WAC 296-24-825 through 296-24-84013 apply within the construction industry.

(b) Scaffolds shall be erected in accordance with requirements of this section.

(c) The footing or anchorage for scaffolds shall be sound, rigid, and capable of carrying the maximum intended load without settling or displacement. Unstable objects such as barrels, boxes, loose brick, or concrete blocks, shall not be used to support scaffolds or planks.

(d) No scaffold shall be erected, moved, dismantled, or altered except under the supervision of competent persons.

(e) Standard guardrails and toeboards shall be installed on all open sides and ends of platforms more than 10 feet above the ground or floor, except needle beam scaffolds and floats. Scaffolds 4 feet to 10 feet in height, having a minimum horizontal dimension in either direction of less than 45 inches, shall have standard guardrails and toeboards installed on all open sides and ends of the scaffold platform.

(f) Where persons are required to work or pass under the scaffold, scaffolds shall be provided with a screen between the toeboard and the guardrail, extending along the entire opening, consisting of No. 18 gauge U.S. Standard wire 1/2-inch mesh, or the equivalent.

(g) Scaffolds and their components shall be capable of supporting without failure at least 4 times the maximum intended load.

(h) Any scaffold including accessories such as braces, brackets, trusses, screw legs, ladders, etc. damaged or weakened from any cause shall be immediately repaired or replaced.

(i) All load-carrying timber members of scaffold framing shall be a minimum of 1,500 fiber (stress grade) construction grade lumber. All dimensions are nominal sizes as provided in the American Lumber Standards, except that where rough sizes are noted, only rough or undressed lumber of the size specified will satisfy minimum requirements.

(j) All planking shall be scaffold grades, or equivalent, as recognized by approved grading rules for the species of wood used. The maximum permissible spans for 2- x 10-inch or wider planks shall be as shown in Table J-1.

(k) The maximum permissible span for 1 1/4- x 9-inch or wider plank of full thickness shall be 4 feet with medium duty loading of 50 p.s.f.

(l) Platforms shall be level. All planking or platforms shall be overlapped (minimum 12 inches), or secured from movement. The platform shall be a minimum of two 2-inch by 10-inch planks in width or a minimum of 18 inches.

(m) An access ladder or equivalent safe access shall be provided.

(n) Scaffold planks shall extend over their end supports not less than 6 inches nor more than 12 inches.

(o) The poles, legs, or uprights of scaffolds shall be plumb, and securely and rigidly braced to prevent swaying and displacement.

(p) Overhead protection shall be provided for persons on a scaffold exposed to overhead hazards.

(q) Slippery conditions on scaffolds shall be eliminated as soon as possible after they occur.

(r) ~~((No))~~ Welding, burning, riveting, or open flame work shall not be performed on any staging suspended by means of fiber or synthetic rope unless suspended components are well insulated to protect against damaging contacts. Only treated or protected fiber or synthetic ropes shall be used for or near any work involving the use of corrosive substances or chemicals. Specific requirements for boatswain's chairs and float or ship scaffolds are contained in subsections (12) and ~~((23))~~ (21) of this section.

(s) Wire, synthetic, or fiber rope used for scaffold suspension shall be capable of supporting at least 6 times the rated load.

(t) The use of shore or lean-to scaffolds is prohibited.

(u) The height of freestanding scaffold towers shall not exceed four times the minimum base dimension.

(v) Factory-built (laminated) scaffold planks meeting the requirements of wood scaffold planks may be substituted for wood scaffold planks.

(2) Wood pole scaffolds.

(a) Scaffold poles shall bear on a foundation of sufficient size and strength to spread the load from the pole over a sufficient area to prevent settlement. All poles shall be set plumb.

(b) Where wood poles are spliced, the ends shall be squared and the upper section shall rest squarely on the lower section. Wood splice plates shall be provided on at least two adjacent sides and shall be not less than 4 feet in length, overlapping the abutted ends equally, and have the same width and not less than the cross-sectional area of the pole. Splice plates or other materials of equivalent strength may be used.

(c) Independent pole scaffolds shall be set as near to the wall of the building as practicable.

(d) All pole scaffolds shall be securely guyed or tied to the building or structure. Where the height or length exceeds 25 feet, the scaffold shall be secured at intervals not greater than 25 feet vertically and horizontally.

(e) Putlogs or bearers shall be set with their greater dimension vertical, and long enough to project over the ledgers of the inner and outer rows of poles at least 3 inches for proper support.

(f) Every wooden putlog on single pole scaffolds shall be reinforced with a 3/16- x 2-inch steel strip, or equivalent, secured to its lower edge throughout its entire length.

(g) Ledgers shall be long enough to extend over two pole spaces. Ledgers shall not be spliced between the poles. Ledgers shall be reinforced by bearing blocks securely nailed to the side of the pole to form a support for the ledger.

(h) Diagonal bracing shall be provided to prevent the poles from moving in a direction parallel with the wall of the building, or from buckling.

(i) Cross bracing shall be provided between the inner and outer sets of poles in independent pole scaffolds. The free ends of pole scaffolds shall be cross braced.

(j) Full diagonal face bracing shall be erected across the entire face of pole scaffolds in both directions. The braces shall be spliced only at the poles. The inner row of poles on medium and heavy duty scaffolds shall be braced in a similar manner.

(k) Platform planks shall be laid with their edges close together so the platform will be tight with no spaces through which tools or fragments of material can fall.

(l) Where planking is lapped, each plank shall lap its end supports at least 12 inches. Where the ends of planks abut each other to form a flush floor, the butt joint shall be at the centerline of a pole. The abutted ends shall rest on separate bearers. Intermediate beams shall be provided where necessary to prevent dislodgment of planks due to deflection, and the ends shall be secured to prevent their dislodgment.

(m) When a scaffold materially changes its direction, the platform planks shall be laid to prevent tipping. The planks that meet the corner putlog at an angle shall be laid first, extending over the diagonally placed putlog far enough to have a good safe bearing, but not far enough to involve any danger from tipping. The planking running in the opposite direction at an angle shall be laid so as to extend over and rest on the first layer of planking.

(n) When moving platforms to the next level, the old platform shall be left undisturbed until the new putlogs or bearers have been set in place, ready to receive the platform planks.

(o) All wood pole scaffolds 60 feet or less in height shall be constructed and erected in accordance with Tables J-2 to J-8. If they are over 60 feet in height, they shall be designed by a qualified engineer

competent in this field, and shall be constructed and erected in accordance with such design. Design drawings shall be available at the jobsite.

(3) Tube and coupler scaffolds.

(a) A light duty tube and coupler scaffold shall have all posts, bearers, runners, and bracing of nominal 2-inch O.D. steel tubing. The posts shall be spaced no more than 6 feet apart by 10 feet along the length of the scaffold. Other structural metals when used must be designed to carry an equivalent load. No dissimilar metals shall be used together.

(b) A medium duty tube and coupler scaffold shall have all posts, runners, and bracing of nominal 2-inch O.D. steel tubing. Posts spaced not more than 6 feet apart by 8 feet along the length of the scaffold shall have bearers of nominal 2 1/2-inch O.D. steel tubing. Posts spaced not more than 5 feet apart by 8 feet along the length of the scaffold shall have bearers of nominal 2-inch O.D. steel tubing. Other structural metals, when used, must be designed to carry an equivalent load. No dissimilar metals shall be used together.

(c) A heavy duty tube and coupler scaffold shall have all posts, runners, and bracing of nominal 2-inch O.D. steel tubing, with the posts spaced not more than 6 feet by 6 feet-6 inches. Other structural metals, when used, must be designed to carry an equivalent load. No dissimilar metals shall be used together.

(d) Tube and coupler scaffolds shall be limited in heights and working levels to those permitted in Tables J-8, J-9 and J-10. Drawings and specifications of all tube and coupler scaffolds above the limitations in Tables J-8, J-9 and J-10 shall be designed by a qualified engineer competent in this field. Design drawings shall be available at the jobsite.

(e) All tube and coupler scaffolds shall be constructed and erected to support four times the maximum intended loads, as set forth in Tables J-8, J-9 and J-10, or as set forth in the specifications by a licensed professional engineer competent in this field.

(f) Posts shall be accurately spaced, erected on suitable bases, and maintained plumb.

(g) Runners shall be erected along the length of the scaffold, located on both the inside and the outside posts at even height. Runners shall be interlocked to the inside and the outside posts at even heights. Runners shall be interlocked to form continuous lengths and coupled to each post. The bottom runners shall be located as close to the base as possible. Runners shall be placed not more than 6 feet-6 inches on centers. When tube and coupler guardrails and midrails are used on outside posts, they may be used in lieu of outside runners.

(h) Bearers shall be installed transversely between posts and shall be securely coupled to the posts with the inboard coupler bearing on the runner coupler. Where guardrails and midrails are required, no outboard runner is required.

(i) The length of the bearer shall exceed the post spacing of the width of the scaffold by the amount necessary to have full contact with the coupler. Bearers used to provide a cantilever support for use as brackets for light and medium-duty scaffolds shall not carry more than two ten-inch planks unless knee braced.

(j) Bracing across the width of the scaffold shall be installed at the ends of the scaffold at least at every fourth level. Such bracing shall extend diagonally from the outer post or runner at this level upward to the inner post or runner at the next level.

(k) Longitudinal diagonal bracing shall be installed on the outer rows of poles at approximately forty degrees to fifty degrees angle from near the base of the first and last outer post upward to the top center of the scaffold. If the scaffold is long, the above diagonal bracing shall be repeated. On short but high runs, the diagonal bracing shall be installed at forty degrees to fifty degrees from the base of the first outer post to the last outer post alternating directions to the top of the scaffold. When conditions preclude the attachment of this bracing to the posts, it may be attached to the runners.

(l) When a scaffold exceeds either 30 feet horizontally or 26 feet vertically, the entire scaffold shall be tied to and securely braced against the building at intervals not to exceed 30 feet horizontally and 26 feet vertically.

(4) Fabricated tubular welded frame scaffolds.

(a) Metal tubular frame scaffolds, including accessories such as braces, brackets, trusses, screw legs, ladders, etc., shall safely support four times the maximum rated load. The maximum rated load shall not be exceeded.

(b) Spacing of panels or frames shall be consistent with the loads imposed.

(c) Scaffolds shall be properly braced by cross bracing or diagonal braces, or both, for securing vertical members together laterally, and the cross braces shall be of such length as will automatically square and align vertical members so that the erected scaffold is always plumb, level, square, and rigid. All brace connections shall be made secure.

(d) Panel or frame legs shall be set on adjustable bases or plain bases placed on mud sills or other foundations adequate to support the maximum rated load.

(e) The panels or frames shall be placed one on top of the other with coupling or stacking pins to provide proper vertical alignment of the legs.

(f) Where uplift may occur, panels shall be locked together vertically by pins or equivalent method.

(g) To prevent movement, the scaffold shall be secured to the building or structure at intervals not to exceed 30 feet horizontally and 26 feet vertically.

(h) Maximum permissible spans or planking shall be in conformity with (1)(j) of this section.

(i) Fabricated tubular frame scaffolds over 125 feet in height above the base plates shall be designed by a registered professional engineer. Copies of the drawings and specifications shall be available at the jobsite.

(j) Guardrails, midrails, and toeboards shall be installed as required by subsection (1)(e) of this section. Wire mesh shall be provided between the top rail and toeboard when persons are working below.

(k) All fabricated tubular frame scaffolds shall be erected by competent and experienced personnel.

(l) All brackets shall be seated correctly with side brackets parallel to the frames and end brackets at ninety degrees to the frames. Brackets shall not be bent or twisted from normal position. Brackets (except mobile brackets designed to carry materials) are to be used as work platforms only and shall not be used for storage of material or equipment.

(m) Scaffold frames and their components manufactured by different companies shall not be intermixed unless they are compatible and the manufacturer has given written approval. The manufacturers letter of approval shall be available at the jobsite.

(n) Periodic inspections by the employer shall be made of all fabricated tubular frames and accessories. Any maintenance required shall be made before further use.

(5) Outrigger scaffolds, general.

(a) Outrigger beams shall extend not more than 6 feet beyond the face of the building. The inboard end of outrigger beams, measured from the fulcrum point to the inboard point of support, shall be not less than 1 1/2 times the outboard end in length. The beams shall rest on edge, the sides shall be plumb, and the edges shall be horizontal. The fulcrum point of the beam shall rest on a secure bearing at least 6 inches in each horizontal dimension. The beam shall be secured in place against movement and shall be securely braced at the fulcrum point against tipping.

(b) The inboard ends of outrigger beams shall be positively secured either by means of struts bearing against sills in contact with the overhead beams or ceiling, or by means of tension members secured to the floor joists underfoot, or by both if necessary, or by a securely fastened solid body counterweight. (Water in an open container or loose material in bags shall not be permitted.) The inboard ends of outrigger beams shall be secured against tipping and the entire supporting structure shall be securely braced in both directions to prevent any horizontal movement.

(c) Unless outrigger scaffolds are designed by a registered professional engineer competent in this field, they shall be constructed and erected in accordance with Table J-11. Outrigger scaffolds, designed by a registered professional engineer, shall be constructed and erected in accordance with such design. A copy of the drawings and specifications shall be available at the jobsite.

(d) Planking shall be laid tight and shall extend to within 3 inches of the building wall. Planking shall be secured to the beams.

(6) Masons' adjustable multiple-point suspension scaffolds.

(a) The scaffold shall be capable of sustaining a working load of 50 pounds per square foot and shall not be loaded in excess of that figure.

(b) The scaffold shall be provided with hoisting machines that meet the requirements of Underwriters' Laboratories, Factory Mutual Engineering Corporation, or other agency or laboratory approved by the department of labor and industries.

(c) The platform shall be supported by wire ropes, capable of supporting at least 6 times the intended load, suspended from overhead outrigger beams.

(d) The scaffold outrigger beams shall consist of structural metal securely fastened or anchored to the frame or floor system of the building or structure.

(e) Each outrigger beam shall be equivalent in strength to at least a standard 7-inch, 15.3-pound steel I-beam, at least 15 feet long, and shall not project more than 6 feet 6 inches beyond the bearing point.

(f) Where the overhang exceeds 6 feet 6 inches, outrigger beams shall be composed of stronger beams or multiple beams and be installed under the supervision of a competent person.

(g) All outrigger beams shall be set and maintained with their webs in a vertical position.

(h) A stop bolt shall be placed at each end of every outrigger beam.

(i) The outrigger beam shall rest on suitable wood bearing blocks.

(j) The free end of the suspension wire ropes shall be equipped with proper size thimbles and secured by splicing or other equivalent means. The running ends shall be securely attached to the hoisting drum. At least four turns of wire rope shall remain on the drum when the platform is at ground level. The use of fiber rope is prohibited.

(k) 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.

(l) The scaffold platform shall be equivalent in strength to at least 2-inch planking. (For maximum planking spans, see subsection (1)(j) of this section.)

(m) When employees are at work on the scaffold and an overhead hazard exists, overhead protection shall be provided on the scaffold, not more than 9 feet above the platform, consisting of 2-inch planking, or material of equivalent strength, laid tight, and extending not less than the width of the scaffold.

(n) Each scaffold shall be installed or relocated under the supervision of a competent person.

(o) When channel iron outrigger beams are used instead of I-beams, they shall be securely fastened together with the flanges turned out.

(p) All parts of the scaffold, such as bolts, nuts, fittings, clamps, wire rope, outrigger beams and their fastenings shall be maintained in sound condition and shall be inspected before each installation and periodically thereafter. All parts shall be of the grade specified by the manufacturer.

(7) Two-point suspension scaffolds.

(a) Two-point suspension scaffold platforms shall be not less than 20 inches nor more than 36 inches wide overall. The platform shall be securely fastened to the hangers by U-bolts or by other equivalent means.

(b) 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 4 times the maximum rated load, and shall be designed with a support for guardrail, intermediate rail, and toeboard.

(c) When hoisting machines are used on two-point suspension scaffolds, such machines shall be of a design tested and approved by Underwriters' Laboratories, Factory Mutual Engineering Corporation, or by an agency or laboratory approved by the department of labor and industries.

(d) The roof irons or hooks shall be of mild steel, or other equivalent material, of proper size and design, securely installed and anchored. The roof irons or hooks and any other devices shall have tiebacks of 3/4-inch manila rope, or the equivalent, to 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.

(e) Two-point suspension scaffolds shall be suspended by wire, synthetic or fiber ropes capable of supporting at least 6 times the rated load. All other components shall be capable of supporting at least four times the rated load.

(f) The sheaves of all blocks, consisting of at least one double and one single block, shall fit the size and type of rope used and shall be a minimum of six inches in diameter.

(g) All wire ropes, fiber and synthetic 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.

(h) On suspension scaffolds designed for a working load of 500 pounds, no more than two persons shall be permitted to work at one time. On suspension scaffolds with a working load of 750 pounds, no

more than three persons shall be permitted to work at one time. On suspension scaffolds with a working load of 1,000 pounds, no more than four persons shall be permitted to work at one time. Each employee shall be protected by an approved (~~safety life belt~~) full body harness attached to a dropline. The droplines shall be securely attached to substantial members of the structure (not scaffold), or to securely rigged lines, which will safely suspend the employee in case of a fall. In order to keep the dropline continuously attached, with a minimum of slack, to a fixed structure, the attachment point of the dropline shall be appropriately changed as the work progresses.

(i) When a multi-tiered two-point suspension scaffold is used, it shall be provided with safety droplines that attach to each end of the scaffold through an approved quick acting safety device, in case either or both of the main suspension lines should break. The lanyard of the (~~safety belt~~) full body harness shall be tied off to a substantial member of the scaffold itself or to a horizontal lifeline attached to each end of the scaffold or a sliding device on the horizontal lifeline. The two additional safety droplines shall be individually suspended from roof irons, hooks, or other approved devices and shall be near the suspension droplines to prevent unnecessary side impact. The safety dropline shall have a 6 to 1 safety factor. Such scaffolds shall be designed by a licensed professional engineer and a copy of the drawings and specifications shall be available at the jobsite.

(j) Two-point suspension scaffolds shall be securely lashed to the building or structure to prevent the scaffolds from swaying. Window cleaners' anchors shall not be used for this purpose.

(k) The platform of every two-point suspension scaffold shall be one of the following types:

(i) Ladder-type platforms. The side stringer shall be of 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 1/8 inch in diameter, with 7/8-inch tenons mortised into the side stringers at least 7/8-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 inch. Ladder-type platforms shall be constructed in accordance with Table J-12.

(ii) Plank-type platforms. Plank-type platforms shall be composed of not less than two nominal 2- x 10-inch unspliced planks, properly cleated together on the underside, starting 6 inches from each end; intervals in between shall not exceed 4 feet. The plank-type platform shall not extend beyond the hangers more than 12 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 8 feet.

(iii) Beam-type platforms. Beam platforms shall have side stringers of lumber not less than 2 x 6 inches set on edge. The span between hangers shall not exceed 12 feet when beam platforms are used. The flooring shall be supported on 2- x 6-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 feet, securely nailed in place. The flooring shall be of 1- x 6-inch material properly nailed. Floor boards shall not be spaced more than one-half inch apart.

(iv) Light metal-type platforms, when used, shall be tested and listed according to Underwriters' Laboratories, Factory Mutual Engineering Corporation, or the department of labor and industries.

(l) In addition to the normal operating brake, all power-driven units shall have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(m) When acid solutions are used, natural or synthetic fiber rope shall not be used.

(n) Every swinging scaffold shall be tested before using by raising the platform one foot from the ground and loading it with at least four times the maximum weight to be imposed when aloft.

(8) Stone setters' adjustable multiple-point suspension scaffolds.

(a) 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.

(b) When used, the hoisting machine and its supports shall be of a type tested and listed by Underwriters' Laboratories, Factory Mutual Engineering Corporation or the department of labor and industries.

(c) The platform shall be securely fastened to the hangers by U-bolts or other equivalent means. (For materials and spans, see item (ii) of subsection (7)(k), Plank-type Platforms and Table J-12 of this section.)

(d) The scaffold unit shall be suspended from metal outriggers, iron brackets, wire rope slings, or iron hooks.

(e) 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.

(f) The scaffold shall be supported by wire rope capable of supporting at least 6 times the rated load. All other components shall be capable of supporting at least 4 times the rated load.

(g) 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 wire rope shall remain on the drum at all times.

(h) 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 abutting closely.

(i) In addition to the normal operating brake, all power-driven units shall have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(j) Each scaffold shall be installed or relocated in accordance with approved designs and instructions under the supervision of a competent designated person.

(k) Where additional working levels are required to be supported, the plans and specifications of the support and scaffold components shall be designed by a licensed professional engineer. These plans and specifications shall be available at the site.

(9) Single-point adjustable suspension scaffolds.

(a) The scaffolding, including power units or manually operated winches, shall be of a type tested and listed by Underwriters' Laboratories, Factory Mutual Engineering Corporation or the department of labor and industries.

(b) The power units may be either electrically or air motor driven.

(c) All power-operated gears and brakes shall be enclosed.

(d) In addition to the normal operating brake, all power-driven units shall have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(e) The hoisting machines, cables, and equipment shall be regularly serviced and inspected.

(f) The units may be combined to form a two-point suspension scaffold. Such scaffold shall comply with subsection (7) of this section.

(g) When the supporting wire rope is not plumb for its entire length, supports shall be designed to sustain any additional load or stress upon the line.

(h) Suspension methods and employee safeguards shall conform to the provisions of subsections (6) and (7) of this section.

(i) For additional details not covered in this subsection applicable technical portions of American National Standards Institute, A120.1-1970, Power-Operated Devices for Exterior Building Maintenance Powered Platforms, shall be used.

(10) Boatswain's chairs.

(a) The chair seat shall not be less than 12 x 24 inches, and 1-inch thick. The seat shall be reinforced on the underside by cleats securely fastened to prevent the board from splitting. Specially designed seats having dimensions other than those specified in this subsection may be used provided they have been designed and tested (with a safety factor of four) to sustain a load of two hundred fifty pounds.

(b) The two fiber rope seat slings shall be of 5/8-inch diameter, reeved through the four seat holes so as to cross each other on the underside of the seat.

(c) Seat slings shall be of at least 3/8-inch wire rope when an employee is conducting a heat-producing process, such as gas welding.

(d) The employee shall be protected by a (~~safety belt~~) full body harness and lifeline in accordance with WAC (~~296-155-225~~) 296-155-245 10 (3)(a)(i). The attachment point of the lifeline to the structure shall be appropriately changed as the work progresses.

(e) The tackle shall consist of correct size ball bearing or bushed blocks and properly spliced 5/8-inch diameter first grade manila rope, or equivalent.

(f) The roof irons, hooks, or the object to which the tackle is anchored, shall be securely installed. Tiebacks, when used, shall be installed at right angles to the face of the building and securely fastened.

(g) The scaffolding, including power units shall be of tested design.

(h) All power operated gears and brakes shall be enclosed.

(i) In addition to the normal operating brake, all power-driven units shall have an emergency brake which engages automatically when the normal speed of descent is exceeded.

(11) Carpenters' bracket scaffolds.

(a) The brackets shall consist of a triangular wood frame not less than 2 x 3 inches in cross section, or of metal of equivalent strength. Each member shall be properly fitted and securely joined.

(b) Each bracket shall be attached to the structure by means of one of the following:

(i) A bolt, no less than 5/8-inch in diameter, which shall extend through to the inside of the building wall;

(ii) A metal stud attachment device;

(iii) Welding to steel tanks;

(iv) Hooking over a well-secured and adequately strong supporting member.

(c) The brackets shall be spaced no more than 8 feet apart.

(d) No more than two employees shall occupy any given 8 feet of a bracket scaffold at any one time. Tools and materials shall not exceed 75 pounds in addition to the occupancy.

(e) The platform shall consist of not less than two 2- x 10-inch planks extending not more than 12 inches or less than 6 inches beyond each end support. Fabricated planking may be used if properly engineered and tested.

(12) Bricklayers' square scaffolds.

(a) The squares shall not exceed 5 feet in width and 5 feet in height.

(b) Members shall be not less than those specified in Table J-13.

(c) The squares shall be reinforced on both sides of each corner with 1- x 6-inch gusset pieces. They shall also have diagonal braces 1 x 8 inches on both sides running from center to center of each member, or other means to secure equivalent strength and rigidity.

(d) The squares shall be set not more than 5 feet apart for medium duty scaffolds, and not more than 8 feet apart for light duty scaffolds. Bracing, 1 x 8 inches, extending from the bottom of each square to the top of the next square, shall be provided on both front and rear sides of the scaffold.

(e) Platform planks shall be at least 2 x 10-inch. The ends of the planks shall overlap the bearers of the squares and each plank shall be supported by not less than three squares. Fabricated planking may be used if properly engineered and tested.

(f) Bricklayers' square scaffolds shall not exceed three tiers in height and shall be so constructed and arranged that one square shall rest directly above the other. The upper tiers shall stand on a continuous row of planks laid across the next lower tier and be nailed down or otherwise secured to prevent displacement.

(g) Scaffolds shall be level and set upon a firm foundation.

(13) Horse scaffolds.

(a) Horse scaffolds shall not be constructed or arranged more than two tiers or 10 feet in height.

(b) The members of the horses shall be not less than those specified in Table J-14.

(c) Horses shall be spaced not more than 5 feet for medium duty and not more than 8 feet for light duty.

(d) When arranged in tiers, each horse shall be placed directly over the horse in the tier below.

(e) On all scaffolds arranged in tiers, the legs shall be nailed down or otherwise secured to the planks to prevent displacement or thrust and each tier shall be substantially cross braced.

(f) Horses or parts which have become weak or defective shall not be used.

(14) Needle beam scaffold.

(a) Wood needle beams shall be not less than 4 x 6 inches in size, with the greater dimension placed in a vertical direction. Metal beams or the equivalent, conforming to subsections (1)(h) and (j) of this section, may be used and shall not be altered or moved horizontally while they are in use.

(b) Ropes or hangers shall be provided for supports. The span between supports on the needle beam shall not exceed 10 feet for 4- x 6-inch timbers. Rope supports shall be equivalent in strength to 1-inch diameter first-grade manila rope.

(c) The ropes shall be attached to the needle beams by a scaffold hitch or a properly made eye splice. The loose end of the rope shall be tied by a bowline knot or by a round turn and a half hitch.

(d) The scaffold hitch shall be arranged so as to prevent the needle beam from rolling or becoming otherwise displaced.

(e) The platform span between the needle beams shall not exceed 8 feet when using 2-inch scaffold plank. For spans greater than 8 feet, platforms shall be designed based on design requirements for the special span. The overhang of each end of the platform planks shall be not less than 6 inches and not more than 12 inches.

(f) When needle beam scaffolds are used, the planks shall be secured against slipping.

(g) All unattached tools, bolts, and nuts used on needle beam scaffolds shall be kept in suitable containers, properly secured.

(h) One end of a needle beam scaffold may be supported by a permanent structural member conforming to subsections (1)(h) and (j) of this section.

(i) Each employee working on a needle beam scaffold shall be protected by a ((~~safety belt~~)) full body harness and lifeline in accordance with WAC ((~~296-155-225~~)) 296-155-24510 (3)(a)(i).

(15) Plasterers', decorators', and large area scaffolds.

(a) Plasterers', lathers', and ceiling workers' inside scaffolds shall be constructed in accordance with the general requirements set forth for independent wood pole scaffolds. (See subsection (2) of this section and Tables J-5, J-6 and J-7.)

(b) All platform planks shall be laid with the edges close together.

(c) When independent pole scaffold platforms are erected in sections, such sections shall be provided with connecting runways equipped with substantial guardrails.

(16) Interior hung scaffolds.

(a) An interior hung scaffold shall be hung or suspended from the roof structure or ceiling beams.

(b) The suspending wire or fiber rope shall be capable of supporting at least 6 times the rated load. The rope shall be wrapped at least twice around the supporting members and twice around the bearers of the scaffold, with each end of the wire rope secured by at least three standard wire-rope clips properly installed.

(c) For hanging wood scaffolds, the following minimum nominal size material shall be used:

(i) Supporting bearers 2 x 10 inches on edge;

(ii) Planking 2 x 10 inches, with maximum span 7 feet for heavy duty and 10 feet for light duty or medium duty.

(d) Steel tube and coupler members may be used for hanging scaffolds with both types of scaffold designed to sustain a uniform distributed working load up to heavy duty scaffold loads with a safety factor of four.

(e) All overhead supporting members shall be inspected and have required strength assured before the scaffold is erected.

(17) Ladder jack scaffolds.

(a) All ladder jack scaffolds shall be limited to light duty and shall not exceed a height of 20 feet above the floor or ground.

(b) All ladders used in connection with ladder jack scaffolds shall be Type I heavy-duty ladders and shall be designed and constructed in accordance with American National Standards Institute A14.1-1982, Safety Code for Portable Wood Ladders, and A14.2-1982, Safety Code for Portable Metal Ladders. Cleated ladders shall not be used for this purpose.

(c) The ladder jack shall be so designed and constructed that it will bear on the side rails in addition to the ladder rungs, or if bearing on rungs only, the bearing area shall be at least 10 inches on each rung.

(d) Ladders used in conjunction with ladder jacks shall be so placed, fastened, held, or equipped with devices so as to prevent slipping.

(e) The wood platform planks shall be not less than 2 inches in thickness. Both metal and wood platform planks shall overlap the bearing surface not less than 12 inches and shall be secured to prevent movement. The span between supports for wood shall not exceed 8 feet. Platform width shall be not less than 18 inches.

(f) No more than two persons shall be within any 8 feet section of any ladder jack scaffold at any one time. When the use of standard guardrails as required by subsection (1)(e) of this section is impractical, ((~~safety belts~~)) full body harnesses and lifelines shall be used in accordance with WAC ((~~296-155-225~~)) 296-155-24510 (3)(a)(i).

(18) Window jack scaffolds.

(a) Window jack scaffolds shall be used only for the purpose of working at the window opening through which the jack is placed.

(b) Window jacks shall not be used to support planks placed between one window jack and another or for other elements of scaffolding.

(c) Window jack scaffolds shall be provided with guardrails unless ((~~safety belts~~)) full body harnesses with lifelines are attached and used by the employee.

(d) Not more than one employee shall occupy a window jack scaffold at any one time.

(e) Window jacks shall be designed and constructed so as to provide a secure anchorage on the window opening and be capable of supporting the design load.

(19) Roofing brackets.

All roofing brackets must be installed and used in accordance with the requirements of WAC 296-155-50503(1).

(20) Crawling boards or chicken ladders.

All crawling boards or chicken ladders shall be installed and used in accordance with the requirements of WAC 296-155-50503(2).

(21) Float or ship scaffolds.

(a) Float or ship scaffolds shall not be used to support more than three persons and a few light tools, such as those needed for riveting, bolting, and welding. They shall be constructed as designed in subdivisions (b) through (f) of this subsection, unless substitute designs and materials provide equivalent strength, stability, and safety.

(b) The platform shall be not less than 3 feet wide and 6 feet long, made of 3/4-inch plywood, equivalent to American Plywood Association Grade B-B, Group I, Exterior, or other similar material.

(c) Under the platform, there shall be two supporting bearers made from 2- x 4-inch, or 1- x 10-inch rough, "selected lumber," or better. They shall be free of knots or other flaws and project 6 inches beyond the platform on both sides. The ends of the platform shall extend 6 inches beyond the outer edges of the bearers. Each bearer shall be securely fastened to the platform.

(d) An edging of wood not less than 3/4 x 1 1/2 inches or equivalent shall be placed around all sides of the platform to prevent tools from rolling off.

(e) Supporting ropes shall be 1-inch diameter manila rope or equivalent, free from deterioration, chemical damage, flaws, or other imperfections and shall be well insulated to protect against damaging contacts of arcs, flames, or other mechanical objects. Rope connections shall be such that the platform cannot shift or slip. If two ropes are used with each float, they shall be arranged so as to provide four ends which are to be securely fastened to an overhead support. Each of the two supporting ropes shall be hitched around one end of bearer and pass under the platforms to the other end of the bearer where it is hitched again, leaving sufficient rope at each end for the supporting ties.

(f) Each employee shall be protected by an approved safety lifeline and lifeline, in accordance with WAC ((296-155-225)) 296-155-245.

(22) Form scaffolds.

(a) Form scaffolds shall be constructed of wood or other suitable materials, such as steel or aluminum members of known strength characteristics. All scaffolds shall be designed and erected with a minimum safety factor of 4, computed on the basis of the maximum rated load.

(b) All scaffold planking shall be a minimum of 2- x 10-inch nominal Scaffold Grade, as recognized by approved grading rules for the species of lumber used, or equivalent material. Maximum permissible spans shall not exceed 8 feet on centers for 2- x 10-inch nominal planking. Scaffold planks shall be either nailed or bolted to the ledgers or of such length that they overlap the ledgers at least 6 inches. Unsupported projecting ends of scaffolding planks shall be limited to a maximum overhang of 12 inches.

(c) Scaffolds shall not be loaded in excess of the working load for which they were designed.

(d) Figure-four form scaffolds:

(i) Figure-four scaffolds are intended for light duty and shall not be used to support loads exceeding 25 pounds per square foot unless specifically designed for heavier loading. For minimum design criteria, see Table J-15.

(ii) Figure-four form scaffold frames shall be spaced not more than 8 feet on centers and constructed from sound lumber, as follows: The outrigger ledger shall consist of two pieces of 1- x 6-inch or heavier material nailed on opposite sides of the vertical form support. Ledgers shall project not more than 3 feet 6 inches from the outside of the form support and shall be substantially braced and secured to prevent tipping or turning. The knee or angle brace shall intersect the ledger at least 3 feet from the form at an angle of approximately 45°, and the lower end shall be nailed to a vertical support. The platform shall consist of two or more 2- x 10-inch planks, which shall be of such length that they extend at least 6 inches beyond ledgers at each end unless secured to the ledgers. When planks are secured to the ledgers (nailed or bolted), a wood filler strip shall be used between the ledgers. Unsupported projecting ends of planks shall be limited to an overhang of 12 inches.

(e) Metal bracket form scaffolds:

(i) Metal brackets or scaffold jacks which are an integral part of the form shall be securely bolted or welded to the form. Folding type brackets shall be either bolted or secured with a locking-type pin when extended for use.

(ii) "Clip-on" or "hook-over" brackets may be used, provided the form walers are bolted to the form or secured by snap ties or shea-bolt extending through the form and securely anchored.

(iii) Metal brackets shall be spaced not more than 8 feet on centers.

(iv) Scaffold planks shall be either bolted to the metal brackets or of such length that they overlap the brackets at each end by at least 6 inches. Unsupported projecting ends of scaffold planks shall be limited to a maximum overhang of 12 inches.

(v) Metal bracket form scaffolds shall be equipped with wood guardrails, intermediate rails, toeboards, and scaffold planks meeting the minimum dimensions shown in Table J-16. (Metal may be substituted for wood, providing it affords equivalent or greater design strength.)

(f) Wooden bracket form scaffolds:

(i) Wooden bracket form scaffolds shall be an integral part of the form panel. The minimum design criteria set forth herein and in Table J-17 cover scaffolding intended for light duty and shall not be used to support loads exceeding 25 pounds per square foot, unless specifically designed for heavier loading.

(ii) Scaffold planks shall be either nailed or bolted to the ledgers or of such length that they overlap the ledgers at each end by at least 6 inches. Unsupported projecting ends of scaffold planks shall be limited to a maximum overhang of 12 inches.

(23) Pump jack scaffolds.

(a) Pump jack scaffolds shall:

(i) Not carry a working load exceeding 500 pounds;

(ii) Be capable of supporting without failure at least four times the maximum intended load; and

(iii) Shall not have components loaded in excess of the manufacturer's recommended limits.

(b) Pump jack brackets, braces, and accessories shall be fabricated from metal plates and angles. Each pump jack bracket shall have two positive gripping mechanisms to prevent any failure or slippage.

(c) The platform bracket shall be fully docked and the planking secured. Planking, or equivalent, shall conform with subsection (1) of this section.

(d)(i) When wood scaffold planks are used as platforms, poles used for pump jacks shall not be spaced more than 10 feet center to center. When fabricated platforms are used that fully comply with all other provisions of this subsection, pole spacing may exceed 10 feet center to center.

(ii) Poles shall not exceed 30 feet in height.

(iii) Poles shall be secured to the work wall by rigid triangular bracing, or equivalent, at the bottom, top, and other points as necessary, to provide a maximum vertical spacing of not more than 10 feet between braces. Each brace shall be capable of supporting a minimum of 225 pounds tension or compression.

(iv) For the pump jack bracket to pass bracing already installed, an extra brace shall be used approximately 4 feet above the one to be passed until the original brace is reinstalled.

(e) All poles shall bear on mud sills or other adequate firm foundations.

(f) Pole lumber shall be two 2 x 4's, of Douglas fir or equivalent, straight-grained, clear, free of cross-grain, shakes, large loose or dead knots, and other defects which might impair strength.

(g) When poles are constructed of two continuous lengths, they shall be two by fours, spiked together with the seam parallel to the bracket, and with 10d common nails, no more than 12 inches center to center, staggered uniformly from opposite outside edges.

(h) If two by fours are spliced to make up the pole, the splices shall be so constructed as to develop the full strength of the member. Three-eighths inch or one-half inch exterior grade plywood shall be used for a spacer between the two by fours. The joints for the splices shall be staggered on opposite sides of the pole at least four feet apart. Joints shall be no less than four feet from either end of the pole.

(i) A ladder, in accordance with WAC 296-155-480, shall be provided for access to the platform during use.

(j) Not more than two persons shall be permitted at one time upon a pump jack scaffold between any two supports.

(k) Pump jack scaffolds shall be provided with standard guardrails, unless ((safety belts)) full body harnesses with lifelines are used by employees.

(l) When a work bench is used at an approximate height of 42 inches, the top guardrail may be eliminated, if the work bench is fully decked, the planking secured, and is capable of withstanding 200 pounds pressure in any direction.

(m) Employees shall not be permitted to use a work bench as a scaffold platform.

(24) Factory-built scaffold units. Factory-built or prefabricated scaffold units intended for assembly on the job, prefabricated plank, staging, etc., mechanical hoisting units, or other devices for use on or in connection with any type scaffolds, shall be approved by an agency or laboratory approved by the department before being used.

(25) Waler bracket scaffolds.

(a) Waler brackets shall be constructed of 1 5/8" x 1 1/2" x 3/16" angle iron minimum size, or material of equivalent strength.

(b) All steel connections shall be welded and riveted or bolted, except where detrimental to strength of materials.

(c) The maximum length of horizontal leg shall not be more than 36" between bracket hook and railing standard.

(d) A 4" x 4" x 3/16" gusset plate shall be securely welded at inside of leg angle.

(e) Nailing holes shall be provided in lower end of vertical leg for purpose of securing bracket against lifting or shifting.

(f) Waler hook or hooks shall be a minimum of 4-inch depth and be constructed of material of a strength to support a minimum of 400 pounds at extreme outer end of bracket.

(26) Chimney, stack and tank bracket scaffolds.

(a) General. A chimney, stack or tank bracket scaffold shall be composed of a platform supported by brackets which are hooked over a steel cable which surrounds the circumference of the chimney, stack or tank approximately in a horizontal plane. The platform shall be not less than two 2 x 10 inch planks. For a minimum width of eighteen inches wide and be designed with a safety factor of not less than 4.

(b) All brackets shall have a mild steel suspension hook 2 inches by 1/4-inch with at least 3 inches projecting beyond the throat of the hook. Hooks shall be integral with or securely attached to the bracket.

(c) Wood spacer blocks shall be provided to hold the suspending cable away from the structure at the points where brackets are hooked on. These spacer blocks shall be not less than 2 inches by 4 inches by 12 inches.

(d) All suspending cables shall be improved plow steel 6 x 19 wire rope or equivalent. In no case shall less than 1/2-inch diameter wire rope be used.

(e) The turnbuckle used to tighten suspending cables shall be not less than 1 inch drop forged steel. The cables shall be provided with thimbles and not less than 3 U-bolt type clips at each end and be attached to the turnbuckles by means of shackles. Open hooks shall not be used.

(f) All chimney, stack and tank bracket scaffolds shall be provided with standard guard rails, intermediate rails and toeboards.

(g) For access to a chimney, stack or tank bracket scaffold, ladders or a boatswain's chair shall be used.

(h) All chimney, stack or tank brackets for scaffolds shall be welded and riveted or bolted.

(27) Scaffold platforms supported by catenary or stretch cables.

(a) When a scaffold platform is supported by cables at least 4 cables shall be used, two near each end of the scaffold.

(b) The cables shall be attached to the scaffold by means of U-bolts or the equivalent through which the cables pass.

(c) Cables shall not be tightened beyond their safe working load. A hanger or set of falls shall be used approximately every 50 feet to pick up the sag in the cable.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-525 CRANES AND DERRICKS. (1) General requirements.

(a) The employer shall comply with the manufacturer's specifications and limitations applicable to the operation of any and all cranes and derricks. Where manufacturer's specifications are not available the limitations assigned to the equipment shall be based on the determinations of a qualified engineer, competent in this field and such determinations will be appropriately documented and recorded. Attachments used with cranes shall not exceed the capacity, rating, or scope recommended by the manufacturer.

(b) Rated load capacities, and recommended operating speeds, and special hazard warnings, or instruction, shall be conspicuously posted on all equipment. Instructions or warnings shall be visible to the operator while ~~((he is))~~ ~~at~~ ~~(his)~~ the control station.

(c) Hand signals to crane and derrick operators shall be those prescribed by the applicable ANSI standard for the type of crane in use. An illustration of the signals shall be posted at the job site.

Note: When decals, illustrating hand signals, are available from the division or otherwise, they should be posted at the operator's station.

(d) The employer shall designate a competent person who shall inspect all machinery and equipment prior to each use, and periodically during use to make sure it is in safe operating condition. Any deficiencies shall be repaired, or defective parts replaced, before continued use.

(e) A thorough, annual inspection of the hoisting machinery shall be made by a competent person, or by a government or private agency recognized by the department. The employer shall maintain a permanent record of the dates and results of all inspections for each hoisting machine and piece of equipment.

(f) Wire rope shall be taken out of service when any of the following conditions exist:

(i) In running ropes, six randomly distributed broken wires in one lay or three broken wires in one strand in one lay;

(ii) Wear of one-third the original diameter of outside individual wires. Kinking, crushing, bird caging, or any other damage resulting in distortion of the rope structure;

(iii) Evidence of any heat damage from any cause;

(iv) Reductions from nominal diameter of more than one-sixty-fourth inch for diameters up to and including five-sixteenths inch, one-thirty-second inch for diameters three-eighths inch to and including one-half inch, three-sixty-fourths inch for diameters nine-sixteenths inch to and including three-fourths inch, one-sixteenth inch for diameter seven-eighths inch to 1 1/8 inches inclusive, three-thirty-seconds inch for diameters 1 1/4 to 1 1/2 inches inclusive;

(v) In standing ropes, more than two broken wires in one lay in sections beyond end connections or more than one broken wire at an end connection.

(vi) Wire rope safety factors shall be in accordance with American National Standards Institute B 30.5-1968 or SAE J959-1966.

(g) The foot block of every derrick shall be securely supported and firmly secured against movement in any direction. Proper shores shall be placed against the foot blocks of the derrick to take the pull of the hoisting engine.

(h) Derricks shall be operated only by authorized personnel.

(i) The top of the mast on guy derricks shall be steadied by not less than six guy cables equally spaced.

(j) On guy derricks, eyes shall be formed in the guys at the mast-head end by bending back the ends of the cables and clamping the ends with at least three clamps.

(k) A tag line or guide rope shall be used on all loads that swing freely. Guide ropes or tag lines shall be held by experienced persons.

(l) Care shall be taken to guard against injury to workers, or damage to scaffolds or buildings, from swinging loads.

(m) When "dead men" are used as anchors, the cable shall be so attached that the concentrated load will not cause a shear stress on the "dead men."

(n) On stiff leg derricks where the boom is longer than the mast, care shall be taken to see that the goose-necks are fitted to the stiff legs in a manner so that there will be no undue friction on the gudgeon pin.

(o) A collar shall be placed on the gudgeon pin above the goose-neck, and a hole drilled through the collar and the gudgeon pin, through which a steel bolt shall be passed to hold the collar in position; the steel bolt shall be of sufficient size to prevent the goose-neck from shearing it off when the loaded boom is swung against the stiff leg.

(p) Double sets of bolts shall be used to fasten back legs of a stiff leg derrick.

(q) Particular attention shall be given to the weighting and anchoring of stiff leg derricks.

(r) The operator shall avoid carrying loads over people.

(s) When work is stopped or when the derrick is not in operation, the boom shall be lowered to a horizontal position or tied in place to prevent it whipping with the wind or other external force.

(t) Only authorized personnel shall make sling hitches on loads.

(u) Workers shall not be allowed to ride on loads handled by derricks.

(v) Operators shall observe signals only from duly authorized persons. Under no circumstances shall a load be moved until the signal is received from authorized personnel.

(w) Bell, whistle, electric or visual signals shall be provided in connection with all hoists and cableways where an operator is stationed at the power device. Hoist signaling devices shall be so located as to minimize the possibility of signaling accidentally and located so that they cannot be operated by a person standing on hoist or bucket.

(x) Belts, gears, shafts, pulleys, sprockets, spindles, drums, fly wheels, chains, or other reciprocating, rotating, or other moving parts or equipment shall be guarded if such parts are exposed to contact by employees, or otherwise create a hazard. Guarding shall meet the requirements of the American National Standards Institute, B 15.1-1958 Rev., Safety Code for Mechanical Power Transmission Apparatus.

(y) A minimum distance of thirty inches clearance shall be maintained between the swing radius of the greatest extension of the crane superstructure or counterweights and a stationary object, including the crane itself, while the crane is in operation. When this clearance cannot be maintained, suitable barricades or safeguards shall be used to isolate the pinch point hazard area.

(z) All exhaust pipes shall be guarded or insulated where contact by employees, in the performance of normal duties, is possible.

(2) Additional requirements.

(a) Whenever internal combustion engine powered equipment exhausts in enclosed spaces, tests shall be made and recorded to see that employees are not exposed to unsafe concentrations of toxic gases or oxygen deficient atmospheres. (See chapter 296-62 WAC, the general occupational health standards and other applicable standards.)

(b) All windows in cabs shall be of safety glass, or equivalent, that introduces no visible distortion that will interfere with the safe operation of the machine.

(c)(i) Where necessary for rigging or service requirements, a ladder or steps shall be provided to give access to a cab roof.

(ii) On cranes, guardrails, handholds and steps shall be provided for easy access to the car and cab conforming to American National Standards Institute, B30.5-1968.

(iii) Platforms and walkways shall have anti-skid surfaces.

(d) Fuel tank filler pipe shall be located in such a position, or protected in such manner, as to not allow spill or overflow to run onto the engine, exhaust, or electrical equipment of any machine being fueled.

(i) An accessible fire extinguisher of 5BC rating, or higher, shall be available at all operator stations or cabs of equipment.

(ii) All fuels shall be transported, stored, and handled to meet the rules of Part D of this chapter. When fuel is transported by vehicles on public highways, department of transportation rules concerning such vehicular transportation are considered applicable.

(e) Except where electrical distribution and transmission lines have been deenergized and visibly grounded at point of work or where insulating barriers, not a part of or an attachment to the equipment or machinery, have been erected to prevent physical contact with the lines, equipment or machines shall be operated proximate to power lines only in accordance with the following:

(i) For lines rated 50 kV. or below, minimum clearance between the lines and any part of the crane or load shall be 10 feet;

(ii) For lines rated over 50 kV., minimum clearance between the lines and any part of the crane or load shall be 10 feet plus 0.4 inch for each 1 kV. over 50 kV., or twice the length of the line insulator, but never less than 10 feet;

(iii) In transit with no load and boom lowered, the equipment clearance shall be a minimum of 4 feet for voltages less than 50 kV., and 10 feet for voltages over 50 kV. up to and including 345 kV., and 16 feet for voltages up to and including 750 kV.;

(iv) A person shall be designated to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means;

(v) Cage-type boom guards, insulating links, or proximity warning devices may be used on cranes, but the use of such devices shall not alter the requirements of any other regulation of this part even if such device is required by law or regulation;

(vi) Any overhead wire shall be considered to be an energized line unless and until the person owning such line or the electrical utility authorities indicate that it is not an energized line and it has been visibly grounded;

(vii) Prior to work near transmitter tower where an electrical charge can be induced in the equipment or materials being handled, the transmitter shall be deenergized or tests shall be made to determine if electrical charge is induced on the crane.

(f) The following precautions shall be taken when necessary to dissipate induced voltage:

(i) The equipment shall be provided with an electrical ground directly to the upper rotating structure supporting the boom; and

(ii) Ground jumper cables shall be attached to materials being handled by boom equipment when electrical charge is induced while working near energized transmitters. Crews shall be provided with

nonconductive poles having large alligator clips or other similar protection to attach the ground cable to the load.

(iii) Combustible and flammable materials shall be removed from the immediate area prior to operations.

(g) No modifications or additions which affect the capacity or safe operation of the equipment shall be made by the employer without the manufacturer's or a qualified engineer's written approval. If such modifications or changes are made, the capacity, operation, and maintenance instruction plates, tags, or decals, shall be changed accordingly. In no case shall the original safety factor of the equipment be reduced.

(h) The employer shall comply with Power Crane and Shovel Association, Mobile Hydraulic Crane Standard No. 2.

(i) Sideboom cranes mounted on wheel or crawler tractors shall meet the requirements of SAE J743a-1964.

(3) Crawler, locomotive, and truck cranes.

(a) All jibs shall have positive stops to prevent their movement of more than 5° above the straight line of the jib and boom on conventional type crane booms. The use of cable type belly slings does not constitute compliance with this standard.

(b) All crawler, truck or locomotive cranes in use shall meet the applicable requirements for design, inspection, construction, testing, maintenance and operation as prescribed in the ANSI B30.5-1968, Safety Code for Crawler, Locomotive and Truck Cranes.

(4) Tower cranes.

(a) Tower cranes shall be erected under the immediate supervision of a competent person, designated by the employer.

(b) Tower cranes shall be erected, maintained and used in accordance with the manufacturer's specifications, recommendations and procedures. All modifications shall be approved by the manufacturer and engineered by a professional engineer. The safety factors shall not be reduced by any modifications. The crane plates and charts shall be changed to reflect any modifications made.

(c) A professional engineer shall certify that the crane foundations and underlying soil are adequate support for the tower crane with its maximum overturning movement.

(d) Tower cranes shall be positioned whereby they can swing 360° without either the counterweight or jib striking any building, structure or other object, except:

(i) If the crane can strike an object or another crane, suitable limit switches shall be installed which will prohibit contact with such objects, or;

(ii) Direct voice communications shall be established between any operator of the tower crane(s) involved and a ((signalman)) signalperson so stationed where ((he can observe)) the boom and/or counterweight movement, and the object with which it may contact ((to warn)) can be observed so that the operator(s) can be warned of imminent danger.

(iii) A secondary means of positive communications shall be established as a back-up for possible direct voice communication failure.

Note: Radio communication systems without tone coded squelch are prohibited. Citizens band radios shall not be used as a means of communications for tower cranes.

(e) Prior to installing a climbing tower crane within an existing building or new construction, a structural engineer shall certify that the building is designed to withstand the torque and floor loading created by the crane to be installed.

(f) Prior to initial use, all newly erected or altered cranes shall be tested with the design rated load to insure compliance with this standard, including the following functions:

(i) Hoisting and lowering;

(ii) Trolley travel;

(iii) Swing motion;

(iv) Limit, locking and safety devices;

(v) Crane travel where applicable; and

(vi) Foundation and erection.

Note: Tower cranes erected on a new foundation shall be tested in accordance with ANSI B30.3-1975 Chapter 3-1.

(A) The test shall consist of suspending a load of not less than 100% of the rated capacity for five minutes. The load shall be suspended from the furthest point of the length of boom (jib) to be used. The results of this test shall be within the manufacturer's recommendations and/or specifications.

(B) A record of each test shall be made and signed by the person responsible for conducting the test. Such records shall be maintained on the construction site for the duration of the construction work for

which it was erected and subsequently made a part of the firm's permanent equipment records. Records shall be made available to authorized representatives of the department, upon request.

(g) A capacity chart shall be furnished by each crane manufacturer which shall include a full and complete range of crane load ratings at all stated operating radii for each allowable speed and each recommended counterweight load.

(i) Such chart shall be posted in the operator's cab or at the remote control stand (~~(he may be using)~~) in use. In lieu of the chart at the remote control stand, a minimum of two weight capacity signs shall be affixed to the jib or boom. The chart shall be visible and readable to the operator while (~~(he is in his)~~) at the normal operating position.

(h) Operating controls shall be properly marked to indicate the function of the controls in each position.

(i) An operating and maintenance manual shall be provided with each tower crane.

(j) Limit switches shall be installed and shall be kept properly adjusted. They shall be protected or isolated in a manner which will prevent unauthorized tampering. Limit switches shall provide the following functions:

(i) Safely limit the travel of the trolley to prevent it from hitting the outer end of the jib.

(ii) Limit the upward travel of the load block to prevent two-blocking.

(iii) Limit the load being lifted in a manner whereby no more than 110% of the maximum rated load can be lifted or moved.

(k) The crane shall not be used to pull vehicles of any type, remove piling, loosen form work, pull away loads which are attached to the ground or walls, or for any operation other than the proper handling of freely suspended loads.

(l) When the operator may be exposed to the hazard of falling objects, the tower crane cab and/or remote control station shall have adequate overhead protection.

(m) The operator shall be protected from the weather. If enclosed cabs are provided they shall provide clear visibility in all directions and glass shall be approved safety glass or the equivalent.

(n) Operators shall not occupy cabs of remotely-controlled stations during repositioning operations.

(o) An approved and safe means shall be provided for access to operator's cab and machinery platform.

(p) When necessary for inspection or maintenance purposes, ladders, walkways with railing or other devices shall be provided.

(q) Each tower crane shall be provided with a slewing brake capable of preventing the jib or boom from rotating in either direction and stopping the rotation of the jib or boom while loaded, when desired. Such brake shall have a holding device which, when set, will hold the jib or boom in a fixed location without additional attention of the operator. When the crane is out of operation, the jib or boom shall be pointed downwind and the slewing brake shall be released so as to permit the jib or boom to weathervane, providing the jib or boom has a clear 360 degree rotation. Where a 360 degree rotation is not provided, the jib or boom shall be pointed downwind from the prevailing wind and the slewing brake set.

(r) Each tower crane shall be provided with a braking system on the trolley capable of stopping and holding the trolley in any desired position while carrying a maximum load. This brake shall be capable of being locked in a fixed location without additional attention of the operator. An automatic brake or device shall be installed which will immediately stop and lock the trolley in position in the event of a breakage of the trolley rope.

(s) All electrical equipment shall be properly grounded and protection shall be provided against lightning.

(t) When the operator is actually operating the crane, (~~(he)~~) the operator shall remain in a stationary position.

(u) All crane brakes shall automatically set in event of power failure. Swing brakes shall also function in this manner or be capable of being set manually.

(v) Climbing jack systems used for raising a tower crane shall be equipped with over-pressure relief valves, direct-reading pressure gauges, and pilot-operated hydraulic check valves installed in a manner which will prevent jack from retracting should a hydraulic line or fitting rupture or fail.

(w) During periods of high winds or weather affecting visibility, i.e., fog, etc., only loads shall be handled that are consistent with good safety practices. Good safety practices shall be mutually agreed upon by the operator and the person in charge of the construction job, with

due consideration given to manufacturer's specifications and recommendations.

(x) Counterweights shall be securely fastened in place and shall not exceed the weight as recommended by the manufacturer for the length of jib being used. However, an amount of counterweight as recommended by the manufacturer shall be used.

(y) Tower cranes shall be inspected and maintained in accordance with the manufacturer's recommendations or more frequently if there is reason to suspect a possible defect or weakening of any portion of the structure or equipment.

(z) Guy wires, wedges, braces or other supports shall be inspected at the beginning and at midpoint of each working shift to ascertain that they are functioning as intended.

(5) Additional tower crane requirements.

(a) An approved method shall be instituted for transmitting signals to the operator. Standard hand signals for crane operations shall be used, whenever possible; however, if conditions are such that hand signals are ineffective, radio-controlled or electric-whistle signal or two-way voice communication shall be used. (See NOTE under WAC 296-155-525 (4)(d).)

(b) Tower cranes shall not be erected or raised when the wind velocity at the worksite exceeds 20 m.p.h. or that specified by the manufacturer.

(c) Tower crane operators shall be trained and experienced in tower crane operations; however, for gaining experience, persons may operate the tower crane if under the immediate supervision of an experienced operator.

(d) Adequate clearance shall be maintained between moving and rotating structures of the crane and fixed objects to allow the passage of employees without harm.

(e) Employees required to perform duties on the horizontal boom of hammerhead tower cranes shall be protected against falling by guardrails or by (~~(safety belts)~~) a full body harness and lanyards attached to crane or to lifelines in conformance with Part C-1 of this chapter.

(f) Buffers shall be provided at both ends of travel of the trolley.

(g) Cranes mounted on rail tracks shall be equipped with limit switches limiting the travel of the crane on the track and stops or buffers at each end of the tracks.

(h) All hammerhead tower cranes in use shall meet the applicable requirements for design, construction, installation, testing, maintenance, inspection, and operation as prescribed by the manufacturer.

(i) Access ladders inside the telescoping sections of tower cranes are exempt from those sections of the safety standards pertaining to cleat length and cleat spacing, but shall conform to manufacturer's recommendations and specifications.

(6) Overhead and gantry cranes.

(a) The rated load of the crane shall be plainly marked on each side of the crane, and if the crane has more than one hoisting unit, each hoist shall have its rated load marked on it or its load block, and this marking shall be clearly legible from the ground or floor.

(b) Bridge trucks shall be equipped with sweeps which extend below the top of the rail and project in front of the truck wheels.

(c) Except for floor-operated cranes, a gong or other effective audible warning signal shall be provided for each crane equipped with a power traveling mechanism.

(d) All overhead and gantry cranes in use shall meet the applicable requirements for design, construction, installation, testing, maintenance, inspection, and operation as prescribed in ANSI B30.2.0-1967, Safety Code for Overhead and Gantry Cranes.

(7) Derricks. All derricks in use shall meet the applicable requirements for design, construction, installation, inspection, testing, maintenance, and operation as prescribed in American National Standard Institute B30.6-1969, Safety Code for Derricks.

(8) Floating cranes and derricks.

(a) Mobile cranes mounted on barges.

(i) When a mobile crane is mounted on a barge, the rated load of the crane shall not exceed the original capacity specified by the manufacturer.

(ii) A load rating chart, with clearly legible letters and figures, shall be provided with each crane, and securely fixed at a location easily visible to the operator.

(iii) When load ratings are reduced to stay within the limits for list of the barge with a crane mounted on it, a new load rating chart shall be provided.

(iv) Mobile cranes on barges shall be positively secured.

(b) Permanently mounted floating cranes and derricks.

(i) When cranes and derricks are permanently installed on a barge, the capacity and limitations of use shall be based on competent design criteria.

(ii) A load rating chart with clearly legible letters and figures shall be provided and securely fixed at a location easily visible to the operator.

(iii) Floating cranes and floating derricks in use shall meet the applicable requirements for design, construction, installation, testing, maintenance, and operation as prescribed by the manufacturer.

(c) Protection of employees working on barges. The employer shall comply with the applicable requirements for protection of employees as specified in WAC 296-155-630.

(9) Mobile cranes and excavation machines.

(a) In all power driven shovel operations the person in charge shall issue instructions necessary to prevent accidents, to detect and correct unsafe acts and dangerous conditions, and to enforce all safety rules and regulations.

~~(Hc)~~ The person in charge shall also issue instructions on the proper method of using tools and handling material.

(b) Where the ground is soft or uneven, timbering and planking shall be used to provide firm foundation and distribute the load.

(c) In case of a breakdown, the shovel shall be moved away from the foot of the slope before repairs are made.

(d) All persons shall keep away from the range of the shovel's swing and shall not be permitted to stand back of the shovel or in line with the swing of the dipper during operation or moving of shovel.

(e) Unauthorized persons shall not be allowed on the shovel during operations, and the operator shall not converse with other persons while operating machine.

(f) The shovel dipper shall rest on the ground or on blocking during shut down periods.

(g) Shovels shall be inspected daily and all defects promptly repaired.

(h) All rubber tired mobile cranes shall be equipped with outriggers and sufficient blocking to properly stabilize crane while operating.

(i) Rubber tired mobile cranes shall be equipped with rear view mirrors.

(j) Positive boom stops shall be provided on all mobile cranes of the wheel and crawler type.

(k) Length of a crane boom and amount of counterweight shall not exceed manufacturer's rated capacity for equipment involved; except on isolated cases where permission is granted by the department.

(l) On all cranes where wedge brackets are used as terminal connections, the proper size wedge shall be used.

(m) On all mobile cranes, the hoist and boom drums shall be provided with a positive operated pawl or dog which shall be used in addition to the brake to hold the load and boom when they are suspended. Counterweight operated dogs are prohibited.

(n) Oiling and greasing shall be done under safe conditions with machine at rest, except when motion of machine is necessary.

(o) All steps, running boards, and boom ladder shall be of substantial construction and in good repair at all times.

(p) Operators shall not leave the cab while master clutch is engaged.

(q) Fire extinguishers shall be readily accessible and within reach of operator at all times.

(r) All shovel and crane cabs shall be kept clean and free of excess oil and grease on floor and machinery. Oily and greasy rags shall be disposed of immediately after use and not allowed to accumulate.

(s) Tools shall not be left on the cab floor. Spare cans of oil or fuel, and spare parts, shall not be stored in cabs, except in approved racks provided for that purpose.

(t) Mats or planking shall be used in moving shovels or cranes over soft or uneven ground.

(u) Cranes or shovels setting on steep grades shall be securely blocked or secured with a tail hold.

(v) Smoking shall be prohibited while fueling or oiling machines.

(w) Gasoline powered motors shall be stopped during refueling.

(x) Handling of movable feed line (bologna) shall be accomplished with insulated hooks and lineman's rubber gloves.

(y) Where cables cross roads they shall be elevated or placed in a trench.

(z) On all power shovels, including back-hoe types, of one-half cubic yard capacity or over, and on all dragline cranes or all-purpose cranes of the crawler or wheel type, two persons shall constitute the minimum working crew. It is mandatory that one be a qualified operator of the equipment in use. The job title of the other crew member may be oiler, rigger, signal person, or a laborer. The primary purpose

of the second crew member is to signal the operator when the operator's vision is impaired or obscured and to be on-hand in case of emergency.

(i) Second-crew persons shall be properly trained in their second-person required skills.

(ii) The second crew member shall be close enough to the machine in operation to be aware of any emergency, if one arises, and to assure the machine is operated with necessary and appropriate signals to the operator.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-625 SITE CLEARING. (1) General.

(a) The word "clearing" means the removal of trees, stumps, logs, brush, debris and rubbish from the surface of the ground in preparation of a site for construction work of any kind. The removal of trees and logs shall be in accordance with the requirements of chapter 296-54 WAC.

(b) All equipment and tools such as axes, sledges, wedges, saws, springboards, etc., shall be maintained in a safe condition and guarded with standard safeguards.

(c) Fallers shall give warning to brushing crews, buckers and other persons in the vicinity where a tree is being felled; taking notice that such persons are not only out of the reach of tree, but also out of danger of possible sidewinders, snags or other trees which may be knocked over by the tree being felled.

(d) No tree shall be felled toward and within range of traveled road or railroad in use, unless a flagman is placed on such road or railroad to warn all approaching persons or to stop vehicles.

(e) Clearing crews shall not be placed immediately below other crews working on hillsides where there is a possible danger of skidding or rolling trees, moving earth or rock.

(f) Pioneer roads on clearing operations shall be constructed to safely accommodate all equipment moved over road.

(g) Hazardous standing and down timber, rocks, etc., shall be moved from upper sides of cuts on side hill operations.

(h) Care shall be exercised in the use of oil for burning brush or timber.

(i) Employees engaged in site clearing shall be protected from hazards of irritant and toxic plants and suitably instructed in the first aid treatment available.

(j) All equipment used in site clearing operations shall be equipped with rollover guards meeting the requirements of this chapter. In addition, rider-operated equipment shall be equipped with an overhead and rear canopy guard meeting the following requirements:

(i) The overhead covering on this canopy structure shall be of not less than 1/8-inch steel plate or 1/4-inch woven wire mesh with openings no greater than 1 inch, or equivalent.

(ii) The opening in the rear of the canopy structure shall be covered with not less than 1/4-inch woven wire mesh with openings no greater than 1 inch.

(iii) Use of 1/2 inch thick plastic sheets or other thicknesses of plastic panels derived from polycarbonate, acrylic, cellulose acetate butyrate which provides equivalent or better protection against particular hazards involved is acceptable in lieu of 1 or 1 3/4 inch open mesh material.

(A) All panels shall be installed in a manner which can withstand the initial impact, and maintain the protective barrier integrity; and

(B) All panels must be labeled or marked to distinguish between acceptable and inferior materials.

(k) In addition to observance of the general safety and health standards;

(i) The employer shall assume the responsibility of work assignment so that no worker shall be required to work in a position or location so isolated (~~that he is~~) as to not be within ordinary calling distance of another person who can render assistance in case of emergency. In any operation where cutting, felling trees, loading, or a combination of these duties is carried on, there shall be a minimum crew of two persons who shall work as a team and shall be in visual or voice contact with one another. If one worker at these operations is required to be left alone for a period of time, he shall be contacted by another person at reasonable intervals not to exceed fifteen minutes unless such practice can be established to be impractical.

(ii) This does not apply to operators of motor vehicles, watchmen or certain other jobs which, by their nature, are singular worker assignments. However, a definite procedure for checking the welfare of all workers during working hours shall be instituted and all workers so advised.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)**WAC 296-155-950 ROLLOVER PROTECTIVE STRUCTURES (ROPS) FOR MATERIAL HANDLING EQUIPMENT.****(1) Coverage.**

(a) This section applies to the following types of material handling equipment: To all rubber-tired, self-propelled scrapers, rubber-tired front-end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler tractors, crawler-type loaders, and motor graders, with or without attachments, that are used in construction work. This requirement does not apply to sideboom pipelaying tractors.

(b) The promulgation of specific standards for rollover protective structures for compactors and rubber-tired skidsteer equipment is reserved pending consideration of standards currently being developed.

(2) Equipment manufactured on or after September 1, 1972, Material handling machinery described in subsection (1) of this section and manufactured on or after September 1, 1972, shall be equipped with rollover protective structures which meet the minimum performance standards prescribed in WAC 296-155-955 and 296-155-960, as applicable.

(3) Equipment manufactured before September 1, 1972.

(a) All material handling equipment described in subsection (1) of this section and manufactured or placed in service (owned or operated by the employer) prior to September 1, 1972, shall be fitted with rollover protective structures.

Machines manufactured before July 1, 1969; Reserved pending further study, development, and review.

(b) Rollover protective structures and supporting attachment shall meet the minimum performance criteria detailed in WAC 296-155-955 and 296-155-960, as applicable or shall be designed, fabricated, and installed in a manner which will support, based on the ultimate strength of the metal, at least two times the weight of the prime mover applied at the point of impact.

(i) The design objective shall be to minimize the likelihood of a complete overturn and thereby minimize the possibility of the operator being crushed as a result of a rollover or upset.

(ii) The design shall provide a vertical clearance of at least 52 inches from the work deck to the ROPS at the point of ingress or egress.

(4) Remounting. ROPS removed for any reason, shall be remounted with equal quality, or better, bolts or welding as required for the original mounting.

(5) Labeling. Each ROPS shall have the following information permanently affixed to the structure:

(a) Manufacturer or fabricator's name and address;

(b) ROPS model number, if any;

(c) Machine make, model, or series number that the structure is designed to fit.

(6) Machines meeting certain existing governmental requirements. Any machine in use, equipped with rollover protective structures, shall be deemed in compliance with this section if it meets the rollover protective structures requirements of the U.S. Army Corps of Engineers, or the Bureau of Reclamation of the U.S. Department of the Interior in effect on April 5, 1972. The requirements in effect are:

(a) U.S. Army Corps of Engineers: General Safety Requirements, EM-385-1-1 (March 1967).

(b) Bureau of Reclamation, U.S. Department of the Interior: Safety and Health Regulations for Construction, Part II (September 1971).

(7) ROPS meeting the criteria set forth in SAE J1040 a and SAE J1040 b shall be regarded as substantially meeting the requirements of this section, even if they do not meet all the criteria set forth in earlier criteria documents on which the present standard is based.

AMENDATORY SECTION (Amending Order 90-10, filed 8/13/90, effective 9/24/90)

WAC 296-155-48531 VEHICLE MOUNTED ELEVATING AND ROTATING AERIAL DEVICES. (1) All applicable rules for design, construction, maintenance, operation, testing, and use of vehicle mounted elevating and rotating aerial devices shall be in accordance with ANSI A92.2-1979.

(2) Application:

(a) Aerial lifts acquired before February 21, 1986, which do not meet the requirements of ANSI A92.2-1979, may not be used after January 1, 1976, unless they shall have been modified so as to conform with the applicable design and construction requirements of ANSI A92.2-1969.

(b) Aerial devices include the following:

(i) Extensible boom platforms;

(ii) Aerial ladders;

(iii) Articulating boom platforms;

(iv) Vertical towers; and

(v) A combination of any of the above.

(3) Specification display. The aerial device shall have manufacturers statement clearly stating the minimum values for the following characteristics of vehicles required to provide a stable and structurally sound carrier for the aerial device:

(a) The front gross axle weight rating (GAWR front).

(b) The rear gross axle weight rating (GAWR rear).

(c) The gross vehicle weight rating (GVWR).

(d) The frame section modulus.

(e) The yield strength of the vehicle frame.

(f) The frame resisting bending moment (RBM).

(g) The wheelbase dimension (WB).

(h) The rear of cab to rear axle centerline dimension (CA).

(4) Data display: The following information shall be clearly state in the manufacturers manual and on the aerial device.

(a) Make and model.

(b) Rated load capacity.

(c) Aerial device height and reach.

(d) Maximum pressure of the hydraulic system and voltage of the electrical system.

(e) Cautions and restrictions of operations.

(5) Types of rated load: Rated load capacity is of two distinct types:

(a) The platform load consisting of the weight of personnel and all items carried on or in the platform.

(b) Supplemental loads which may be fixed directly to the boom(s), or to load-carrying attachments on the aerial device.

(i) The capacity rating in either case shall be designated with boom or booms extended to the position of maximum overturning moment attainable throughout full rotation of the pedestal.

(ii) Capacities of the aerial device in other positions shall be specified separately.

(iii) The manual and placards affixed to the aerial device shall state all applicable capacity ratings.

(6) Multiple configuration rated load. If the aerial device is specified in multiple configurations, these configurations shall be clearly described including the rated load capacity of each, in the manufacturers manual and on the aerial device. Examples of alternate configurations are:

(a) With outriggers extended to firm footing versus outriggers not extended.

(b) With chassis suspension locking device engaged versus disengaged.

(c) With one platform versus more than one platform.

(d) Used as a personnel-carrying device only versus used as a personnel-carrying and material-handling device.

(e) With extensible aerial device retracted or extended.

(f) With digger attached to boom versus with digger removed from boom. If the rated load capacity of the alternate configuration is related to an angle which a boom(s) makes with the horizontal, the manufacturer shall install a means by which the angle of the boom(s) can be determined.

(7) Maximum elevation determination: Height shall be determined at maximum elevation, from the floor of the platform to the ground, with the aerial device assumed to be mounted on a vehicle having a chassis frame height of thirty-six inches.

(8) Maximum reach determination: Reach, as a maximum, shall be measured in the horizontal plane, from the centerline of rotation to the outer edge (rail) of the platform.

(9) Insulated aerial devices.

(a) The aerial device manufacturers manual and instruction plate(s) shall clearly state whether the aerial device is insulated or noninsulated.

(b) In the case of insulated aerial devices.

(i) The manual and instruction plate(s) shall clearly state the qualification voltage for which the aerial device has been satisfactorily tested in accordance with this standard.

(ii) The manual and instruction plate(s) shall clearly state the design voltage for which the aerial device can be tested.

(iii) All components bridging the insulated portions of the aerial device shall have electrical insulating values consistent with the design voltage rating of the upper boom, and, when provided, of the lower insulator.

(iv) Test electrodes on articulating-boom aerial devices rated over 69 kV, and optionally at 69 kV, shall be installed permanently on the

inside and outside surfaces of the insulated portion of the upper boom for the purposes of monitoring electrical leakage current.

(v) The test electrodes shall be two to six inches from the metal portion of the lower end of the insulated upper boom.

(vi) All hydraulic and pneumatic lines bridging the insulated portion of the upper boom shall have metallic couplings which connect the inside and outside of any hose and shall be adjacent to the insulated boom test electrodes.

(vii) The test electrode on the outside surface of the insulated boom on extensible-boom aerial devices shall be removable.

(viii) The location of the removable test electrode shall be permanently marked or recorded to facilitate repeating future tests of the apparatus.

(10) Quality control. The design and manufacture of the aerial device shall comply with the principles outlined in this subsection. The manufacture of the aerial device shall include a quality control system which will ensure compliance with ANSI A92.2-1979 and this standard. The drawings and manual shall specify those welds that are considered critical and that must conform to the following standards:

(a) Structural Welding Code, AWS D1.1-1979.

(b) Specifications for Welding Industrial and Mill Cranes, AWS D14.1-1970.

(c) Standards for Qualifications of Welding Procedures and Welders for Piping and Tubing, AWS D10.9-1969.

(i) The manufacture and installation of aerial devices shall include applicable welding quality control procedures for all weldments.

(ii) Methods of nondestructive testing shall be described in the quality control procedures.

(iii) The quality control procedures shall designate the welds to be examined, the extent of examination, and the method of testing.

(iv) Appropriate inspection methods of welds are recommended by the American Welding Society.

(v) The structural load-supporting elements of the aerial device which support the platform, and which are made of a ductile material, shall have a design stress of not more than fifty percent of the minimum yield strength of the material, based on the combined rated load and weight of the support structure.

(vi) The structural load-supporting elements of the aerial device which support the platform, and which are made of a nonductile material, shall have a design stress of not more than twenty percent of the minimum ultimate strength of the material, based on the combined rated load and weight of the support structure.

(vii) The same structural safety factors stated above shall also apply to the platform.

(11) Aerial lift specification. Articulating-boom and extensible-boom aerial devices primarily designed as personnel carriers shall have both upper and lower controls.

(a) Upper controls shall be in or beside the platform, readily visible to the operator, and protected from damage and inadvertent actuation.

(b) Lower controls shall be easily accessible and shall provide for overriding the upper controls.

(c) These and all other controls shall be plainly identified as to their function.

(d) The controls shall return to their neutral position when released by the operator.

(e) Vehicle-mounted articulating and telescoping cranes or derricks equipped with accessory platforms need not have controls at the platform station.

(f) Aerial ladders that are designed and manufactured with upper controls shall comply with the requirements of this subsection.

(g) Mechanical ladders that are counterbalanced for ease in raising to, and lowering from, an operating position shall be equipped with a locking device to secure the ladder in the lower traveling position.

(h) Each aerial device, when mounted on a vehicle meeting the manufacturer's minimum vehicle specifications, and used in a specific configuration, shall comprise a mobile unit capable of sustaining a static load one and one-half times its rated load capacity, in every position in which the load can be placed within the definition of the specific configuration, when the vehicle is on a firm and level surface. If having the outriggers extended to a firm footing is part of the definition of the configuration, they shall be extended to provide leveling for the purpose of determining whether the mobile unit meets the stability requirements.

(i) Each aerial device, when mounted on a vehicle meeting the manufacturer's minimum vehicle specifications, and used in a specific configuration, shall comprise a mobile unit capable of sustaining a static load one and one-third times its rated load capacity in every position

in which the load can be placed within the definition of the specific configuration when the vehicle is on a slope of five degrees downward in the direction most likely to cause overturning. If having the outriggers extended to a firm footing is part of the definition of the configuration, they shall be extended to provide leveling for the purpose of determining whether the mobile unit meets the stability requirements.

(j) If other facilities, such as a means of turntable leveling, are provided to minimize the effect of the sloping surface, then those facilities shall be utilized for the purpose of determining whether the mobile unit meets the stability requirements.

(k) Vertical towers designed specifically for operation only on a level surface shall be excluded from this requirement.

(l) None of the stability tests described in this subsection shall produce instability of the mobile unit as defined herein or cause permanent deformation of any component.

(m) The lifting of a tire or outrigger on the opposite side of the load does not necessarily indicate a condition of instability.

(12) Hydraulic components.

(a) All hydraulic components whose failure could result in free and unrestricted motion of the boom(s) shall have a minimum bursting strength of at least four times the operating pressure for which the system is designed.

(b) All hydraulic components normally rated according to bursting strength, such as hose, tubing, and fittings, shall have a minimum bursting strength of at least three times the operating pressure for which the system is designed.

(c) All hydraulic components normally rated according to performance criteria, such as rated flow and pressure, life cycles, pressure drop, rpm, torque, and speed, shall have a minimum bursting strength of at least two times the operating pressure for which the system is designed. Such components generally include pumps, motors, directional controls, and similar functional components.

(13) Power failure.

(a) Where the operation of the aerial device is accomplished by hydraulic means, the system shall be equipped with appropriate devices to prevent free and unrestricted motion of the aerial device in the event of hydraulic line failure.

(b) Where the operation of the aerial device is accomplished electrically, the system shall be designed to prevent free and unrestricted motion in the event of generator or power failure.

(c) This protection shall also apply to components used to stabilize a mobile unit where a system failure would result in instability.

(14) Platforms.

(a) Platform walls shall be approximately forty-two inches plus or minus three inches high when buckets or baskets are used as platforms, or the platforms shall be provided with a rail or other device around the periphery that also shall be approximately forty-two inches plus or minus three inches above the floor with a midrail and a kick plate that is at least four inches high, or its equivalent.

(b) A means shall be provided that allows personnel to attach a safety strap or lanyard to the platform or boom.

(c) Steps of all platforms shall be provided with nonskid surfaces.

(d) The platform wall height of any unit made in conformance with ANSI A92.2-1979 shall be acceptable.

(e) After the effective date of this standard, units shall conform to the requirements of this subsection.

(f) Platforms with folding-type floors and steps or rungs may be used without rails and kick plates if a method is provided to allow personnel equipped with a body belt and safety strap or lanyard to attach themselves to the platform or boom.

(g) Platforms for aerial ladders shall have a kick plate at least four inches high or its equivalent, around three sides of the platform.

(h) Provision shall be made to allow personnel equipped in accordance with WAC ((~~296-155-225~~)) 296-155-24510 with a full body (~~belt~~) harness and safety strap or lanyard to attach themselves to the ladder rail.

(15) Specifications display. The aerial device shall have identification, operation, and instruction placards, decals, plates, or the equivalent, which are legible, permanent, and readily visible. There shall be installed on each aerial device applicable markings or provide these markings with appropriate installation instructions. The markings on the aerial device shall not be removed, defaced, or altered. All missing or defective markings shall be replaced.

(a) An aerial device shall have the following markings:

(i) Identification markings.

(ii) Operation markings.

(iii) Instruction markings.

(b) Aerial devices shall have markings to indicate the following:

- (i) Make.
- (ii) Model.
- (iii) Insulated or noninsulated.
- (iv) Qualification voltage and date of test.
- (v) Serial number.
- (vi) Rated load capacity.
- (vii) Height.
- (viii) Aerial device system pressure or aerial device system voltage, or both.

(c) Aerial devices shall have markings describing the function of each control. Markings shall be determined by the manufacturer or the manufacturer and user jointly to indicate hazards inherent in the operation of an aerial device and those hazards for which the aerial device does not provide protection. The following instruction markings shall be provided for:

(i) Electrical hazards involved in the operation of the machine to warn that an aerial device does not provide protection to the operator from contact with or in proximity to an electrically charged conductor when he is in contact with or in proximity to another conductor.

(ii) Electrical hazards involved in the operation of the machine to warn that an aerial device, when working on or in proximity to energized conductors, shall be considered energized, and that contact with the aerial device or vehicle under those conditions may cause serious injuries.

(iii) Hazards that result from failure to operate the equipment in a prescribed manner.

(iv) Information related to the use and load rating of the equipment for material handling.

(v) Information related to the use and load rating of the aerial device for alternate configurations.

(vi) Information related to operator cautions.

(d) The color, format, and substance shall conform to:

(i) American National Standard for Accident Prevention Signs, ANSI Z35.1-1972.

(ii) American National Standard for Accident Prevention Tags, ANSI Z35.2-1968.

(iii) American National Standard for Informational Signs Complementary to ANSI Z35.1-1972 Accident Prevention Signs, ANSI Z35.4-1973.

(16) Testing of new aerial devices: In addition to the manufacturer's prototype tests and quality control measures, each new aerial device, including mechanisms, shall be tested to the extent necessary to ensure compliance with the operational requirements of this subsection.

(a) Operational tests shall include the following:

(i) Boom(s) elevating and lowering mechanism.

(ii) Boom extension mechanism.

(iii) Rotating mechanism.

(iv) Stability tests.

(v) Safety devices.

(b) A visual inspection of the finished unit shall be made to determine whether the operational test has produced an adverse effect on any component. Whoever mounts an aerial device upon a vehicle shall, before the mobile unit is placed in operation, perform stability tests in accordance with the requirements of subsection (11) of this section, and the operational and visual tests in accordance with this subsection.

(17) Electrical tests: All electrical tests shall be performed in accordance with ANSI A92.2-1979.

(18) Test reports: A certified report of the tests, specified in this subsection, signed by a registered professional engineer, or an equivalent entity shall be provided with each unit.

(19) Manual requirement: Aerial devices shall comply with the requirements of this standard and shall be provided with manuals. The manuals shall contain:

(a) Descriptions, specifications, and ratings of the aerial device.

(b) The maximum system pressure and the maximum voltage of electrical systems which are part of the aerial device.

(c) Instructions regarding operation, maintenance, and specified welds.

(d) Replacement part information.

(e) Instructions for installing or mounting the aerial device.

(20) Inspections:

(a) Prior to initial use, all new or modified mobile units shall be inspected and tested by the owners and users to ensure compliance with the provisions of this standard and ANSI A92.2-1979.

(b) The inspection procedure for mobile units in regular service is divided into two classifications based upon the intervals at which inspections and tests shall be performed. Safe intervals shall be set by the user, within the limits recommended by the manufacturer, and are dependent upon the nature of the critical components of the mobile unit and the degree of their exposure to wear, deterioration, or malfunction. The two classifications are designated as "frequent" and "periodic" with respective intervals between inspections and tests, as defined below:

(i) Frequent inspection and test: Daily to monthly intervals, or before use, if not used regularly.

(ii) Periodic inspection and test: One to twelve month intervals.

(21) Frequent inspections: Items such as, but not limited to the following shall be inspected for defects at the intervals as defined in subsection (20)(b)(i) of this section or as specifically indicated, including observation during operation, for any defects which might appear between regular inspections. These tests and inspections shall be performed by the operator. Any suspected items shall be carefully examined and a determination made by a qualified person as to whether they constitute a safety hazard. All unsafe items shall be corrected before further use.

(a) Operating controls and associated mechanisms for conditions interfering with proper operation.

(b) Operating controls and associated mechanisms for excessive component wear and contamination by foreign material.

(c) Visual and audible safety devices for malfunction.

(d) Hydraulic or pneumatic systems for observable deterioration or excessive leakage.

(e) Fiberglass and other insulating components for visible damage or contamination.

(f) Electrical apparatus for malfunction, signs of excessive, dirt, and moisture accumulation.

(22) Periodic inspection. An inspection of the mobile unit shall be performed at the intervals defined in subsection (20)(b)(ii) of this section, depending upon its activity, severity of service, and environment, or as specifically indicated below. Any suspect items shall be carefully examined and a determination made by a qualified person as to whether they constitute a safety hazard. All unsafe items shall be corrected before further use. Nondestructive inspection and testing methods shall be used where there are questionable structural components.

(a) Deformed, cracked, or corroded members in the aerial device structure.

(b) Worn, cracked or distorted parts, such as pins, bearings, shafts, gears, rollers, locking devices, chains, chain sprockets, wire ropes, and sheaves.

(c) Hydraulic and pneumatic relief valve settings.

(d) Hydraulic system for proper oil level.

(e) Hydraulic and pneumatic fittings, hoses, and tubing for evidence of leakage, abnormal deformation, or excessive abrasion.

(f) Compressors, pumps, motors, and generators for loose fasteners, leaks, unusual noises or vibrations, loss of operating speed, and excessive heating.

(g) Hydraulic and pneumatic valves for cracks in the valve housing, leaks, and sticking spools.

(h) Hydraulic and pneumatic cylinders and holding valves for malfunction and visible damage.

(i) Hydraulic and pneumatic filters for cleanliness and the presence of foreign material in the system indicating other component deterioration.

(j) Performance test of all boom movements.

(k) Condition and tightness of bolts and other fasteners.

(l) Welds, as specified by the manufacturer.

(m) Legible and proper markings of controls, ratings, and instructions.

(23) Electrical insulation rating tests: If the aerial device is considered, rated, and used as an insulated device, the electrical insulating components and system, after a thorough inspection for lack of cleanliness and other hazards, shall be tested for compliance with the rating of the aerial device in accordance with one of the following applicable methods and procedures:

(a) In accordance with section 5.2 of ANSI A92.2-1979 where adequate test facilities are available.

(b) In the field if the aerial device is equipped with electrical test electrodes. The insulated boom may be raised into a high voltage line whose voltage is as high as or higher than the voltage to be worked but not exceeding the design voltage of the aerial device. The electrical

leakage current shall not exceed 1 microampere per line to ground per kilovolt applied.

(c) For units rated 69 kV and under, by placing a fused and protected ammeter in the circuit between a test powerline and the conductive metal assembly at the bucket end of the insulated boom.

(i) The lower end of the boom section to be tested shall be grounded.

(ii) The ammeter shall be shielded from any stray electrical currents, and shall give the measurement of any leakage current across the boom and controls, or any capacitive currents involved from the platform to ground, or both.

(iii) The minimum voltage of the test line shall be that of any circuit on which the aerial device is to be used but not exceeding the design voltage of the aerial device.

(iv) During a three minute test period, the total current through the ammeter shall not exceed the following limits at the corresponding rated line voltages:

| Line Voltage (kV) | Maximum Current (Microamperes) |
|-------------------|--------------------------------|
| 69 | 1000 |
| 34.5 | 500 |
| 13.2 | 200 |

(d) For units rated 69 kV and under and not used for bare hand application, a dc test voltage and procedure shall be used. The dc potential and leakage current limit shall be specified by the aerial device manufacturer or an equivalent entity.

(e) For platform liners, a retest at seventy percent of the original factory test voltage in accordance with the procedures of section 5.2.2.5 of ANSI A92.2-1979, or the equivalent shall be made.

(f) All electrical tests shall be performed only by qualified persons who are aware of the dangers.

(24) Inspection documentation:

(a) A check sheet or list of items to be inspected shall be provided to the operator or other authorized person for use in making frequent inspections. Records of frequent inspections need not be made. However, where a safety hazard is found, it shall be reported in writing to a person responsible for the corrective action and that report and a record of the correction shall be maintained.

(b) Written, dated, and signed reports and records shall be made of periodic inspections and tests and retained for a period of time consistent with need. Records shall be readily available. Manufacturer's recommendations as to the necessity and frequency of maintenance shall be followed.

(25) Modifications: No modifications or additions which affect the mechanical, hydraulic, or electrical integrity or the safe operation of the aerial device shall be made without the written approval of the manufacturer or an equivalent entity.

(a) If such modification or changes are made, the capacity, operation, and maintenance instruction markings shall be changed accordingly.

(b) In no case shall the safety factors be reduced below those specified in this standard, ANSI A92.2-1979, or below the manufacturer's design factors, whichever are greater.

(c) Changes in loading or additions made to the mobile unit after the final acceptance that affect weight distribution shall meet applicable loading regulations of the National Traffic and Motor Vehicle Safety Act of 1966 sections on Certification.

(26) Qualified operators: The user shall select and authorize only those persons qualified by training or experience, or both, to operate the aerial devices. Each operator shall be instructed in the safe and proper operation of the aerial device in accordance with the manufacturer's operator's manual and the user's work instructions.

AMENDATORY SECTION (Amending Order 90-10, filed 8/13/90, effective 9/24/90)

WAC 296-155-682 REQUIREMENTS FOR EQUIPMENT AND TOOLS. (1) Bulk cement storage. Bulk storage bins, containers, and silos shall be equipped with the following:

- (a) Conical or tapered bottoms; and
 - (b) Mechanical or pneumatic means of starting the flow of material.
- (2) No employee shall be permitted to enter storage facilities unless the ejection system has been shut down and locked out in accordance with WAC 296-155-429.
- (3) Safety belts, harnesses, lanyards, lifelines or droplines, independently attached or attended, shall be used as prescribed in WAC ~~((296-155-225 (10)(a)))~~ 296-155-24510 (5)(a).

(4) Concrete mixers. Concrete mixers with one cubic yard (.8 m3) or larger loading skips shall be equipped with the following:

- (a) A mechanical device to clear the skip of materials; and
 - (b) Guardrails installed on each side of the skip.
- (5) Power concrete trowels. Powered and rotating type concrete troweling machines that are manually guided shall be equipped with a control switch that will automatically shut off the power whenever the hands of the operator are removed from the equipment handles.
- (6) Concrete buggies. Concrete buggy handles shall not extend beyond the wheels on either side of the buggy.

Note: Installation of knuckle guards on buggy handles is recommended.

(7) Runways.

(a) Runways shall be constructed to carry the maximum contemplated load with a safety factor of four, have a smooth running surface, and be of sufficient width for two buggies to pass. Single runs to have a minimum width of forty-two inches with turnouts. Runways to have standard railings. Where motor driven concrete buggies are used, a minimum four-inches by four-inches wheel guard shall be securely fastened to outside edge of runways.

(b) All concrete buggy runways which are 12 inches or more above a work surface or floor, or ramps with more than 4 percent incline shall be considered "elevated" runways.

Exception: Small jobs utilizing only one concrete buggy, or larger jobs utilizing a "one-way traffic pattern" may be exempt from the requirements for "turnouts" or for "sufficient width for two buggies to pass."

Exemption: Runways less than 12 inches above the floor or ground which are utilized by hard-powered buggies only, may be exempt from the requirements for guardrails and wheelguards.

(8) Concrete pumping systems.

(a) The employer shall comply with the manufacturer's specifications and limitations applicable to the operation of pumpcrete or similar systems. Where manufacturer's specifications are not available, the limitations assigned to the equipment shall be based on the determinations of a qualified engineer, competent in this field, and such determinations will be appropriately documented and recorded.

(b) Rated load capacities, and recommended operating speeds and pressures, special hazard warnings, or instructions, shall be conspicuously posted on all equipment. Instructions and warnings shall be visible to the operator while he is at his control station.

(c) Concrete pumping systems using discharge pipes shall be provided with pipe supports designed for one hundred percent overload.

(d) Compressed air hoses used on concrete pumping systems shall be provided with positive fail-safe joint connectors to prevent separation of sections when pressurized.

(e) No part of the concrete pumping system shall operate closer to high voltage electrical conductors than the distances specified in WAC 296-155-428 (1)(d)(i) and (ii).

(f) Hoses and/or pipes used to carry concrete under pressure shall be secured one to the other with an adequate length of at least 1/4 inch diameter chain or cable to prevent whipping in the event of an accidental separation of joints. All system safety pins shall be in place during pumping operations.

(g) The employer shall designate a competent person who shall inspect all machinery, equipment, and accessories prior to each use, and periodically during use, to make sure it is in safe operating conditions. Any deficiencies shall be repaired, or defective parts replaced before continued use.

(h) A thorough annual inspection of the equipment including non-destructive testing of all sections of the booms, by a method capable of ensuring the structural integrity of the material being tested shall be made. The inspection and testing shall be conducted by a competent person, or a government or private agency recognized by the department. A record of the test results shall be maintained by the employer, and a copy shall be available in each unit for inspection by the department.

(i) All welding shall conform to AWS B3.0-41 Standard Qualification Procedure: AWS D8.4-61 Recommended Practices of Automotive Welding Design; or AWS D10.9-69 Standard Qualification of Welding Procedures and Welders for Piping and Tubing.

(j) Booms shall not be used for operations other than that for which they are designed.

(9) Concrete buckets.

(a) Concrete buckets equipped with hydraulic or pneumatic gates shall have positive safety latches or similar safety devices installed to prevent premature or accidental dumping.

(b) Concrete buckets shall be designed to prevent concrete from hanging up on top and the sides.

(c) Riding of concrete buckets for any purpose shall be prohibited, and vibrator crews shall be kept out from under concrete buckets suspended from cranes or cableways.

(d) When discharging on a slope, the wheels of ready-mix trucks shall be blocked and the brakes set to prevent movement.

(10) Tremies. Sections of tremies and similar concrete conveyances shall be secured with wire rope (or equivalent materials in addition to the regular couplings or connections).

(11) Bull floats. Bull float handles, used where they might contact energized electrical conductors, shall be constructed of nonconductive material or insulated with a nonconductive sheath whose electrical and mechanical characteristics provide the equivalent protection of a handle constructed of nonconductive material.

(12) Masonry saws shall be constructed, guarded, and operated in accordance with WAC 296-155-367 (1) through (4).

(13) Lockout/tagout procedures. No employee shall be permitted to perform maintenance or repair activity on equipment (such as compressors, mixers, screens, or pumps used for concrete and masonry construction activities) where the inadvertent operation of the equipment could occur and cause injury, unless all potentially hazardous energy sources have been locked out and tagged in accordance with WAC 296-155-429.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-50503 ROOFING BRACKETS. (1) Roofing brackets shall be constructed to fit the pitch of the roof.

(2) Securing: Brackets shall be secured in place by nailing in addition to the pointed metal projections. When it is impractical to nail brackets, rope supports shall be used. When rope supports are used, they shall consist of first-grade manila of at least 3/4-inch diameter, or equivalent.

(3) ((Catch platform:

(a) A catch platform shall be installed below the working area of roofs more than sixteen feet from the ground to eaves with a slope greater than four inches in twelve inches without a parapet.

(b) In width, the platform shall extend two feet beyond the projection of the eaves and shall be provided with a guardrail, midrail, and toeboard.

(c) This provision shall not apply where employees engaged in work upon such roofs are protected by a safety belt attached to a lifeline.

(4)) Crawling boards or chicken ladders.

(a) Crawling boards shall be not less than ten inches wide and one inch thick, having cleats 1 x 1 1/2 inches.

(i) The cleats shall be equal in length to the width of the board and spaced at equal intervals not to exceed twenty-four inches.

(ii) Nails shall be driven through and clinched on the underside.

(iii) The crawling board shall extend from the ridge pole to the eaves when used in connection with roof construction, repair, or maintenance.

(b) A firmly fastened lifeline of at least 3/4-inch diameter rope, or equivalent, shall be strung beside each crawling board for a handhold.

(c) Crawling boards shall be secured to the roof by means of adequate ridge hooks or other effective means.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-155-50501 APPENDIX—ROOFS.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-650 DEFINITIONS APPLICABLE TO THIS PART. ((1) "Accepted engineering requirements (or practices)" means those requirements or practices which are compatible with standards required by a registered architect, a registered professional engineer, or other duly licensed or recognized authority.

(2) "Angle of repose" means the greatest angle above the horizontal plane at which a material will lie without sliding or rolling.

(3) "Bank" means a mass of soil rising above a digging level.

(4) "Bellied excavation" means a part of a shaft or footing excavation, usually near the bottom and bell-shaped, i.e., an enlargement of the cross section above.

(5) "Borrow pit" means a cavity or opening formed in the earth by breaking, loosening, cutting, digging or pushing aside material and removal of any unprocessed earthen material.

(6) "Braces (trench)" means the horizontal members of the shoring system whose ends bear against the uprights or stringers.

(7) "Cofferdam" means a watertight chamber used to exclude water or other fluid or semi-fluid material during excavation for foundations and the construction of subsurface structures.

(8) "Compact shale" means a type of hardened clay that has not yet split into thin layers.

(9) "Competent person" means one who is capable of identifying hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous.

(10) "Equipment" means ladders, scaffolds, ramps, runways, railings, barricades, sheet piling, shoring, bracing and any such safeguards, protective construction and devices used in affording protection to the workers engaged in excavating work.

(11) "Embankment" means an artificial or man-made bank of earthen material.

(12) "Excavation" means any manmade cavity or depression in the earth's surface, including its sides, walls, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench.

(13) "Faces" see subsection (21) of this section.

(14) "Hard compact soil" means all earth materials not classified as running or unstable.

(15) "Kickouts" means accidental release or failure of a shore or brace.

(16) "Moving ground" means any ground, which for any reason, will not remain in its original location.

(17) "Ramp" means an inclined runway.

(18) "Runway" means any planked over walkway or drive constructed and maintained as a passageway for workers or rolling equipment.

(19) "Sheet pile" means a pile, or sheeting, that may form one of a continuous interlocking line, or a row of timber, concrete, or steel piles, driven in close contact to provide a tight wall to resist the lateral pressure of water, adjacent earth, or other materials.

(20) "Shoring system" means any assembly of equipment or material used to prevent the ground or earth from moving.

(21) "Sides," "walls," or "faces" means the vertical or inclined earth surfaces formed as a result of excavation work.

(22) "Slope" means the angle with the horizontal at which a particular earth material will stand indefinitely without movement.

(23) "Stringers" (wales) means the horizontal members of a shoring system whose sides bear against the uprights or earth.

(24) "Structural construction" means any activity or process required in the actual construction of any type of structure, pipeline or conduit exclusive of the excavation.

(25) "Trench" means a narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than 15 feet.

(26) "Trench jack" means screw or hydraulic type jacks used as cross bracing in a trench shoring system.

(27) "Trench shield" or "trench box" means a shoring system composed of steel plates and bracing, welded or bolted together, which support the walls of a trench from the ground level to the trench bottom and which can be moved along as work progresses.

(28) "Unstable soil" means earth material, other than running that because of its nature or the influence of related conditions, cannot be depended upon to remain in place without extra support, such as would be furnished by a system of shoring.

(29) "Uprights" means the vertical members of a shoring system.

(30) "Wales" see subsection (23) of this section.

(31) "Walls" see subsection (21) of this section.) (1) "Accepted engineering requirements or practices." Those requirements or practices that are compatible with standards required by a registered professional engineer.

(2) "Actual slope." The slope of which an excavation site is excavated.

(3) "Aluminum hydraulic shoring." A preengineered shoring system comprised of aluminum hydraulic cylinders (crossbraces) used with vertical rails (uprights) or horizontal rails (wales). Such system is designed, specifically to support the sidewalls of an excavation and prevent cave-ins.

(4) "Cave-in." The separation of a mass of soil or rock material from the side of an excavation, or loss of soil from under a trench shield or support system, and movement into the excavation in quantity that it could entrap, bury, injure, or immobilize a person.

(5) "Competent person." One who can identify existing or predictable hazards in the surroundings that are unsanitary, hazardous, or dangerous to employees. Also has authorization or authority by the nature of their position to take prompt corrective measures to eliminate them. The person shall be knowledgeable in the requirements of this part.

(6) "Cross braces." The horizontal members of a shoring system installed perpendicular to the sides of the excavation, the ends bear against either uprights or wales.

(7) "Distress." Soil in a condition where a cave-in is imminent or likely to occur. Distress indications may be fissures, slumping, spalling, ravelling, or small amounts of materials separating from the face. The bottom may bulge or heave and the edge may sink or lower.

(8) "Equipment." Ladders, scaffolds, ramps, runways, railings, barricades, sheet piling, shoring, bracing and any such safeguards. Protective construction and devices used in affording protection to the workers engaged in excavation work.

(9) "Embankment." An artificial or man-made bank of earthen material.

(10) "Excavation." Any man-made cavity or depression in the earth's surface, including its sides, walls, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench.

(11) "Faces or sides." The vertical or inclined earth surfaces formed because of excavation work.

(12) "Failure." The breakage, displacement, or permanent deformation of a structural member or connection to reduce its structural integrity and its supportive capabilities.

(13) "Kickouts." Accidental release or failure of a shore or brace.

(14) "Maximum allowable slope." The steepest incline of an excavation face that is acceptable for the most favorable site conditions as the ratio of horizontal distance to vertical rise (H:V).

(15) "Moving ground." Any ground, which for any reason, will not remain in its original location.

(16) "Protective system." A method of protecting employees from cave-ins, from material that could fall or roll from an excavation face or into an excavation, or from the collapse of adjacent structures. Protective systems include support systems, sloping systems, shield systems, and other systems that provide the necessary protection.

(17) "Ramp." An inclined walking or working surface used as access from one point to another. They may be constructed from earth or materials such as steel or wood.

(18) "Registered professional engineer." A person that is registered as a professional engineer in the state of Washington. The registered professional engineer shall comply with the Washington state department of licensing requirements, chapter 18.43 RCW.

(19) "Sheeting." The members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system:

Tight sheeting: The use of specially-edged timber planks (e.g., tongue and groove) at least three inches thick, steel sheet piling, or similar construction that when driven or paced in position provide a tight wall to resist the lateral pressure of water and to prevent the loss of backfill material.

Close sheeting: The placement of planks side-by-side allowing as little space as possible between them.

(20) "Sheet pile." A pile, or sheeting, that may form a continuous interlocking line. A row of timber, concrete, or steel piles, driven in close contact providing a tight wall to resist the lateral pressure of water, adjacent earth, or other material.

(21) "Shield (shield system)." A structure that can withstand the forces imposed on it by a cave-in and thereby protect employees within the structure. Shields can be permanent structures or designed to be portable and moved along as work progresses. Shields can be premanufactured or job-built according to data from the manufacture or designed by a registered professional engineer. Shields used in trenches are usually called "trench boxes" or "trench shields."

(22) "Shoring (shoring system)." A structure such as a metal hydraulic, mechanical, or timber shoring system that supports the sides of an excavation that is designed to prevent cave-ins.

(23) "Sides," "walls," or "faces." The vertical or inclined earth surfaces formed because of excavation work.

(24) "Sloping (sloping system)." A method of protecting employees from cave-ins by excavating to form sides of an excavation that are inclined away from the excavation to prevent cave-ins. The angle of incline required to prevent a cave-in varies with differences in such factors as the soil type, environmental conditions of exposure, and application of surcharge loads.

(25) "Support system." A structure such as underpinning, bracing or shoring, which provides support to an adjacent structure, under-ground installation, or the sides of an excavation.

(26) "Trench." A narrow excavation made below the surface of the ground. The depth is generally greater than the width, but the width of a trench is not greater than 15 feet.

(27) "Trench jack." Screw or hydraulic type jacks used as cross bracing in a trench shoring system.

(28) "Trench shield" or "trench box." See shield in this section.

(29) "Upright." The vertical members of a trench shoring system placed in contact with the earth and usually positioned so that individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called "sheeting."

(30) "Unstable rock." Rock material on the side or sides of the excavation not secured against caving-in or movement by rock bolts or by another protective system that has been designed by a registered professional engineer.

(31) "Unstable soil." Earth material, other than running because of its nature cannot be depended upon to remain in place without extra support that would be furnished by a system of shoring.

(32) "Wales." Horizontal members of a shoring system placed parallel to the excavation face whose sides bear against the vertical members of the shoring system or earth.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-655 GENERAL PROTECTION REQUIREMENTS. ((†) This part on "excavation work" and "trenching" is intended to provide protection of all employees during all excavation or trenching in connection with all construction work, such as trenches, excavations, underpinning, shoring and bracing, and in connection with the construction of footings, foundations, retaining walls and other construction work below ground level:

(2)(a) Underground utilities. Prior to opening an excavation or trench, efforts shall be made to determine whether underground installations of utilities will be encountered. If so, the appropriate utility company shall be notified and requested to identify the exact location of the underground installation:

(i) Proper supports and precautions shall be provided for existing installations:

(ii) When electric lines are of the direct burial type, a qualified person shall make positive identification of the cable:

(iii) Mechanical excavating equipment shall maintain a two foot clearance from the direct burial cable:

(b) Power line clearance. No equipment, motor vehicle, tool, or individual shall operate within 10 feet of any power line or electrical distribution equipment except in conformity with the requirements of WAC 296-155-525 (2)(c).

(3) Surface encumbrances. Trees, boulders, utility poles, and other surface encumbrances, located so as to create a hazard to employees involved in excavation or trenching work or in the vicinity thereof at any time during operations, shall be removed or made safe before excavating or trenching is begun or continued:

(4) Wall and face guarding. The walls and faces of all excavations or trenches in which employees are exposed to danger from moving ground, falling rocks, sloughing, or sliding earth shall be guarded by:

(a) A shoring system;

(b) Sloping of the ground, or some other equivalent means;

(c) Sloping of the ground or the shoring system shall extend to the bottom of the trench or excavation:

(5) Trench and excavation protection. Except in solid rock and compact shale, the sides of all trenches and excavations, including embankments, four feet or more in depth shall be shored, sheeted, braced, sloped, or otherwise supported by means of sufficient strength to protect employees. (See Tables N-1, N-2, N-3, N-4 and N-5.)

(6) Protection for trenches less than four feet. Trenches less than four feet in depth shall also be effectively protected when there are indications that hazardous ground movement is possible:

(7) Inspection. Excavations and trenches shall be inspected by a competent person after every rainstorm or other hazard-increasing occurrence. The protection against slides and cave-ins shall be increased if necessary.

(8) Top person. No person shall be allowed to work in a trench over four feet in depth unless there is a top person in constant attendance. The top person shall be in addition to the equipment operator when the person in the trench is not in constant view of the equipment operator.

(9) Slope encumbrances. The surface of the slope of any trench or excavation shall be cleaned of boulders, stumps, or other hard masses of earth in the form of chunks, that could roll or slide into the trench or excavation endangering persons below.

(10) Evaluation of protection requirements. The determination of the angle of slope or design of the supporting system, or both, shall be based on careful evaluation of pertinent factors such as:

(a) Depth of cut.

(b) Possible variation in water content of the material while the trench or excavation is open.

(c) Anticipated changes in materials from exposure to air, sun, water, or freezing.

(d) Loading imposed by structures, equipment, overlaying material, or stored material.

(e) Vibration from equipment, blasting, traffic or other sources.

(11) Supporting system requirements. Supporting systems, i.e., piling, cribbing, shoring, etc., shall be designed by a qualified person and meet accepted engineering requirements.

(a) When tie rods are used to restrain the top of sheeting or other retaining systems, the rods shall be securely anchored well back of the angle of slope.

(b) When tight sheeting or sheet piling is used, full loading due to ground water table shall be assumed, unless prevented by weep holes or drains or other means.

(c) Additional stringers, ties, and bracing shall be provided to allow for any necessary temporary removal of individual supports.

(d) Excavation and lagging done in conjunction with soldier piles shall be completed in not more than eight foot lifts.

(12) Required angle of slope:

(a) All slopes shall be excavated to at least the angle illustrated in Tables N-1, N-3, and N-4 for the type of soil encountered, except for solid rock or compact shale which require no sloping under normal conditions.

(b) The angle of slope shall be flattened to the next required category when an excavation or trench is exposed to:

(i) Excessive water conditions;

(ii) Silty materials;

(iii) Loose boulders;

(iv) Areas where erosion, deep frost action, or slide planes appear.

(13) Storage of excavated material:

(a) In excavations or trenches which employees are required to enter, excavated or other material shall be stored and retained at least two feet or more away from the edge of the excavation or trench.

(b) Barriers or other effective retaining devices may be used to prevent excavated or other material from falling or rolling into the excavation or trench.

(14) Condition of protection materials. Materials used for sheeting, sheet piling, cribbing, bracing, shoring, and underpinning shall be in good serviceable condition, and timbers shall be sound, free of large or loose knots, and of proper dimensions in accordance with Table N-5.

(15) Temporary sheet piling. Temporary sheet piling which has been installed to permit the construction of a retaining wall shall not be removed until such retaining wall has acquired its full strength.

(16) Surface water control. Diversion ditches, dikes, or other suitable means shall be used to prevent surface water from entering an excavation or trench and to provide adequate drainage of the area adjacent to the excavation or trench. If necessary, pumps shall be used to minimize water from accumulating in the excavation or trench.

(17) Additional protection for excavations when equipment is nearby. If it is necessary to place or operate power shovels, backhoes, derricks, cranes, trucks, materials, or other heavy objects on a level above and closer laterally than the depth of the trench or excavation, the sides of the excavation or trench shall be sheet-piled, shored, or braced as necessary to resist the additional pressure due to such superimposed loads.

(18) Stop logs. When mobile equipment is utilized or allowed adjacent to excavations or trenches, substantial stop logs or barricades shall be installed, except that such equipment shall not be required for the equipment doing the actual excavating or backfilling operation.

(19) Physical barrier protection:

(a) Adequate physical barrier protection shall be provided at all remotely located excavations or trenches.

(b) All wells, pits, shafts, etc., shall be barricaded or covered.

(c) Upon completion of exploration and similar operations, temporary wells, pits, shafts, etc., shall be completely backfilled.

(20) Dust control. Dust conditions shall be minimized by the use of water, salt, calcium, oil, or other effective means.

(21) Air quality:

(a) In locations where an oxygen deficient atmosphere or gaseous conditions are possible, air in the excavation or trench shall be tested before entering.

(b) Controls as set forth in Part B and C of this chapter, shall be established to assure acceptable atmospheric conditions.

(c) When flammable gases are present, adequate ventilation shall be provided and sources of ignition shall be eliminated.

(d) Attended emergency rescue equipment, such as breathing apparatus, a safety harness with lifeline, basket stretcher, etc., shall be readily available where adverse atmospheric conditions may exist or develop in an excavation or trench.

(i) During such conditions a competent top person shall be in constant attendance:

(ii) It shall be the employer's responsibility to ensure that such top person has been thoroughly trained in emergency rescue procedures and that voice or visual contact shall be maintained with the person in the excavation or trench at all times until the hazardous condition no longer exists.

(22) Walkway and bridge requirements. Where employees or equipment cross over excavations or trenches, walkways or bridges with standard guardrails shall be provided. Such walkways or bridges shall be designed and constructed by qualified persons in accordance with accepted engineering requirements and practices.

(23) Ladders. All ladders used in excavations and trenches shall be in accordance with the requirements of Part J of this chapter.

(24) Backfilling. When excavations or trenches are made in locations adjacent to backfilled excavations or trenches. Additional precautions by way of shoring and bracing shall be taken to prevent slides or cave-ins.

(25) Ledge rock scaling. Excavations or trenches made in ledge rock or compact shale shall not require bracing or shoring but shall be inspected by a competent representative of the employer before each shift of work, at which time all loose, shattered, or disintegrated rock shall be removed from sides and face of excavation or trench.

(26) Report weakness in shoring. Workers shall be instructed to immediately report any signs or indications of weakness of shoring or bracing in excavations or trenches.

(27) Safety equipment inspection. Any safety device or equipment needed in connection with excavation work or trenching shall be inspected, erected, and maintained in a safe condition for the duration of the operation.

(28) State and federal safety codes. Federal and state safety codes, rules, regulations and ordinances governing any and all phases of excavation work and trenching shall be observed at all times.

(29) Sidewalk clearance and shoring. Walkways, runways, and sidewalks shall be kept clear of excavated material or other obstructions and no sidewalks shall be undermined unless shored to carry a minimum live load of one hundred twenty-five pounds per square foot.

(30) Plank walkways. If planks are used for raised walkways, runways, or sidewalks:

(a) They shall be laid parallel to the length of the walk and fastened together against displacement.

(b) The planks shall be uniform in thickness and all exposed ends shall be provided with beveled cleats to prevent tripping.

(c) The planks shall have a safety factor of four times the intended loading.

(31) Raised walkways. Raised walkways, runways, and sidewalks shall be provided with plank steps on strong stringers. Ramps, used in lieu of steps, shall be provided with cleats to insure a safe walking surface.

(32) Personal protection. All employees shall be protected with personal protective equipment for the protection of head, eyes, respiratory organs, hands, feet, and other parts of the body as set forth in Part C of this chapter.

(33) Employees exposed to vehicles. Employees exposed to moving vehicles shall wear hard hats and warning vests of high visibility material, reflectorized at night. The requirements of WAC 296-155-300 through 296-155-315 apply.

~~(34) Protection from overhead hazards. No person shall be permitted under loads handled by power shovels, backhoes, draglines, derricks, hoists, or front end loaders. To avoid injury from spillage, employees, including the driver unless protected adequately by the cab, shall be required to stand away from any vehicle being loaded.~~

~~(35) Inspection. Inspections of excavations and trenches shall be made prior to each work shift by a competent person. If evidence of possible cave-ins or slides is apparent, all work in the excavation or trench shall cease until precautions have been taken to safeguard the employees.~~

~~(36) Excavation and trench exits. When employees are required to be in excavations or trenches four feet deep or more, an adequate means of exit, such as a ladder or steps, shall be provided and located so as to require no more than twenty-five feet of lateral travel. An earth ramp is acceptable providing:~~

- ~~(a) The stability of the earth is adequate for good footing;~~
- ~~(b) The total travel distance does not exceed twenty-five feet;~~
- ~~(c) The trench depth does not exceed fifteen feet;~~
- ~~(d) Adequate shoring or equivalent protection is provided for the entire escape route.~~

~~(37) Water main safeguards. When existing loop water mains are running laterally within two feet of the excavation or trench wall the valve the greatest distance from the work site shall be closed.~~

~~(a) The exact location of the open valve and the valve key shall be given to the workers before they enter the excavation or trench.~~

~~(b) The open valve location shall be marked and clear access to the valve maintained.)) (1) Protection systems for use in excavations more than 20 feet in depth shall be designed by a registered professional engineer according to WAC 296-155-66109.~~

~~(2) Trench and excavation protection. Except in solid rock, the sides of trenches and excavations, including embankments, 4 feet or more in depth shall be shored, sheeted, braced, sloped, or supported by a means of sufficient strength to protect employees.~~

~~(3) Protection for trenches less than 4 feet. Trenches less than 4 feet in depth shall be effectively protected when there are indications that hazardous ground movement is possible.~~

~~(4) Storage of excavated material.~~

~~(a) In excavations or trenches that employees are required to enter, excavated or other material shall be stored and retained at least 2 feet away from the edge of the excavation or trench.~~

~~(b) Barriers or other effective retaining devices may be used to prevent excavated or other material from falling or rolling into the excavation or trench.~~

~~(5) Excavation and trench exits. When employees are required to be in excavations or trenches 4 feet deep or more, an adequate means of exit, such as a ladder or steps, shall be provided and located within 25 feet of lateral travel. An earth ramp is acceptable providing all following requirements are met:~~

- ~~(a) The stability of the earth is adequate for good footing; and~~
- ~~(b) The total travel distance does not exceed 25 feet; and~~
- ~~(c) Adequate shoring or equivalent protection is provided for the entire escape route.~~

~~(6) When sloping does not extend to the bottom of the trench, shoring shall be required to support the vertical part of the trench. The shoring shall extend above the bottom of the slope a minimum of 18 inches to prevent material from sliding or rolling into the trench.~~

~~(7) Surface encumbrances. Trees, boulders, utility poles and other surface encumbrances, located to create a hazard to employees involved in excavation or trenching work or in the vicinity during operations, shall be removed or made safe before excavation or trenching is begun or continued.~~

~~(8) Installation and removal of support.~~

~~(a) Members of support systems shall be securely connected to prevent sliding, falling, kickouts, or other predictable failure.~~

~~(b) Support systems shall be installed and removed in a way that protects employees from cave-ins, structural collapses, or from other members of the support system.~~

~~(c) Individual members of support systems shall not be subjected to loads exceeding their design.~~

~~(d) Before removal of individual members begins, additional precautions shall be taken to ensure the safety of employees installing other structural members to carry the loads imposed on the support system may be required.~~

~~(e) Removal shall begin at the bottom of the excavation. Members shall be released slowly, noting any indication of possible failure of the remaining members or possible cave-in.~~

(f) Backfilling shall progress together with the removal of support systems from excavations.

(9) Physical barrier protection.

(a) Adequate physical barrier protection shall be provided at all re-otely located excavations or trenches.

(b) All wells, pits, shafts, etc., shall be barricaded or covered.

(c) Upon completion of exploration and similar operations, temporary wells, pits, shafts, etc., shall be completely backfilled.

(10) Inspections.

(a) Daily inspections of excavations, adjacent areas, and protective systems shall be made by a competent person for a situation that could result in cave-ins, failure of protective systems, or other hazardous conditions. An inspection shall be conducted by the competent person before the start of work and as needed throughout the shift. Inspections shall be made after every rainstorm or other hazard increasing occurrence.

(b) When the competent person finds evidence of a situation that could result in a possible cave-in, failure of protective systems or other hazardous conditions, exposed employees shall be removed from the area until the necessary precautions have been taken.

(11) Manufactured materials and equipment used for protective systems shall be used and maintained consistent with the manufacturer's recommendations.

(12) Stability of adjacent structures.

(a) Where the stability of adjoining buildings, walls, or other structures is endangered by excavation operations, support systems shall be provided to ensure their stability.

(b) Excavation below the level of the bases or footing of any foundation or retaining wall that could be reasonably expected to pose a hazard to employees shall not be permitted unless:

(i) A support system is provided to ensure the safety of employees and the stability of the structure; or

(ii) The excavation is in stable rock; or

(iii) A registered professional engineer has determined the structure is sufficiently removed from the excavation and unaffected by the excavation; or

(iv) A registered professional engineer has determined such excavation work will not pose a hazard to employees.

(c) Sidewalks, pavements, and other structures shall not be undermined unless a support system or another method of protection is provided to protect employees from the possible collapse.

(13) Underground utilities. Before opening an excavation or trench, underground utilities such as sewer, telephone, fuel, electric, water line, or other installations shall be located. The appropriate utility company shall be notified and requested to identify the exact location of the underground installation.

(a) Proper supports and precautions shall be provided for existing utility installations.

(b) When electric lines are of the direct burial type, a qualified person shall make positive identification of the cable.

(c) Mechanical excavating equipment shall maintain a 2 foot clearance from the direct burial cable.

(14) When excavation operations approach the location of underground installations, the exact location of the installations shall be determined by safe and acceptable means.

(15) While the excavation is open, underground installations shall be protected, supported, or removed as necessary to safeguard employees.

(16) Water main safeguards. When existing loop water mains are running laterally within two feet of the excavation or trench wall, the valve the greatest distance from the work site shall be closed.

(a) The exact location of the open valve and the valve key shall be given to the workers before they enter the excavation or trenches.

(b) The open valve location shall be marked and clear access to the valve maintained.

(17) Protection from hazards associated with water accumulation. Employees shall not work in excavations when water is accumulating unless adequate precautions have been taken to protect employees against the hazards of water accumulation. Precautions necessary to protect employees adequately vary with each situation, but could include special support, shield systems to protect from cave-ins, or water removal to control the water level.

(18) Surface water control. Diversion ditches, dikes, adequate drainage, or other suitable means shall be used next to the excavation or trench to prevent surface water from entering.

(19) Ramps and runways.

(a) Ramps or runways used for vehicles shall be of a width of not less than four feet wider than the vehicle used and shall be provided with:

(i) Timber guards no less than 8 inches by 8 inches placed parallel to and secured to the sides of the runway or ramp; or

(ii) Berms on earthen ramps; or

(iii) Other equivalent protection.

(b) All ramps and runways shall receive daily inspection, and shall be maintained in a safe and serviceable condition.

(c) Workers shall stay off ramps and runways when vehicles are passing over them.

(d) All ruts and holes shall be filled in, humps leveled off, and the runway or ramp made smooth.

(20) Walkway and bridge requirements. Where employees or equipment cross over excavations or trenches, walkways or bridges with standard guardrails shall be provided. Such walkways or bridges shall be designed and constructed by competent persons according to accepted engineering requirements and practices.

(21) Employees next to excavations, and not directly involved in the excavation work, shall be protected by standard guardrails or equivalent means to prevent their falling.

(22) Top person. No person shall be allowed to work in a trench over 4 feet in depth unless there is a top person in constant attendance. The top person shall be in addition to the equipment operator when the person in the trench is not in constant view of the equipment operator.

(23) Signalperson. Signalpersons shall be used to direct equipment when backfilling when the operator does not have a clear view of the excavation.

(24) Stop logs. When mobile equipment is used or allowed next to excavations or trenches, stop logs, or barricades shall be installed. Such devices shall not be required for equipment doing the actual excavating or backfilling operation.

(25) Dust control. Dust conditions shall be minimized by using water, or other effective means.

NEW SECTION

WAC 296-155-657 SLOPING SYSTEMS. (1) Scope and application. This section contains specifications for sloping used as a method of protecting employees working in excavations from cave-ins.

(2) Soil and rock deposits shall be classified according to WAC 296-155-664, Appendix A.

(3) Design of sloping systems. Slopes and configurations shall be selected and constructed by the employer or his designee and shall be according to the requirements of this section.

(4) Maximum allowable slope. The maximum allowable slope for soil or rock deposit shall be determined from Table 1.

(5) Actual slope.

(a) The actual slope shall not be steeper than the maximum allowable slope.

(b) The actual slope shall be less steep than the maximum allowable slope when there are signs of distress. If that situation occurs, the slope shall be cut back to an actual slope that is at least 1/2 horizontal to 1 vertical (1/2H:1V) less steep than the maximum allowable slope.

(c) When surcharge loads from stored material, equipment or traffic is present, a competent person shall determine the degree the actual slope must be reduced below the maximum allowable slope, and shall assure the reduction is achieved.

(6) Configurations. Configurations of sloping systems shall be according to Figures A-1 through D-6.

(7) Sloping systems. Employees shall not work on the faces of sloped excavations at levels above other employees unless employees at the lower levels are protected from the hazard of falling, rolling, sliding material, or equipment.

**TABLE 1
MAXIMUM ALLOWABLE SLOPES**

| SOIL OR ROCK TYPE | MAXIMUM ALLOWABLE SLOPES (H:V) ^[1] FOR EXCAVATIONS LESS THAN 20 FEET DEEP ^[2] |
|---|---|
| STABLE ROCK TYPE A TYPE B TYPE C | VERTICAL (90°) 3/4:1 (53°) 1:1 (45°) 1 1/2:1 (34°) |

NOTES:

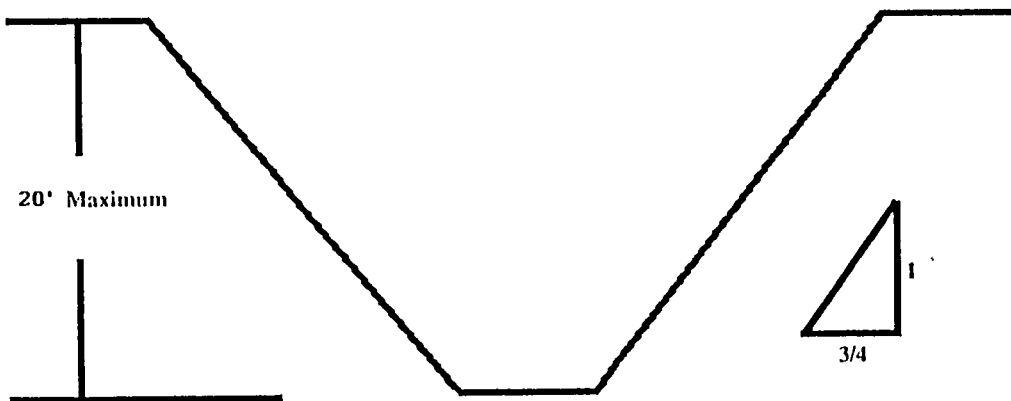
[1] Numbers shown in parentheses next to maximum allowable slopes are angles expressed in degrees from the horizontal. Angles have been rounded off.

[2] Sloping for excavations greater than 20 feet deep shall be designed by a registered professional engineer.

Figure A-1

Slope Configuration for *Type A Soil*

(All Slopes stated below are in the horizontal to vertical ratio)

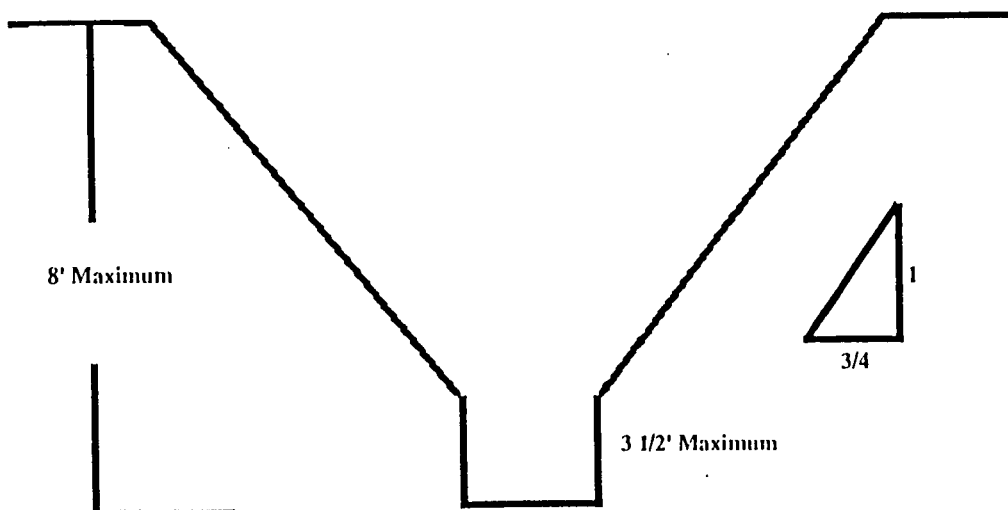


Simple Slope - General

1. Simple slope excavation 20 feet or less in depth shall have a maximum allowable slope of 3/4:1

Figure A-2

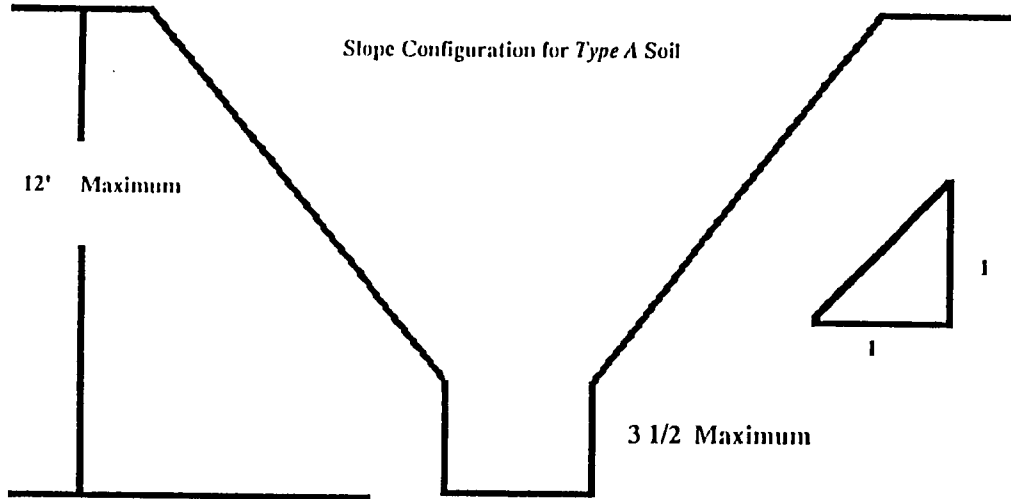
Slope Configuration for *Type A Soil*



Unsupported Vertically Sided Lower Portion -- Maximum 8 Feet in Depth

4. All excavations 8 feet or less in depth which have unsupported vertically sided lower portions shall have a maximum vertical side of 3 1/2 feet.

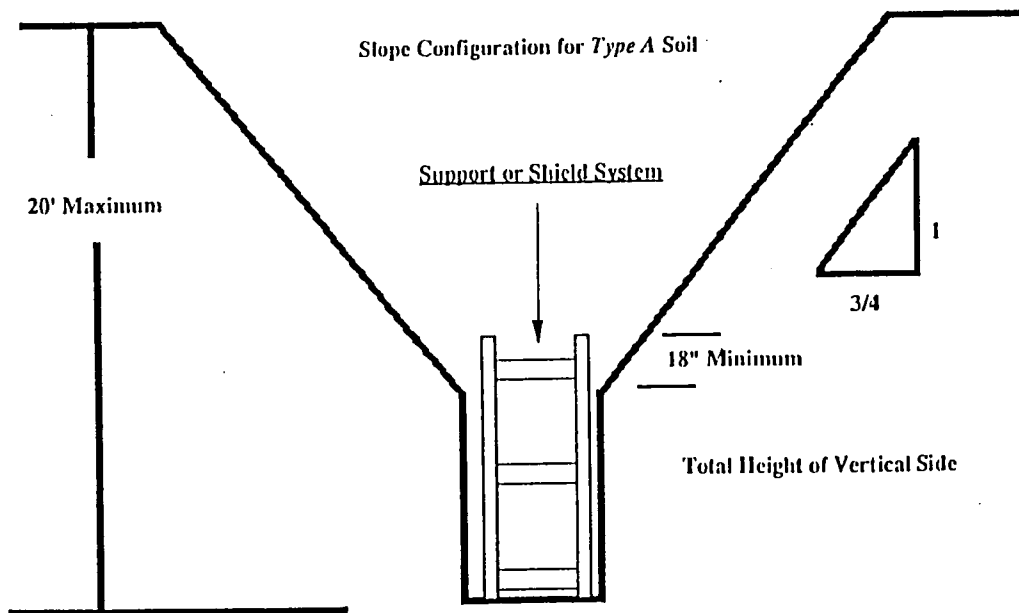
Figure A-3



Unsupported Vertically Sided Lower Portion--Maximum 12 Feet in Depth

5. All excavations more than 8 feet but not more than 12 feet in depth with unsupported vertically sided lower portions shall have a maximum allowable slope of 1:1 and a maximum vertical side of 3 1/2 feet.

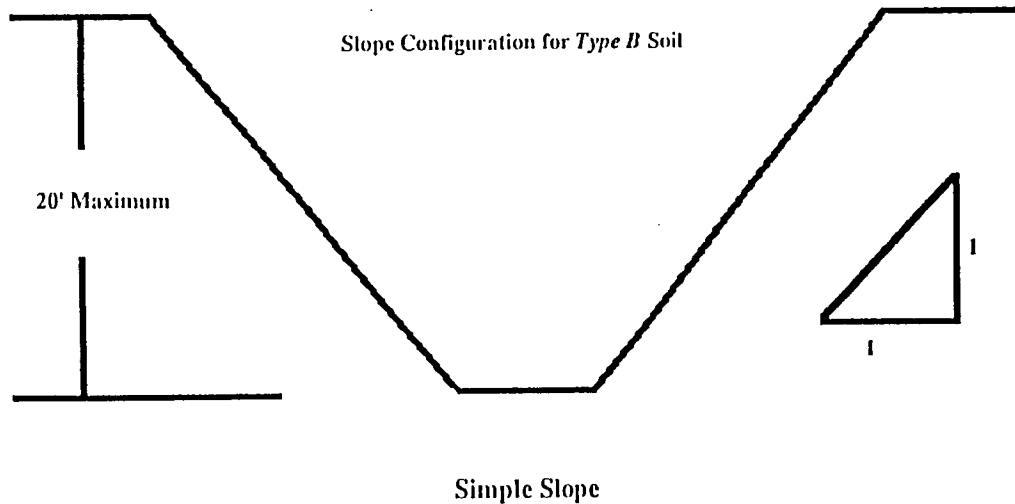
Figure A-4



Supported or Shielded Vertically Sided Lower Portion

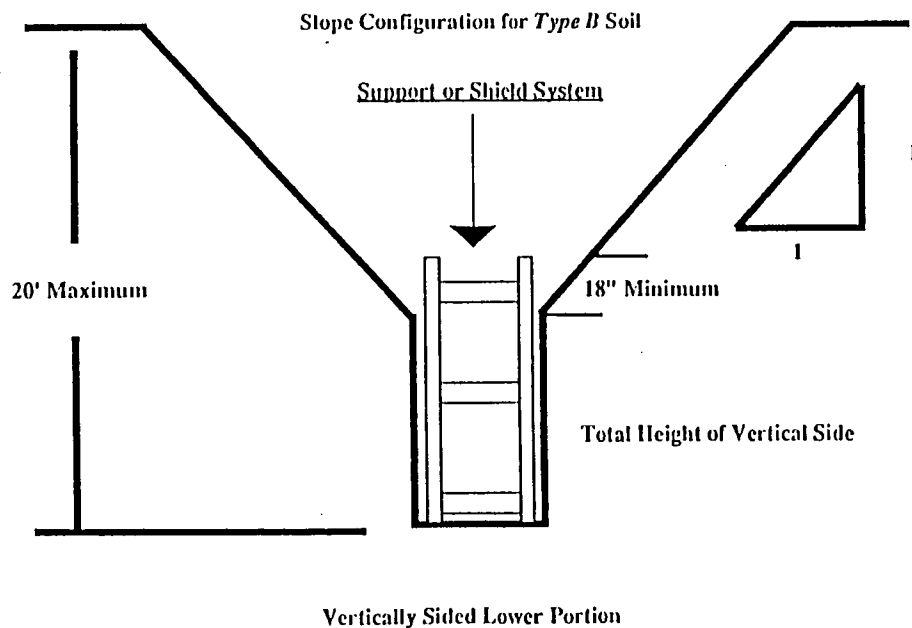
Excavations 20 feet or less in depth which have vertically sided lower portions that are supported or shielded shall have a maximum allowable slope of 3/4:1. The support or shield system must extend at least 18 inches above the top of the vertical side.

Figure B-1



1. All simple slope excavations 20 feet or less in depth shall have a maximum allowable slope of 1:1.

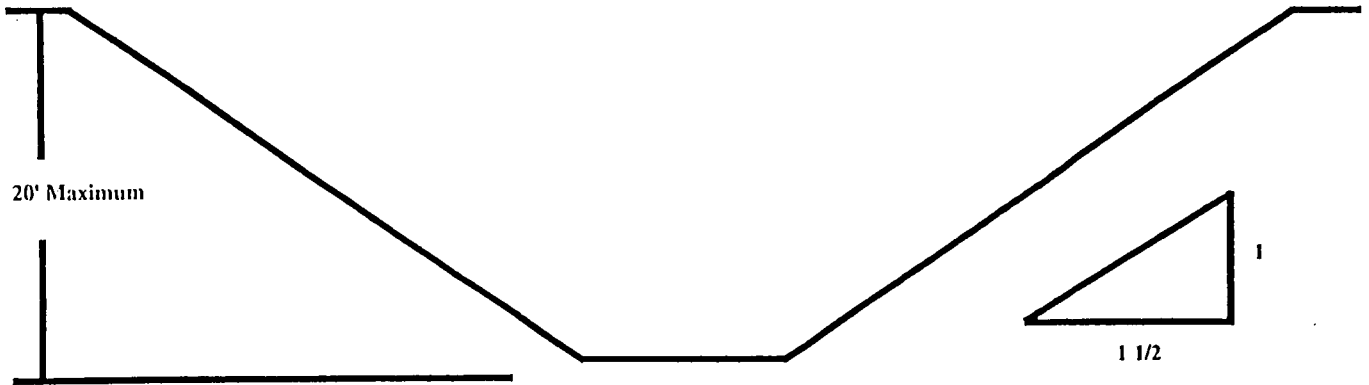
Figure B-2



Excavations 20 feet or less in depth which have vertically sided lower portions shall be shielded or supported to a height at least 18 inches above the top of the vertical side. All such excavations shall have a maximum allowable slope of 1:1.

Figure C-1

Slope Configuration for Type C Soil

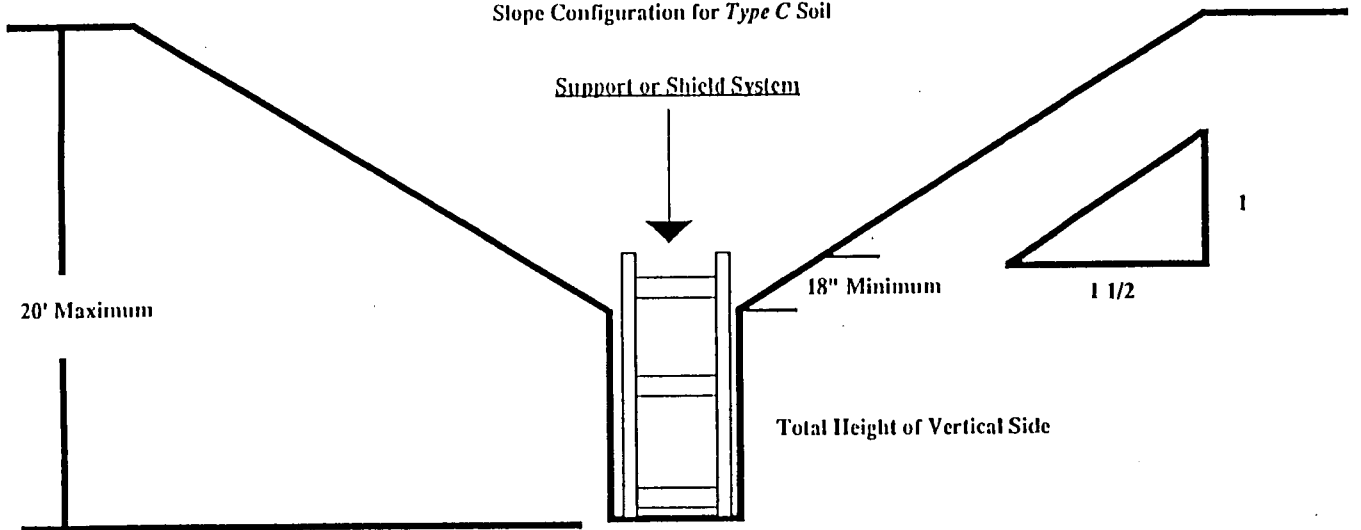


Simple Slope

1. Simple slope excavations 20 feet or less in depth shall have a maximum allowable slope of 1 1/2:1.

Figure C-2

Slope Configuration for Type C Soil



Vertically Sided Lower Portion

2. Excavations 20 feet or less in depth which have vertically sided lower portions shall be shielded or supported to a height at least 18 inches above the top of the vertical side. All such excavations shall have a maximum allowable slope of 1 1/2:1.

EXCAVATIONS MADE IN LAYERED SOILS

Excavations 20 feet or less in depth made in layered soils shall have a maximum allowable slope for each layer as set forth below:

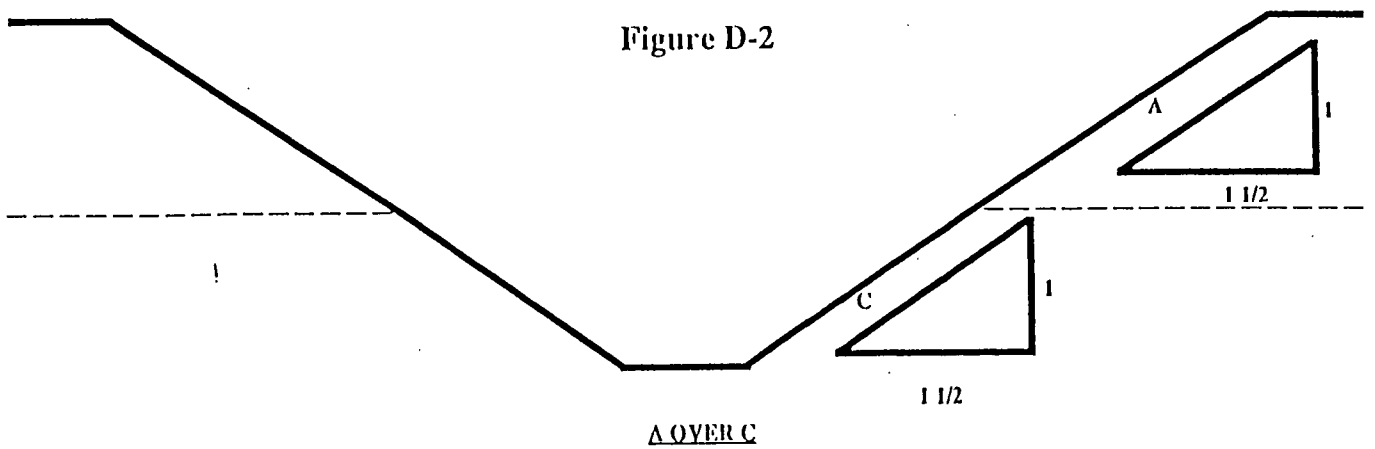
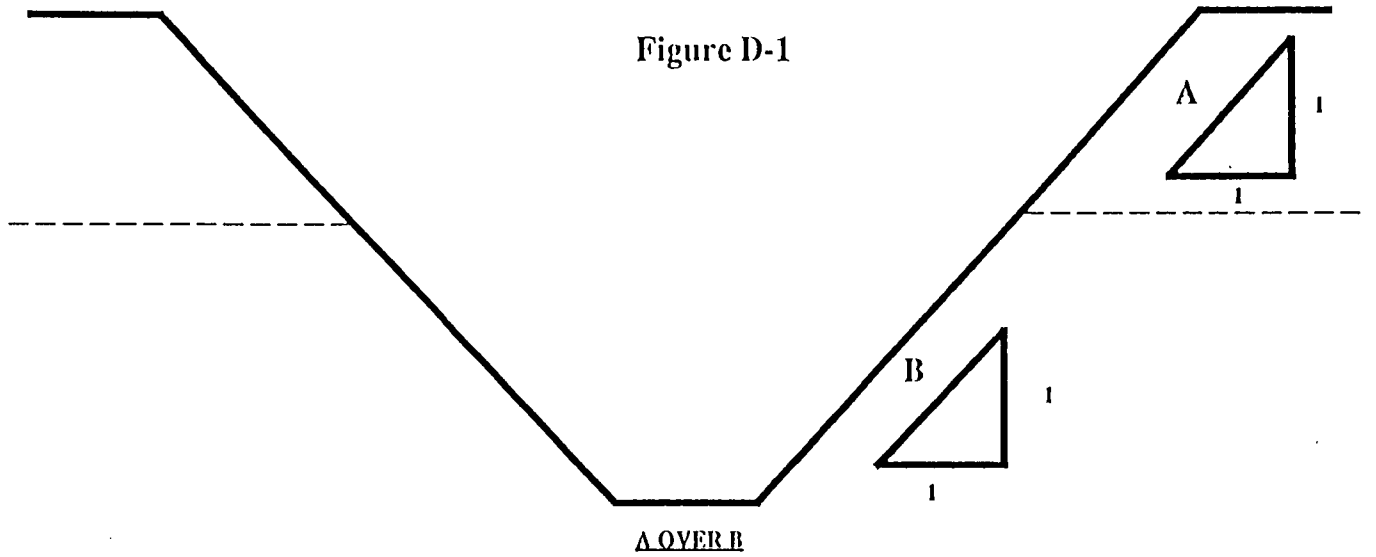


Figure D-3

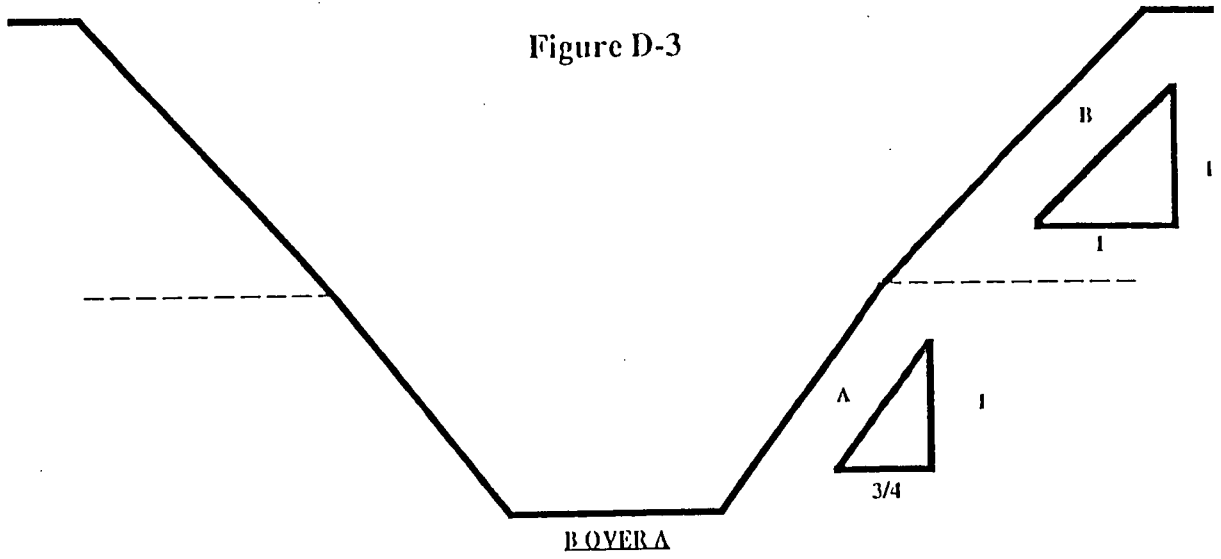


Figure D-4

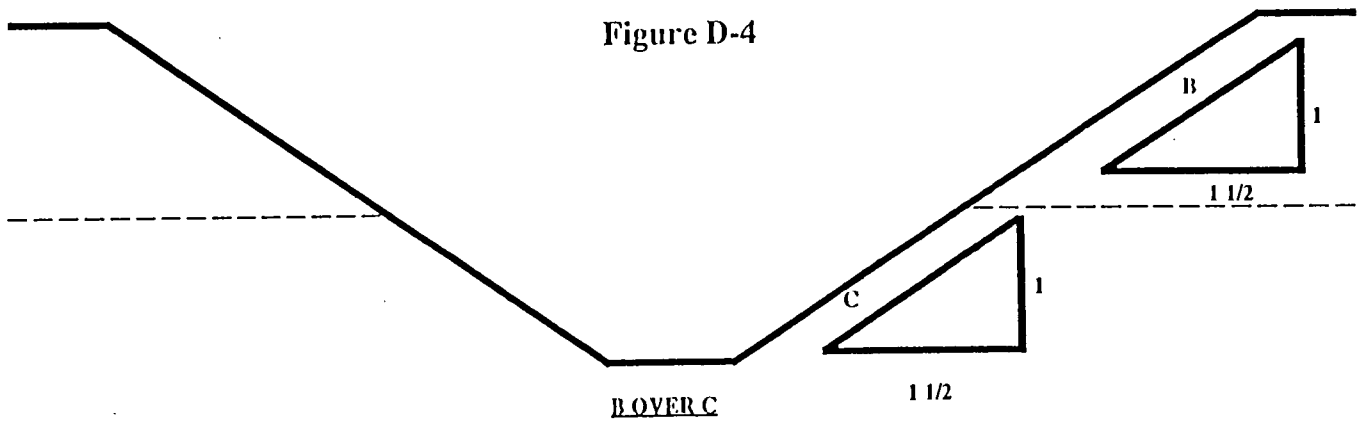


Figure D-5

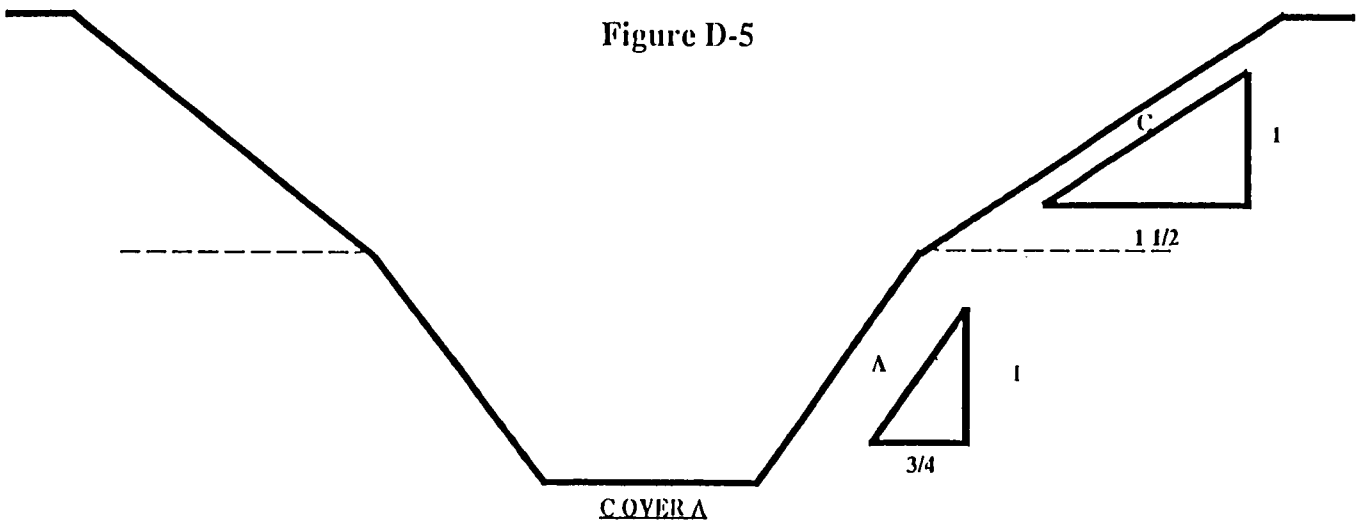
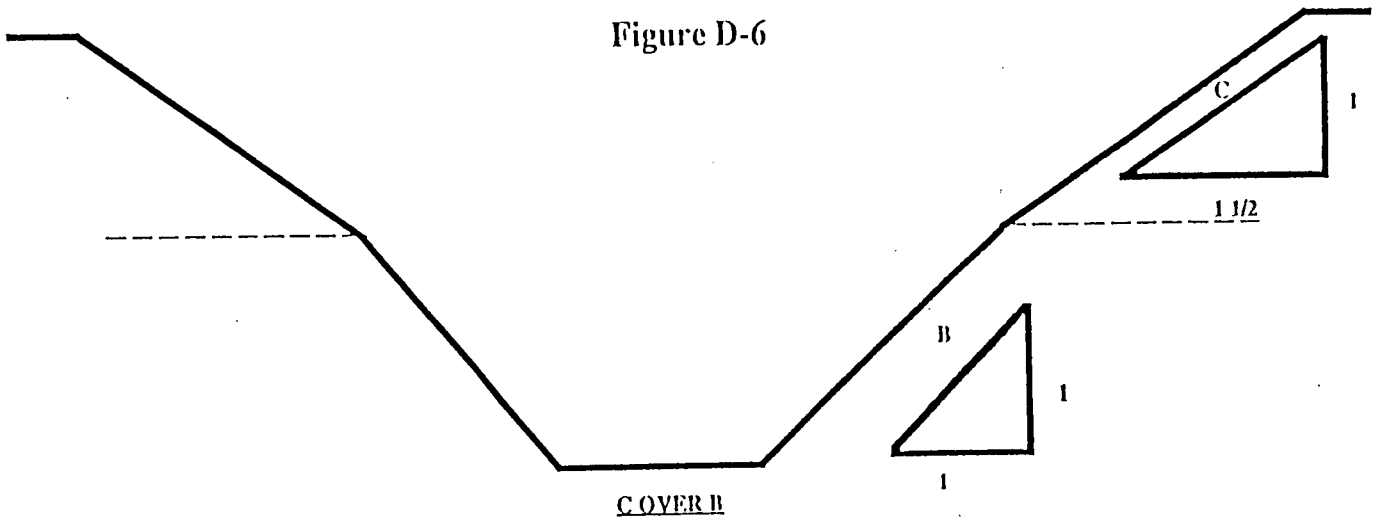


Figure D-6



NEW SECTION

WAC 296-155-66103 TIMBER SHORING FOR TRENCHES.

(1) Scope and application. This section shall be used when designing a timber shoring protective system. Shoring systems for use in situations that are not covered by this section shall be designed as specified in other sections of this part.

(2) Soil and rock deposits shall be classified according to WAC 296-166-664, Appendix A.

(3) Design of support systems. Support systems, shield systems, and other protective systems shall be selected and constructed by the employer or his designee.

(4) The support system shall extend to the bottom of the trench or excavation. The system shall be designed to resist the forces calculated for the full depth of the trench.

(5) Installation of a support system shall be closely coordinated with the excavation of trenches.

(6) When voids form in the sides or face of the trench, after placement of shoring or bracing, they shall be promptly filled with compacted material and blocking. Voids are filled to uniformly distribute the load onto the shoring or bracing.

(7) When any of the following conditions are present, the members specified in the tables are not considered adequate. Either an alternate timber shoring system must be designed or another type of protective system designed in accordance with WAC 296-155-66109.

(a) When loads imposed by structures or by stored material adjacent to the trench weigh in excess of the load imposed by a two-foot soil surcharge. (The term "adjacent" as used here means the area within a horizontal distance from the edge of the trench equal to the depth of the trench.)

(b) When vertical loads imposed on crossbraces exceed a 240-pound gravity load distributed on a one-foot section of the center of the crossbrace.

(c) When surcharge loads are present from equipment weighing more than 20,000 pounds.

(d) When only the lower portion of a trench is shored and the upper portion of the trench is sloped:

(i) The sloped portion shall be at an angle of at least 3 horizontal to 1 vertical; or

(ii) The shoring members shall be selected from the tables—for the total depth of the trench.

(8) Protective systems.

(a) The timber trench shoring system used in trenches or excavations shall be according to tables 1 through 3.

(b) When conditions are saturated or submerged tight sheeting shall be used.

(c) All spacing shall be measured center to center.

(d) Wales shall be installed with greater dimension horizontal.

(e) Trench jacks may be used instead of, or in combination with timber crossbraces.

(f) Placement of crossbraces. When the vertical spacing of crossbraces is 4 feet, place the top crossbrace no more than 2 feet below the top of the trench. When the vertical spacing of crossbraces is 5

feet, place the top crossbrace no more than 2.5 feet below the top of the trench.

(9) Plywood used shall be 1.125 inch thick softwood or 0.75 inch thick, 14 ply, arctic white birch (Finland form). Plywood is not intended as a structural member, but only for preservation of local raveling (sloughing of the trench face) between shores.

TABLE 1
TIMBER TRENCH SHORING -- MINIMUM TIMBER REQUIREMENTS*

SOIL TYPE A $P_n = 25 \times H + 72$ psf (2 ft. Surcharge)

| DEPTH OF TRENCH (FEET) | NOMINAL SIZE AND SPACING OF MEMBERS** | | | | | | | | | | | | | |
|------------------------|--|------------------------|---------|---------|----------|----------|----------------------|--------------|----------------------|---|--------|-------|--------|--------|
| | HORIZ. SPACING (FEET) | CROSS BRACES | | | | | VERT. SPACING (FEET) | WALES | | UPRIGHTS | | | | |
| | | WIDTH OF TRENCH (FEET) | | | | | | SIZE (IN) | VERT. SPACING (FEET) | MAXIMUM ALLOWABLE HORIZONTAL SPACING (FEET) | | | | |
| | | Up To 4 | Up To 6 | Up To 9 | Up To 12 | Up To 15 | | | | CLOSE | 4 | 5 | 6 | 8 |
| 4 TO 10 | Up To 6 | 4 X 4 | 4 X 4 | 4 X 4 | 4 X 4 | 4 X 6 | 4 | Not Required | Not Required | | | | 4 X 6 | |
| | Up To 8 | 4 X 4 | 4 X 4 | 4 X 4 | 4 X 4 | 4 X 6 | 4 | Not Required | Not Required | | | | | 4 X 8 |
| | Up To 10 | 4 X 6 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 4 | 8 X 8 | 4 | | | 4 X 6 | | |
| | Up To 12 | 4 X 6 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 4 | 8 X 8 | 4 | | | | 4 X 6 | |
| 10 TO 15 | Up To 6 | 4 X 4 | 4 X 4 | 4 X 4 | 6 X 6 | 6 X 6 | 4 | Not Required | Not Required | | | | | 4 X 10 |
| | Up To 8 | 4 X 6 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 4 | 6 X 8 | 4 | | 4 X 6 | | | |
| | Up To 10 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 4 | 8 X 8 | 4 | | | 4 X 8 | | |
| | Up To 12 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 4 | 8 X 10 | 4 | | 4 X 6 | | 4 X 10 | |
| 15 TO 20 | Up To 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 4 | 6 X 8 | 4 | 3 X 6 | | | | |
| | Up To 8 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 4 | 8 X 8 | 4 | 3 X 6 | 4 X 12 | | | |
| | Up To 10 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 8 | 4 | 8 X 10 | 4 | 3 X 6 | | | | |
| | Up To 12 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 8 | 6 X 8 | 4 | 8 X 12 | 4 | 3 X 6 | 4 X 12 | | | |
| OVER 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | | | | | | | | | | |

* Douglas Fir or Equivalent with a Bending Strength not less than 1500 psi.
** Manufactured Members of Equivalent Strength may be Substituted for Wood.

TABLE 2
TIMBER TRENCH SHORING -- MINIMUM TIMBER REQUIREMENTS*

SOIL TYPE B $P_a = 45 \times H + 72$ psf (2 ft. Surcharge)

| DEPTH OF TRENCH (FEET) | NOMINAL SIZE AND SPACING OF MEMBERS** | | | | | | | | | | | | | |
|------------------------|--|------------------------|---------|---------|----------|----------|----------------------|-----------|----------------------|---|--------|-----------------|-------|--------|
| | HORIZ. SPACING (FEET) | CROSS BRACES | | | | | VERT. SPACING (FEET) | WALES | | UPRIGHTS | | | | |
| | | WIDTH OF TRENCH (FEET) | | | | | | SIZE (IN) | VERT. SPACING (FEET) | MAXIMUM ALLOWABLE HORIZONTAL SPACING (FEET) | | | | |
| | | Up To 4 | Up To 6 | Up To 9 | Up To 12 | Up To 15 | | | | CLOSE | 2 | 3 | 4 | 6 |
| 4 TO 10 | Up to 6 | 4 X 6 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 5 | 6 X 8 | 5 | | | 3 X 12 4 X 8 | | 4 X 12 |
| | Up to 8 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 5 | 8 X 8 | 5 | | 3 X 8 | | 4 X 8 | |
| | Up to 10 See Note 1 | 4 X 6 | 4 X 6 | 6 X 6 | 6 X 6 | 6 X 8 | 5 | 8 X 10 | 5 | | | 4 X 8 | | |
| 10 TO 15 | Up to 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 8 | 6 X 8 | 5 | 8 X 8 | 5 | 3 X 6 | 4 X 10 | | | |
| | Up to 8 | 6 X 8 | 6 X 8 | 6 X 8 | 8 X 8 | 8 X 8 | 5 | 10 X 10 | 5 | 3 X 6 | 4 X 10 | | | |
| | Up to 10 See Note 1 | 6 X 8 | 6 X 8 | 8 X 8 | 8 X 8 | 8 X 8 | 5 | 10 X 12 | 5 | 3 X 6 | 4 X 10 | | | |
| 15 TO 20 | Up to 6 | 6 X 8 | 6 X 8 | 6 X 8 | 6 X 8 | 8 X 8 | 5 | 8 X 10 | 5 | 4 X 6 | | | | |
| | Up to 8 | 6 X 8 | 6 X 8 | 6 X 8 | 8 X 8 | 8 X 8 | 5 | 10 X 12 | 5 | 4 X 6 | | | | |
| | Up to 10 See Note 1 | 8 X 8 | 8 X 8 | 8 X 8 | 8 X 8 | 8 X 8 | 5 | 12 X 12 | 5 | 4 X 6 | | | | |
| OVER 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | | | | | | | | | | |

* Douglas Fir or Equivalent with a Bending Strength not less than 1500 psi.
** Manufactured Members of Equivalent Strength may be Substituted for Wood.

TABLE 3
TIMBER TRENCH SHORING -- MINIMUM TIMBER REQUIREMENTS*

SOIL TYPE C $P_a = 80 \times H + 72$ psf (2 ft. Surcharge)

| DEPTH OF TRENCH (FEET) | NOMINAL SIZE AND SPACING OF MEMBERS** | | | | | | | | | | | | | |
|------------------------|--|------------------------|---------|---------|----------|----------|----------------------|-----------|----------------------|---|---|---|--|--|
| | HORIZ. SPACING (FEET) | CROSS BRACES | | | | | VERT. SPACING (FEET) | WALES | | UPRIGHTS | | | | |
| | | WIDTH OF TRENCH (FEET) | | | | | | SIZE (IN) | VERT. SPACING (FEET) | MAXIMUM ALLOWABLE HORIZONTAL SPACING (FEET) | | | | |
| | | Up To 4 | Up To 6 | Up To 9 | Up To 12 | Up To 15 | | | | CLOSE | 2 | 3 | | |
| 4 TO 10 | Up to 6 | 6 X 6 | 6 X 6 | 6 X 6 | 6 X 6 | 8 X 8 | 5 | 8 X 8 | 5 | 3 X 6 | | | | |
| | Up to 8 | 6 X 6 | 6 X 6 | 6 X 6 | 8 X 8 | 8 X 8 | 5 | 10 X 10 | 5 | 3 X 6 | | | | |
| | Up to 10 | 6 X 6 | 6 X 6 | 8 X 8 | 8 X 8 | 8 X 8 | 5 | 10 X 12 | 5 | 3 X 6 | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| 10 TO 15 | Up to 6 | 6 X 8 | 6 X 8 | 6 X 8 | 8 X 8 | 8 X 8 | 5 | 10 X 10 | 5 | 4 X 6 | | | | |
| | Up to 8 | 8 X 8 | 8 X 8 | 8 X 8 | 8 X 8 | 8 X 8 | 5 | 12 X 12 | 5 | 4 X 6 | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| 15 TO 20 | Up to 6 | 8 X 8 | 8 X 8 | 8 X 8 | 8 X 10 | 8 X 10 | 5 | 10 X 12 | 5 | 4 X 6 | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| | See Note 1 | | | | | | | | | | | | | |
| OVER 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | | | | | | | | | | |

* Douglas Fir or Equivalent with a Bending Strength not less than 1500 psi.

** Manufactured Members of Equivalent Strength may be Substituted for Wood.

NEW SECTION

WAC 296-155-66105 ALUMINUM HYDRAULIC SHORING FOR TRENCHES. (1) Scope. This section shall be used for the design of an aluminum hydraulic protective system when the trench does not exceed 20 feet in depth.

(2) Soil and rock deposits shall be classified according to WAC 296-155-664 Appendix A.

(3) Tables D-1 through D-4 shall be used for an aluminum hydraulic shoring system.

(a) All spacing indicated shall be measured center to center.

(b) Vertical shoring rails shall have a minimum section modulus of 0.40 inch.

(c) When vertical shores are used, there must be a minimum of 3 shores spaced equally, horizontally, in a group.

(d) Plywood shall be 1.125 inch thick softwood or 0.75 inch thick, 14 ply, arctic white birch (Finland form). Plywood is not intended as a structural member, only for prevention of local raveling (sloughing of the trench face) between shores.

(4) When any of the following conditions are present, the members specified in the tables are not considered adequate. Here the aluminum hydraulic shoring system or other type of protective system shall be designed using manufacturer's data or designed according to WAC 296-155-66109.

(a) When vertical loads imposed on crossbraces exceed a 100-pound gravity load distributed on a one-foot section of the center of the hydraulic cylinder.

(b) When surcharge loads are present from equipment weighing more than 20,000 pounds.

(c) When only the lower portion of a trench is shored and the upper portion of the trench is sloped:

(i) The sloped portion shall be at an angle of at least 3 horizontal to 1 vertical; or

(ii) The shoring members shall be selected from the tables for the total depth of the trench.

(5) Hydraulic cylinders capacities.

(a) Two-inch cylinders shall be a minimum 2-inch inside diameter with a safe working capacity of not less than 18,000 pounds axial compressive load at maximum extension. Maximum extension is to include full range of cylinder extensions as recommended by product manufacturer.

(b) Three-inch cylinders shall be a minimum 3-inch inside diameter with a safe work capacity of not less than 30,000 pounds axial compressive load at maximum extension. Maximum extension is to include full range of cylinder extensions as recommended by product manufacturer.

(6) Shield systems.

(a) Shield systems shall be designed by a registered professional engineer.

(b) Shield systems shall be designed to resist the forces calculated for the full depth of the trench.

(c) Plans and calculations prepared by the registered professional engineer shall be made available at the work site to the director or authorized representative.

(d) The employer shall establish a permanent means of identifying the shield system.

(e) Shield systems shall not be subjected to loads exceeding those the system is designed to withstand.

(f) Shields shall be installed to restrict lateral or other hazardous movements if sudden lateral loads are applied.

(g) Employees shall be protected from the hazard of cave-ins when entering or exiting the areas protected by shields.

(h) Employees shall not be allowed in shields when shields are being installed, removed, or moved vertically.

(i) Shields shall extend to the bottom of the trench.

TABLE D - 1
ALUMINUM HYDRAULIC SHORING
VERTICAL SHORES
FOR SOIL TYPE A

| Depth of Trench (Feet) | Maximum Horizontal Spacing (Feet) | Maximum Vertical Spacing (Feet) | Hydraulic Cylinders | | |
|------------------------|---|---------------------------------|------------------------|---------------------------------|------------------|
| | | | Width of Trench (Feet) | | |
| | | | Up to 8 | Over 8 Up to 12 | Over 12 Up to 15 |
| Over 4 Up to 10 | 8 | 4 | 2 INCH DIAMETER | 2 INCH DIAMETER See NOTE (1) | 3 INCH DIAMETER |
| Over 10 Up to 15 | 8 | | | | |
| Over 15 Up to 20 | 7 | | | | |
| Over 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | |

NOTE (1): 2 inch diameter cylinders, at this width, shall have structural steel tube (3.5 X 3.5 X 0.1875) oversleeves, or structural oversleeves of manufacturer's specification, extending the full, collapsed length.

TABLE D - 2
ALUMINUM HYDRAULIC SHORING
VERTICAL SHORES
FOR SOIL TYPE B

| Depth of Trench (Feet) | Maximum Horizontal Spacing (Feet) | Maximum Vertical Spacing (Feet) | Hydraulic Cylinders | | |
|------------------------|---|---------------------------------|------------------------|---------------------------------|------------------|
| | | | Width of Trench (Feet) | | |
| | | | Up to 8 | Over 8 Up to 12 | Over 12 Up to 15 |
| Over 4 Up to 10 | 8 | 4 | 2 INCH DIAMETER | 2 INCH DIAMETER See NOTE (1) | 3 INCH DIAMETER |
| Over 10 Up to 15 | 6.5 | | | | |
| Over 15 Up to 20 | 5.5 | | | | |
| Over 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | |

NOTE (1): 2 inch diameter cylinders, at this width, shall have structural steel tube (3.5 X 3.5 X 0.1875) oversleeves, or structural oversleeves of manufacturer's specification, extending the full, collapsed length.

TABLE D - 3
ALUMINUM HYDRAULIC SHORING
WALER SYSTEMS
FOR SOIL TYPE B

| Depth of Trench (Feet) | Wales | | Hydraulic Cylinders | | | | | | Timber Uprights | | |
|------------------------|--|-------------------------------------|------------------------|-------------------|-------------------|-----------------------------|--------------------|-------------------|-------------------------------------|--------|--------|
| | Vertical Spacing (Feet) | Section* Modulus (In ³) | Width of Trench (Feet) | | | | | | Max. Horizontal Spacing (on Center) | | |
| | | | Up to 8 | | Over 8 - Up to 12 | | Over 12 - Up to 15 | | Solid Sheet | 2 Feet | 3 Feet |
| | | | Horiz. Spacing | Cylinder Diameter | Horiz. Spacing | Cylinder Diameter | Horiz. Spacing | Cylinder Diameter | | | |
| Over 4 Up to 10 | 4 | 3.5 | 8.0 | 2 IN | 8.0 | 2 IN <i>See Note (1)</i> | 8.0 | 3 IN | — | — | 3 X 12 |
| | | 7.0 | 9.0 | 2 IN | 9.0 | 2 IN <i>See Note (1)</i> | 9.0 | 3 IN | | | |
| | | 14.0 | 12.0 | 3 IN | 12.0 | 3 IN | 12.0 | 3 IN | | | |
| Over 10 Up to 15 | 4 | 3.5 | 6.0 | 2 IN | 6.0 | 2 IN <i>See Note (1)</i> | 6.0 | 3 IN | — | 3 X 12 | — |
| | | 7.0 | 8.0 | 3 IN | 8.0 | 3 IN | 8.0 | 3 IN | | | |
| | | 14.0 | 10.0 | 3 IN | 10.0 | 3 IN | 10.0 | 3 IN | | | |
| Over 15 Up to 20 | 4 | 3.5 | 5.5 | 2 IN | 5.5 | 2 IN <i>See Note (1)</i> | 5.5 | 3 IN | 3 X 12 | — | — |
| | | 7.0 | 6.0 | 3 IN | 6.0 | 3 IN | 6.0 | 3 IN | | | |
| | | 14.0 | 9.0 | 3 IN | 9.0 | 3 IN | 9.0 | 3 IN | | | |
| Over 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | | | | | | | |

NOTE (1): 2 inch diameter cylinders, at this width, shall have structural steel tube (3.5 X 3.5 X 0.1875) oversleeves, or structural oversleeves of manufacturer's specification, extending the full, collapsed length.

*Consult product manufacturer and/or qualified engineer for Section Modulus of available wales.

TABLE D - 4
ALUMINUM HYDRAULIC SHORING
WALER SYSTEMS
FOR SOIL TYPE C

| Depth of Trench (Feet) | Wales | | Hydraulic Cylinders | | | | | | Timber Uprights | | |
|------------------------|--|-------------------------------------|------------------------|-------------------|-------------------|-----------------------------|--------------------|-------------------|-------------------------------------|--------|--------|
| | Vertical Spacing (Feet) | Section* Modulus (In ³) | Width of Trench (Feet) | | | | | | Max. Horizontal Spacing (on Center) | | |
| | | | Up to 8 | | Over 8 - Up to 12 | | Over 12 - Up to 15 | | Solid Sheet | 2 Feet | 3 Feet |
| | | | Horiz. Spacing | Cylinder Diameter | Horiz. Spacing | Cylinder Diameter | Horiz. Spacing | Cylinder Diameter | | | |
| Over 4 Up to 10 | 4 | 3.5 | 6.0 | 2 IN | 6.0 | 2 IN <i>See Note (1)</i> | 6.0 | 3 IN | 3 X 12 | — | — |
| | | 7.0 | 6.5 | 2 IN | 6.5 | 2 IN <i>See Note (1)</i> | 6.5 | 3 IN | | | |
| | | 14.0 | 10.0 | 3 IN | 10.0 | 3 IN | 10.0 | 3 IN | | | |
| Over 10 Up to 15 | 4 | 3.5 | 4.0 | 2 IN | 4.0 | 2 IN <i>See Note (1)</i> | 4.0 | 3 IN | 3 X 12 | — | — |
| | | 7.0 | 5.5 | 3 IN | 5.5 | 3 IN | 5.5 | 3 IN | | | |
| | | 14.0 | 8.0 | 3 IN | 8.0 | 3 IN | 8.0 | 3 IN | | | |
| Over 15 Up to 20 | 4 | 3.5 | 3.5 | 2 IN | 3.5 | 2 IN <i>See Note (1)</i> | 3.5 | 3 IN | 3 X 12 | — | — |
| | | 7.0 | 5.0 | 3 IN | 5.0 | 3 IN | 5.0 | 3 IN | | | |
| | | 14.0 | 6.0 | 3 IN | 6.0 | 3 IN | 6.0 | 3 IN | | | |
| Over 20 | Protective systems for trenches over 20 feet shall be designed by a registered professional engineer. See WAC 296-155-655(1) | | | | | | | | | | |

NOTE (1): 2 inch diameter cylinders, at this width, shall have structural steel tube (3.5 X 3.5 X 0.1875) oversleeves, or structural oversleeves of manufacturer's specification, extending the full, collapsed length.

*Consult product manufacturer and/or qualified engineer for Section Modulus of available wales.

NEW SECTION

WAC 296-155-66109 APPROVAL OR DESIGN BY A REGISTERED PROFESSIONAL ENGINEER. (1) Sloping systems, support systems, shield systems, or other protective systems not meeting the requirements of this part shall be approved by a registered professional engineer. Approval or designs shall be in written form and shall include the following:

(a) The magnitude of the slopes that were determined to be safe for the particular project and the configurations that were determined to be safe for the project; or a plan indicating the sizes, types, and configurations of the materials to be used in the protective system.

(b) The identity of the registered professional engineer approving the design.

(c) A copy of the approval or design shall be maintained at the work site and made available to the director or the authorized representative of the director upon request.

(2) Excavations not meeting the requirements of this part which are approved by a registered professional engineer shall be monitored as follows:

(a) The registered professional engineer shall inspect the work site at the beginning of each shift, after any change in weather conditions, and after any change in the circumstances of adjacent property.

(b) The registered professional engineer shall make a written report of each inspection, the report shall be kept on file at the work site, and the report shall be made available to the director or the authorized representative of the director upon request.

(c) All recommendations of the registered professional engineer regarding the excavation and soil conditions shall be followed.

NEW SECTION

WAC 296-155-664 APPENDIX A—SOIL CLASSIFICATION.

(1) Scope and application—Scope. This appendix describes a method of classifying soil and rock deposits based on site and environmental conditions, and on the structure and composition of the earth deposits. The appendix contains definitions, sets forth requirements, and describes acceptable visual and manual tests for use in classifying soils.

(2) This appendix applies when constructing or using a protective system according to the requirements set forth in this part.

(3) Definitions. The definitions and examples below are based on the American Society for Testing Materials (ASTM) Standards D653-85 and D2488: The Unified Soils Classification System, U.S. Department of Agriculture (USDA) Textural Classification Scheme, and The National Bureau of Standards Report BSS-121.

(a) Cemented soil. A soil where the particles are held together by a chemical agent, such as calcium carbonate. A hand-size sample cannot be crushed into powder or individual soil particles by finger pressure.

(b) Cohesive soil. Dry clay (fine grained soil), or soil with a high clay content, which has cohesive strength. Cohesive soil does not crumble, can be excavated with vertical sideslopes, and is plastic when moist. Cohesive soil is hard to break up when dry, and exhibits significant cohesion when submerged. Cohesive soils include clayey silt, sandy clay, clay and organic clay.

(c) Dry soil. Soil that does not exhibit visible signs of moisture content.

(d) Fissured. A soil material that tends to break along definite planes of fracture with little resistance, or a material that exhibits open cracks, such as tension cracks, in an exposed surface.

(e) Granular soil. Gravel, sand, or silt, (coarse grained soil) with little or no clay content. Granular soil lacks no cohesive strength. Some moist granular soils exhibit apparent cohesion. Granular soil cannot be molded when moist and crumbles easily when dry.

(f) Layered system. Two or more distinctly different soil or rock types arranged in layers. Micaceous seams or weakened planes in rock or shale are considered layered.

(g) Moist soil. A condition in which a soil looks and feels damp. Moist cohesive soil can easily be shaped into a ball and rolled into small diameter threads before crumbling. Moist granular soil that contains some cohesive material will exhibit signs of cohesion between particles.

(h) Plastic. A property of a soil that allows the soil to be deformed or molded without cracking, or appreciable volume change.

(i) Saturated soil. A soil in which the voids are filled with water. Saturation does not require flow. Saturation, or near saturation, is necessary for the proper use of instruments such as a pocket penetrometer or shear vane.

(j) Soil classification system. This section categorizes rock and soil into stable rock, type A, B, and C soils, in decreasing order of stability. Categories are based on properties analysis, performance characteristics, and environmental conditions.

(k) Stable rock. Natural solid mineral matter that can be excavated with vertical sides and remain intact while exposed.

(l) Submerged soil. Soil which is underwater or is free seeping.

(m) Type A. Cohesive soils with an unconfined compressive strength of 1.5 ton per square foot (tfs) or greater. Examples of cohesive soils are clay, silty clay, sandy clay, clay loam and, sometimes, silty clay loam and sandy clay loam. Cemented soils such as caliche and hardpan are also considered Type A. No soil is Type A if:

(i) The soil is fissured; or

(ii) The soil is subject to vibration from heavy traffic, pile driving, or similar effects; or

(iii) The soil has been previously disturbed; or

(iv) The soil is part of a sloped, layered system where the layers dip into the excavation on a slope of 4 horizontal to 1 vertical (4H:1V) or greater; or

(v) The material is subject to other factors that would require it to be classified as a less stable material.

(n) Type B.

(i) Cohesive soil with an unconfined compressive strength greater than 0.5 tsf, but less than 1.5 tfs; or

(ii) Granular cohesionless soils including angular gravel (similar to crushed rock), silt, silt loam, sand loam and, sometimes, silty clay loam and sandy clay loam.

(iii) Previously disturbed soils except those that would otherwise be classified as Type C soil.

(iv) Soil that meets the unconfined compressive strength or cementation requirements for Type A, but is fissured or subject to vibration: or

(v) Dry rock that is not stable; or

(vi) A sloped, layered system where the layers dip into the excavation on a slope less than 4 horizontal to 1 vertical (4H:1V), but only if the material would otherwise be classified as Type B.

(o) Type C.

(i) Granular soils including gravel, sand, and loamy sand; or

(ii) Granular soils including gravel, sand, and loamy sand; or

(iii) Submerged soil or soil from which water is freely seeping; or

(iv) Submerged rock that is not stable; or

(v) Material in a sloped, layered system where the layers dip into the excavation on a slope of 4 horizontal to 1 vertical (4H:1V) or steeper.

(p) Unconfined compressive strength. The load per unit area at which a soil will fail in compression. It can be determined by laboratory testing, or estimated in the field using a pocket penetrometer, by thumb penetration tests, and other methods.

(q) Wet soil. Soil that contains significantly more moisture than moist soil, but in such a range of values that cohesive material will slump or begin to flow when vibrated. Granular material that would exhibit cohesive properties when moist will lose those cohesive properties when wet.

(4) Requirements—Classification of soil and rock deposits.

(a) Each soil and rock deposit shall be classified by a competent person as Stable Rock, Type A, B, or C according to the definitions set forth in subsection (3) of this appendix.

(b) Basis of classification. The classification of the deposits shall be made based on the results of at least one visual and at least one manual analysis. Such analyses shall be conducted by a competent person using tests in subsection (5) or in other recognized methods of soil classification and testing such as those adopted by the American Society for Testing Materials, or the U.S. Department of Agriculture textural classification system.

(c) Visual and manual analyses. The visual and manual analyses, such as noted in subsection (5) of this appendix, shall be designed and conducted to provide quantitative and qualitative information necessary to identify properly the properties, factors, and conditions affecting the classification of deposits.

(d) Layered systems. In a layered system, the system shall be classified according to its weakest layer. Each layer may be classified individually where a more stable layer lies under a less stable layer.

(e) Reclassification. If, after classifying a deposit, the properties, factors, or conditions affecting its classification change in any way, the changes shall be evaluated by a competent person. The deposit shall be reclassified as necessary to reflect the changed circumstances.

(5) Acceptable visual and manual tests.

(a) Visual tests. Visual analysis is conducted to determine qualitative information regarding the excavation site soil next to the excavation, soil at the sides of the excavation, and the soil taken as samples from excavated material.

(i) Observe samples of soil that are excavated and soil in the sides of the excavation. Estimate the range of particle sizes and the relative amounts of the particle sizes. Soil that is primarily composed of fine-grained material is cohesive material. Soil composed primarily of coarse-grained sand or gravel is granular material.

(ii) Observe soil as it is excavated. Soil that remains in clumps when excavated is cohesive. Soil that breaks up easily and does not stay in clumps is granular.

(iii) Observe the side of the opened excavation and the surface area by the excavation. Crack-like openings such as tension cracks could suggest fissured material. If chunks of soil spall off a vertical side, the soil could be fissured. Small spalls are evidence of moving ground and are indications of potentially hazardous situations.

(iv) Observe the area by the excavation and the excavation itself for evidence of existing utility and other underground structures, and to identify previously disturbed soil.

(v) Observe the opened side of the excavation to identify layered systems. Examine layered systems to identify if the layers slope toward the excavation. Estimate the degree of slope of the layers.

(vi) Observe the excavation and sides of the excavation for evidence of surface water, water seeping from the sides of the excavation, or the level of the water table.

(vii) Observe the area by the excavation and the area within the excavation for sources of vibration that may affect the stability of the excavation face.

(b) Manual tests. Manual analysis of soil samples is conducted to find quantitative, also, qualitative properties of soil and to provide more information in order to classify soil properly.

(i) Plasticity. Mold a moist or wet sample of soil into a ball and attempt rolling it into threads as thin as 1/8-inch in diameter. Cohesive material can be successfully rolled into threads without crumbling. For example, if at least a 2 inch length of 1/8-inch thread can be held on one end without tearing, the soil is cohesive.

(ii) Dry strength. If the soil is dry and crumbles on its own or with moderate pressure into grains or fine powder, it is granular (any combination of gravel, sand, or silt). If the soil is dry, falls into clumps that break into smaller clumps, and those clumps are broken with difficulty, it may be clay with gravel, sand or silt. If dry soil clumps are broken with difficulty into smaller clumps, and there is no indication the soil is fissured, it may be considered unfissured.

(iii) Thumb penetration. The thumb penetration test can be used to estimate the unconfined compressive strength of cohesive soils. (This test is based on the thumb penetration test described in American Society for Testing and Materials (ASTM) Standard designation D2488—"Standard Recommended Practice for Description of Soils (Visual—Manual Procedure).") Type A soils with an unconfined compressive strength of 1.5 tsf can be readily indented by the thumb and penetrated by the thumb with great effort. Type C soils with an unconfined compressive strength of 0.5 tsf can be easily penetrated several inches by the thumb, and can be molded by light finger pressure. This test should be conducted on an undisturbed soil sample, such as a large clump of spoil, soon after excavation to keep drying effects to a minimum. If the excavation is later exposed to wetting (rain, flooding), the classification of the soil must be changed accordingly.

(iv) Other strength tests. Estimates of unconfined compressive strength of soils also can be obtained by use of a pocket penetrometer or by using a hand-operated shear vane.

(v) Drying test. The basic purpose of the drying test is to differentiate between cohesive material with fissures, unfissured cohesive material, and granular material. The procedure for the drying test involves drying a sample of soil that is approximately 1 inch thick and 6 inches in diameter until it is thoroughly dry:

(A) If the sample develops cracks as it dries, significant fissures are indicated.

(B) Samples that dry without cracking are to be broken by hand. If considerable force is necessary to break a sample, the soil has significant cohesive material content. The soil can be classified as a unfissured cohesive material and the unconfined compressive strength should be determined.

(C) If a sample breaks easily by hand, it is either a fissured cohesive material or a granular material. To distinguish between the two, pulverize the dried clumps of the sample by hand or by stepping on them.

If the clumps do not pulverize easily, the material is cohesive with fissures. If they pulverize easily into very small fragments, the material is granular.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-155-65505 SEWAGE PIPING SYSTEM.
WAC 296-155-660 SPECIFIC EXCAVATION REQUIREMENTS.
WAC 296-155-66005 BORROW PITS.
WAC 296-155-665 SPECIFIC TRENCHING REQUIREMENTS.
WAC 296-155-66501 TABLE N-1.
WAC 296-155-66502 TABLE N-2.
WAC 296-155-66503 TABLE N-3.
WAC 296-155-66504 TABLE N-4.
WAC 296-155-66505 TABLE N-5.

PART C-1 FALL RESTRAINT AND FALL ARREST

NEW SECTION

WAC 296-155-24501 SCOPE AND APPLICATION. This section sets forth requirements for employers to provide and enforce the use of fall protection for employees in construction, alteration, repair, maintenance (including painting and decorating), demolition workplaces, and material handling covered under chapter 296-155 WAC.

NEW SECTION

WAC 296-155-24503 DEFINITIONS. (1) Anchorage means a secure point of attachment for lifelines, lanyards, or deceleration devices which is capable of withstanding the forces specified in the applicable sections of chapter 296-155 WAC.

(2) Approved means, for the purpose of this section; tested and certified by the manufacturer, or any recognized national testing laboratory, to possess the strength requirements specified in this section.

(3) Body belt means a Type I safety belt used in conjunction with lanyard or lifeline for fall restraint only.

(4) Full body harness means a configuration of connected straps to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.

(5) Full body harness system means a Class III full body harness and lanyard which is attached to an anchorage meeting the requirements of Part C-1 WAC 296-155; or attached to a horizontal or vertical lifeline which is properly secured to an anchorage(s) capable of withstanding the forces specified in the applicable sections of chapter 296-155 WAC.

(6) Catenary line - see horizontal lifeline.

(7) Competent person means an individual knowledgeable of fall protection equipment, including the manufacturers recommendations and instructions for the proper use, inspection, and maintenance; and who is capable of identifying existing and potential fall hazards; and who has the authority to take prompt corrective action to eliminate those hazards; and who is knowledgeable of the rules contained in this section regarding the erection, use, inspection, and maintenance of fall protection equipment and systems.

(8) Continuous fall protection means the design and use of a fall protection system such that no exposure to an elevated fall hazard occurs. This may require more than one fall protection system or a combination of prevention or protection measures.

(9) Control zone means the area between the warning line and the unprotected sides and edges of the walking/working surface.

(10) Deceleration device means any mechanism, such as a rope grab, ripstitch lanyard, specifically woven lanyard and automatic self-retracting lifeline, which serves to dissipate more energy during a fall arrest than does a standard line or strap webbing lanyard.

(11) Drop line means a vertical lifeline secured to an upper anchorage for the purpose of attaching a lanyard or device.

(12) Fall arrest system means the use of multiple, approved safety equipment components such as; body harnesses, lanyards, deceleration devices, droplines, horizontal and/or vertical lifelines and anchorages,

interconnected and rigged as to arrest a free fall. Compliance with anchorage strength requirements specified in the applicable sections of chapter 296-155 WAC, Part C-1 shall constitute approval of the anchorage.

(13) Fall protection work plan means a written planning document in which the employer identifies all areas on the job site where a fall hazard of 10 feet or greater exists. The plan describes the method or methods of fall protection to be utilized to protect employees, and includes the procedures governing the installation use, inspection, and removal of the fall protection method or methods which are selected by the employer. (See WAC 296-155-24505.)

(14) Fall-restraint system means an approved device and any necessary components that function together to restrain an employee in such a manner as to prevent that employee from falling to a lower level. When standard guardrails are selected, compliance with applicable sections governing their construction and use shall constitute approval.

(15) Fall distance means the actual distance from the worker's support to the level where a fall would stop.

(16) Hardware means snap hooks, D-rings, buckles, carabiners, adjusters, O-rings, that are used to attach the components of a fall protection system together.

(17) Horizontal lifeline means a rail, rope, wire, or synthetic cable that is installed in a horizontal plane between two anchorages and used for attachment of a worker's lanyard or lifeline device while moving horizontally; used to control dangerous pendulum-like swing falls.

(18) Lanyard means a flexible line of webbing, rope, or cable used to secure a body belt or harness to a lifeline or an anchorage point usually 2, 4, or 6 feet long.

(19) Leading edge means the advancing edge of a floor, roof, or formwork which changes location as additional floor, roof, or formwork sections are placed, formed, or constructed. Leading edges not actively under construction are considered to be "unprotected sides and edges," and positive methods of fall arrest or fall restraint shall be required to protect exposed workers.

(20) Lifeline means a vertical line from a fixed anchorage or between two horizontal anchorages, independent of walking or working surfaces, to which a lanyard or device is secured. Lifeline as referred to in this text is one which is part of a fall protection system used as back-up safety for an elevated worker.

(21) Locking snap hook means a connecting snap hook that requires two separate forces to open the gate; one to deactivate the gatekeeper and a second to depress and open the gate which automatically closes when released; used to minimize roll-out or accidental disengagement.

(22) Low-pitched roof means a roof having a slope equal to or less than 4 in 12.

(23) Positioning belt means a single or multiple strap that can be secured around the worker's body to hold the user in a work position; for example, a lineman's belt, a rebar belt, or saddle belt.

(24) Restraint line means a line from a fixed anchorage or between two anchorages to which an employee is secured in such a way as to prevent the worker from falling to a lower level.

(25) Roll-out means unintentional disengagement of a snap hook caused by the gate being depressed under torque or contact while twisting or turning; a particular concern with single-action snap hooks that do not have a locking gatekeeper.

(26) Rope grab means a fall arrester that is designed to move up or down a lifeline suspended from a fixed overhead or horizontal anchorage point, or lifeline, to which the belt or harness is attached. In the event of a fall, the rope grab locks onto the lifeline rope through compression to arrest the fall. The use of a rope grab device is prohibited for fall restraint applications.

(27) Safety line - see lifeline.

(28) Safety monitor system means a system of fall restraint used in conjunction with a warning line system only, where a foreman having no additional duties, monitors the proximity of workers to the fall hazard when working between the warning line and the unprotected sides and edges, including, the leading edge of a low pitched roof or walking/working surface.

(29) Self-retracting lifeline means a deceleration device which contains a drum-wound line which may be slowly extracted from, or retracted onto, the drum under slight tension during normal employee movement, and which after onset of a fall, automatically locks the drum and arrests the fall.

(30) Shock absorbing lanyard means a flexible line of webbing, cable, or rope used to secure a body belt or harness to a lifeline or anchorage point that has an integral shock absorber.

(31) Single-action snap hook means a connecting snap hook that requires a single force to open the gate which automatically closes when released.

(32) Snap hook means a self-closing connecting device with a gatekeeper latch or similar arrangement that will remain closed until manually opened. This includes single action snap hooks that open when the gatekeeper is depressed and double action snap hooks that require a second action on a gatekeeper before the gate can be opened.

(33) Static line - see horizontal lifeline.

(34) Strength member means any component of a fall protection system that could be subject to loading in the event of a fall.

(35) Steep roof means a roof having a slope greater than 4 in 12.

(36) Unprotected sides and edges means any side or edge (except at entrances to points of access) of a floor, roof, ramp or runway where there is no wall or guardrail system as defined in WAC 296-155-505(6).

(37) Walking/working surface means for the purpose of this section, any area whose dimensions are 45 inches or greater in all directions, through which workers pass or conduct work.

(38) Warning line system means a barrier erected on a walking and working surface or a low pitch roof (4 in 12 or less), to warn employees that they are approaching an unprotected fall hazard(s).

(39) Work area means that portion of a walking/working surface where job duties are being performed.

NEW SECTION

WAC 296-155-24505 FALL PROTECTION WORK PLAN.

(1) The employer shall develop and implement a written fall protection work plan including each area of the work place where the employees are assigned and where fall hazards of 10 feet or more exist.

(2) The fall protection work plan shall:

(a) Identify all fall hazards in the work area.

(b) Describe the method of fall arrest or fall restraint to be provided.

(c) Describe the correct procedures for the assembly, maintenance, inspection, and disassembly of the fall protection system to be used.

(d) Describe the correct procedures for the handling, storage, and securing of tools and materials.

(e) Describe the method of providing overhead protection for workers who may be in, or pass through the area below the work site.

(f) Describe the method for prompt, safe removal of injured workers.

(g) Be available on the job site for inspection by the department.

(3) Prior to permitting employees into areas where fall hazards exist the employer shall:

(a) Ensure that employees are trained and instructed in the items described in subsection (2)(a) through (f) of this section.

(b) Inspect fall protection devices and systems to ensure compliance with WAC 296-155-24510 (1) through (3)(c)(ii).

(4) Training of employees as required by this section shall be documented and shall be available on the job site.

NEW SECTION

WAC 296-155-24510 FALL RESTRAINT, FALL ARREST SYSTEMS. (1) When employees are exposed to a hazard of falling from a location 10 feet or more in height, the employer shall ensure that fall restraint or fall arrest systems are provided, installed, and implemented according to the following requirements.

(2) Fall restraint protection shall consist of:

(a) Standard guardrails as described in WAC 296-155-505(6).

(b) Safety belts and/or harness attached to securely rigged restraint lines.

(i) Safety belts and/or harness shall conform to ANSI Standard:

Class I - body belt

Class II - chest harness

Class III - full body harness

Class IV - suspension/position belt

(ii) All safety belt and lanyard hardware assemblies shall be capable of withstanding a tensile loading of 4,000 pounds without cracking, breaking, or taking a permanent deformation.

(iii) The employer shall ensure component compatibility.

(iv) Components of fall restraint systems shall be inspected prior to each use for mildew, wear, damage, and other deterioration, and defective components shall be removed from service if their function or strength have been adversely affected.

(v) Anchorage points shall be capable of supporting 4 time the intended load.

(vi) Restraint protection shall be rigged to allow the movement of employees only as far as the sides and edges of the walking/working surface.

(c) A warning line system as prescribed in the WAC 296-155-24515(3) and supplemented by the use of a safety monitor system as prescribed in WAC 296-155-24521 to protect worker engaged in duties between the forward edge of the warning line and the unprotected sides and edges, including the leading edge, of a low pitched roof or walking/working surface.

(d) Warning line and safety monitor systems as described in WAC 296-155-24515 (3) through (5)(f) and 296-155-24520 respectively are prohibited on surfaces exceeding a 4 in 12 pitch, and on any surface whose dimensions are less than 45 inches in all directions.

(e) The use of a rope grab device is prohibited for fall restraint use.

(3) Fall arrest protection shall consist of:

(a) Full body harness.

(i) An approved Class III full body harness shall be used.

(ii) Body harness system or components subject to impact loading shall be immediately removed from service and shall not be used again for employee protection unless inspected and determined by a competent person to be undamaged and suitable for reuse.

(iii) All safety lines and lanyards shall be protected against being cut or abraded.

(iv) Body harness system shall be rigged to minimize free fall distance with a maximum free fall distance allowed of 6 feet, and such that the employee will not contact any lower level.

(v) Hardware shall be drop forged, pressed or formed steel, or made of materials equivalent in strength.

(vi) Hardware shall have a corrosion-restraint finish, and all surfaces and edges shall be smooth to prevent damage to the attached body harness or lanyard.

(vii) When vertical lifelines (droplines) are used, not more than one employee shall be attached to any one lifeline.

(viii) Full body harness systems shall be secured to anchorages capable of supporting 5,000 pounds per employee except: When self-retracting lifelines or other deceleration devices are used which limit free fall to two feet, anchorages shall be capable of withstanding 3,000 pounds.

(ix) Vertical lifelines (droplines) shall have a minimum tensile strength of 5,000 pounds (22.2kN), except that self-retracting lifelines and lanyards which automatically limit free fall distance to two feet (.61 m) or less shall have a minimum tensile strength of 3,000 pounds (13.3 kN).

(x) Horizontal lifelines shall have a tensile strength capable of supporting a fall impact load of at least 5,000 pounds (22.2 kN) per employee using the lifeline, applied anywhere along the lifeline.

(xi) Lanyards shall have a minimum tensile strength of 5,000 pounds (22.2 kN).

(xii) All components of body harness systems whose strength is not otherwise specified in subsection (3) of this section shall be capable of supporting a minimum fall impact load of 5,000 pounds (22.2 kN) applied at the lanyard point of connection.

(xiii) Snap-hooks shall not be connected to loops made in webbing-type lanyards.

(xiv) Snap-hooks shall not be connected to each other.

(xv) Not more than one snap-hook shall be connected to any one D-ring.

(xvi) Full body harness systems shall be inspected prior to each use for mildew, wear, damage, and other deterioration, and defective components shall be removed from service if their function or strength have been adversely affected.

(b) Safety nets.

(i) Safety nets shall be installed as close as practicable under the walking/working surface on which employees are working, but in no case more than 10 feet below such level.

(ii) Safety nest shall extend outward at least 8 feet from the outermost projection of the work surface.

(iii) Safety nets shall be installed with sufficient clearance under them to prevent contact with the surface or structures below when subjected to an impact force equal to the drop test specified in subsection (4)(e) of this section.

(iv) Safety nets and their installations shall be capable of absorbing an impact force equal to that produced by the drop test specified in subsection (3)(b)(v) of this section.

(v) Safety nets and safety net installations shall be drop-tested at the jobsite before used as a fall protection system. The drop-test shall consist of a 400 pound (180 kg) bag of sand 30+2 inches (76+5 cm) in diameter dropped into the net from the highest walking/working surface on which employees are to be protected. Exception: When the employer can demonstrate that a drop-test is not feasible or practicable, the net and net installation shall be certified by a qualified person to be in compliance with the provisions of this section.

(vi) Safety nets shall be inspected weekly for mildew, wear, damage, and other deterioration, and defective components shall be removed from service.

(vii) Materials, scrap pieces, and tools which have fallen into the safety net shall be removed as soon as possible from the net and at least before the next work shift.

(viii) The maximum size of each safety net mesh opening shall not exceed 36 square inches (230 cm²) nor be longer than six inches (15 cm) on any side measured center-to-center of mesh ropes or webbing. All mesh crossing shall be secured to prevent enlargement of the mesh opening.

(ix) Each safety net (or section of it) shall have a border rope for webbing with a minimum breaking strength of 5,000 pounds (22.2 kN).

(x) Connections between the safety net panels shall be as strong as integral net components and shall be spaced not more than six inches (15 cm) apart.

(c) Catch platforms.

(i) A catch platform shall be installed within 10 feet of the work area.

(ii) The catch platforms width shall equal the distance of the fall but shall be a minimum of 45 inches wide and shall be equipped with standard guardrails on all open sides.

(4) Droplines or lifelines used on rock-scaling operations, or in areas where the lifeline may be subjected to cutting or abrasion, shall be a minimum of 7/8-inch wire core manila rope. For all other lifeline applications, a minimum of 3/4-inch manila or equivalent, with a minimum breaking strength of 5,000 pounds, shall be used.

(5) Safety harnesses, lanyards, lifelines or droplines, independently attached or attended, shall be used while performing the following types of work when other equivalent type protection is not provided:

(a) Work in hoppers, bins, silos, tanks, or other confined spaces as described in WAC 296-62-145.

(b) Work on hazardous slopes, or dismantling safety nets, working on poles or from boatswains chairs at elevations greater than six feet (1.83 m), swinging scaffolds or other unguarded locations.

(c) Work on skips and platforms used in shafts by crews when the skip or cage does not occlude the opening to within one foot (30.5 cm) of the sides of the shaft, unless cages are provided.

NEW SECTION

WAC 296-155-24515 GUARDING OF LOW-PITCHED ROOF PERIMETERS. (1) General provisions. During the performance of work on low-pitched roofs with a ground to eave height greater than 10 feet, the employee shall ensure that employees engaged in such work be protected from falling from all unprotected sides and edges of the roof as follows:

(a) By the use of a fall restraint or fall arrest systems, as defined in WAC 296-155-24510 (2)(b)(vi) and (3)(c)(ii).

(b) By the use of a warning line system erected and maintained as provided in subsection (3) of this section and supplemented for employees working between the warning line and the roof edge by the use of a safety monitor system as described in WAC 296-155-24521.

(2) Exception: The provisions of subsection (1)(a) of this section do not apply at points of access such as stairways, ladders and ramps, or when employees are on the roof only to inspect, investigate, or estimate roof level conditions. Roof edge materials handling areas and materials storage areas shall be guarded as provided in subsection (5) of this section.

(3) Warning lines systems.

(a) Warning lines shall be erected around all sides of the work area.

(i) When mechanical equipment is not being used, the warning line shall be erected not less than six feet (1.8 meters) from the edge of the roof.

(ii) When mechanical equipment is being used, the warning line shall be erected not less than six feet (1.8 meters) from the roof edge which is parallel to the direction of mechanical equipment operation, and not less than 10 feet (3.1 meters) from the roof edge which is perpendicular to the direction of mechanical equipment operation.

(b) The warning line shall consist of a rope, wire, or chain and supporting stanchions erected as follows:

(i) The rope, wire, or chain shall be flagged at not more than six foot (1.8 meter) intervals with high-visibility material.

(ii) The rope, wire, or chain shall be rigged and supported in such a way that its lowest point (including sag) is no less than 39 inches (.86 meters) from the roof surface and its highest point is no more than 45 inches (1 meter) from the roof surface.

(iii) After being erected, with the rope, wire or chain attached, stanchions shall be capable of resisting, without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchion, 30 inches (0.76 meters) above the roof surface, perpendicular to the warning line, and in the direction of the roof edge.

(iv) The rope, wire, or chain shall have a minimum tensile strength of 500 pounds (227 Kilograms), and after being attached to the stanchions, shall be capable of supporting, without breaking, the loads applied to the stanchions.

(v) The line shall be attached at each stanchion in such a way that pulling on one section of the line between stanchions will not result in slack being taken up in adjacent sections before the stanchion tips over.

(c) Access paths shall be erected as follows:

(i) Points of access, materials handling areas, and storage areas shall be connected to the work area by a clear access path formed by two warning lines.

(ii) When the path to a point of access is not in use, a rope, wire or chain, equal in strength and height to the warning line, shall be placed across the path at the point where the path intersects the warning line erected around the work area.

(4) Mechanical equipment shall be used or stored only in areas where employees are protected by a warning line system, or fall restraint.

(5) Roof edge materials handling areas and materials storage. Employees working in a roof edge materials handling or materials storage area located on a low-pitched roof with a ground to eave height greater than 10 feet shall be protected from falling along all unprotected roof sides and edges of the area.

(a) When guardrails are used at hoisting areas, a minimum of four feet of guardrail shall be erected on each side of the access point through which materials are hoisted.

(b) A chain or gate shall be placed across the opening between the guardrail sections when hoisting operations are not taking place.

(c) When guardrails are used at bitumen pipe outlets, a minimum of four feet of guardrail shall be erected on each side of the pipe.

(d) When safety belt/harness systems are used, they shall not be attached to the hoist.

(e) When fall restraint systems are used, they shall be rigged to allow the movement of employees only as far as the roof edge.

(f) Materials shall not be stored within six feet of the roof edge unless guardrails are erected at the roof edge.

NEW SECTION

WAC 296-155-24520 LEADING EDGE CONTROL ZONE.

(1) When performing leading edge work, the employer shall ensure that a control zone be established according to the following requirements:

(a) The control zone shall begin a minimum of 6 feet back from the leading edge to prevent exposure by employees who are not protected by fall restraint or fall arrest systems.

(b) The control zone shall be separated from other areas of the low pitched roof or walking/working surface by the erection of a warning line system.

(c) The warning line system shall consist of wire, rope, or chain supported on stanchions, or a method which provides equivalent protection.

(d) The spacing of the stanchions and support of the line shall be such that the lowest point of the line (including sag) is not less than 39 inches from the walking/working surface, and its highest point is not more than 45 inches (1.3 m) from the working/walking surface.

(e) Each line shall have a minimum tensile strength of 500 pounds (227 Kilograms).

(f) Each line shall be flagged or clearly marked with high visibility materials at intervals not to exceed 6 feet.

(g) After being erected with the rope, or chain attached, stanchions shall be capable of resisting without tipping over, a force of at least 16 pounds (71 Newtons) applied horizontally against the stanchions 30

inches (0.76 meters) above the roof surface, perpendicular to the warning line and in the direction of the roof edge.

(2) When positive means of fall restraint as described in WAC 296-155-24510 (2)(b)(vi) or fall arrest as described in WAC 296-155-24510 (3)(c)(iii) are not utilized, a safety monitor system as described in WAC 296-155-24521 shall be implemented to protect employees working between the forward edge of the warning line and the leading edge.

NEW SECTION

WAC 296-155-24521 SAFETY MONITOR SYSTEM. (1) A safety monitor system (SMS) may be used to supplement the use of a warning line system as a method of guarding against falls during work on low pitched roofs and leading edge work only.

(2) When selected, the employer shall ensure that the safety monitor system shall be addressed in the fall protection work plan, include the name of the safety monitor(s) and the extent of their training in both the safety monitor and warning line systems, and shall ensure that the following requirements are met.

(3) The safety monitor system shall not be used when adverse weather conditions create additional hazards.

(4) A person acting in the capacity of safety monitor(s) shall be trained in the function of both the safety monitor and warning lines systems, and shall:

(a) Be a foreman.

(b) Have control authority over the work.

(c) Be instantly distinguishable over members of the work crew.

(d) Engage in no other duties while acting as safety monitor.

(e) Be positioned in relation to the workers under their protection, so as to have a clear, unobstructed view and be able to maintain normal voice communication.

(f) Not supervise more than eight exposed workers at one time.

(5) Leading edge workers shall be distinguished from other members of the crew by wearing a high visibility vest only while in the control zone.

NEW SECTION

WAC 296-155-24525 APPENDIX TO PART C-1, FALL RESTRAINT AND FALL ARREST (EMPLOYER INFORMATION ONLY). Additional standards that require the use of fall restraint and/or fall protection for employees are listed below:

| | |
|--|---|
| Ladders | WAC 296-155-480(1)(O) WAC 296-155-480(1)(P) |
| Suspended Scaffold | WAC 296-155-485(7)(h) |
| Two Points Suspension Scaffold | WAC 296-155-485(7)(h)(ii) |
| Bosun,s Chain Scaffold | WAC 296-155-485-(10)(d) |
| Needle Beam Scaffold | WAC 296-155-485-(14)(i) |
| Ladder Jack Scaffold | WAC 296-155-485-(17)(f) |
| Window Jack Scaffold | WAC 296-155-485-(18)(c) |
| Float or Ship Scaffold | WAC 296-155-485-(21)(f) |
| Pump Jack Scaffold | WAC 296-155-485-(23)(k) |
| Boom Supported Elevating Work Platforms | WAC 296-155-48529-(19)(b)(vi) |
| Vehicle Mounted Elevated and Rotating Work Platforms | WAC 296-155-48531-(14)(h) |
| Crane and Derrick Supported Work Platforms | WAC 296-155-48533-(6)(c) WAC 296-155-48533-(6)(d) WAC 296-155-48533-(7)(i) WAC 296-155-48533-(7)(j) WAC 296-155-48533-(7)(k) WAC 296-155-48533-(10)(h) |
| Open Sided Floors | WAC 296-155-505(4)(a) |
| Pile Driving | WAC 296-155-620(1)(i) |
| Vertical Slip Forms | WAC 296-155-688(9) |

| | |
|---------------------------------|-----------------------|
| Placing and Removal of Forms | WAC 296-155-689(4) |
| Steel Erection Temporary Floors | WAC 296-155-705(2)(b) |
| Tunneling (Skips and Platforms) | WAC 296-155-730(8)(e) |

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-530 MATERIAL HOISTS, PERSONNEL HOISTS, AND ELEVATORS. (1) General requirements.

(a) The employer shall comply with the manufacturer's specifications and limitations applicable to the operation of all hoists and elevators. Where the manufacturer's specifications are not available, the limitations assigned to the equipment shall be based on the determinations of a professional engineer competent in the field.

(b) The employer shall ensure that no person shall enter a hoistway, elevator shaft, or similar enclosure in which the hoisting apparatus or vehicle is installed and functioning unless the power source operating those systems is locked out in accordance with WAC 296-155-429 (1), (2), and (3).

(c) Rated load capacities, recommended operating speeds, and special hazard warning or instructions shall be posted on cars and platforms.

((~~(c)~~)) (d) Wire rope shall be removed from service when any of the following conditions exists:

(i) In hoisting ropes, six randomly distributed broken wires in one rope lay or three broken wires in one strand in one rope lay;

(ii) Abrasion, scrubbing, flattening, or peening, causing loss of more than one-third of the original diameter of the outside wires;

(iii) Evidence of any heat damage resulting from a torch or any damage caused by contact with electrical wires;

(iv) Reduction from nominal diameter of more than three sixths inch for diameters up to and including three-fourths inch; one-sixteenth inch for diameters seven-eighths to 1 1/8 inches; and three thirty-seconds inch for diameters 1 1/4 to 1 1/2 inches.

((~~(d)~~)) (e) Hoisting ropes shall be installed in accordance with the wire rope manufacturer's recommendations.

((~~(e)~~)) (f) The installation of live booms on hoists is prohibited.

((~~(f)~~)) (g) The use of endless belt-type man lifts on construction shall be prohibited.

((~~(g)~~)) (h) Employees shall not be permitted to ride on top of material hoists, personnel hoists or permanent elevators except for purposes of inspection, maintenance, elevator installation or dismantling work.

(2) Material hoists, (a)(i) Operating rules shall be established and posted at the operator's station of the hoist. Such rules shall include signal system and allowable line speed for various loads. Rules and notices shall be posted on the car frame or crosshead in a conspicuous location, including the statement "No riders allowed."

(ii) No person shall be allowed to ride on material hoists except for the purposes of inspection and maintenance.

(b) All entrances of the hoistways shall be protected by substantial gates or bars which shall guard the full width of the landing entrance. All hoistway entrance bars and gates shall be painted with diagonal contrasting colors, such as black and yellow stripes.

(i) Bars shall be not less than 2- by 4-inch wooden bars or the equivalent, located 2 feet from the hoistway line. Bars shall be located not less than 36 inches nor more than 42 inches above the floor.

(ii) Gates or bars protecting the entrances to hoistway shall be equipped with a latching device.

(c) Overhead protective covering of two-inch planking, 3/4-inch plywood or other solid material of equivalent strength shall be provided on the top of every material hoist cage or platform to prevent objects falling on the workers loading or unloading the hoist.

(i) The protective covering on the top of the cage or platform may be made in hinged sections that may be raised when hoisting long material.

(ii) When using a cage or platform for long material, the several pieces of the material shall be securely fastened together and made fast to the cage or platform, so that no part of the load can fall or project beyond the sides of the cage or platform.

(d) The operator's station of a hoisting machine shall be provided with overhead protection equivalent to tight planking not less than 2 inches thick. The support for the overhead protection shall be of equal strength.

(e) Hoist towers may be used with or without an enclosure on all sides. However, whichever alternative is chosen, the following applicable conditions shall be met:

(i) When a hoist tower is enclosed, it shall be enclosed on all sides for its entire height with a screen enclosure of 1/2-inch mesh, No. 18 U.S. gauge wire or equivalent, except for landing access.

(ii) When a hoist tower is not enclosed, the hoist platform or car shall be totally enclosed (caged) on all sides for the full height between the floor and the overhead protective covering with 1/2-inch mesh of No. 14 U.S. gauge wire or equivalent. The hoist platform enclosure shall include the required gates for loading and unloading. A 6-foot high enclosure shall be provided on the unused sides of the hoist tower at ground level.

(f) Car arresting devices shall be installed to function in case of rope failure.

(g) All material hoist towers shall be designed by a licensed professional engineer.

(h) All material hoists shall conform to the requirements of ANSI A10.5-1969, Safety Requirements for Material Hoists.

(3) Personnel hoists.

(a) Personnel hoists shall be provided for access and egress on all multi story buildings where vertical travel exceeds sixty feet from a ground level access point.

(b) Hoist towers outside the structure shall be enclosed for the full height on the side or sides used for entrance and exit to the structure. At the lowest landing, the enclosure on the sides not used for exit or entrance to the structure shall be enclosed to a height of at least 10 feet. Other sides of the tower adjacent to floors or scaffold platforms shall be enclosed to a height of 10 feet above the level of such floors or scaffolds.

(c) Towers inside of structures shall be enclosed on all four sides throughout the full height.

(d) Towers shall be anchored to the structure at intervals not exceeding 25 feet. In addition to tie-ins, a series of guys shall be installed. Where tie-ins are not practical the tower shall be anchored by means of guys made of wire rope at least one-half inch in diameter, securely fastened to anchorages to ensure stability.

(e) Hoistway doors or gates shall be not less than 6 feet 6 inches high and shall be provided with mechanical locks which cannot be operated from the landing side, and shall be accessible only to persons on the car.

(f) Cars shall be permanently enclosed on all sides and the top, except sides used for entrance and exit, which have car gates or doors.

(g) A door or gate shall be provided at each entrance to the car which shall protect the full width and height of the car entrance opening.

(h) Overhead protective covering of 2-inch planking, 3/4-inch plywood or other solid material of equivalent strength shall be provided on the top of every personnel hoist.

(i) Doors or gates shall be provided with electric contacts which do not allow movement of the hoist when door or gate is open.

(j) A signal device shall be installed in the elevator car and only operated by an attendant who shall give the signals for operation, when transporting workers.

(k) An electrical push button signalling device or other approved signalling system shall be provided at each floor landing connected to an annunciator in the car. The signal code shall be posted adjacent to the signal device at each and every work level and at operator's work level. All wording shall be black on a white card, in large clear letters.

(l) The elevator machine and controls shall be housed in as a protection against accidents and the weather, and the door kept locked against unauthorized entrance when operator is not in attendance.

(m) Safeties shall be capable of stopping and holding the car and rated load when traveling at governor tripping speed.

(n) Cars shall be provided with a capacity and data plate secured in a conspicuous place on the car or crosshead.

(o) Internal combustion engines shall not be permitted for direct drive.

(p) Normal and final terminal stopping devices shall be provided.

(q) An emergency stop switch shall be provided in the car and marked "stop."

(r) Ropes:

(i) The minimum number of hoisting ropes used shall be three for traction hoists and two for drum-type hoists.

(ii) The minimum diameter of hoisting and counterweight wire ropes shall be 1/2-inch.

(iii) Safety factors:

MINIMUM FACTORS OF SAFETY
FOR SUSPENSION WIRE ROPES

| Rope speed in feet per minute: | Minimum factor of safety |
|--------------------------------------|--------------------------------|
| 50 | 7.60 |
| 75 | 7.75 |
| 100 | 7.95 |
| 125 | 8.10 |
| 150 | 8.25 |
| 175 | 8.40 |
| 200 | 8.60 |
| 225 | 8.75 |
| 250 | 8.90 |
| 300 | 9.20 |
| 350 | 9.50 |
| 400 | 9.75 |
| 450 | 10.00 |
| 500 | 10.25 |
| 550 | 10.45 |
| 600 | 10.70 |

(s) Following assembly and erection of hoists, and before being put in service, an inspection and test of all functions and safety devices shall be made under the supervision of a competent person. A similar inspection and test is required following major alteration of an existing installation. All hoists shall be inspected and tested at not more than 3-month intervals. Records shall be maintained and kept on file for the duration of the job.

(t) All personnel hoists used by employees shall be constructed of materials and components which meet the specifications for materials, construction, safety devices, assembly, and structural integrity as stated in the American National Standard A10.4-1963, Safety Requirements for Workmen's Hoists. The requirements of this subdivision do not apply to cantilever type personnel hoists.

(u) Wire rope shall be taken out of service when any of the following conditions exist:

(i) In running ropes, six randomly distributed broken wires in one lay or three broken wires in one strand in one lay;

(ii) Wear of one-third the original diameter of outside individual wires. Kinking, crushing, bird caging, or any other damage resulting in distortion of the rope structure;

(iii) Evidence of any heat damage from any cause;

(iv) Reductions from nominal diameter of more than three-sixty-fourths inch for diameters to and including three-fourths inch, one sixteenth inch for diameter seven-eighths inch to 1 1/8 inches inclusive, three-thirty-seconds inch for diameters 1 1/4 to 1 1/2 inches inclusive;

(v) In standing ropes, more than two broken wires in one lay in sections beyond end connections or more than one broken wire at an end connection.

(v)(i) Personnel hoists used in bridge tower construction shall be approved by a registered professional engineer and erected under the supervision of a qualified engineer competent in this field.

(ii) When a hoist tower is not enclosed, the hoist platform or car shall be totally enclosed (caged) on all sides for the full height between the floor and the overhead protective covering with 3/4-inch mesh of No. 14 U.S. gauge wire or equivalent. The hoist platform enclosure shall include the required gates for loading and unloading.

(iii) These hoists shall be inspected and maintained on a weekly basis. Whenever the hoisting equipment is exposed to winds exceeding 35 miles per hour it shall be inspected and put in operable condition before reuse.

(4) Permanent elevators under the care and custody of the employer and used by employees for work covered by this act shall comply with the requirements of American National Standards Institute, A17.1-1971, and inspected in accordance with A17.2-1960 with addenda A17.2a-1965, A17.2b-1967.

Note: For additional information refer to chapter 296-90 WAC, safety requirements for cantilever hoists and chapter 296-100 WAC, safety requirements for material hoists.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-155-225 SAFETY BELTS, DROPLINES, LIFE-LINES, AND LANYARDS.

WAC 296-155-230 SAFETY NETS.

NEW SECTION

WAC 296-24-23533 CRANE AND DERRICK SUSPENDED PERSONNEL (WORK) PLATFORMS. (1) Scope and application. This standard applies to the design, construction, testing, use and maintenance of personnel platforms, and the hoisting of personnel platforms on the load lines of cranes or derricks.

(2) Definitions. For the purposes of this section, the following definitions apply:

(a) "Failure" means load refusal, breakage, or separation of components.

(b) "Hoist" (or hoisting) means all crane or derrick functions such as lowering, lifting, swinging, booming in and out or up and down, or suspending a personnel platform.

(c) "Load refusal" means the point where the ultimate strength is exceeded.

(d) "Maximum intended load" means the total load of all employees tools, materials, and other loads reasonably anticipated to be applied to a personnel platform or personnel platform component at any one time.

(e) "Runway" means a firm, level surface designed, prepared, and designated as a path of travel for the weight and configuration of the crane being used to lift and travel with the crane suspended platform. An existing surface may be used as long as it meets these criteria.

(3) General requirements. The use of a crane or derrick to hoist employees on a personnel platform is prohibited, except when the erection, use, and dismantling of conventional means of reaching the worksite, such as a personnel hoist, ladder, stairway, aerial lift, elevating work platform or scaffold, would be more hazardous, or is not possible because of structural design or worksite conditions.

(4) Operational criteria.

(a) Hoisting of the personnel platform shall be performed in a slow, controlled, cautious manner with no sudden movements of the crane or derrick, or the platform.

(b) Load lines shall be capable of supporting, without failure, at least seven times the maximum intended load, except that where rotation resistant rope is used, the lines shall be capable of supporting without failure, at least ten times the maximum intended load. The required design factor is achieved by taking the current safety factor of 3.5 and applying the fifty percent derating of the crane capacity.

(c) Load and boom hoist drum brakes, swing brakes, and locking devices such as pawls or dogs shall be engaged when the occupied personnel platform is in a stationary working position.

(d) The load line hoist drum shall have a system or device on the power train, other than the load hoist brake, which regulates the lowering rate of speed of the hoist mechanism (controlled load lowering). Free fall is prohibited.

(e) The crane shall be uniformly level within one percent of level grade and located on firm footing. Cranes equipped with outriggers shall have them all fully deployed following manufacturer's specifications, insofar as applicable, when hoisting employees.

(f) The total weight of the loaded personnel platform and related rigging shall not exceed fifty percent of the rated capacity for the radius and configuration of the crane or derrick.

(g) The use of machines having live booms (booms in which lowering is controlled by a brake without aid from other devices which slow the lowering speeds) is prohibited.

(h) Multiple-part line block: When a multiple-part line block is in use, a substantial strap shall be used between the crane hook and common ring, shackle, or other equivalent device, to eliminate employee exposure to the lines running through the block, and to the block itself.

(5) Rigging.

(a) Lifting bridles on box-type platforms shall consist of four legs of equal length, with one end securely shackled to each corner of the platform and the other end securely attached to a common ring, shackle, or other equivalent device to accommodate the crane hook, or a strap to the crane hook.

(b) Shackle bolts used for rigging of personnel platforms shall be secured against displacement.

(c) A substantial safety line shall pass through the eye of each leg of the bridle adjacent to the common ring, shackle, or equivalent device

and be securely fastened with a minimum amount of slack to the lift line above the headache ball or to the crane hook itself.

(d) All eyes in wire rope sling shall be fabricated with thimbles.

(e) Wire rope, shackles, rings, master links, and other rigging hardware must be capable of supporting, without failure, at least five times the maximum intended load applied or transmitted to that component. Where rotation resistant wire rope is used for slings, they shall be capable of supporting without failure at least ten times the maximum intended load.

(f) Hooks on headache ball assemblies, lower load blocks, or other attachment assemblies shall be of a type that can be closed and locked, eliminating the hook throat opening. Alternatively, an alloy anchor type shackle with a bolt, nut, and retaining pin shall be used.

(g) Bridles and associated rigging for attaching the personnel platform to the hoist line shall be used only for the platform and the necessary employees, their tools and the materials necessary to do their work, and shall not be used for any other purpose when not hoisting personnel.

(6) Personnel platforms – design criteria.

(a) The personnel platform and suspension system shall be designed by a qualified engineer or a qualified person competent in structural design.

(b) The suspension system shall be designed to minimize tipping of the platform due to movement of employees occupying the platform.

(c) The personnel platform itself, except the guardrail system and body belt/harness anchorages, shall be capable of supporting, without failure, its own weight and at least five times the maximum intended load based on a minimum allowance of five hundred pounds for the first person with light tools, and an additional two hundred fifty pounds for each additional person.

(d) Criteria for guardrail systems and body belt/harness anchorages are contained in WAC 296-24-75007 and 296-24-82503(31) respectively.

(e) The personnel platform shall be conspicuously posted with a plate or other permanent marking which indicates the weight of the platform and its rated load capacity or maximum intended load.

(7) Platform specifications.

(a) Each personnel platform shall be equipped with a guardrail system which meets the requirements of WAC 296-24-75007, and shall be enclosed at least from the toeboard to mid-rail with either solid construction or expanded metal having openings no greater than one-half inch (1.27cm).

(b) A grab rail shall be installed inside the entire perimeter of the personnel platform.

(c) Access gates, if installed, shall not swing outward during hoisting.

(d) Access gates, including sliding or folding gates, shall be equipped with a restraining device to prevent accidental opening.

(e) Headroom shall be provided which allows employees to stand upright in the platform.

(f) In addition to the use of hard hats, employees shall be protected by overhead protection on the personnel platform when employees are exposed to falling objects.

(g) All rough edges exposed to contact by employees shall be surfaced or smoothed in order to prevent injury to employees from punctures or lacerations.

(h) All welding of the personnel platform and its components shall be performed by a qualified welder familiar with the weld grades, types, and material specified in the platform design.

(i) Occupants of all personnel platforms shall wear a safety belt or harness and lanyard which meets the requirements of ANSI A10.14-1975.

(j) Box-type platform: The workers lanyard shall be secured to the work platform or guardrail of the work platform.

(k) Rescue platform:

(i) If the platform is used as a rescue vehicle, the injured worker shall be strapped into the stretcher or basket.

(ii) The basket shall then be secured by lanyard to an anchorage within the platform.

(l) Boatswains chair: The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(m) Barrel-type platform:

(i) The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(ii) A solid bar or rod shall be substantially attached in a rigid position to the bottom or side of the platform.

(iii) The side bar or rod shall extend a minimum of eight feet above the floor of the work platform.

(iv) The bottom of the barrel-type platform shall be of a convex shape to cause the platform to lay on its side when lowered to the ground or floor.

(v) Workers shall enter and exit from barrel-type platforms only when they are in an upright position, stable, and securely attached to the load line.

(vi) The employer shall use methods or devices which allow employees to safely enter or exit barrel-type platforms.

(8) Personnel platform loading.

(a) The personnel platform shall not be loaded in excess of its rated load capacity.

(b) The number of employees occupying the personnel platform shall not exceed the number required for the work being performed.

(c) Personnel platforms shall be used only for employees, their tools, and the materials necessary to do their work, and shall not be used to hoist only materials or tools when not hoisting personnel.

(d) Materials and tools for use during a personnel lift shall be secured to prevent displacement.

(e) Materials and tools for use during a personnel lift shall be evenly distributed within the confines of the platform while the platform is suspended.

(9) Trial lift, inspection, and prooftesting.

(a) A trial lift with the unoccupied personnel platform loaded at least to the anticipated liftweight shall be made from ground level, or any other location where employees will enter the platform, to each location at which the personnel platform is to be hoisted and positioned. This trial lift shall be performed immediately prior to placing personnel on the platform. The operator shall determine that all systems, controls, and safety devices are activated and functioning properly; that no interferences exist; and that all configurations necessary to reach those work locations will allow the operator to remain under the fifty percent limit of the hoist's rated capacity. Materials and tools to be used during the actual lift can be loaded in the platform, as provided in subsection (8)(d) and (e) of this section for the trial lift. A single trial lift may be performed at one time for all locations that are to be reached from a single set-up position.

(b) The trial lift shall be repeated prior to hoisting employees whenever the crane or derrick is moved and set up in a new location or returned to a previously used location. Additionally, the trial lift shall be repeated when the lift route is changed unless the operator determines that the route change is not significant (i.e., the route change would not affect the safety of hoisted employees).

(c) After the trial lift, and just prior to hoisting personnel, the platform shall be hoisted a few inches and inspected to ensure that it is secure and properly balanced. Employees shall not be hoisted unless the following conditions are determined to exist:

(i) Hoist ropes shall be free of kinks;

(ii) Multiple part lines shall not be twisted around each other;

(iii) The primary attachment shall be centered over the platform; and

(iv) The hoisting system shall be inspected if the load rope is slack to ensure all ropes are properly stowed on drums and in sheaves.

(d) A visual inspection of the crane or derrick, rigging, personnel platform, and the crane or derrick base support or ground shall be conducted by a competent person immediately after the trial lift to determine whether the testing has exposed any defect or produced any adverse effect upon any component or structure.

(e) Any defects found during inspections which create a safety hazard shall be corrected before hoisting personnel.

(f) At each job site, prior to hoisting employees on the personnel platform, and after any repair or modification, the platform and rigging shall be prooftested to one hundred twenty-five percent of the platform's rated capacity by holding it in a suspended position for five minutes with the test load evenly distributed on the platform (this may be done concurrently with the trial lift). After prooftesting, a competent person shall inspect the platform and rigging. Any deficiencies found shall be corrected and another prooftest shall be conducted. Personnel hoisting shall not be conducted until the prooftesting requirements are satisfied.

(g) The employer shall retain at the jobsite and produce when requested, documentation such as lift capacity information, verifying that the requirements of this standard have been met.

(10) Work practices.

(a) Employees shall keep all parts of the body inside the platform during raising, lowering, and positioning. This provision does not apply

to an occupant of the platform performing the duties of a signal person.

(b) Before employees exit or enter a hoisted personnel platform that is not landed, the platform shall be secured to the structure where the work is to be performed, unless securing to the structure creates an unsafe situation.

(c) Tag lines shall be used unless their use creates an unsafe condition.

(d) The crane or derrick operator shall remain at the controls at all times when the crane engine is running and the platform is occupied.

(e) Hoisting of employees shall be promptly discontinued upon indication of any dangerous weather conditions or other impending danger.

(f) Employees being hoisted shall remain in continuous sight of and in direct communication with the operator or signal person. In those situations where direct visual contact with the operator is not possible, and the use of a signal person would create a greater hazard for that person, direct communication alone such as by radio may be used.

(g) Hand signals to the operator shall be in accordance with those prescribed by the applicable ANSI standard for the type of crane or lift in use unless voice communication equipment is utilized. Signals shall be discernable or audible at all times.

(h) Except over water, employees occupying the personnel platform shall use a body belt/harness system with lanyard appropriately attached to the lower load block or overhaul ball, or to a structural member within the personnel platform capable of supporting a fall impact for employees using the anchorage.

(i) No lifts shall be made on another of the crane's or derrick's load lines while personnel are suspended on a platform.

(11) Traveling.

(a) Hoisting of employees while the crane is traveling is prohibited except for portal, tower and locomotive cranes, or where the employer demonstrates that there is no less hazardous way to perform the work.

(b) Under any circumstances where a crane would travel while hoisting personnel, the employer shall implement the following procedures to safeguard employees:

(i) Crane travel shall be restricted to a fixed track or runway;

(ii) Travel shall be limited to the load radius of the boom used during the lift; and

(iii) The boom must be parallel to the direction of travel.

(c) A complete trial run shall be performed to test the route of travel before employees are allowed to occupy the platform. This trial run can be performed at the same time as the trial lift required by subsection (9)(a) of this section which tests the route of the lift.

(d) If travel is done with a rubber tired-carrier, the condition and air pressure of the tires shall be checked. The chart capacity for lifts on rubber shall be used for application of the fifty percent reduction of rated capacity. Notwithstanding subsection (4)(f) of this section, outriggers may be partially retracted as necessary for travel.

(12) Prelift meeting.

(a) A meeting attended by the crane or derrick operator, signal person(s) (if necessary for the lift), employee(s) to be lifted, and the person responsible for the task to be performed shall be held to review the appropriate requirements of this section and the procedures to be followed.

(b) This meeting shall be held prior to the trial lift at each new location, and shall be repeated for any employees newly assigned to the operation.

NEW SECTION

WAC 296-24-76555 ALTERNATING TREAD-TYPE STAIRS. Alternating tread-type stairs have a series of steps between 50 and 70 degrees from horizontal, attached to a center support rail in an alternating manner so that a user of the stairs never has both feet at the same level at the same time. (See Figure D-12).

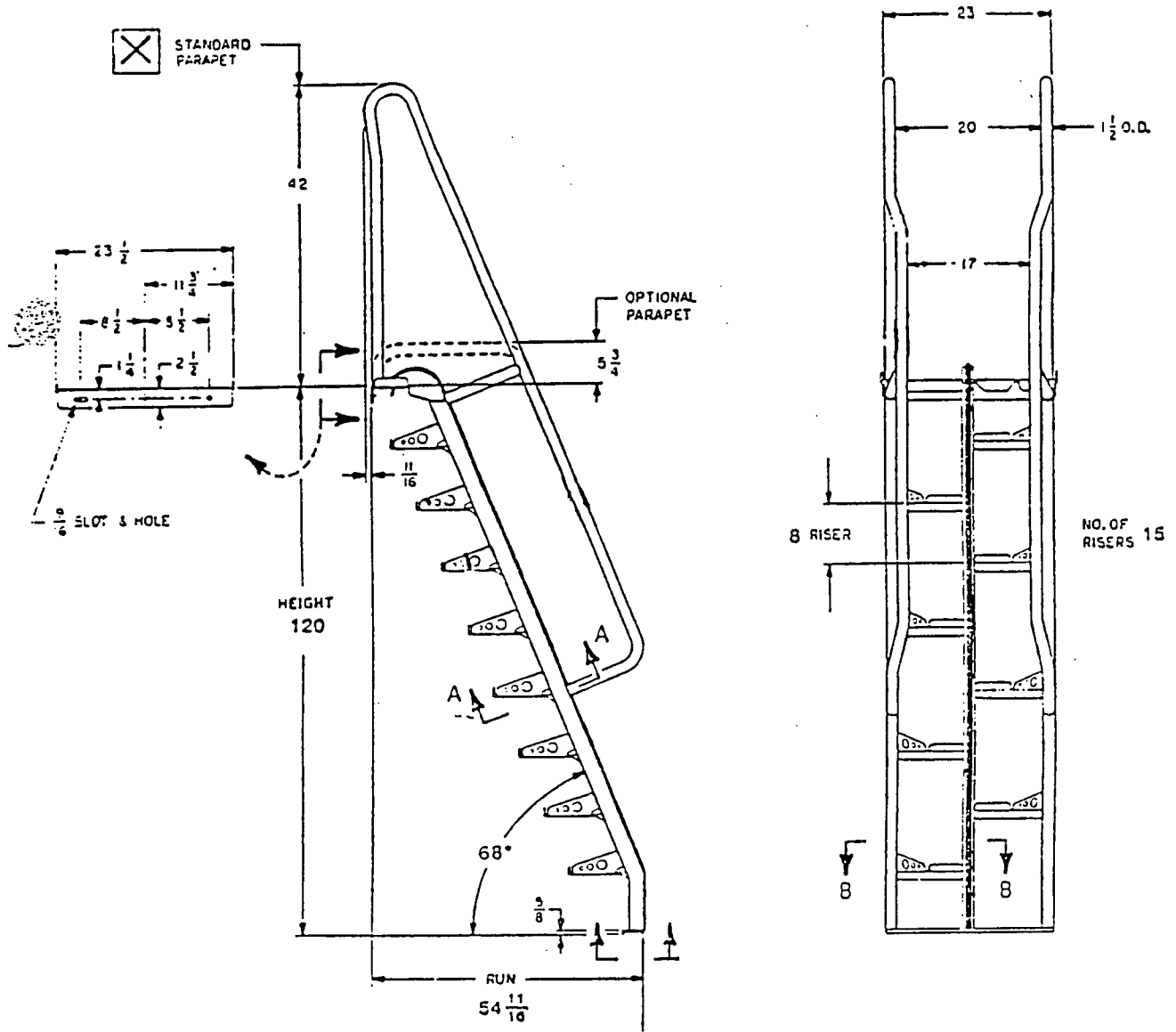
(1) Alternating tread-type stairs shall meet the requirements for fixed industrial stairs as defined in WAC 296-24-76507, 296-24-76511, through 296-24-76523 as appropriate, and shall have the following:

(a) A minimum of 17 inches between handrails.

(b) A minimum tread depth of 8 inches, a minimum tread width of 7 inches and a maximum rise of 9 1/2 inches to the tread surface of the next alternating tread.

(2) Alternating tread-type stairs shall not have more than a 20-foot continuous rise. Where more than a 20-foot rise is necessary to reach the top of a required stair, one or more intermediate platforms shall be provided in accordance with WAC 296-24-76515.

(3) Stairs and platforms shall be installed so the top landing of the alternating tread stair is flush with the top of the landing platform.



AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-305-110 ELEVATED PLATFORMS. (1) Elevated platform systems shall meet the design requirements of this section.

(a) The platform shall have a minimum floor area of 14 square feet and shall be provided with a guardrailing between 42 and 45-inches high on all sides. The railing shall be constructed so that there is no opening below it greater than 24-inches. There shall be two gates below the top railing, each of which shall be provided with suitable safety latches. A kick plate not less than 4-inches high shall be provided around the floor of the platform. Drain openings shall be provided to prevent water accumulation on the platform. A heat-protective shield shall be provided on the platform for the protection of the operator.

(b) Hydraulic or pneumatic systems shall have a minimum bursting strength of at least four times the operating pressure for which the system is designed.

(c) The basic structural elements of the hydraulic or articulating boom shall have a safety factor of three.

(d) Each hydraulic or pneumatic system for the boom shall be equipped with a pilot operated check valve or other appropriate device to prevent free fall in the event of hydraulic failure.

(2) The requirements related to the controlling of elevated platforms are addressed in this subsection.

(a) A control or device shall be provided at both the lower control station and the platform control station to allow either operator to completely deactivate the platform controls. During deactivation of the platform controls, the lower controls shall remain operable.

(b) A plate shall be located at the platform control unit or units listing the following information:

- (i) Model and serial number of the manufacturer;
- (ii) Rated capacity of the platform;
- (iii) Operating pressure of the hydraulic or pneumatic systems or both;
- (iv) Caution or restriction of operation or both;
- (v) Control instructions;
- (vi) This plate shall be clearly visible to the operator at the lower control position.

(c) There shall be an operator at the lower controls at all times while the fire fighter is in the bucket.

(d) The operator at the lower controls shall make certain the fire fighter on the platform is secured by his life belt or equivalent before raising platform.

(3) ~~(The requirements for testing elevated platforms and related equipment are outlined in this subsection.~~

~~(a) Annually the apparatus and platform shall be tested by the steps outlined in the following items:~~

~~(i) The apparatus shall be placed on solid level ground, brakes set, wheels chocked, and outriggers set to stabilize the apparatus.~~

~~(ii) The platform shall be placed in the manufacturers suggested strongest point three feet above the ground (measure from ground to center of platform's bottom):~~

~~(iii) Once in the aforementioned position, sand bags or a suitable substitute will be placed on the platform until the load totals 1-1/2 times its rated capacity, and maintained there for five minutes.~~

~~(iv) Upon completion of the five minutes, a measurement will again be taken from the ground to center of platform bottom. If the measurement measures a difference of more than two inches, the apparatus shall be taken out of service and repaired and retested until able to do so.~~

~~(v) Using the same static load of 1-1/2 the rated capacity, the apparatus will be operated through its entire range of motion. Failure to pass the test requires that the apparatus be placed out of service until it can be repaired and can properly complete the test.~~

~~(vi) The apparatus will be placed on a slope of 5 degrees and 1-1/2 times its rated capacity in weight will be placed in the basket. The 5 degree slope will be downward in the direction most likely to cause the apparatus to overturn and the basket will be operated through its entire range of motion.)~~ Testing of elevated platforms and related apparatus shall be conducted annually.

(a) Testing of elevated platforms and related apparatus shall be in accordance with the 1988 edition of NFPA 1914.

(b) It is recommended that the boom section as well as the support section of the apparatus which supports the turntable should be nondestructively tested by a certified testing agency every five years. After any accident that causes structural damage this test shall be performed and all defects detected shall be corrected before apparatus is returned to service.

(c) Elevated platform testing shall follow the recommendations of the current National Fire Code.

(d) Fire apparatus elevated platforms shall be positioned for the greatest stability feasible at the fire scene.

(4) Communications. ~~((a))~~ A two-way voice communication system shall be installed between the platform and the lower control station.

(5) The automotive apparatus used in conjunction with elevated platforms shall be used in accordance with the following subdivisions:

(a) Hand or air brakes shall be set before the platform is operated.

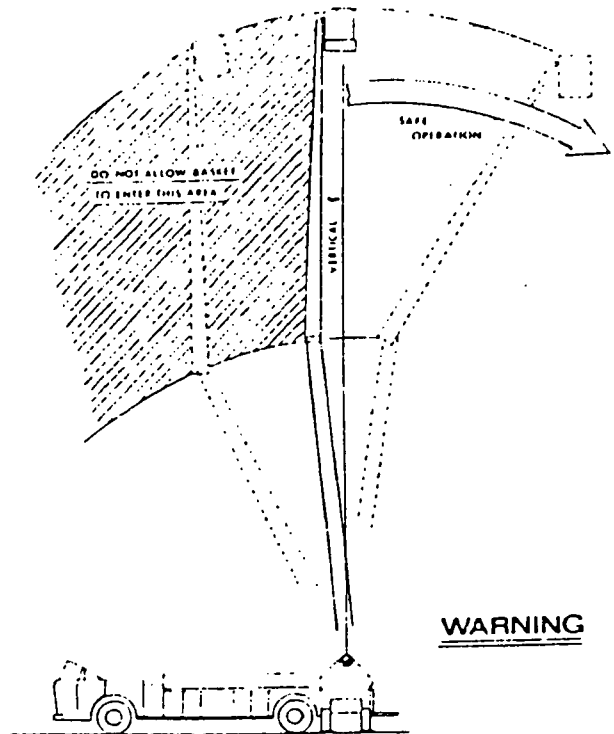
(b) Jacks or outriggers shall be used if the platform is to be elevated.

(c) Wheel blocks shall also be used when the platform is in operation unless the type of apparatus is one whose wheels lift off the ground when the jacks or outriggers are engaged.

(d) Ground plates shall be used under the outriggers or jacks any time apparatus is not on a concrete paved street or alley.

(e) Sand shall be put under jacks, outriggers and wheels when operating on ice or snow.

(6) Appliances mounted on elevated platforms. ~~((a))~~ Platform mounted monitors shall be operated in accordance with the manufacturer's instructions.



WARNING
RESTRICTED OPERATION ZONE

WSR 90-20-122

PUGET SOUND WATER QUALITY AUTHORITY

[Filed October 3, 1990, 9:14 a.m.]

NOTICE OF PROPOSED AMENDMENT AND PUBLIC HEARINGS PUGET SOUND WATER QUALITY AUTHORITY

Title of Plan: Proposed final 1991 Puget Sound water quality management plan.

Purpose: To revise and expand the 1987 and 1989 Puget Sound water quality management plans and adopt the comprehensive conservation and management plan for Puget Sound.

Statutory Authority for Adoption: Chapter 90.70 RCW, as amended by chapter 115, Laws of 1990, and

Section 320 of the federal Clean Water Act, as amended by P.L. 100-4, the Water Quality Act of 1987, 33 U.S.C. 1330.

Statute Being Implemented: Chapter 90.70 RCW, as amended by chapter 115, Laws of 1990, and Section 320 of the federal Clean Water Act, as amended by P.L. 100-4, the Water Quality Act of 1987, 33 U.S.C. 1330.

Summary: The Puget Sound water quality management plan is a comprehensive plan that includes 15 programs relating to protection of Puget Sound resources and the reduction of threats to those resources. Changes are proposed to the 1989 plan to incorporate experience gained in implementation and to protect Puget Sound and its resources more efficiently and more effectively.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Dohrmann, 217 Pine Street, Suite 1100, Seattle, 98101, (206) 464-7320 or 1-800-54-SOUND.

Name of Proponent: Puget Sound Water Quality Authority, governmental.

Explanation of Plan, its Purpose, and Anticipated Effects: The purpose of this plan is to restore and protect the biological health and diversity of Puget Sound. The strategy for achieving this purpose is to protect and enhance the sound's water and sediment quality; its fish and shellfish; and its wetlands and other habitats. The Puget Sound water quality planning area includes Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the marine waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border, extending westward to Cape Flattery; and all the land draining into these waters. The plan potentially affects every resident of the Puget Sound area, since everyone's activities are a potential pollution source. Those most likely to be affected by the plan include federal, state, local, and tribal governments; operators of federal facilities; researchers; educators; owners of septic systems and recreational boats; farmers; rural and urban landowners and homeowners; shellfish growers; the development community; municipal and industrial dischargers with permits under the National Pollutant Discharge Elimination System; ports and other entities that dredge; the marine transport industry and others potentially involved in spills of hazardous substances; commercial fishermen; and operators of laboratories performing water quality tests.

Hearing Locations: November 7, 7-9 p.m., Seattle Public Library, Third Floor Meeting Room, 1000 Fourth Avenue, Seattle and at the John L. O'Brien Building, Hearing Room C, Capitol Campus, Olympia; and on November 8, 7-9 p.m., Poulsbo City Hall, Council Chambers, 19050 Jensen Way N.E., Poulsbo and at the Skagit County Courthouse, Hearing Room C, 2nd and Kincaid, Mount Vernon.

Submit Written Comments to: John Dohrmann, 217 Pine Street, Suite 1100, Seattle, 98101. Comments must be received by 5:00 p.m., November 9, 1990.

Date of Intended Adoption: The authority proposes to adopt the final plan on November 21, 1990. The meeting will be held at the Seattle Public Library, Third Floor Meeting Room, 1000 Fourth Avenue, Seattle.

Priorities: In the proposed final plan the authority has established broad priorities for the plan. They are, in alphabetical order: Assess the environmental conditions of Puget Sound, its resources, and the effects of human activities on them; clean up existing toxic contamination where sources are controlled; continue plan programs that have been started and maintain current funding levels for them; control sources of toxic contaminants to Puget Sound; enhance protection of shellfish beds; ensure the protection of wetlands and aquatic habitat. Stop losses of wetlands and other aquatic habitat; improve the control and cleanup of nonpoint source pollution in the sound; prevent spills in the sound and enhance the capability to respond to spills when they occur; provide long-term support for research and education; and support and improve education and public involvement programs in order to inform, educate, and involve citizens of the region and the state in the cleanup and protection of Puget Sound. In addition to these broad priorities, the authority has delineated priorities for the plan on an element-by-element basis. These are listed in the proposed final plan.

The Action Plan: The plan's programs, and significant changes to the 1989 version of each program, are summarized below:

Estuary Management and Plan Implementation: This program is new in this plan. It formalizes the existing Puget Sound estuary program management structure; proposes several new financing options to provide adequate funding for the Puget Sound estuary program and the management plan; requires accountability by implementing agencies; provides for strong enforcement at all levels of government; and seeks to ensure that federal activities, including the operation of large federal facilities, are consistent with the plan.

Fish and Wildlife Habitat Protection: RCW 90.70.060(11) calls for the Puget Sound plan to include recommendations on "protecting, preserving and, where possible, restoring wetlands and wildlife habitat and shellfish beds throughout Puget Sound." The 1989 plan includes programs for wetlands and shellfish. However, it does not include a comparable program for the protection and restoration of fish and wildlife habitat with a focus on nonwetland aquatic habitats. This program is new; it addresses the protection of nonwetland aquatic habitats (including waters of the state, riparian zones, and shorelands) by promoting coordination among existing efforts and by providing a focus for Puget Sound. The program: Encourages and supports efforts by federal, state, local, and tribal governments, and private organizations, to act proactively to protect rapidly disappearing habitats in the near term; and coordinates among existing agencies and governments and their laws and programs to protect and manage Puget Sound habitat in the long term and to provide integrated solutions for habitat protection.

Spill Prevention and Response: Recent spills—from the huge Exxon Valdez spill to the Nestucca spill on the Washington coast—have increased concern about the need for spill prevention. Modern industrial societies depend on large volumes of gasoline, motor and heating

oils, solvents, and other hazardous substances to function. These substances are routinely transported and stored in huge quantities, and can cause tremendous damage when accidents happen. The program: Identifies the tools and resources needed to protect Puget Sound from spills; and sets forth a comprehensive spill prevention and response program using current regulations and enacting new legislation if necessary. This program is significantly expanded from the program in the 1989 plan. Several new elements focusing on spill prevention are proposed. These include: Implementing the States/B.C. Oil Spill Task Force's recommendations; amending the Environmental Protection Agency's oil pollution prevention regulations to require spill prevention and containment plans at oil storage facilities; assuring that Department of Ecology staff review spill control requirements during their review of waste discharge permits; providing training on the spill prevention measures that are required in Article 80 of the Uniform Fire Code; increasing vessel safety in Puget Sound by reducing conflicts between user groups like fishermen, ferries, commercial traffic, and pleasure craft; conducting a study on whether speed limits or other safety measures should be imposed in Puget Sound; providing spill prevention education targeting the commercial fishing industry and ports; and reviewing efforts to evaluate the effects of potential oil exploration off the coast of Washington on Puget Sound.

Monitoring: The 1989 plan established the Puget Sound ambient monitoring program. Under the program, several state agencies are monitoring the sound over time in order to assess the environmental conditions of Puget Sound, its resources, and the effects of human activities on them. The program: Establishes an institutional structure to manage the monitoring program; implements the monitoring program design, data management system, and quality assurance plan recommended by the Monitoring Management Committee in April 1988; collects, analyzes, interprets, and reports data in a manner that is useful to water quality managers and to the public; and reviews the monitoring program to ensure that the most appropriate and cost-effective monitoring elements are included. Two changes from the 1989 plan are proposed. A new element has been added which calls for monitoring pesticides in Puget Sound. Another element, which directs state agencies to collect and transfer data in formats compatible with PSAMP, has been expanded to include federal and local agencies and tribal governments.

Research: The research program in the 1989 plan began the development of the Puget Sound research program. The current program: Maintains the Puget Sound research program in order to promote the coordination and funding of Puget Sound research; establishes a renewable list of research priorities the program; and assists in making the results of research available to decision-makers. The major changes proposed in the program hinge on the establishment of the Puget Sound Foundation as the long-term means of funding and implementing program functions. While the authority will maintain (and share with the foundation) oversight,

coordination, and priority-setting functions until the authority's scheduled termination in 1995, the foundation will gradually assume the remaining functions in phases over the next four years.

Education and Public Involvement: The 1989 plan incorporated a long-range strategy to make Puget Sound education and public involvement more effective. The program includes: A public involvement policy to be followed by agencies and local governments; increased resources to state agencies and tribal governments for coordinated education programs on marine and freshwater habitats, on water quality policy issues, and on volunteer action; field agents to coordinate among local and regional education and public involvement programs; a public involvement and education fund (PIE-fund) to support short-term public involvement and education efforts of both the private and public sectors; and new in this plan, a Puget Sound foundation to support long-term education and public involvement efforts of both the private and public sectors. The program is fundamentally the same as that proposed in the 1989 plan. Besides the foundation, tribal field agents are added, and the interagency training teams are expanded to address wildlife habitat protection, integrated pest management, and public involvement in various water quality-related permits.

Puget Sound Foundation: This is a new program. It responds to a recognized need for an ongoing structure to coordinate strategies and funding for research and education. Chapter 115, Laws of 1990, authorizes the authority to create a public nonprofit corporation under chapter 24.03 RCW. It is anticipated that during the 1989-91 biennium, the authority will establish the Puget Sound Foundation as a nonprofit corporation. The foundation's primary tasks will be: Funding and coordinating research and education programs on Puget Sound; and assuming responsibility for certain elements of the research and education programs as staff and funding allow.

Household Hazardous Waste: Household hazardous wastes come from a variety of toxic products used in the home, such as paints and paint thinners, lawn and garden pesticides and fertilizers, and automotive products such as antifreeze, batteries, and oil. The use and disposal of many of these products are a chronic source of pollution to Puget Sound. The program seeks to ensure full implementation of recent amendments to the Hazardous Waste Management Act, including waste reduction through oil recycling and conservative use of pesticides. Additions to the program are proposed to incorporate educational opportunities for urban and suburban residents about pest management alternatives and the proper application of pesticides.

Nonpoint Source Pollution: "Nonpoint" pollution sources are numerous and dispersed, including all the forms of contamination that enter the water in surface runoff and from boats. Nonpoint sources include on-site septic systems, farm practices, and stormwater, as well as other sources. This program is a three-pronged effort: It targets state, federal, and local resources on priority watersheds through a cooperative process of local watershed planning and implementation; it supplements the

watershed plans with education and prevention programs; and it develops or enhances state programs or regulations for those nonpoint sources that are most effectively controlled at the state level (this specifically includes recreational boaters and on-site septic systems). Several changes are made to the watershed planning program: Revision of the nonpoint rule (chapter 400-12 WAC) is scheduled to begin in January 1991; language on approval of watershed plans is clarified; and a new subelement is added on federal funding. Two new elements addressing water quality impacts from pesticides are added. An element is added and another element modified to improve the coordination of programs addressing marinas and boats and proposing revision of a model ordinance to address the need for sewage disposal options for all boats using a marina, not just liveboards.

Shellfish Protection: This program focuses on better protection of both recreational and commercial shellfishing. The program includes: Adopting shellfish policies that will ensure that pollution source control programs protect shellfish; responding to existing and potential shellfish contamination with aggressive restoration and protection programs; monitoring commercial and recreational shellfish areas for toxic contaminants and indicators of pathogenic organisms; and increasing public involvement and education in shellfish protection. The proposed changes to the program clarify the program goal; place increased emphasis on the protection of shellfish beds (both commercial and recreational) to prevent future downgrading in classification; establish a mechanism for responding very quickly to shellfish growing area downgrades; and set up a demonstration restoration project.

Wetlands Protection: Wetlands are economically, biologically, and physically valuable. More than half of the wetlands along the coasts and riverbanks of Puget Sound have been destroyed by human activity. The greatest threat to wetlands is the rapid rate of population growth in the Puget Sound basin, an estimated 47 percent increase by 2010, and the development that will be necessary to accommodate this growth. The program in the 1989 plan called for protection of significant wetlands through preservation (purchase or other mechanisms); local government regulatory programs that meet minimum state standards; and a program for protecting wetlands on state-owned uplands and aquatic lands. There are several proposed changes and additions to the program. The minimum standards for local government wetlands protection programs are detailed in element W-4. These minimum wetlands standards will apply to all Puget Sound local governments that are required to promulgate development regulations by September 1, 1991, under the Growth Management Act (chapter 17, Laws of 1990 1st ex. sess., also known as SHB 2929). A larger role in wetlands protection is proposed for the United States Army Corps of Engineers, the Environmental Protection Agency, and the United States Fish and Wildlife Service. And, a wetlands restoration program is established.

Municipal and Industrial Discharges: Point sources of pollution include industries and municipal sewage treatment plants. This program calls for extensive improvement in the effectiveness of the state's point source control program (including the pretreatment program) and emphasizes control of toxicants from both industrial and municipal discharges. The program: Requires that all waste discharge permits include appropriate monitoring requirements and limitations on toxicants and other pollutants of concern; and devotes substantially increased resources to the inspection and enforcement of waste discharge permits for industrial and municipal discharges throughout the Puget Sound basin and to the discovery and control of unpermitted discharges. There are a number of changes proposed in the program from the 1989 version, including some delays in new program improvements to allow the Department of Ecology a period of stability to solidify improvements to the program. Changes include: Modification of discharger fees, several additional improvements to waste discharge permits, quality assurance for permits, additional support for urban bay action teams, changes to allow for stormwater discharge permits if required by EPA, a solid waste/sludge disposal study, data management requirements for ecology, a long-range plan to improve enforcement, additional resources for the pretreatment program, and enhanced technical assistance for dischargers.

Contaminated Sediments and Dredging: Toxic contaminants accumulate in sediments in the Puget Sound basin, causing harm to bottom-dwelling organisms and threatening the rest of the food web. Dredging to maintain navigation channels spreads and relocates these sediments. This program includes: Classifying sediments that cause adverse biological effects; implementing soundwide controls on sources of contaminants causing sediments to fail the sediment standards; providing rules and sites for disposal of dredged materials; and expanding the urban bay action program to provide for additional source control and consideration of cleanup actions for existing areas of high sediment contamination levels. There are several proposed changes to the program. The recommendations of phase II of the Puget Sound dredged disposal analysis are adopted by reference, providing a system for unconfined open water disposal of dredged material in both north and south Puget Sound. Several changes are proposed in the effort to clean up contaminated sediments to: Clarify the Department of Ecology's lead role; strengthen the involvement of tribal and local governments, and the Department of Natural Resources; and have the Puget Sound Estuary Program Management Committee review investigation and clean-up priority lists and urban bay action plans.

Stormwater and Combined Sewer Overflows: Stormwater runoff is a pervasive pollution problem. As urbanization of the Puget Sound basin continues, the problem is likely to increase. The program in the 1989 plan included: Development of stormwater programs in urbanized areas of Puget Sound in a phased effort starting with the largest cities; requirements for all cities and

counties to develop operation and maintenance programs, adopt ordinances for new development, and develop stormwater education programs; development of stormwater controls for state highways and federal facilities; and requirements for all cities with combined sewer overflows in the Puget Sound basin to develop and implement plans providing for the greatest reasonable reduction of CSO events. Proposed additions to the stormwater program include a task force to coordinate policy issues among fisheries, stormwater, and wetlands programs and a technical assistance service on stormwater for local governments which would be provided by the Department of Ecology and coordinated with local governments. The program proposes that the local stormwater programs be incorporated into the comprehensive plans to be developed under the new growth management bill. Ecology will adopt a rule which sets standards for stormwater programs, and the authority will adopt a rule which requires that local governments adopt the standards set in ecology's rule.

Laboratory Support: Many of the plan's programs depend on accurate and timely laboratory analyses. This program is essentially the same as the program in the 1989 plan. The program includes: Establishing a laboratory certification program administered by the Department of Ecology; assuring that adequate laboratory support exists for agency and other sampling programs; developing, updating, and encouraging the use of protocols to standardize data collection, analysis, and transfer within Puget Sound; and developing and encouraging the use of uniform quality assurance guidelines for data collected under all Puget Sound programs, including formation of a quality assurance/quality control working group.

John Dohrmann
Director of Planning
and Compliance

WSR 90-20-123
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
[Memorandum—October 1, 1990]

This notice is given pursuant to provisions of RCW 42.30.075 and WAC 222-08-040.

The Washington Forest Practices Board will hold its regular quarterly meeting on November 14, 1990, at 10:00 a.m. at the John L. O'Brien Building, Hearing Room "B", on the Capitol Campus, Olympia, Washington.

Additional information may be obtained from the Division of Forest Regulation and Assistance, 1007 South Washington Street, EL-03, Olympia, WA 98504, (206) 753-5315.

WSR 90-20-124
NOTICE OF PUBLIC MEETINGS
OIL AND GAS
CONSERVATION COMMITTEE
[Memorandum—October 1, 1990]

In the absence of Don Ford, Oil and Gas Conservation Committee Chairman, Ray Lasmanis, Oil and Gas Supervisor, has requested that the October 16, 1990, meeting of the committee be cancelled due to a lack of agenda items. No new oil and gas drilling permit applications have been received, and there is no drilling activity in the state of Washington at this time.

The next regularly scheduled meeting will be January 16, 1991.

WSR 90-20-125
RULES COORDINATOR
DEPARTMENT OF LICENSING
[Filed October 3, 1990, 9:29 a.m.]

This letter is to notify your office that Mr. Robert E. Smith has been appointed rules coordinator for the Washington State Department of Licensing pursuant to RCW 34.05.310(3) and that he will serve in that capacity, among others, until the appointment has been superseded by the Director of Licensing or by me.

Mr. Smith's office and mailing address are: Mr. Robert E. Smith, Rules Coordinator, Office of Budget and Program Support, Washington State Department of Licensing, 4th Floor, Highways-Licenses Building, Mailstop PB-01, Olympia, WA 98504.

Ken W. Mark
Assistant Director
Administrative Services

WSR 90-20-126
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed October 3, 1990, 9:35 a.m.]

Original Notice.

Title of Rule: Camping resort rules, new sections WAC 308-420-010 Organization, formerly WAC 460-90A-005; 308-420-020 Definitions, formerly WAC 460-90A-015; 308-420-030 Reporting events that shall require that the operator keep written disclosures current, formerly WAC 460-90A-017; 308-420-040 Material events that are amendments requiring notice and a filing fee, formerly WAC 460-90A-018; 308-420-050 Exemptions from registration—Noncommercial resale contract offerings, formerly WAC 460-90A-022; 308-420-060 Statement of record—Filings and information required upon application for registration of start-up camping resort projects and contract offerings, formerly WAC 460-90A-025; 308-420-070 The public offering statement—Form, content and preparation, formerly

WAC 460-90A-027; 308-420-080 Signing of application and the permit, formerly WAC 460-90A-030; 308-420-090 The public offering statement—Delivery to prospective purchasers, formerly WAC 460-90A-032; 308-420-100 Purchaser cancellations of contracts—Prompt refund of funds and consideration, formerly WAC 460-90A-035; 308-420-110 Financial statements and information, formerly WAC 460-90A-045; 308-420-120 Written disclaimer of endorsement, formerly WAC 460-90A-055; 308-420-130 Notice of termination of sales, formerly WAC 460-90A-060; 308-420-140 Receipt of written disclosures, formerly WAC 460-90A-070; 308-420-150 Depository, formerly WAC 460-90A-080; 308-420-160 Operation of impound condition, formerly WAC 460-90A-090; 308-420-170 Release of impounds, formerly WAC 460-90A-100; 308-420-180 Fee for impound, formerly WAC 460-90A-105; 308-420-190 Renewals, formerly WAC 460-90A-115; 308-420-200 Salesperson registrations, formerly WAC 460-90A-122; 308-420-210 Request for withdrawal of camping resort property, formerly WAC 460-90A-130; 308-420-220 Advertisements, formerly WAC 460-90A-140; 308-420-230 Rainchecks; and 308-420-240 Fees and charges, formerly WAC 460-90A-145; and repealing chapter 460-90A WAC.

Purpose: To clarify the advertising requirements and to update the WAC rules so they are consistent with past legislative amendments.

Other Identifying Information: WAC rule sections were previously promulgated under the securities division. These rules have been moved into the Department of Licensing section of the WAC rules.

Statutory Authority for Adoption: RCW 19.105.530.

Statute Being Implemented: Chapter 19.105 RCW.

Summary: These rule changes are mostly housekeeping except in the advertising rules which have been amended to specify more clearly the kinds of permissible advertising.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James Hudson, 2424 Bristol Court, P.O. Box 9020, (206) 586-4575.

Name of Proponent: Department of Licensing Camping Resort Program, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See Title of Rule and Summary above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Licensing, Training Room, 421 Black Lake Boulevard, Olympia, WA 98504, on November 20, 1990, at 1:00 p.m.

Submit Written Comments to: Jim Hudson, 2424 Bristol Court, Olympia, WA 98504, by 5:00 p.m., November 19, 1990.

Date of Intended Adoption: November 20, 1990.

October 3, 1990

Linda M. Moran
Assistant Attorney General

Chapter 308-420 WAC
CAMPING RESORTS—CONTRACTS—RESALE, ETC.

NEW SECTION

WAC 308-420-010 ORGANIZATION. The administrator, business and occupations division, professional licensing services, department of licensing, administers the Camping Resorts Act for the director of licensing. Information regarding the regulation of camping resort offerings and salespersons may be obtained by writing to: Administrator, Business and Occupations Division, Department of Licensing, P.O. Box 9020, Olympia, Washington 98504. Persons desiring to visit the business and occupations division on matters relating to camping resort offerings or camping resort salespersons may do so at the business and occupations division offices located on the 2nd Floor, 2424 Bristol Court, Olympia, Washington 98504.

NEW SECTION

WAC 308-420-020 DEFINITIONS. (1) Words and terms used in these rules shall have the same meaning as each has in the Camping Resorts Act, (chapter 19.105 RCW).

(2) "Agency" means the department of licensing in the state of Washington.

(3) "Camping resort" shall be synonymous with "camping club," or "camp resort" whether or not structured as or involved with a common-interest entity, provided the method of structuring the project meets the definition of "camping resort" in RCW 19.105.300(1).

(4) "Camping resort program" means the rights and obligations of a purchaser and the methods and procedures for occupying or using camping resort facilities and properties, as established by the purchase contract and other written instruments, such as covenants, declarations, bylaws or rules.

(5) "Camping resort project" shall mean a camping resort and all of its parks, sites, properties and facilities, that are part of the program in which a purchaser receives use, occupancy, membership, or ownership rights.

(6) "Public offering statement" shall mean the written disclosures referred to in RCW 19.105.320 (1)(b) and 19.105.370.

(7) "Statement of record" shall mean all materials, not exclusive of others, including application forms, documents, exhibits, statements, the public offering statement, correspondence, and affidavits, filed with the agency, for registration purposes.

(8) "Resale camping resort contract" shall mean a camping resort contract offered or sold which is not the original offer, transfer or sale of such contract, and not a forfeited contract being reoffered by an operator.

(9) "Start-up camping resort contract" means a camping resort contract that is being offered or sold for the first time or a forfeited contract being resold by a camping resort operator.

(10) "Advance fees" shall mean fees, funds, or consideration of any description, collected for any purpose from buyers or sellers of resale camping resort contracts, prior to the time of settlement of a purchase transaction.

(11) "Prospective purchaser" shall mean any person attending a sales presentation or touring a camping resort when such attendance results from an operator's solicitation or advertising.

(12) "Right to use or multiple use camping resort" shall mean a camping resort where the fee title or leasehold interest to the land remains with the operator and memberships are sold in excess of one membership to each camping site and usage is subject to operator established rules.

(13) "Common-interest camping resort" shall mean a member-owned entity which has the fee title or leasehold interest to the land in its own name and the memberships of the common interest entity are sold one membership to a specific camping site and the site usage is exclusive to the member.

(14) "Undivided interest camping resort" shall mean a camping resort entity which conveys the fee title or leasehold interest to the land to the member, and the memberships are sold in excess of one membership to each camping site and their usage is subject to the operator's established rules.

NEW SECTION

WAC 308-420-030 REPORTING EVENTS THAT SHALL REQUIRE THAT THE OPERATOR KEEP WRITTEN DISCLOSURES CURRENT. (1) Not exclusive of others, the following are

events that shall require that the operator provide the agency with notice and amendment to the public offering statement, pursuant to the provisions of RCW 19.105.420 for the purpose of keeping the public offering statement current:

(a) Any change or event causing information in the public offering statement to be out-dated, incorrect, incomplete or deceptive.

(b) Any damage to the property or facilities of a camping resort which limits the use of the properties or facilities by the contract purchasers.

(c) Any hazard threatening the properties or facilities which presents a danger of injury to the contract purchasers or limits their use of properties or facilities.

(d) Any order or action by a local, state or federal regulatory agency in the granting, denial, revocation, or suspension of a permit or authorization affecting the camping resort properties or facilities which limits the use of the camping resort properties or facilities by the contract purchasers.

(e) The completion of promised facilities or the failure to complete promised facilities on a date or at the occurrence of an event, as promised.

(f) A bulk sale of the project or a significant portion of the project to another person.

(g) Changes in the provisions of instruments or documentation utilized to establish the camping resort program or a common-interest entity involved in the camping resort operations.

(h) Any change in the provisions or content of a purchase contract, deed, membership certificate or members handbook.

(i) Lawsuits filed or served, which name the operator, its affiliates or the project's common-interest entity and concern the provisions of the Camping Resorts Act (chapter 19.105 RCW) and rules or the financial condition of the operator or its affiliates, the project, or a common-interest entity.

(j) Changes in management, if the project or its amenities are managed by a common-interest entity.

(k) Any new contract, change in a contract, or termination of a contract with an outside reciprocal-use or exchange entity.

(l) Any proposed change in the ratio of contracts to be sold relative to the number of camp sites available.

(2) It shall be a violation of chapter 19.105 RCW and these rules for a registrant to have knowledge or cause the occurrence of an event specified in subsection (1) of this section, without providing timely notice of the event to the agency as required in RCW 19.105.420 and 19.105.360(3).

(3) Notice for the purpose of keeping the public offering statement current shall be accomplished by providing the agency with:

(a) Copies or prototypes of documents or other materials pertinent to the event.

(b) A cover letter explaining the event.

(c) A redraft of the public offering statement identifying the proposed corrections, deletions, or additions to the existing information.

NEW SECTION

WAC 308-420-040 MATERIAL EVENTS THAT ARE AMENDMENTS REQUIRING NOTICE AND A FILING FEE.

(1) Not exclusive of others, the following shall be events that will have a material effect on the conduct of the operation of a camping resort and require both notice to the agency and the submission of a filing fee.

(a) Any proposed sale or transfer, of an interest in the project or shares of stock of the registrant which results in a change of voting, management, or ownership control.

(b) Any removing, substituting, leasing, optioning, selling or withdrawing of existing properties, resorts, or facilities from the camping resort program.

(c) Any adding, deleting, or rearranging of camping sites or facilities within an existing camping resort in a manner that would reduce the size or change the number or quality of sites.

(d) Any adding of camping resorts, facilities or properties to any existing camping resort program and any purchase or acquisition of other camping resorts, facilities or properties by an operator or its affiliates.

(e) Any new encumbrances, liens or loans that affect the camping resort properties.

(f) A change in the status, provisions, or conditions of an escrow, trust, impound, reserve account or other security device being utilized

to protect the interests of purchasers, whether or not impound or reserve accounts are required as a condition to registration under chapter 19.105 RCW.

(g) The filing by any person of any bankruptcy, receivership, or trustee action that involves any of the camping resort properties, the registrant, a common-interest entity or an affiliate, as a party to the action.

(h) The operator makes an initial offering of stock to the public.

(i) The refinancing of all or any part of the operator's debts affecting the project.

(j) Any change in the financial condition of the registrant, an affiliate, or a common-interest entity, if such change could result in an inability to provide promised sites, facilities, or services.

(2) Filing an amendment and reporting events that might have a material effect shall be accomplished by providing the agency with the following:

(a) Copies or prototypes of documents or other materials pertinent to the event.

(b) A cover letter explaining the event and any proposed amendment.

(c) A redraft of the public offering statement identifying the proposed corrections, deletions, or additions to the existing information.

NEW SECTION

WAC 308-420-050 EXEMPTIONS FROM REGISTRATION—NONCOMMERCIAL RESALE CONTRACT OFFERINGS. As provided in RCW 19.105.325(2), the director exempts from the registration requirements of chapter 19.105 RCW the offering and selling of resale camping resort contracts by a common interest entity, entirely owned and operated by the purchasers of the camping resort contracts, which markets no more than ten resale camping resort contracts during one registration period, provided that any such offering or selling is noncommercial in nature and that registration is not necessary for the protection of purchasers. Noncommercial shall mean that the common-interest entity is not primarily in the business of offering or selling camping resort contracts.

NEW SECTION

WAC 308-420-060 STATEMENT OF RECORD—FILINGS AND INFORMATION REQUIRED UPON APPLICATION FOR REGISTRATION OF START-UP CAMPING RESORT PROJECTS AND CONTRACT OFFERINGS. (1) An application for registration of a start-up contract offering shall be made by completing forms prepared for such purpose by the agency.

(2) The application, documents and information filed for registration purposes shall be referred to as the statement of record.

(3) The statement of record for a registration of a start-up contract offering shall include the following:

(a) The prescribed filing fee.

(b) The completed application forms.

(c) The draft of the proposed public offering statement.

(d) A sample or prototype of any documents to be signed or initialed by and that commits purchasers. Such documents shall contain the cancellation notice required in RCW 19.105.390.

(e) Copies of all recorded or unrecorded encumbrances, mortgages, liens, deeds, leases, contracts, and any amendments thereto, that affect camping resort projects.

(f) A preliminary title report, dated within ten days of application, covering all of the acreages, park sites, and areas on which facilities are located.

(g) Financial statements and information as required by WAC 308-420-110.

(h) If the registrant is other than a natural person, copies of relevant articles of incorporation, bylaws, partnership, or joint venture documentation.

(i) Promotional materials, including advertising and contract forms covering travel programs, discount programs, programs for the use or occupancy of in-park trailers or mobiles and those providing memberships in other recreational programs, if such materials or programs are to be utilized to promote sales of camping resort contracts or are to be offered to contract owners as part of the camping resort programs.

(j) Rules and regulations governing the use and occupancy of project parks and facilities.

(k) A statement as required pursuant to RCW 19.105.320 (1)(d).

(l) Applications for and contracts of affiliation with any outside exchange or reciprocal-use entity.

(m) Information covering purchaser costs, rules, contract forms, and any fees required for purchaser use of operator-owned trailers, mobiles, tents, or other over-night accommodations, available for purchasers as an alternative to using the purchaser's own mobile units.

(n) A statement describing the operator's, an affiliate's, or successor's right to substitute, change, or withdraw from use all or a portion of the camping resort properties and the extent to which the camping resort operator, affiliates, or successors are obligated to replace the camping resort properties substituted or withdrawn within a reasonable period of time after such action, with substituted properties in the same general area, that are at least as desirable for the purpose of camping and outdoor recreation.

(i) If a nonaffiliate or any other person has the ability through existing agreements to exercise a right of withdrawal of camping resort properties in the program from use by the camping resort members, provide copies of any and all documentation evidencing the ability to exercise such right of withdrawal.

(ii) If a withdrawal becomes effective on a specific date, provide a description of the means and method of withdrawal and state the date.

(o) Whenever applicable to the structuring of the project, provide a copy or prototype of the following:

(i) Plats, maps, site plans, or surveys.

(ii) Water, sewerage, or land use authorizations or permits, or denial of permits of local jurisdictions.

(iii) A copy of any administrative, civil, or criminal proceeding involving theft, fraud, or dishonesty, or violations of any act designed to protect consumers or involving dishonest practices in any industry involving sales to consumers in which the applicant is or has within the past five years been a party.

(iv) Performance bonds, letters of credit, surety or guaranty agreements affecting the project or the program.

(v) Trust or escrow arrangements affecting the project.

(vi) Market surveys or feasibility studies, if presently available.

(vii) Appraisals of market value of the project, if presently available.

(viii) Engineering studies or surveys of physical hazards such as earthquakes, floods, beach erosions, landslides, or volcanoes, if presently available.

(ix) Covenants or declarations affecting camping resort properties.

(x) Agreements for the usage of amenities or facilities owned by persons other than operator.

(p) If the project involves a common-interest entity copies or prototypes of the following:

(i) Declaration and bylaws.

(ii) Rules and regulations.

(iii) Membership certificate and proxy forms.

(iv) Evidences of title to any personal property owned or to be owned by the association or purchasers collectively.

(v) Agreements for managing the properties.

(vi) Agreements for payment or subsidizing the payment of project operational expenses during the term of registrant marketing.

NEW SECTION

WAC 308-420-070 THE PUBLIC OFFERING STATEMENT—FORM, CONTENT, AND PREPARATION. (1) The written disclosures provided for in RCW 19.105.320 (1)(b) and 19.105.370 shall be in a document to be known as the public offering statement.

(2) The public offering statement shall be prepared and promulgated in a form prescribed by the agency.

(3) The public offering statement shall consist of two parts:

(a) Part I, written disclosures, to be prepared by the applicant.

(b) Part II, attachments of exhibits provided by applicant in the statement of record, when required by the agency for the protection of purchasers, and a copy or prototype of the purchaser contract form(s).

(4) The applicant's disclosures for Part I of the public offering statement for a start-up camping resort contract offering shall be prepared in sections, captioned in bold print as follows:

(a) THE CAMPING RESORT OPERATOR: Information in this section is to include the name, address, and business telephone number of the operator, the common-interest entity and a brief summary of the operator's experience in the camping resort business.

(b) THE PROJECT. GENERAL INFORMATION: Information in this section shall specify the location and provide a brief description of the park sites and significant facilities and recreation services already available for use by purchasers in each park site and the program.

(c) FACILITIES, AMENITIES, PARK SITES, AND PROGRAMS THAT ARE PLANNED OR PROMISED: Information in this section is to cover that required in RCW 19.105.320 (1)(b)(iv) and (vi).

(d) NATURE OF THE INTEREST WHICH YOU ARE PURCHASING: Information in this section is to cover that required in RCW 19.105.320 (1)(b)(iii). If the purchase contract, membership certificate, or project rules and regulations refer to or make use of the term(s) "club," "member," or "membership," describe whether or not any of the following are available to the purchasers:

(i) A membership in any common-interest entity, nonprofit corporation or other form of common-interest community.

(ii) Shares of stock that allow participation in any profits earned by the operator or its affiliates.

(iii) The right to vote for officers and directors.

(iv) The right to make decisions on how the project or program is managed.

(v) The right to vote for or against any proposed rule changes.

(vi) Attendance at membership meetings.

(e) OWNERSHIP OF PROJECT PROPERTIES AND ENCUMBRANCES, LIENS, AND OTHER CONDITIONS AFFECTING OWNERSHIP: Information provided in this section is to cover that required in RCW 19.105.320 (1)(b)(v).

(f) PURCHASER PROTECTIONS—ASSURANCES OF FUTURE AVAILABILITY OF THE PROMISED CAMPING RESORT SITES, FACILITIES, AND PROGRAM. The information in this section is to be provided in bold print and include that information required by RCW 19.105.320 (1)(b)(xii) and (xiv) and a statement describing the operator's, or an affiliate's or successor's right to substitute, change, or withdraw from use all or a portion of the camping resort properties and the extent to which the camping resort operator, affiliates, or successors are obligated to replace the camping resort properties substituted or withdrawn within a reasonable period of time after such action, with substituted properties in the same general area, that are at least as desirable for the purpose of camping and outdoor recreation.

(g) SUMMARY OF PURCHASERS RIGHTS TO AND RESTRICTIONS FOR USE OF PROJECT SITES AND FACILITIES: The information in this section is to include that information required pursuant to RCW 19.105.320 (1)(b)(v), (vii), and (xi).

(h) RESTRICTIONS ON SALE, TRANSFER, OR ASSIGNMENT OF CAMPING RESORT CONTRACTS, MEMBERSHIPS, LICENSES, OR DEEDS: The information in this section is to be provided in bold print, underlined, and to include in summary form, that information required pursuant to RCW 19.105.320 (1)(b)(x) and (xiii).

(i) PURCHASER COSTS: The information in this section is to include that required pursuant to RCW 19.105.320 (1)(b)(ix).

(5) For applicants whose projects are structured as common-interest entities, or that otherwise are involved with memberships in common-interest entities which are to be responsible for management or ownership of camping resort properties, additional information is to be included in the public offering statement, pursuant to the requirements of RCW 19.105.320(vii), in a section headed "GOVERNING DOCUMENTATION—THE ' _____ ' COMMON INTEREST ENTITY."

(6) Prior to approval of a registration or promulgation of the proposed public offering statement by the applicant, the applicant's draft for the public offering statement shall be reviewed by the agency to determine its completeness and accuracy.

(7) If the agency deems that sections or areas of the proposed public offering statement are incomplete, inaccurate, deceptive, or not presented in the proper format, the agency shall reject the proposed public offering statement and return it to the applicant for correction of noted deficiencies.

(8) Guidelines, instructions, and preprinted materials for preparing the public offering statement may be obtained from the agency.

NEW SECTION

WAC 308-420-080 SIGNING OF APPLICATION AND THE PERMIT. Both the application for registration of camping resort contracts and the agency permit shall be signed by the camping resort operator or the appropriate officer or general partner of the camping resort operator. However, these documents may be signed by another person holding a power of attorney for such purposes from the applicant and, if signed on behalf of the applicant pursuant to such power of attorney, shall include as an additional exhibit a copy of said power of attorney or a copy of the corporate resolution authorizing the person signing to act on behalf of the applicant.

NEW SECTION

WAC 308-420-090 THE PUBLIC OFFERING STATEMENT—DELIVERY TO PROSPECTIVE PURCHASERS. (1) The operator or its agents shall provide all prospective purchasers with the

agency-registered Part I of the public offering statement prior to the completion of a sales presentation or a camping resort tour whether or not such persons purchase a camping resort contract.

(2) Part II of the public offering statement shall be provided to actual purchasers.

(3) Any person who requests of an operator or its agents, a public offering statement, shall be provided Part I of the public offering statement, whether or not such person has received a solicitation.

(4) Any prospective purchaser who attends a sales presentation or tour of a camping resort, upon request of the prospective purchaser, shall be given a copy or prototype of the operator's camping resort contract, which the prospective purchaser may retain, whether or not there has been an actual purchase made. No fee shall be charged for this document.

(5) No fee may be charged for the initial copy of the Part I of the public offering statement provided persons. A fee covering the operator's actual costs for production of the document may be charged for additional copies.

NEW SECTION

WAC 308-420-100 PURCHASER CANCELLATIONS OF CONTRACTS—PROMPT REFUND OF FUNDS AND CONSIDERATION. (1) "Promptly" with reference to the refund and return of a person's funds and consideration, referred to in RCW 19.105.390 shall be as follows:

(a) For cash, cashiers checks, money orders, credit card slips held and not processed and other similar consideration, the operator or its agents shall make refunds within ten business days of a demand.

(b) For credit card purchases where the operator has processed the credit card slip(s) to the care of the credit card company, the operator shall notify the credit card company of a credit to the account of the purchaser within three business days of a demand.

(c) Promissory notes and similar evidences of debt shall be voided and returned within three business days of demand.

(d) Within ten business days after demand, the operator or its agents shall give the purchaser evidence that the purchase commitment has been voided.

(2) No purchaser camping resort contract, promissory note or other evidences of debt may be sold, transferred, hypothecated or pledged by an operator until at least five business days after the termination of the statutory-prescribed cancellation term.

(3) No fees or charges may be made of a purchaser by an operator for use of written materials or camping resort facilities offered gratuitously prior to the cancellation request; however, nothing in this statement shall preclude an operator from requiring return of materials in the custody of a purchaser not constituting either Part I or Part II of the public offering statement.

NEW SECTION

WAC 308-420-110 FINANCIAL STATEMENTS AND INFORMATION. (1) Financial statements provided by the applicant, reporting on the applicant as a business, shall be audited and prepared in accordance with generally accepted accounting principles by a public accountant independent of the operator or affiliate.

(2) The financial statements shall include a balance sheet, statements of income and changes in financial position for each of the three fiscal years preceding the date of application. For the period between the end of the previous fiscal year and the date of application, interim financial statements, for all calendar quarters covering the period sixty or more days prior to the date of application shall be submitted but need not be audited.

(3) In order to be assured of continued payment of the project operating expenses and the funding of capital improvement accounts for future repairs, replacement or refurbishment of depreciable properties and facilities, and for contingencies, the following financial statements, documentation or information, reporting on the financial operations of the resorts and its facilities, as distinguished from that financial information reporting on the applicant as a business, required in subsections (1) and (2) of this section, are to be provided to the agency:

(a) The location of and amounts in all capital improvement, reserve and contingency accounts.

(b) Financial statements including a balance sheet, statements of income and changes in financial position covering the camping resort operating income and expenses and funding of capital improvements, for each of the three fiscal years preceding the date of application, or for the preceding year for a renewal applicant.

(4) All applicants shall provide a statement concerning the liens and encumbrances affecting all camping resort properties and facilities in the camping resort program, and shall include the following information:

(a) The identity of the lien or encumbrance.

(b) The identity of the holder or owner of the lien or encumbrance.

(c) A description of the property encumbered or affected.

(d) The original amount of each loan or encumbrance.

(e) The balance due and whether or not any payments are then in arrears.

(f) A schedule of amounts and dates payable or conditions of any future payments.

(g) If deemed necessary for the protection of purchasers, the agency may require reporting and confirmation of payments made on liens and encumbrances.

(5) For purposes of purchaser protection, the agency may require additional financial information in the event such information appears necessary to determine the requirements of RCW 19.105.340, and 19.105.350 or if grounds exist for administrative action under RCW 19.105.380.

(6) The agency may waive any or all of the financial information requirements of this section in the event such information does not appear necessary for purposes of determining whether an applicant must comply with RCW 19.105.340, 19.105.350 or if grounds exist for administrative action under RCW 19.105.380.

(7) The agency may require that the financial statements and information required in this section be consolidated with that of affiliates or other business endeavors if it appears necessary to do so for the protection of purchasers or to assist in the determination whether the applicant must comply with the requirements of RCW 19.105.340 and 19.105.350, or if grounds exist for administrative action under RCW 19.105.380.

NEW SECTION

WAC 308-420-120 WRITTEN DISCLAIMER OF ENDORSEMENT. The public offering statement and each advertisement or sales promotional literature required to be filed pursuant to RCW 19.105.360(1) or that is utilized by an operator, its agents or affiliates, shall contain, in a conspicuous location, the following statement in at least 10 point type:

THIS DOCUMENT HAS BEEN FILED WITH THE DEPARTMENT OF LICENSING, STATE OF WASHINGTON, AS REQUIRED BY WASHINGTON LAW. VALUE, QUALITY, OR CONDITIONS STATED, AND PERFORMANCE ON PROMISES ARE THE RESPONSIBILITY OF THE OPERATOR, NOT THE DEPARTMENT. THE FILING DOES NOT MEAN THAT THE DEPARTMENT HAS APPROVED THE MERITS OR QUALIFICATIONS OF ANY REGISTRATION, ADVERTISING, OR ANY GIFT, PRIZE, OR ITEM OF VALUE AS PART OF ANY PROMOTIONAL PLAN.

NEW SECTION

WAC 308-420-130 NOTICE OF TERMINATION OF SALES. The camping resort operator shall file with the director a statement setting forth that he or she has terminated offers and sales of camping resort contracts in the state of Washington.

NEW SECTION

WAC 308-420-140 RECEIPT OF WRITTEN DISCLOSURES. The camping resort operator or salesperson shall obtain from each person that tours a camping resort or attends a sales presentation, a signed statement evidencing receipt of the appropriate parts(s) of the public offering statement. The operator shall retain each receipt for a period of at least three years from the date of signature thereon.

NEW SECTION

WAC 308-420-150 DEPOSITORY. Funds subject to an impound condition shall be placed in a separate trust account with a bank or depository institution approved by the director. A written consent of the depository to act in such capacity shall be filed with the director.

NEW SECTION

WAC 308-420-160 OPERATION OF IMPOUND CONDITION. When an impound condition is imposed in connection with the registration of camping resort contracts, up to 100% of the proceeds and other funds as specified by the impound conditions shall, be placed

with the depository within 48 hours after the cancellation periods prescribed in WAC 308-420-100 or the next banking day after the cancellation periods whichever is later, until the director takes further action pursuant to WAC 308-420-170.

NEW SECTION

WAC 308-420-170 RELEASE OF IMPOUNDS. The director or administrator will authorize the depository to release to the operator or others as provided in the terms of the impound, the amount of the impounded funds applicable to a specified purpose, upon a showing that the operator can satisfy his obligations under the camping resort contract and the impound arrangement or that for other reasons the impound is no longer required for the protection of the purchasers. An application for an order of the director or administrator authorizing the release of the impound to the operator or other persons shall be by affidavit and shall contain the following:

(1) A statement of the operator that all required proceeds and documents from the sale of camping resort contracts have been placed with the depository in accordance with the terms and conditions of the impound agreement.

(2) A statement of the depository signed by an appropriate officer setting forth the amount of funds placed, already disbursed and presently in the custody of the depository.

(3) The names of each contract purchaser and the amount held in the impound for each of the accounts.

(4) Such other information as the director may request.

NEW SECTION

WAC 308-420-180 FEE FOR IMPOUND. The director shall impose a fee for each impound or reserve required to be set up pursuant to RCW 19.105.340 and 19.105.350.

NEW SECTION

WAC 308-420-190 RENEWALS. (1) Pursuant to RCW 19.105.420 an application for renewal shall be made not less than thirty days prior to the expiration date of a registration, on a form to be provided by the agency.

(2) It shall be the applicant's responsibility to procure forms and file them with the agency.

(3) The renewal application shall include the following:

(a) Affidavits by the operator stating whether or not there have been any changes in the information and documentation previously submitted for purposes of registration.

(b) Copies or prototypes of all amended, altered, or new documentation evidencing changes; the changes shall be underlined or referred to by footnotes.

(c) A draft of a proposed amended public offering statement evidencing changes; the changes shall be underlined or referred to by a cover letter calling the agency's attention to the proposed changes, additions to or deletions from the public offering statement previously accepted by the agency.

(d) A copy of all camping resort contract forms marked and underscored to reflect changes, additions or deletions.

(e) Financial statements and information as provided for in WAC 308-420-110.

(f) Payment of fees as provided for in RCW 19.105.411.

(4) Failure of the renewal applicant to renew in a timely manner on or before the date of permit expiration, shall mean that the registration and permit have expired. Upon expiration of registration the camping resort contracts are deemed not registered and the operator must register as a new applicant pursuant to the provisions of RCW 19.105.320 and WAC 308-420-060 and 308-420-070.

NEW SECTION

WAC 308-420-200 SALESPERSON REGISTRATIONS. (1) Each applicant for registration as a camping resort salesperson shall register on a form prescribed by the agency and pay a filing fee as provided by the director.

(2) Registration as a camping resort salesperson shall be renewed annually or at the time the salesperson obtains employment by a camping resort operator subsequent to a termination of an employment by a camping resort operator, by the filing of a form prescribed by the agency and payment of the proscribed fee.

(3) The following information shall be provided on the original application or renewal of a camping resort salesperson's registration:

(a) The applicant's date and place of birth.

(b) Proof of identity.

(c) Information covering employment for the prior five years.

(d) Information concerning any administrative action taken against permits, licenses or registrations in other professions, businesses or occupations.

(4) Upon the occurrence of any material change in the information contained in the registrant's file, each salesperson registrant shall promptly file with the agency an amendment to the salesperson registration file stating the change(s). The following shall be material changes requiring notice to the agency:

(a) Any termination of employment with a camping resort operator.

(b) Upon being named a defendant or a party in any administrative, civil or criminal proceeding involving theft, fraud or dishonesty or violation of any act designed to protect consumers, or involving unethical or dishonest practices in any industry involving sales to consumers or violations of chapter 19.105 RCW, the salesperson applicant shall promptly provide to the agency a notice of the proceeding and a copy of the complaint.

(c) A change of name.

(d) A change of residence or mailing address.

(5) Each operator of a camping resort whose camping resort contracts are registered with the agency, shall upon the termination of employment of a camping resort salesperson provide the department with a notice of termination and to return to the department the salesperson registration within ten days of the termination.

(6) The operator is responsible for posting the salesperson registration in a conspicuous location on the premises where the salesperson is employed.

(7) As a condition of continued registration the salesperson registrant shall comply with the following:

(a) During the entire term of the registration the registrant is to be employed or engaged by an operator that is registered with the agency as an offeror of camping resort contracts, and the salesperson shall be offering contracts on behalf of or in the employment of such operator-registrant. Upon termination of employment with a registered camping resort operator, the salesperson registration is deemed to have expired.

(b) The salesperson shall clearly identify himself or herself by full name, by means of a business card, lapel pin or by other means, upon contact with any prospective purchaser.

(c) The salesperson shall cooperate fully with the agency in any investigation of alleged violations by the registrant, salesperson, or others, of the Camping Resort Act or these rules.

(d) It shall not be represented to any prospective purchaser that there is any form of a membership resale program for membership contracts being offered by the operator of the camping resort.

(8) Applications for registration or renewal that are for any reason defective or that are not legible shall be returned and the application shall be deemed not filed until the form is received by the agency with the deficiencies corrected.

(9) An application for renewal of a salesperson registration not filed in a timely manner or not received or acted upon by the agency prior to the expiration date shall be deemed by the agency as having expired. The salesperson must thereafter register as a new applicant for registration. Salespersons who have failed to make timely renewal applications shall not engage in camping resort activities. It is the salesperson's responsibility to secure the necessary forms and renew a registration in a timely manner. Applications for renewal should be forwarded to the agency by registered mail at least thirty days prior to expiration of the current registration. The agency shall not be responsible for applications lost in the mail or not timely received for other reasons.

NEW SECTION

WAC 308-420-210 REQUEST FOR WITHDRAWAL OF CAMPING RESORT PROPERTY. A camping resort operator may request an order from the director for authority to withdraw any substantial camping or recreation portion of any camping resort property devoted to camping or recreational activities pursuant to RCW 19.105.380 (1)(q)(iv) by filing with the director a request 90 days before the intended withdrawal date or such lesser time as the director may allow identifying the portion of the property to be withdrawn and stating the reasons for such withdrawal accompanied by copies of any materials or data supporting such reasons or the necessity for such withdrawal.

NEW SECTION

WAC 308-420-220 ADVERTISEMENTS. (1) No camping resort operator or salesperson shall use advertisements or sales promotion literature that are deceptive, false, or misleading.

(2) Advertisements or sales promotion literature that offer any gift, prize, award, sweepstakes, premium, free items, or item of value as an inducement to the recipient to buy a camping resort membership, visit a camping resort property, complete a tour of a camping resort property, receive a sales presentation, or contact salespersons shall be subject to the following provisions:

(a) The name of the operator providing the services which are the subject of the advertisement or sales promotion shall appear on the front or first page of the offer. If the offer is made by an agent or independent contractor employed or authorized by the operator, or is made under a name other than the registered name of the operator, the name of the operator shall be more prominently and conspicuously displayed than the name of the agent, independent contractor, or other name.

(b) No item or promotion may be labeled gift, prize, award, sweepstakes, premium, free, or the like if the intended recipient is required to purchase a camping resort contract or expend any sum of money other than travel costs to attend a sales presentation or pay any shipping and handling charges to receive or redeem the item.

(c) The use of any printing styles, graphics, lay-outs, text, colors, or formats on envelopes or on the offer which implies, creates an appearance, or would lead a reasonable person to believe, that the offer originates from or is issued by or on behalf of a government or public agency, public utility, public organization, insurance company, credit reporting agency, bill collecting company or law firm, unless the same is true, is prohibited.

(d) All references to the size, quantity, identity, value, or quality of any incentive must be accurate and correct.

(e) All references to the odds of receiving any particular incentive must be accurate and correct.

(f) References that represent directly or by implication that the number of participants has been significantly limited or that any person has been selected to receive a particular incentive unless fact are prohibited.

(g) No offer shall be labeled a notice of termination or notice of cancellation.

(h) The offer, plan, program or the affiliation, connection, association, or contractual relationship between the person making the offer and the operator may not be represented if they are not the same.

(i) The advertisement or sales promotion literature shall identify each item and its retail fair market value. To determine the retail fair market value, the following methods may be used:

(i) Approximate retail sales price of the item in the trade area in which the offer is made; or

(ii) Approximate retail sales price in the trade area of similar items of comparable quality if the item is not available in the trade area in which the offer is made;

(iii) Appraisals adjusted to local retail fair market value;

(iv) Only if local retail fair market value cannot be determined by the methods set forth above then it may be established by multiplying by three the operator's actual cost of the item.

(j) If the item is one or more of a larger group, and if offered or given on a random basis, the advertisement or sales promotion literature must disclose the actual odds of receiving each item. The odds shall be stated in Arabic numerals in ratio form and if the odds are not printed on the front or first page of the offer, then the location of the odds must be disclosed on the front or first page in a type size that is equal to or larger than standard text type used on the front or first page of the offer.

(k) If receipt of the advertised item is contingent upon certain restrictions or qualifications which the recipient must meet, then a clear and complete disclosure of those restrictions and whether they apply to receipt of the gift or acceptability to buy into the program, must be made in the offer. Restrictions that must be disclosed include, but are not limited to the following:

(i) The deadline by which the recipient must buy a camping resort membership, visit a camping resort property, complete a tour of a camping resort property, receive a sales presentation, or contact a salesperson in order to receive an item, if any such deadline exists;

(ii) The days and hours during which visits may be made, tours may be taken, or sales presentations received and the approximate length in hours of such visits, tours or sales presentations if any visit, tour, or

sales presentation is necessary in order for the recipient to receive the item; and

(iii) Any requirement such as age, marital status, financial qualifications, or that both husband and wife must be present.

(l) No camping resort operator or salesperson shall make any offer of an item when the operator or salesperson knows or has reason to know that the item is not readily available;

(m) Any restriction or requirement that time, money or effort must be expended by the recipient of an item in order for the recipient to use the item must be disclosed in the advertisement or sales promotion literature. Examples of such restrictions or requirements include any items that require assembly by the recipient, travel or other entertainment gifts or prizes for which there are limitations on the dates or times when the recipient may use the item, or which require nonrefundable reservation deposits or additional travel costs in order for the recipient to use the travel or other entertainment gift or prize.

(n) Provisions explaining any conditions to qualify for a gift, prize, award, sweepstakes, premium, free item, or any item of value must be in type at least equal to or larger than the average type size on the face page of the advertisement or sales promotion literature.

(3) Whenever one or more items are offered to a recipient as an inducement to buy a camping resort membership, visit a camping resort property, receive a sales presentation, or contact a salesperson such items shall be identified specifically and discussed as a group whenever mentioned.

(4) Nothing in this section shall affect the remedies of the director, attorney general, or any other person responding to advertisements or sales promotions if such advertisements or promotions are deceptive, false or misleading or otherwise in violation of chapter 19.105 RCW.

NEW SECTION

WAC 308-420-230 RAINCHECKS. (1) In the event rainchecks, in lieu of an offered item are provided to recipients, a report will be due to the agency by the 10th of each month, on a form furnished by the agency listing all rainchecks outstanding as of the last day of the preceding month and indicating deliveries of any previously reported rainchecked items.

(2) In regard to substitute items of greater value which are to be distributed to recipients, documentation establishing the local retail fair market value must be submitted to the agency prior to offering substitute items of greater value which are to be distributed to recipients.

(3) All gifts, prizes, awards, sweepstakes, premiums, free items or other items, with the exception of the major incentives with odds of 1:1,000 or greater must be available for display to the recipient prior to the sales presentation. In the event rainchecks are to be presented, this fact must be announced prior to the tour or sales presentation.

NEW SECTION

WAC 308-420-240 FEES AND CHARGES. The following fees shall be paid under the provisions of chapter 19.105 RCW:

(1) REGISTRATION FEES: Applicants filing an original registration shall pay a basic fee of three thousand dollars for one camping resort. For each additional camping resort in this state a fee of \$500.00 shall be paid.

(2) CONTRACT FEES: In addition to the registration fees, registrants shall pay fees for each grouping of contracts in the registration as provided in the following schedule:

(a) One to five hundred contracts - \$500.00.

(b) Each additional 500 contracts, or fraction thereof \$100.00 shall be paid.

(3) RENEWAL FEES: Each application for an annual renewal shall be accompanied by a fee of one thousand dollars for one resort plus three hundred fifty dollars for each additional resort in this state, plus the prescribed contract fees in subsection (2) of this section for each grouping of contracts authorized for sale during the registration period. A late fee of eight hundred dollars shall be assessed.

(4) FEES FOR AMENDING REGISTRATION AND PUBLIC OFFERING STATEMENTS:

(a) For each amendment of registration or the public offering statement, pursuant to RCW 19.105.420, not requiring an examination of documentation for adding campgrounds or additional contracts to the registration, a fee of fifty dollars shall be paid.

(b) Amendment for the establishment of an additional campground into the registration, for which an examination of documentation is required exclusive of any other fees owed under this rule, a fee of one

thousand five hundred dollars shall be paid. A penalty fee of one hundred dollars shall be assessed and paid for failure to file an amendment within 30 days of the occurrence of a material change as defined in WAC 308-420-030 or 308-420-040.

(5) FEES FOR IMPOUNDS, ESCROWS, TRUSTS AND DEPOSITORIES: For each impound, escrow, trust, or other arrangement requiring agency monitoring for purposes of satisfying the provisions of RCW 19.105.340 and 19.105.350, the initial fee for establishing the impound, escrow, trust or other arrangement shall be two hundred fifty dollars and the fee for each required periodic report shall be twenty dollars.

(6) FEES AND ADVERTISEMENT FILINGS:

(a) For each individual advertisement filed with the department, there shall be a fee of fifty dollars paid at the time of the initial submission of the advertisement to the department. Should a registrant fail to submit a required filing of an advertisement or advertisements in a timely manner, the fifty dollar fee for each advertisement shall be collected from the registrant, even if the advertisement or advertisements at issue are no longer in use or being disseminated.

(b) Registrants or applicant submitting an advertisement or advertisements involving no examination of campground instruments and which are for the purpose of marketing surveys or feasibility studies shall pay a fee of seventy-five dollars.

(7) INSPECTION FEES: Applicants and registrants shall pay the costs of site inspections. The inspection fee shall be paid within 30 days of the inspection. The inspection fee shall be the actual cost to the agency for conducting the inspection. The inspection fees must be paid prior to the processing of a registration, a renewal of registration, or amendment seeking addition of a campground to a program.

(8) SALESPERSON FEES: Applicants for registration as camping resort salespersons shall pay an initial application renewal, or transfer fee of one hundred dollars. Failure to renew a salesperson registration within 30 days after expiration shall result in termination of the registration and a new application for registration must be made. A duplicate registration fee is \$35.00.

(9) FEES FOR EXEMPTIONS AND EXEMPTION APPLICATIONS: For a review of an application for exemption under RCW 19.105.320(2), the applicant shall submit a fee of one hundred fifty dollars. If the exemption request is denied, the registrant shall be given credit for the one hundred fifty dollars fee submitted toward the registration fee under subsection (1) of this section.

(10) All fees are nonrefundable after the application has been received.

(11) All fees shall be paid to the order of the Washington state treasurer.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 460-90A-005 ORGANIZATION.
- WAC 460-90A-015 DEFINITIONS.
- WAC 460-90A-017 REPORTING EVENTS THAT SHALL REQUIRE THAT THE OPERATOR KEEP WRITTEN DISCLOSURES CURRENT.
- WAC 460-90A-018 MATERIAL EVENTS THAT ARE AMENDMENTS REQUIRING NOTICE AND A FILING FEE.
- WAC 460-90A-022 EXEMPTIONS FROM REGISTRATION—NONCOMMERCIAL RESALE CONTRACT OFFERINGS.
- WAC 460-90A-025 STATEMENT OF RECORD—FILINGS AND INFORMATION REQUIRED UPON APPLICATION FOR REGISTRATION OF START-UP CAMP RESORT PROJECTS AND CONTRACT OFFERINGS.
- WAC 460-90A-027 THE PUBLIC OFFERING STATEMENT—FORM, CONTENT, AND PREPARATION.
- WAC 460-90A-030 SIGNING OF APPLICATION AND THE PERMIT.
- WAC 460-90A-032 THE PUBLIC OFFERING STATEMENT—DELIVERY TO PROSPECTIVE PURCHASERS.
- WAC 460-90A-035 PURCHASER CANCELLATIONS OF CONTRACTS—PROMPT REFUND OF FUNDS AND CONSIDERATION.
- WAC 460-90A-045 FINANCIAL STATEMENTS AND INFORMATION.
- WAC 460-90A-055 WRITTEN DISCLAIMER OF ENDORSEMENT.

- WAC 460-90A-060 NOTICE OF TERMINATION OF SALES.
- WAC 460-90A-070 RECEIPT OF WRITTEN DISCLOSURES.
- WAC 460-90A-080 DEPOSITORY.
- WAC 460-90A-090 OPERATION OF IMPOUND CONDITION.
- WAC 460-90A-100 RELEASE OF IMPOUNDS.
- WAC 460-90A-105 FEE FOR IMPOUND.
- WAC 460-90A-115 RENEWALS.
- WAC 460-90A-122 SALESPERSON REGISTRATIONS.
- WAC 460-90A-125 SALESPERSON REGISTRATION—FOR PERSONS IN THE BUSINESS OF OFFERING RESALE CONTRACTS.
- WAC 460-90A-130 REQUEST FOR WITHDRAWAL OF CAMPING CLUB PROPERTY.
- WAC 460-90A-140 ADVERTISEMENTS.
- WAC 460-90A-145 FEES AND CHARGES.

WSR 90-20-127 PROPOSED RULES DEPARTMENT OF LICENSING

[Filed October 3, 1990, 11:29 a.m.]

Original Notice.

Title of Rule: Special fuel tax rules, repealing WAC 308-77-080 Exemption from payment of tax; and amending WAC 308-77-100 Credit for bad debt losses.

Purpose: To implement section 81, chapter 250, Laws of 1990; and section 83, chapter 250, Laws of 1990.

Statutory Authority for Adoption: RCW 82.38.260.

Statute Being Implemented: Chapter 250, Laws of 1990.

Summary: WAC 308-77-080, requiring an "authorization" is being repealed in its entirety to conform with chapter 250, Laws of 1990; and WAC 308-77-100, is being amended to remove the sales tax deduction on allowable credits on bad debt losses, and to clarify the required proof to establish the credit.

Reasons Supporting Proposal: To remove portions of the rules which no longer conform with the law that it purports to implement.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ildefonso L. Origenes, 2nd Floor, Highways-Licenses Building, Olympia, Washington 98504, (206) 753-6860.

Name of Proponent: Fuel Tax Section, Vehicle Services, Department of Licensing, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-77-080 is proposed to be repealed because the law requiring the "authorization" has been repealed; and WAC 308-77-100 is being amended to reflect the amendments made to RCW 82.38.070 repealing the sales tax portion of allowable credits on worthless accounts. Full credit of the fuel tax paid can now be taken. The rule explains how to claim credits on bad debt losses.

Proposal Changes the Following Existing Rules: A change is made only to the extent of repealing obsolete portions of the existing rule and to add language clarifying how to establish credit(s) due to worthless accounts and when to claim the credit(s).

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: 2nd Floor Conference Room, Highways-Licenses Building, Olympia, Washington 98504, on November 9, 1990, at 10:45 a.m.

Submit Written Comments to: Fuel Tax Section, P.O. Box 9228, Olympia, WA 98504, by November 8, 1990.

Date of Intended Adoption: November 13, 1990.

October 3, 1990
Merle M. Steffenson
Administrator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-77-080 EXEMPTION FROM PAYMENT OF TAX TO A DESIGNATED SPECIAL FUEL DEALER.

AMENDATORY SECTION (Amending Order 548 DOL, filed 8/1/79)

WAC 308-77-100 CREDIT FOR BAD DEBT LOSSES OF SPECIAL FUEL DEALERS. The amount of tax reported and paid by a special fuel dealer included in an account found to be worthless and charged off for federal income tax purposes may be taken as a credit against the tax due on a subsequent special fuel tax report of the dealer (~~provided, that the amount claimed shall not exceed the amount of special fuel tax charged on such sale, less the amount of current state retail sales tax on the difference between the purchase price of such sale and the amount of special fuel tax and federal tax charged~~)).

The right to the tax credit arises in the month in which the account is reported as a bad debt on the dealer's federal income tax return (~~found to be worthless and charged off for federal income tax purposes~~)). The credit may be taken in the report of the dealer for that month or in any subsequent report filed within three years thereafter, provided the dealer must first furnish the department proof that the bad debt has been properly charged off for federal income tax purposes. A copy of the dealer's federal income tax return and a supporting schedule listing the bad debt charged off shall be sufficient proof for the department to establish the credit.

~~((A special fuel dealer using the reserve method to account for bad debts for federal income tax purposes shall not take the credit until after the account is found to be worthless and charged against the reserve.))~~

No tax credit is allowable for any portion of a debt recovered that is retained by or paid to any person as compensation for his services or expenses in collecting the account.

If any account with respect to which credit has been taken is subsequently collected in whole or in part, the special fuel dealer shall apply the amount collected rateably to the charges for the fuel and the tax thereon. If the purchaser is indebted to the dealer with respect to other items also charged off as bad debts, payments made on account thereof shall first be credited to the charges for the fuel and the tax thereon unless the purchaser shall specify otherwise. The tax thus collected shall be included in the return due for the period in which the collection is made and must be remitted to the department within the time prescribed for payment of the tax due for that period.

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

WSR 90-20-128

Reviser's note: Do to a clerical error, the numbers WSR 90-20-127 and 90-20-128 were assigned to the same agency filing. That filing will appear only in WSR 90-20-127.

WSR 90-20-129

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed October 3, 1990, 12:49 p.m.]

Original Notice.

Title of Rule: WAC 308-48-800 Funeral director/embalmer fees.

Purpose: To amend existing rules.

Statutory Authority for Adoption: RCW 18.39.175(4).

Summary: Changes prearrangement funeral service registration renewal fees to more equitably relate renewal fees to volume of business.

Reasons Supporting Proposal: To provide revenue for director overhead. This is the final adjustment to bring revenues into line with the biennial budget.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Donnellan, Program Administrator, Bristol Court, (206) 586-4905.

Name of Proponent: Board of Funeral Directors and Embalmers, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Provides for preneed registration renewal fees based on a graduated scale according to number of preneed sales occurring during the previous fiscal year. The increased revenue will accrue toward director overhead.

Proposal Changes the Following Existing Rules: Changes preneed registration renewal fee from a flat rate of \$30 to a graduated scale based on sales during previous fiscal year.

Small Business Economic Impact Statement: [No information supplied by agency.]

Hearing Location: Department of Licensing Training Room, 421 Black Lake Boulevard, Olympia, WA, park in spaces 210 - 233, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Jon Donnellan, Program Administrator, Board of Funeral Directors and Embalmers, P.O. Box 9012, Olympia, WA 98504, by November 2, 1990.

Date of Intended Adoption: November 6, 1990.

October 3, 1990

Marsha Long

Assistant Director

AMENDATORY SECTION (Amending WSR 90-07-024, filed 3/14/90, effective 4/14/90)

WAC 308-48-800 FUNERAL DIRECTOR/EMBALMER FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

| Title of fee | Fee |
|------------------------------------|----------|
| Embalmers: | |
| State examination or reexamination | \$150.00 |
| Renewal | 100.00 |
| Late renewal penalty | 50.00 |
| Duplicate | 15.00 |
| Certification | 25.00 |
| Embalmer apprentice: | |
| Apprentice application | 75.00 |
| Apprentice renewal | 45.00 |
| Duplicate | 15.00 |

| Title of fee | Fee |
|------------------------------------|-----------|
| Certification | 25.00 |
| Funeral director: | |
| State examination or reexamination | 150.00 |
| Renewal | 100.00 |
| Late renewal penalty | 50.00 |
| Duplicate | 15.00 |
| Certification | 25.00 |
| Funeral director apprentice: | |
| Apprentice application | 75.00 |
| Apprentice renewal | 45.00 |
| Duplicate license | 15.00 |
| Certification | 25.00 |
| Funeral establishment: | |
| Original application | 350.00 |
| Renewal | 300.00 |
| Branch registration and renewal | 250.00 |
| Preneed application | 200.00 |
| Preneed renewal: | ((30.00)) |
| 0-25 sales | 25.00 |
| 26-99 sales | 100.00 |
| 100 or more sales | 150.00 |
| Financial statement fee | 50.00 |
| Crematory endorsement registration | 100.00 |
| Endorsement renewal | 50.00 |

WSR 90-20-130
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed October 3, 1990, 1:16 p.m.]

Original Notice.

Title of Rule: Open Space Taxation Act rules, amending WAC 458-30-200, 458-30-205, 458-30-210, 458-30-220, 458-30-225, 458-30-235, 458-30-262, 458-30-275, 458-30-285, 458-30-290, 458-30-295, 458-30-300, 458-30-305, 458-30-310, 458-30-315, 458-30-325, 458-30-345, and 458-30-590.

Purpose: These rules are being revised to comply with statutory language and recent legislation, as well as to clarify existing rules.

Statutory Authority for Adoption: RCW 84.08.010 and 84.08.070.

Statute Being Implemented: Chapter 84.34 RCW.

Summary: Definitions have been clarified, and recent legislation implemented.

Reasons Supporting Proposal: Previous rules did not comply fully with statute.

Name of Agency Personnel Responsible for Drafting: James Winterstein, 711 Capitol Way, #205, Olympia, (206) 586-4283; Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Will Rice, 6004 Capitol Boulevard, Tumwater, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These rules have been revised to comply with statutory language relative to the imposition of a penalty

upon the withdrawal of land from open space classification. The rules also revise the definition of "farm woodlots" to comply with the statute. The processing fee for application under the open space classification program is left open to the amount necessary to cover the costs of the application. The county legislative authority is required to appoint an advisory committee of representatives from the active farming community, unless there is insufficient interest by the active farming community. Other minor changes have been made to clarify the rules.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses. A small business economic impact statement is not required for the following reason: The changes to these rules do not impose an administrative or fiscal burden on any small businesses.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on November 13, 1990, at 9:30 a.m.

Submit Written Comments to: James Winterstein, A.L.J., Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, Olympia, Washington 98504, by November 13, 1990.

Date of Intended Adoption: November 20, 1990.

October 3, 1990

Wayne Conner

Acting Assistant Director

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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 classification is withdrawn or removed from 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) "Change in use" means direct action taken by the owner that actually changes the use of, or has started changing the use of, classified land to a use that is not in compliance with the conditions of the agreement executed between the owner and the granting authority, the provisions of the act, and this chapter.

(12) "Classified land" means a parcel(s) of land that has been approved by the appropriate granting authority for taxation under the act.

~~((+2))~~ (13) "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.

~~((+3))~~ "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. If such a parcel of land is divided by a public road, railroad, public right of way, or waterway, it 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)) following classification.

(20) "Department" means the department of revenue.

(21) "Farm woodlot and other incidental use lands" means a land area that is more than 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)) that is included within a parcel(s) of classified farm and agricultural land, is valued as such, and is compatible with lawful commercial agricultural purposes. The total area of such lands shall not exceed twenty acres of the parcel(s) of land described in the application for classification.

(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 or owner, 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)) classification is removed from the land 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) "Sale of ownership" means the conveyance of the ownership of a parcel of land in exchange for a valuable consideration.

(33) "Tax year" means the year when a property tax is due and payable.

~~((+3))~~ (34) "Transfer" means ((a change of ownership)) the conveyance of the ownership of a parcel of land without an exchange of valuable consideration.

~~((+4))~~ (35) "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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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, shall provide all reasonable assistance to ~~((assessors))~~ the granting authorities 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))~~ granting authorities 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, by whatever means it deems suitable, a five-year average of wheat and barley prices for use by the assessor in the following assessment year ((following the year when the order was issued)).

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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 each year 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) each 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 more than 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)) agricultural products, such as a machinery maintenance shed or a shipping facility; ((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; and

((iv) The land area used for a homesite shall be included within the total acreage of the parcel(s) granted classification. However, such homesite shall be valued pursuant to the provisions of WAC 458-30-260(5).

~~((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 commercial growth and ((commercial)) harvest of forest crops~~((:))~~, but does not include land~~

~~((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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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))~~ The city or county legislative authority may, at their discretion, require a processing fee to accompany each application. Such fee shall be in an amount that reasonably covers the processing costs of the 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)) is located in proportion to the land area included in such city to the total land area of the parcel.

~~((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:))~~

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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.

~~Upon application for classification, 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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-235 GRANTING AUTHORITY RESPONSE. (1) The granting authority may approve ~~((all or part of an application))~~ an application in whole, or in part. 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.

AMENDATORY SECTION (Amending Order PT 90-1, filed 1/2/90, effective 2/2/90)

WAC 458-30-262 AGRICULTURAL LAND VALUATION—INTEREST RATE—PROPERTY TAX COMPONENT. For assessment year 1990, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

(1) The interest rate is 10.90 percent; and

(2) The property tax component for each county is:

| COUNTY | PERCENT | COUNTY | PERCENT |
|----------|-----------------------|--------------|-----------------------|
| Adams | 1.32 ((%)) | Lewis | 1.25 ((%)) |
| Asotin | 1.50 ((%)) | Lincoln | 1.45 ((%)) |
| Benton | 1.55 ((%)) | Mason | 1.25 ((%)) |
| Chelan | 1.26 ((%)) | Okanogan | 1.38 ((%)) |
| Clallam | 1.25 ((%)) | Pacific | 1.44 ((%)) |
| Clark | 1.35 ((%)) | Pend Oreille | 1.24 ((%)) |
| Columbia | 1.38 ((%)) | Pierce | 1.59 ((%)) |
| Cowlitz | 1.20 ((%)) | San Juan | 0.95 ((%)) |
| Douglas | 1.38 ((%)) | Skagit | 1.27 ((%)) |
| Ferry | 0.95 ((%)) | Skamania | 0.96 ((%)) |
| Franklin | 1.64 ((%)) | Snohomish | 1.31 ((%)) |

| COUNTY | PERCENT | COUNTY | PERCENT |
|--------------|----------|-------------|----------|
| Garfield | 1.82((%) | Spokane | 1.55((%) |
| Grant | 1.40((%) | Stevens | 1.10((%) |
| Grays Harbor | 1.43((%) | Thurston | 1.64((%) |
| Island | 0.98((%) | Wahkiakum | 1.21((%) |
| Jefferson | 1.10((%) | Walla Walla | 1.34((%) |
| King | 1.38((%) | Whatcom | 1.34((%) |
| Kitsap | 1.30((%) | Whitman | 1.61((%) |
| Kittitas | 1.15((%) | Yakima | 1.38((%) |
| Klickitat | 1.32((%) | | |

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-275 CONTINUING CLASSIFICATION—SALE OR TRANSFER OF OWNERSHIP(~~(=TRANSFER)~~) OF CLASSIFIED LAND. When the ownership of classified land is sold or 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)~~) explaining how 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)~~) explaining how 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), and the owner of the parcel(s) of land from which the segregated land was taken 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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-285 WITHDRAWAL FROM CLASSIFICATION. Classification may be withdrawn from a parcel of land (~~(may be withdrawn from classification)~~) in whole or in part. If part of the parcel is (~~(to be withdrawn)~~) involved, 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))~~ The assessor may segregate the portion (~~(that is)~~) from which classification is being withdrawn for valuation and taxation purposes.

After twenty-four months have elapsed following the date of receipt of the request to withdraw classification from 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 classification has been withdrawn from the parcel(s) (~~(has been withdrawn from classification)~~).

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-290 ADDITIONAL TAX—WITHDRAWAL. When classification is withdrawn from the 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.~~

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-295 REMOVAL OF CLASSIFICATION. The assessor shall remove (~~(from)~~) classification from 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) Any change in use which occurs after a request to withdraw classification is made in accordance with the provisions of WAC 458-30-285, and before actual withdrawal of the classification.

(4) 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)) the notice of continuance on the affidavit to continue the classified use of the sold or transferred land.

~~((4))~~ (5) 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.))~~ The request for such information shall be sent by certified mail, return receipt requested. Such response, whether it be in writing or in person, shall be made no later than sixty calendar days following the date the request was made by the assessor. If the owner does not provide the information within sixty calendar days following the date the request was mailed, or if the owner refuses receipt, the assessor shall send the owner a second request for information. This request, sent by certified mail, return receipt requested, shall inform the owner that because of failure to respond to the request for information, classification may be removed if the owner fails to respond to this request. Such response, whether it be in writing or in person, shall be made no later than thirty calendar days following the date this request was mailed by the assessor. Should the owner fail to

respond or refuse receipt of this request, the assessor may remove the classification and impose the additional tax and penalty.

~~((5))~~ (6) 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. The assessor shall notify the owner in writing regarding this determination, but shall not remove classification until the owner has had an opportunity to respond. Such response, whether it be in writing, or in person, shall be made no later than thirty calendar days following the date the request was mailed by the assessor.

Within thirty days after removal of classification, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The seller, transferor, or owner may appeal ~~((such))~~ the removal to the ~~((first July))~~ county board of equalization ~~((convened subsequent to the date of removal or a board of equalization)).~~ The appeal must be filed within thirty calendar days ~~((of))~~ following the date ~~((of))~~ the notice of removal ~~((, whichever is later))~~ was mailed by the assessor.

Upon removal of classification from a portion of a parcel of ~~((and classified as))~~ open space, farm and agricultural, or timber land, the assessor may, for valuation and tax purposes, segregate the affected portion ~~((that is removed))~~.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-300 ADDITIONAL TAX—REMOVAL. (1) In the event classification is removed from 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 whenever there is a change in use that would disqualify the land from continued classification.

(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 classification from 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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-305 ADDITIONAL TAX—DATE DUE. (1) The additional tax and the penalty, if applicable, required upon removal of classification from 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 date of mailing by the financial authority.

Any additional tax and applicable penalty that is unpaid on its due date shall thereon become delinquent. Such additional tax and applicable penalty shall attach at the time classification is removed from 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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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 and applicable penalty has been paid; or

(2) The notice of continuance is signed by the new owner or transferee.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-325 TRANSFERS ~~((OF))~~ BETWEEN 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.

AMENDATORY SECTION (Amending Order PT 88-12, filed 11/15/88)

WAC 458-30-345 **ADVISORY COMMITTEE.** The county legislative authority (~~(may)~~) shall 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)~~) unless the county legislative authority finds insufficient interest by the farming community in the formation of the committee. 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.

AMENDATORY SECTION (Amending Order PT 89-3, filed 2/8/89)

WAC 458-30-590 **RATES OF INFLATION.** The rates of inflation to be used for calculating the interest as required by WAC 458-30-550 are as follows:

| [Year] [%] | | [Year] [%] | | [Year] [%] | |
|------------|---------|------------|---------|------------|---------|
| YEAR | PERCENT | YEAR | PERCENT | YEAR | PERCENT |
| 1976 | 5.6 | 1981 | 10.3 | 1986 | 1.9 |
| 1977 | 6.5 | 1982 | 6.2 | 1987 | 3.7 |
| 1978 | 7.6 | 1983 | 3.2 | 1988 | 4.1 |
| 1979 | 11.3 | 1984 | 4.3 | 1989 | 4.8 |
| 1980 | 13.5 | 1985 | 3.5 | | |

WSR 90-20-131
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 3, 1990, 1:24 p.m.]

Original Notice.

Title of Rule: WAC 388-76-290 Clothing.

Purpose: To clarify the WAC section regarding clothing of residents.

Statutory Authority for Adoption: RCW 74.08.044.

Statute Being Implemented: RCW 74.08.044.

Summary: The change clarifies the role of the sponsor regarding clothing purchases. The change clearly states that the resident or resident's designated agent are responsible for the cost of purchasing clothing.

Reasons Supporting Proposal: This rule amendment is necessary to specify that the sponsor must assist the resident to acquire clothing but that the sponsor is not responsible for the cost of purchasing clothing. This issue has been a problem in several locations around the state.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lew Maudsley, Aging and Adult Services, 493-2546.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

October 3, 1990

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2934, filed 1/16/90)

WAC 388-76-290 **CLOTHING.** Sponsors shall provide or arrange for the care, washing, and repair (~~(, or purchase)~~) of resident's clothing. Sponsors may assist residents in purchasing clothing. The resident or the resident's designated agent shall be responsible for the cost of clothing purchased. Clothing shall be clean, neat, seasonable, and of a quality and design fostering self-respect.

WSR 90-20-132
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 3, 1990, 1:29 p.m.]

Original Notice.

Title of Rule: WAC 388-76-095 License action notice—Adjudicative proceeding.

Purpose: To make the rule conform with RCW 70.128.060, 43.20A.205 and chapter 34.05 RCW.

Statutory Authority for Adoption: RCW 74.08.044.

Statute Being Implemented: RCW 74.08.044.

Summary: Change the word twenty-eight, in subsection (2), to the word ten. This changes the time period allowed an applicant/sponsor to request a hearing to contest a department decision from twenty eight days to ten days. This change is in conformance with RCW 70.128.060.

Reasons Supporting Proposal: This rule amendment is necessary to make the time period allowed an applicant/sponsor to request a hearing consistent in the WAC and the RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lew Maudsley, Aging and Adult Services, 493-2546.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 6, 1990, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 6, 1990.

Date of Intended Adoption: November 20, 1990.

October 3, 1990
Rosemary Carr
Acting Director
Administrative Services

title for the Department of Health and Department of Health related boards.

Proposal Changes the Following Existing Rules: Changes numbers.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Airport Executel, 20717 Pacific Highway South, Seattle, WA 98188, on November 27, 1990, at 9:30 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, EY-16, Olympia, WA 98504, by November 26, 1990.

Date of Intended Adoption: November 27, 1990.

September 25, 1990
Carol Neva
for Christine Larson
Chair

AMENDATORY SECTION (Amending Order 3003, filed 2/5/90, effective 3/1/90)

WAC 388-76-095 LICENSE ACTION NOTICE—ADJUDICATIVE PROCEEDING. (1) The department's notice of a denial, suspension, modification, or revocation of a license is governed by RCW 43.20A.205. The applicant's and license holder's right to an adjudicative proceeding is in the same law.

(2) A license applicant or holder contesting a department license decision shall, within (~~twenty-eight~~) ten days of receipt of the decision:

(a) File a written application for an adjudicative proceeding by a method showing proof of receipt with the office of appeals; and

(b) Include in or with the application:

(i) A specific statement of the (~~issue or~~) issues and law involved;

(ii) The grounds for contesting the department decision; and

(iii) A copy of the department decision being contested.

(3) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20A.205, this chapter, and chapter 388-08 WAC. If any provision in this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

Chapter 308-42 Physical Therapists to Chapter 246-915 Physical Therapists

| | | |
|------------|----|-------------|
| 308-42-010 | to | 246-915-010 |
| 308-42-040 | to | 246-915-020 |
| 308-42-045 | to | 246-915-030 |
| 308-42-060 | to | 246-915-040 |
| 308-42-070 | to | 246-915-050 |
| 308-42-090 | to | 246-915-060 |
| 308-42-110 | to | 246-915-070 |
| 308-42-120 | to | 246-915-080 |
| 308-42-121 | to | 246-915-090 |
| 308-42-122 | to | 246-915-100 |
| 308-42-123 | to | 246-915-110 |
| 308-42-125 | to | 246-915-120 |
| 308-42-130 | to | 246-915-130 |
| 308-42-135 | to | 246-915-140 |
| 308-42-136 | to | 246-915-150 |
| 308-42-140 | to | 246-915-160 |
| 308-42-145 | to | 246-915-170 |
| 308-42-150 | to | 246-915-180 |
| 308-42-155 | to | 246-915-190 |
| 308-42-160 | to | 246-915-200 |
| 308-42-210 | to | 246-915-210 |
| 308-42-220 | to | 246-915-220 |
| 308-42-230 | to | 246-915-230 |
| 308-42-240 | to | 246-915-240 |
| 308-42-250 | to | 246-915-250 |
| 308-42-260 | to | 246-915-260 |
| 308-42-270 | to | 246-915-270 |
| 308-42-280 | to | 246-915-280 |

WSR 90-20-133
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Physical Therapy)
[Filed October 3, 1990, 2:40 p.m.]

Original Notice.

Title of Rule: See below.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Statutory Authority for Adoption: RCW 18.74.023.

Summary: This rule action changes only the WAC numbers, not the text of the rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Carol Neva, 1300 Quince Street, Olympia, WA 98504, 753-3132.

Name of Proponent: Board of Physical Therapy, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The 1989 legislature created the Department of Health. This action moves the related rules to a Department of Health title. Amends title, chapter and section numbers, causing these WACs to be relocated in a new

WSR 90-20-134
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Massage)
[Filed October 3, 1990, 2:44 p.m.]

Original Notice.

Title of Rule: See below.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Statutory Authority for Adoption: RCW 18.108.025.

Summary: This rule action changes only the WAC numbers, not the text of the rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Olivia Guebara, 1300 Quince Street, Olympia, WA 98504, 586-6351.

Name of Proponent: Board of Massage, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The 1989 legislature created the Department of Health. This action moves the related rules to a Department of Health title. Amends title, chapter and section numbers, causing these WACs to be relocated in a new title for the Department of Health and Department of Health related boards.

Proposal Changes the Following Existing Rules: Changes numbers.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wyndham Gardens Hotel, 18118 Pacific Highway South, Seattle, WA 98188, on November 13, 1990, at 11:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, EY-16, Olympia, WA 98504, by November 12, 1990.

Date of Intended Adoption: November 13, 1990.

October 2, 1990

Olivia S. Guebara
Program Manager II

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-830 WAC:

Chapter 246-830 WAC
Massage Practitioners

| | | |
|-------------|----|-------------|
| 308-51-010 | as | 246-830-030 |
| 308-51-021 | as | 246-830-040 |
| 308-51-050 | as | 246-830-050 |
| 308-51-100 | as | 246-830-060 |
| 308-51-110 | as | 246-830-070 |
| 308-51-120 | as | 246-830-080 |
| 308-51-125 | as | 246-830-090 |
| 308-51-130 | as | 246-830-100 |
| 308-51-140 | as | 246-830-110 |
| 308-51-220 | as | 246-830-120 |
| 308-51-230 | as | 246-830-020 |
| 308-51-240 | as | 246-830-130 |
| 308-51-250 | as | 246-830-140 |
| 308-51-260 | as | 246-830-150 |
| 308-51-270 | as | 246-830-160 |
| 308-51-280 | as | 246-830-170 |
| 308-51-290 | as | 246-830-180 |
| 308-51-300 | as | 246-830-190 |
| 308-51-310 | as | 246-830-200 |
| 308-51-320 | as | 246-830-210 |
| 308-51A-010 | as | 246-830-310 |
| 308-51A-020 | as | 246-830-320 |
| 308-51A-030 | as | 246-830-301 |
| 308-51A-040 | as | 246-830-330 |
| 308-51A-050 | as | 246-830-340 |
| 308-51A-060 | as | 246-830-350 |

WSR 90-20-135

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 3, 1990, 3:01 p.m.]

Original Notice.

Title of Rule: Agricultural products—Commission merchants, dealers, brokers, buyers, agents and chapter 16-694 WAC, relating to license fees.

Purpose: To establish the license fees for various license categories under chapter 20.01 RCW.

Statutory Authority for Adoption: RCW 20.01.020.

Statute Being Implemented: RCW 20.01.040.

Summary: The license fees for commission merchants, dealers and brokers will be increased.

Reasons Supporting Proposal: The program which enforces the provisions of chapter 20.01 RCW is funded solely from license fees and is in need of additional funding in order to maintain the level of service supported by program's constituents.

Name of Agency Personnel Responsible for Drafting: Mike Willis, 2747 29th Street S.W., Tumwater, WA 98504, 753-5065; Implementation: Diane Aguilar, 2747 29th Street S.W., Tumwater, WA 98504, 753-5053; and Enforcement: George Boozer, 2747 29th Street S.W., Tumwater, WA 98504, 753-5053.

Name of Proponent: Yakima Valley Growers and Shippers Association, Washington Association of Apple Growers, Washington State Horticultural Association, Washington Growers Clearing House Association, Washington State Grange, Washington Farm Bureau and Wenatchee Valley Traffic Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The license fees for commission merchants and dealers will be increased to three hundred fifteen dollars and the fee for brokers will be increased to two hundred twenty dollars in order to increase the program's revenue to fund the staff level supported by industry organizations in task force meetings.

Proposal Changes the Following Existing Rules: License fees for commission merchants and dealers will be changed from two hundred fifty dollars to three hundred fifteen dollars. License fees for brokers will be changed from one hundred seventy-five dollars to two hundred twenty dollars.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on November 7, 1990, at 8:00 a.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, 406 General Administration Building, Olympia, WA 98504, by November 7, 1990.

Date of Intended Adoption: November 22, 1990.

October 3, 1990

Mike Willis
Assistant Director

AMENDATORY SECTION (Amending Order 1991, filed 11/15/88)

WAC 16-694-001 LICENSE FEES. The license fee for any person who wishes to act as a commission merchant, dealer, broker, cash buyer, or agent (~~or boom loader~~) shall be as follows:

- (1) Commission merchant, (~~two~~) three hundred (~~fifty~~) fifteen dollars;
- (2) Dealer, (~~two~~) three hundred (~~fifty~~) fifteen dollars;
- (3) Limited dealer, one hundred seventy-five dollars;
- (4) Broker, (~~one~~) two hundred (~~seventy-five~~) twenty dollars;
- (5) Cash buyer, seventy dollars;
- (6) Agent, twenty-five dollars (;
- (~~7~~) ~~Boom loader, ten dollars~~).

WSR 90-20-136
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 3, 1990, 3:05 p.m.]

Original Notice.

Title of Rule: Weights and measures and calibration services.

Purpose: To adopt a fee schedule for calibration services performed in the Weights and Measures Laboratory.

Statutory Authority for Adoption: RCW 19.94.190.

Statute Being Implemented: RCW 19.94.190.

Summary: The proposal establishes a fee schedule for calibration services.

Reasons Supporting Proposal: Services will be paid for by users of test weights and standards.

Name of Agency Personnel Responsible for Drafting: Mike Willis, 2749 29th Street S.W., Tumwater, WA 98502, 753-5065; Implementation and Enforcement: Jim Cammel, 2749 29th Street S.W., Tumwater, WA 98502, 753-5042.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rules proposed will establish a fee schedule for calibration services. Fees collected will be paid into a local fund, and will eliminate the need for general fund requests for certain repairs and maintenance of weights and measures testing equipment.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on November 7, 1990, at 1:00 p.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, 406 General Administrative Building, Olympia, WA 98504, by November 7, 1990.

Date of Intended Adoption: November 22, 1990.

October 3, 1990
Mike Willis
Assistant Director

Chapter 16-675 WAC
CALIBRATION SERVICES

NEW SECTION

WAC 16-675-010 PURPOSE. The department of agriculture promulgates this chapter to implement the provisions of RCW 19.94.190(6) which allows the director of the state department of agriculture to establish fees for weighing, measuring, and providing calibration services performed by the weights and measures laboratory.

NEW SECTION

WAC 16-675-020 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department or the director's duly appointed representative.

(3) "Laboratory" means weights and measures laboratory operated by the department.

(4) "Tolerance" means the amount of variation from a standard that is allowed.

(5) "Calibration" means the process of comparing weights and measures to known standards and determining if the weights and measures compare to the known standards within a tolerance allowed under chapter 19.94 RCW. This term shall also apply to the repairing of any weights or measures submitted to the laboratory.

(6) "Avoirdupois" means a system of weights and measures based on a pound containing 16 ounces, 7,000 grains or 453.59 grams.

(7) "Metric" means a decimal system of weights and measures based on the meter as a unit length and the kilogram as a unit mass.

NEW SECTION

WAC 16-675-030 CONDITION OF SUBMITTED WEIGHTS AND MEASURES. Weights and measures submitted to the laboratory for tolerance testing or calibration must be in a physical condition that makes them acceptable for the service to be performed. Unacceptable weights and measures may be returned to the sender at the sender's expense or, if repairs can be made, these repairs shall be charged at the rate of \$25.00 an hour. Repair fees shall be charged in addition to any testing or other calibration fees. Repairs will only be done by written agreement between the department and the owner of the weights or measures to be repaired.

NEW SECTION

WAC 16-675-040 SCHEDULE OF LABORATORY FEES. The following fees will be charged for services performed by the weights and measures laboratory of the department:

- (1) For the testing or calibration of avoirdupois weights; weighing less than 50 lbs. \$ 20.00 an hour
weighing from 50 to 500 lbs. \$ 30.00 an hour
weighing 500 lbs. or more \$ 50.00 an hour
For the testing or calibration of metric weights; weighing less than 20 kg. \$ 20.00 an hour
weighing from 20 to 25 kg \$ 25.00 an hour
weighing from 25 to 250 kg \$ 30.00 an hour
weighing 250 kg or more \$ 50.00 an hour
(2) For the testing or calibration of class 5, 6, c or f weight sets, as defined in the laboratory weights and precision mass standards adopted by the American Society of Testing and Materials and the American National Standard Institute; sets containing less than 10 weights. \$ 20.00 a set
sets containing 10 to 25 weights \$ 40.00 a set
sets containing 25 to 40 weights \$ 60.00 a set
sets containing 40 weights or more \$100.00 a set

There will be an additional charge of \$50.00 a set for any requested declaration of the nominal values or uncertainties of the weights contained in any weight set.

- (3) For the testing or calibration of class 1, 2, 3 or 4 weight sets, as defined in the laboratory weights and precision mass standards adopted by the American Society of Testing and Materials and the American National Standard Institute; sets containing less than 10 weights. \$ 75.00 a set
sets containing 10 to 25 weights \$150.00 a set
sets containing 25 to 40 weights \$225.00 a set
sets containing 40 weights or more \$400.00 a set
(4) For the testing or calibration of liquid measuring standards; (a) measuring less than 5 gallons \$ 10.00 each
measuring 5 to 25 gallons \$ 20.00 each
measuring 25 to 50 gallons \$ 40.00 each
measuring 50 to 100 gallons \$ 80.00 each
measuring 100 to 500 gallons \$150.00 each
measuring 500 to 1,000 gallons \$200.00 each
measuring 1,000 gallons or more \$250.00 each
(b) measuring less than 20 liters \$ 10.00 each
measuring 20 to 100 liters \$ 20.00 each
measuring 100 to 200 liters \$ 40.00 each
measuring 200 to 400 liters \$ 80.00 each
measuring 400 to 2,000 liters \$150.00 each
measuring 2,000 to 4,000 liters \$200.00 each
measuring 4,000 liters or more \$250.00 each

There will be an additional charge of \$10.00 per hour for any testing or calibration of any other liquid measuring standards, except that the fee to be charged for flasks, graduates, cylinders and other precision glassware will be \$25.00 for each flask, graduate, cylinder or other precision glassware, regardless of capacity.

(5) For the testing or calibration of linear measuring devices:

| | |
|---|---------------|
| rulers | \$ 20.00 each |
| measuring tapes less than 25 feet | \$ 25.00 each |
| measuring tapes 25 to 100 feet | \$ 50.00 each |
| measuring tapes 100 feet or more | \$100.00 each |

(6) For the testing or calibration of scales:

| | |
|---------------------------|---------------|
| analytical scales | \$ 45.00 each |
| bench scales | \$ 20.00 each |
| counter scales | \$ 20.00 each |
| grain test scales | \$ 25.00 each |
| jeweler's scales | \$ 25.00 each |
| platform scales | \$ 30.00 each |
| prescription scales | \$ 45.00 each |
| any other scale | \$ 50.00 each |

WSR 90-20-137

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 3, 1990, 3:10 p.m.]

Original Notice.

Title of Rule: Identification of livestock and chapter 16-620 WAC, relating to brand inspection.

Purpose: Changes are being made in the mandatory points for the brand inspection of cattle; in the transportation permit/bill of sale form; and in the actual costs that may be charged for inspection services.

Statutory Authority for Adoption: RCW 16.57.350.

Statute Being Implemented: RCW 16.57.160, 16.57.240, and 16.57.220.

Summary: Mandatory points for the inspection of cattle are being clarified and exemption for dairy breed cattle is being modified. The transportation certificate/bill of sale form is being changed to provide more information to producers. Actual costs for services is being changed to reflect increased costs of providing service.

Reasons Supporting Proposal: These changes were developed through a livestock industry advisory board, indicating broad support as part of a series of changes in the livestock identification program.

Name of Agency Personnel Responsible for Drafting and Implementation: Mike Willis, 2747 29th Street S.W., Tumwater, WA 98502, 753-5065; and Enforcement: George Boozer, 2747 29th Street, S.W., Tumwater, WA 98502, 753-5053.

Name of Proponent: Washington Cattlemen's Association, Washington Cattle Feeders Association, Washington State Dairy Federation, Washington Livestock Marketing Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: In addition to clarifying other mandatory points for the brand inspection of cattle, the proposal will reduce the current exemption for dairy breed milk production cattle to sales of fifteen head or less and will eliminate the exemption for unbranded registered cattle. The transportation permit/bill of sale form will be

changed to carry this information and to require that a copy of a completed form for any exempt sale be mailed to the department. The department's actual costs for inspection services, which may be charged when any request for an inspection is unreasonable due to time or distance, will be changed to ten dollars an hour and twenty cents per mile.

Proposal Changes the Following Existing Rules: Currently, all dairy breed cows and heifer calves being sold for milk production purposes and unbranded registered cattle are exempt from brand inspection in any private sale. The exemption for dairy cattle will be reduced to sales of fifteen head or less. The exemption for unbranded registered cattle will be eliminated. The department's actual costs for inspection services are currently twelve dollars and fifty cents an hour and thirteen cents a mile. Those will be changed to ten dollars an hour and twenty cents a mile.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on November 6, 1990, at 1:00 p.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, 406 General Administration Building, Olympia, WA 98504, by November 6, 1990.

Date of Intended Adoption: November 21, 1990.

October 3, 1990

Mike Willis

Assistant Director

AMENDATORY SECTION (Amending Order 1160, filed 8/10/70, effective 9/10/70)

WAC 16-620-010 DEFINITIONS. For the purpose of these regulations(:

(1) "Department" means the department of agriculture of the state of Washington;

(2) "Director" means the director of the department;

(3) "Commercial feed lot" means any facility, place or establishment commonly known as a commercial feed lot, operated for the purpose of fattening or finishing cattle for the slaughter market consisting of pens and the necessary appurtenances for the operation of such a commercial feed lot), the definitions provided in RCW 16.57.010 shall apply.

AMENDATORY SECTION (Amending Order 1180, filed 3/2/71)

WAC 16-620-020 POINT OF INSPECTION. ((Except as otherwise set forth in the following regulation,)) All cattle shall be ((brand)) inspected(:(:)) for brands or other proof of ownership at the following points:

(1) Prior to ((moving)) being moved out of state, except to those public livestock markets designated by the director as livestock inspection sites for the state of Washington.

(2) Prior to sale at ((a)) any public livestock market.

(3) Prior to slaughter at ((a state or federally inspected slaughterhouse)) any slaughter plant where the United States Department of Agriculture maintains meat inspection.

(4) Upon entry or reentry and prior to commingling with other cattle at ((a commercial)) any certified feed lot ((approved as a brand inspection point by the director)) licensed under chapter 16.58 RCW, unless the cattle are accompanied by a brand inspection certificate issued by the director or any other agency authorized in any other state or any Canadian province by law to issue such a certificate.

(5) At any point of sale or the taking of possession by an intended purchaser or ((his)) private agent subject to title passing ((upon the meeting or satisfaction of certain conditions: PROVIDED, That the provisions of this subsection shall not apply to dairy breed cows and heifer calves being sold or purchased for milk production purposes only and unbranded registered livestock)), except that inspection shall not

be required for any individual private sale of any unbranded dairy breed milk production cattle involving fifteen head or less, provided the seller gives two copies of the completed transportation permit/bill of sale to the buyer. The buyer is then required to send one copy of the transportation permit/bill of sale to the department. The buyer may also pay any assessments collected under the National Beef Promotion and Research Act to the department at the same time as the buyer sends the completed transportation permit/bill of sale to the department and the department shall remit any assessments collected to the Washington state beef commission as provided under the National Beef Promotion and Research Act.

AMENDATORY SECTION (Amending Order 1748, filed 9/9/81)

WAC 16-620-100 PRESCRIBED ((CERTIFICATE OF)) TRANSPORTATION PERMIT AND BILL OF SALE FORM. The ((certificate of)) transportation permit and bill of sale form incorporated herein shall constitute the official form prescribed by the director under the provisions of RCW 16.57.240. ((Such form shall represent a bill of sale only after it has been presented to a brand inspector for validation and has been validated within seven days of the sale of cattle subject to brand inspection under the provisions of RCW 16.57.160 and WAC 16-620-020.

STATE OF WASHINGTON No. DEPARTMENT OF AGRICULTURE

CERTIFICATE OF PERMIT OR BILL OF SALE

Required for transportation of cattle, hides, or carcasses within Washington state. May be used for change of ownership of cattle or horses inspected by a Washington state brand inspector.

Validation by brand inspector required for bill of sale only

Owner Date

Sold to City

Point of Origin (Nearest Post Office) County

Destination (Consigned to) City

Hauled by (Signature)

Vehicle License No. State

No. of Livestock Breed Sex Brand Brand Location

Are the above cattle subject to a lien or mortgage? Yes No

Failure to disclose the existence of a lien or mortgage to a public livestock market constitutes a gross misdemeanor (RCW 16.65.150)

I certify that I am the owner of the described livestock*

Address of Owner City

*If submitted by an authorized agent on behalf of the owner agent must sign here

When presented as proof of ownership at a public livestock market or slaughterhouse, the document becomes a record of the Washington state department of agriculture. Any person who falsifies or forges such a public document is guilty of a felony. (RCW 40.16.630) [RCW 40.16.030].

AGR-070-7020 (Rev. 8-81)

PLEASE PRINT CLEARLY)

State of Washington Department of Agriculture 406 General Admin. Bldg., AX-41 Olympia, WA 98504-0641

No.

TRANSPORTATION PERMIT

Required to transport cattle within Washington State.

(or)

BILL OF SALE

Inspection to clear ownership by W.S.D.A. is required upon any sale of cattle, except for private sales of unbranded dairy breed milk production cattle of 15 head or less, provided the buyer and seller comply with WAC 16-620-020 (5). (see back side of this form)

Form with fields for OWNER, DATE, SOLD TO, CITY, POINT OF ORIGIN, COUNTY, DESTINATION, CITY, HAULED BY, VEHICLE LICENSE NO., STATE, NO. OF LIVESTOCK, BREED, SEX, BRAND, BRAND LOCATION, and a section for lien/mortgage disclosure and owner certification.

VOID IF ALTERED

NOTE: Any falsification or forgery of this document may be punishable as a felony (RCW 40.16.630).

AGR 7020 (Rev. 9/90)

PRIVATE SALES OF CATTLE

Private sales of unbranded dairy breed milk production cattle of 15 head or less are exempt from mandatory ownership inspection by the Livestock Identification Section of the State Department of Agriculture only if:

- **The Seller** gives two copies of a completed Transportation Permit / Bill of Sale to the buyer.
- **The Buyer** mails one copy of the completed Transportation Permit / Bill of Sale to the State Department of Agriculture.

The Seller is also required to pay \$1.00 per head under the National Beef Promotion and Research Act and **the Buyer** is ~~required~~ to collect that assessment and to remit it to the Washington State Beef Commission or the State Department of Agriculture.

BUYERS

For your convenience, you may mail any assessments collected under the National Beef Promotion and Research Act to the State Department of Agriculture along with the required Transportation Permit / Bill of Sale to:

State Department of Agriculture
Livestock Identification
406 General Administration Bldg., AX-41
Olympia, WA 98504-0641

AMENDATORY SECTION (Amending Order 1328, filed 11/2/73)

WAC 16-620-230 **CERTIFICATE OF PERMIT REQUIRED FOR CUSTOM SLAUGHTERED CATTLE.** In lieu of ~~((the))~~ brand inspection ~~((required under WAC 16-620-220,))~~ any licensed custom farm slaughterer shall identify the cattle custom slaughtered on the certificate of permit obtained from the department by listing the brand, breed and sex if branded or the breed, sex, color and any other identifying feature if not branded. The number on the official Washington state department paper slaughter tag shall also be listed on the certificate of permit obtained from the department. Such certificate of permit shall be signed by the owner of the livestock and a copy mailed to the department in accordance with RCW 16.57.275.

AMENDATORY SECTION (Amending Order 1590, filed 6/29/79)

WAC 16-620-270 **ACTUAL COSTS ESTABLISHED.** For the purpose of these regulations actual costs to the department shall be ~~((twelve))~~ ten dollars ~~((and fifty cents))~~ an hour, ~~((plus thirteen))~~ and twenty cents per mile ~~((traveled by the inspector from his official station and return thereto)).~~

AMENDATORY SECTION (Amending Order 1753, filed 1/21/82)

WAC 16-620-280 **INSPECTION—ANNUAL AND LIFETIME CERTIFICATES.** Pursuant to ~~((the provisions of chapter 296, Laws of 1981))~~ RCW 16.57.400, the owner of any horse may apply for an annual or lifetime identification certificate. The fee for an annual certificate shall be three dollars for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or five dollars for any other horse. The fee for a lifetime certificate shall be seven dollars and fifty cents for any horse bearing a brand readily visible and currently registered with the director under the provisions of chapter 16.57 RCW or twelve dollars and fifty cents for any other horse. In the event the fees collected do not cover the cost of the inspector in performing any such inspection, an additional charge may be added at actual costs.

AMENDATORY SECTION (Amending Order 1944, filed 7/29/87)

WAC 16-620-340 **INSPECTION, SPECIAL SALES.** Inspection shall be mandatory at all special horse sales wherein horses of more than one owner are offered for sale either by private treaty or auction. Inspection charges at any such sale shall be collected and paid to the department of agriculture by the person or business entity conducting the sale. The department of agriculture may require the prepayment of said inspection charges. The charge for inspection at special ~~((horse))~~ horse sales shall be two dollars per animal. If the inspection charges do not cover the total cost incurred by the department, the remainder shall be the responsibility of the person or business entity conducting the sale at actual cost.

NEW SECTION

WAC 16-620-380 **INSPECTION FEE.** The fee for inspecting cattle for brands and proof of ownership shall be fifty cents per head. In any case when the department determines that a request for inspection is unreasonable due to time or distance, the department shall charge its actual costs.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-620-040 APPROVAL AS INSPECTION POINT.
WAC 16-620-050 RECORDS.
WAC 16-620-060 CHARGE FOR BRAND INSPECTION.
WAC 16-620-070 INSPECTION EXEMPTION AT FEED LOT.
WAC 16-620-090 DOCUMENTS FOR EXEMPTION.
WAC 16-620-110 FEE FOR FILING.
WAC 16-620-115 LIEN LIST SUBSCRIPTION FEE.
WAC 16-620-200 BRAND INSPECTION.
WAC 16-620-220 REQUIRED BRAND INSPECTION ON CUSTOM SLAUGHTERED CATTLE.
WAC 16-620-320 INSPECTION PRIOR TO BRANDING.
WAC 16-620-330 INSPECTION PRIOR TO SALE.
WAC 16-620-370 ACTUAL COSTS ESTABLISHED.

WSR 90-20-138**PROPOSED RULES****DEPARTMENT OF AGRICULTURE**

[Filed October 3, 1990, 3:15 p.m.]

Original Notice.

Title of Rule: Identification of cattle through licensing of certified feed lots.

Purpose: Repealing chapter 16-605 WAC.

Statutory Authority for Adoption: RCW 16.58.030.

Summary: Chapter 16-605 WAC will be repealed.

Name of Agency Personnel Responsible for Drafting and Implementation: Mike Willis, 2747 29th Street S.W., Tumwater, WA 98502, 753-5065; and Enforcement: George Boozer, 2747 29th Street S.W., Tumwater, WA 98502, 753-5065.

Name of Proponent: Washington Cattlemen's Association, Washington Cattle Feeders Association, Washington State Dairy Federation, Washington Livestock Marketing Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 16-605 WAC is outdated due to staffing changes and practices in the livestock industry. Its repeal is necessary in order to avoid unnecessary conflicts with current practices.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on November 6, 1990, at 1:00 p.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, 406 General Administration Building, Olympia, WA 98504, by November 6, 1990.

Date of Intended Adoption: November 21, 1990.

October 3, 1990
Mike Willis
Assistant Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 16-605-001 PROMULGATION.
WAC 16-605-010 FACILITIES.
WAC 16-605-020 AUDITS.
WAC 16-605-030 AUDIT FEES.
WAC 16-605-040 APPROVAL FOR CATTLE TRANSFERRED TO AN UNLICENSED FEED LOT.

WSR 90-20-139

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 3, 1990, 3:17 p.m.]

Original Notice.

Title of Rule: Identification of livestock and chapter 16-96 WAC, relating to production record brands.

Purpose: To repeal outdated rules relating to production record brands and the rule setting fees for the brand inspection of cattle.

Statutory Authority for Adoption: RCW 16.57.350.

Summary: Outdated sections of chapter 16-96 WAC will be repealed in order to avoid conflicts with other rules relating to brand inspection. The rule setting fees for brand inspection of cattle will be repealed under chapter 16-96 WAC.

Name of Agency Personnel Responsible for Drafting and Implementation: Mike Willis, 2747 29th Street S.W., Tumwater, WA 98502, 753-5065; and Enforcement: George Boozer and Etta Keller, 2747 29th Street S.W., Tumwater, WA 98502, 753-5065.

Name of Proponent: Washington Cattlemen's Association, Washington Cattle Feeders Association, Washington State Dairy Federation, Washington Livestock Marketing Association, private.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Three sections under the rules pertaining to production record branding contained references to freeze branding, which conflict with newer rules adopted under chapter 16-620 WAC. For this reason, they are outdated and need to be repealed. The repeal of WAC 16-96-130 setting the fee for the brand inspection of cattle will allow for the adoption of this fee under the more proper chapter, chapter 16-620 WAC.

Proposal Changes the Following Existing Rules: WAC 16-96-130 did allow for a lesser fee of thirty-five cents per head for cattle at approved out of state inspection points. By its repeal, this lesser fee will be eliminated and the same fee charged at all other inspection points, fifty cents per head, will be charged at out of state inspection points.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on November 6, 1990, at 1:00 p.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, 406 General Administration Building, Olympia, WA 98504, by November 6, 1990.

Date of Intended Adoption: November 21, 1990.

October 3, 1990

Mike Willis
Assistant Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-96-100 FREEZE BRANDS FOR PRODUCTION RECORD PURPOSES ONLY—FREEZE BRAND USE.
WAC 16-96-110 FREEZE BRANDS FOR PRODUCTION RECORD PURPOSES ONLY—APPLICATION TO USE FREEZE BRANDS.
WAC 16-96-120 FREEZE BRANDS FOR PRODUCTION RECORD PURPOSES ONLY—FREEZE BRAND NOT OWNER-SHIP BRAND.
WAC 16-96-130 BRAND INSPECTION FEES.

WSR 90-20-140

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed October 3, 1990, 3:43 p.m., effective October 3, 1990]

Date of Adoption: October 3, 1990.

Purpose: To clarify certificate of ownership and licensure requirements for campers permanently mounted on motor vehicles. These vehicles may not be titled as motor homes after June 7, 1990.

Citation of Existing Rules Affected by this Order: Amending WAC 308-96A-105 and 308-96A-120.

Statutory Authority for Adoption: RCW 46.01.110.

Pursuant to notice filed as WSR 90-14-070 on July 2, 1990.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The legislature amended RCW 46.04.305, effective June 7, 1990, to require all campers to be titled as motor homes, not as vehicles.

Effective Date of Rule: October 3, 1990.

October 3, 1990

Mary Faulk
Director

AMENDATORY SECTION (Amending Order TL/RG 24, filed 5/5/86)

WAC 308-96A-105 MOTOR HOMES. (1) A motor home will normally be licensed with passenger plates.

~~((Facilities for human habitation referred to in the definition of a motor home shall mean the permanent installation of at least a stove, a bed, or a sink. The installation must be within an area covered by a waterproof roof and sides, all of which are constructed from rigid material.))~~

(2) When a vehicle is reconstructed or converted to a motor home, the applicant must obtain a state patrol inspection. The inspector will confirm the ~~((permanent installation of at least a stove, a bed, or a sink and will confirm the rigid roof and sides. It is not necessary to confirm the permanency of installation of a former slide in camper. It is the owner's responsibility to keep the camper installed whenever the unit is operated under passenger plates))~~ reconstruction or conversion satisfies the definition of a motor home as set forth in RCW 46.04.305.

AMENDATORY SECTION (Amending Order TL/RG 24, filed 5/5/86)

WAC 308-96A-120 CAMPERS. Campers ~~((may))~~ must be licensed separately from ~~((licensed trucks which carry them,))~~ the licensed motor vehicles they are mounted upon~~((, or the whole unit may be licensed as a motor home with passenger plates, provided that the truck is not used with the camper detached. When the truck and camper are licensed separately,))~~. The weight of the camper shall not be included as a part of the gross weight of the ~~((vehicle))~~ licensed motor vehicles.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 308-96A-106 CAMPERS TITLED AS MOTOR HOMES. Campers permanently affixed to motor vehicles which are titled and licensed as a motor home prior to June 7, 1990, may continue to be licensed as a motor home until the camper is separated from the motor vehicle. Upon separation, the owner shall make application to the department for a separate certificate of ownership and vehicle registration for each vehicle.

WSR 90-20-141
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
 [Filed October 3, 1990, 3:51 p.m.]

Original Notice.

Title of Rule: Chapter 236-48 WAC, Rules for the acquisition of goods and service.

Purpose: General revisions and adoption of weighting factor giving preference to goods with recovered material content.

Statutory Authority for Adoption: Chapter 43.19 RCW.

Statute Being Implemented: See Statutory Authority above.

Summary: See Purpose above.

Reasons Supporting Proposal: See Statutory Authority above.

Name of Agency Personnel Responsible for Drafting: D. C. Johnsen, Olympia, 753-6473; Implementation and Enforcement: Meredith S. Jennings, Olympia, 753-6461.

Name of Proponent: Department of General Administration, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: General revisions of chapter 236-48 WAC to more clearly describe rules for acquisition of goods and purchased services subject to chapter 43.19 RCW by state agencies. WAC 236-48-096 is revised to adopt a weighting factor giving preference to bids for goods with recovered material content for bid evaluation purposes only.

Proposal Changes the Following Existing Rules: Change to WAC 236-48-096 is a 10% preference to bids for goods with recovered material content for bid evaluation purposes only. Remaining revisions are editing changes.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

In response to Small Business Economic Impact Statement of Proposed Rule-Making Form CR-102 and based upon counsel of our assistant attorney general and the advice of the Department of Trade and Economic Development, this is to attest that a small business economic impact statement is not required for the adoption of the proposed revisions of chapters 236-48 and 236-49 WAC herewith.

Hearing Location: General Administration Building Meeting Room, Corner 11th and Columbia, Olympia, Washington, on November 19, 1990, at 9:00 a.m.

Submit Written Comments to: Meredith S. Jennings, Assistant Director, Office of State Procurement, 216 General Administration Building, Mailstop AX-22, Olympia, WA 98504, by November 16, 1990.

Date of Intended Adoption: November 19, 1990.

October 3, 1990
 Meredith S. Jennings
 Assistant Director

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-002 PURPOSE. The purpose of this chapter is to set forth rules and regulations applicable to the purchase or sale of ~~((material, equipment,))~~ goods and services ~~((and supplies))~~ by, through, or under authority delegated by, the office of state procurement.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-003 DEFINITIONS. As used in this chapter the following terms shall have the following meanings:

(1) Agency. ~~((Agency))~~ Shall include state of Washington institutions, colleges, community colleges and universities, the offices of the elective state officers, the supreme court, the court of appeals, the administrative and other departments of state government, and the offices of all appointive officers of the state. Agency does not include the legislature.

(2) ~~Alternate. ((An alternate is material, supplies, equipment or))~~ Goods and services which ((is) are not at least a functional equal in features, performance or use of the brand, model or specification designated as the standard.

(3) ~~((Equal. An equal is material, equipment, supplies or services which equal or exceed the quality, performance and use of the brand, model or specifications designated as the standard.~~

~~((4)) Bid. ((Bid means)) A written offer to perform a contract to purchase or supply ((material, equipment,)) goods or services ((or supplies)) in response to ((a formal solicitation. In the case of oral solicitation of bid(s), written confirmation shall constitute the)) an invitation for bid.~~

~~((5)) (4) Bidder. A supplier who submits a bid or quotation.~~

~~(5) Bidder's bond. As used in RCW 43.19.1915 shall mean either a bid guarantee or performance guarantee as addressed herein.~~

~~(6) Buyer. ((Any)) An employee of the office of state procurement designated as a buyer, contract administrator, or similar designation by the director, including, where appropriate, the director and other management personnel. Also, ((where applicable, any)) authorized employee(s) of a purchasing activity ((with similar duties)).~~

~~(7) ((Competitive formal sealed bid procedure. Procedure by which the buyer solicits written bids or quotations from a sufficient number of prospective bidders to assure adequate price and product competition by means of a written invitation for bid (IFB) setting forth bid requirements. All bids are to be submitted in sealed envelopes to the location indicated in bid documents and must be received by the time indicated therein. No disclosure of bids or bid information is made prior to the public bid opening. After the public bid opening, all bid information shall be referred to the buyer and treated as confidential working papers until after award at which time all bids become public information.~~

~~((8)) Confidential information. Any information meeting the criteria in RCW 42.17.310.~~

~~(8) Contractor. Individual, company, corporation, firm, or combination thereof with whom purchaser develops a contract for the procurement of goods and services.~~

~~(9) ((Description. Description means identifying information distinctly and plainly set forth and sufficiently portrayed and explained to ensure that the product or service under consideration is uniquely identified.)) Delegated authority. Authority to purchase goods and services delegated to an agency by office of state procurement pursuant to RCW 43.19.190(4) and which is delegated in three forms:~~

~~(a) General. Those purchases delegated annually by the office of state procurement which are common to multiple state agencies.~~

~~(b) Specific. Those purchases delegated annually to specific agencies for continuing individual commodity requirements.~~

~~(c) Limited. Those purchases delegated to a specific agency for one-time commodity requirements.~~

~~(10) Direct buy limit. Dollar amount established by the supply management advisory board pursuant to RCW 43.19.1906(2) below which competitive acquisition is not required.~~

~~(11) Director. Except where otherwise specifically noted ((the term "director" as used in these rules,)) shall mean the state purchasing and material control director, who is the assistant director, office of state procurement.~~

~~((11)) (12) Emergency purchase. ((Emergency purchase means)) A purchase made ((in response to unforeseen circumstances beyond the control of an agency which presents a real, immediate and extreme threat to the proper performance of essential functions and/or which may reasonably be expected to result in excessive loss or damage to property, bodily injury or loss of life)) pursuant to RCW 43.19.200.~~

~~((12)) (13) Equal. Goods and services which meet or exceed the quality, performance and use of the brand, model, or specifications in the invitation for bid or request for quotation.~~

~~(14) Fair market price. The price determined pursuant to RCW 43.19.530.~~

~~(15) Formal sealed bid procedure. Procedure by which the buyer solicits written competitive bids from a sufficient number of prospective bidders drawn from established supplier lists and from any other source thought to be of advantage to the state to assure adequate price and product competition by means of a written invitation for bid (IFB) setting forth specifications and all material and objectively measurable criteria for the intended purchase. All bids are to be submitted in sealed envelopes to the location indicated in bid documents and must be received by the time indicated therein. No disclosure of bids or bid information is made prior to the public bid opening. After the public bid opening, all bid information shall be referred to the buyer and~~

~~treated as confidential working papers until after award at which time all bids become public information. The award is to be made in accordance with RCW 43.19.1911.~~

~~(16) Goods and/or services. Material, supplies, services, and equipment offered for sale by a supplier(s) and required by an agency to accomplish continuing and necessary functions and not otherwise statutorily exempted from chapter 43.19 RCW as a personal service under RCW 39.29.006(8); an architectural and engineering service under RCW 39.80.020(5); or data information systems and telecommunications equipment, software, and services under chapter 43.105 RCW.~~

~~(17) Informality. An ((informality or irregularity is one which is merely a matter of form or is some)) immaterial variation from the exact requirements of the invitation for bids, having no effect or merely a ((trivial)) minor or negligible effect on quality, quantity, or delivery of the supplies or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial to bidders.~~

~~((13)) (18) Invitation for bid. ((An invitation for bid is)) The form utilized to solicit bids in the ((competitive,)) formal, sealed bid procedure and any amendments thereto issued in writing by the buyer.~~

~~((14) Quotation. An offer to perform a contract to purchase or supply material, equipment, services, or supplies in response to a request for quotation.~~

~~((15)) (19) Office of state procurement. The division of purchasing of the department of general administration in RCW 43.19.180 et seq. Whenever a purchase or sale is made by the office of state procurement on behalf of another agency, the office of state procurement is acting in the capacity of agent for such agency.~~

~~(20) Purchase. Shall include purchase, lease, renting or lease-purchase of goods and services.~~

~~(21) Purchasing activity. The office of state procurement or an agency authorized by state statute to conduct acquisition of goods and services or delegated that authority by the office of state procurement.~~

~~(22) Quotation. An offer to perform a contract to supply goods and services in response to a request for quotation.~~

~~(23) Recovered material. Goods containing recovered materials as defined in RCW 43.19.537 et seq. and federal, regional, or state guidelines approved by the director.~~

~~(24) Request for quotation. ((A request for quotation is)) The form used when purchases are solicited in accordance with RCW 43.19.1906(2). The request and the quote in response may be either written or oral as specified by the buyer.~~

~~((16)) (25) Requisition. A standard state form which serves as a procurement request and which requests the office of state procurement to purchase stated requirements.~~

~~(26) Sealed bid limit. That dollar amount established by RCW 43.19.1906 or pursuant thereto above which the formal sealed bid procedure will be used. Said amount may be lowered by the director to maintain full disclosure or competitive procurement or otherwise achieve overall state efficiency and economy.~~

~~(27) Single source purchase. A ((single source purchase is a)) purchase of goods or services which is clearly and legitimately limited to a single source of supply.~~

~~((17)) (28) Specifications. ((Specifications shall mean)) The explicit requirements furnished with an invitation for bid or request for quotation upon which a purchase order or contract is to be based. Specifications set forth the characteristics of the ((equipment, material, supplies or)) goods and services to be purchased or sold so as to enable the bidder or supplier to determine and understand that which is to be supplied or sold. This information may be in the form of ((a)) a description of the physical or performance characteristics((, -b)), a reference brand name((:)) or ((c)) both. It may include a description of any requirement for inspecting, testing, or preparing a material, equipment, supplies, or service for delivery.~~

~~((18) State purchasing division. The state purchasing division is the office of state procurement of the department of general administration. Whenever a purchase or sale is made by an agency other than the office of state procurement, any reference to the office of state procurement in this chapter shall mean such agency. Whenever a purchase or sale is made by the office of state procurement on behalf of another agency, the office of state procurement is acting in the capacity of agent for such agency.~~

~~(19) Supplier. A vendor of purchased goods or services.~~

~~(20) Purchaser. Purchaser shall mean the state of Washington or the agency or agencies purchasing the material, equipment, supplies or services.~~

~~(21) Purchase. Wherever used in this chapter the term purchase shall also include leasing or renting or lease purchase.~~

~~(22) Direct buy limit. That dollar amount established by the supply management advisory board (SMAB) whereby competitive acquisition of equipment, supplies, or service is not required.~~

~~(23) Sealed bid limit. That dollar amount established by RCW 43.19.1906 (2) and (7), or pursuant thereto, by the office of financial management. Said amount may be lowered by the director, taking into consideration any advice of the supply management advisory board, pursuant to and consistent with chapter 43.19 RCW.~~

~~(24) Contractor. An individual, company, corporation, firm, or combination thereof with whom the state of Washington develops a contract for the procurement of goods and/or services.~~

~~(25) Bid bond. Financial guarantee submitted by bidder to protect the interest of the state should bidder decide to withdraw said bid.~~

~~(26) Performance guarantee. Financial guarantee submitted by contractor to ensure contractual performance.~~

~~(27) Recovered materials. "Recovered materials" means:~~

~~(a) "Post consumer waste" which is:~~

~~(i) Paper, paperboard, and fibrous wastes from buildings such as retail stores, office buildings, (and) homes, after the wastes have passed through their end-usage as a consumer item, including Used corrugated boxes, old newspapers, old magazines, mixed waste paper, tabulating cards, and used cordage; and~~

~~(ii) All paper, paperboard, and fibrous wastes that enter and are collected from municipal solid waste; and~~

~~(iii) All other items containing plastics, yard waste, metals, glass, rubber, oil, or any other material that is suitable as feedstock in product manufacturing; and~~

~~(b) "Secondary waste" including manufacturing and other wastes such as:~~

~~(i) Dry paper and paperboard waste generated after completion of the papermaking process, that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets including: Envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming, and other converting operations: Bag, box, and carton manufacturing wastes, and butt rolls, mill wrappers, and rejected unused stock;~~

~~(ii) Finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters, or others;~~

~~(iii) Wastes generated by the conversion of goods made from fibrous material, that is, waste rope from cordage manufacture, textile mill waste, and cuttings; and~~

~~(iv) Fibers recovered from waste water which otherwise would enter the waste stream.~~

~~(28)) (29) State contract. Contracts for goods and/or services administered by office of state procurement on behalf of agencies. The contract document will identify the conditions under which usage by agencies is required.~~

~~(30) Supplier. A vendor of purchased goods and services.~~

~~(31) Supplier list. List of potential bidders maintained by the office of state procurement from which names may be drawn for solicitation of bids/quotes.~~

~~(32) Used equipment. Goods offered for sale to the state which ~~((a))~~ do not have a full factory warranty ~~(;)~~ and ~~((b))~~ which are not being rented, leased, or otherwise in the actual possession of the state agency considering the purchase at the time of the purchase transaction.~~

~~((29) Purchased goods and services. All materials, equipment, supplies, or services offered for sale by a supplier(s) and required by a state agency to accomplish continuing and necessary functions and not otherwise identified as a personal service under RCW 39.29.006(8) or an architectural and engineering service under RCW 39.80.020(5).~~

~~(30) Supplier list. List of potential bidders maintained by the office of state procurement from which names may be drawn for solicitation of bids/quotes.)~~

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-004 PROCEDURE FOLLOWED IN THE SOLICITATION OF BIDS. Whenever practicable the governing standard for ~~((state))~~ purchases of goods and services exceeding the sealed bid limit by purchasing activities is ~~((one of competitive bids in combination with a))~~ the formal sealed bid procedure ~~((The office of state~~

procurement mails invitations for bid to a sufficient number of prospective bidders to elicit adequate competition, such suppliers being drawn from established supplier lists and from any other source thought to be of advantage to the state)). Invitations to bid may call for bid prices with and without trade-in.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-005 EXCEPTIONS TO ~~((COMPETITIVE))~~ FORMAL SEALED BID PROCEDURE. Purchases meeting the following criteria and within an agency's statutory purchase authority or the purchase authority delegated to that agency by office of state procurement need not be purchased by formal sealed bid:

(1) Emergency purchase. ~~((Emergency purchases need not be procured through a formal sealed bid procedure.))~~ Unless revoked by the office of state procurement, all agencies have the delegated authority to ~~((make))~~ conduct emergency purchases ~~((if notice of such a purchase and the reason therefor is transmitted to the office of state procurement immediately after the purchase is made, in accordance with))~~ pursuant to RCW 43.19.200.

(2) Purchases not exceeding ~~((five thousand dollars. Purchases not exceeding five thousand dollars may be solicited by the state by other than a formal sealed bid procedure))~~ the sealed bid limit unless the director specifically requires a formal sealed bid.

(3) Single source or special facilities, services or market conditions. Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities, services, or market conditions may be acquired through direct negotiation with documented source selection.

(4) Used equipment. The purchase of used equipment from private suppliers is generally considered by the office of state procurement to be a purchase falling within the exception set forth in subsection (3) of this section. A state agency desiring to purchase used equipment shall be responsible to determine what used equipment is available on the market and properly record this search. ~~((In the case of a))~~ All agencies have delegated authority to purchase ~~((involving))~~ used equipment for less than the sealed bid limit ~~((; the agency need not submit the requirement to the office of state procurement.))~~ provided that the purchase file located at the state agency shall be fully documented with agency determination as to ~~((fair market value. In the case of))~~ market competitiveness of price and source selection. For purchases of used equipment exceeding the sealed bid limit, a purchase requisition is to be submitted to office of state procurement with two written appraisals ~~((are required to be submitted to the office of state procurement with the purchase request. The purchase request file must contain))~~ and justification for the acquisition of used equipment ~~((and include))~~ including documentation to sufficiently establish ~~((fair market value))~~ market competitiveness of pricing and proposed source selection. All appraisals must be from competent firms or persons not associated with the supplier or ~~((purchaser which))~~ agency and certify whether a physical inspection of the used equipment was conducted and that the ~~((agreed upon))~~ price ~~((represents a fair market value for the))~~ is competitive with the market for comparable equipment. The appraisals will normally be made by individuals or firms knowledgeable of a particular market, not just knowledgeable of the equipment. For purchases exceeding the sealed bid limit, the appraisals must include a statement as to the ~~((fair market value))~~ price of like goods if purchased new (e.g., with full factory warranty). All equipment with full factory warranty shall be purchased as new equipment.

(5) Purchases from ~~((institutional))~~ correctional industries and other suppliers who, under law, receive a preference.

(6) Purchases from sheltered workshops and programs of the department of social and health services ~~((as required by law.))~~ based upon fair market ~~((value will be))~~ price as determined ~~((by the office of state procurement))~~ pursuant to RCW 43.19.520 et seq.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-009 BIDS IN GENERAL. All bids or quotes are subject to the invitation for bid or request for quotations, the specifications and plans, the applicable contract terms and conditions and the rules and regulations ~~((of the office of state procurement))~~ set forth in this chapter. In the event of conflict among any of the above the following order shall govern:

- (1) Rules and regulations;
- (2) Specifications and plans; and

(3) Applicable contract terms and conditions.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-012 BIDDING OR QUOTING TIME. The bidding or quoting time shall be as determined by the buyer involved. All invitations for bid shall provide sufficient time to allow bidders an opportunity to prepare and submit their bid. The buyer shall have the discretion to lengthen or shorten bid or quote times, should special circumstances or needs dictate a shorter or longer time frame. When extending or shortening the time allowed to submit a bid or quote, the buyer is to issue an addendum notifying bidders of the revised opening/due date. If it is determined that regular mail will not reach bidders in time to respond, the buyer shall attempt to notify each prospective bidder by telephone or other available means of communication. All bids must be received by the time specified for bid opening. No deviations will be allowed. Late bids will be returned unopened unless retention is deemed by the director to be in the best interests of the state. Quotations must be received by close of the normal business day on the date indicated. Late quotations will not be considered or returned to bidders. Time of receipt will be determined by the official time stamp located at the ((office of state procurement)) purchasing activity.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-013 AMENDMENT OF INVITATION TO BID. An invitation for bid may be changed or amended by the buyer involved, provided the change is issued in writing prior to the bid opening date. Any material information provided a prospective bidder with regard to an invitation for bid, shall be furnished in writing by the buyer to all bidders receiving a copy of the original invitation. Oral interpretations of contract terms and conditions shall not be binding on the state unless confirmed in writing by the buyer.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-021 SUPPLIER LISTS. Supplier lists are categorized according to specific categories of purchased goods and services and are maintained and updated by the office of state procurement. Such lists are used by buyers to determine suppliers from which to solicit bids. Due to cost considerations not all suppliers are solicited for each bid invitation. In order to be considered for inclusion on a supplier list, suppliers must apply to the office of state procurement. ((The office of state procurement)) A purchasing activity may deny issuance of a bid to a prospective supplier ((if) until such supplier ((fails to) registers on a ((given) supplier list when requested. The office of state procurement may deny or limit placement on supplier list(s) for reason(s) outlined under WAC 236-48-024.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-023 NONACCEPTANCE. If an application to be placed on a supplier list is refused, the applicant shall be advised in writing as to the reason for nonacceptance ((together with suggestions as to)) and how the applicant might qualify in the future.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-035 BID ((BOND)) GUARANTEE. ((The office of state procurement may require)) When required in the invitation for bid, all bidders shall provide with their bid a bid ((bond)) guarantee unilaterally payable to the ((state in such)) purchasing activity. The amount ((and with such surety or sureties as may be)) of the bid guarantee shall be identified in the invitation for bid in dollars and shall be sufficient to redress damages to the state in the event of bidder withdrawal as determined by the buyer. Bid ((bonds)) guarantees may be in the form of a certified check, cashier's check, escrow agreement ((on a form approved by the office of state procurement)), or irrevocable letter of credit drawn on a separate account(s) in a banking or savings and loan institution((s)) regulated by the state of Washington or federal government, cash or a surety bond ((payable to the state of Washington)) with a surety company. Surety bonds or escrow agreements must be on a form approved by the purchasing activity. Personal

or company checks are not acceptable. Failure to submit a bid ((bond)) guarantee in the specified form will be a cause for rejection. Bid ((bonds)) guarantees shall be ((retained by the state until contract(s) is awarded. Surety bonds and letters of credit will be)) returned to bidders after award of contract ((cashier's and certified checks or cash will be returned via a state warrant in the amount of the deposit)). Interest will not be paid on funds deposited directly with the state. Bidders who regularly conduct business with the ((state)) purchasing activity shall be permitted to file an annual bid ((bond)) guarantee in lieu of bid ((bonds)) guarantees for individual contracts in an amount determined by the ((state)) purchasing activity. When a bid ((bond)) guarantee is submitted, the bidder covenants that he/she will accept a contract award. Violation of this covenant will result in forfeiture of the bid ((bond)) guarantee and payment of the same into the Washington state treasury as and for liquidated damages.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-036 PERFORMANCE GUARANTEES. When required in the invitation for bid the successful bidder shall post a performance guarantee ((in amount(s) specified in the bid)) unilaterally payable to the purchasing activity after notice of award. The amount of the performance guarantee shall be identified in the invitation for bid in dollars and/or a percentage of contract worth sufficient to redress damages to the state in the event of breach by the contractor(s). The required performance guarantee shall be in the form of a ((surety bond with a surety company)) certified check, cashier's check, ((cash;)) escrow agreement ((on a form approved by the office of state procurement)), or irrevocable letter of credit ((unilaterally payable to the state of Washington, and)) drawn on a separate account((s)) in a banking or savings and loan institution((s)) regulated by the state ((or other form acceptable to the state of Washington)) or federal government, cash, surety bond with a surety company. Surety bonds or escrow agreements must be on a form approved by the purchasing activity. Personal or company checks are not acceptable. The performance guarantee shall be held by the state or deposited to the state account until contract terms have been fully executed to the satisfaction of the state. Interest will not be paid on funds deposited directly with the state. Failure to submit a performance bond as required in the invitation for bid shall be grounds for contract termination.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-052 FACSIMILE BIDS. Facsimile bids ((or quotations)) will not be accepted under any circumstances. A facsimile withdrawal of a bid or quotation may be accepted, provided that it is received prior to opening of bids or quotations, it meets the approval of the buyer and is immediately ((followed up)) confirmed in writing.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-061 HAND CARRIED BIDS. Hand carried bids must be delivered to the bid supervisor at the ((office of state procurement)) purchasing activity or placed in ((the)) a secure bid depository in the ((office of state procurement)) purchasing activity on or before the ((official)) bid opening time stipulated on the invitation for bid.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-071 FORM OF BID. To receive consideration, bids and quotes shall be made on the form provided by the ((office of state procurement)) purchasing activity, or on a letter containing the information. If a letter is used it must meet the satisfaction of the buyer, be properly headed and signed, properly marked on the outside of the envelope, received by the time specified, and be accompanied by a signed and completed bid form provided by the ((state)) purchasing activity.

Bids must be filled out in ink or with typewriter and properly signed by an authorized representative of the bidder. All changes and/or erasures shall be initialed in ink. The buyer may declare that a quotation (not a bid) prepared in pencil is ((a minor)) an informality and may accept and consider a clear pencil quotation. Unsigned bids will be rejected on opening. However, the buyer may accept such bids if it is

determined that satisfactory evidence was submitted prior to bid opening which clearly indicates the bidder's desire to be bound by his/her bid such as a signed cover letter or bid bond.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-079 STANDARD SPECIFICATIONS. Specifications contained in the invitation for bid will, where practical, be non-restrictive so as to provide an equal basis for competition and participation by an optimum number of qualified bidders. Unless otherwise specifically provided in the invitation for bid, reference to any equipment, material or supplies by trade name, make, or catalog number, shall be regarded as establishing a standard of quality and shall not be construed as limiting competition. All bids which offer a different trade name, make, or catalog number must state whether the item offered is an equal or an alternate, and literature which describes the item offered must be provided when available. The final decision as to whether an item is an equal or ~~(a satisfactory)~~ an alternate shall rest with the ~~((office of state procurement))~~ purchasing activity. In the absence of a bidder's statement of a bid being an "alternate" it shall be evaluated as an "equal."

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-081 INTERPRETATION OF SPECIFICATIONS. In the event of discrepancies or omissions in the bid specifications, or doubt as to their meaning, the supplier shall immediately notify the ~~((office of state procurement))~~ purchasing activity in writing. In response, written instructions and/or addenda as required shall be sent to suppliers receiving the initial bid document. The ~~((office of state procurement))~~ purchasing activity will not be responsible for oral interpretations not confirmed in writing by the ~~((office of state procurement))~~ purchasing activity prior to the time stipulated in the bid opening.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-082 REQUEST FOR SAMPLES, DESCRIPTIVE LITERATURE. ~~((The office of state procurement reserves the right to ask for))~~ When required in the invitation for bid the buyer may require samples, competitive demonstrations, and/or descriptive literature at the bidder's expense. Unless approved in advance by the buyer, samples must be identified ~~((to that bid))~~ with the invitation for bid number. If not received within a reasonable period of time, as determined by the buyer, a bid may be rejected. If not destroyed in testing or required for quality control, bidders may request return of samples at their expense. Samples not claimed within ten days after written or verbal notification will be disposed of by the ~~((state))~~ purchasing activity.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-083 ACCEPTANCE OF ALTERNATE BID/QUOTE. The ~~((state))~~ buyer shall be under no obligation whatever to accept alternate bids ~~((or))~~ or quotes ~~((-However, the office of state procurement))~~ but shall have the discretion to accept ~~((an alternate))~~ a bid ~~((or))~~ quote if it ~~((can be shown that the alternate))~~ substantially conforms to the bid specifications. ~~((Bidder must submit complete documentation with bid sufficient to establish product comparison:))~~ Unless ~~((identified))~~ their bid is clearly identified as an alternate, bidders warrant ~~((s))~~ the ~~((product))~~ goods and services bid to be at least equal ~~((in quality and performance))~~ to specifications on the invitation for bid or request for quotation and shall submit with their bid or quotation complete documentation sufficient to so establish. Bids without sufficient documentation may be rejected. If a bidder misrepresents ~~((his/her))~~ their bid as being ~~((an))~~ equal ~~((an))~~ when ~~((in fact))~~ it is ~~((an))~~ alternate, ~~((his/her))~~ their bid may be rejected and bidder will be liable for damages caused by the misrepresentation.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-084 PREBID CONFERENCES. Prebid conferences may be scheduled to address any questions regarding the invitation for bid. Changes to the invitation for bid shall not be binding upon

the state unless confirmed in writing by the ~~((office of state procurement))~~ purchasing activity prior to bid opening.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-093 AWARD. A contract shall be awarded to the lowest responsible and responsive bidder based upon, but not limited to, the following criteria where applicable and only that which can be reasonably determined:

(1) The price and the effect of term discounts (not less than thirty calendar days after receipt of goods or correct invoice, whichever is later). Consideration may be given to business and occupation tax returns from in-state suppliers and local sales and use tax cost differences between in-state suppliers. Price may be determined by life cycle costing if so indicated in the invitation for bid.

(2) The ~~((quality of the articles proposed to be supplied, their))~~ conformity of the goods and/or services bid with invitation for bid or request for quotation specifications depicting the quality and the purposes for which they are required.

(3) The ability, capacity and skill of the bidder to perform the contract or provide the services required.

(4) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

(5) Whether the bidder can perform the contract within the time specified.

(6) The quality of performance on previous contracts for purchased goods or services.

(7) The previous and existing compliance by the bidder with the laws relating to the contract for ~~((purchased))~~ goods and/or services.

(8) Servicing resources, capability and capacity.

(9) Lack of uniformity or interchangeability, if such factors are important.

(10) The energy efficiency of the product as projected throughout the anticipated useful life of the product.

(11) The effect of reciprocity assessments, MWBE, ~~((institutional))~~ correctional industries ~~((preferences))~~ or other preferences defined by statute or rule.

(12) Such other information as may be secured having a bearing on the decision to award the contract.

AMENDATORY SECTION (Amending Order 77-2, filed 1/28/77)

WAC 236-48-094 PARTIAL AWARD. A buyer shall have the discretion to award on an "all or nothing" basis or to accept any portion of the items bid, excluding others unless the bidder stipulates all or nothing on ~~((his))~~ their bid.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-095 EXCEPTION TO AWARD TO LOWEST RESPONSIBLE BIDDER. Whenever, in the judgment of the ~~((office of state procurement))~~ purchasing activity, there is a reason to believe that the lowest responsible and responsive bid is not the best bid obtainable, all bids may be rejected and the ~~((office of state procurement))~~ purchasing activity may call for new bids or enter into direct negotiations to achieve the best possible bid.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-096 BID AWARD PREFERENCE ~~((-INSTI-TUTIONAL INDUSTRIES))~~. In conducting purchases of goods and/or services preference shall be given to the extent allowed by ~~((law))~~ statute:

(1) To those ~~((materials, equipment, supplies,))~~ goods and services provided by industries authorized and approved by the department of corrections in accordance with RCW 43.19.534 and 43.19.535.

(2) To bids ~~((from firms certified as minority or women-owned bus- inesses by the office of minority and women's business enterprises (OMWBE))~~ responsive to invitations for bid with minority and women's business enterprises (MWBE) goals pursuant to chapter 39.19 RCW and chapter 236-40 WAC.

(3) To ~~((products))~~ goods containing recovered material ~~((if indi- cated on the invitation for bid, provided that the bidder warrants those product(s) are functionally equivalent to the bid invitation specifica- tions and provided that bid does not exceed the lowest responsive bid received for products without recovered material content otherwise~~

meeting all bid specifications)) provided that the buyer sets forth in the invitation for bid a minimum percent content of recovered material that must be certified by the bidder and the producer of the goods to qualify for the preference. Bids for goods so certified shall be given a preference of ten percent of the amount of the bid in determining the lowest responsive bid for any item or grouping of items to be awarded to a single bidder. This preference shall be separate from and applied after any other preferences allowed by statute. The minimum content of recovered material shall be not less than fifteen percent provided that for those goods for which the Environmental Protection Agency has adopted procurement guidelines under the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 42 U.S.C. §6901 et seq.), as amended, the minimum content of recovered or waste material shall not be less than specified in the most current adopted issue of those guidelines. Bidders shall certify the post consumer and recovered or waste material content at the time of submitting bid. To qualify for the preference, the goods shall otherwise be at least functionally equal to all other invitation for bid specifications and use requirements. The preference shall be used for bid evaluation purposes only and the actual dollars bid shall be the contracted amount. In the event of a tie for lowest responsive bid between products otherwise meeting all bid specifications, the buyer shall consider the larger post consumer material content as a factor in determining the award. Should the buyer determine that the use of this preference does not encourage the use of more recovered material for reasons including inadequate competition, economics, environmental constraints, quality or availability, the buyer shall issue, consider and award bids without the preference. For the purpose of meeting Resource Conservation and Recovery Act requirements for state agency purchase of goods complying with Environmental Protection Agency recovered or waste guidelines, the office of state procurement may adopt specifications requiring that only goods meeting these guidelines are responsive and may consider bids for such goods though the cost exceeds ten percent of goods not meeting such guidelines.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-098 REJECTION. No rejection notice will be sent to unsuccessful bidders submitting higher bid/quote pricing than awarded. Bidders whose bids are lower than the lowest responsive bidder will be rejected as nonresponsive and will be notified of the reasons for such rejection.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-099 ACCEPTANCE OF TERMS. Acceptance of bids or quotes shall be expressly limited to the terms and conditions of the ((contract)) invitation for bid ((prescribed)) or request for quotation issued by the ((office of state procurement)) purchasing activity. All material alterations, additional or different terms proposed by the bidder shall be and are rejected unless otherwise provided for in writing by the director or ((his)) their designee.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-101 TIME OF BIDS. All bids and withdrawals must be received on or before the time specified for bid opening at the place designated in the invitation for bid ((documents)). No deviations will be allowed and late bids or withdrawals will be returned unopened. All bids shall be date and time stamped, prior to opening. Precautions will be taken to ensure security of bids. Bids which are received but which do not identify the invitation for bid or the time for bid opening may be opened but solely for identification purposes, and only by officially designated personnel.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-121 MISTAKES IN BID DETECTED PRIOR TO BID OPENING. Mistakes in bids detected prior to bid opening may be corrected by the bidder by withdrawing the original bid and submitting a corrected bid to the ((office of state procurement)) purchasing activity before the bid opening. If there is not sufficient time

prior to bid opening to withdraw the original bid and submit a corrected bid, the bidder, or an authorized representative, may correct the mistake on the face of the original bid: PROVIDED, That the ((official opening time has not yet been reached. A)) corrected bid ((must be)) is time stamped by the purchasing activity upon resubmission prior to the time designated in the invitation for bid.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-123 DISCLOSURE OF BID INFORMATION. After award and distribution, the bids and quotes of all bidders shall be open to public inspection at the offices of the ((office of state procurement)) purchasing activity during normal office hours. Copies of documents subject to public disclosure will be made available upon request in accordance with ((departmental)) purchasing activity policy. Bidders must provide a self addressed stamped envelope to obtain invitation for bid or request for quotation results. A copy of awarded purchase order or contract will be provided. Unless noted to the contrary in ((a)) this invitation for bid ((specification)) or request for quotation, the ((office of state procurement)) purchasing activity assumes no responsibility for the confidentiality of ((submitted)) bids after award.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-124 MINOR INFORMALITIES OR IRREGULARITIES IN BIDS OR QUOTES. The ((director of the office of state procurement or designee)) purchasing activity reserves the right to waive minor informalities or irregularities as defined in WAC 236-48-003.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-131 CANCELLATION OF INVITATION TO BID OR REJECTION OF ALL BIDS. The ((office of state procurement)) purchasing activity reserves the right to reject all bids or quotations or to cancel an invitation or request for quotation. Examples of reasons for cancellation of an invitation, or request, or rejection of all bids are:

- (1) Inadequate or ambiguous specifications.
- (2) Specifications have been revised.
- (3) Supplies or services being purchased are no longer required.
- (4) Change in agency requirements.
- (5) All bids are deemed unreasonable or sufficient funds are not available.
- (6) Bids were not independently arrived at, or were submitted in bad faith.
- (7) A determination is made that all the necessary requirements of the bid process have not been met.
- (8) Insufficient competition.
- (9) For reasons which indicate that cancellation or rejection of all bids is clearly in the best interest of the state.

AMENDATORY SECTION (Amending Order 77-2, filed 1/28/77)

WAC 236-48-132 NOTICE OF CANCELLATION OR REJECTION OF BIDS. In the event of a cancellation of an invitation for bid or a request for quotation, or in the event all bids are rejected, all ((participating)) bidders will be notified by mail.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-141 PROTESTS AND APPEALS—FORM AND SUBSTANCE. All protests and appeals must be in writing and signed by the protestant or appellant or an authorized agent. Such writing must state all facts and arguments on which the protestant or appellant is relying as the basis for its action. Such protestant or appellant shall also attach, or supply on demand by the director, any relevant exhibits referred to in the writing. Copies of all protests, appeals, and exhibits shall be mailed or delivered by the protestant or appellant to the bidder or bidders against whom the protest is made at the same time such protest, appeal, and exhibits are submitted to the ((office of state procurement)) purchasing activity.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-151 VIOLATION OF CONTRACT TERMS. If a contractor fails to deliver, or deliver on time, or there is discrepancy in the quality and/or quantity of services or merchandise received, or there is a default in any other contract provision on a state contract, the ~~((purchaser))~~ agency shall notify the contractor. In the event of an unsatisfactory response from the contractor, the ~~((purchaser))~~ agency shall file a fully documented complaint with the office of state procurement.

The office of state procurement shall verify the complaint, note the same in the contractor's record and take appropriate action. Where a complaint is justified, the contractor shall be notified that an unsatisfactory condition exists and that the unsatisfactory condition must be cured within a stated time. If the condition is not so cured, the office of state procurement shall have the discretion to do any or all of the following: To remove the contractor from the relevant supplier list; demand performance of the contract; modify or cancel the contract and purchase elsewhere; and pursue any other legal remedies available.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-152 OFFSET AGAINST CONTRACTOR PAYMENTS. In addition to other methods of collection available, the ~~((office of state procurement))~~ purchasing activity may offset any damages for which the contractor is responsible against payments owing to the contractor from ~~((the purchaser or))~~ any ~~((other))~~ agency which may be indebted to the contractor.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-153 DELIVERY DATE. Whenever a specific delivery date has been stated, that date shall be an essential condition of the contract. If a contractor is unable to meet the delivery date, he/she shall notify the ~~((purchaser and the office of state procurement))~~ buyer at the earliest possible time. The contractor shall include in such notification the projected revised delivery date. The purchaser shall then have the option to ~~((cancel))~~ accept such revised dates, or cancel and purchase elsewhere.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-165 CHANGE IN PRODUCT OFFERED. A bidder or contractor shall not be allowed to substitute ~~((material, supplies, equipment or))~~ goods and services from that offered: PROVIDED, HOWEVER, If the ~~((material, supplies, equipment))~~ goods or services offered are no longer available to the bidder or contractor for reasons beyond its control, the ~~((office of state procurement))~~ purchasing activity may consider a request by the bidder or contractor for substitution. All such requests must be in writing, must set forth the reasons the product or service is no longer available, and must be accompanied by samples, record of performance, certified copies of tests by impartial and recognized laboratories, and such additional data as the purchaser may request. Samples and data shall be furnished sufficiently in advance to allow for investigation before a decision is made. The bidder or contractor shall warrant that the contracted article is equal or better than the specified article. If the change results in any cost savings to the bidder or contractor, the cost savings shall be reflected in full in a reduction in price to the using agency. State contracts may only be so amended by the office of state procurement.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-166 EXTENSION. If ~~((basic))~~ contract provisions allow, a contractor and the ~~((office of state procurement))~~ purchasing activity may covenant and agree that the contract in question may be extended for predetermined periods by the ~~((office of state procurement))~~ purchasing activity under the same terms and conditions as comprise the original contract.

The buyer shall have discretion to extend a contract with the justification for extension being documented. The contractor shall be notified in writing of the ~~((state's desire))~~ intent to extend prior to the termination date of the existing or extended contract. If the contractor does

not wish to have the contract extended, he/she shall so notify the ~~((office of state procurement))~~ purchasing activity in writing. Extensions, to be effective, must be in writing and signed by authorized representatives of both the contractor and ~~((state))~~ purchasing activity.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-167 ADDITIONS OR DELETIONS TO THE CONTRACT. Within reason, the office of state procurement may increase or decrease the items, quantities, or locations specified in a state contract.

AMENDATORY SECTION (Amending WSR 90-16-075, filed 7/30/90, effective 8/30/90)

WAC 236-48-198 SALE OF SURPLUS PROPERTY TO STATE ELECTED OFFICIALS OR EMPLOYEES. Surplus property available for disposal under the provisions of RCW 43.19.1919 shall not be sold to state elected officials, officers or employees, except at public sale: PROVIDED, HOWEVER, An item valued at less than ~~((5400))~~ direct buy limit and declared surplus of a personal nature such as a chair, desk or bookcase, which in some way depicts or represents the office in which ~~((he has))~~ they have served, may be sold to an elected official after leaving office at private sale ~~((for its fair market value))~~ as used equipment: PROVIDED FURTHER, That a retiring commissioned officer of the Washington state patrol or other state-wide law enforcement activity may purchase his or her career service handgun at private sale ~~((for its current fair market value))~~ as used equipment.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-48-230 LEASES. If ~~((an agency, in the exercise of its delegated authority,))~~ a purchasing activity leases ~~((material, supplies, equipment,))~~ without option to purchase goods or services, the state standard form lease developed by office of state procurement shall be used. Any deviations therefrom must be approved as to form by the office of state procurement and the attorney general's office. For goods to be leased with an option to purchase or lease-purchased, agencies are responsible for coordinating the finance agreement with state treasurer prior to the purchasing activity conducting the purchase.

WSR 90-20-142**PROPOSED RULES****DEPARTMENT OF****GENERAL ADMINISTRATION**

[Filed October 3, 1990, 3:53 p.m.]

Original Notice.

Title of Rule: Chapter 236-49 WAC, Rules for the acquisition of goods and services.

Purpose: General revisions.

Statutory Authority for Adoption: Chapter 43.19 RCW.

Statute Being Implemented: See Statutory Authority above.

Summary: See Purpose above.

Reasons Supporting Proposal: See Statutory Authority above.

Name of Agency Personnel Responsible for Drafting: D. C. Johnsen, Olympia, 753-6473; Implementation and Enforcement: Meredith S. Jennings, Olympia, 753-6461.

Name of Proponent: Department of General Administration, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: General revisions of chapter 236-49 WAC to more clearly describe rules for acquisitions of goods and purchase services subject to chapter 43.19 RCW by state agencies.

Proposal Changes the Following Existing Rules: All revisions are editing changes.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

In response to Small Business Economic Impact Statement of Proposed Rule-Making Form CR-102 and based upon counsel of our assistant attorney general and the advise of the Department of Trade and Economic Development, this is to attest that a small business economic impact statement is not required for the adoption of the proposed revisions of chapters 236-48 and 236-49 WAC herewith.

Hearing Location: General Administration Building Meeting Room, Corner 11th and Columbia, Olympia, Washington, on November 19, 1990, at 9:00 a.m.

Submit Written Comments to: Meredith S. Jennings, Assistant Director, Office of State Procurement, 216 General Administration Building, Mailstop AX-22, Olympia, WA 98504, by November 16, 1990.

Date of Intended Adoption: November 19, 1990.

October 3, 1990
Meredith S. Jennings
Assistant Director

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-49-010 DEFINITIONS. As used in this chapter the following terms shall have the following meanings:

(1) Agency. Shall include state of Washington institutions, colleges, community colleges and universities, the offices of the elective state officers, the supreme court, the court of appeals, the administrative and other departments of state government, and the offices of all appointive officers of the state. Agency does not include the legislature.

(2) Alternate. Goods and services which are not at least a functional equal in features, performance or use of the brand, model, or specification designated as the standard.

(3) Delegated authority. Authority to purchase goods and services delegated to an agency by office of state procurement pursuant to RCW 43.19.190(4) and which is delegated in three forms:

(a) General. Those purchases delegated annually by the office of state procurement which are common to multiple state agencies.

(b) Specific. Those purchases delegated annually to specific agencies for continuing individual commodity requirements.

(c) Limited. Those purchases delegated to a specific agency for one-time commodity requirements.

(4) Director. Except where otherwise specifically noted shall mean the state purchasing and material control director, who is the assistant director of the office of state procurement.

(5) Equal. Goods and services which meet or exceed the quality, performance and use of the brand, model, or specifications in the invitation for bid or request for quotation.

(6) Field order. A standard state form used to make withdrawals from existing state contracts established by the office of state procurement or where an agency has received delegated authority for direct purchase((s have been authorized)).

((2) Director. Except where otherwise specifically noted in these regulations, director shall mean the state purchasing and material control director, who is the assistant director of the office of state procurement.

(3) Purchase order. A standard state form signed by an authorized agent of the office of state procurement which notifies the contractor to provide the stated material, equipment, supplies or services under the terms and conditions set forth thereon.

~~(4) Purchase requisition. A standard state form which serves as a procurement request and which authorizes the office of state procurement to provide stated requirements.~~

~~(5) Office of state procurement. The office of state procurement means the division of purchasing of the department of general administration.~~

~~(6)) (7) Goods and/or services. Material, supplies, services, and equipment offered for sale by a supplier(s) and required by a state agency to accomplish continuing and necessary functions and not otherwise statutorily exempted from chapter 43.19 RCW as a personal service under RCW 39.29.006(8); an architectural and engineering service under RCW 39.80.020(5); or data information systems and telecommunications equipment, software, and services under chapter 43.105 RCW.~~

(8) Materials management center. That activity managed by the department of general administration office of state procurement whose function is to provide for the:

(a) Centralized storage and distribution of commonly used supplies and equipment to ensure administrative efficiency and economy in such purchases by state agencies;

(b) Centralized salvage, maintenance, repair, and servicing of equipment, furniture, or furnishings used by state agencies.

((7) Delegated authority:

(a) General. Those purchases delegated annually by the office of state procurement which are common to multiple state agencies.

(b) Specific. Those purchases delegated to specific agencies for continuing individual commodity requirements.

(c) Limited. Those purchases delegated to a specific agency for one-time commodity requirements.))

(9) Office of state procurement. The division of purchasing of the department of general administration in RCW 43.19.180 et seq. Whenever a purchase or sale is made by the office of state procurement on behalf of another agency the office of state procurement is acting in the capacity of agent for such agency.

(10) Political subdivision. Any agency, political subdivision, or unit of local government of Washington state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any agency of Washington state government; any agency of the United States; any Indian tribe recognized as such by the federal government; and any political subdivision of another state of the United States.

(11) Purchase. Shall include purchase, lease, renting or lease-purchase of goods and services.

(12) Purchase order. A standard state form signed by an authorized buyer of the office of state procurement which notifies the contractor to provide the stated material, equipment, supplies, or services under the terms and conditions set forth thereon.

(13) Purchasing activity. The office of state procurement or an agency authorized by state statute to conduct acquisition of goods and services or delegated that authority by the office of state procurement.

(14) Requisition. A standard state form which serves as a procurement request and which requests the office of state procurement to purchase stated requirements.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-49-020 WASHINGTON STATE PURCHASING STRUCTURE. The office of state procurement has been charged by the legislature with the responsibility to purchase all ((material, supplies)) goods and/or services ((except personal services) and equipment (except data processing and telephone equipment/systems)) needed for the support, maintenance and use of all state institutions, colleges, community colleges and universities, the offices of the elective state officers, the supreme court, the court of appeals, the administrative and other departments of state government, and the offices of all appointive officers of the state. Primary authority for the purchase of specialized equipment, instructional and research material for their own use rests with the colleges, community colleges and universities. Primary authority for the purchase of ((materials, supplies and equipment)) goods and/or services for resale to other than public agencies rests with the state agency concerned. The legislature has the responsibility of making purchases necessary for the operation of the legislature. ((Primary authority for purchase of automatic data processing equipment and telephone equipment/systems rests with the department of information services.))

The office of state procurement has authority to delegate to state agencies authorization to purchase or sell, which authorization shall

specify types of ~~((material, equipment,))~~ goods and/or services ~~((and supplies))~~: PROVIDED, That acceptance of the purchasing authorization by a state agency does not relieve such agency from conformance with RCW 43.19.190 through 43.19.1939, as now or hereafter amended, from chapter 236-48 WAC, or from policies established by the director after consultation with the state supply management advisory board. The delegation of such authorization to a state agency, including an educational institution, to purchase or sell material, equipment, services, and supplies shall not be granted, or otherwise continued under a previous authorization, if such agency is not in substantial compliance with overall state purchasing and material control policies, chapter 236-48 WAC or RCW 43.19.190 through 43.19.1939.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-49-030 DELEGATED AUTHORITY. The office of state procurement shall administer ~~((a#))~~ the purchase~~((s))~~ and sale~~((s))~~ of all goods and services for state agencies except those for which the agencies have statutory or delegated authority. Delegated purchases are set forth in: (1) General authorities; (2) specific authorities; and (3) limited purchase authorities. All delegations must be given in writing prior to the purchase or sale.

AMENDATORY SECTION (Amending Order 89-02, filed 8/22/89, effective 9/22/89)

WAC 236-49-040 TYPES OF PURCHASING. Acquisition of ~~((purchased))~~ goods and services by the office of state procurement is divided into three major types:

(1) State contracts: ~~((Term))~~ Contracts for ~~((material, supplies,))~~ goods and/or services~~((, and equipment in common use by state))~~ administered by office of state procurement on behalf of agencies. The contract document will identify the condition(s) under which usage by ~~((state))~~ agencies is required.

(2) Materials management center: The office of state procurement maintains a materials management center for the storage and distribution of a wide variety of supplies in high common use. Any agency which is in need of such supply items must purchase from the materials management center regardless of whether authority to purchase such supply items has been delegated to it. In addition, the materials management center also handles the maintenance, repair and servicing of office equipment used by state agencies in their servicing areas.

(3) Single acquisitions: ~~((Specific material, supplies, equipment or))~~ Purchase of goods and services ~~((acquisitions by the office of state procurement))~~ for which an agency does not have statutory authority nor delegated authority ~~((has not been delegated,))~~ and for which there is no existing state contract~~((;))~~ or which the materials management center is unable to supply, must be made by submitting a ~~((purchase))~~ requisition to the office of state procurement. Such requisition must refer to any applicable Washington state specifications, standards and qualified products lists unless otherwise provided by the director or designee. Requests to use specifications, standards or qualified products which differ from the established Washington state specifications, standards and qualified products must be in writing to the director or designee. ~~((A purchase requisition must describe the items requisitioned in such detail and in such full and explicit terms as to be easily understood by bidders. Diagrams, specimens, samples and other illustrative material should be included with a requisition, where appropriate.))~~ If a proprietary item is required, the agency must attach adequate justification. After consultation with the using agency, the office of state procurement ~~((may select equal or alternate items offered by bidders if the equal or alternate items offered will perform the same function as the specified item and if the quality is equal or greater))~~ shall award the contract pursuant to RCW 43.19.1911 and chapter 236-48 WAC. The contract may be awarded to a bidder offering a bid or quote for brands or models other than specified on the requisition and/or invitation for bid or request for quotation if equal to the specifications therein.

WSR 90-20-143

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 3, 1990, 4:13 p.m.]

Original Notice.

Title of Rule: Rules relating to commercial fertilizers in chapter 16-200 WAC.

Purpose: Rules affecting the labeling and use of fertilizers, minerals, and limes.

Statutory Authority for Adoption: RCW 15.54.800.

Statute Being Implemented: RCW 15.54.800.

Summary: A proposal to set minimum equipment requirements for irrigation systems used for fertigation (the application of commercial fertilizers with irrigation water).

Reasons Supporting Proposal: The proposed equipment requirements are intended to prevent the potential for contamination of groundwater or surface water by commercial fertilizers during operation or times of irrigation system failure or equipment shut down.

Name of Agency Personnel Responsible for Drafting and Implementation: Ann Wick, Program Manager, Department of Agriculture, 406 General Administration Building, Olympia, (260) 753-5062; and Enforcement: Cliff Weed, Compliance Program Manager, Department of Agriculture, (206) 753-5062.

Name of Proponent: Washington State Department of Agriculture, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule would require the same irrigation system safeguards for irrigation with commercial fertilizers as is currently in place for chemigation (the application of pesticides with irrigation water). The purpose is to protect groundwater or surface water from accidental contamination by commercial fertilizers. The proposal would standardize minimum equipment requirements with current Washington state chemigation rules and would be consistent with nationally recognized irrigation system safeguards.

Proposal Changes the Following Existing Rules: Currently, irrigation systems used for fertigation in Washington state are not required to have equipment to prevent accidental contamination of their water source. The proposed rule change would set minimum equipment requirements for these systems to prevent such an occurrence. Systems currently in compliance with chemigation rules would be in compliance with this proposed rule change.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Moses Lake Elks Lodge, 814 Stratford Road, Moses Lake, WA 98837, on November 14, 1990, at 7:00 p.m.

Submit Written Comments to: Washington State Department of Agriculture, Pesticide Management Division, 406 General Administration Building, AX-41, Olympia, WA 98504, by November 14, 1990.

Date of Intended Adoption: December 7, 1990.

October 3, 1990

Art G. Losey

Assistant Director

AMENDATORY SECTION (Amending Order 1952, filed 9/17/87)

WAC 16-200-695 **DEFINITIONS.** The definitions set forth in this section shall apply throughout this chapter unless context otherwise requires:

(1) "Organic" means a material containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth. When the term "organic" is utilized in the label or labeling of any commercial fertilizer, it shall be qualified as either "synthetic organic" or "natural organic," with the percentage of each specified.

(2) "Natural organic" means a material derived from either plant or animal products containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(3) "Synthetic organic" means a material that is manufactured chemically (by synthesis) from its elements and other chemicals, containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(4) "Unit" means one percent (by weight) of a ton.

(5) "AOAC" means the association of official analytical chemists.

(6) "Commercial fertilizer" means any substance containing one or more recognized plant nutrients and which is used for its plant nutrient content and/or which is designated for use or claimed to have value in promoting plant growth, and shall include limes, gypsum, and manipulated animal and vegetable manures. It shall not include unmanipulated animal and vegetable manures and other products exempted by the department by rules.

(7) "Fertigation" means a method of applying commercial fertilizers with irrigation water to fertilize land or plants.

AMENDATORY SECTION (Amending Order 1952, filed 9/17/87)

WAC 16-200-705 **PURPOSE.** The following ~~((rules))~~ sections concerning the ~~((definitions))~~ protection of ground water, labeling requirements and examination of fertilizer minerals and limes (WAC 16-200-708 through 16-200-742) are established in this chapter under the authority of the Commercial Fertilizer Act, chapter 15.54 RCW.

NEW SECTION

WAC 16-200-708 **UNLAWFUL ACTS.** It shall be unlawful for any person to refuse or neglect to comply with the provisions of the applicable sections of chapter 15.54 RCW, the rules adopted thereunder, or any lawful order of the department.

NEW SECTION

WAC 16-200-742 **FERTIGATION.** The following shall apply to fertigation:

(1) Any irrigation system used for fertigation shall contain the following functional equipment:

(a) A backflow prevention device or system in the water supply line, upstream from the point of fertilizer introduction. Discharge of water into a reservoir tank prior to fertilizer injection is acceptable: **PROVIDED**, That there is an air gap between the outlet end of the fill pipe and the top (or overflow rim) of the reservoir tank of at least twice the diameter of the fill pipe;

(b) An automatic, quick-closing check valve in the fertilizer injection pipeline to prevent the flow of the liquid back toward the injection pump;

(c) A normally closed, solenoid-operated valve located on the intake side of the injection pump, connected with the system interlock to prevent fluid from being withdrawn from the supply tank during shutdown;

(d) An interlocking control to automatically shut off the injection pump when the water pump stops or when water pressure decreases to a point where fertilizer distribution is affected;

(e) A metering pump fitted into the system interlock specified in (d) of this subsection.

(2) The department may issue permits exempting specific irrigation systems or locations from requirements of subsection (1) of this section: **PROVIDED**, That alternative technology is substituted which will adequately fulfill the function of each waived requirement. In

evaluating a permit request, the department may consult qualified engineers and Washington State University personnel.

WSR 90-20-144

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed October 3, 1990, 4:18 p.m.]

Original Notice.

Title of Rule: WAC 356-22-060 Applications—Filing—Time limit.

Purpose: This rule provides for time frames for accepting applications.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will clarify Department of Personnel's ability to accept late applications under certain circumstances.

Reasons Supporting Proposal: There are many legitimate reasons to accept applications shortly after a bulletin has closed. This is much more efficient than re-opening recruitment.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These changes will enable us to immediately test under certain circumstances without publishing a new recruitment announcement. These changes will also increase efficiency by making better use of recruiting resources where true recruitment is needed.

Proposal Changes the Following Existing Rules: This rule change proposed will enable Department of Personnel to accept late applications under certain circumstances and allow testing under certain circumstances without publishing a new recruitment announcement.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 3, 1990

Dee W. Henderson

Secretary

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-22-060 **APPLICATIONS—FILING—TIME LIMIT.** Only those applications filed with the department of personnel by the date specified in the examination announcement need be considered for an examination. Where the efficient use of state resources and the effective selection of personnel will be enhanced, or under other special

circumstances as determined by the director or designee, the department of personnel may accept applications after the specified date.

WSR 90-20-145
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed October 3, 1990, 4:20 p.m.]

Original Notice.

Title of Rule: WAC 356-22-120 Examinations—Promotional—Evaluations—Regulations.

Purpose: This rule provides for promotional testing.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This rule proposal adds provisions for using other valid test types.

Reasons Supporting Proposal: The Department of Personnel does not wish to preclude the use of any valid type of test.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal increases the state's flexibility in the area of employee/applicant employment assessment.

Proposal Changes the Following Existing Rules: The current rule specifies only certain types of exams for use for state promotion. These changes will ensure the state's ability to utilize whatever type of exam procedure which will identify the best candidates most efficiently for an agency.

Small Business Economic Impact Statement: [No information supplied by agency.]

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 3, 1990

Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 338, filed 2/13/90, effective 4/1/90)

WAC 356-22-120 EXAMINATIONS—PROMOTIONAL—EVALUATIONS—REGULATIONS. (1) Inter-agency and intra-agency promotional examinations shall be announced as the director of personnel determines the need and shall be open to persons who meet the minimum requirements of the position and who are either current employees (and) or employees who have been separated by reduction in force within the last year ((who meet the minimum requirements of the position)). Promotional examinations shall consist of any combination of written, performance, or oral test, or rating of training and experience or other test that measures qualification for the job class.

(2) The announcement of the promotional examination shall specify the desirable or minimum requirements, the expected parts of the examination and the method of rating. Announcements shall be prominently posted by all appropriate agencies to ensure that the information is reasonably available to all.

(3) For a class used by only one agency, a promotional evaluation may be used in promotional scores if the class is in workweek group E and all competing employees are employed by the same agency at the time of the examination.

(4) When any of the conditions in (3) above are not met, a promotional evaluation may be used in promotional scores provided that the director of personnel determines such promotional evaluations are practical and necessary to improve the effectiveness of the examination.

WSR 90-20-146
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed October 3, 1990, 4:21 p.m.]

Original Notice.

Title of Rule: WAC 356-22-130 Examinations—Minimum qualifications waived or modified—Examinations modified.

Purpose: This rule allows for modification of minimum qualifications or tests under certain circumstances.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal changes the rule to allow a one-time modification of minimum qualifications based on recruitment history on market rather than requiring recruitment failure before allowing change.

Reasons Supporting Proposal: It is not cost effective to be required to prove a failure we know will most likely occur.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This change will improve the efficiency of recruitment and permit the state to reach its applicants quicker under certain vacant position circumstances.

Proposal Changes the Following Existing Rules: This change would allow modification of minimum qualifications when we predict recruitment problems that could be resolved with such modification.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 3, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 144, filed 5/9/80)

WAC 356-22-130 EXAMINATIONS—MINIMUM QUALIFICATIONS WAIVED OR MODIFIED—EXAMINATIONS MODIFIED. (1) Upon the written request of the appointing authority, the director of personnel may waive or modify the minimum qualifications for a class to fill a vacant position on a one(~~examination~~) time basis only when (a) there is an incomplete register following recent recruiting or when recruitment history or market conditions indicate that recruitment would predictably result in an incomplete referral; and (b) an underfill appointment is not feasible in that the position is supervisory or managerial in nature or otherwise requires the full and immediate discharge of duties and responsibilities; and (c) the director of personnel determines the established minimum qualifications to be appropriate under normal conditions and should not be permanently changed.

(2) The director of personnel may admit to an examination an applicant who does not technically meet the published minimum qualifications if the director determines that the applicant's qualifications exceed the minimum qualifications of the class for which the examination is being conducted.

(3) The director of personnel may modify or substitute, for a (~~handicapped applicant~~) person of disability, an examination which in his/her judgment is substantially equivalent to the regular examination for the class and compensates for the (~~handicap~~) disability of the individual to be tested when, in the judgment of the director, all or portions of the examination constitutes an artificial barrier to the applicant's fully demonstrating his/her ability through the normal examination process due to the (~~handicap~~) disability.

(4) When a development plan established and administered by the division of human resource development is available for a classification, confirmed completion of this class development plan (CDP) admits the applicant to the next examination for that class.

WSR 90-20-147

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed October 3, 1990, 4:22 p.m.]

Original Notice.

Title of Rule: WAC 356-22-140 Applications—Reexamination.

Purpose: This rule provides restrictions for reexamining.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This rule proposal will clarify that applicants may take a test up to three times only in a 12-month period, even if the test is used for several job classes.

Reasons Supporting Proposal: Under current practices, an applicant could take a test several times if the test was used for several different job classes.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: Candidates are now limited to taking the same test three times in a year, if the test is only used for one job classification. If the test is used for 2 or 3 classes, the candidate could take the same test 6 or 9 times. This level of frequency means some of the tests become too familiar to candidates, or overexposed. Exposure limits effectiveness and means a new test will be needed more frequently. Costs increase for test replacement.

Proposal Changes the Following Existing Rules: The changes will reduce overexposure and increase the longevity of test, thereby reducing costs and allowing better resource utilization.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA, 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 1, 1990

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-140 APPLICATIONS—REEXAMINATION. Upon request, the director may authorize an applicant to retake a test provided that:

(1) At least 30 calendar days have elapsed between the dates of the successive test administrations.

(2) The written or oral test is taken not more than three times within a 12-month period ((unless the examination content has been substantially changed)). The count is based on the particular test rather than the job class for which the candidate is testing. When there are equivalent versions of a given test, all versions are considered to be the same test. When a new test is published that has substantially different content which precludes candidates from using a former test score, the count begins anew.

(3) The class is open for filing indicating a continuing recruitment need at the time of applicant's request.

WSR 90-20-148

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed October 3, 1990, 4:23 p.m.]

Original Notice.

Title of Rule: WAC 356-06-040 Classified service; and 356-22-230 Examinations—Noncompetitive.

Purpose: These rules define noncompetitive service.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: These proposed changes clarify current rules and add continuing recruitment difficulties as a basis for noncompetitive service.

Reasons Supporting Proposal: The RCW's allow for a referral of five names per vacancy. When we experience recruiting difficulties the competitive testing only serves to lengthen the process.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The current rules limit noncompetitive employment to seasonal, temporary and unskilled jobs. There are many instances not cited in the current rules where testing is impractical or unnecessary. These changes broaden the scope of classes for which we could recruit noncompetitively. Wording adjustment of the rule match a long standing interpretation of using noncompetitive recruitments for certain job classes where testing is impractical. This change also would transfer decisions in this area to the director of the Department of Personnel as opposed to the State Personnel Board.

Proposal Changes the Following Existing Rules: We often lose the opportunity to hire applicants because of our procedures, even though we do our best to minimize them and handle these recruitments as a rush. Eliminating testing in cases where all applicants will be referred is more efficient and effective than the current system.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez, Department of Personnel, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 3, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 136, filed 10/15/79, effective 1/1/80)

WAC 356-22-230 EXAMINATIONS—NONCOMPETITIVE.

(1) The director or designee may approve noncompetitive service (~~((comprises those))~~) for unskilled, seasonal (~~((and temporary))~~), or other classes or positions for which (~~((the personnel board has determined))~~) ranked registers (~~((to be))~~) are impracticable or when open competitive recruitment historically has or predictably would result in incomplete referrals. Although exactly the same selection procedures may be used as in the competitive service, they need not be applied beyond the point of determining that a given applicant achieves a passing score.

(2) The director of personnel may designate agency personnel officers to act in the director's behalf, as agents of the department of personnel, for purposes of establishing and maintaining unranked registers within the noncompetitive service for those positions approved by the personnel board. The director of personnel shall be responsible for developing necessary procedures which include yearly audit provisions. Applicants shall have appeal rights to the director of personnel in accordance with other provisions of these rules.

AMENDATORY SECTION (Amending Order 142, filed 3/14/80)

WAC 356-06-040 CLASSIFIED SERVICE. Positions subject to these rules are in the classified service and will be designated by the (~~((personnel board))~~) director of personnel or designee as competitive or noncompetitive.

(1) The competitive service includes positions in classes for which a competitive examination is required prior to appointment.

(2) The noncompetitive service includes those unskilled, seasonal (~~((and temporary))~~), or other classes or positions for which (~~((the personnel board has determined))~~) ranked registers (~~((to be))~~) are impracticable, or when open competitive recruitment continually results in incomplete referrals.

(3) The director of personnel or designee may at any time review the duties and requirements of any class or position to determine the practicality of competitive examinations (~~((and after such studies, present to the personnel board for determination, the proper inclusion or exclusion from the noncompetitive service))~~).

(4) No positions in agencies designated as grant-in-aid, will be included in the noncompetitive service except those positions that need not meet the federal merit system standards or positions which can be placed in the noncompetitive service according to the federal merit system standards.

WSR 90-20-149

PROPOSED RULES

**DEPARTMENT OF PERSONNEL
(Personnel Board)**

[Filed October 3, 1990, 4:24 p.m.]

Original Notice.

Title of Rule: WAC 356-10-050 Employee appointment status—Upward.

Purpose: The purpose of this rule is to provide conditions for moving employees up when their positions are reallocated upward.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: These changes retain current concepts but eliminate some of the process involved.

Reasons Supporting Proposal: This proposal would reduce time it takes to determine employee movement and reduce steps/paperwork needed to make it happen.

Name of Agency Personnel Responsible for Drafting: Christina Valadez, 521 Capitol Way South, Olympia, 586-3329; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: These changes will improve efficiency and effectiveness associated with employee testing when employees positions are reclassified to a higher level job classification.

Proposal Changes the Following Existing Rules: These changes will recognize successful job performance as the only test needed for employees who job changed over a year ago. These changes will also shorten the procedures for those jobs changed recently; they will still need to score competitively on the test, but it will no longer be necessary to seek other candidates when they are not needed.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 8, 1990, at 10:00 a.m.

Submit Written Comments to: Christina Valadez,
Department of Personnel, P.O. Box 1789, Mailstop FE-
11, Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 3, 1990
Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 329, filed 12/20/89,
effective 2/1/90)

WAC 356-10-050 EMPLOYEE APPOINTMENT STATUS—
UPWARD REALLOCATION. Employees in positions (~~(which)~~) that
have been reallocated upward are affected as follows:

(1) Employee must compete (~~(and be certified)~~) at the time of cer-
tification from the appropriate eligible register, unless otherwise deter-
mined by the director of personnel or designee, when the position is
reallocated upward based on recent or impending changes in duties
and responsibilities. The effective date of an incumbent's appointment
status as provided in this subsection will be the date when he/she is
appointed from a certification. If the employee is appointed from a
certification, his/her salary is then adjusted in accordance with the
rule governing promotion. The employee will serve a trial service
period.

(2) Employees in positions (~~(which)~~) that have been reallocated up-
wards based on duties (~~(performed)~~) of a higher level classification (~~(in~~
~~excess of)~~) performed for over one year shall retain status in the real-
located position and shall have their salary adjusted in accordance with
the rule governing promotion, provided:

(a) The incumbent meets the minimum or desirable qualifications
for the new class; or, the incumbent meets acceptable qualifications as
determined by the director of personnel or designee.

(b) The employee passes the appropriate examination or an assess-
ment of observed work performance or other work sample
measurement.

(3) If the employee is not certified from the appropriate eligible
register, transferred, promoted, demoted or otherwise retained in status
within ninety days, the provisions governing reduction in force shall
apply. This shall not preclude the employee's eligibility for a temporary
appointment under these rules up to thirty days after the register is
established. Employees who do not achieve status in a reallocated posi-
tion shall be paid for time worked in the higher class based on the
rule governing promotion (up to a maximum of three years).

(4) The employee retains existing appointment status when the posi-
tion is reallocated based on a revision of a class series, a class series
study, or an agency-wide or major subdivision-wide classification re-
view planned, conducted, or authorized by the department of personnel
in advance of personnel board action (if any), when the reallocation
involves no change in duties or responsibilities. The employee's salary
then is adjusted to the same step in the new range as held in the
present range.

(a) An employee in an underfill status will maintain that status.

(b) Subsection (1) or (2) of this section apply when a change in du-
ties, responsibilities, or organization coincides with a revision of a class
series.

(5) The director of personnel or designee may approve the retention
of status without examination for an incumbent in a reallocated posi-
tion when it is evident that the reallocation is, in effect, the correction
of a long-term inequity. The employee's salary is adjusted in accord-
ance with the rule governing promotion. The application of this sub-
section shall not be denied in those cases where the employee has per-
formed duties at a higher class for three continuous years or more.

(6) In reallocations determined by the department of personnel's di-
rector or designee the effective date of an incumbent's appointment
status as provided for in subsection (2) or (5) of this section will be the
earliest date that a copy of the classification questionnaire, either sub-
mitted directly by the incumbent or by the agency, is received by the
department of personnel. Receipt of such classification questionnaires
shall be acknowledged by the department of personnel if the submit-
ting party includes a self-addressed stamped envelope with the copy of
the classification questionnaire furnished the department of personnel.

For positions reallocated by agencies under their delegated alloca-
tion authority, the effective date of an incumbent's appointment status
as provided for in subsection (2) or (5) of this section will be the ear-
liest date that a copy of the classification questionnaire is received by
the agency's personnel office or by the department of personnel.

(7) The department of personnel, the director of personnel, and the
state personnel board shall not award additional compensation to an
employee for any period prior to the date on which the classification
questionnaire was received by the department of personnel.

WSR 90-20-150
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Filed October 3, 1990, 4:25 p.m.]

Original Notice.

Title of Rule: Amending WAC 356-15-130 Special
pay ranges and 356-14-140 Salary—Increase on pro-
motion; and new section WAC 356-14-067 Salary—
Classes requiring licensure as registered nurse.

Purpose: These rules determine how to compute the
movement of an employee from their existing salary step
and range to their new salary step and range when
promoted.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal clarifies the methodology
used in computing salaries to insure the 5% or 10% in-
crease is granted as originally adopted by the State Per-
sonnel Board. Also, to implement an extended salary
scale for jobs requiring licensure as a registered nurse.

Reasons Supporting Proposal: Comparable worth im-
plementation disrupted the computation formula for sal-
aries on promotion. Also, legislation was adopted to ex-
tend salary range for registered nurses in order to retain
staff.

Name of Agency Personnel Responsible for Drafting:
Fred Richardson, 521 Capitol Way South, Olympia,
753-1003; Implementation and Enforcement: Depart-
ment of Personnel.

Name of Proponent: Department of Personnel,
governmental.

Rule is not necessitated by federal law, federal or
state court decision.

Explanation of Rule, its Purpose, and Anticipated Ef-
fects: The existing rules outline the methodology to be
used in computing salaries for employees accepting pro-
motions. This proposal allows an extended salary scale
for some positions (registered nurses) beyond the
amount normally granted for the rest of the workforce.

Proposal Changes the Following Existing Rules: The
amendment to WAC 356-14-140 amends the rule to
insure a 5% or 10% increase is granted on promotion
which was distorted because of the comparable worth
subranges. Based on the current rules some individuals
were not getting a salary increase when promoted.

No small business economic impact statement is re-
quired for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Personnel, 521
Capitol Way South, Olympia, WA, on November 8,
1990, at 10:00 a.m.

Submit Written Comments to: Fred Richardson, De-
partment of Personnel, P.O. Box 1789, Mailstop FE-11,
Olympia, WA 98507, by November 6, 1990.

Date of Intended Adoption: November 8, 1990.

October 2, 1990

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 355, filed 6/18/90, effective 7/19/90)

WAC 356-15-130 SPECIAL PAY RANGES. These ranges are used to equal or approximate prevailing rate practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

(1) "E" range: This range is used for classes having a prevailing pay range which is shorter than Washington's standard ranges. An "E" range is a standard range with the first four steps removed. Thus, the first step of such a range is the same as Step E of the standard range having the same range number. Periodic increases through the steps of this range are made at the same time intervals as through standard ranges, i.e., a two-step increase after six months at Step E and two annually thereafter up to the maximum step of the range.

(2) "L" range: This special range is used only for the class of liquor store clerk (0628). The "L" range was designed to more closely parallel the prevailing pay structure for retail clerks in private industry. Periodic increases through the steps of the "L" range are made at the same time intervals as through a standard range. Normal progression is Steps A, D, G and K, which represents ten percent per periodic increase.

(3) "T" range: Used only for the classes of institution teachers. These ranges are constructed by identifying Step K of the correspondingly numbered regular state ranges as "Step 10" of the "T" range; the lower nine steps of the "T" range are each two regular-range steps (approximately 5%) apart. Advancement through these ranges is at the rate of one step per year.

(4) "V" range: Used only for the classes of teachers of the deaf or blind and principals, school for the deaf or blind. "V" ranges are the same as the current ranges of Vancouver, Washington School District #37 for certificated employees of similar background and experience. Advancement through the range is at the rate of one step per year.

(5) "I" range: This range is always ten ranges higher than the range approved for lottery district sales representative or lottery telemarketing representative 1 and 2 and it may be applied only to those classifications. Use of this range is limited to sales incentive programs which: (a) May not exceed ten weeks for any program; (b) may not exceed four programs in any consecutive twelve months; (c) require achievement of specific goals which are set for each program by the lottery, such goals to be in excess of normal performance standards for the class.

The lottery is authorized to compensate individual employees on the "I" range for not more than three months as a result of any one sales incentive program, with the number of months stipulated in the incentive program announcement. Within these limits, movement of any employee to and from the "I" range will be at the discretion of the lottery, and shall be from and to the same step, subject to change by the employee's periodic increment date.

(6) "N" range: This range is used for classes requiring licensure as a registered nurse and having a prevailing rate range which is longer than Washington's standard ranges. An "N" range is a standard range, Steps A through K, with five added Steps, L through P. Periodic increases through Step K of these ranges are made at the same intervals as through standard ranges. Thereafter, an employee receives a one-step increase each year up to the maximum step of the range.

(7) "J" range: This range consists of the single rate of twenty dollars per hour. Use is limited to lottery employees who volunteer and are selected for lottery drawing duty as one of the following: (a) The lottery drawing official (LDO); (b) the lottery security official (LSO); or (c) the headquarters drawing official (HDO), as described under lottery procedures.

Employees performing these functions during their normal working shift will not be eligible for "J" range compensation. Employees performing these functions outside of their shift will be compensated by the "J" rate on an hourly basis with a two-hour minimum per drawing period.

AMENDATORY SECTION (Amending Order 281, filed 7/16/87, effective 9/1/87)

WAC 356-14-140 SALARY—INCREASE ON PROMOTION. ((1) All promotional salary changes shall be determined as if the employee's old and new classes were both paid on the base ranges with the same whole-number designations as the point ranges which may be involved. Thus under the rules which follow in this section, a four-range promotion would be exemplified by movement from base range 30 to base range 34, not from base range 30 to point range 30.4. The following examples are cited to further clarify the intent of this rule:

(a) A four-range promotion from range 26.4 step i to range 30.2 would be determined as though the move were from range 26 step i to range 30 step e (same dollar amount) plus two increments to step g, then to step g of range 30.2.

(b) A six-range increase would occur if an employee promoted from range 26.4 to range 32.2, even though the actual dollar amount of the range increase is less than a promotion from range 26 to range 32.

(c) A five-range increase would occur if an employee promoted from range 26 to range 31.4 even though the actual dollar amount of the increase appears to be closer to six ranges.

(d) Promotional movement from range 30.1 step d to range 30.3 would be made as though the movement were from range 30 step d to range 30 step f, then to range 30.3 step f.

(2) An employee who is promoted less than six salary ranges shall receive a two-increment salary increase on the date of promotion, or

(a) To the minimum step of the newly assigned range, if the minimum dollar amount is higher, or

(b) To the maximum step of the newly assigned range, if a two-increment increase would have otherwise placed the employee above the maximum step of the range, or

(c) To the next higher salary schedule dollar amount which would represent more than a one-increment increase but [no] [not] more than a two-increment increase, if the employee's basic salary in the former class was Y-rated between two salary schedule steps, and (a) or (b) above do not apply.

(3) An employee who is promoted six or more ranges shall receive a four-increment salary increase on the date of promotion.

(4) An employee who is working in a position that is included in an approved class series study and who accepts a promotion within that agency to a classification impacted by the same study, shall be paid not less than the salary that would have been paid had the employee remained in the former position and benefited from an upward reallocation. In no event, however, shall the employee receive a salary higher than the maximum step of the classification to which promoted. The higher salary shall become effective on the effective date of the class study.

(5) An employee who is promoted in either situation (a) or (b) below, shall receive a four-increment salary increase:

(a) When the employee is promoted over an intervening class in the same class series, or

(b) When the employee is promoted from one class series to a higher class series and over an intervening class in the new series which would have represented a promotion.

(6) An employee whose promotion requires a change of residence to another geographic area to be within a reasonable commuting distance of the new place of work shall receive a four-increment increase on the date of promotion.

(7) An employee will be entitled to only one of the increases of (3), (5) or (6) above within a 12 month period. An employee whose salary would otherwise be increased under (3), (5) or (6) above shall receive a salary increase as provided in (2) above when the promotions occur within 12 months of each other.

(8) When the increase prescribed in (3), (5) and (6) above would result in a salary above the maximum of a range or the increase was from an amount between the steps, then the same limitations prescribed in (2)(a), (b) or (c) will prevail.

(9) Any additional salary ranges that were afforded by a special assignment pay provision shall not be used in the above computations.

(10) The dollar amount increase is stated otherwise in the compensation plan appendix or chapter 15 but will not be used in the above computation.

((11) Increases will not be provided as above when teachers' salaries are prescribed in the teachers and principal salary schedules:)) (1) An employee who is promoted to a class whose base range is less than six ranges higher than the base range of the former class will advance to the step of the range for the new class which is nearest to five percent higher than the amount of the prepromotional step.

(2) An employee who is promoted under any one or more of the following conditions shall advance to the step of the range for the new class which is nearest to ten percent higher than the amount of the prepromotional step.

(a) When the employee is promoted to a class whose base range is six or more ranges higher than the base range of the employee's former class.

(b) When the employee is promoted over an intervening class in the same class series.

(c) When the employee is promoted from one class series to a higher class in a different series and over an intervening class in the new series which would have represented a promotion.

(d) When an employee's promotion requires a change of residence to another geographic area to be within a reasonable commuting distance of the new place of work.

(3) When an employee is promoted from a Y-rate salary, the Y-rate shall first terminate, and the promotional increase shall be calculated from the next-lower step of the range for the class from which promoted. The calculation will then be completed as illustrated in subsection (1) or (2) of this section.

(4) Any promotional increase must result in a salary which is not less than the first, and not more than the top, step of the range for the class to which the employee is promoted.

(5) No assignment pay or other special pay provision, except applicable comparable worth ranges, shall be considered in calculating promotional increases.

(6) Promotional increases for T-ranges (teachers and principals) are not calculated in the manner described above.

(7) An employee who is working in a position which is included in an approved class series study, and who accepts a promotion within that agency to a classification impacted by the same study, shall be paid not less than the salary that would have been paid if the employee had remained in the former position and benefited from an upward re-allocation. The new higher salary must be within the range for the new class to which the employee is promoted, and shall be effective on the effective date of the class study.

(8) The salary of any employee who, after June 30, 1990, was promoted to a class whose range has a higher top step than that of the former class, and who received less promotional increase than is provided under subsection (1) or (2) of this section, shall be recalculated. Effective September 16, 1990, such salary shall move to the even step of the range which would result if the promotion had occurred that day.

If such employee has received a periodic increment increase since June 30, 1990, the base salary on September 16, 1990, shall be not less than if the increment date had occurred on September 16, 1990.

(9) Promotional increases for "N" ranges (classes requiring licensure as a registered nurse) are not calculated in the manner described above.

An employee who is promoted into or between classes which have special pay range "N" shall advance to the step in the new range, as shown in the "N" range salary schedule, which represents the greater of (a) or (b) of this subsection.

(a) Placement on the step which coincides with the employee's total length of experience as a registered nurse (RN) and/or licensed practical nurse (LPN). Experience shall be credited as follows:

(i) RN experience shall be credited year for year.

(ii) Up to ten years LPN experience shall be credited at the rate of two years LPN experience equals one year of RN experience, for a maximum credit of five years.

OR

(b) Placement on the step of the new range which is nearest to five percent higher than the amount of the prepromotional step.

NEW SECTION

WAC 356-14-067 SALARY—CLASSES REQUIRING LICENSURE AS REGISTERED NURSE. (1) Effective October 1, 1990 the salary of employees in classes requiring licensure as a registered nurse shall be governed by the "N" range salary schedule.

(2) An employee's total length of experience as a register nurse (RN) and/or licensed practical nurse (LPN), calculated as follows, shall determine the placement of an employee on the proper step within an "N" range:

(a) RN experience shall be credited year for year.

(b) Up to ten years LPN experience shall be credited at the rate of two years LPN experience equals one year of RN experience, for a maximum credit of five years.

(3) For employees hired on or after October 1, 1990: Unless the prospective employing agency has authorized a higher entrance salary step, placement on the proper step within an "N" range shall be determined by the employee's total length of experience as a RN and/or LPN, calculated as shown in (2)(a) and (b) of this section.

(4) For employees hired prior to October 1, 1990:

(a) Placement on proper step:

(i) Except for employees described in (4)(a)(ii) of this section, effective October 1, 1990 employees will be placed on the proper step of the "N" range for their class based upon total length of experience as an RN and/or LPN, calculated as shown in (2)(a) and (b) of this section.

(ii) Employees who were hired above the entrance salary step and do not have the experience level now assigned that step in the new "N" range salary schedule will retain their current step in the "N" range.

(b) Treatment of periodic increment date (PID).

(i) Employees who have an existing PID will retain that PID.

(ii) Employees who do not have a PID and upon implementation remain at step K or are placed at steps L through O will assume a new PID of October 1, 1991 except for

(iii) Employees placed at step K who will attain the necessary experience to move to step L before October 1, 1991. These employees will advance to step L on the appropriate date and assume a new PID, one year from the date of advancement to step L.

WSR 90-20-151

EMERGENCY RULES

OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Filed October 3, 1990, 4:26 p.m.]

Date of Adoption: October 3, 1990.

Purpose: To implement RCW 39.19.030(4) and encourage MWBE participation in state contracting opportunities.

Citation of Existing Rules Affected by this Order: WAC 326-30-03903.

Statutory Authority for Adoption: RCW 39.19.030(7).

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: OMWBE files this emergency rule so that participation goals will remain in effect while information is analyzed for purposes of adopting the permanent rule.

Effective Date of Rule: Immediately.

October 3, 1990
James A. Medina
Director

NEW SECTION

WAC 326-30-03903 GOALS FOR 1990-91. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1990 through June 30, 1991 should be:

| | | |
|-------------------------------------|----------------|---------------|
| <i>Construction/Public Works</i> | <i>10% MBE</i> | <i>6% WBE</i> |
| <i>Architect/Engineering</i> | <i>10% MBE</i> | <i>6% WBE</i> |
| <i>Purchased Goods and Services</i> | <i>8% MBE</i> | <i>4% WBE</i> |
| <i>Other Consultants</i> | <i>10% MBE</i> | <i>4% WBE</i> |

The MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

WSR 90-20-152
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
 [Memorandum—October 3, 1990]

This notice is given pursuant to provisions of RCW 42.30.075 and WAC 222-08-040.

The Washington Forest Practices Board will hold a special meeting November 13, 1990, for the purpose of discussing board administrative procedures. No public testimony will be taken and no final actions will take place. It will be held at 1:00 p.m. at the John L. O'Brien Building, Hearing Room D, Capitol Campus, Olympia, Washington.

Additional information may be obtained from the Division of Forest Regulation and Assistance, 1007 South Washington Street, EL-03, Olympia, WA 98504, (206) 753-5315.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- 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 # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 16-22-040 | AMD-P | 90-07-065 | 16-158-090 | NEW | 90-12-097 | 16-230-840 | REP-P | 90-04-109 |
| 16-22-040 | AMD | 90-10-046 | 16-158-100 | NEW-P | 90-08-090 | 16-230-840 | REP-W | 90-11-025 |
| 16-80-005 | NEW-E | 90-17-131 | 16-158-100 | NEW | 90-12-097 | 16-230-845 | AMD-P | 90-04-109 |
| 16-80-010 | NEW-E | 90-17-131 | 16-158-110 | NEW-P | 90-08-090 | 16-230-845 | AMD-E | 90-09-011 |
| 16-80-015 | NEW-E | 90-17-131 | 16-158-110 | NEW | 90-12-097 | 16-230-845 | AMD-W | 90-11-025 |
| 16-80-020 | NEW-E | 90-17-131 | 16-158-120 | NEW-P | 90-08-090 | 16-230-845 | AMD-P | 90-11-125 |
| 16-80-025 | NEW-E | 90-17-131 | 16-158-120 | NEW | 90-12-097 | 16-230-845 | AMD | 90-14-034 |
| 16-80-030 | NEW-E | 90-17-131 | 16-158-130 | NEW-P | 90-08-090 | 16-230-850 | REP-P | 90-04-109 |
| 16-80-035 | NEW-E | 90-17-131 | 16-158-130 | NEW | 90-12-097 | 16-230-850 | AMD-E | 90-09-011 |
| 16-80-040 | NEW-E | 90-17-131 | 16-158-140 | NEW-P | 90-08-090 | 16-230-850 | REP-W | 90-11-025 |
| 16-80-045 | NEW-E | 90-17-131 | 16-158-140 | NEW | 90-12-097 | 16-230-850 | AMD-P | 90-11-125 |
| 16-80-050 | NEW-E | 90-17-131 | 16-200-695 | AMD-P | 90-20-143 | 16-230-850 | AMD | 90-14-034 |
| 16-86 | AMD-E | 90-05-049 | 16-200-705 | AMD-P | 90-20-143 | 16-230-855 | AMD-P | 90-04-109 |
| 16-86 | AMD-P | 90-07-066 | 16-200-708 | NEW-P | 90-20-143 | 16-230-855 | AMD-E | 90-09-011 |
| 16-86 | AMD | 90-10-045 | 16-200-742 | NEW-P | 90-20-143 | 16-230-855 | AMD-W | 90-11-025 |
| 16-86-005 | AMD-E | 90-05-049 | 16-228-164 | AMD-E | 90-08-017 | 16-230-855 | AMD-P | 90-11-125 |
| 16-86-005 | AMD-P | 90-07-066 | 16-228-164 | RESCIND | 90-13-019 | 16-230-855 | AMD | 90-14-034 |
| 16-86-005 | AMD | 90-10-045 | 16-228-164 | AMD-E | 90-13-020 | 16-230-859 | NEW-P | 90-04-109 |
| 16-86-093 | NEW-E | 90-05-049 | 16-228-190 | AMD-C | 90-06-014 | 16-230-859 | NEW-W | 90-11-025 |
| 16-86-093 | NEW-P | 90-07-066 | 16-228-190 | AMD | 90-11-024 | 16-230-860 | REP-P | 90-04-109 |
| 16-86-093 | NEW | 90-10-045 | 16-228-190 | AMD-E | 90-17-066 | 16-230-860 | AMD-E | 90-09-011 |
| 16-96-100 | REP-P | 90-20-139 | 16-228-190 | AMD-P | 90-19-117 | 16-230-860 | REP-W | 90-11-025 |
| 16-96-110 | REP-P | 90-20-139 | 16-228-700 | NEW-C | 90-06-012 | 16-230-860 | AMD-P | 90-11-125 |
| 16-96-120 | REP-P | 90-20-139 | 16-228-700 | NEW-W | 90-07-042 | 16-230-860 | AMD | 90-14-034 |
| 16-96-130 | REP-P | 90-20-139 | 16-228-705 | NEW-C | 90-06-012 | 16-230-861 | NEW-P | 90-04-109 |
| 16-144-090 | NEW | 90-14-076 | 16-228-705 | NEW-W | 90-07-042 | 16-230-861 | NEW-E | 90-09-011 |
| 16-144-100 | NEW | 90-14-076 | 16-228-710 | NEW-C | 90-06-012 | 16-230-861 | NEW-W | 90-11-025 |
| 16-144-110 | NEW | 90-14-076 | 16-228-710 | NEW-W | 90-07-042 | 16-230-861 | NEW-P | 90-11-125 |
| 16-144-120 | NEW | 90-14-076 | 16-228-715 | NEW-C | 90-06-012 | 16-230-861 | NEW | 90-14-034 |
| 16-144-130 | NEW | 90-14-076 | 16-228-715 | NEW-W | 90-07-042 | 16-230-862 | NEW-P | 90-04-109 |
| 16-144-140 | NEW | 90-14-076 | 16-228-720 | NEW-C | 90-06-012 | 16-230-862 | NEW-W | 90-11-025 |
| 16-148-010 | AMD | 90-14-075 | 16-228-720 | NEW-W | 90-07-042 | 16-230-863 | NEW-P | 90-04-109 |
| 16-148-020 | AMD | 90-14-075 | 16-230 | AMD-C | 90-08-062 | 16-230-863 | NEW-W | 90-11-025 |
| 16-148-030 | AMD | 90-14-075 | 16-230-615 | AMD-E | 90-08-017 | 16-230-865 | AMD-P | 90-11-125 |
| 16-158-010 | NEW-P | 90-08-090 | 16-230-615 | RESCIND | 90-13-019 | 16-230-865 | AMD | 90-14-034 |
| 16-158-010 | NEW | 90-12-097 | 16-230-615 | AMD-E | 90-13-020 | 16-300-020 | AMD-P | 90-09-064 |
| 16-158-020 | NEW-P | 90-08-090 | 16-230-805 | REP-P | 90-04-109 | 16-300-020 | AMD | 90-12-098 |
| 16-158-020 | NEW | 90-12-097 | 16-230-805 | REP-E | 90-09-011 | 16-304-040 | AMD-P | 90-09-064 |
| 16-158-030 | NEW-P | 90-08-090 | 16-230-805 | REP-W | 90-11-025 | 16-304-040 | AMD | 90-12-098 |
| 16-158-030 | NEW | 90-12-097 | 16-230-805 | REP-P | 90-11-125 | 16-304-110 | AMD-P | 90-09-064 |
| 16-158-040 | NEW-P | 90-08-090 | 16-230-805 | REP | 90-14-034 | 16-304-110 | AMD | 90-12-098 |
| 16-158-040 | NEW | 90-12-097 | 16-230-825 | AMD-E | 90-09-011 | 16-304-130 | AMD-P | 90-09-064 |
| 16-158-050 | NEW-P | 90-08-090 | 16-230-825 | AMD-P | 90-11-125 | 16-304-130 | AMD | 90-12-098 |
| 16-158-050 | NEW | 90-12-097 | 16-230-825 | AMD | 90-14-034 | 16-316-165 | AMD-P | 90-09-064 |
| 16-158-060 | NEW-P | 90-08-090 | 16-230-835 | AMD-P | 90-04-109 | 16-316-165 | AMD | 90-12-098 |
| 16-158-060 | NEW | 90-12-097 | 16-230-835 | AMD-E | 90-09-011 | 16-316-285 | AMD-P | 90-03-090 |
| 16-158-070 | NEW-P | 90-08-090 | 16-230-835 | AMD-W | 90-11-025 | 16-316-285 | AMD-W | 90-06-105 |
| 16-158-070 | NEW | 90-12-097 | 16-230-835 | AMD-P | 90-11-125 | 16-316-290 | AMD-P | 90-03-090 |
| 16-158-080 | NEW-P | 90-08-090 | 16-230-835 | AMD | 90-14-034 | 16-316-290 | AMD-W | 90-06-105 |
| 16-158-080 | NEW | 90-12-097 | 16-230-839 | NEW-P | 90-04-109 | 16-316-370 | AMD-P | 90-09-064 |
| 16-158-090 | NEW-P | 90-08-090 | 16-230-839 | NEW-W | 90-11-025 | 16-316-370 | AMD | 90-12-098 |

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| 16-316-474 | AMD-P | 90-09-064 | 16-403-142 | AMD-W | 90-03-036 | 16-557-060 | NEW-W | 90-13-073 |
| 16-316-474 | AMD | 90-12-098 | 16-403-142 | AMD-P | 90-05-066 | 16-557-070 | NEW-W | 90-05-068 |
| 16-316-525 | AMD-P | 90-09-064 | 16-403-142 | AMD-P | 90-05-067 | 16-557-070 | NEW-W | 90-13-073 |
| 16-316-525 | AMD | 90-12-098 | 16-403-142 | AMD | 90-09-032 | 16-557-080 | NEW-W | 90-05-068 |
| 16-316-620 | AMD-P | 90-09-064 | 16-403-142 | AMD-W | 90-11-009 | 16-557-080 | NEW-W | 90-13-073 |
| 16-316-620 | AMD | 90-12-098 | 16-403-155 | AMD-W | 90-03-036 | 16-570-040 | AMD-P | 90-03-071 |
| 16-316-622 | AMD-P | 90-09-064 | 16-403-155 | AMD-P | 90-05-066 | 16-570-040 | AMD | 90-07-013 |
| 16-316-622 | AMD | 90-12-098 | 16-403-155 | AMD-P | 90-10-086 | 16-575-010 | NEW-P | 90-17-099 |
| 16-316-715 | AMD-P | 90-09-064 | 16-403-155 | AMD-W | 90-11-009 | 16-575-010 | NEW-P | 90-18-080 |
| 16-316-715 | AMD | 90-12-098 | 16-403-155 | AMD | 90-13-078 | 16-575-010 | NEW-W | 90-19-023 |
| 16-316-724 | AMD-P | 90-09-064 | 16-403-190 | AMD-E | 90-03-035 | 16-575-020 | NEW-P | 90-17-099 |
| 16-316-724 | AMD | 90-12-098 | 16-403-190 | AMD-W | 90-03-036 | 16-575-020 | NEW-P | 90-18-080 |
| 16-316-800 | AMD-P | 90-09-064 | 16-403-190 | AMD-P | 90-05-066 | 16-575-020 | NEW-W | 90-19-023 |
| 16-316-800 | AMD | 90-12-098 | 16-403-190 | AMD-P | 90-05-067 | 16-605-001 | REP-P | 90-20-138 |
| 16-316-815 | AMD-P | 90-09-064 | 16-403-190 | AMD | 90-09-032 | 16-605-010 | REP-P | 90-20-138 |
| 16-316-815 | AMD | 90-12-098 | 16-403-190 | AMD-W | 90-11-009 | 16-605-020 | REP-P | 90-20-138 |
| 16-316-820 | AMD-P | 90-09-064 | 16-403-220 | AMD-W | 90-03-036 | 16-605-030 | REP-P | 90-20-138 |
| 16-316-820 | AMD | 90-12-098 | 16-403-220 | AMD-P | 90-05-066 | 16-605-040 | REP-P | 90-20-138 |
| 16-317-040 | AMD | 90-04-003 | 16-403-220 | AMD-W | 90-11-009 | 16-620-010 | AMD-P | 90-20-137 |
| 16-317-050 | AMD | 90-04-003 | 16-403-280 | AMD-W | 90-03-036 | 16-620-020 | AMD-P | 90-20-137 |
| 16-317-060 | AMD | 90-04-003 | 16-403-280 | AMD-P | 90-05-066 | 16-620-040 | REP-P | 90-20-137 |
| 16-317-090 | REP | 90-04-003 | 16-403-280 | AMD-W | 90-11-009 | 16-620-050 | REP-P | 90-20-137 |
| 16-318-040 | AMD | 90-03-026 | 16-462-060 | NEW-P | 90-06-050 | 16-620-060 | REP-P | 90-20-137 |
| 16-318-065 | NEW | 90-03-026 | 16-462-060 | NEW | 90-10-043 | 16-620-070 | REP-P | 90-20-137 |
| 16-318-200 | NEW | 90-03-026 | 16-470-100 | AMD-P | 90-20-112 | 16-620-090 | REP-P | 90-20-137 |
| 16-318-205 | NEW | 90-03-026 | 16-470-200 | REP-P | 90-16-073 | 16-620-100 | AMD-P | 90-20-137 |
| 16-318-210 | NEW | 90-03-026 | 16-470-200 | REP | 90-20-001 | 16-620-110 | REP-P | 90-20-137 |
| 16-318-215 | NEW | 90-03-026 | 16-470-210 | REP-P | 90-16-073 | 16-620-115 | REP-P | 90-20-137 |
| 16-318-220 | NEW | 90-03-026 | 16-470-210 | REP | 90-20-001 | 16-620-200 | REP-P | 90-20-137 |
| 16-318-225 | NEW | 90-03-026 | 16-470-220 | REP-P | 90-16-073 | 16-620-220 | REP-P | 90-20-137 |
| 16-318-230 | NEW | 90-03-026 | 16-470-220 | REP | 90-20-001 | 16-620-230 | AMD-P | 90-20-137 |
| 16-318-235 | NEW | 90-03-026 | 16-470-230 | REP-P | 90-16-073 | 16-620-270 | AMD-P | 90-20-137 |
| 16-318-240 | NEW | 90-03-026 | 16-470-230 | REP | 90-20-001 | 16-620-280 | AMD-P | 90-20-137 |
| 16-318-300 | NEW | 90-03-026 | 16-470-240 | REP-P | 90-16-073 | 16-620-320 | REP-P | 90-20-137 |
| 16-318-305 | NEW | 90-03-026 | 16-470-240 | REP | 90-20-001 | 16-620-330 | REP-P | 90-20-137 |
| 16-318-310 | NEW | 90-03-026 | 16-470-700 | NEW-P | 90-11-100 | 16-620-340 | AMD-P | 90-20-137 |
| 16-318-315 | NEW | 90-03-026 | 16-470-700 | NEW-E | 90-13-010 | 16-620-370 | REP-P | 90-20-137 |
| 16-318-320 | NEW | 90-03-026 | 16-470-700 | NEW | 90-15-042 | 16-620-380 | NEW-P | 90-20-137 |
| 16-318-325 | NEW | 90-03-026 | 16-470-705 | NEW-P | 90-11-100 | 16-622-001 | NEW | 90-08-069 |
| 16-318-330 | NEW | 90-03-026 | 16-470-705 | NEW-E | 90-13-010 | 16-622-005 | NEW | 90-08-069 |
| 16-318-335 | NEW | 90-03-026 | 16-470-705 | NEW | 90-15-042 | 16-622-010 | NEW | 90-08-069 |
| 16-318-340 | NEW | 90-03-026 | 16-470-710 | NEW-P | 90-11-100 | 16-622-015 | NEW | 90-08-069 |
| 16-318-345 | NEW | 90-03-026 | 16-470-710 | NEW-E | 90-13-010 | 16-622-020 | NEW | 90-08-069 |
| 16-318-350 | NEW | 90-03-026 | 16-470-710 | NEW | 90-15-042 | 16-622-025 | NEW | 90-08-069 |
| 16-318-355 | NEW | 90-03-026 | 16-470-715 | NEW-P | 90-11-100 | 16-622-030 | NEW | 90-08-069 |
| 16-318-360 | NEW | 90-03-026 | 16-470-715 | NEW-E | 90-13-010 | 16-622-035 | NEW | 90-08-069 |
| 16-318-365 | NEW | 90-03-026 | 16-470-715 | NEW | 90-15-042 | 16-622-040 | NEW | 90-08-069 |
| 16-318-370 | NEW | 90-03-026 | 16-470-720 | NEW-P | 90-11-100 | 16-622-045 | NEW | 90-08-069 |
| 16-318-375 | NEW | 90-03-026 | 16-470-720 | NEW-E | 90-13-010 | 16-622-050 | NEW | 90-08-069 |
| 16-318-380 | NEW | 90-03-026 | 16-470-720 | NEW | 90-15-042 | 16-622-055 | NEW | 90-08-069 |
| 16-318-385 | NEW | 90-03-026 | 16-488-025 | AMD-P | 90-09-056 | 16-622-900 | NEW | 90-08-069 |
| 16-318-390 | NEW | 90-03-026 | 16-488-025 | AMD | 90-12-123 | 16-675-010 | NEW-P | 90-20-136 |
| 16-318-395 | NEW | 90-03-026 | 16-494-001 | AMD-P | 90-03-090 | 16-675-020 | NEW-P | 90-20-136 |
| 16-318-400 | NEW | 90-03-026 | 16-494-001 | AMD-W | 90-06-105 | 16-675-030 | NEW-P | 90-20-136 |
| 16-318-405 | NEW | 90-03-026 | 16-494-010 | AMD-P | 90-03-090 | 16-675-040 | NEW-P | 90-20-136 |
| 16-318-410 | NEW | 90-03-026 | 16-494-010 | AMD-W | 90-06-105 | 16-694-001 | AMD-P | 90-20-135 |
| 16-318-415 | NEW | 90-03-026 | 16-514-070 | AMD-P | 90-18-079 | 16-752-001 | AMD-P | 90-16-074 |
| 16-318-420 | NEW | 90-03-026 | 16-516-040 | AMD | 90-09-068 | 16-752-001 | AMD | 90-20-002 |
| 16-350-015 | AMD-P | 90-19-032 | 16-550-010 | AMD-P | 90-17-098 | 16-752-115 | AMD-P | 90-16-074 |
| 16-350-025 | AMD-P | 90-19-032 | 16-550-040 | AMD-P | 90-17-098 | 16-752-115 | AMD | 90-20-002 |
| 16-350-030 | AMD-P | 90-19-032 | 16-555-010 | AMD-P | 90-05-059 | 16-752-125 | AMD-P | 90-16-074 |
| 16-350-032 | AMD-P | 90-19-032 | 16-555-010 | AMD | 90-11-001 | 16-752-125 | AMD | 90-20-002 |
| 16-350-035 | AMD-P | 90-19-032 | 16-555-040 | AMD-P | 90-05-059 | 16-752-130 | AMD-P | 90-16-074 |
| 16-350-045 | AMD-P | 90-19-032 | 16-555-040 | AMD-W | 90-11-026 | 16-752-130 | AMD | 90-20-002 |
| 16-350-050 | AMD-P | 90-19-032 | 16-557-010 | NEW-W | 90-05-068 | 16-752-135 | AMD-P | 90-16-074 |
| 16-350-060 | AMD-P | 90-19-032 | 16-557-010 | NEW-W | 90-13-073 | 16-752-135 | AMD | 90-20-002 |
| 16-350-065 | AMD-P | 90-19-032 | 16-557-020 | NEW-W | 90-05-068 | 16-752-140 | AMD-P | 90-16-074 |
| 16-350-075 | NEW-P | 90-19-032 | 16-557-020 | NEW-W | 90-13-073 | 16-752-140 | AMD | 90-20-002 |
| 16-400-010 | AMD-E | 90-03-034 | 16-557-030 | NEW-W | 90-05-068 | 16-752-145 | AMD-P | 90-16-074 |
| 16-400-010 | AMD-P | 90-05-065 | 16-557-030 | NEW-W | 90-13-073 | 16-752-145 | AMD | 90-20-002 |
| 16-400-010 | AMD | 90-09-031 | 16-557-040 | NEW-W | 90-05-068 | 16-752-146 | NEW-P | 90-16-074 |
| 16-400-100 | AMD-E | 90-03-034 | 16-557-040 | NEW-W | 90-13-073 | 16-752-146 | NEW | 90-20-002 |
| 16-400-100 | AMD-P | 90-05-065 | 16-557-041 | NEW-W | 90-05-068 | 16-752-147 | NEW-P | 90-16-074 |
| 16-400-100 | AMD | 90-09-031 | 16-557-041 | NEW-W | 90-13-073 | 16-752-147 | NEW | 90-20-002 |
| 16-400-210 | AMD-E | 90-03-034 | 16-557-050 | NEW-W | 90-05-068 | 16-752-155 | AMD-P | 90-16-074 |
| 16-400-210 | AMD-P | 90-05-065 | 16-557-050 | NEW-W | 90-13-073 | 16-752-155 | AMD | 90-20-002 |
| 16-400-210 | AMD | 90-09-031 | 16-557-060 | NEW-W | 90-05-068 | 16-752-165 | AMD-P | 90-16-074 |

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| 16-752-170 | AMD-P | 90-16-074 | 51-06-120 | AMD | 90-02-108 | 51-13-104 | NEW-P | 90-17-149 |
| 16-752-170 | AMD | 90-20-002 | 51-08-010 | AMD | 90-02-108 | 51-13-105 | NEW-P | 90-17-149 |
| 16-752-200 | REP-P | 90-16-074 | 51-10 | AMD | 90-02-110 | 51-13-106 | NEW-P | 90-17-149 |
| 16-752-200 | REP | 90-20-002 | 51-11-0100 | NEW-P | 90-17-150 | 51-13-107 | NEW-P | 90-17-149 |
| 16-752-201 | REP-P | 90-16-074 | 51-11-0101 | NEW-P | 90-17-150 | 51-13-108 | NEW-P | 90-17-149 |
| 16-752-201 | REP | 90-20-002 | 51-11-0102 | NEW-P | 90-17-150 | 51-13-200 | NEW-P | 90-17-149 |
| 16-752-202 | REP-P | 90-16-074 | 51-11-0103 | NEW-P | 90-17-150 | 51-13-201 | NEW-P | 90-17-149 |
| 16-752-202 | REP | 90-20-002 | 51-11-0104 | NEW-P | 90-17-150 | 51-13-202 | NEW-P | 90-17-149 |
| 16-752-203 | REP-P | 90-16-074 | 51-11-0105 | NEW-P | 90-17-150 | 51-13-300 | NEW-P | 90-17-149 |
| 16-752-203 | REP | 90-20-002 | 51-11-0106 | NEW-P | 90-17-150 | 51-13-301 | NEW-P | 90-17-149 |
| 16-752-204 | REP-P | 90-16-074 | 51-11-0107 | NEW-P | 90-17-150 | 51-13-302 | NEW-P | 90-17-149 |
| 16-752-204 | REP | 90-20-002 | 51-11-0108 | NEW-P | 90-17-150 | 51-13-303 | NEW-P | 90-17-149 |
| 16-752-400 | NEW-P | 90-11-089 | 51-11-0109 | NEW-P | 90-17-150 | 51-13-304 | NEW-P | 90-17-149 |
| 16-752-400 | NEW | 90-15-062 | 51-11-0200 | NEW-P | 90-17-150 | 51-13-400 | NEW-P | 90-17-149 |
| 16-752-405 | NEW-P | 90-11-089 | 51-11-0201 | NEW-P | 90-17-150 | 51-13-401 | NEW-P | 90-17-149 |
| 16-752-405 | NEW | 90-15-062 | 51-11-0300 | NEW-P | 90-17-150 | 51-13-402 | NEW-P | 90-17-149 |
| 16-752-410 | NEW-P | 90-11-089 | 51-11-0301 | NEW-P | 90-17-150 | 51-13-500 | NEW-P | 90-17-149 |
| 16-752-410 | NEW | 90-15-062 | 51-11-0302 | NEW-P | 90-17-150 | 51-13-501 | NEW-P | 90-17-149 |
| 16-752-415 | NEW-P | 90-11-089 | 51-11-0303 | NEW-P | 90-17-150 | 51-13-503 | NEW-P | 90-17-149 |
| 16-752-415 | NEW | 90-15-062 | 51-11-0400 | NEW-P | 90-17-150 | 51-16-030 | AMD | 90-02-110 |
| 16-752-420 | NEW-P | 90-11-089 | 51-11-0401 | NEW-P | 90-17-150 | 51-16-030 | AMD-P | 90-17-153 |
| 16-752-420 | NEW | 90-15-062 | 51-11-0402 | NEW-P | 90-17-150 | 51-16-050 | AMD | 90-02-110 |
| 44-10-090 | AMD-E | 90-11-033 | 51-11-0500 | NEW-P | 90-17-150 | 51-16-080 | AMD-P | 90-07-083 |
| 44-10-090 | AMD-P | 90-11-034 | 51-11-0501 | NEW-P | 90-17-150 | 51-16-080 | AMD | 90-13-033 |
| 44-10-090 | AMD | 90-19-024 | 51-11-0502 | NEW-P | 90-17-150 | 51-16-090 | REP-P | 90-07-083 |
| 44-10-160 | AMD-P | 90-11-034 | 51-11-0503 | NEW-P | 90-17-150 | 51-16-090 | REP | 90-13-033 |
| 44-10-160 | AMD | 90-19-024 | 51-11-0504 | NEW-P | 90-17-150 | 51-18-010 | NEW | 90-02-110 |
| 44-10-200 | AMD-P | 90-11-034 | 51-11-0505 | NEW-P | 90-17-150 | 51-18-020 | NEW | 90-02-110 |
| 44-10-200 | AMD | 90-19-024 | 51-11-0600 | NEW-P | 90-17-150 | 51-18-030 | NEW | 90-02-110 |
| 44-10-215 | REP-P | 90-11-034 | 51-11-0601 | NEW-P | 90-17-150 | 51-18-040 | NEW | 90-02-110 |
| 44-10-215 | REP | 90-19-024 | 51-11-0602 | NEW-P | 90-17-150 | 51-18-050 | NEW | 90-02-110 |
| 44-10-235 | NEW-P | 90-11-034 | 51-11-0603 | NEW-P | 90-17-150 | 51-19-100 | NEW-P | 90-17-152 |
| 44-10-235 | NEW | 90-19-024 | 51-11-0604 | NEW-P | 90-17-150 | 51-19-110 | NEW-P | 90-17-152 |
| 50-12-040 | REP-P | 90-09-090 | 51-11-0605 | NEW-P | 90-17-150 | 51-19-120 | NEW-P | 90-17-152 |
| 50-12-040 | REP | 90-12-008 | 51-11-0606 | NEW-P | 90-17-150 | 51-19-130 | NEW-P | 90-17-152 |
| 50-12-045 | NEW-P | 90-09-090 | 51-11-0607 | NEW-P | 90-17-150 | 51-19-140 | NEW-P | 90-17-152 |
| 50-12-045 | NEW | 90-12-008 | 51-11-0608 | NEW-P | 90-17-150 | 51-19-150 | NEW-P | 90-17-152 |
| 50-12-310 | NEW | 90-10-074 | 51-11-0700 | NEW-P | 90-17-150 | 51-19-160 | NEW-P | 90-17-152 |
| 50-12-320 | NEW | 90-10-074 | 51-11-0701 | NEW-P | 90-17-150 | 51-19-170 | NEW-P | 90-17-152 |
| 50-12-330 | NEW | 90-10-074 | 51-11-0800 | NEW-P | 90-17-150 | 51-19-180 | NEW-P | 90-17-152 |
| 50-12-340 | NEW | 90-10-074 | 51-11-0900 | NEW-P | 90-17-150 | 51-19-190 | NEW-P | 90-17-152 |
| 50-12-350 | NEW | 90-10-074 | 51-11-1000 | NEW-P | 90-17-150 | 51-19-200 | NEW-P | 90-17-152 |
| 50-12-360 | NEW | 90-10-074 | 51-11-1001 | NEW-P | 90-17-150 | 51-19-210 | NEW-P | 90-17-152 |
| 50-12-370 | NEW | 90-10-074 | 51-11-1002 | NEW-P | 90-17-150 | 51-19-220 | NEW-P | 90-17-152 |
| 50-36-090 | AMD-P | 90-03-105 | 51-11-1003 | NEW-P | 90-17-150 | 51-19-230 | NEW-P | 90-17-152 |
| 50-36-090 | AMD | 90-07-011 | 51-11-1004 | NEW-P | 90-17-150 | 51-19-240 | NEW-P | 90-17-152 |
| 50-44-010 | AMD-P | 90-09-091 | 51-11-1005 | NEW-P | 90-17-150 | 51-19-250 | NEW-P | 90-17-152 |
| 50-44-010 | AMD | 90-12-007 | 51-11-1006 | NEW-P | 90-17-150 | 51-19-260 | NEW-P | 90-17-152 |
| 50-44-020 | AMD-P | 90-09-091 | 51-11-1007 | NEW-P | 90-17-150 | 51-19-270 | NEW-P | 90-17-152 |
| 50-44-020 | AMD | 90-12-007 | 51-11-1008 | NEW-P | 90-17-150 | 51-19-280 | NEW-P | 90-17-152 |
| 50-44-030 | AMD-P | 90-09-091 | 51-11-1009 | NEW-P | 90-17-150 | 51-19-300 | NEW-P | 90-17-152 |
| 50-44-030 | AMD | 90-12-007 | 51-11-1010 | NEW-P | 90-17-150 | 51-19-400 | NEW-P | 90-17-152 |
| 50-44-050 | NEW-P | 90-09-091 | 51-12-201 | AMD-P | 90-05-064 | 51-19-410 | NEW-P | 90-17-152 |
| 50-44-050 | NEW | 90-12-007 | 51-12-201 | AMD-C | 90-11-020 | 51-19-420 | NEW-P | 90-17-152 |
| 51-04-010 | AMD | 90-02-108 | 51-12-201 | AMD-W | 90-13-040 | 51-19-430 | NEW-P | 90-17-152 |
| 51-04-015 | NEW | 90-02-108 | 51-12-202 | AMD-P | 90-05-064 | 51-19-440 | NEW-P | 90-17-152 |
| 51-04-018 | NEW | 90-02-108 | 51-12-202 | AMD-C | 90-11-020 | 51-19-450 | NEW-P | 90-17-152 |
| 51-04-020 | AMD | 90-02-108 | 51-12-202 | AMD-W | 90-13-040 | 51-19-460 | NEW-P | 90-17-152 |
| 51-04-025 | NEW | 90-02-108 | 51-12-204 | AMD-P | 90-05-064 | 51-19-470 | NEW-P | 90-17-152 |
| 51-04-030 | NEW | 90-02-108 | 51-12-204 | AMD-C | 90-11-020 | 51-19-500 | NEW-P | 90-17-152 |
| 51-04-035 | NEW | 90-02-108 | 51-12-204 | AMD-W | 90-13-040 | 51-19-510 | NEW-P | 90-17-152 |
| 51-04-037 | NEW | 90-02-108 | 51-12-220 | AMD | 90-02-110 | 51-19-600 | NEW-P | 90-17-152 |
| 51-04-040 | NEW | 90-02-108 | 51-12-403 | AMD | 90-02-110 | 51-19-610 | NEW-P | 90-17-152 |
| 51-04-050 | NEW | 90-02-108 | 51-12-404 | AMD | 90-02-110 | 51-19-620 | NEW-P | 90-17-152 |
| 51-04-060 | NEW | 90-02-108 | 51-12-411 | AMD-P | 90-05-064 | 51-19-630 | NEW-P | 90-17-152 |
| 51-04-070 | NEW | 90-02-108 | 51-12-411 | AMD-C | 90-11-020 | 51-19-640 | NEW-P | 90-17-152 |
| 51-06-010 | AMD | 90-02-108 | 51-12-411 | AMD-W | 90-13-040 | 51-19-650 | NEW-P | 90-17-152 |
| 51-06-020 | AMD | 90-02-108 | 51-12-426 | AMD | 90-02-110 | 51-19-660 | NEW-P | 90-17-152 |
| 51-06-030 | REP | 90-02-108 | 51-12-601 | AMD | 90-02-110 | 51-19-670 | NEW-P | 90-17-152 |
| 51-06-040 | REP | 90-02-108 | 51-12-602 | AMD-P | 90-05-064 | 51-19-700 | NEW-P | 90-17-152 |
| 51-06-050 | REP | 90-02-108 | 51-12-602 | AMD-C | 90-11-020 | 51-19-710 | NEW-P | 90-17-152 |
| 51-06-060 | REP | 90-02-108 | 51-12-602 | AMD-W | 90-13-040 | 51-19-800 | NEW-P | 90-17-152 |
| 51-06-070 | AMD | 90-02-108 | 51-12-608 | AMD | 90-02-110 | 51-19-810 | NEW-P | 90-17-152 |
| 51-06-080 | REP | 90-02-108 | 51-13-100 | NEW-P | 90-17-149 | 51-19-900 | NEW-P | 90-17-152 |
| 51-06-090 | REP | 90-02-108 | 51-13-101 | NEW-P | 90-17-149 | 51-19-901 | NEW-P | 90-17-152 |
| 51-06-100 | REP | 90-02-108 | 51-13-102 | NEW-P | 90-17-149 | 67-25-560 | AMD | 90-11-047 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|------------|-------|-----------|------------|-------|-----------|------------|-------|-----------|
| 67-25-570 | AMD | 90-11-047 | 72-171-016 | NEW-P | 90-10-106 | 72-280-010 | NEW-P | 90-10-108 |
| 72-100-001 | NEW-P | 90-10-101 | 72-171-016 | NEW | 90-16-008 | 72-280-010 | NEW | 90-16-010 |
| 72-100-001 | NEW | 90-16-003 | 72-171-100 | NEW-P | 90-10-106 | 72-280-011 | NEW-P | 90-10-108 |
| 72-108-010 | NEW-P | 90-10-102 | 72-171-100 | NEW | 90-16-008 | 72-280-011 | NEW | 90-16-010 |
| 72-108-010 | NEW | 90-16-004 | 72-171-110 | NEW-P | 90-10-106 | 72-280-015 | NEW-P | 90-10-108 |
| 72-108-020 | NEW-P | 90-10-102 | 72-171-110 | NEW | 90-16-008 | 72-280-015 | NEW | 90-16-010 |
| 72-108-020 | NEW | 90-16-004 | 72-171-120 | NEW-P | 90-10-106 | 72-280-020 | NEW-P | 90-10-108 |
| 72-108-030 | NEW-P | 90-10-102 | 72-171-120 | NEW | 90-16-008 | 72-280-020 | NEW | 90-16-010 |
| 72-108-030 | NEW | 90-16-004 | 72-171-130 | NEW-P | 90-10-106 | 72-280-025 | NEW-P | 90-10-108 |
| 72-108-040 | NEW-P | 90-10-102 | 72-171-130 | NEW | 90-16-008 | 72-280-025 | NEW | 90-16-010 |
| 72-108-040 | NEW | 90-16-004 | 72-171-140 | NEW-P | 90-10-106 | 72-280-030 | NEW-P | 90-10-108 |
| 72-108-060 | NEW-P | 90-10-102 | 72-171-140 | NEW | 90-16-008 | 72-280-030 | NEW | 90-16-010 |
| 72-108-060 | NEW | 90-16-004 | 72-171-150 | NEW-P | 90-10-106 | 72-280-040 | NEW-P | 90-10-108 |
| 72-108-070 | NEW-P | 90-10-102 | 72-171-150 | NEW | 90-16-008 | 72-280-040 | NEW | 90-16-010 |
| 72-108-070 | NEW | 90-16-004 | 72-171-200 | NEW-P | 90-10-106 | 72-280-050 | NEW-P | 90-10-108 |
| 72-108-080 | NEW-P | 90-10-102 | 72-171-200 | NEW | 90-16-008 | 72-280-050 | NEW | 90-16-010 |
| 72-108-080 | NEW | 90-16-004 | 72-171-210 | NEW-P | 90-10-106 | 72-280-055 | NEW-P | 90-10-108 |
| 72-108-090 | NEW-P | 90-10-102 | 72-171-210 | NEW | 90-16-008 | 72-280-055 | NEW | 90-16-010 |
| 72-108-090 | NEW | 90-16-004 | 72-171-220 | NEW-P | 90-10-106 | 72-280-060 | NEW-P | 90-10-108 |
| 72-108-100 | NEW-P | 90-10-102 | 72-171-220 | NEW | 90-16-008 | 72-280-060 | NEW | 90-16-010 |
| 72-108-100 | NEW | 90-16-004 | 72-171-230 | NEW-P | 90-10-106 | 72-280-070 | NEW-P | 90-10-108 |
| 72-120-010 | NEW-P | 90-10-103 | 72-171-230 | NEW | 90-16-008 | 72-280-070 | NEW | 90-16-010 |
| 72-120-010 | NEW | 90-16-005 | 72-171-240 | NEW-P | 90-10-106 | 72-325-010 | NEW-P | 90-10-109 |
| 72-120-015 | NEW-P | 90-10-103 | 72-171-240 | NEW | 90-16-008 | 72-325-010 | NEW | 90-16-011 |
| 72-120-015 | NEW | 90-16-005 | 72-171-400 | NEW-P | 90-10-106 | 82-30-010 | NEW | 90-12-009 |
| 72-120-100 | NEW-P | 90-10-103 | 72-171-400 | NEW | 90-16-008 | 82-30-020 | NEW | 90-12-009 |
| 72-120-100 | NEW | 90-16-005 | 72-171-410 | NEW-P | 90-10-106 | 82-30-030 | NEW | 90-12-009 |
| 72-120-200 | NEW-P | 90-10-103 | 72-171-410 | NEW | 90-16-008 | 82-30-040 | NEW | 90-12-009 |
| 72-120-200 | NEW | 90-16-005 | 72-171-420 | NEW-P | 90-10-106 | 82-30-050 | NEW | 90-12-009 |
| 72-120-205 | NEW-P | 90-10-103 | 72-171-420 | NEW | 90-16-008 | 82-30-060 | NEW | 90-12-009 |
| 72-120-205 | NEW | 90-16-005 | 72-171-430 | NEW-P | 90-10-106 | 82-50-021 | AMD-P | 90-14-077 |
| 72-120-210 | NEW-P | 90-10-103 | 72-171-430 | NEW | 90-16-008 | 82-50-021 | AMD | 90-17-017 |
| 72-120-210 | NEW | 90-16-005 | 72-171-500 | NEW-P | 90-10-106 | 98-14-200 | NEW-P | 90-13-105 |
| 72-120-220 | NEW-P | 90-10-103 | 72-171-500 | NEW | 90-16-008 | 98-14-200 | NEW | 90-17-073 |
| 72-120-220 | NEW | 90-16-005 | 72-171-510 | NEW-P | 90-10-106 | 113-12-101 | PREP | 90-20-052 |
| 72-120-225 | NEW-P | 90-10-103 | 72-171-510 | NEW | 90-16-008 | 113-12-104 | NEW-P | 90-09-077 |
| 72-120-225 | NEW | 90-16-005 | 72-171-600 | NEW-P | 90-10-106 | 113-12-104 | NEW-P | 90-14-130 |
| 72-120-230 | NEW-P | 90-10-103 | 72-171-600 | NEW | 90-16-008 | 113-12-130 | REP-P | 90-04-029 |
| 72-120-230 | NEW | 90-16-005 | 72-171-610 | NEW-P | 90-10-106 | 113-12-130 | REP | 90-08-035 |
| 72-120-234 | NEW-P | 90-10-103 | 72-171-610 | NEW | 90-16-008 | 113-12-160 | REP-P | 90-04-029 |
| 72-120-234 | NEW | 90-16-005 | 72-171-620 | NEW-P | 90-10-106 | 113-12-160 | REP | 90-08-035 |
| 72-120-236 | NEW-P | 90-10-103 | 72-171-620 | NEW | 90-16-008 | 113-12-161 | REP-P | 90-04-029 |
| 72-120-236 | NEW | 90-16-005 | 72-171-630 | NEW-P | 90-10-106 | 113-12-161 | REP | 90-08-035 |
| 72-130-010 | NEW-P | 90-10-104 | 72-171-630 | NEW | 90-16-008 | 113-12-200 | AMD-P | 90-04-029 |
| 72-130-010 | NEW | 90-16-006 | 72-171-640 | NEW-P | 90-10-106 | 113-12-200 | AMD-C | 90-08-036 |
| 72-130-020 | NEW-P | 90-10-104 | 72-171-640 | NEW | 90-16-008 | 113-12-200 | AMD | 90-16-059 |
| 72-130-020 | NEW | 90-16-006 | 72-171-650 | NEW-P | 90-10-106 | 114-12-136 | AMD | 90-04-094 |
| 72-130-030 | NEW-P | 90-10-104 | 72-171-650 | NEW-C | 90-17-079 | 114-12-155 | AMD-P | 90-11-045 |
| 72-130-030 | NEW | 90-16-006 | 72-171-700 | NEW-P | 90-17-078 | 114-12-190 | AMD-P | 90-11-045 |
| 72-130-035 | NEW-P | 90-10-104 | 72-276-010 | NEW-P | 90-10-107 | 130-10-010 | NEW-P | 90-19-027 |
| 72-130-035 | NEW | 90-16-006 | 72-276-010 | NEW | 90-16-009 | 130-10-020 | NEW-P | 90-19-027 |
| 72-130-040 | NEW-P | 90-10-104 | 72-276-020 | NEW-P | 90-10-107 | 130-10-030 | NEW-P | 90-19-027 |
| 72-130-040 | NEW | 90-16-006 | 72-276-020 | NEW | 90-16-009 | 130-10-040 | NEW-P | 90-19-027 |
| 72-130-050 | NEW-P | 90-10-104 | 72-276-030 | NEW-P | 90-10-107 | 130-10-050 | NEW-P | 90-19-027 |
| 72-130-050 | NEW | 90-16-006 | 72-276-030 | NEW | 90-16-009 | 130-10-060 | NEW-P | 90-19-027 |
| 72-140-010 | NEW-P | 90-10-105 | 72-276-040 | NEW-P | 90-10-107 | 130-10-065 | NEW-P | 90-19-027 |
| 72-140-010 | NEW | 90-16-007 | 72-276-040 | NEW | 90-16-009 | 130-10-070 | NEW-P | 90-19-027 |
| 72-140-020 | NEW-P | 90-10-105 | 72-276-050 | NEW-P | 90-10-107 | 130-10-075 | NEW-P | 90-19-027 |
| 72-140-020 | NEW | 90-16-007 | 72-276-050 | NEW | 90-16-009 | 130-10-080 | NEW-P | 90-19-027 |
| 72-140-030 | NEW-P | 90-10-105 | 72-276-060 | NEW-P | 90-10-107 | 130-10-085 | NEW-P | 90-19-027 |
| 72-140-030 | NEW | 90-16-007 | 72-276-060 | NEW | 90-16-009 | 130-10-090 | NEW-P | 90-19-027 |
| 72-140-040 | NEW-P | 90-10-105 | 72-276-070 | NEW-P | 90-10-107 | 130-10-091 | NEW-P | 90-19-027 |
| 72-140-040 | NEW | 90-16-007 | 72-276-070 | NEW | 90-16-009 | 130-10-095 | NEW-P | 90-19-027 |
| 72-140-050 | NEW-P | 90-10-105 | 72-276-080 | NEW-P | 90-10-107 | 130-10-100 | NEW-P | 90-19-027 |
| 72-140-050 | NEW | 90-16-007 | 72-276-080 | NEW | 90-16-009 | 130-14-010 | NEW-P | 90-12-110 |
| 72-140-060 | NEW-P | 90-10-105 | 72-276-090 | NEW-P | 90-10-107 | 130-14-010 | NEW | 90-17-054 |
| 72-140-060 | NEW | 90-16-007 | 72-276-090 | NEW | 90-16-009 | 130-14-020 | NEW-P | 90-12-110 |
| 72-140-070 | NEW-P | 90-10-105 | 72-276-100 | NEW-P | 90-10-107 | 130-14-020 | NEW | 90-17-054 |
| 72-140-070 | NEW | 90-16-007 | 72-276-100 | NEW | 90-16-009 | 130-14-030 | NEW-P | 90-12-110 |
| 72-140-080 | NEW-P | 90-10-105 | 72-276-110 | NEW-P | 90-10-107 | 130-14-030 | NEW | 90-17-054 |
| 72-140-080 | NEW | 90-16-007 | 72-276-110 | NEW | 90-16-009 | 130-14-040 | NEW-P | 90-12-110 |
| 72-171-001 | NEW-P | 90-10-106 | 72-276-120 | NEW-P | 90-10-107 | 130-14-040 | NEW | 90-17-054 |
| 72-171-001 | NEW | 90-16-008 | 72-276-120 | NEW | 90-16-009 | 130-14-050 | NEW-P | 90-12-110 |
| 72-171-010 | NEW-P | 90-10-106 | 72-276-130 | NEW-P | 90-10-107 | 130-14-050 | NEW | 90-17-054 |
| 72-171-010 | NEW | 90-16-008 | 72-276-130 | NEW | 90-16-009 | 130-14-060 | NEW-P | 90-12-110 |
| 72-171-015 | NEW-P | 90-10-106 | 72-276-140 | NEW-P | 90-10-107 | 130-14-060 | NEW | 90-17-054 |
| 72-171-015 | NEW | 90-16-008 | 72-276-140 | NEW | 90-16-009 | 130-14-070 | NEW-P | 90-12-110 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|-----------|
| 130-14-070 | NEW | 90-17-054 | 132E-108-020 | NEW | 90-09-006 | 132H-108-120 | REP-P | 90-03-077 |
| 131-08-010 | REP-P | 90-19-077 | 132E-108-030 | NEW-P | 90-03-012 | 132H-108-120 | REP-E | 90-03-079 |
| 131-12-010 | AMD-P | 90-16-067 | 132E-108-030 | NEW | 90-09-006 | 132H-108-120 | REP | 90-09-066 |
| 131-12-010 | AMD | 90-20-009 | 132E-108-040 | NEW-P | 90-03-012 | 132H-108-130 | REP-P | 90-03-077 |
| 131-12-020 | AMD-P | 90-16-067 | 132E-108-040 | NEW | 90-09-006 | 132H-108-130 | REP-E | 90-03-079 |
| 131-12-020 | AMD | 90-20-009 | 132E-108-050 | NEW-P | 90-03-012 | 132H-108-130 | REP | 90-09-066 |
| 131-12-070 | REP-P | 90-16-067 | 132E-108-050 | NEW | 90-09-006 | 132H-108-140 | REP-P | 90-03-077 |
| 131-12-070 | REP | 90-20-009 | 132E-108-060 | NEW-P | 90-03-012 | 132H-108-140 | REP-E | 90-03-079 |
| 131-16-055 | NEW-E | 90-04-066 | 132E-108-060 | NEW | 90-09-006 | 132H-108-140 | REP | 90-09-066 |
| 131-16-400 | AMD-P | 90-16-068 | 132E-108-070 | NEW-P | 90-03-012 | 132H-108-150 | REP-P | 90-03-077 |
| 131-16-400 | AMD | 90-20-009 | 132E-108-070 | NEW | 90-09-006 | 132H-108-150 | REP-E | 90-03-079 |
| 131-16-450 | NEW-E | 90-15-004 | 132E-108-080 | NEW-P | 90-03-012 | 132H-108-150 | REP | 90-09-066 |
| 131-16-450 | NEW-P | 90-16-068 | 132E-108-080 | NEW | 90-09-006 | 132H-108-160 | REP-P | 90-03-077 |
| 131-16-450 | NEW | 90-20-009 | 132E-133-020 | NEW-P | 90-03-019 | 132H-108-160 | REP-E | 90-03-079 |
| 131-16-500 | NEW-E | 90-09-069 | 132E-133-020 | NEW | 90-09-049 | 132H-108-160 | REP | 90-09-066 |
| 131-16-500 | NEW-P | 90-13-095 | 132E-400-010 | NEW-P | 90-03-021 | 132H-108-170 | REP-P | 90-03-077 |
| 131-16-500 | NEW-E | 90-15-003 | 132E-400-010 | NEW | 90-09-005 | 132H-108-170 | REP-E | 90-03-079 |
| 131-16-500 | NEW | 90-20-009 | 132E-400-020 | NEW-P | 90-03-021 | 132H-108-170 | REP | 90-09-066 |
| 131-28-026 | AMD-P | 90-16-069 | 132E-400-020 | NEW | 90-09-005 | 132H-108-180 | REP-P | 90-03-077 |
| 131-28-026 | AMD | 90-20-009 | 132E-400-030 | NEW-P | 90-03-021 | 132H-108-180 | REP-E | 90-03-079 |
| 131-28-090 | AMD-P | 90-16-069 | 132E-400-030 | NEW | 90-09-005 | 132H-108-180 | REP | 90-09-066 |
| 131-28-090 | AMD | 90-20-009 | 132E-400-040 | NEW-P | 90-03-021 | 132H-108-190 | REP-P | 90-03-077 |
| 131-32-050 | NEW-E | 90-19-083 | 132E-400-040 | NEW | 90-09-005 | 132H-108-190 | REP-E | 90-03-079 |
| 132B-400-010 | NEW-P | 90-18-082 | 132G-108-010 | NEW-P | 90-10-049 | 132H-108-190 | REP | 90-09-066 |
| 132B-400-020 | NEW-P | 90-18-082 | 132G-108-010 | NEW | 90-13-051 | 132H-108-200 | REP-P | 90-03-077 |
| 132B-400-030 | NEW-P | 90-18-082 | 132G-108-020 | NEW-P | 90-10-049 | 132H-108-200 | REP-E | 90-03-079 |
| 132B-400-040 | NEW-P | 90-18-082 | 132G-108-020 | NEW | 90-13-051 | 132H-108-200 | REP | 90-09-066 |
| 132B-400-050 | NEW-P | 90-18-082 | 132G-108-030 | NEW-P | 90-10-049 | 132H-108-210 | REP-P | 90-03-077 |
| 132B-400-060 | NEW-P | 90-18-082 | 132G-108-030 | NEW | 90-13-051 | 132H-108-210 | REP-E | 90-03-079 |
| 132B-400-070 | NEW-P | 90-18-082 | 132G-108-040 | NEW-P | 90-10-049 | 132H-108-210 | REP | 90-09-066 |
| 132B-400-080 | NEW-P | 90-18-082 | 132G-108-040 | NEW | 90-13-051 | 132H-108-220 | REP-P | 90-03-077 |
| 132B-400-090 | NEW-P | 90-18-082 | 132G-108-050 | NEW-P | 90-10-049 | 132H-108-220 | REP-E | 90-03-079 |
| 132B-400-100 | NEW-P | 90-18-082 | 132G-108-050 | NEW | 90-13-051 | 132H-108-220 | REP | 90-09-066 |
| 132B-400-110 | NEW-P | 90-18-082 | 132G-108-060 | NEW-P | 90-10-049 | 132H-108-230 | REP-P | 90-03-077 |
| 132B-400-120 | NEW-P | 90-18-082 | 132G-108-060 | NEW | 90-13-051 | 132H-108-230 | REP-E | 90-03-079 |
| 132B-400-130 | NEW-P | 90-18-082 | 132G-108-070 | NEW-P | 90-10-049 | 132H-108-230 | REP | 90-09-066 |
| 132B-400-140 | NEW-P | 90-18-082 | 132G-108-070 | NEW | 90-13-051 | 132H-108-240 | REP-P | 90-03-077 |
| 132B-400-150 | NEW-P | 90-18-082 | 132G-108-080 | NEW-P | 90-10-049 | 132H-108-240 | REP-E | 90-03-079 |
| 132B-400-160 | NEW-P | 90-18-082 | 132G-108-080 | NEW | 90-13-051 | 132H-108-240 | REP | 90-09-066 |
| 132B-400-170 | NEW-P | 90-18-082 | 132G-133-020 | NEW-P | 90-10-050 | 132H-108-250 | REP-P | 90-03-077 |
| 132B-400-180 | NEW-P | 90-18-082 | 132G-133-020 | NEW | 90-13-050 | 132H-108-250 | REP-E | 90-03-079 |
| 132B-400-190 | NEW-P | 90-18-082 | 132H-108-005 | REP-P | 90-03-077 | 132H-108-250 | REP | 90-09-066 |
| 132B-400-200 | NEW-P | 90-18-082 | 132H-108-005 | REP-E | 90-03-079 | 132H-108-260 | REP-P | 90-03-077 |
| 132B-400-210 | NEW-P | 90-18-082 | 132H-108-005 | REP | 90-09-066 | 132H-108-260 | REP-E | 90-03-079 |
| 132D-108-010 | NEW | 90-05-045 | 132H-108-010 | REP-P | 90-03-077 | 132H-108-260 | REP | 90-09-066 |
| 132D-108-020 | NEW | 90-05-045 | 132H-108-010 | REP-E | 90-03-079 | 132H-108-270 | REP-P | 90-03-077 |
| 132D-108-030 | NEW | 90-05-045 | 132H-108-010 | REP | 90-09-066 | 132H-108-270 | REP-E | 90-03-079 |
| 132D-108-040 | NEW | 90-05-045 | 132H-108-020 | REP-P | 90-03-077 | 132H-108-270 | REP | 90-09-066 |
| 132D-108-050 | NEW | 90-05-045 | 132H-108-020 | REP-E | 90-03-079 | 132H-108-280 | REP-P | 90-03-077 |
| 132D-108-060 | NEW | 90-05-045 | 132H-108-020 | REP | 90-09-066 | 132H-108-280 | REP-E | 90-03-079 |
| 132D-108-070 | NEW | 90-05-045 | 132H-108-030 | REP-P | 90-03-077 | 132H-108-280 | REP | 90-09-066 |
| 132D-108-080 | NEW | 90-05-045 | 132H-108-030 | REP-E | 90-03-079 | 132H-108-290 | REP-P | 90-03-077 |
| 132D-108-090 | NEW | 90-05-045 | 132H-108-030 | REP | 90-09-066 | 132H-108-290 | REP-E | 90-03-079 |
| 132D-130-010 | NEW | 90-05-045 | 132H-108-040 | REP-P | 90-03-077 | 132H-108-290 | REP | 90-09-066 |
| 132D-130-020 | NEW | 90-05-045 | 132H-108-040 | REP-E | 90-03-079 | 132H-108-300 | REP-P | 90-03-077 |
| 132D-130-030 | NEW | 90-05-045 | 132H-108-040 | REP | 90-09-066 | 132H-108-300 | REP-E | 90-03-079 |
| 132D-130-035 | NEW | 90-05-045 | 132H-108-050 | REP-P | 90-03-077 | 132H-108-300 | REP | 90-09-066 |
| 132D-130-040 | NEW | 90-05-045 | 132H-108-050 | REP-E | 90-03-079 | 132H-108-310 | REP-P | 90-03-077 |
| 132D-130-045 | NEW | 90-05-045 | 132H-108-050 | REP | 90-09-066 | 132H-108-310 | REP-E | 90-03-079 |
| 132D-130-050 | NEW | 90-05-045 | 132H-108-060 | REP-P | 90-03-077 | 132H-108-310 | REP | 90-09-066 |
| 132D-130-055 | NEW | 90-05-045 | 132H-108-060 | REP-E | 90-03-079 | 132H-108-320 | REP-P | 90-03-077 |
| 132D-130-060 | NEW | 90-05-045 | 132H-108-060 | REP | 90-09-066 | 132H-108-320 | REP-E | 90-03-079 |
| 132D-130-070 | NEW | 90-05-045 | 132H-108-070 | REP-P | 90-03-077 | 132H-108-320 | REP | 90-09-066 |
| 132D-130-075 | NEW | 90-05-045 | 132H-108-070 | REP-E | 90-03-079 | 132H-108-330 | REP-P | 90-03-077 |
| 132D-130-080 | NEW | 90-05-045 | 132H-108-070 | REP | 90-09-066 | 132H-108-330 | REP-E | 90-03-079 |
| 132D-130-085 | NEW | 90-05-045 | 132H-108-080 | REP-P | 90-03-077 | 132H-108-330 | REP | 90-09-066 |
| 132D-130-090 | NEW | 90-05-045 | 132H-108-080 | REP-E | 90-03-079 | 132H-108-340 | NEW-P | 90-03-077 |
| 132D-130-095 | NEW | 90-05-045 | 132H-108-080 | REP | 90-09-066 | 132H-108-410 | NEW-E | 90-03-079 |
| 132D-130-100 | NEW | 90-05-045 | 132H-108-090 | REP-P | 90-03-077 | 132H-108-410 | NEW | 90-09-066 |
| 132D-133-020 | NEW | 90-05-045 | 132H-108-090 | REP-E | 90-03-079 | 132H-108-420 | NEW-P | 90-03-077 |
| 132D-400-010 | NEW | 90-05-045 | 132H-108-090 | REP | 90-09-066 | 132H-108-420 | NEW-E | 90-03-079 |
| 132D-400-020 | NEW | 90-05-045 | 132H-108-100 | REP-P | 90-03-077 | 132H-108-420 | NEW | 90-09-066 |
| 132D-400-030 | NEW | 90-05-045 | 132H-108-100 | REP-E | 90-03-079 | 132H-108-430 | NEW-P | 90-03-077 |
| 132D-400-040 | NEW | 90-05-045 | 132H-108-100 | REP | 90-09-066 | 132H-108-430 | NEW-E | 90-03-079 |
| 132E-108-010 | NEW-P | 90-03-012 | 132H-108-110 | REP-P | 90-03-077 | 132H-108-440 | NEW | 90-09-066 |
| 132E-108-010 | NEW | 90-09-006 | 132H-108-110 | REP-E | 90-03-079 | 132H-108-440 | NEW-P | 90-03-077 |
| 132E-108-020 | NEW-P | 90-03-012 | 132H-108-110 | REP | 90-09-066 | 132H-108-440 | NEW-E | 90-03-079 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|--------------|-----------------|--------------|-----------------|--------------|-----------------|
| 132H-108-440 | NEW 90-09-066 | 132K-16-340 | NEW-E 90-19-115 | 132L-108-030 | NEW 90-05-005 |
| 132H-108-450 | NEW-P 90-03-077 | 132K-16-350 | NEW-E 90-19-115 | 132L-108-040 | NEW-E 90-03-074 |
| 132H-108-450 | NEW-E 90-03-079 | 132K-16-360 | NEW-E 90-19-115 | 132L-108-040 | NEW 90-05-005 |
| 132H-108-450 | NEW 90-09-066 | 132K-16-370 | NEW-E 90-19-115 | 132L-108-050 | NEW-E 90-03-074 |
| 132H-108-460 | NEW-P 90-03-077 | 132K-16-380 | NEW-E 90-19-115 | 132L-108-050 | NEW 90-05-005 |
| 132H-108-460 | NEW-E 90-03-079 | 132K-16-390 | NEW-E 90-19-115 | 132L-108-060 | NEW-E 90-03-074 |
| 132H-108-460 | NEW 90-09-066 | 132K-16-400 | NEW-E 90-19-115 | 132L-108-060 | NEW 90-05-005 |
| 132H-108-470 | NEW-P 90-03-077 | 132K-16-410 | NEW-E 90-19-115 | 132L-108-070 | NEW-E 90-03-074 |
| 132H-108-470 | NEW-E 90-03-079 | 132K-16-420 | NEW-E 90-19-115 | 132L-108-070 | NEW 90-05-005 |
| 132H-108-470 | NEW 90-09-066 | 132K-16-430 | NEW-E 90-19-115 | 132L-108-080 | NEW-E 90-03-074 |
| 132H-108-480 | NEW-P 90-03-077 | 132K-16-440 | NEW-E 90-19-115 | 132L-108-080 | NEW 90-05-005 |
| 132H-108-480 | NEW-E 90-03-079 | 132L-20-090 | REP 90-05-004 | 132L-116-010 | NEW-P 90-14-111 |
| 132H-108-480 | NEW 90-09-066 | 132L-30-010 | REP-P 90-14-111 | 132L-116-020 | NEW-P 90-14-111 |
| 132H-200-040 | NEW-P 90-03-076 | 132L-30-010 | REP 90-17-060 | 132L-116-030 | NEW-P 90-14-111 |
| 132H-200-040 | NEW-E 90-03-080 | 132L-30-020 | REP-P 90-14-111 | 132L-116-040 | NEW-P 90-14-111 |
| 132H-200-040 | NEW 90-09-065 | 132L-30-020 | REP 90-17-060 | 132L-116-050 | NEW-P 90-14-111 |
| 132H-400-005 | NEW-P 90-03-078 | 132L-30-030 | REP-P 90-14-111 | 132L-116-060 | NEW-P 90-14-111 |
| 132H-400-005 | NEW-E 90-03-081 | 132L-30-030 | REP 90-17-060 | 132L-116-070 | NEW-P 90-14-111 |
| 132H-400-005 | NEW 90-09-067 | 132L-30-040 | REP-P 90-14-111 | 132L-116-080 | NEW-P 90-14-111 |
| 132H-400-010 | NEW-P 90-03-078 | 132L-30-040 | REP 90-17-060 | 132L-116-090 | NEW-P 90-14-111 |
| 132H-400-010 | NEW-E 90-03-081 | 132L-30-050 | REP-P 90-14-111 | 132L-116-100 | NEW-P 90-14-111 |
| 132H-400-010 | NEW 90-09-067 | 132L-30-050 | REP 90-17-060 | 132L-116-110 | NEW-P 90-14-111 |
| 132H-400-020 | NEW-P 90-03-078 | 132L-30-060 | REP-P 90-14-111 | 132L-116-120 | NEW-P 90-14-111 |
| 132H-400-020 | NEW-E 90-03-081 | 132L-30-060 | REP 90-17-060 | 132L-116-130 | NEW-P 90-14-111 |
| 132H-400-020 | NEW 90-09-067 | 132L-30-070 | REP-P 90-14-111 | 132L-116-140 | NEW-P 90-14-111 |
| 132H-400-030 | NEW-P 90-03-078 | 132L-30-070 | REP 90-17-060 | 132L-116-150 | NEW-P 90-14-111 |
| 132H-400-030 | NEW-E 90-03-081 | 132L-30-080 | REP-P 90-14-111 | 132L-116-160 | NEW-P 90-14-111 |
| 132H-400-030 | NEW 90-09-067 | 132L-30-080 | REP 90-17-060 | 132L-116-170 | NEW-P 90-14-111 |
| 132H-400-040 | NEW-P 90-03-078 | 132L-30-090 | REP-P 90-14-111 | 132L-116-180 | NEW-P 90-14-111 |
| 132H-400-040 | NEW-E 90-03-081 | 132L-30-090 | REP 90-17-060 | 132L-116-190 | NEW-P 90-14-111 |
| 132H-400-040 | NEW 90-09-067 | 132L-30-100 | REP-P 90-14-111 | 132L-116-200 | NEW-P 90-14-111 |
| 132J-108-010 | NEW-P 90-12-109 | 132L-30-100 | REP 90-17-060 | 132L-116-210 | NEW-P 90-14-111 |
| 132J-108-020 | NEW-P 90-12-109 | 132L-30-110 | REP-P 90-14-111 | 132L-116-220 | NEW-P 90-14-111 |
| 132J-108-030 | NEW-P 90-12-109 | 132L-30-110 | REP 90-17-060 | 132L-116-230 | NEW-P 90-14-111 |
| 132J-108-040 | NEW-P 90-12-109 | 132L-30-120 | REP-P 90-14-111 | 132L-116-240 | NEW-P 90-14-111 |
| 132J-108-050 | NEW-P 90-12-109 | 132L-30-120 | REP 90-17-060 | 132L-116-250 | NEW-P 90-14-111 |
| 132J-108-060 | NEW-P 90-12-109 | 132L-30-130 | REP-P 90-14-111 | 132L-116-260 | NEW-P 90-14-111 |
| 132J-108-070 | NEW-P 90-12-109 | 132L-30-130 | REP 90-17-060 | 132L-116-270 | NEW-P 90-14-111 |
| 132J-108-110 | NEW-P 90-12-012 | 132L-30-140 | REP-P 90-14-111 | 132L-116-280 | NEW-P 90-14-111 |
| 132J-108-110 | NEW-W 90-12-108 | 132L-30-140 | REP 90-17-060 | 132L-116-290 | NEW-P 90-14-111 |
| 132J-108-120 | NEW-P 90-12-012 | 132L-30-150 | REP-P 90-14-111 | 132L-116-300 | NEW-P 90-14-111 |
| 132J-108-120 | NEW-W 90-12-108 | 132L-30-150 | REP 90-17-060 | 132L-117-010 | NEW 90-17-060 |
| 132J-108-130 | NEW-P 90-12-012 | 132L-30-160 | REP-P 90-14-111 | 132L-117-020 | NEW 90-17-060 |
| 132J-108-130 | NEW-W 90-12-108 | 132L-30-160 | REP 90-17-060 | 132L-117-030 | NEW 90-17-060 |
| 132J-108-140 | NEW-P 90-12-012 | 132L-30-170 | REP-P 90-14-111 | 132L-117-040 | NEW 90-17-060 |
| 132J-108-140 | NEW-W 90-12-108 | 132L-30-170 | REP 90-17-060 | 132L-117-050 | NEW 90-17-060 |
| 132J-108-150 | NEW-P 90-12-012 | 132L-30-180 | REP-P 90-14-111 | 132L-117-060 | NEW 90-17-060 |
| 132J-108-150 | NEW-W 90-12-108 | 132L-30-180 | REP 90-17-060 | 132L-117-070 | NEW 90-17-060 |
| 132J-108-160 | NEW-P 90-12-012 | 132L-30-190 | REP-P 90-14-111 | 132L-117-080 | NEW 90-17-060 |
| 132J-108-160 | NEW-W 90-12-108 | 132L-30-190 | REP 90-17-060 | 132L-117-090 | NEW 90-17-060 |
| 132J-108-170 | NEW-P 90-12-012 | 132L-30-200 | REP-P 90-14-111 | 132L-117-100 | NEW 90-17-060 |
| 132J-108-170 | NEW-W 90-12-108 | 132L-30-200 | REP 90-17-060 | 132L-117-110 | NEW 90-17-060 |
| 132J-108-180 | NEW-P 90-12-012 | 132L-30-210 | REP-P 90-14-111 | 132L-117-120 | NEW 90-17-060 |
| 132J-108-180 | NEW-W 90-12-108 | 132L-30-210 | REP 90-17-060 | 132L-117-130 | NEW 90-17-060 |
| 132J-108-180 | NEW-P 90-12-109 | 132L-30-220 | REP-P 90-14-111 | 132L-117-140 | NEW 90-17-060 |
| 132K-16-120 | NEW-E 90-19-115 | 132L-30-220 | REP 90-17-060 | 132L-117-150 | NEW 90-17-060 |
| 132K-16-130 | NEW-E 90-19-115 | 132L-30-230 | REP-P 90-14-111 | 132L-117-160 | NEW 90-17-060 |
| 132K-16-140 | NEW-E 90-19-115 | 132L-30-230 | REP 90-17-060 | 132L-117-170 | NEW 90-17-060 |
| 132K-16-150 | NEW-E 90-19-115 | 132L-30-240 | REP-P 90-14-111 | 132L-117-180 | NEW 90-17-060 |
| 132K-16-160 | NEW-E 90-19-115 | 132L-30-240 | REP 90-17-060 | 132L-117-190 | NEW 90-17-060 |
| 132K-16-170 | NEW-E 90-19-115 | 132L-30-250 | REP-P 90-14-111 | 132L-117-200 | NEW 90-17-060 |
| 132K-16-180 | NEW-E 90-19-115 | 132L-30-250 | REP 90-17-060 | 132L-117-210 | NEW 90-17-060 |
| 132K-16-190 | NEW-E 90-19-115 | 132L-30-260 | REP-P 90-14-111 | 132L-117-220 | NEW 90-17-060 |
| 132K-16-200 | NEW-E 90-19-115 | 132L-30-260 | REP 90-17-060 | 132L-117-230 | NEW 90-17-060 |
| 132K-16-210 | NEW-E 90-19-115 | 132L-30-270 | REP-P 90-14-111 | 132L-117-240 | NEW 90-17-060 |
| 132K-16-220 | NEW-E 90-19-115 | 132L-30-270 | REP 90-17-060 | 132L-117-250 | NEW 90-17-060 |
| 132K-16-230 | NEW-E 90-19-115 | 132L-30-280 | REP-P 90-14-111 | 132L-117-260 | NEW 90-17-060 |
| 132K-16-240 | NEW-E 90-19-115 | 132L-30-280 | REP 90-17-060 | 132L-117-270 | NEW 90-17-060 |
| 132K-16-250 | NEW-E 90-19-115 | 132L-30-290 | REP-P 90-14-111 | 132L-117-280 | NEW 90-17-060 |
| 132K-16-260 | NEW-E 90-19-115 | 132L-30-290 | REP 90-17-060 | 132L-117-290 | NEW 90-17-060 |
| 132K-16-270 | NEW-E 90-19-115 | 132L-32-300 | REP-P 90-14-111 | 132L-117-300 | NEW 90-17-060 |
| 132K-16-280 | NEW-E 90-19-115 | 132L-30-300 | REP 90-17-060 | 132L-133-020 | NEW-E 90-03-074 |
| 132K-16-290 | NEW-E 90-19-115 | 132L-108-010 | NEW-E 90-03-074 | 132L-133-020 | NEW 90-05-005 |
| 132K-16-300 | NEW-E 90-19-115 | 132L-108-010 | NEW 90-05-004 | 132L-280-010 | NEW 90-05-004 |
| 132K-16-310 | NEW-E 90-19-115 | 132L-108-020 | NEW-E 90-03-074 | 132L-280-015 | NEW 90-05-004 |
| 132K-16-320 | NEW-E 90-19-115 | 132L-108-020 | NEW 90-05-005 | 132L-280-020 | NEW 90-05-004 |
| 132K-16-330 | NEW-E 90-19-115 | 132L-108-030 | NEW-E 90-03-074 | 132L-280-030 | NEW 90-05-004 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|--------------|-------|-----------|--------------|-------|-----------|--------------|-------|------------|
| 132L-280-040 | NEW | 90-05-004 | 132Q-09-310 | REP-P | 90-14-120 | 132T-104-250 | REP | 90-03-065 |
| 132L-280-050 | NEW | 90-05-004 | 132Q-09-320 | REP-P | 90-14-120 | 132T-104-260 | REP | 90-03-065 |
| 132L-280-060 | NEW | 90-05-004 | 132Q-09-330 | REP-P | 90-14-120 | 132T-104-265 | REP | 90-03-065 |
| 132L-280-070 | NEW | 90-05-004 | 132Q-09-340 | REP-P | 90-14-120 | 132T-104-270 | REP | 90-03-065 |
| 132L-280-080 | NEW | 90-05-004 | 132Q-09-350 | REP-P | 90-14-120 | 132T-104-280 | REP | 90-03-065 |
| 132L-280-090 | NEW | 90-05-004 | 132Q-09-360 | REP-P | 90-14-120 | 132U-03-010 | NEW | 90-05-043 |
| 132L-280-100 | NEW | 90-05-004 | 132Q-09-400 | REP-P | 90-14-120 | 132U-03-020 | NEW | 90-05-043 |
| 132L-280-110 | NEW | 90-05-004 | 132Q-09-410 | REP-P | 90-14-120 | 132U-03-030 | NEW | 90-05-043 |
| 132L-280-120 | NEW | 90-05-004 | 132Q-09-420 | REP-P | 90-14-120 | 132U-108-010 | NEW | 90-05-043 |
| 132L-400-010 | NEW-E | 90-03-073 | 132Q-09-430 | REP-P | 90-14-120 | 132U-108-020 | NEW | 90-05-043 |
| 132L-400-010 | NEW | 90-05-009 | 132Q-09-440 | REP-P | 90-14-120 | 132U-108-021 | NEW | 90-05-043 |
| 132L-400-020 | NEW | 90-05-009 | 132Q-09-450 | REP-P | 90-14-120 | 132U-108-030 | NEW | 90-05-043 |
| 132L-400-030 | NEW | 90-05-009 | 132Q-09-460 | REP-P | 90-14-120 | 132U-116-030 | AMD | 90-05-043 |
| 132L-400-040 | NEW | 90-05-009 | 132Q-09-470 | REP-P | 90-14-120 | 132U-400-010 | NEW | 90-05-043 |
| 132N-400-010 | NEW-P | 90-04-079 | 132Q-09-480 | REP-P | 90-14-120 | 132V-400-010 | NEW-P | 90-03-094 |
| 132N-400-010 | NEW-C | 90-10-026 | 132Q-16-045 | AMD-P | 90-14-121 | 132V-400-010 | NEW | 90-07-038 |
| 132N-400-010 | NEW-W | 90-17-101 | 132Q-16-045 | AMD-C | 90-18-017 | 132V-400-020 | NEW-P | 90-03-094 |
| 132N-400-010 | NEW-P | 90-18-034 | 132Q-20-110 | AMD-P | 90-14-122 | 132V-400-020 | NEW | 90-07-038 |
| 132N-400-020 | NEW-P | 90-04-079 | 132Q-20-110 | AMD-C | 90-18-018 | 132V-400-030 | NEW-P | 90-03-094 |
| 132N-400-020 | NEW-C | 90-10-026 | 132Q-94-010 | AMD-P | 90-14-123 | 132V-400-030 | NEW | 90-07-038 |
| 132N-400-020 | NEW-W | 90-17-101 | 132Q-94-010 | AMD-C | 90-18-019 | 132V-400-040 | NEW-P | 90-03-094 |
| 132N-400-020 | NEW-P | 90-18-034 | 132Q-94-150 | NEW-P | 90-14-124 | 132V-400-040 | NEW | 90-07-038 |
| 132N-400-030 | NEW-P | 90-04-079 | 132Q-94-150 | NEW-C | 90-18-020 | 132X-60-160 | NEW-P | 90-10-041 |
| 132N-400-030 | NEW-C | 90-10-026 | 132S-01-010 | NEW-P | 90-03-082 | 132X-60-160 | NEW | 90-13-064 |
| 132N-400-030 | NEW-W | 90-17-101 | 132S-01-010 | NEW | 90-07-006 | 132X-60-170 | NEW-P | 90-10-041 |
| 132N-400-030 | NEW-P | 90-18-034 | 132S-01-020 | NEW-P | 90-03-082 | 132X-60-170 | NEW | 90-13-064 |
| 132N-400-040 | NEW-P | 90-04-079 | 132S-01-020 | NEW | 90-07-006 | 132X-60-180 | NEW-P | 90-10-041 |
| 132N-400-040 | NEW-C | 90-10-026 | 132S-01-030 | NEW-P | 90-03-082 | 132X-60-180 | NEW | 90-13-064 |
| 132N-400-040 | NEW-W | 90-17-101 | 132S-01-030 | NEW | 90-07-006 | 132X-60-190 | NEW-P | 90-10-041 |
| 132N-400-040 | NEW-P | 90-18-034 | 132S-01-040 | NEW-P | 90-03-082 | 132Y-108-010 | NEW-P | 90-02-062 |
| 132P-136-040 | AMD-P | 90-07-058 | 132S-01-040 | NEW | 90-07-006 | 132Y-108-010 | NEW | 90-08-022 |
| 132P-136-040 | AMD | 90-11-077 | 132S-01-050 | NEW-P | 90-03-082 | 132Y-108-020 | NEW-P | 90-02-062 |
| 132Q-01-005 | REP-P | 90-14-114 | 132S-01-050 | NEW | 90-07-006 | 132Y-108-020 | NEW | 90-08-022 |
| 132Q-01-005 | REP-C | 90-18-010 | 132S-01-060 | NEW-P | 90-03-082 | 132Y-108-030 | NEW-P | 90-02-062 |
| 132Q-01-006 | NEW-P | 90-14-115 | 132S-01-060 | NEW | 90-07-006 | 132Y-108-030 | NEW | 90-08-022 |
| 132Q-01-006 | NEW-C | 90-18-011 | 132S-01-070 | NEW-P | 90-03-082 | 132Y-108-040 | NEW-P | 90-02-062 |
| 132Q-04-055 | REP-P | 90-14-116 | 132S-01-070 | NEW | 90-07-006 | 132Y-108-040 | NEW | 90-08-022 |
| 132Q-04-055 | REP-C | 90-18-012 | 132S-01-080 | NEW-P | 90-03-082 | 132Y-108-050 | NEW-P | 90-02-062 |
| 132Q-04-200 | AMD-P | 90-14-117 | 132S-01-080 | NEW | 90-07-006 | 132Y-108-050 | NEW | 90-08-022 |
| 132Q-04-200 | AMD-C | 90-18-013 | 132S-01-090 | NEW-P | 90-03-082 | 132Y-108-060 | NEW-P | 90-02-062 |
| 132Q-04-210 | AMD-P | 90-14-117 | 132S-01-090 | NEW | 90-07-006 | 132Y-108-060 | NEW | 90-08-022 |
| 132Q-04-210 | AMD-C | 90-18-013 | 132S-05-010 | NEW-P | 90-03-082 | 132Y-108-070 | NEW-P | 90-02-062 |
| 132Q-04-220 | AMD-P | 90-14-117 | 132S-05-010 | NEW | 90-07-006 | 132Y-108-070 | NEW | 90-08-022 |
| 132Q-04-220 | AMD-C | 90-18-013 | 132S-05-015 | NEW-P | 90-03-082 | 132Y-108-080 | NEW-P | 90-02-062 |
| 132Q-04-230 | AMD-P | 90-14-117 | 132S-05-015 | NEW | 90-07-006 | 132Y-108-080 | NEW | 90-08-022 |
| 132Q-04-230 | AMD-C | 90-18-013 | 132S-05-020 | NEW-P | 90-03-082 | 132Y-133-020 | NEW-P | 90-02-063 |
| 132Q-04-240 | AMD-P | 90-14-117 | 132S-05-020 | NEW | 90-07-006 | 132Y-133-020 | NEW | 90-08-022A |
| 132Q-04-240 | AMD-C | 90-18-013 | 132S-30-037 | NEW-P | 90-03-082 | 136-01-010 | AMD | 90-07-071 |
| 132Q-05-060 | AMD-P | 90-14-118 | 132S-30-037 | NEW | 90-07-006 | 136-01-030 | AMD | 90-07-071 |
| 132Q-05-060 | AMD-C | 90-18-014 | 132S-40-130 | NEW-P | 90-03-082 | 136-01-040 | REP | 90-07-071 |
| 132Q-05-080 | AMD-P | 90-14-118 | 132S-40-130 | NEW | 90-07-006 | 136-04-020 | AMD | 90-07-072 |
| 132Q-05-080 | AMD-C | 90-18-014 | 132S-40-135 | NEW-P | 90-03-082 | 136-04-030 | AMD | 90-07-072 |
| 132Q-06-020 | AMD-P | 90-14-119 | 132S-40-135 | NEW | 90-07-006 | 136-04-040 | AMD | 90-07-072 |
| 132Q-06-020 | AMD-C | 90-18-015 | 132S-40-140 | NEW-P | 90-03-082 | 136-04-060 | AMD | 90-07-072 |
| 132Q-06-025 | AMD-P | 90-14-119 | 132S-40-140 | NEW | 90-07-006 | 136-04-080 | AMD | 90-07-072 |
| 132Q-06-025 | AMD-C | 90-18-015 | 132S-40-145 | NEW-P | 90-03-082 | 136-04-090 | AMD | 90-07-072 |
| 132Q-06-030 | AMD-P | 90-14-119 | 132S-40-145 | NEW | 90-07-006 | 136-04-100 | AMD | 90-07-072 |
| 132Q-06-030 | AMD-C | 90-18-015 | 132S-40-150 | NEW-P | 90-03-082 | 136-10-010 | AMD | 90-07-073 |
| 132Q-09 | REP-C | 90-18-016 | 132S-40-150 | NEW | 90-07-006 | 136-10-020 | AMD | 90-07-073 |
| 132Q-09-001 | REP-P | 90-14-120 | 132S-40-155 | NEW-P | 90-03-082 | 136-10-030 | AMD | 90-07-073 |
| 132Q-09-005 | REP-P | 90-14-120 | 132S-40-155 | NEW | 90-07-006 | 136-10-040 | AMD | 90-07-073 |
| 132Q-09-010 | REP-P | 90-14-120 | 132T-104-010 | REP | 90-03-065 | 136-10-050 | AMD | 90-07-073 |
| 132Q-09-080 | REP-P | 90-14-120 | 132T-104-020 | REP | 90-03-065 | 136-10-060 | AMD | 90-07-073 |
| 132Q-09-090 | REP-P | 90-14-120 | 132T-104-030 | REP | 90-03-065 | 136-12-010 | AMD | 90-07-074 |
| 132Q-09-100 | REP-P | 90-14-120 | 132T-104-040 | REP | 90-03-065 | 136-12-020 | AMD | 90-07-074 |
| 132Q-09-110 | REP-P | 90-14-120 | 132T-104-060 | REP | 90-03-065 | 136-12-030 | AMD | 90-07-074 |
| 132Q-09-120 | REP-P | 90-14-120 | 132T-104-070 | REP | 90-03-065 | 136-12-060 | AMD | 90-07-074 |
| 132Q-09-130 | REP-P | 90-14-120 | 132T-104-080 | REP | 90-03-065 | 136-12-070 | AMD | 90-07-074 |
| 132Q-09-140 | REP-P | 90-14-120 | 132T-104-090 | REP | 90-03-065 | 136-12-080 | AMD | 90-07-074 |
| 132Q-09-230 | REP-P | 90-14-120 | 132T-104-100 | REP | 90-03-065 | 136-14-010 | AMD | 90-07-075 |
| 132Q-09-240 | REP-P | 90-14-120 | 132T-104-110 | REP | 90-03-065 | 136-14-020 | AMD | 90-07-075 |
| 132Q-09-250 | REP-P | 90-14-120 | 132T-104-120 | REP | 90-03-065 | 136-14-030 | AMD | 90-07-075 |
| 132Q-09-260 | REP-P | 90-14-120 | 132T-104-121 | REP | 90-03-065 | 136-14-040 | AMD | 90-07-075 |
| 132Q-09-270 | REP-P | 90-14-120 | 132T-104-130 | REP | 90-03-065 | 136-14-050 | AMD | 90-07-075 |
| 132Q-09-280 | REP-P | 90-14-120 | 132T-104-200 | REP | 90-03-065 | 136-14-060 | AMD | 90-07-075 |
| 132Q-09-290 | REP-P | 90-14-120 | 132T-104-210 | REP | 90-03-065 | 136-16-010 | AMD | 90-07-076 |
| 132Q-09-300 | REP-P | 90-14-120 | 132T-104-240 | REP | 90-03-065 | 136-16-018 | AMD | 90-07-076 |

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| 136-16-022 | AMD | 90-07-076 | 136-40-808 | REP-C | 90-13-001 | 137-12A-090 | AMD-E | 90-16-046 |
| 136-16-042 | AMD | 90-07-076 | 136-40-812 | REP-C | 90-13-001 | 139-05-925 | NEW-P | 90-03-085 |
| 136-16-050 | AMD | 90-07-076 | 136-130-030 | AMD-E | 90-16-025 | 139-05-925 | NEW | 90-07-012 |
| 136-20-010 | AMD-P | 90-13-003 | 136-130-030 | AMD-P | 90-17-093 | 148-100-001 | NEW-P | 90-10-110 |
| 136-20-010 | AMD | 90-17-075 | 136-130-040 | AMD-E | 90-16-025 | 148-100-001 | NEW | 90-16-012 |
| 136-20-020 | AMD-P | 90-13-003 | 136-130-040 | AMD-P | 90-17-093 | 148-108-010 | NEW-P | 90-10-111 |
| 136-20-020 | AMD | 90-17-075 | 136-130-050 | AMD-E | 90-16-025 | 148-108-010 | NEW | 90-16-013 |
| 136-20-030 | AMD-P | 90-13-003 | 136-130-050 | AMD-P | 90-17-093 | 148-108-020 | NEW-P | 90-10-111 |
| 136-20-030 | AMD | 90-17-075 | 136-130-060 | AMD-E | 90-16-025 | 148-108-020 | NEW | 90-16-013 |
| 136-20-040 | AMD-P | 90-13-003 | 136-130-060 | AMD-P | 90-17-093 | 148-108-030 | NEW-P | 90-10-111 |
| 136-20-040 | AMD | 90-17-075 | 136-130-070 | AMD-E | 90-16-025 | 148-108-030 | NEW | 90-16-013 |
| 136-20-060 | AMD-P | 90-13-003 | 136-130-070 | AMD-P | 90-17-093 | 148-108-040 | NEW-P | 90-10-111 |
| 136-20-060 | AMD | 90-17-075 | 136-160-050 | AMD-P | 90-17-093 | 148-108-040 | NEW | 90-16-013 |
| 136-28-010 | AMD-P | 90-13-002 | 136-160-060 | AMD-E | 90-16-025 | 148-108-060 | NEW-P | 90-10-111 |
| 136-28-010 | AMD | 90-17-076 | 136-160-060 | AMD-P | 90-17-093 | 148-108-060 | NEW | 90-16-013 |
| 136-28-020 | AMD-P | 90-13-002 | 136-220-020 | AMD-E | 90-16-025 | 148-108-070 | NEW-P | 90-10-111 |
| 136-28-020 | AMD | 90-17-076 | 136-220-020 | AMD-P | 90-17-093 | 148-108-070 | NEW | 90-16-013 |
| 136-28-030 | AMD-P | 90-13-002 | 136-220-030 | AMD-E | 90-16-025 | 148-108-080 | NEW-P | 90-10-111 |
| 136-28-030 | AMD | 90-17-076 | 136-220-030 | AMD-P | 90-17-093 | 148-108-080 | NEW | 90-16-013 |
| 136-36-010 | REP | 90-07-077 | 136-300-010 | NEW-E | 90-11-113 | 148-108-090 | NEW-P | 90-10-111 |
| 136-36-020 | REP | 90-07-077 | 136-300-010 | NEW-P | 90-17-124 | 148-108-090 | NEW | 90-16-013 |
| 136-36-030 | REP | 90-07-077 | 136-300-020 | NEW-E | 90-11-113 | 148-108-100 | NEW-P | 90-10-111 |
| 136-36-040 | REP | 90-07-077 | 136-300-020 | NEW-P | 90-17-124 | 148-108-100 | NEW | 90-16-013 |
| 136-40 | AMD-C | 90-17-074 | 136-300-030 | NEW-E | 90-11-113 | 148-108-100 | NEW | 90-16-013 |
| 136-40-010 | AMD-C | 90-13-001 | 136-300-030 | NEW-P | 90-17-124 | 148-130-010 | NEW-P | 90-10-112 |
| 136-40-020 | AMD-C | 90-13-001 | 136-300-040 | NEW-E | 90-11-113 | 148-130-010 | NEW | 90-16-014 |
| 136-40-030 | AMD-C | 90-13-001 | 136-300-040 | NEW-P | 90-17-124 | 148-130-020 | NEW-P | 90-10-112 |
| 136-40-040 | AMD-C | 90-13-001 | 136-300-040 | NEW-E | 90-11-113 | 148-130-020 | NEW | 90-16-014 |
| 136-40-044 | REP-C | 90-13-001 | 136-310-010 | NEW-E | 90-11-113 | 148-130-030 | NEW-P | 90-10-112 |
| 136-40-048 | REP-C | 90-13-001 | 136-310-010 | NEW-P | 90-17-124 | 148-130-030 | NEW | 90-16-014 |
| 136-40-058 | REP-C | 90-13-001 | 136-310-020 | NEW-E | 90-11-113 | 148-130-035 | NEW-P | 90-10-112 |
| 136-40-050 | NEW-C | 90-13-001 | 136-310-020 | NEW-P | 90-17-124 | 148-130-035 | NEW | 90-16-014 |
| 136-40-052 | REP-C | 90-13-001 | 136-310-030 | NEW-E | 90-11-113 | 148-130-040 | NEW-P | 90-10-112 |
| 136-40-060 | NEW-C | 90-13-001 | 136-310-030 | NEW-P | 90-17-124 | 148-130-040 | NEW | 90-16-014 |
| 136-40-100 | REP-C | 90-13-001 | 136-310-040 | NEW-E | 90-11-113 | 148-130-050 | NEW-P | 90-10-112 |
| 136-40-104 | REP-C | 90-13-001 | 136-310-040 | NEW-P | 90-17-124 | 148-130-050 | NEW | 90-16-014 |
| 136-40-108 | REP-C | 90-13-001 | 136-310-050 | NEW-E | 90-11-113 | 148-140-010 | NEW-P | 90-10-113 |
| 136-40-112 | REP-C | 90-13-001 | 136-310-050 | NEW-P | 90-17-124 | 148-140-010 | NEW | 90-16-015 |
| 136-40-116 | REP-C | 90-13-001 | 136-320-010 | NEW-E | 90-11-113 | 148-140-020 | NEW-P | 90-10-113 |
| 136-40-120 | REP-C | 90-13-001 | 136-320-010 | NEW-P | 90-17-124 | 148-140-020 | NEW | 90-16-015 |
| 136-40-124 | REP-C | 90-13-001 | 136-320-020 | NEW-E | 90-11-113 | 148-140-030 | NEW-P | 90-10-113 |
| 136-40-128 | REP-C | 90-13-001 | 136-320-020 | NEW-P | 90-17-124 | 148-140-030 | NEW | 90-16-015 |
| 136-40-132 | REP-C | 90-13-001 | 136-320-030 | NEW-E | 90-11-113 | 148-140-040 | NEW-P | 90-10-113 |
| 136-40-136 | REP-C | 90-13-001 | 136-320-030 | NEW-P | 90-17-124 | 148-140-040 | NEW | 90-16-015 |
| 136-40-140 | REP-C | 90-13-001 | 136-320-040 | NEW-P | 90-17-124 | 148-140-050 | NEW-P | 90-10-113 |
| 136-40-200 | REP-C | 90-13-001 | 136-320-050 | NEW-P | 90-17-124 | 148-140-050 | NEW | 90-16-015 |
| 136-40-204 | REP-C | 90-13-001 | 136-320-060 | NEW-P | 90-17-124 | 148-140-060 | NEW-P | 90-10-113 |
| 136-40-208 | REP-C | 90-13-001 | 136-320-070 | NEW-P | 90-17-124 | 148-140-060 | NEW | 90-16-015 |
| 136-40-212 | REP-C | 90-13-001 | 136-320-080 | NEW-P | 90-17-124 | 148-140-070 | NEW-P | 90-10-113 |
| 136-40-300 | REP-C | 90-13-001 | 136-325-010 | NEW-P | 90-17-124 | 148-140-070 | NEW | 90-16-015 |
| 136-40-304 | REP-C | 90-13-001 | 136-325-020 | NEW-P | 90-17-124 | 148-140-080 | NEW-P | 90-10-113 |
| 136-40-308 | REP-C | 90-13-001 | 136-325-030 | NEW-P | 90-17-124 | 148-140-080 | NEW | 90-16-015 |
| 136-40-312 | REP-C | 90-13-001 | 136-330-010 | NEW-E | 90-11-113 | 148-171-001 | NEW-P | 90-10-114 |
| 136-40-316 | REP-C | 90-13-001 | 136-330-010 | NEW-P | 90-17-124 | 148-171-001 | NEW | 90-16-016 |
| 136-40-320 | REP-C | 90-13-001 | 136-330-020 | NEW-E | 90-11-113 | 148-171-010 | NEW-P | 90-10-114 |
| 136-40-324 | REP-C | 90-13-001 | 136-330-020 | NEW-P | 90-17-124 | 148-171-010 | NEW | 90-16-016 |
| 136-40-400 | REP-C | 90-13-001 | 136-330-030 | NEW-P | 90-17-124 | 148-171-015 | NEW-P | 90-10-114 |
| 136-40-404 | REP-C | 90-13-001 | 136-330-040 | NEW-P | 90-17-124 | 148-171-015 | NEW | 90-16-016 |
| 136-40-408 | REP-C | 90-13-001 | 136-340-010 | NEW-E | 90-11-113 | 148-171-100 | NEW-P | 90-10-114 |
| 136-40-412 | REP-C | 90-13-001 | 136-340-010 | NEW-P | 90-17-124 | 148-171-100 | NEW | 90-16-016 |
| 136-40-416 | REP-C | 90-13-001 | 136-340-020 | NEW-E | 90-11-113 | 148-171-110 | NEW-P | 90-10-114 |
| 136-40-500 | REP-C | 90-13-001 | 136-340-020 | NEW-P | 90-17-124 | 148-171-110 | NEW | 90-16-016 |
| 136-40-504 | REP-C | 90-13-001 | 136-340-030 | NEW-E | 90-11-113 | 148-171-120 | NEW-P | 90-10-114 |
| 136-40-508 | REP-C | 90-13-001 | 136-340-030 | NEW-P | 90-17-124 | 148-171-120 | NEW | 90-16-016 |
| 136-40-512 | REP-C | 90-13-001 | 136-340-040 | NEW-E | 90-11-113 | 148-171-130 | NEW-P | 90-10-114 |
| 136-40-600 | REP-C | 90-13-001 | 136-340-040 | NEW-P | 90-17-124 | 148-171-130 | NEW | 90-16-016 |
| 136-40-604 | REP-C | 90-13-001 | 136-340-050 | NEW-E | 90-11-113 | 148-171-140 | NEW-P | 90-10-114 |
| 136-40-608 | REP-C | 90-13-001 | 136-340-050 | NEW-P | 90-17-124 | 148-171-140 | NEW | 90-16-016 |
| 136-40-612 | REP-C | 90-13-001 | 136-350-010 | NEW-E | 90-11-113 | 148-171-150 | NEW-P | 90-10-114 |
| 136-40-616 | REP-C | 90-13-001 | 136-350-010 | NEW-P | 90-17-124 | 148-171-150 | NEW | 90-16-016 |
| 136-40-620 | REP-C | 90-13-001 | 136-350-020 | NEW-E | 90-11-113 | 148-171-200 | NEW-P | 90-10-114 |
| 136-40-624 | REP-C | 90-13-001 | 136-350-020 | NEW-P | 90-17-124 | 148-171-200 | NEW | 90-16-016 |
| 136-40-700 | REP-C | 90-13-001 | 137-12A-010 | AMD-E | 90-16-046 | 148-171-210 | NEW-P | 90-10-114 |
| 136-40-704 | REP-C | 90-13-001 | 137-12A-020 | AMD-E | 90-16-046 | 148-171-210 | NEW | 90-16-016 |
| 136-40-708 | REP-C | 90-13-001 | 137-12A-030 | AMD-E | 90-16-046 | 148-171-220 | NEW-P | 90-10-114 |
| 136-40-712 | REP-C | 90-13-001 | 137-12A-050 | AMD-E | 90-16-046 | 148-171-220 | NEW | 90-16-016 |
| 136-40-800 | REP-C | 90-13-001 | 137-12A-060 | AMD-E | 90-16-046 | 148-171-230 | NEW-P | 90-10-114 |
| 136-40-804 | REP-C | 90-13-001 | 137-12A-070 | AMD-E | 90-16-046 | 148-171-230 | NEW | 90-16-016 |

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| 148-171-240 | NEW | 90-16-016 | 148-325-010 | NEW | 90-16-020 | 173-03-070 | AMD-E | 90-14-041 |
| 148-171-400 | NEW-P | 90-10-114 | 154-04-035 | REP-P | 90-02-086 | 173-03-070 | AMD-P | 90-16-084 |
| 148-171-400 | NEW | 90-16-016 | 154-04-035 | REP | 90-05-078 | 173-03-100 | AMD-E | 90-14-041 |
| 148-171-410 | NEW-P | 90-10-114 | 154-04-041 | NEW-P | 90-02-086 | 173-03-100 | AMD-P | 90-16-084 |
| 148-171-410 | NEW | 90-16-016 | 154-04-041 | NEW | 90-05-078 | 173-06-030 | RE-AD | 90-07-014 |
| 148-171-420 | NEW-P | 90-10-114 | 154-04-110 | REP-P | 90-02-086 | 173-16-064 | NEW-P | 90-16-040 |
| 148-171-420 | NEW | 90-16-016 | 154-04-110 | REP | 90-05-078 | 173-18-090 | AMD-C | 90-02-107 |
| 148-171-430 | NEW-P | 90-10-114 | 154-08-050 | AMD-P | 90-02-086 | 173-18-090 | AMD | 90-06-068 |
| 148-171-430 | NEW | 90-16-016 | 154-08-050 | AMD | 90-05-078 | 173-18-090 | AMD-E | 90-06-069 |
| 148-171-500 | NEW-P | 90-10-114 | 154-12-010 | AMD-P | 90-02-086 | 173-18-200 | AMD-C | 90-02-107 |
| 148-171-500 | NEW | 90-16-016 | 154-12-010 | AMD | 90-05-078 | 173-18-200 | AMD | 90-06-068 |
| 148-171-510 | NEW-P | 90-10-114 | 154-12-015 | AMD-P | 90-02-086 | 173-18-200 | AMD-E | 90-06-069 |
| 148-171-510 | NEW | 90-16-016 | 154-12-015 | AMD | 90-05-078 | 173-19-1104 | AMD | 90-02-105 |
| 148-171-600 | NEW-P | 90-10-114 | 154-12-030 | AMD-P | 90-02-086 | 173-19-120 | AMD-P | 90-13-091 |
| 148-171-600 | NEW | 90-16-016 | 154-12-030 | AMD | 90-05-078 | 173-19-220 | AMD-P | 90-03-112 |
| 148-171-610 | NEW-P | 90-10-114 | 154-12-050 | AMD-P | 90-02-086 | 173-19-220 | AMD-C | 90-07-061 |
| 148-171-610 | NEW | 90-16-016 | 154-12-050 | AMD | 90-05-078 | 173-19-220 | AMD-C | 90-08-122 |
| 148-171-620 | NEW-P | 90-10-114 | 154-12-070 | AMD-P | 90-02-086 | 173-19-220 | AMD | 90-11-072 |
| 148-171-620 | NEW | 90-16-016 | 154-12-070 | AMD | 90-05-078 | 173-19-220 | AMD | 90-13-079 |
| 148-171-630 | NEW-P | 90-10-114 | 154-12-080 | AMD-P | 90-02-086 | 173-19-230 | AMD-P | 90-20-097 |
| 148-171-630 | NEW | 90-16-016 | 154-12-080 | AMD | 90-05-078 | 173-19-240 | RE-AD | 90-07-027 |
| 148-171-640 | NEW-P | 90-10-114 | 154-12-085 | AMD-P | 90-02-086 | 173-19-2401 | RE-AD | 90-07-027 |
| 148-171-640 | NEW | 90-16-016 | 154-12-085 | AMD | 90-05-078 | 173-19-250 | AMD-P | 90-20-098 |
| 148-171-650 | NEW-P | 90-10-114 | 154-12-086 | AMD-P | 90-02-086 | 173-19-2505 | AMD | 90-06-067 |
| 148-171-650 | NEW | 90-16-016 | 154-12-086 | AMD | 90-05-078 | 173-19-2510 | AMD-P | 90-13-092 |
| 148-171-700 | NEW-P | 90-17-077 | 154-12-087 | AMD-P | 90-02-086 | 173-19-2510 | AMD | 90-20-108 |
| 148-276-010 | NEW-P | 90-10-115 | 154-12-087 | AMD | 90-05-078 | 173-19-2512 | AMD | 90-06-106 |
| 148-276-010 | NEW | 90-16-017 | 154-12-090 | AMD-P | 90-02-086 | 173-19-2514 | AMD-P | 90-20-099 |
| 148-276-020 | NEW-P | 90-10-115 | 154-12-090 | AMD | 90-05-078 | 173-19-2517 | AMD-P | 90-09-097 |
| 148-276-020 | NEW | 90-16-017 | 154-12-107 | REP-P | 90-02-086 | 173-19-2517 | AMD | 90-14-090 |
| 148-276-030 | NEW-P | 90-10-115 | 154-12-107 | REP | 90-05-078 | 173-19-2519 | AMD | 90-02-101 |
| 148-276-030 | NEW | 90-16-017 | 154-12-110 | AMD-P | 90-02-086 | 173-19-2520 | AMD-P | 90-05-074 |
| 148-276-040 | NEW-P | 90-10-115 | 154-12-110 | AMD | 90-05-078 | 173-19-2520 | AMD | 90-17-127 |
| 148-276-040 | NEW | 90-16-017 | 154-24-010 | AMD-P | 90-02-086 | 173-19-2521 | AMD-P | 90-15-059 |
| 148-276-050 | NEW-P | 90-10-115 | 154-24-010 | AMD | 90-05-078 | 173-19-2521 | AMD | 90-20-111 |
| 148-276-050 | NEW | 90-16-017 | 154-32-010 | AMD-P | 90-02-086 | 173-19-280 | AMD-P | 90-09-096 |
| 148-276-060 | NEW-P | 90-10-115 | 154-32-010 | AMD | 90-05-078 | 173-19-280 | AMD | 90-14-091 |
| 148-276-060 | NEW | 90-16-017 | 154-32-020 | AMD-P | 90-02-086 | 173-19-3514 | AMD-P | 90-03-110 |
| 148-276-070 | NEW-P | 90-10-115 | 154-32-020 | AMD | 90-05-078 | 173-19-3514 | AMD-C | 90-08-122 |
| 148-276-070 | NEW | 90-16-017 | 154-40 | AMD-P | 90-02-086 | 173-19-3514 | AMD | 90-11-072 |
| 148-276-080 | NEW-P | 90-10-115 | 154-40 | AMD | 90-05-078 | 173-19-360 | AMD-P | 90-03-111 |
| 148-276-080 | NEW | 90-16-017 | 154-40-010 | AMD-P | 90-02-086 | 173-19-360 | AMD-C | 90-06-024 |
| 148-276-090 | NEW-P | 90-10-115 | 154-40-010 | AMD | 90-05-078 | 173-19-360 | RE-AD | 90-07-026 |
| 148-276-090 | NEW | 90-16-017 | 154-44-010 | AMD-P | 90-02-086 | 173-19-360 | AMD-C | 90-08-122 |
| 148-276-100 | NEW-P | 90-10-115 | 154-44-010 | AMD | 90-05-078 | 173-19-360 | AMD | 90-11-072 |
| 148-276-100 | NEW | 90-16-017 | 154-64-050 | AMD-P | 90-02-086 | 173-19-360 | AMD | 90-13-089 |
| 148-276-110 | NEW-P | 90-10-115 | 154-64-050 | AMD | 90-05-078 | 173-19-3601 | AMD-P | 90-05-075 |
| 148-276-110 | NEW | 90-16-017 | 154-110-030 | AMD-P | 90-20-045 | 173-19-3601 | AMD-C | 90-08-122 |
| 148-276-120 | NEW-P | 90-10-115 | 154-120-015 | AMD-P | 90-20-045 | 173-19-3601 | AMD | 90-11-072 |
| 148-276-120 | NEW | 90-16-017 | 154-120-020 | AMD-P | 90-20-045 | 173-19-390 | RE-AD | 90-07-025 |
| 148-276-130 | NEW-P | 90-10-115 | 154-120-055 | AMD-P | 90-20-045 | 173-19-3910 | RE-AD | 90-07-028 |
| 148-276-130 | NEW | 90-16-017 | 154-130-010 | AMD-P | 90-20-045 | 173-19-3910 | AMD-P | 90-15-058 |
| 148-276-140 | NEW-P | 90-10-115 | 154-130-020 | AMD-P | 90-20-045 | 173-19-420 | AMD-C | 90-05-077 |
| 148-276-140 | NEW | 90-16-017 | 154-130-030 | AMD-P | 90-20-045 | 173-19-420 | AMD-C | 90-08-122 |
| 148-280-010 | NEW-P | 90-10-116 | 154-140-010 | AMD-P | 90-20-045 | 173-19-420 | AMD | 90-11-072 |
| 148-280-010 | NEW | 90-16-018 | 154-140-030 | AMD-P | 90-20-045 | 173-19-4201 | AMD-P | 90-05-076 |
| 148-280-011 | NEW-P | 90-10-116 | 154-150-010 | AMD-P | 90-20-045 | 173-19-4201 | AMD-C | 90-08-122 |
| 148-280-011 | NEW | 90-16-018 | 154-150-020 | AMD-P | 90-20-045 | 173-19-4201 | AMD | 90-11-072 |
| 148-280-015 | NEW-P | 90-10-116 | 154-200-020 | AMD-P | 90-20-045 | 173-19-4202 | AMD-P | 90-05-076 |
| 148-280-015 | NEW | 90-16-018 | 162-08-091 | REP-P | 90-13-086 | 173-19-4202 | AMD-C | 90-08-122 |
| 148-280-020 | NEW-P | 90-10-116 | 162-08-091 | REP-P | 90-15-024 | 173-19-4202 | AMD | 90-11-072 |
| 148-280-020 | NEW | 90-16-018 | 162-08-098 | AMD-P | 90-13-086 | 173-19-4203 | AMD-P | 90-05-076 |
| 148-280-025 | NEW-P | 90-10-116 | 162-08-098 | AMD-W | 90-15-024 | 173-19-4203 | AMD-C | 90-08-122 |
| 148-280-025 | NEW | 90-16-018 | 162-08-099 | AMD-P | 90-13-086 | 173-19-4203 | AMD | 90-11-072 |
| 148-280-030 | NEW-P | 90-10-116 | 162-08-099 | AMD-W | 90-15-024 | 173-19-4204 | AMD-P | 90-05-076 |
| 148-280-030 | NEW | 90-16-018 | 162-08-106 | AMD-P | 90-13-086 | 173-19-4204 | AMD-C | 90-08-122 |
| 148-280-040 | NEW-P | 90-10-116 | 162-08-106 | AMD-W | 90-15-024 | 173-19-4204 | AMD | 90-11-072 |
| 148-280-040 | NEW | 90-16-018 | 173-03-010 | AMD-E | 90-14-041 | 173-19-4205 | AMD-P | 90-05-076 |
| 148-280-050 | NEW-P | 90-10-116 | 173-03-010 | AMD-P | 90-16-084 | 173-19-4205 | AMD-C | 90-08-122 |
| 148-280-050 | NEW | 90-16-018 | 173-03-020 | AMD-E | 90-14-041 | 173-19-4205 | AMD | 90-11-072 |
| 148-280-055 | NEW-P | 90-10-116 | 173-03-020 | AMD-P | 90-16-084 | 173-19-4205 | AMD-P | 90-15-057 |
| 148-280-055 | NEW | 90-16-018 | 173-03-030 | AMD-E | 90-14-041 | 173-19-4205 | AMD | 90-20-110 |
| 148-280-060 | NEW-P | 90-10-116 | 173-03-030 | AMD-P | 90-16-084 | 173-19-4206 | AMD-P | 90-05-076 |
| 148-280-060 | NEW | 90-16-018 | 173-03-050 | AMD-E | 90-14-041 | 173-19-4206 | AMD-C | 90-08-122 |
| 148-280-070 | NEW-P | 90-10-116 | 173-03-050 | AMD-P | 90-16-084 | 173-19-4206 | AMD | 90-11-072 |
| 148-280-070 | NEW | 90-16-018 | 173-03-060 | AMD-E | 90-14-041 | 173-19-450 | AMD-P | 90-13-090 |

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| 173-19-450 | AMD | 90-20-107 | 173-166 | AMD-C | 90-08-080 | 173-201 | PREP | 90-18-067 |
| 173-19-4507 | AMD | 90-07-063 | 173-166 | AMD-W | 90-15-052 | 173-204-100 | NEW-P | 90-19-084 |
| 173-32-010 | AMD-P | 90-11-122 | 173-166 | AMD-P | 90-20-100 | 173-204-110 | NEW-P | 90-19-084 |
| 173-32-010 | AMD | 90-18-064 | 173-166-010 | AMD-P | 90-02-096 | 173-204-120 | NEW-P | 90-19-084 |
| 173-32-020 | AMD-P | 90-11-122 | 173-166-010 | AMD-W | 90-15-052 | 173-204-130 | NEW-P | 90-19-084 |
| 173-32-020 | AMD | 90-18-064 | 173-166-010 | AMD-P | 90-20-100 | 173-204-200 | NEW-P | 90-19-084 |
| 173-32-030 | AMD-P | 90-11-122 | 173-166-020 | AMD-P | 90-02-096 | 173-204-300 | NEW-P | 90-19-084 |
| 173-32-030 | AMD | 90-18-064 | 173-166-020 | AMD-W | 90-15-052 | 173-204-310 | NEW-P | 90-19-084 |
| 173-32-040 | AMD-P | 90-11-122 | 173-166-020 | AMD-P | 90-20-100 | 173-204-315 | NEW-P | 90-19-084 |
| 173-32-040 | AMD | 90-18-064 | 173-166-030 | AMD-P | 90-02-096 | 173-204-320 | NEW-P | 90-19-084 |
| 173-50-010 | RE-AD | 90-07-017 | 173-166-030 | AMD-W | 90-15-052 | 173-204-330 | NEW-P | 90-19-084 |
| 173-50-020 | RE-AD | 90-07-017 | 173-166-030 | AMD-P | 90-20-100 | 173-204-340 | NEW-P | 90-19-084 |
| 173-50-030 | RE-AD | 90-07-017 | 173-166-040 | AMD-P | 90-02-096 | 173-204-350 | NEW-P | 90-19-084 |
| 173-50-040 | RE-AD | 90-07-017 | 173-166-040 | AMD-W | 90-15-052 | 173-204-400 | NEW-P | 90-19-084 |
| 173-50-040 | AMD-P | 90-12-086 | 173-166-040 | AMD-P | 90-20-100 | 173-204-410 | NEW-P | 90-19-084 |
| 173-50-050 | RE-AD | 90-07-017 | 173-166-050 | AMD-P | 90-02-096 | 173-204-415 | NEW-P | 90-19-084 |
| 173-50-050 | AMD-P | 90-12-086 | 173-166-050 | AMD-W | 90-15-052 | 173-204-420 | NEW-P | 90-19-084 |
| 173-50-060 | RE-AD | 90-07-017 | 173-166-050 | AMD-P | 90-20-100 | 173-204-500 | NEW-P | 90-19-084 |
| 173-50-060 | AMD-P | 90-12-086 | 173-166-060 | AMD-P | 90-02-096 | 173-204-510 | NEW-P | 90-19-084 |
| 173-50-070 | RE-AD | 90-07-017 | 173-166-060 | AMD-W | 90-15-052 | 173-204-520 | NEW-P | 90-19-084 |
| 173-50-070 | AMD-P | 90-12-086 | 173-166-060 | AMD-P | 90-20-100 | 173-204-530 | NEW-P | 90-19-084 |
| 173-50-080 | RE-AD | 90-07-017 | 173-166-070 | AMD-P | 90-02-096 | 173-204-540 | NEW-P | 90-19-084 |
| 173-50-080 | AMD-P | 90-12-086 | 173-166-070 | AMD-W | 90-15-052 | 173-204-550 | NEW-P | 90-19-084 |
| 173-50-090 | RE-AD | 90-07-017 | 173-166-070 | AMD-P | 90-20-100 | 173-204-560 | NEW-P | 90-19-084 |
| 173-50-090 | AMD-P | 90-12-086 | 173-166-080 | NEW-P | 90-02-096 | 173-204-570 | NEW-P | 90-19-084 |
| 173-50-100 | RE-AD | 90-07-017 | 173-166-080 | NEW-W | 90-15-052 | 173-204-580 | NEW-P | 90-19-084 |
| 173-50-100 | AMD-P | 90-12-086 | 173-166-080 | NEW-P | 90-20-100 | 173-204-590 | NEW-P | 90-19-084 |
| 173-50-110 | RE-AD | 90-07-017 | 173-166-090 | NEW-P | 90-02-096 | 173-204-600 | NEW-P | 90-19-084 |
| 173-50-110 | AMD-P | 90-12-086 | 173-166-090 | NEW-W | 90-15-052 | 173-204-610 | NEW-P | 90-19-084 |
| 173-50-120 | RE-AD | 90-07-017 | 173-166-090 | NEW-P | 90-20-100 | 173-204-620 | NEW-P | 90-19-084 |
| 173-50-120 | AMD-P | 90-12-086 | 173-166-100 | NEW-P | 90-02-096 | 173-216-125 | NEW-P | 90-12-086 |
| 173-50-130 | RE-AD | 90-07-017 | 173-166-100 | NEW-W | 90-15-052 | 173-220-210 | AMD-P | 90-12-086 |
| 173-50-130 | AMD-P | 90-12-086 | 173-166-100 | NEW-P | 90-20-100 | 173-221A-010 | NEW-P | 90-06-071 |
| 173-50-140 | RE-AD | 90-07-017 | 173-166-110 | NEW-P | 90-02-096 | 173-221A-010 | NEW | 90-14-078 |
| 173-50-140 | AMD-P | 90-12-086 | 173-166-110 | NEW-W | 90-15-052 | 173-221A-020 | NEW-P | 90-06-071 |
| 173-50-150 | RE-AD | 90-07-017 | 173-166-110 | NEW-P | 90-20-100 | 173-221A-020 | NEW | 90-14-078 |
| 173-50-150 | AMD-P | 90-12-086 | 173-166-120 | NEW-P | 90-02-096 | 173-221A-030 | NEW-P | 90-06-071 |
| 173-50-160 | RE-AD | 90-07-017 | 173-166-120 | NEW-W | 90-15-052 | 173-221A-030 | NEW | 90-14-078 |
| 173-50-170 | RE-AD | 90-07-017 | 173-166-120 | NEW-P | 90-20-100 | 173-221A-100 | NEW-P | 90-06-071 |
| 173-50-180 | RE-AD | 90-07-017 | 173-166-130 | NEW-P | 90-02-096 | 173-221A-100 | NEW | 90-14-078 |
| 173-50-190 | RE-AD | 90-07-017 | 173-166-130 | NEW-W | 90-15-052 | 173-221A-150 | NEW-P | 90-06-071 |
| 173-50-190 | AMD-P | 90-12-086 | 173-166-130 | NEW-P | 90-20-100 | 173-221A-150 | NEW | 90-14-078 |
| 173-50-200 | RE-AD | 90-07-017 | 173-166-140 | NEW-P | 90-20-100 | 173-224-015 | RE-AD | 90-07-015 |
| 173-50-200 | AMD-P | 90-12-086 | 173-170-010 | NEW-P | 90-13-104 | 173-224-020 | RE-AD | 90-07-015 |
| 173-50-210 | RE-AD | 90-07-017 | 173-170-010 | NEW | 90-20-109 | 173-224-030 | RE-AD | 90-07-015 |
| 173-50-210 | AMD-P | 90-12-086 | 173-170-020 | NEW-P | 90-13-104 | 173-224-040 | RE-AD | 90-07-015 |
| 173-50-220 | NEW | 90-12-086 | 173-170-020 | NEW | 90-20-109 | 173-224-050 | RE-AD | 90-07-015 |
| 173-142-010 | REP-P | 90-11-059 | 173-170-030 | NEW-P | 90-13-104 | 173-224-060 | RE-AD | 90-07-015 |
| 173-142-020 | REP-P | 90-11-059 | 173-170-030 | NEW | 90-20-109 | 173-224-070 | RE-AD | 90-07-015 |
| 173-142-030 | REP-P | 90-11-059 | 173-170-040 | NEW-P | 90-13-104 | 173-224-080 | RE-AD | 90-07-015 |
| 173-142-040 | REP-P | 90-11-059 | 173-170-040 | NEW | 90-20-109 | 173-224-090 | RE-AD | 90-07-015 |
| 173-142-050 | REP-P | 90-11-059 | 173-170-050 | NEW-P | 90-13-104 | 173-224-100 | RE-AD | 90-07-015 |
| 173-142-070 | REP-P | 90-11-059 | 173-170-050 | NEW | 90-20-109 | 173-224-110 | RE-AD | 90-07-015 |
| 173-142-080 | REP-P | 90-11-059 | 173-170-060 | NEW-P | 90-13-104 | 173-224-120 | RE-AD | 90-07-015 |
| 173-142-090 | REP-P | 90-11-059 | 173-170-060 | NEW | 90-20-109 | 173-300-010 | NEW-P | 90-17-125 |
| 173-142-100 | REP-P | 90-11-059 | 173-170-070 | NEW-P | 90-13-104 | 173-300-020 | NEW-P | 90-17-125 |
| 173-142-110 | REP-P | 90-11-059 | 173-170-070 | NEW | 90-20-109 | 173-300-030 | NEW-P | 90-17-125 |
| 173-158 | AMD-P | 90-11-059 | 173-170-080 | NEW-P | 90-13-104 | 173-300-040 | NEW-P | 90-17-125 |
| 173-158-010 | AMD-P | 90-11-059 | 173-170-080 | NEW | 90-20-109 | 173-300-050 | NEW-P | 90-17-125 |
| 173-158-020 | AMD-P | 90-11-059 | 173-170-090 | NEW-P | 90-13-104 | 173-300-060 | NEW-P | 90-17-125 |
| 173-158-030 | RE-AD | 90-06-059 | 173-170-090 | NEW | 90-20-109 | 173-300-070 | NEW-P | 90-17-125 |
| 173-158-030 | AMD-P | 90-11-059 | 173-170-100 | NEW-P | 90-13-104 | 173-300-080 | NEW-P | 90-17-125 |
| 173-158-040 | AMD-P | 90-11-059 | 173-170-100 | NEW | 90-20-109 | 173-300-090 | NEW-P | 90-17-125 |
| 173-158-045 | NEW-P | 90-11-059 | 173-170-110 | NEW-P | 90-13-104 | 173-300-100 | NEW-P | 90-17-125 |
| 173-158-060 | RE-AD | 90-06-059 | 173-170-110 | NEW | 90-20-109 | 173-300-110 | NEW-P | 90-17-125 |
| 173-158-060 | REP-P | 90-11-059 | 173-170-120 | NEW-P | 90-13-104 | 173-300-120 | NEW-P | 90-17-125 |
| 173-158-064 | NEW-P | 90-11-059 | 173-170-120 | NEW | 90-20-109 | 173-300-130 | NEW-P | 90-17-125 |
| 173-158-070 | AMD-P | 90-11-059 | 173-200-010 | NEW-P | 90-11-074 | 173-300-140 | NEW-P | 90-17-125 |
| 173-158-084 | NEW-P | 90-11-059 | 173-200-020 | NEW-P | 90-11-074 | 173-300-150 | NEW-P | 90-17-125 |
| 173-158-086 | NEW-P | 90-11-059 | 173-200-030 | NEW-P | 90-11-074 | 173-300-160 | NEW-P | 90-17-125 |
| 173-158-100 | REP-P | 90-11-059 | 173-200-040 | NEW-P | 90-11-074 | 173-300-170 | NEW-P | 90-17-125 |
| 173-158-110 | REP-P | 90-11-059 | 173-200-050 | NEW-P | 90-11-074 | 173-300-180 | NEW-P | 90-17-125 |
| 173-158-120 | AMD-P | 90-11-059 | 173-200-060 | NEW-P | 90-11-074 | 173-303 | PREP | 90-06-002 |
| 173-160-215 | RE-AD | 90-07-016 | 173-200-070 | NEW-P | 90-11-074 | 173-303-016 | AMD-P | 90-20-101 |
| 173-166 | AMD-P | 90-02-096 | 173-200-080 | NEW-P | 90-11-074 | 173-303-017 | AMD-P | 90-20-101 |
| 173-166 | AMD-C | 90-05-048 | 173-200-090 | NEW-P | 90-11-074 | 173-303-040 | AMD-P | 90-20-101 |
| 173-166 | AMD-C | 90-06-010 | 173-200-100 | NEW-P | 90-11-074 | 173-303-045 | AMD-P | 90-20-101 |

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| 173-303-070 | AMD-P | 90-20-101 | 173-305-06001 | NEW-E | 90-20-044 | 173-311-020 | NEW | 90-18-066 |
| 173-303-071 | AMD-P | 90-20-101 | 173-305-070 | AMD-E | 90-15-025 | 173-311-030 | NEW-P | 90-12-094 |
| 173-303-072 | AMD-P | 90-20-101 | 173-305-070 | REP-E | 90-20-054 | 173-311-030 | NEW | 90-18-066 |
| 173-303-081 | AMD-P | 90-20-101 | 173-305-07001 | NEW-E | 90-20-044 | 173-311-040 | NEW-P | 90-12-094 |
| 173-303-084 | AMD-P | 90-20-101 | 173-305-080 | AMD-E | 90-15-025 | 173-311-040 | NEW | 90-18-066 |
| 173-303-090 | AMD-P | 90-20-101 | 173-305-080 | REP-E | 90-20-054 | 173-311-050 | NEW-P | 90-12-094 |
| 173-303-103 | AMD-P | 90-20-101 | 173-305-090 | AMD-E | 90-15-025 | 173-311-050 | NEW | 90-18-066 |
| 173-303-110 | AMD-P | 90-20-101 | 173-305-090 | REP-E | 90-20-054 | 173-312-010 | AMD-P | 90-11-122 |
| 173-303-120 | AMD-P | 90-20-101 | 173-306-010 | NEW-P | 90-02-088 | 173-312-010 | AMD | 90-18-064 |
| 173-303-145 | AMD-P | 90-20-101 | 173-306-010 | NEW | 90-10-047 | 173-312-020 | AMD-P | 90-11-122 |
| 173-303-160 | AMD-P | 90-20-101 | 173-306-050 | NEW-P | 90-02-088 | 173-312-020 | AMD | 90-18-064 |
| 173-303-200 | AMD-P | 90-20-101 | 173-306-050 | NEW | 90-10-047 | 173-312-030 | AMD-P | 90-11-122 |
| 173-303-201 | AMD-P | 90-20-101 | 173-306-100 | NEW-P | 90-02-088 | 173-312-030 | AMD | 90-18-064 |
| 173-303-210 | AMD-P | 90-20-101 | 173-306-100 | NEW | 90-10-047 | 173-312-040 | AMD-P | 90-11-122 |
| 173-303-220 | AMD-P | 90-20-101 | 173-306-150 | NEW-P | 90-02-088 | 173-312-040 | AMD | 90-18-064 |
| 173-303-230 | AMD-P | 90-20-101 | 173-306-150 | NEW | 90-10-047 | 173-312-050 | AMD-P | 90-11-122 |
| 173-303-281 | AMD-P | 90-10-085 | 173-306-200 | NEW-P | 90-02-088 | 173-312-050 | AMD | 90-18-064 |
| 173-303-281 | AMD | 90-20-016 | 173-306-200 | NEW | 90-10-047 | 173-315-010 | AMD | 90-10-058 |
| 173-303-282 | NEW-P | 90-10-085 | 173-306-300 | NEW-P | 90-02-088 | 173-315-040 | AMD | 90-10-058 |
| 173-303-282 | NEW | 90-20-016 | 173-306-300 | NEW | 90-10-047 | 173-315-050 | AMD | 90-10-058 |
| 173-303-320 | AMD-P | 90-20-101 | 173-306-310 | NEW-P | 90-02-088 | 173-315-060 | AMD-P | 90-12-094 |
| 173-303-355 | NEW-P | 90-10-085 | 173-306-310 | NEW | 90-10-047 | 173-315-060 | AMD | 90-18-066 |
| 173-303-355 | NEW | 90-20-016 | 173-306-320 | NEW-P | 90-02-088 | 173-319-010 | NEW-P | 90-16-089 |
| 173-303-360 | AMD-P | 90-20-101 | 173-306-320 | NEW | 90-10-047 | 173-319-020 | NEW-P | 90-16-089 |
| 173-303-380 | AMD-P | 90-20-101 | 173-306-330 | NEW-P | 90-02-088 | 173-319-030 | NEW-P | 90-16-089 |
| 173-303-390 | AMD-P | 90-20-101 | 173-306-330 | NEW | 90-10-047 | 173-319-040 | NEW-P | 90-16-089 |
| 173-303-400 | AMD-P | 90-20-101 | 173-306-340 | NEW-P | 90-02-088 | 173-319-050 | NEW-P | 90-16-089 |
| 173-303-420 | REP-P | 90-10-085 | 173-306-340 | NEW | 90-10-047 | 173-319-060 | NEW-P | 90-16-089 |
| 173-303-420 | REP | 90-20-016 | 173-306-345 | NEW-P | 90-02-088 | 173-321-040 | AMD-P | 90-11-123 |
| 173-303-500 | AMD-P | 90-20-101 | 173-306-345 | NEW | 90-10-047 | 173-321-040 | AMD | 90-18-065 |
| 173-303-510 | AMD-P | 90-20-101 | 173-306-350 | NEW-P | 90-02-088 | 173-321-050 | AMD-P | 90-11-123 |
| 173-303-515 | AMD-P | 90-20-101 | 173-306-350 | NEW | 90-10-047 | 173-321-050 | AMD | 90-18-065 |
| 173-303-520 | AMD-P | 90-20-101 | 173-306-400 | NEW-P | 90-02-088 | 173-322-010 | NEW | 90-10-057 |
| 173-303-525 | AMD-P | 90-20-101 | 173-306-400 | NEW | 90-10-047 | 173-322-020 | NEW | 90-10-057 |
| 173-303-550 | AMD-P | 90-20-101 | 173-306-405 | NEW-P | 90-02-088 | 173-322-030 | NEW | 90-10-057 |
| 173-303-560 | AMD-P | 90-20-101 | 173-306-405 | NEW | 90-10-047 | 173-322-040 | NEW | 90-10-057 |
| 173-303-600 | AMD-P | 90-20-101 | 173-306-410 | NEW-P | 90-02-088 | 173-322-050 | NEW | 90-10-057 |
| 173-303-610 | AMD-P | 90-20-101 | 173-306-410 | NEW | 90-10-047 | 173-322-060 | NEW | 90-10-057 |
| 173-303-620 | AMD-P | 90-20-101 | 173-306-440 | NEW-P | 90-02-088 | 173-322-070 | NEW | 90-10-057 |
| 173-303-630 | AMD-P | 90-20-101 | 173-306-440 | NEW | 90-10-047 | 173-322-080 | NEW | 90-10-057 |
| 173-303-645 | AMD-P | 90-20-101 | 173-306-450 | NEW-P | 90-02-088 | 173-322-090 | NEW | 90-10-057 |
| 173-303-650 | RE-AD-P | 90-20-101 | 173-306-450 | NEW | 90-10-047 | 173-322-100 | NEW | 90-10-057 |
| 173-303-680 | NEW-P | 90-20-101 | 173-306-470 | NEW-P | 90-02-088 | 173-322-110 | NEW | 90-10-057 |
| 173-303-800 | AMD-P | 90-20-101 | 173-306-470 | NEW | 90-10-047 | 173-322-120 | NEW | 90-10-057 |
| 173-303-802 | AMD-P | 90-20-101 | 173-306-480 | NEW-P | 90-02-088 | 173-331-010 | NEW-P | 90-16-095 |
| 173-303-805 | AMD-P | 90-20-101 | 173-306-480 | NEW | 90-10-047 | 173-331-100 | NEW-P | 90-16-095 |
| 173-303-806 | AMD-P | 90-10-085 | 173-306-490 | NEW-P | 90-02-088 | 173-331-200 | NEW-P | 90-16-095 |
| 173-303-806 | AMD | 90-20-016 | 173-306-490 | NEW | 90-10-047 | 173-331-210 | NEW-P | 90-16-095 |
| 173-303-806 | AMD-P | 90-20-101 | 173-306-495 | NEW-P | 90-02-088 | 173-331-220 | NEW-P | 90-16-095 |
| 173-303-807 | AMD-P | 90-20-101 | 173-306-495 | NEW | 90-10-047 | 173-331-300 | NEW-P | 90-16-095 |
| 173-303-808 | AMD-P | 90-20-101 | 173-306-500 | NEW-P | 90-02-088 | 173-331-400 | NEW-P | 90-16-095 |
| 173-303-810 | AMD-P | 90-20-101 | 173-306-500 | NEW | 90-10-047 | 173-331-410 | NEW-P | 90-16-095 |
| 173-303-830 | AMD-P | 90-20-101 | 173-306-900 | NEW-P | 90-02-088 | 173-331-500 | NEW-P | 90-16-095 |
| 173-303-9903 | AMD-P | 90-20-101 | 173-306-900 | NEW | 90-10-047 | 173-331-600 | NEW-P | 90-16-095 |
| 173-303-9904 | AMD-P | 90-20-101 | 173-306-9901 | NEW-P | 90-02-088 | 173-336-010 | REP-W | 90-02-097 |
| 173-303-9906 | AMD-P | 90-20-101 | 173-306-9901 | NEW | 90-10-047 | 173-336-010 | REP-P | 90-02-098 |
| 173-303-9907 | AMD-P | 90-20-101 | 173-309-010 | AMD-P | 90-11-122 | 173-336-010 | REP | 90-08-120 |
| 173-305-010 | AMD-E | 90-15-025 | 173-309-010 | AMD | 90-18-064 | 173-336-020 | REP-W | 90-02-097 |
| 173-305-010 | REP-E | 90-20-054 | 173-309-020 | AMD-P | 90-11-122 | 173-336-020 | REP-P | 90-02-098 |
| 173-305-01001 | NEW-E | 90-20-044 | 173-309-020 | AMD | 90-18-064 | 173-336-020 | REP | 90-08-120 |
| 173-305-015 | AMD-E | 90-15-025 | 173-309-030 | AMD-P | 90-11-122 | 173-336-030 | REP-W | 90-02-097 |
| 173-305-015 | REP-E | 90-20-054 | 173-309-030 | AMD | 90-18-064 | 173-336-030 | REP-P | 90-02-098 |
| 173-305-01501 | NEW-E | 90-20-044 | 173-309-040 | AMD-P | 90-11-122 | 173-336-030 | REP | 90-08-120 |
| 173-305-020 | AMD-E | 90-15-025 | 173-309-040 | AMD | 90-18-064 | 173-338-010 | REP-W | 90-02-097 |
| 173-305-020 | REP-E | 90-20-054 | 173-309-050 | AMD-P | 90-11-122 | 173-338-010 | REP-P | 90-02-098 |
| 173-305-02001 | NEW-E | 90-20-044 | 173-309-050 | AMD | 90-18-064 | 173-338-010 | REP | 90-08-120 |
| 173-305-030 | AMD-E | 90-15-025 | 173-309-060 | AMD-P | 90-11-122 | 173-338-020 | REP-W | 90-02-097 |
| 173-305-030 | REP-E | 90-20-054 | 173-309-060 | AMD | 90-18-064 | 173-338-020 | REP-P | 90-02-098 |
| 173-305-03001 | NEW-E | 90-20-044 | 173-309-070 | AMD-P | 90-11-122 | 173-338-020 | REP | 90-08-120 |
| 173-305-040 | AMD-E | 90-15-025 | 173-309-070 | AMD | 90-18-064 | 173-338-030 | REP-W | 90-02-097 |
| 173-305-040 | REP-E | 90-20-054 | 173-309-080 | AMD-P | 90-11-122 | 173-338-030 | REP-P | 90-02-098 |
| 173-305-04001 | NEW-E | 90-20-044 | 173-309-080 | AMD | 90-18-064 | 173-338-030 | REP | 90-08-120 |
| 173-305-050 | AMD-E | 90-15-025 | 173-309-090 | AMD-P | 90-11-122 | 173-338-040 | REP-W | 90-02-097 |
| 173-305-050 | REP-E | 90-20-054 | 173-309-090 | AMD | 90-18-064 | 173-338-040 | REP-P | 90-02-098 |
| 173-305-05001 | NEW-E | 90-20-044 | 173-311-010 | NEW-P | 90-12-094 | 173-338-040 | REP | 90-08-120 |
| 173-305-060 | AMD-E | 90-15-025 | 173-311-010 | NEW | 90-18-066 | 173-338-050 | REP-W | 90-02-097 |
| 173-305-060 | REP-E | 90-20-054 | 173-311-020 | NEW-P | 90-12-094 | 173-338-050 | REP-P | 90-02-098 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 173-338-050 | REP | 90-08-120 | 173-340-430 | NEW-W | 90-02-097 | 173-342-020 | NEW | 90-03-020 |
| 173-340 | AMD-W | 90-02-097 | 173-340-430 | NEW-P | 90-02-098 | 173-342-030 | NEW | 90-03-020 |
| 173-340 | AMD-P | 90-02-098 | 173-340-430 | NEW | 90-08-086 | 173-342-040 | NEW | 90-03-020 |
| 173-340 | AMD | 90-08-086 | 173-340-430 | AMD-P | 90-15-066 | 173-342-050 | NEW | 90-03-020 |
| 173-340-010 | REP-W | 90-02-097 | 173-340-440 | NEW-P | 90-15-066 | 173-360 | NEW-S | 90-17-065 |
| 173-340-010 | REP-P | 90-02-098 | 173-340-450 | NEW-P | 90-15-066 | 173-360-100 | NEW-P | 90-15-060 |
| 173-340-010 | REP | 90-08-086 | 173-340-500 | NEW-W | 90-02-097 | 173-360-105 | NEW-P | 90-15-060 |
| 173-340-020 | REP-W | 90-02-097 | 173-340-500 | NEW-P | 90-02-098 | 173-360-110 | NEW-P | 90-15-060 |
| 173-340-020 | REP-P | 90-02-098 | 173-340-500 | NEW | 90-08-086 | 173-360-120 | NEW-P | 90-15-060 |
| 173-340-020 | REP | 90-08-086 | 173-340-510 | NEW-W | 90-02-097 | 173-360-130 | NEW-P | 90-15-060 |
| 173-340-030 | REP-W | 90-02-097 | 173-340-510 | NEW-P | 90-02-098 | 173-360-140 | NEW-P | 90-15-060 |
| 173-340-030 | REP-P | 90-02-098 | 173-340-510 | NEW | 90-08-086 | 173-360-150 | NEW-P | 90-15-060 |
| 173-340-030 | REP | 90-08-086 | 173-340-520 | NEW-W | 90-02-097 | 173-360-160 | NEW-P | 90-15-060 |
| 173-340-040 | REP-W | 90-02-097 | 173-340-520 | NEW-P | 90-02-098 | 173-360-170 | NEW-P | 90-15-060 |
| 173-340-040 | REP-P | 90-02-098 | 173-340-520 | NEW | 90-08-086 | 173-360-180 | NEW-P | 90-15-060 |
| 173-340-040 | REP | 90-08-086 | 173-340-530 | NEW-W | 90-02-097 | 173-360-190 | NEW-P | 90-15-060 |
| 173-340-050 | REP-W | 90-02-097 | 173-340-530 | NEW-P | 90-02-098 | 173-360-200 | NEW-P | 90-15-060 |
| 173-340-050 | REP-P | 90-02-098 | 173-340-530 | NEW | 90-08-086 | 173-360-210 | NEW-P | 90-15-060 |
| 173-340-050 | REP | 90-08-086 | 173-340-540 | NEW-W | 90-02-097 | 173-360-220 | NEW-P | 90-15-060 |
| 173-340-100 | NEW-W | 90-02-097 | 173-340-540 | NEW-P | 90-02-098 | 173-360-230 | NEW-P | 90-15-060 |
| 173-340-100 | NEW-P | 90-02-098 | 173-340-540 | NEW | 90-08-086 | 173-360-300 | NEW-P | 90-15-060 |
| 173-340-100 | NEW | 90-08-086 | 173-340-550 | NEW-W | 90-02-097 | 173-360-305 | NEW-P | 90-15-060 |
| 173-340-110 | NEW-W | 90-02-097 | 173-340-550 | NEW-P | 90-02-098 | 173-360-310 | NEW-P | 90-15-060 |
| 173-340-110 | NEW-P | 90-02-098 | 173-340-550 | NEW | 90-08-086 | 173-360-315 | NEW-P | 90-15-060 |
| 173-340-110 | NEW | 90-08-086 | 173-340-560 | NEW-W | 90-02-097 | 173-360-320 | NEW-P | 90-15-060 |
| 173-340-120 | NEW-W | 90-02-097 | 173-340-560 | NEW-P | 90-02-098 | 173-360-323 | NEW-P | 90-15-060 |
| 173-340-120 | NEW-P | 90-02-098 | 173-340-560 | NEW | 90-08-086 | 173-360-325 | NEW-P | 90-15-060 |
| 173-340-120 | NEW | 90-08-086 | 173-340-600 | NEW-W | 90-02-097 | 173-360-330 | NEW-P | 90-15-060 |
| 173-340-120 | AMD-P | 90-15-066 | 173-340-600 | NEW-P | 90-02-098 | 173-360-335 | NEW-P | 90-15-060 |
| 173-340-130 | NEW-W | 90-02-097 | 173-340-600 | NEW | 90-08-086 | 173-360-340 | NEW-P | 90-15-060 |
| 173-340-130 | NEW-P | 90-02-098 | 173-340-610 | NEW-W | 90-02-097 | 173-360-345 | NEW-P | 90-15-060 |
| 173-340-130 | NEW | 90-08-086 | 173-340-610 | NEW-P | 90-02-098 | 173-360-350 | NEW-P | 90-15-060 |
| 173-340-140 | NEW-W | 90-02-097 | 173-340-610 | NEW | 90-08-086 | 173-360-355 | NEW-P | 90-15-060 |
| 173-340-140 | NEW-P | 90-02-098 | 173-340-700 | NEW-W | 90-02-097 | 173-360-360 | NEW-P | 90-15-060 |
| 173-340-140 | NEW | 90-08-086 | 173-340-700 | NEW-P | 90-02-098 | 173-360-365 | NEW-P | 90-15-060 |
| 173-340-200 | NEW-W | 90-02-097 | 173-340-700 | NEW | 90-08-086 | 173-360-370 | NEW-P | 90-15-060 |
| 173-340-200 | NEW-P | 90-02-098 | 173-340-700 | AMD-P | 90-15-066 | 173-360-372 | NEW-P | 90-15-060 |
| 173-340-200 | NEW | 90-08-086 | 173-340-705 | NEW-P | 90-15-066 | 173-360-375 | NEW-P | 90-15-060 |
| 173-340-200 | AMD-P | 90-15-066 | 173-340-710 | NEW-P | 90-15-066 | 173-360-380 | NEW-P | 90-15-060 |
| 173-340-210 | NEW-W | 90-02-097 | 173-340-720 | NEW-P | 90-15-066 | 173-360-385 | NEW-P | 90-15-060 |
| 173-340-210 | NEW-P | 90-02-098 | 173-340-730 | NEW-P | 90-15-066 | 173-360-390 | NEW-P | 90-15-060 |
| 173-340-210 | NEW | 90-08-086 | 173-340-740 | NEW-P | 90-15-066 | 173-360-395 | NEW-P | 90-15-060 |
| 173-340-210 | AMD-P | 90-15-066 | 173-340-745 | NEW-P | 90-15-066 | 173-360-398 | NEW-P | 90-15-060 |
| 173-340-300 | NEW-W | 90-02-097 | 173-340-750 | AMD-P | 90-15-066 | 173-360-399 | NEW-P | 90-15-060 |
| 173-340-300 | NEW-P | 90-02-098 | 173-340-760 | AMD-P | 90-15-066 | 173-360-400 | NEW-P | 90-15-060 |
| 173-340-300 | NEW | 90-08-086 | 173-340-800 | NEW-W | 90-02-097 | 173-360-403 | NEW-P | 90-15-060 |
| 173-340-300 | AMD-P | 90-15-066 | 173-340-800 | NEW-P | 90-02-098 | 173-360-406 | NEW-P | 90-15-060 |
| 173-340-310 | NEW-W | 90-02-097 | 173-340-800 | NEW | 90-08-086 | 173-360-410 | NEW-P | 90-15-060 |
| 173-340-310 | NEW-P | 90-02-098 | 173-340-810 | NEW-W | 90-02-097 | 173-360-413 | NEW-P | 90-15-060 |
| 173-340-310 | NEW | 90-08-086 | 173-340-810 | NEW-P | 90-02-098 | 173-360-416 | NEW-P | 90-15-060 |
| 173-340-320 | NEW-W | 90-02-097 | 173-340-810 | NEW | 90-08-086 | 173-360-423 | NEW-P | 90-15-060 |
| 173-340-320 | NEW-P | 90-02-098 | 173-340-820 | NEW-W | 90-02-097 | 173-360-426 | NEW-P | 90-15-060 |
| 173-340-320 | NEW | 90-08-086 | 173-340-820 | NEW-P | 90-02-098 | 173-360-433 | NEW-P | 90-15-060 |
| 173-340-330 | NEW-W | 90-02-097 | 173-340-820 | NEW | 90-08-086 | 173-360-436 | NEW-P | 90-15-060 |
| 173-340-330 | NEW-P | 90-02-098 | 173-340-830 | NEW-W | 90-02-097 | 173-360-440 | NEW-P | 90-15-060 |
| 173-340-330 | NEW | 90-08-086 | 173-340-830 | NEW-P | 90-02-098 | 173-360-443 | NEW-P | 90-15-060 |
| 173-340-340 | NEW-W | 90-02-097 | 173-340-830 | NEW | 90-08-086 | 173-360-446 | NEW-P | 90-15-060 |
| 173-340-340 | NEW-P | 90-02-098 | 173-340-830 | AMD-P | 90-15-066 | 173-360-450 | NEW-P | 90-15-060 |
| 173-340-340 | NEW | 90-08-086 | 173-340-840 | NEW-W | 90-02-097 | 173-360-453 | NEW-P | 90-15-060 |
| 173-340-350 | NEW-W | 90-02-097 | 173-340-840 | NEW-P | 90-02-098 | 173-360-456 | NEW-P | 90-15-060 |
| 173-340-350 | NEW-P | 90-02-098 | 173-340-840 | NEW | 90-08-086 | 173-360-460 | NEW-P | 90-15-060 |
| 173-340-350 | NEW | 90-08-086 | 173-340-850 | NEW-W | 90-02-097 | 173-360-463 | NEW-P | 90-15-060 |
| 173-340-350 | AMD-P | 90-15-066 | 173-340-850 | NEW-P | 90-02-098 | 173-360-466 | NEW-P | 90-15-060 |
| 173-340-360 | NEW-W | 90-02-097 | 173-340-850 | NEW | 90-08-086 | 173-360-470 | NEW-P | 90-15-060 |
| 173-340-360 | NEW-P | 90-02-098 | 173-340-860 | NEW-W | 90-02-097 | 173-360-473 | NEW-P | 90-15-060 |
| 173-340-360 | NEW | 90-08-086 | 173-340-860 | NEW-P | 90-02-098 | 173-360-476 | NEW-P | 90-15-060 |
| 173-340-360 | AMD-P | 90-15-066 | 173-340-860 | NEW | 90-08-086 | 173-360-480 | NEW-P | 90-15-060 |
| 173-340-400 | NEW-W | 90-02-097 | 173-340-870 | NEW-W | 90-02-097 | 173-360-483 | NEW-P | 90-15-060 |
| 173-340-400 | NEW-P | 90-02-098 | 173-340-870 | NEW-P | 90-02-098 | 173-360-486 | NEW-P | 90-15-060 |
| 173-340-400 | NEW | 90-08-086 | 173-340-870 | NEW | 90-08-086 | 173-360-490 | NEW-P | 90-15-060 |
| 173-340-410 | NEW-W | 90-02-097 | 173-340-880 | NEW-W | 90-02-097 | 173-360-493 | NEW-P | 90-15-060 |
| 173-340-410 | NEW-P | 90-02-098 | 173-340-880 | NEW-P | 90-02-098 | 173-360-496 | NEW-P | 90-15-060 |
| 173-340-410 | NEW | 90-08-086 | 173-340-880 | NEW | 90-08-086 | 173-360-499 | NEW-P | 90-15-060 |
| 173-340-420 | NEW-W | 90-02-097 | 173-340-890 | NEW-W | 90-02-097 | 173-360-500 | NEW-P | 90-15-060 |
| 173-340-420 | NEW-P | 90-02-098 | 173-340-890 | NEW-P | 90-02-098 | 173-360-510 | NEW-P | 90-15-060 |
| 173-340-420 | NEW | 90-08-086 | 173-340-890 | NEW | 90-08-086 | 173-360-520 | NEW-P | 90-15-060 |
| 173-340-420 | AMD-P | 90-15-066 | 173-342-010 | NEW | 90-03-020 | 173-360-530 | NEW-P | 90-15-060 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 173-425-130 | AMD | 90-19-062 | 173-490-025 | AMD-P | 90-05-052 | 174-108-90001 | REP | 90-04-011 |
| 173-425-140 | AMD-P | 90-06-102 | 173-490-025 | AMD-S | 90-17-126 | 174-108-90002 | REP | 90-04-011 |
| 173-425-140 | AMD | 90-19-062 | 173-490-030 | AMD-P | 90-05-052 | 174-108-910 | NEW | 90-04-011 |
| 173-430-010 | AMD-P | 90-06-102 | 173-490-030 | AMD-S | 90-17-126 | 174-112-130 | REP | 90-04-011 |
| 173-430-010 | AMD | 90-19-062 | 173-490-040 | AMD-P | 90-05-052 | 174-112-140 | REP | 90-04-011 |
| 173-430-020 | AMD-P | 90-06-102 | 173-490-040 | AMD-S | 90-17-126 | 174-112-150 | REP | 90-04-011 |
| 173-430-020 | AMD | 90-19-062 | 173-490-070 | REP-P | 90-05-052 | 174-122-010 | NEW | 90-04-011 |
| 173-430-030 | AMD-P | 90-06-102 | 173-490-070 | REP-S | 90-17-126 | 174-122-020 | NEW | 90-04-011 |
| 173-430-030 | AMD | 90-19-062 | 173-490-071 | REP-P | 90-05-052 | 174-122-030 | NEW | 90-04-011 |
| 173-430-040 | AMD-P | 90-06-102 | 173-490-071 | REP-S | 90-17-126 | 174-122-040 | NEW | 90-04-011 |
| 173-430-040 | AMD | 90-19-062 | 173-490-080 | AMD-P | 90-05-052 | 174-126-010 | REP | 90-04-011 |
| 173-430-050 | AMD-P | 90-06-102 | 173-490-080 | AMD-S | 90-17-126 | 174-126-020 | REP | 90-04-011 |
| 173-430-050 | AMD | 90-19-062 | 173-490-090 | AMD-P | 90-05-052 | 174-126-030 | REP | 90-04-011 |
| 173-430-060 | AMD-P | 90-06-102 | 173-490-090 | AMD-S | 90-17-126 | 174-128-010 | REP | 90-04-011 |
| 173-430-060 | AMD | 90-19-062 | 173-490-120 | REP-P | 90-05-052 | 174-128-020 | REP | 90-04-011 |
| 173-430-070 | AMD-P | 90-06-102 | 173-490-120 | REP-S | 90-17-126 | 174-128-030 | REP | 90-04-011 |
| 173-430-070 | AMD | 90-19-062 | 173-490-130 | REP-P | 90-05-052 | 174-128-040 | REP | 90-04-011 |
| 173-430-080 | AMD-P | 90-06-102 | 173-490-130 | REP-S | 90-17-126 | 174-128-042 | REP | 90-04-011 |
| 173-430-080 | AMD | 90-19-062 | 173-490-135 | REP-P | 90-05-052 | 174-128-044 | REP | 90-04-011 |
| 173-433 | PREP | 90-16-033 | 173-490-135 | REP-S | 90-17-126 | 174-128-046 | REP | 90-04-011 |
| 173-433-030 | AMD-P | 90-06-102 | 173-490-140 | REP-P | 90-05-052 | 174-128-050 | REP | 90-04-011 |
| 173-433-030 | AMD | 90-19-062 | 173-490-140 | REP-S | 90-17-126 | 174-128-060 | REP | 90-04-011 |
| 173-433-100 | AMD-P | 90-06-102 | 173-490-150 | REP-P | 90-05-052 | 174-128-062 | REP | 90-04-011 |
| 173-433-100 | AMD | 90-19-062 | 173-490-150 | REP-S | 90-17-126 | 174-128-064 | REP | 90-04-011 |
| 173-433-110 | AMD-P | 90-06-102 | 173-490-200 | AMD-P | 90-05-052 | 174-128-066 | REP | 90-04-011 |
| 173-433-110 | AMD | 90-19-062 | 173-490-200 | AMD-S | 90-17-126 | 174-128-070 | REP | 90-04-011 |
| 173-433-120 | AMD-P | 90-06-102 | 173-490-201 | AMD-P | 90-05-052 | 174-128-080 | REP | 90-04-011 |
| 173-433-120 | AMD | 90-19-062 | 173-490-201 | AMD-S | 90-17-126 | 174-128-090 | REP | 90-04-011 |
| 173-433-130 | AMD-P | 90-06-102 | 173-490-202 | AMD-P | 90-05-052 | 174-128-990 | REP | 90-04-011 |
| 173-433-130 | AMD | 90-19-062 | 173-490-202 | AMD-S | 90-17-126 | 174-130-010 | NEW | 90-04-011 |
| 173-433-150 | AMD-P | 90-06-102 | 173-490-203 | AMD-P | 90-05-052 | 174-130-020 | NEW | 90-04-011 |
| 173-433-150 | AMD | 90-19-062 | 173-490-203 | AMD-S | 90-17-126 | 174-131-010 | NEW | 90-04-011 |
| 173-433-170 | AMD-P | 90-06-102 | 173-490-204 | AMD-P | 90-05-052 | 174-132 | AMD | 90-04-011 |
| 173-433-170 | AMD-E | 90-14-040 | 173-490-204 | AMD-S | 90-17-126 | 174-132-010 | AMD | 90-04-011 |
| 173-433-170 | AMD-W | 90-19-063 | 173-490-205 | AMD-P | 90-05-052 | 174-132-020 | REP | 90-04-011 |
| 173-433-200 | AMD-P | 90-06-102 | 173-490-205 | AMD-S | 90-17-126 | 174-132-030 | REP | 90-04-011 |
| 173-433-200 | AMD | 90-19-062 | 173-490-207 | AMD-P | 90-05-052 | 174-132-040 | REP | 90-04-011 |
| 173-434-010 | AMD-P | 90-06-102 | 173-490-207 | AMD-S | 90-17-126 | 174-132-050 | REP | 90-04-011 |
| 173-434-010 | AMD | 90-19-062 | 173-490-208 | AMD-P | 90-05-052 | 174-132-060 | REP | 90-04-011 |
| 173-434-020 | AMD-P | 90-06-102 | 173-490-208 | AMD-S | 90-17-126 | 174-132-070 | REP | 90-04-011 |
| 173-434-020 | AMD | 90-19-062 | 173-495-010 | AMD-P | 90-06-102 | 174-132-080 | REP | 90-04-011 |
| 173-434-030 | AMD-P | 90-06-102 | 173-495-010 | AMD | 90-19-062 | 174-132-090 | REP | 90-04-011 |
| 173-434-030 | AMD | 90-19-062 | 173-495-020 | AMD-P | 90-06-102 | 174-132-100 | REP | 90-04-011 |
| 173-434-050 | AMD-P | 90-06-102 | 173-495-020 | AMD | 90-19-062 | 174-132-110 | REP | 90-04-011 |
| 173-434-050 | AMD | 90-19-062 | 173-495-030 | AMD-P | 90-06-102 | 174-132-120 | REP | 90-04-011 |
| 173-434-070 | NEW-P | 90-06-102 | 173-495-030 | AMD | 90-19-062 | 174-133-010 | NEW | 90-04-011 |
| 173-434-070 | NEW | 90-19-062 | 173-495-040 | AMD-P | 90-06-102 | 174-133-020 | NEW | 90-04-011 |
| 173-434-090 | NEW-P | 90-06-102 | 173-495-040 | AMD | 90-19-062 | 174-135-010 | NEW | 90-04-011 |
| 173-434-090 | NEW | 90-19-062 | 173-495-045 | AMD-P | 90-06-102 | 174-136-010 | REP | 90-04-011 |
| 173-434-100 | AMD-P | 90-06-102 | 173-495-045 | AMD | 90-19-062 | 174-136-011 | REP | 90-04-011 |
| 173-434-100 | AMD | 90-19-062 | 173-495-050 | AMD-P | 90-06-102 | 174-136-012 | REP | 90-04-011 |
| 173-434-110 | AMD-P | 90-06-102 | 173-495-050 | AMD | 90-19-062 | 174-136-013 | REP | 90-04-011 |
| 173-434-110 | AMD | 90-19-062 | 173-495-060 | AMD-P | 90-06-102 | 174-136-014 | REP | 90-04-011 |
| 173-434-120 | AMD-P | 90-06-102 | 173-495-060 | AMD | 90-19-062 | 174-136-015 | REP | 90-04-011 |
| 173-434-120 | AMD | 90-19-062 | 173-495-065 | AMD-P | 90-06-102 | 174-136-016 | REP | 90-04-011 |
| 173-434-130 | AMD-P | 90-06-102 | 173-495-065 | AMD | 90-19-062 | 174-136-017 | REP | 90-04-011 |
| 173-434-130 | AMD | 90-19-062 | 173-495-070 | AMD-P | 90-06-102 | 174-136-018 | REP | 90-04-011 |
| 173-434-160 | AMD-P | 90-06-102 | 173-495-070 | AMD | 90-19-062 | 174-136-019 | REP | 90-04-011 |
| 173-434-160 | AMD | 90-19-062 | 173-495-080 | AMD-P | 90-06-102 | 174-136-019 | REP | 90-04-011 |
| 173-434-170 | AMD-P | 90-06-102 | 173-495-080 | AMD | 90-19-062 | 174-136-02001 | REP | 90-04-011 |
| 173-434-170 | AMD | 90-19-062 | 173-495-100 | AMD-P | 90-06-102 | 174-136-021 | REP | 90-04-011 |
| 173-434-190 | AMD-P | 90-06-102 | 173-495-100 | AMD | 90-19-062 | 174-136-022 | REP | 90-04-011 |
| 173-434-190 | AMD | 90-19-062 | 173-495-120 | AMD-P | 90-06-102 | 174-136-040 | REP-W | 90-11-067 |
| 173-434-200 | AMD-P | 90-06-102 | 173-495-120 | AMD | 90-19-062 | 174-136-042 | REP-W | 90-11-067 |
| 173-434-200 | AMD | 90-19-062 | 173-802-050 | AMD | 90-19-062 | 174-136-060 | REP | 90-04-011 |
| 173-434-210 | AMD-P | 90-06-102 | 174-108 | RE-AD | 90-06-014 | 174-136-080 | REP | 90-04-011 |
| 173-434-210 | AMD | 90-19-062 | 174-108-170 | AMD | 90-04-011 | 174-136-090 | REP | 90-04-011 |
| 173-440-010 | AMD-P | 90-06-102 | 174-108-180 | REP | 90-04-011 | 174-136-100 | REP | 90-04-011 |
| 173-440-010 | AMD | 90-19-062 | 174-108-190 | REP | 90-04-011 | 174-136-110 | REP | 90-04-011 |
| 173-440-030 | AMD-P | 90-06-102 | 174-108-200 | REP | 90-04-011 | 174-136-120 | REP | 90-04-011 |
| 173-440-030 | AMD | 90-19-062 | 174-108-210 | REP | 90-04-011 | 174-136-130 | REP | 90-04-011 |
| 173-440-100 | AMD-P | 90-06-102 | 174-108-220 | REP | 90-04-011 | 174-136-140 | REP | 90-04-011 |
| 173-440-100 | AMD | 90-19-062 | 174-108-230 | REP | 90-04-011 | 174-136-160 | REP | 90-04-011 |
| 173-440-100 | AMD | 90-19-062 | 174-108-240 | REP | 90-04-011 | 174-136-170 | REP | 90-04-011 |
| 173-490-010 | AMD-P | 90-05-052 | 174-108-250 | REP | 90-04-011 | 174-136-210 | REP | 90-04-011 |
| 173-490-010 | AMD-S | 90-17-126 | 174-108-250 | REP | 90-04-011 | 174-136-220 | REP | 90-04-011 |
| 173-490-020 | AMD-P | 90-05-052 | 174-108-260 | REP | 90-04-011 | 174-136-230 | REP | 90-04-011 |
| 173-490-020 | AMD-S | 90-17-126 | 174-108-900 | REP | 90-04-011 | 174-136-240 | REP | 90-04-011 |

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| 174-136-300 | REP | 90-04-011 | 180-16-223 | AMD-P | 90-13-083 | 180-27-025 | AMD-P | 90-13-083 |
| 174-136-310 | REP | 90-04-011 | 180-16-223 | AMD | 90-17-009 | 180-27-025 | AMD | 90-17-009 |
| 174-136-320 | REP | 90-04-011 | 180-16-240 | AMD-P | 90-13-083 | 180-27-030 | AMD-P | 90-13-083 |
| 174-136-330 | REP | 90-04-011 | 180-16-240 | AMD | 90-17-009 | 180-27-030 | AMD | 90-17-009 |
| 174-157-600 | REP | 90-04-011 | 180-20-100 | AMD-P | 90-13-083 | 180-27-050 | AMD | 90-04-031 |
| 174-157-610 | REP | 90-04-011 | 180-20-100 | AMD | 90-17-009 | 180-27-058 | AMD | 90-04-031 |
| 174-157-620 | REP | 90-04-011 | 180-20-105 | AMD-P | 90-13-083 | 180-27-115 | AMD-P | 90-13-083 |
| 174-157-990 | REP | 90-04-011 | 180-20-105 | AMD | 90-17-009 | 180-27-115 | AMD | 90-17-009 |
| 174-160-010 | REP | 90-04-011 | 180-20-106 | AMD-P | 90-13-083 | 180-27-405 | AMD-P | 90-13-083 |
| 174-160-020 | REP | 90-04-011 | 180-20-106 | AMD | 90-17-009 | 180-27-405 | AMD | 90-17-009 |
| 174-160-030 | REP | 90-04-011 | 180-20-200 | AMD-P | 90-13-083 | 180-27-415 | AMD-P | 90-13-083 |
| 174-160-040 | REP | 90-04-011 | 180-20-200 | AMD | 90-17-009 | 180-27-415 | AMD | 90-17-009 |
| 174-162-010 | REP | 90-04-011 | 180-22-100 | AMD-P | 90-13-083 | 180-27-425 | NEW | 90-04-031 |
| 174-162-015 | REP | 90-04-011 | 180-22-100 | AMD | 90-17-009 | 180-29-005 | AMD-P | 90-13-083 |
| 174-162-020 | REP | 90-04-011 | 180-23-037 | AMD-P | 90-13-083 | 180-29-005 | AMD | 90-17-009 |
| 174-162-025 | REP | 90-04-011 | 180-23-037 | AMD | 90-17-009 | 180-29-080 | AMD-P | 90-13-083 |
| 174-162-030 | REP | 90-04-011 | 180-23-043 | AMD-P | 90-13-083 | 180-29-080 | AMD | 90-17-009 |
| 174-162-035 | REP | 90-04-011 | 180-23-043 | AMD | 90-17-009 | 180-29-105 | AMD-P | 90-13-083 |
| 174-162-040 | REP | 90-04-011 | 180-23-065 | AMD-P | 90-13-083 | 180-29-105 | AMD | 90-17-009 |
| 174-162-045 | REP | 90-04-011 | 180-23-065 | AMD | 90-17-009 | 180-29-110 | AMD-P | 90-13-083 |
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| 174-168-010 | NEW-P | 90-04-028 | 180-23-077 | AMD | 90-17-009 | 180-29-300 | REP | 90-04-032 |
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| 174-168-020 | NEW-W | 90-03-037 | 180-23-120 | AMD-P | 90-13-083 | 180-30-105 | AMD-P | 90-13-083 |
| 174-168-020 | NEW-P | 90-04-028 | 180-23-120 | AMD | 90-17-009 | 180-30-105 | AMD | 90-17-009 |
| 174-168-020 | NEW-C | 90-10-001 | 180-24-003 | AMD-P | 90-13-083 | 180-30-220 | AMD-P | 90-13-083 |
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| 174-168-030 | NEW-C | 90-10-001 | 180-24-007 | AMD | 90-17-009 | 180-30-450 | AMD | 90-17-009 |
| 174-168-030 | NEW | 90-13-028 | 180-24-008 | AMD-P | 90-13-083 | 180-30-460 | AMD-P | 90-13-083 |
| 174-168-040 | NEW-P | 90-04-028 | 180-24-008 | AMD | 90-17-009 | 180-30-460 | AMD | 90-17-009 |
| 174-168-040 | NEW-C | 90-10-001 | 180-24-013 | AMD-P | 90-13-083 | 180-30-495 | AMD-P | 90-13-083 |
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| 174-168-050 | NEW-P | 90-04-028 | 180-24-021 | AMD-P | 90-13-083 | 180-30-725 | AMD-P | 90-13-083 |
| 174-168-050 | NEW-C | 90-10-001 | 180-24-021 | AMD | 90-17-009 | 180-30-725 | AMD | 90-17-009 |
| 174-168-050 | NEW | 90-13-028 | 180-24-080 | AMD-P | 90-13-083 | 180-31-005 | AMD-P | 90-13-083 |
| 174-168-060 | NEW-P | 90-04-028 | 180-24-080 | AMD | 90-17-009 | 180-31-005 | AMD | 90-17-009 |
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| 174-168-060 | NEW | 90-13-028 | 180-24-115 | AMD | 90-17-009 | 180-32-005 | AMD | 90-17-009 |
| 174-168-070 | NEW-P | 90-04-028 | 180-24-120 | AMD-P | 90-13-083 | 180-33-005 | AMD-P | 90-13-083 |
| 174-168-070 | NEW-C | 90-10-001 | 180-24-120 | AMD | 90-17-009 | 180-33-005 | AMD | 90-17-009 |
| 174-168-070 | NEW | 90-13-028 | 180-24-125 | AMD-P | 90-13-083 | 180-33-020 | AMD-P | 90-13-083 |
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| 174-168-080 | NEW-C | 90-10-001 | 180-24-130 | AMD-P | 90-13-083 | 180-33-030 | AMD-P | 90-13-083 |
| 174-168-080 | NEW | 90-13-028 | 180-24-130 | AMD | 90-17-009 | 180-33-030 | AMD | 90-17-009 |
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| 174-276-040 | NEW | 90-04-011 | 180-24-200 | AMD | 90-17-009 | 180-34-010 | AMD | 90-17-009 |
| 174-276-050 | NEW | 90-04-011 | 180-24-205 | AMD-P | 90-13-083 | 180-36-005 | AMD-P | 90-13-083 |
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| 174-276-070 | NEW | 90-04-011 | 180-24-305 | AMD-P | 90-13-083 | 180-38-005 | AMD-P | 90-13-083 |
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| 174-276-090 | NEW | 90-04-011 | 180-24-312 | AMD-P | 90-13-083 | 180-38-025 | AMD-P | 90-13-083 |
| 174-276-100 | NEW | 90-04-011 | 180-24-312 | AMD | 90-17-009 | 180-38-025 | AMD | 90-17-009 |
| 174-276-110 | NEW | 90-04-011 | 180-24-320 | AMD-P | 90-13-083 | 180-38-030 | AMD-P | 90-13-083 |
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| 174-280-015 | NEW | 90-04-011 | 180-24-330 | AMD | 90-17-009 | 180-38-040 | AMD | 90-17-009 |
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| 174-280-025 | NEW | 90-04-011 | 180-24-335 | AMD | 90-17-009 | 180-38-045 | AMD | 90-17-009 |
| 174-280-030 | NEW | 90-04-011 | 180-24-350 | AMD-P | 90-13-083 | 180-38-050 | AMD-P | 90-13-083 |
| 174-280-035 | NEW | 90-04-011 | 180-25-005 | AMD-P | 90-13-083 | 180-38-050 | AMD | 90-17-009 |
| 174-280-040 | NEW | 90-04-011 | 180-25-005 | AMD | 90-17-009 | 180-39-005 | AMD-P | 90-13-083 |
| 174-280-045 | NEW | 90-04-011 | 180-25-015 | AMD-P | 90-13-083 | 180-39-005 | AMD | 90-17-009 |
| 174-400-010 | NEW | 90-05-031 | 180-25-015 | AMD | 90-17-009 | 180-39-020 | AMD-P | 90-13-083 |
| 180-10-003 | AMD-P | 90-13-083 | 180-25-025 | AMD | 90-04-031 | 180-39-020 | AMD | 90-17-009 |
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| 180-16-006 | AMD-P | 90-13-083 | 180-27-005 | AMD-P | 90-13-083 | 180-40-210 | AMD | 90-17-009 |
| 180-16-006 | AMD | 90-17-009 | 180-27-005 | AMD | 90-17-009 | 180-40-225 | AMD-P | 90-13-083 |
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| 180-16-164 | AMD | 90-17-009 | 180-27-015 | AMD | 90-17-009 | 180-40-235 | AMD-P | 90-13-082 |
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| 180-40-245 | AMD | 90-17-009 | 180-75-020 | REP | 90-02-073 | 180-79-230 | AMD-P | 90-08-114 |
| 180-40-260 | AMD-P | 90-13-083 | 180-75-025 | REP | 90-02-073 | 180-79-230 | AMD-E | 90-09-027 |
| 180-40-260 | AMD | 90-17-009 | 180-75-026 | REP | 90-02-073 | 180-79-230 | AMD | 90-12-075 |
| 180-40-275 | AMD-P | 90-13-083 | 180-75-027 | REP | 90-02-073 | 180-79-245 | AMD-P | 90-08-114 |
| 180-40-275 | AMD | 90-17-009 | 180-75-030 | REP | 90-02-073 | 180-79-245 | AMD | 90-12-075 |
| 180-41-010 | AMD-P | 90-13-083 | 180-75-033 | REP | 90-02-073 | 180-79-362 | AMD-P | 90-08-114 |
| 180-41-010 | AMD | 90-17-009 | 180-75-034 | REP | 90-02-073 | 180-79-362 | AMD | 90-12-075 |
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| 180-43-005 | AMD | 90-17-009 | 180-75-037 | REP | 90-02-073 | 180-79-364 | AMD | 90-12-075 |
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| 180-43-010 | AMD | 90-17-009 | 180-75-039 | REP | 90-02-073 | 180-81-003 | AMD | 90-17-009 |
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| 180-43-015 | AMD | 90-17-009 | 180-75-042 | REP | 90-02-073 | 180-85-045 | AMD | 90-12-076 |
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| 180-44-005 | AMD | 90-17-009 | 180-75-044 | REP | 90-02-073 | 180-85-080 | REP | 90-12-076 |
| 180-46-005 | AMD-P | 90-13-083 | 180-75-045 | AMD | 90-02-073 | 180-85-083 | REP-P | 90-08-115 |
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| 180-50-100 | AMD-P | 90-13-083 | 180-75-061 | AMD | 90-12-121 | 180-85-085 | AMD-P | 90-08-115 |
| 180-50-100 | AMD | 90-17-009 | 180-75-065 | AMD-P | 90-08-112 | 180-85-085 | AMD | 90-12-076 |
| 180-50-105 | AMD-P | 90-13-083 | 180-75-065 | AMD-P | 90-13-083 | 180-85-100 | AMD-P | 90-08-115 |
| 180-50-105 | AMD | 90-17-009 | 180-75-065 | AMD | 90-17-009 | 180-85-100 | AMD | 90-12-076 |
| 180-50-115 | AMD-P | 90-13-083 | 180-75-081 | AMD | 90-02-073 | 180-85-105 | AMD-P | 90-08-115 |
| 180-50-115 | AMD | 90-17-009 | 180-75-084 | REP | 90-02-073 | 180-85-105 | AMD | 90-12-076 |
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| 180-50-120 | AMD | 90-17-009 | 180-75-085 | AMD | 90-17-009 | 180-85-106 | NEW | 90-12-076 |
| 180-50-125 | AMD-P | 90-13-083 | 180-75-086 | REP | 90-02-073 | 180-85-107 | NEW-P | 90-08-115 |
| 180-50-125 | AMD | 90-17-009 | 180-75-087 | AMD-P | 90-13-083 | 180-85-107 | NEW | 90-12-076 |
| 180-50-130 | AMD-P | 90-13-083 | 180-75-087 | AMD | 90-17-009 | 180-85-108 | NEW-P | 90-08-115 |
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| 180-50-135 | AMD | 90-17-009 | 180-75-100 | AMD-P | 90-13-083 | 180-85-109 | NEW | 90-12-076 |
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| 180-51-075 | AMD | 90-17-009 | 180-78-003 | AMD | 90-17-009 | 180-85-115 | AMD | 90-12-076 |
| 180-51-080 | AMD-P | 90-13-083 | 180-78-010 | AMD-P | 90-13-083 | 180-85-202 | REP-P | 90-08-115 |
| 180-51-080 | AMD | 90-17-009 | 180-78-010 | AMD | 90-17-009 | 180-85-202 | REP | 90-12-076 |
| 180-51-085 | AMD-P | 90-13-083 | 180-78-057 | AMD-P | 90-08-113 | 180-85-205 | AMD-P | 90-08-115 |
| 180-51-085 | AMD | 90-17-009 | 180-78-057 | AMD | 90-12-073 | 180-85-205 | AMD | 90-12-076 |
| 180-51-100 | AMD-P | 90-13-083 | 180-78-130 | AMD-P | 90-13-083 | 180-86-003 | NEW | 90-02-076 |
| 180-51-100 | AMD | 90-17-009 | 180-78-130 | AMD | 90-17-009 | 180-86-005 | NEW | 90-02-076 |
| 180-51-105 | AMD-P | 90-13-083 | 180-78-191 | AMD | 90-02-074 | 180-86-010 | NEW | 90-02-076 |
| 180-51-105 | AMD | 90-17-009 | 180-78-191 | AMD | 90-02-104 | 180-86-012 | NEW | 90-02-076 |
| 180-51-115 | AMD-P | 90-13-083 | 180-78-192 | REP | 90-02-074 | 180-86-015 | NEW | 90-02-076 |
| 180-51-115 | AMD | 90-17-009 | 180-78-192 | REP | 90-02-104 | 180-86-020 | NEW | 90-02-076 |
| 180-52-015 | AMD-P | 90-13-083 | 180-78-193 | REP | 90-02-074 | 180-86-030 | NEW | 90-02-076 |
| 180-52-015 | AMD | 90-17-009 | 180-78-193 | REP | 90-02-104 | 180-86-035 | NEW | 90-02-076 |
| 180-53-005 | AMD-P | 90-13-083 | 180-78-194 | REP | 90-02-074 | 180-86-040 | NEW | 90-02-076 |
| 180-53-005 | AMD | 90-17-009 | 180-78-194 | REP | 90-02-104 | 180-86-050 | NEW | 90-02-076 |
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| 180-55-005 | AMD | 90-17-009 | 180-78-195 | REP | 90-02-104 | 180-86-065 | NEW | 90-02-076 |
| 180-55-015 | AMD-P | 90-13-083 | 180-78-197 | REP | 90-02-074 | 180-86-070 | NEW | 90-02-076 |
| 180-55-015 | AMD | 90-17-009 | 180-78-197 | REP | 90-02-104 | 180-86-075 | NEW | 90-02-076 |
| 180-56-205 | AMD-P | 90-13-083 | 180-78-197 | REP | 90-02-104 | 180-86-085 | NEW | 90-02-076 |
| 180-56-205 | AMD | 90-17-009 | 180-78-198 | REP | 90-02-074 | 180-86-090 | NEW | 90-02-076 |
| 180-56-260 | AMD-P | 90-13-083 | 180-78-198 | REP | 90-02-104 | 180-86-095 | NEW | 90-02-076 |
| 180-56-260 | AMD | 90-17-009 | 180-78-199 | REP | 90-02-074 | 180-86-097 | NEW | 90-02-076 |
| 180-57-005 | AMD-P | 90-13-083 | 180-78-199 | REP | 90-02-104 | 180-86-100 | NEW | 90-02-076 |
| 180-57-005 | AMD | 90-17-009 | 180-78-225 | AMD-P | 90-13-083 | 180-86-105 | NEW | 90-02-076 |
| 180-57-100 | AMD-P | 90-13-083 | 180-78-225 | AMD | 90-17-009 | 180-86-110 | NEW | 90-02-076 |
| 180-57-100 | AMD | 90-17-009 | 180-79-045 | AMD-P | 90-08-114 | 180-86-110 | NEW | 90-02-076 |
| 180-58-015 | AMD-P | 90-13-083 | 180-79-045 | AMD | 90-12-075 | 180-86-115 | NEW | 90-02-076 |
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| 180-59-005 | AMD | 90-17-009 | 180-79-065 | AMD-P | 90-08-114 | 180-86-130 | NEW | 90-02-076 |
| 180-59-035 | AMD-P | 90-13-083 | 180-79-065 | AMD | 90-12-075 | 180-86-135 | NEW | 90-02-076 |
| 180-59-035 | AMD | 90-17-009 | 180-79-075 | AMD-P | 90-08-114 | 180-86-140 | NEW | 90-02-076 |
| 180-59-145 | AMD-P | 90-13-083 | 180-79-075 | AMD | 90-12-075 | 180-86-145 | NEW | 90-02-076 |
| 180-59-145 | AMD | 90-17-009 | 180-79-080 | AMD-P | 90-08-114 | 180-86-150 | NEW | 90-02-076 |
| 180-72-045 | AMD-P | 90-13-083 | 180-79-080 | AMD | 90-12-075 | 180-86-155 | NEW | 90-02-076 |
| 180-72-045 | AMD | 90-17-009 | 180-79-115 | AMD-P | 90-17-071 | 180-86-160 | NEW | 90-02-076 |
| 180-75-003 | AMD-P | 90-13-083 | 180-79-116 | REP-P | 90-17-071 | 180-86-165 | NEW | 90-02-076 |
| 180-75-003 | AMD | 90-17-009 | 180-79-117 | AMD-P | 90-17-071 | 180-86-170 | NEW | 90-02-076 |
| 180-75-005 | AMD | 90-02-073 | 180-79-122 | AMD-P | 90-17-071 | 180-86-175 | NEW | 90-02-076 |
| 180-75-018 | REP | 90-02-073 | 180-79-127 | AMD-P | 90-17-071 | 180-86-180 | NEW | 90-02-076 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|------------|-------|-----------|---------------|-------|-----------|
| 180-86-185 | NEW | 90-02-076 | 196-24-090 | AMD | 90-05-071 | 204-74-070 | REP-P | 90-13-062 |
| 180-86-200 | NEW | 90-02-076 | 196-24-092 | NEW | 90-05-071 | 204-74-070 | REP | 90-18-046 |
| 180-87-001 | NEW | 90-02-075 | 196-24-095 | AMD-P | 90-15-046 | 204-74-080 | REP-P | 90-13-062 |
| 180-87-003 | NEW | 90-02-075 | 196-24-110 | AMD-P | 90-15-046 | 204-74-080 | REP | 90-18-046 |
| 180-87-005 | NEW | 90-02-075 | 196-26-020 | AMD | 90-03-028 | 204-74A-010 | NEW-P | 90-13-062 |
| 180-87-010 | NEW | 90-02-075 | 196-26-020 | AMD-E | 90-04-010 | 204-74A-010 | NEW | 90-18-047 |
| 180-87-015 | NEW | 90-02-075 | 196-26-030 | NEW-E | 90-17-014 | 204-74A-020 | NEW-P | 90-13-062 |
| 180-87-020 | NEW | 90-02-075 | 196-26-030 | NEW-P | 90-17-107 | 204-74A-020 | NEW | 90-18-047 |
| 180-87-025 | NEW | 90-02-075 | 196-27-020 | AMD | 90-05-071 | 204-74A-030 | NEW-P | 90-13-062 |
| 180-87-030 | NEW | 90-02-075 | 204-30-010 | NEW-P | 90-10-076 | 204-74A-030 | NEW | 90-18-047 |
| 180-87-035 | NEW | 90-02-075 | 204-30-010 | NEW | 90-13-060 | 204-74A-040 | NEW-P | 90-13-062 |
| 180-87-040 | NEW | 90-02-075 | 204-30-020 | NEW-P | 90-10-076 | 204-74A-040 | NEW | 90-18-047 |
| 180-87-045 | NEW | 90-02-075 | 204-30-020 | NEW | 90-13-060 | 204-74A-050 | NEW-P | 90-13-062 |
| 180-87-050 | NEW | 90-02-075 | 204-30-030 | NEW-P | 90-10-076 | 204-74A-050 | NEW | 90-18-047 |
| 180-87-055 | NEW | 90-02-075 | 204-30-030 | NEW | 90-13-060 | 204-74A-060 | NEW-P | 90-13-062 |
| 180-87-060 | NEW | 90-02-075 | 204-30-040 | NEW-P | 90-10-076 | 204-74A-060 | NEW | 90-18-047 |
| 180-87-065 | NEW | 90-02-075 | 204-30-040 | NEW | 90-13-060 | 204-82A-020 | AMD-P | 90-13-063 |
| 180-87-070 | NEW | 90-02-075 | 204-30-050 | NEW-P | 90-10-076 | 204-82A-020 | AMD | 90-18-048 |
| 180-87-080 | NEW | 90-02-075 | 204-30-050 | NEW | 90-13-060 | 204-82A-040 | AMD-P | 90-13-063 |
| 180-87-085 | NEW | 90-02-075 | 204-30-060 | NEW-P | 90-10-076 | 204-82A-040 | AMD | 90-18-048 |
| 180-87-090 | NEW | 90-02-075 | 204-30-060 | NEW | 90-13-060 | 204-82A-050 | AMD-P | 90-13-063 |
| 180-87-095 | NEW | 90-02-075 | 204-30-070 | NEW-P | 90-10-076 | 204-82A-050 | AMD | 90-18-048 |
| 180-90-105 | AMD-P | 90-13-083 | 204-30-070 | NEW | 90-13-060 | 204-82A-070 | NEW-P | 90-13-063 |
| 180-90-105 | AMD | 90-17-009 | 204-30-080 | NEW-P | 90-10-076 | 204-82A-070 | NEW | 90-18-048 |
| 180-90-125 | AMD-P | 90-13-083 | 204-30-080 | NEW | 90-13-060 | 204-88-030 | AMD | 90-06-056 |
| 180-90-125 | AMD | 90-17-009 | 204-36-030 | AMD-P | 90-04-023 | 204-93-010 | AMD-P | 90-13-063 |
| 180-90-150 | AMD-P | 90-13-083 | 204-36-030 | AMD | 90-07-034 | 204-93-010 | AMD | 90-18-049 |
| 180-90-150 | AMD | 90-17-009 | 204-36-040 | AMD-P | 90-04-023 | 204-93-020 | AMD-P | 90-13-063 |
| 180-90-160 | AMD-P | 90-13-083 | 204-36-040 | AMD | 90-07-034 | 204-93-020 | AMD | 90-18-049 |
| 180-90-160 | AMD | 90-17-009 | 204-36-050 | AMD-P | 90-04-023 | 204-93-030 | AMD-P | 90-13-063 |
| 180-95-005 | AMD-P | 90-13-083 | 204-36-050 | AMD | 90-07-034 | 204-93-030 | AMD | 90-18-049 |
| 180-95-005 | AMD | 90-17-009 | 204-36-060 | AMD-P | 90-04-023 | 204-93-040 | AMD-P | 90-13-063 |
| 180-95-010 | AMD-P | 90-13-083 | 204-36-060 | AMD | 90-07-034 | 204-93-040 | AMD | 90-18-049 |
| 180-95-010 | AMD | 90-17-009 | 204-44-010 | AMD | 90-06-055 | 204-93-050 | AMD-P | 90-13-063 |
| 180-96-005 | AMD-P | 90-13-083 | 204-44-030 | AMD | 90-06-055 | 204-93-050 | AMD | 90-18-049 |
| 180-96-005 | AMD | 90-17-009 | 204-48-020 | AMD-P | 90-08-023 | 204-93-060 | AMD-P | 90-13-063 |
| 180-96-050 | AMD-P | 90-13-083 | 204-48-020 | AMD- | 90-11-021 | 204-93-060 | AMD | 90-18-049 |
| 180-96-050 | AMD | 90-17-009 | 204-68-010 | REP-P | 90-13-061 | 204-93-070 | AMD-P | 90-13-063 |
| 180-96-050 | AMD | 90-13-083 | 204-68-010 | REP | 90-18-045 | 204-93-070 | AMD | 90-18-049 |
| 180-110-010 | AMD-P | 90-13-083 | 204-68-020 | REP-P | 90-13-061 | 204-93-080 | AMD-P | 90-13-063 |
| 180-110-010 | AMD | 90-17-009 | 204-68-020 | REP | 90-18-045 | 204-93-080 | AMD | 90-18-049 |
| 180-115-005 | AMD-P | 90-13-083 | 204-68-020 | REP | 90-18-045 | 204-93-090 | AMD-P | 90-13-063 |
| 180-115-005 | AMD | 90-17-009 | 204-68-030 | REP | 90-18-045 | 204-93-090 | AMD | 90-18-049 |
| 182-12-115 | AMD-P | 90-04-087 | 204-68-030 | REP | 90-18-045 | 204-93-100 | AMD-P | 90-13-063 |
| 182-12-115 | AMD | 90-12-037 | 204-68-040 | REP-P | 90-13-061 | 204-93-100 | AMD | 90-18-049 |
| 192-12-050 | AMD | 90-08-028 | 204-68-040 | REP | 90-18-045 | 204-93-110 | AMD-P | 90-13-063 |
| 192-12-350 | NEW | 90-08-028 | 204-68-050 | REP-P | 90-13-061 | 204-93-110 | AMD | 90-18-049 |
| 192-12-355 | NEW | 90-08-028 | 204-68-050 | REP | 90-18-045 | 204-93-110 | AMD | 90-18-049 |
| 192-12-360 | NEW | 90-08-028 | 204-68-060 | REP-P | 90-13-061 | 204-93-150 | AMD-P | 90-13-063 |
| 192-12-365 | NEW | 90-08-028 | 204-68-060 | REP | 90-18-045 | 204-93-150 | AMD | 90-18-049 |
| 192-16-004 | NEW-E | 90-09-057 | 204-68-070 | REP-P | 90-13-061 | 204-990 | REP-P | 90-08-024 |
| 192-16-004 | NEW-P | 90-11-120 | 204-68-070 | REP | 90-18-045 | 204-990 | REP | 90-11-022 |
| 192-16-004 | NEW | 90-17-104 | 204-68-080 | REP-P | 90-13-061 | 212-12-010 | AMD-P | 90-20-061 |
| 192-16-250 | NEW-W | 90-14-094 | 204-68-080 | REP | 90-18-045 | 212-17-300 | AMD-P | 90-04-097 |
| 192-16-300 | NEW-W | 90-14-094 | 204-68-090 | REP-P | 90-13-061 | 212-17-300 | AMD | 90-10-006 |
| 192-16-305 | NEW-W | 90-14-094 | 204-68-090 | REP | 90-18-045 | 212-17-305 | AMD-P | 90-04-097 |
| 192-16-310 | NEW-W | 90-14-094 | 204-68-100 | REP-P | 90-13-061 | 212-17-305 | AMD | 90-10-006 |
| 192-16-315 | NEW-W | 90-14-094 | 204-68-100 | REP | 90-18-045 | 212-17-310 | AMD-P | 90-04-097 |
| 192-16-320 | NEW-W | 90-14-094 | 204-68-110 | REP-P | 90-13-061 | 212-17-310 | AMD | 90-10-006 |
| 192-16-325 | NEW-W | 90-14-094 | 204-68-110 | REP | 90-18-045 | 212-17-315 | AMD-P | 90-04-097 |
| 192-16-330 | NEW-W | 90-14-094 | 204-68-120 | REP-P | 90-13-061 | 212-17-315 | AMD | 90-10-006 |
| 192-16-335 | NEW-W | 90-14-094 | 204-68-120 | REP | 90-18-045 | 212-17-317 | NEW-P | 90-04-097 |
| 192-16-340 | NEW-W | 90-14-094 | 204-68-130 | REP-P | 90-13-061 | 212-17-317 | NEW | 90-10-006 |
| 192-16-345 | NEW-W | 90-14-094 | 204-68-130 | REP | 90-18-045 | 212-17-325 | AMD-P | 90-04-097 |
| 192-28-115 | AMD-P | 90-11-119 | 204-68-140 | REP-P | 90-13-061 | 212-17-325 | AMD | 90-10-006 |
| 192-28-115 | AMD | 90-17-103 | 204-68-140 | REP | 90-18-045 | 212-17-330 | AMD-P | 90-04-097 |
| 192-28-122 | NEW-P | 90-11-121 | 204-74-010 | REP-P | 90-13-062 | 212-17-330 | AMD | 90-10-006 |
| 192-28-122 | NEW | 90-17-105 | 204-74-010 | REP | 90-18-046 | 212-17-335 | AMD-P | 90-04-097 |
| 192-28-130 | AMD-P | 90-11-119 | 204-74-020 | REP-P | 90-13-062 | 212-17-335 | AMD | 90-10-006 |
| 192-28-130 | AMD | 90-17-103 | 204-74-020 | REP | 90-18-046 | 220-12-01000B | NEW-E | 90-06-058 |
| 192-28-145 | NEW-P | 90-11-121 | 204-74-030 | REP-P | 90-13-062 | 220-12-02000A | NEW-E | 90-15-040 |
| 192-28-145 | NEW | 90-17-105 | 204-74-030 | REP | 90-18-046 | 220-16 | AMD-C | 90-06-025 |
| 192-28-150 | NEW-P | 90-11-121 | 204-74-040 | REP-P | 90-13-062 | 220-16-410 | AMD | 90-03-068 |
| 192-28-150 | NEW | 90-17-105 | 204-74-040 | REP | 90-18-046 | 220-16-420 | NEW | 90-03-068 |
| 196-08-030 | REP | 90-05-071 | 204-74-050 | REP-P | 90-13-062 | 220-16-430 | NEW-C | 90-07-002 |
| 196-24-030 | AMD-P | 90-15-046 | 204-74-050 | REP | 90-18-046 | 220-16-430 | NEW | 90-07-003 |
| 196-24-060 | AMD-E | 90-17-013 | 204-74-060 | REP-P | 90-13-062 | 220-16-440 | NEW-P | 90-02-112 |
| 196-24-060 | AMD-P | 90-17-106 | 204-74-060 | REP | 90-18-046 | 220-16-440 | NEW | 90-06-026 |

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| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|---------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 220-16-450 | NEW-P | 90-02-112 | 220-36-023 | AMD-P | 90-09-092 | 220-47-606 | REP-E | 90-19-057 |
| 220-16-450 | NEW | 90-06-026 | 220-36-023 | AMD | 90-18-023 | 220-47-607 | NEW-E | 90-19-057 |
| 220-20 | AMD-C | 90-06-043 | 220-36-02300A | NEW-E | 90-18-021 | 220-47-607 | REP-E | 90-20-020 |
| 220-20-010 | AMD-P | 90-06-079 | 220-36-02300A | REP-E | 90-19-011 | 220-47-608 | NEW-E | 90-20-020 |
| 220-20-010 | AMD-W | 90-19-081 | 220-36-02300B | NEW-E | 90-19-011 | 220-47-608 | REP-E | 90-20-064 |
| 220-20-017 | AMD-P | 90-08-008 | 220-36-02300B | REP-E | 90-20-047 | 220-47-609 | NEW-E | 90-20-064 |
| 220-20-020 | AMD-P | 90-02-111 | 220-36-02300C | NEW-E | 90-20-047 | 220-47-609 | REP-E | 90-20-103 |
| 220-20-020 | AMD | 90-06-045 | 220-36-031 | AMD-P | 90-09-092 | 220-47-610 | NEW-E | 90-20-103 |
| 220-20-020 | AMD-C | 90-07-002 | 220-36-031 | AMD | 90-18-023 | 220-48-01500D | NEW-E | 90-06-001 |
| 220-20-020 | AMD | 90-07-003 | 220-40-021 | AMD-P | 90-09-092 | 220-49-02000C | NEW-E | 90-10-032 |
| 220-20-025 | AMD-P | 90-02-111 | 220-40-021 | AMD | 90-18-023 | 220-49-063 | NEW-C | 90-07-002 |
| 220-20-025 | AMD | 90-06-045 | 220-40-02100T | NEW-E | 90-14-099 | 220-49-063 | NEW | 90-07-003 |
| 220-22-020 | AMD | 90-03-068 | 220-40-02100T | REP-E | 90-18-043 | 220-49-064 | NEW-C | 90-07-002 |
| 220-22-030 | AMD-P | 90-09-093 | 220-40-026 | REP-P | 90-09-092 | 220-49-064 | NEW | 90-07-003 |
| 220-22-030 | AMD | 90-13-025 | 220-40-026 | REP | 90-18-023 | 220-52-03000F | NEW-E | 90-11-012 |
| 220-24-02000A | NEW-E | 90-19-074 | 220-40-02600A | NEW-E | 90-18-021 | 220-52-05100D | NEW-E | 90-10-035 |
| 220-24-02000A | REP-E | 90-20-019 | 220-40-02600A | REP-E | 90-19-011 | 220-52-05100E | NEW-E | 90-11-030 |
| 220-24-02000B | NEW-E | 90-20-019 | 220-40-02600B | NEW-E | 90-19-029 | 220-52-05100E | REP-E | 90-17-085 |
| 220-24-02000B | REP-E | 90-20-030 | 220-40-02600B | REP-E | 90-19-059 | 220-52-05100F | NEW-E | 90-17-085 |
| 220-24-02000C | NEW-E | 90-20-030 | 220-40-02600C | NEW-E | 90-19-059 | 220-52-07100E | NEW-E | 90-10-051 |
| 220-24-02000L | NEW-E | 90-10-033 | 220-40-027 | AMD-P | 90-09-092 | 220-52-07100E | REP-E | 90-11-060 |
| 220-24-02000L | REP-E | 90-11-046 | 220-40-027 | AMD | 90-18-023 | 220-52-07100F | NEW-E | 90-11-060 |
| 220-24-02000M | NEW-E | 90-11-046 | 220-40-031 | AMD-P | 90-09-092 | 220-52-07100G | NEW-E | 90-13-024 |
| 220-24-02000M | REP-E | 90-11-086 | 220-40-031 | AMD | 90-18-023 | 220-52-07100G | REP-E | 90-19-056 |
| 220-24-02000N | NEW-E | 90-11-086 | 220-44-050 | AMD-P | 90-06-080 | 220-52-07100H | NEW-E | 90-19-056 |
| 220-24-02000N | REP-E | 90-12-010 | 220-44-050 | AMD | 90-13-108 | 220-52-07300H | NEW-E | 90-03-067 |
| 220-24-02000P | NEW-E | 90-12-010 | 220-44-05000B | REP-E | 90-04-047 | 220-52-07400A | NEW-E | 90-15-040 |
| 220-24-02000P | REP-E | 90-12-036 | 220-44-05000C | NEW-E | 90-04-047 | 220-55-010 | AMD-P | 90-08-008 |
| 220-24-02000Q | NEW-E | 90-12-036 | 220-44-05000C | REP-E | 90-07-031 | 220-55-01000A | NEW-E | 90-07-040 |
| 220-24-02000Q | REP-E | 90-13-007 | 220-44-05000D | NEW-E | 90-07-031 | 220-55-01000A | REP-E | 90-08-034 |
| 220-24-02000R | NEW-E | 90-13-007 | 220-44-05000D | REP-E | 90-13-109 | 220-55-01000B | NEW-E | 90-08-034 |
| 220-24-02000R | REP-E | 90-13-034 | 220-44-05000E | NEW-E | 90-13-109 | 220-55-015 | AMD-P | 90-08-008 |
| 220-24-02000S | NEW-E | 90-13-034 | 220-44-05000E | REP-E | 90-16-001 | 220-55-086 | AMD | 90-03-068 |
| 220-24-02000S | REP-E | 90-17-082 | 220-44-05000F | NEW-E | 90-16-001 | 220-55-150 | NEW | 90-03-068 |
| 220-24-02000T | NEW-E | 90-17-082 | 220-44-05000F | REP-E | 90-20-048 | 220-56 | AMD-C | 90-06-025 |
| 220-24-02000T | REP-E | 90-17-090 | 220-44-05000G | NEW-E | 90-20-048 | 220-56-105 | AMD-P | 90-02-112 |
| 220-24-02000U | NEW-E | 90-17-090 | 220-47-304 | AMD-P | 90-09-093 | 220-56-105 | AMD | 90-06-026 |
| 220-24-02000U | REP-E | 90-18-025 | 220-47-304 | AMD | 90-13-025 | 220-56-115 | AMD-P | 90-02-112 |
| 220-24-02000V | NEW-E | 90-18-025 | 220-47-307 | AMD-P | 90-09-093 | 220-56-115 | AMD | 90-06-026 |
| 220-24-02000V | REP-E | 90-18-043 | 220-47-307 | AMD | 90-13-025 | 220-56-125 | AMD-P | 90-02-112 |
| 220-24-02000W | NEW-E | 90-18-043 | 220-47-311 | AMD-P | 90-09-093 | 220-56-125 | AMD | 90-06-026 |
| 220-24-02000W | REP-E | 90-19-030 | 220-47-311 | AMD | 90-13-025 | 220-56-126 | AMD-P | 90-02-112 |
| 220-24-02000X | NEW-E | 90-19-030 | 220-47-312 | REP-P | 90-09-093 | 220-56-126 | AMD | 90-06-026 |
| 220-24-02000X | REP-E | 90-19-055 | 220-47-312 | REP | 90-13-025 | 220-56-127 | AMD-P | 90-02-112 |
| 220-24-02000Z | NEW-E | 90-19-055 | 220-47-313 | REP-P | 90-09-093 | 220-56-127 | AMD | 90-06-026 |
| 220-24-02000Z | REP-E | 90-19-074 | 220-47-313 | REP | 90-13-025 | 220-56-128 | AMD-P | 90-02-112 |
| 220-24-50000A | NEW-E | 90-15-063 | 220-47-319 | AMD-P | 90-09-093 | 220-56-128 | AMD | 90-06-026 |
| 220-28-41303 | NEW-E | 90-02-065 | 220-47-319 | AMD | 90-13-025 | 220-56-156 | AMD-C | 90-06-081 |
| 220-32-05100A | NEW-E | 90-18-061 | 220-47-401 | AMD-P | 90-09-093 | 220-56-156 | AMD | 90-08-001 |
| 220-32-05100A | REP-E | 90-19-012 | 220-47-401 | AMD | 90-13-025 | 220-56-160 | AMD-P | 90-02-112 |
| 220-32-05100B | NEW-E | 90-19-012 | 220-47-402 | REP-P | 90-09-093 | 220-56-160 | AMD | 90-06-026 |
| 220-32-05100B | REP-E | 90-19-058 | 220-47-402 | REP | 90-13-025 | 220-56-165 | AMD-P | 90-02-112 |
| 220-32-05100C | NEW-E | 90-19-058 | 220-47-403 | REP-P | 90-09-093 | 220-56-165 | AMD | 90-06-026 |
| 220-32-05100X | REP-E | 90-04-046 | 220-47-403 | REP | 90-13-025 | 220-56-175 | AMD-P | 90-02-112 |
| 220-32-05100Y | NEW-E | 90-04-046 | 220-47-411 | AMD-P | 90-09-093 | 220-56-175 | AMD | 90-06-026 |
| 220-32-05100Z | NEW-E | 90-17-025 | 220-47-411 | AMD | 90-13-025 | 220-56-180 | AMD-P | 90-02-112 |
| 220-32-05100Z | REP-E | 90-18-061 | 220-47-412 | AMD-P | 90-09-093 | 220-56-180 | AMD | 90-06-026 |
| 220-32-05500U | NEW-E | 90-10-053 | 220-47-412 | AMD | 90-13-025 | 220-56-190 | AMD-P | 90-02-112 |
| 220-32-05700E | NEW-E | 90-03-006 | 220-47-413 | REP-P | 90-09-093 | 220-56-190 | AMD | 90-06-026 |
| 220-32-05900R | NEW-E | 90-10-034 | 220-47-413 | REP | 90-13-025 | 220-56-19000A | NEW-E | 90-19-005 |
| 220-33-01000L | REP-E | 90-05-008 | 220-47-414 | REP-P | 90-09-093 | 220-56-19000B | NEW-E | 90-19-059 |
| 220-33-01000M | NEW-E | 90-05-008 | 220-47-414 | REP | 90-13-025 | 220-56-19000B | REP-E | 90-19-112 |
| 220-33-01000M | REP-E | 90-05-030 | 220-47-500 | NEW-P | 90-09-093 | 220-56-19000C | NEW-E | 90-19-112 |
| 220-33-01000N | NEW-E | 90-05-030 | 220-47-500 | NEW | 90-13-025 | 220-56-19000D | NEW-E | 90-20-034 |
| 220-33-01000P | NEW-E | 90-17-046 | 220-47-600 | NEW-E | 90-16-060 | 220-56-19000R | NEW-E | 90-12-064 |
| 220-33-01000P | REP-E | 90-19-088 | 220-47-600 | REP-E | 90-17-008 | 220-56-19000R | REP-E | 90-20-034 |
| 220-33-01000Q | NEW-E | 90-19-088 | 220-47-601 | NEW-E | 90-17-008 | 220-56-19000S | NEW-E | 90-13-056 |
| 220-33-01000R | NEW-E | 90-19-111 | 220-47-601 | REP-E | 90-17-045 | 220-56-19000S | REP-E | 90-16-064 |
| 220-33-01000R | REP-E | 90-20-010 | 220-47-602 | NEW-E | 90-17-045 | 220-56-19000T | NEW-E | 90-16-064 |
| 220-33-01000S | NEW-E | 90-20-010 | 220-47-602 | REP-E | 90-17-084 | 220-56-19000T | REP-E | 90-17-044 |
| 220-33-01000S | REP-E | 90-20-021 | 220-47-603 | NEW-E | 90-17-084 | 220-56-19000U | NEW-E | 90-17-044 |
| 220-33-01000T | NEW-E | 90-20-021 | 220-47-603 | REP-E | 90-18-026 | 220-56-19000U | REP-E | 90-17-083 |
| 220-33-03000B | NEW-E | 90-11-071 | 220-47-604 | NEW-E | 90-18-026 | 220-56-19000V | NEW-E | 90-17-067 |
| 220-36-021 | AMD-P | 90-09-092 | 220-47-604 | REP-E | 90-18-062 | 220-56-19000W | NEW-E | 90-17-083 |
| 220-36-021 | AMD | 90-18-023 | 220-47-605 | NEW-E | 90-18-062 | 220-56-19000W | REP-E | 90-18-024 |
| 220-36-02100K | NEW-E | 90-14-099 | 220-47-605 | REP-E | 90-19-010 | 220-56-19000X | NEW-E | 90-18-024 |
| 220-36-02100K | REP-E | 90-18-043 | 220-47-606 | NEW-E | 90-19-010 | 220-56-19000X | REP-E | 90-18-052 |

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| 220-56-19000Y | NEW-E | 90-18-052 | 220-57-31500S | NEW-E | 90-07-032 | 223-08-130 | REP-P | 90-15-054 |
| 220-56-19000Y | REP-E | 90-18-060 | 220-57-31500S | REP-E | 90-12-082 | 223-08-135 | REP-P | 90-15-054 |
| 220-56-19000Z | NEW-E | 90-18-060 | 220-57-31500T | NEW-E | 90-12-082 | 223-08-140 | REP-P | 90-15-054 |
| 220-56-19000Z | REP-E | 90-19-005 | 220-57-328 | NEW-P | 90-02-112 | 223-08-147 | REP-P | 90-15-054 |
| 220-56-195 | AMD-P | 90-02-112 | 220-57-328 | NEW-W | 90-15-050 | 223-08-150 | AMD-P | 90-16-054 |
| 220-56-195 | AMD | 90-06-026 | 220-57-42500T | NEW-E | 90-12-064 | 223-08-160 | AMD-P | 90-16-054 |
| 220-56-197 | AMD-P | 90-02-112 | 220-57-42500T | REP-E | 90-20-034 | 223-08-165 | AMD-P | 90-16-054 |
| 220-56-197 | AMD | 90-06-026 | 220-57-42500U | NEW-E | 90-20-034 | 223-08-170 | REP-P | 90-15-054 |
| 220-56-205 | AMD-P | 90-02-112 | 220-57-465 | AMD-P | 90-02-112 | 223-08-175 | AMD-P | 90-16-054 |
| 220-56-205 | AMD | 90-06-026 | 220-57-465 | AMD | 90-06-026 | 223-08-185 | AMD-P | 90-16-054 |
| 220-56-230 | NEW-P | 90-02-112 | 220-57-497 | NEW-P | 90-02-112 | 223-08-215 | AMD-P | 90-16-054 |
| 220-56-230 | NEW | 90-06-026 | 220-57-497 | NEW | 90-06-044 | 223-08-220 | AMD-P | 90-16-054 |
| 220-56-235 | AMD-P | 90-02-112 | 220-57-49700E | NEW-E | 90-13-006 | 223-08-225 | REP-P | 90-15-054 |
| 220-56-235 | AMD | 90-06-026 | 220-57-505 | AMD-P | 90-02-112 | 223-08-240 | REP-P | 90-15-054 |
| 220-56-240 | AMD-P | 90-02-112 | 220-57-505 | AMD | 90-06-026 | 223-08-245 | REP-P | 90-15-054 |
| 220-56-240 | AMD | 90-06-026 | 220-57-50500R | NEW-E | 90-07-032 | 223-08-250 | AMD-P | 90-16-054 |
| 220-56-24500G | NEW-E | 90-08-003 | 220-57-515 | AMD-P | 90-02-112 | 223-08-255 | AMD-P | 90-16-054 |
| 220-56-24500H | NEW-E | 90-17-012 | 220-57-515 | AMD-W | 90-15-050 | 223-08-257 | NEW-P | 90-16-054 |
| 220-56-24500H | REP-E | 90-18-022 | 220-57-51500E | NEW-E | 90-07-032 | 223-08-270 | AMD-P | 90-16-054 |
| 220-56-24500I | NEW-E | 90-18-022 | 220-57-51500E | REP-E | 90-12-067 | 223-08-275 | AMD-P | 90-16-054 |
| 220-56-25500F | NEW-E | 90-08-003 | 220-57-51500F | NEW-E | 90-12-035 | 223-08-275 | AMD-P | 90-16-054 |
| 220-56-25500G | NEW-E | 90-17-012 | 220-57-530 | NEW-P | 90-02-112 | 224-12-090 | AMD-P | 90-03-091 |
| 220-56-25500G | REP-E | 90-18-022 | 220-57-530 | NEW-W | 90-15-050 | 224-12-090 | AMD-W | 90-17-020 |
| 220-56-25500H | NEW-E | 90-18-022 | 220-57A | AMD-C | 90-06-025 | 230-02-010 | AMD | 90-03-064 |
| 220-56-25500H | REP-E | 90-20-063 | 220-57A-080 | AMD-P | 90-02-112 | 230-02-022 | AMD-P | 90-05-034 |
| 220-56-25500I | NEW-E | 90-20-063 | 220-57A-080 | AMD | 90-06-026 | 230-02-022 | AMD | 90-10-007 |
| 220-56-282 | AMD-P | 90-02-112 | 220-57A-180 | AMD-P | 90-02-112 | 230-02-030 | AMD-P | 90-11-057 |
| 220-56-282 | AMD | 90-06-026 | 220-57A-180 | AMD | 90-06-026 | 230-02-030 | AMD | 90-15-044 |
| 220-56-307 | AMD-P | 90-02-112 | 220-69-220 | AMD | 90-03-068 | 230-04-190 | AMD | 90-03-064 |
| 220-56-307 | AMD | 90-06-026 | 220-69-237 | AMD | 90-03-068 | 230-04-270 | AMD | 90-03-064 |
| 220-56-310 | AMD-P | 90-02-112 | 220-69-237 | AMD-P | 90-09-050 | 230-08-120 | AMD-P | 90-05-034 |
| 220-56-310 | AMD | 90-06-026 | 220-69-237 | AMD | 90-17-080 | 230-08-120 | AMD | 90-10-007 |
| 220-56-31000J | NEW-E | 90-15-040 | 220-69-238 | AMD | 90-03-068 | 230-08-125 | AMD-P | 90-05-034 |
| 220-56-320 | AMD-P | 90-02-112 | 220-69-238 | AMD-P | 90-09-050 | 230-08-125 | AMD | 90-10-007 |
| 220-56-320 | AMD | 90-06-026 | 220-69-238 | AMD | 90-17-080 | 230-08-125 | AMD-P | 90-10-008 |
| 220-56-32500R | NEW-E | 90-10-035 | 220-69-239 | NEW-P | 90-09-050 | 230-08-260 | AMD | 90-13-022 |
| 220-56-330 | AMD-P | 90-02-112 | 220-69-239 | NEW | 90-17-080 | 230-12-200 | AMD-P | 90-20-004 |
| 220-56-330 | AMD | 90-06-026 | 220-69-23900A | NEW-E | 90-09-051 | 230-12-900 | AMD-P | 90-15-064 |
| 220-56-350 | AMD-P | 90-02-112 | 220-69-260 | AMD | 90-03-068 | 230-12-900 | AMD-W | 90-16-062 |
| 220-56-350 | AMD | 90-06-026 | 220-69-264 | AMD | 90-03-068 | 230-12-900 | AMD-P | 90-16-063 |
| 220-56-35000I | NEW-E | 90-06-058 | 220-140-001 | NEW | 90-04-026 | 230-20-064 | AMD-P | 90-05-034 |
| 220-56-36000T | NEW-E | 90-07-039 | 220-140-010 | NEW | 90-04-026 | 230-20-064 | AMD | 90-10-007 |
| 220-56-36000T | REP-E | 90-10-011 | 220-140-020 | NEW | 90-04-026 | 230-20-100 | REP-P | 90-20-004 |
| 220-56-36000U | NEW-E | 90-10-011 | 220-140-030 | NEW | 90-04-026 | 230-20-101 | NEW-P | 90-20-004 |
| 220-56-36000V | NEW-E | 90-19-110 | 222-16-010 | AMD-W | 90-10-099 | 230-20-102 | NEW-P | 90-20-004 |
| 220-56-380 | AMD-P | 90-02-112 | 222-16-050 | AMD-W | 90-10-099 | 230-20-240 | AMD-P | 90-20-004 |
| 220-56-380 | AMD | 90-06-026 | 222-16-060 | NEW-W | 90-10-099 | 230-20-241 | AMD-P | 90-20-004 |
| 220-56-38000F | NEW-E | 90-03-007 | 222-20-040 | AMD-W | 90-10-099 | 230-20-246 | AMD-P | 90-20-004 |
| 220-56-38000F | REP-E | 90-03-027 | 222-20-050 | AMD-W | 90-10-099 | 230-20-325 | AMD | 90-05-032 |
| 220-56-38000G | NEW-E | 90-03-027 | 222-46-020 | AMD-W | 90-10-099 | 230-20-325 | AMD-W | 90-10-098 |
| 220-56-38000G | REP-E | 90-04-041 | 222-46-030 | AMD-W | 90-10-099 | 230-20-698 | NEW | 90-05-033 |
| 220-56-38000H | NEW | 90-04-041 | 222-46-040 | AMD-W | 90-10-099 | 230-20-698 | AMD-P | 90-20-004 |
| 220-56-400 | AMD-P | 90-02-112 | 223-08-001 | NEW-P | 90-16-054 | 230-25-120 | AMD-P | 90-20-004 |
| 220-56-400 | AMD | 90-06-026 | 223-08-002 | NEW-P | 90-16-054 | 230-30-050 | AMD-E | 90-15-043 |
| 220-57 | AMD-C | 90-06-025 | 223-08-005 | AMD-P | 90-16-054 | 230-30-050 | AMD-P | 90-15-064 |
| 220-57 | AMD-C | 90-06-042 | 223-08-010 | AMD-P | 90-16-054 | 230-30-050 | AMD-W | 90-16-062 |
| 220-57-140 | AMD-P | 90-02-112 | 223-08-015 | REP-P | 90-15-054 | 230-30-050 | AMD-P | 90-16-063 |
| 220-57-140 | AMD | 90-06-026 | 223-08-020 | AMD-P | 90-16-054 | 230-30-052 | NEW-P | 90-05-034 |
| 220-57-160 | AMD-P | 90-02-112 | 223-08-030 | AMD-P | 90-16-054 | 230-30-052 | NEW | 90-10-007 |
| 220-57-160 | AMD | 90-06-026 | 223-08-035 | AMD-P | 90-16-054 | 230-30-070 | AMD | 90-05-032 |
| 220-57-16000D | NEW-E | 90-08-032 | 223-08-037 | NEW-P | 90-16-054 | 230-30-070 | AMD-E | 90-06-020 |
| 220-57-16000E | NEW-E | 90-14-015 | 223-08-040 | AMD-P | 90-16-054 | 230-30-070 | AMD-P | 90-06-021 |
| 220-57-16000F | NEW-E | 90-15-045 | 223-08-050 | AMD-P | 90-16-054 | 230-30-070 | AMD | 90-11-058 |
| 220-57-16000G | NEW-E | 90-18-044 | 223-08-070 | AMD-P | 90-16-054 | 230-30-070 | AMD-P | 90-20-004 |
| 220-57-220 | AMD-P | 90-02-112 | 223-08-075 | AMD-P | 90-16-054 | 230-30-102 | AMD-E | 90-15-043 |
| 220-57-220 | AMD | 90-06-026 | 223-08-080 | AMD-P | 90-16-054 | 230-30-102 | AMD-P | 90-15-064 |
| 220-57-242 | NEW-P | 90-02-112 | 223-08-085 | AMD-P | 90-16-054 | 230-30-102 | AMD-W | 90-16-062 |
| 220-57-242 | NEW-W | 90-15-050 | 223-08-087 | NEW-P | 90-16-054 | 230-30-102 | AMD-P | 90-16-063 |
| 220-57-260 | AMD-P | 90-02-112 | 223-08-095 | AMD-P | 90-16-054 | 230-30-104 | AMD-E | 90-15-043 |
| 220-57-260 | AMD | 90-06-026 | 223-08-097 | NEW-P | 90-16-054 | 230-30-104 | AMD-P | 90-15-064 |
| 220-57-270 | AMD-P | 90-02-112 | 223-08-100 | AMD-P | 90-16-054 | 230-30-104 | AMD-W | 90-16-062 |
| 220-57-270 | AMD | 90-06-026 | 223-08-105 | REP-P | 90-15-054 | 230-30-104 | AMD-P | 90-16-063 |
| 220-57-290 | AMD-P | 90-02-112 | 223-08-107 | NEW-P | 90-16-054 | 230-30-200 | AMD-P | 90-20-004 |
| 220-57-290 | AMD | 90-06-026 | 223-08-110 | REP-P | 90-15-054 | 230-30-220 | AMD-P | 90-20-004 |
| 220-57-29000L | NEW-E | 90-13-006 | 223-08-115 | REP-P | 90-15-054 | 230-40-010 | AMD | 90-05-032 |
| 220-57-315 | AMD-P | 90-02-112 | 223-08-120 | REP-P | 90-15-054 | 230-40-120 | AMD | 90-05-032 |
| 220-57-315 | AMD-W | 90-15-050 | 223-08-125 | REP-P | 90-15-054 | 230-40-125 | NEW | 90-05-032 |

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| 230-40-125 | AMD-P | 90-07-022 | 232-28-22001 | NEW-P | 90-15-073 | 236-48-093 | AMD-P | 90-20-141 |
| 230-40-125 | AMD | 90-11-058 | 232-28-22001 | NEW-W | 90-17-128 | 236-48-094 | AMD-P | 90-20-141 |
| 230-46-025 | NEW-P | 90-10-008 | 232-28-221 | NEW-P | 90-06-095 | 236-48-095 | AMD-P | 90-20-141 |
| 230-46-025 | NEW | 90-13-022 | 232-28-221 | NEW | 90-13-046 | 236-48-096 | AMD-P | 90-20-141 |
| 230-50-012 | AMD-P | 90-03-060 | 232-28-222 | NEW-P | 90-06-096 | 236-48-098 | AMD-P | 90-20-141 |
| 230-50-012 | AMD-E | 90-03-061 | 232-28-222 | NEW | 90-13-047 | 236-48-099 | AMD-P | 90-20-141 |
| 230-50-012 | AMD | 90-07-018 | 232-28-223 | NEW-P | 90-06-097 | 236-48-101 | AMD-P | 90-20-141 |
| 230-50-560 | AMD-E | 90-09-073 | 232-28-223 | NEW | 90-13-048 | 236-48-121 | AMD-P | 90-20-141 |
| 230-50-560 | AMD-P | 90-10-008 | 232-28-224 | NEW-P | 90-13-100 | 236-48-123 | AMD-P | 90-20-141 |
| 230-50-560 | AMD | 90-13-022 | 232-28-413 | REP-P | 90-13-101 | 236-48-124 | AMD-P | 90-20-141 |
| 230-50-580 | AMD-E | 90-09-073 | 232-28-413 | REP | 90-17-095 | 236-48-131 | AMD-P | 90-20-141 |
| 230-50-580 | AMD-P | 90-10-008 | 232-28-414 | NEW-P | 90-12-101 | 236-48-132 | AMD-P | 90-20-141 |
| 230-50-580 | AMD | 90-13-022 | 232-28-414 | NEW-W | 90-13-096 | 236-48-141 | AMD-P | 90-20-141 |
| 230-60-010 | AMD | 90-03-064 | 232-28-414 | NEW-P | 90-13-101 | 236-48-151 | AMD-P | 90-20-141 |
| 230-60-020 | REP | 90-03-064 | 232-28-414 | NEW | 90-17-095 | 236-48-152 | AMD-P | 90-20-141 |
| 230-60-025 | AMD | 90-03-064 | 232-28-41401 | NEW-E | 90-16-037 | 236-48-153 | AMD-P | 90-20-141 |
| 230-60-065 | AMD-E | 90-15-043 | 232-28-41402 | NEW-E | 90-17-109 | 236-48-165 | AMD-P | 90-20-141 |
| 230-60-065 | AMD-P | 90-15-064 | 232-28-41402 | NEW-P | 90-17-145 | 236-48-166 | AMD-P | 90-20-141 |
| 230-60-065 | AMD-W | 90-16-062 | 232-28-511 | REP-P | 90-13-102 | 236-48-167 | AMD-P | 90-20-141 |
| 230-60-065 | AMD-P | 90-16-063 | 232-28-511 | REP | 90-19-098 | 236-48-198 | AMD-P | 90-11-011 |
| 230-60-100 | NEW | 90-05-032 | 232-28-512 | NEW-P | 90-13-102 | 236-48-198 | AMD | 90-16-075 |
| 232-12-011 | AMD-P | 90-04-098 | 232-28-512 | NEW | 90-19-098 | 236-48-198 | AMD-P | 90-20-141 |
| 232-12-011 | AMD | 90-11-065 | 232-28-61728 | NEW | 90-02-070 | 236-48-230 | AMD-P | 90-20-141 |
| 232-12-011 | AMD-W | 90-13-074 | 232-28-61729 | NEW | 90-02-071 | 236-49-010 | AMD-P | 90-20-142 |
| 232-12-017 | AMD-P | 90-06-084 | 232-28-61730 | NEW-E | 90-03-072 | 236-49-020 | AMD-P | 90-20-142 |
| 232-12-017 | AMD | 90-10-067 | 232-28-61731 | NEW-E | 90-08-066 | 236-49-030 | AMD-P | 90-20-142 |
| 232-12-017 | PREP | 90-17-140 | 232-28-61802 | NEW-E | 90-02-067 | 236-49-040 | AMD-P | 90-20-142 |
| 232-12-019 | AMD-P | 90-06-085 | 232-28-61802 | NEW-P | 90-04-101 | 246-09-060 | NEW-P | 90-04-030 |
| 232-12-019 | AMD | 90-10-068 | 232-28-61802 | NEW | 90-08-064 | 246-09-060 | NEW | 90-08-003 |
| 232-12-047 | AMD-P | 90-06-091 | 232-28-61803 | NEW-E | 90-02-068 | 246-830-020 | RECOD-P | 90-20-134 |
| 232-12-047 | AMD | 90-14-108 | 232-28-61803 | NEW-P | 90-04-102 | 246-830-030 | RECOD-P | 90-20-134 |
| 232-12-051 | AMD-P | 90-06-092 | 232-28-61803 | NEW | 90-08-065 | 246-830-040 | RECOD-P | 90-20-134 |
| 232-12-051 | AMD | 90-14-109 | 232-28-61804 | NEW-E | 90-02-069 | 246-830-050 | RECOD-P | 90-20-134 |
| 232-12-054 | AMD | 90-03-092 | 232-28-61804 | NEW-P | 90-04-103 | 246-830-060 | RECOD-P | 90-20-134 |
| 232-12-055 | NEW-P | 90-17-130 | 232-28-61804 | NEW | 90-08-067 | 246-830-070 | RECOD-P | 90-20-134 |
| 232-12-107 | AMD-P | 90-17-142 | 232-28-61805 | NEW-E | 90-02-066 | 246-830-080 | RECOD-P | 90-20-134 |
| 232-12-114 | AMD-P | 90-17-141 | 232-28-61805 | NEW-P | 90-04-104 | 246-830-090 | RECOD-P | 90-20-134 |
| 232-12-117 | AMD-P | 90-17-143 | 232-28-61805 | NEW | 90-08-063 | 246-830-100 | RECOD-P | 90-20-134 |
| 232-12-121 | AMD-P | 90-17-144 | 232-28-61806 | NEW-P | 90-06-086 | 246-830-110 | RECOD-P | 90-20-134 |
| 232-12-141 | AMD-P | 90-13-097 | 232-28-61806 | NEW-E | 90-09-052 | 246-830-120 | RECOD-P | 90-20-134 |
| 232-12-141 | AMD | 90-19-097 | 232-28-61806 | NEW-W | 90-19-082 | 246-830-130 | RECOD-P | 90-20-134 |
| 232-12-168 | AMD-P | 90-14-105 | 232-28-61807 | NEW-P | 90-06-087 | 246-830-140 | RECOD-P | 90-20-134 |
| 232-12-177 | AMD-P | 90-06-089 | 232-28-61807 | NEW | 90-10-069 | 246-830-150 | RECOD-P | 90-20-134 |
| 232-12-177 | AMD | 90-11-050 | 232-28-61808 | NEW-P | 90-13-103 | 246-830-160 | RECOD-P | 90-20-134 |
| 232-12-184 | RE-AD-P | 90-06-090 | 232-28-61808 | NEW | 90-17-033 | 246-830-170 | RECOD-P | 90-20-134 |
| 232-12-184 | RE-AD | 90-11-049 | 232-28-61809 | NEW-P | 90-14-106 | 246-830-180 | RECOD-P | 90-20-134 |
| 232-12-187 | RE-AD-P | 90-06-090 | 232-28-61809 | NEW-S | 90-15-072 | 246-830-190 | RECOD-P | 90-20-134 |
| 232-12-187 | RE-AD | 90-11-049 | 232-28-61810 | NEW-P | 90-14-107 | 246-830-200 | RECOD-P | 90-20-134 |
| 232-12-191 | AMD-P | 90-06-088 | 232-28-61811 | NEW-P | 90-14-107 | 246-830-210 | RECOD-P | 90-20-134 |
| 232-12-191 | AMD | 90-11-051 | 232-28-61812 | NEW-P | 90-16-110 | 246-830-301 | RECOD-P | 90-20-134 |
| 232-12-227 | AMD-P | 90-12-099 | 232-28-61812 | NEW | 90-19-017 | 246-830-310 | RECOD-P | 90-20-134 |
| 232-12-227 | AMD | 90-19-087 | 232-28-712 | REP | 90-03-083 | 246-830-320 | RECOD-P | 90-20-134 |
| 232-12-251 | RE-AD-P | 90-06-090 | 232-28-713 | NEW | 90-03-083 | 246-830-330 | RECOD-P | 90-20-134 |
| 232-12-251 | RE-AD | 90-11-049 | 232-28-811 | REP-P | 90-04-105 | 246-830-340 | RECOD-P | 90-20-134 |
| 232-12-254 | RE-AD-P | 90-06-090 | 232-28-811 | REP | 90-11-064 | 246-830-350 | RECOD-P | 90-20-134 |
| 232-12-254 | RE-AD | 90-11-049 | 232-28-812 | NEW-P | 90-04-105 | 246-915-010 | RECOD-P | 90-20-133 |
| 232-12-297 | NEW-P | 90-04-099 | 232-28-812 | NEW | 90-11-064 | 246-915-020 | RECOD-P | 90-20-133 |
| 232-12-297 | NEW | 90-11-066 | 232-28-81201 | NEW-E | 90-17-108 | 246-915-030 | RECOD-P | 90-20-133 |
| 232-12-297 | NEW-W | 90-13-075 | 236-48-002 | AMD-P | 90-20-141 | 246-915-040 | RECOD-P | 90-20-133 |
| 232-12-827 | REP-P | 90-12-100 | 236-48-003 | AMD-P | 90-20-141 | 246-915-050 | RECOD-P | 90-20-133 |
| 232-12-831 | NEW-P | 90-12-100 | 236-48-004 | AMD-P | 90-20-141 | 246-915-060 | RECOD-P | 90-20-133 |
| 232-16-710 | NEW-P | 90-13-098 | 236-48-005 | AMD-P | 90-20-141 | 246-915-070 | RECOD-P | 90-20-133 |
| 232-16-710 | NEW-W | 90-17-129 | 236-48-009 | AMD-P | 90-20-141 | 246-915-080 | RECOD-P | 90-20-133 |
| 232-16-720 | NEW-P | 90-13-099 | 236-48-012 | AMD-P | 90-20-141 | 246-915-090 | RECOD-P | 90-20-133 |
| 232-16-720 | NEW | 90-19-096 | 236-48-013 | AMD-P | 90-20-141 | 246-915-100 | RECOD-P | 90-20-133 |
| 232-28-022 | NEW-P | 90-04-100 | 236-48-021 | AMD-P | 90-20-141 | 246-915-110 | RECOD-P | 90-20-133 |
| 232-28-022 | NEW | 90-13-049 | 236-48-023 | AMD-P | 90-20-141 | 246-915-120 | RECOD-P | 90-20-133 |
| 232-28-022 | AMD-P | 90-17-146 | 236-48-035 | AMD-P | 90-20-141 | 246-915-130 | RECOD-P | 90-20-133 |
| 232-28-215 | REP-P | 90-13-100 | 236-48-036 | AMD-P | 90-20-141 | 246-915-140 | RECOD-P | 90-20-133 |
| 232-28-218 | REP-P | 90-04-100 | 236-48-052 | AMD-P | 90-20-141 | 246-915-150 | RECOD-P | 90-20-133 |
| 232-28-218 | REP | 90-14-110 | 236-48-061 | AMD-P | 90-20-141 | 246-915-160 | RECOD-P | 90-20-133 |
| 232-28-21810 | REP-P | 90-15-074 | 236-48-071 | AMD-P | 90-20-141 | 246-915-170 | RECOD-P | 90-20-133 |
| 232-28-21810 | REP | 90-19-099 | 236-48-079 | AMD-P | 90-20-141 | 246-915-180 | RECOD-P | 90-20-133 |
| 232-28-219 | NEW-P | 90-06-093 | 236-48-081 | AMD-P | 90-20-141 | 246-915-190 | RECOD-P | 90-20-133 |
| 232-28-219 | NEW | 90-13-044 | 236-48-082 | AMD-P | 90-20-141 | 246-915-200 | RECOD-P | 90-20-133 |
| 232-28-220 | NEW-P | 90-06-094 | 236-48-083 | AMD-P | 90-20-141 | 246-915-210 | RECOD-P | 90-20-133 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 246-915-220 | RECOD-P | 90-20-133 | 248-08-540 | REP | 90-06-018 | 248-18-520 | AMD | 90-12-014 |
| 246-915-230 | RECOD-P | 90-20-133 | 248-08-545 | NEW | 90-06-018 | 248-18-525 | AMD-P | 90-08-099 |
| 246-915-240 | RECOD-P | 90-20-133 | 248-08-550 | REP | 90-06-018 | 248-18-525 | AMD | 90-12-014 |
| 246-915-250 | RECOD-P | 90-20-133 | 248-08-560 | REP | 90-06-018 | 248-18-530 | AMD-P | 90-08-099 |
| 246-915-260 | RECOD-P | 90-20-133 | 248-08-565 | NEW | 90-06-018 | 248-18-530 | AMD | 90-12-014 |
| 246-915-270 | RECOD-P | 90-20-133 | 248-08-570 | REP | 90-06-018 | 248-18-534 | AMD-P | 90-08-099 |
| 246-915-280 | RECOD-P | 90-20-133 | 248-08-575 | NEW | 90-06-018 | 248-18-534 | AMD | 90-12-014 |
| 248-06-385 | AMD | 90-06-019 | 248-08-580 | REP | 90-06-018 | 248-18-534 | REP-P | 90-19-051 |
| 248-08-001 | REP | 90-06-018 | 248-08-590 | REP | 90-06-018 | 248-18-536 | NEW-P | 90-19-051 |
| 248-08-010 | REP | 90-06-018 | 248-08-700 | REP | 90-06-018 | 248-18-555 | AMD-P | 90-08-099 |
| 248-08-020 | REP | 90-06-018 | 248-08-705 | REP | 90-06-018 | 248-18-555 | AMD | 90-12-014 |
| 248-08-030 | REP | 90-06-018 | 248-08-710 | REP | 90-06-018 | 248-18-555 | REP-P | 90-20-035 |
| 248-08-040 | REP | 90-06-018 | 248-08-715 | REP | 90-06-018 | 248-18-556 | NEW-P | 90-20-035 |
| 248-08-050 | REP | 90-06-018 | 248-08-720 | REP | 90-06-018 | 248-18-560 | AMD-P | 90-08-099 |
| 248-08-060 | REP | 90-06-018 | 248-08-725 | REP | 90-06-018 | 248-18-560 | AMD | 90-12-014 |
| 248-08-070 | REP | 90-06-018 | 248-08-730 | REP | 90-06-018 | 248-18-565 | AMD-P | 90-08-099 |
| 248-08-075 | REP | 90-06-018 | 248-08-735 | REP | 90-06-018 | 248-18-565 | AMD | 90-12-014 |
| 248-08-080 | REP | 90-06-018 | 248-08-740 | REP | 90-06-018 | 248-18-568 | AMD-P | 90-08-099 |
| 248-08-090 | REP | 90-06-018 | 248-08-750 | REP | 90-06-018 | 248-18-568 | AMD | 90-12-014 |
| 248-08-100 | REP | 90-06-018 | 248-08-755 | REP | 90-06-018 | 248-18-640 | AMD-P | 90-08-099 |
| 248-08-110 | REP | 90-06-018 | 248-08-760 | REP | 90-06-018 | 248-18-640 | AMD | 90-12-014 |
| 248-08-120 | REP | 90-06-018 | 248-08-765 | REP | 90-06-018 | 248-18-645 | AMD-P | 90-08-099 |
| 248-08-130 | REP | 90-06-018 | 248-08-770 | REP | 90-06-018 | 248-18-645 | AMD | 90-12-014 |
| 248-08-140 | REP | 90-06-018 | 248-08-775 | REP | 90-06-018 | 248-18-650 | AMD-P | 90-08-099 |
| 248-08-150 | REP | 90-06-018 | 248-08-780 | REP | 90-06-018 | 248-18-650 | AMD | 90-12-014 |
| 248-08-160 | REP | 90-06-018 | 248-08-785 | REP | 90-06-018 | 248-18-660 | AMD-P | 90-08-099 |
| 248-08-170 | REP | 90-06-018 | 248-08-790 | REP | 90-06-018 | 248-18-660 | AMD | 90-12-014 |
| 248-08-180 | REP | 90-06-018 | 248-08-800 | REP | 90-06-018 | 248-18-665 | AMD-P | 90-08-099 |
| 248-08-190 | REP | 90-06-018 | 248-08-805 | REP | 90-06-018 | 248-18-665 | AMD | 90-12-014 |
| 248-08-200 | REP | 90-06-018 | 248-08-810 | REP | 90-06-018 | 248-18-675 | AMD-P | 90-08-099 |
| 248-08-210 | REP | 90-06-018 | 248-08-815 | REP | 90-06-018 | 248-18-675 | AMD | 90-12-014 |
| 248-08-220 | REP | 90-06-018 | 248-08-820 | REP | 90-06-018 | 248-18-680 | AMD-P | 90-08-099 |
| 248-08-230 | REP | 90-06-018 | 248-08-825 | REP | 90-06-018 | 248-18-680 | AMD | 90-12-014 |
| 248-08-240 | REP | 90-06-018 | 248-08-830 | REP | 90-06-018 | 248-18-685 | AMD-P | 90-08-099 |
| 248-08-250 | REP | 90-06-018 | 248-08-835 | REP | 90-06-018 | 248-18-685 | AMD | 90-12-014 |
| 248-08-260 | REP | 90-06-018 | 248-08-840 | REP | 90-06-018 | 248-18-690 | AMD-P | 90-08-099 |
| 248-08-270 | REP | 90-06-018 | 248-08-845 | REP | 90-06-018 | 248-18-690 | AMD | 90-12-014 |
| 248-08-280 | REP | 90-06-018 | 248-14-001 | AMD-P | 90-13-031 | 248-18-695 | AMD-P | 90-08-099 |
| 248-08-290 | REP | 90-06-018 | 248-14-001 | AMD | 90-17-123 | 248-18-695 | AMD | 90-12-014 |
| 248-08-300 | REP | 90-06-018 | 248-14-070 | AMD-C | 90-04-015 | 248-18-705 | AMD-P | 90-08-099 |
| 248-08-310 | REP | 90-06-018 | 248-14-070 | AMD | 90-04-071 | 248-18-705 | AMD | 90-12-014 |
| 248-08-320 | REP | 90-06-018 | 248-14-080 | AMD-P | 90-13-031 | 248-18-719 | AMD-P | 90-08-099 |
| 248-08-330 | REP | 90-06-018 | 248-14-080 | AMD | 90-17-123 | 248-18-719 | AMD | 90-12-014 |
| 248-08-340 | REP | 90-06-018 | 248-14-240 | AMD-P | 90-13-031 | 248-18-731 | NEW-P | 90-20-035 |
| 248-08-350 | REP | 90-06-018 | 248-14-240 | AMD | 90-17-123 | 248-18-820 | NEW-P | 90-20-035 |
| 248-08-360 | REP | 90-06-018 | 248-14-249 | NEW-P | 90-13-031 | 248-18-99902 | AMD-P | 90-08-099 |
| 248-08-370 | REP | 90-06-018 | 248-14-249 | NEW | 90-17-123 | 248-18-99902 | AMD | 90-12-014 |
| 248-08-380 | REP | 90-06-018 | 248-15-110 | AMD | 90-06-019 | 248-19-220 | AMD | 90-02-093 |
| 248-08-390 | REP | 90-06-018 | 248-16-031 | AMD | 90-06-019 | 248-19-220 | AMD-P | 90-14-127 |
| 248-08-400 | REP | 90-06-018 | 248-17-060 | AMD | 90-06-019 | 248-19-220 | AMD | 90-17-086 |
| 248-08-410 | AMD | 90-06-018 | 248-17-213 | AMD-P | 90-14-042 | 248-19-231 | AMD-P | 90-14-126 |
| 248-08-413 | NEW | 90-06-018 | 248-17-213 | AMD-E | 90-14-044 | 248-19-235 | NEW-P | 90-14-126 |
| 248-08-420 | REP | 90-06-018 | 248-17-230 | AMD | 90-06-019 | 248-19-373 | REP-P | 90-08-105 |
| 248-08-425 | NEW | 90-06-018 | 248-18-001 | AMD-P | 90-20-035 | 248-19-373 | REP | 90-12-072 |
| 248-08-428 | NEW | 90-06-018 | 248-18-010 | AMD-P | 90-08-099 | 248-19-375 | REP-P | 90-08-105 |
| 248-08-430 | REP | 90-06-018 | 248-18-010 | AMD | 90-12-014 | 248-19-375 | REP | 90-12-072 |
| 248-08-431 | NEW | 90-06-018 | 248-18-015 | AMD | 90-06-019 | 248-19-403 | REP-P | 90-08-105 |
| 248-08-434 | NEW | 90-06-018 | 248-18-018 | AMD-P | 90-08-099 | 248-19-403 | REP | 90-12-072 |
| 248-08-437 | NEW | 90-06-018 | 248-18-018 | AMD | 90-12-014 | 248-19-480 | AMD | 90-06-019 |
| 248-08-440 | AMD | 90-06-018 | 248-18-020 | AMD-P | 90-08-099 | 248-19-600 | NEW-P | 90-10-022 |
| 248-08-446 | NEW | 90-06-018 | 248-18-020 | AMD | 90-12-014 | 248-19-600 | NEW | 90-13-116 |
| 248-08-449 | NEW | 90-06-018 | 248-18-035 | AMD-P | 90-20-035 | 248-19-601 | NEW-P | 90-12-096 |
| 248-08-450 | REP | 90-06-018 | 248-18-040 | AMD-P | 90-20-035 | 248-19-601 | NEW | 90-16-058 |
| 248-08-452 | NEW | 90-06-018 | 248-18-221 | AMD-P | 90-08-099 | 248-19-700 | NEW-P | 90-12-096 |
| 248-08-460 | REP | 90-06-018 | 248-18-221 | AMD | 90-12-014 | 248-19-700 | NEW | 90-16-058 |
| 248-08-461 | NEW | 90-06-018 | 248-18-225 | REP-P | 90-20-035 | 248-19-701 | NEW-P | 90-12-096 |
| 248-08-464 | NEW | 90-06-018 | 248-18-226 | NEW-P | 90-20-035 | 248-19-701 | NEW | 90-16-058 |
| 248-08-470 | AMD | 90-06-018 | 248-18-228 | NEW-P | 90-20-035 | 248-19-800 | NEW-P | 90-08-102 |
| 248-08-480 | REP | 90-06-018 | 248-18-230 | REP-P | 90-20-035 | 248-19-800 | NEW | 90-12-071 |
| 248-08-490 | REP | 90-06-018 | 248-18-231 | NEW-P | 90-20-035 | 248-19-805 | NEW-P | 90-08-102 |
| 248-08-500 | REP | 90-06-018 | 248-18-240 | AMD-P | 90-19-051 | 248-19-805 | NEW | 90-12-071 |
| 248-08-510 | REP | 90-06-018 | 248-18-245 | AMD-P | 90-08-099 | 248-19-806 | NEW-P | 90-08-102 |
| 248-08-515 | NEW | 90-06-018 | 248-18-245 | AMD | 90-12-014 | 248-19-806 | NEW | 90-12-071 |
| 248-08-520 | REP | 90-06-018 | 248-18-245 | REP-P | 90-20-035 | 248-19-810 | NEW-P | 90-08-105 |
| 248-08-525 | NEW | 90-06-018 | 248-18-510 | AMD-P | 90-08-099 | 248-19-810 | NEW | 90-12-072 |
| 248-08-530 | REP | 90-06-018 | 248-18-510 | AMD | 90-12-014 | 248-19-811 | NEW-P | 90-08-105 |
| 248-08-535 | NEW | 90-06-018 | 248-18-520 | AMD-P | 90-08-099 | 248-19-811 | NEW | 90-12-072 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 248-19-820 | NEW-P | 90-08-105 | 248-98-001 | AMD-P | 90-02-072 | 248-101-220 | REP-P | 90-16-098 |
| 248-19-840 | NEW-P | 90-08-105 | 248-98-001 | AMD | 90-07-010 | 248-101-220 | NEW-E | 90-18-074 |
| 248-19-840 | NEW | 90-12-072 | 248-98-003 | NEW-P | 90-02-072 | 248-101-220 | REP-W | 90-18-083 |
| 248-19-860 | NEW-P | 90-08-105 | 248-98-003 | NEW | 90-07-010 | 248-101-220 | REP-P | 90-18-085 |
| 248-19-860 | NEW | 90-12-072 | 248-98-005 | NEW-P | 90-02-072 | 248-101-221 | NEW-P | 90-16-098 |
| 248-19-880 | NEW-P | 90-08-103 | 248-98-005 | NEW | 90-07-010 | 248-101-221 | NEW-W | 90-18-083 |
| 248-19-880 | NEW-W | 90-10-083 | 248-98-010 | AMD-P | 90-02-072 | 248-101-221 | NEW-P | 90-18-085 |
| 248-19-882 | NEW-P | 90-08-103 | 248-98-010 | AMD | 90-07-010 | 248-103 | AMD-P | 90-18-075 |
| 248-19-882 | NEW-W | 90-10-083 | 248-98-015 | NEW-P | 90-02-072 | 248-103-010 | AMD-P | 90-18-075 |
| 248-19-884 | NEW-P | 90-08-103 | 248-98-015 | NEW | 90-07-010 | 248-103-020 | AMD-P | 90-18-075 |
| 248-19-884 | NEW-W | 90-10-083 | 248-98-020 | AMD-P | 90-02-072 | 248-103-040 | NEW-P | 90-18-075 |
| 248-19-886 | NEW-P | 90-08-103 | 248-98-020 | AMD | 90-07-010 | 248-106-001 | NEW | 90-02-094 |
| 248-19-886 | NEW-W | 90-10-083 | 248-98-025 | NEW-P | 90-02-072 | 248-106-010 | NEW | 90-02-094 |
| 248-21-005 | AMD | 90-05-038 | 248-98-025 | NEW | 90-07-010 | 248-106-020 | NEW | 90-02-094 |
| 248-22-005 | AMD | 90-06-019 | 248-98-030 | AMD-P | 90-02-072 | 248-106-030 | NEW-P | 90-08-104 |
| 248-23-010 | AMD | 90-06-019 | 248-98-030 | AMD | 90-07-010 | 248-140-200 | AMD | 90-05-038 |
| 248-25-010 | AMD | 90-06-019 | 248-98-035 | NEW-P | 90-02-072 | 248-144-031 | AMD | 90-06-049 |
| 248-26-020 | AMD | 90-06-019 | 248-98-035 | NEW | 90-07-010 | 248-168-010 | AMD-P | 90-11-063 |
| 248-27-025 | AMD | 90-06-019 | 248-98-040 | AMD-P | 90-02-072 | 248-168-010 | AMD | 90-17-087 |
| 248-27-035 | AMD | 90-06-019 | 248-98-040 | AMD | 90-07-010 | 248-168-015 | NEW-P | 90-11-063 |
| 248-27-045 | AMD | 90-06-019 | 248-98-045 | NEW-P | 90-02-072 | 248-168-015 | NEW | 90-17-087 |
| 248-27-055 | AMD | 90-06-019 | 248-98-045 | NEW | 90-07-010 | 248-168-020 | AMD-P | 90-11-063 |
| 248-29-020 | AMD | 90-06-019 | 248-98-050 | AMD-P | 90-02-072 | 248-168-020 | AMD | 90-17-087 |
| 248-31-025 | AMD | 90-06-019 | 248-98-050 | AMD | 90-07-010 | 248-168-030 | AMD-P | 90-11-063 |
| 248-31-035 | AMD | 90-06-019 | 248-98-060 | AMD-P | 90-02-072 | 248-168-030 | AMD | 90-17-087 |
| 248-31-045 | AMD | 90-06-019 | 248-98-060 | AMD | 90-07-010 | 248-168-040 | AMD-P | 90-11-063 |
| 248-31-055 | AMD | 90-06-019 | 248-98-080 | AMD-P | 90-02-072 | 248-168-040 | AMD | 90-17-087 |
| 248-33-040 | AMD | 90-05-038 | 248-98-080 | AMD | 90-07-010 | 248-168-050 | AMD-P | 90-11-063 |
| 248-33-060 | REP | 90-05-038 | 248-98-085 | NEW-P | 90-02-072 | 248-168-050 | AMD | 90-17-087 |
| 248-33-080 | REP | 90-05-038 | 248-98-085 | NEW | 90-07-010 | 248-168-060 | AMD-P | 90-11-063 |
| 248-36-025 | AMD | 90-06-019 | 248-98-090 | AMD-P | 90-02-072 | 248-168-060 | AMD | 90-17-087 |
| 248-36-035 | AMD | 90-06-019 | 248-98-090 | AMD | 90-07-010 | 248-168-070 | NEW-P | 90-11-063 |
| 248-36-045 | AMD | 90-06-019 | 248-98-095 | NEW-P | 90-02-072 | 248-168-070 | NEW | 90-17-087 |
| 248-36-055 | AMD | 90-06-019 | 248-98-095 | NEW | 90-07-010 | 248-170-001 | NEW | 90-04-082 |
| 248-38-001 | NEW-P | 90-14-128 | 248-98-098 | NEW-P | 90-02-072 | 248-170-020 | NEW | 90-04-082 |
| 248-38-001 | NEW | 90-20-017 | 248-98-098 | NEW | 90-07-010 | 248-170-100 | NEW | 90-04-082 |
| 248-38-010 | NEW-P | 90-14-128 | 248-98-100 | AMD-P | 90-02-072 | 248-170-130 | NEW | 90-04-082 |
| 248-38-010 | NEW | 90-20-017 | 248-98-100 | AMD | 90-07-010 | 248-170-160 | NEW | 90-04-082 |
| 248-38-020 | NEW-P | 90-14-128 | 248-98-102 | NEW-P | 90-02-072 | 248-170-200 | NEW | 90-04-082 |
| 248-38-020 | NEW | 90-20-017 | 248-98-102 | NEW | 90-07-010 | 248-170-300 | NEW | 90-04-082 |
| 248-38-030 | NEW-P | 90-14-128 | 248-98-104 | NEW-P | 90-02-072 | 248-170-320 | NEW | 90-04-082 |
| 248-38-030 | NEW | 90-20-017 | 248-98-104 | NEW | 90-07-010 | 248-180-010 | NEW | 90-03-052 |
| 248-38-040 | NEW-P | 90-14-128 | 248-98-110 | AMD-P | 90-02-072 | 248-180-020 | NEW | 90-03-052 |
| 248-38-040 | NEW | 90-20-017 | 248-98-110 | AMD | 90-07-010 | 248-320-340 | NEW | 90-06-018 |
| 248-38-050 | NEW-P | 90-14-128 | 248-98-120 | AMD-P | 90-02-072 | 248-320-350 | NEW | 90-06-018 |
| 248-38-050 | NEW | 90-20-017 | 248-98-120 | AMD | 90-07-010 | 248-320-360 | NEW | 90-06-018 |
| 248-38-060 | NEW-P | 90-14-128 | 248-98-130 | NEW-P | 90-02-072 | 248-320-370 | NEW | 90-06-018 |
| 248-38-060 | NEW | 90-20-017 | 248-98-130 | NEW | 90-07-010 | 248-320-400 | NEW | 90-06-018 |
| 248-38-070 | NEW-P | 90-14-128 | 248-98-135 | NEW-P | 90-02-072 | 248-320-410 | NEW | 90-06-018 |
| 248-38-070 | NEW | 90-20-017 | 248-98-135 | NEW | 90-07-010 | 248-320-500 | NEW | 90-06-018 |
| 248-38-080 | NEW-P | 90-14-128 | 248-98-998 | NEW-P | 90-02-072 | 248-554-030 | AMD-C | 90-04-016 |
| 248-38-080 | NEW | 90-20-017 | 248-98-998 | NEW | 90-07-010 | 248-554-030 | AMD | 90-04-072 |
| 248-38-090 | NEW-P | 90-14-128 | 248-98-999 | REP-P | 90-02-072 | 250-14-010 | NEW-E | 90-16-032 |
| 248-38-090 | NEW | 90-20-017 | 248-98-999 | REP | 90-07-010 | 250-14-010 | NEW-P | 90-16-055 |
| 248-38-100 | NEW-P | 90-14-128 | 248-100-016 | AMD-P | 90-02-095 | 250-14-010 | NEW | 90-20-013 |
| 248-38-100 | NEW | 90-20-017 | 248-100-016 | AMD | 90-07-033 | 250-14-010 | NEW-E | 90-20-014 |
| 248-38-110 | NEW-P | 90-14-128 | 248-100-021 | AMD-P | 90-06-063 | 250-20-001 | AMD | 90-04-067 |
| 248-38-110 | NEW | 90-20-017 | 248-100-021 | AMD | 90-10-036 | 250-20-011 | AMD | 90-04-067 |
| 248-38-120 | NEW-P | 90-14-128 | 248-100-086 | AMD-P | 90-06-063 | 250-20-015 | AMD | 90-04-067 |
| 248-38-120 | NEW | 90-20-017 | 248-100-086 | AMD | 90-10-036 | 250-20-021 | AMD | 90-04-067 |
| 248-55-220 | AMD | 90-06-019 | 248-100-217 | NEW-P | 90-06-063 | 250-20-031 | AMD | 90-04-067 |
| 248-55-230 | REP | 90-06-019 | 248-100-217 | NEW | 90-10-036 | 250-20-037 | NEW | 90-04-067 |
| 248-55-235 | NEW | 90-06-019 | 248-101-010 | REP-P | 90-16-098 | 250-20-041 | AMD | 90-04-067 |
| 248-55-240 | AMD | 90-06-019 | 248-101-010 | REP-W | 90-18-083 | 250-20-051 | AMD | 90-04-067 |
| 248-55-250 | REP | 90-06-019 | 248-101-010 | REP-P | 90-18-085 | 250-20-071 | AMD | 90-04-067 |
| 248-55-260 | REP | 90-06-019 | 248-101-011 | NEW-P | 90-16-098 | 250-69-010 | NEW-P | 90-04-068 |
| 248-58-085 | NEW | 90-06-049 | 248-101-011 | NEW-W | 90-18-083 | 250-69-010 | NEW | 90-09-003 |
| 248-59-030 | AMD | 90-06-019 | 248-101-011 | NEW-P | 90-18-085 | 250-69-020 | NEW-P | 90-04-068 |
| 248-59-040 | REP | 90-06-019 | 248-101-020 | AMD-E | 90-11-038 | 250-69-020 | NEW | 90-09-003 |
| 248-59-050 | REP | 90-06-019 | 248-101-020 | REP-P | 90-16-098 | 250-69-030 | NEW-P | 90-04-068 |
| 248-59-060 | REP | 90-06-019 | 248-101-020 | AMD-E | 90-18-074 | 250-69-030 | NEW | 90-09-003 |
| 248-59-070 | REP | 90-06-019 | 248-101-020 | REP-W | 90-18-083 | 250-69-040 | NEW-P | 90-04-068 |
| 248-59-080 | REP | 90-06-019 | 248-101-020 | REP-P | 90-18-085 | 250-69-040 | NEW | 90-09-003 |
| 248-63-025 | AMD | 90-06-049 | 248-101-021 | NEW-P | 90-16-098 | 250-69-050 | NEW-P | 90-04-068 |
| 248-91-060 | AMD | 90-06-019 | 248-101-021 | NEW-W | 90-18-083 | 250-69-050 | NEW | 90-09-003 |
| 248-97-130 | AMD | 90-06-049 | 248-101-021 | NEW-P | 90-18-085 | 250-69-060 | NEW-P | 90-04-068 |
| 248-97-135 | NEW | 90-06-049 | 248-101-220 | NEW-E | 90-11-038 | 250-69-060 | NEW | 90-09-003 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 250-69-070 | NEW-P | 90-04-068 | 250-73-015 | NEW-P | 90-12-092 | 260-36-200 | NEW-E | 90-09-010 |
| 250-69-070 | NEW | 90-09-003 | 250-73-015 | NEW | 90-16-029 | 260-36-200 | NEW-P | 90-14-023 |
| 250-69-080 | NEW-P | 90-04-068 | 250-73-020 | NEW-P | 90-12-092 | 260-40-280 | AMD-P | 90-14-101 |
| 250-69-080 | NEW | 90-09-003 | 250-73-020 | NEW | 90-16-029 | 260-40-280 | AMD | 90-19-001 |
| 250-69-090 | NEW-P | 90-04-068 | 250-73-025 | NEW-P | 90-12-092 | 260-48-327 | AMD-W | 90-13-072 |
| 250-69-090 | NEW | 90-09-003 | 250-73-025 | NEW | 90-16-029 | 260-48-327 | AMD-P | 90-14-100 |
| 250-69-100 | NEW-P | 90-04-068 | 250-73-030 | NEW-P | 90-12-092 | 260-48-327 | AMD | 90-19-002 |
| 250-69-100 | NEW | 90-09-003 | 250-73-030 | NEW | 90-16-029 | 260-60-060 | AMD-P | 90-14-067 |
| 250-69-110 | NEW-P | 90-04-068 | 250-73-035 | NEW-P | 90-12-092 | 275-16-030 | AMD-P | 90-14-045 |
| 250-69-110 | NEW | 90-09-003 | 250-73-035 | NEW | 90-16-029 | 260-48-327 | AMD-E | 90-14-057 |
| 250-70 | NEW-C | 90-14-029 | 250-73-040 | NEW-P | 90-12-092 | 275-16-030 | AMD-C | 90-17-111 |
| 250-70-010 | NEW-P | 90-11-130 | 250-73-040 | NEW | 90-16-029 | 275-16-030 | AMD | 90-18-004 |
| 250-70-010 | NEW | 90-16-023 | 250-73-045 | NEW-P | 90-12-092 | 275-16-055 | AMD-C | 90-04-019 |
| 250-70-020 | NEW-P | 90-11-130 | 250-73-045 | NEW | 90-16-029 | 275-16-055 | AMD | 90-04-075 |
| 250-70-020 | NEW | 90-16-023 | 250-74-010 | NEW-P | 90-16-082 | 275-16-055 | AMD-E | 90-17-135 |
| 250-70-030 | NEW-P | 90-11-130 | 250-74-010 | NEW | 90-20-011 | 275-16-055 | AMD-P | 90-17-137 |
| 250-70-030 | NEW | 90-16-023 | 250-74-020 | NEW-P | 90-16-082 | 275-16-105 | AMD-E | 90-20-068 |
| 250-70-040 | NEW-P | 90-11-130 | 250-74-020 | NEW | 90-20-011 | 275-16-105 | AMD-P | 90-20-069 |
| 250-70-040 | NEW | 90-16-023 | 250-74-030 | NEW-P | 90-16-082 | 275-19-050 | AMD-C | 90-04-017 |
| 250-70-050 | NEW-P | 90-11-130 | 250-74-030 | NEW | 90-20-011 | 275-19-050 | AMD | 90-04-073 |
| 250-70-050 | NEW | 90-16-023 | 250-74-040 | NEW-P | 90-16-082 | 275-20-080 | AMD-C | 90-04-018 |
| 250-70-060 | NEW-P | 90-11-130 | 250-74-040 | NEW | 90-20-011 | 275-20-080 | AMD | 90-04-074 |
| 250-70-060 | NEW | 90-16-023 | 250-74-050 | NEW-P | 90-16-082 | 275-20-080 | AMD-E | 90-17-135 |
| 250-70-070 | NEW-P | 90-11-130 | 250-74-050 | NEW | 90-20-011 | 275-20-080 | AMD-P | 90-17-137 |
| 250-70-070 | NEW | 90-16-023 | 250-74-060 | NEW-P | 90-16-082 | 275-26-022 | AMD-C | 90-04-018 |
| 250-70-080 | NEW-P | 90-11-130 | 250-74-060 | NEW | 90-20-011 | 275-26-022 | AMD | 90-04-074 |
| 250-70-080 | NEW | 90-16-023 | 250-75-010 | NEW-P | 90-16-093 | 275-27-500 | AMD-C | 90-04-018 |
| 250-70-090 | NEW-P | 90-11-130 | 250-75-010 | NEW | 90-20-012 | 275-27-500 | AMD | 90-04-074 |
| 250-70-090 | NEW | 90-16-023 | 250-75-020 | NEW-P | 90-16-093 | 275-30-020 | AMD-P | 90-19-018 |
| 250-70-100 | NEW-P | 90-11-130 | 250-75-020 | NEW | 90-20-012 | 275-30-020 | AMD-E | 90-19-019 |
| 250-70-100 | NEW | 90-16-023 | 250-75-030 | NEW-P | 90-16-093 | 275-30-060 | AMD-P | 90-19-018 |
| 250-71-010 | NEW-E | 90-10-002 | 250-75-030 | NEW | 90-20-012 | 275-30-060 | AMD-E | 90-19-019 |
| 250-71-010 | NEW-P | 90-11-108 | 250-75-040 | NEW-P | 90-16-093 | 275-30-070 | AMD-P | 90-19-018 |
| 250-71-015 | NEW-E | 90-10-002 | 250-75-040 | NEW | 90-20-012 | 275-30-070 | AMD-E | 90-19-019 |
| 250-71-015 | NEW-P | 90-11-108 | 250-75-050 | NEW-P | 90-16-093 | 275-36-310 | AMD-C | 90-04-018 |
| 250-71-020 | NEW-E | 90-10-002 | 250-75-050 | NEW | 90-20-012 | 275-36-310 | AMD | 90-04-074 |
| 250-71-020 | NEW-P | 90-11-108 | 250-75-060 | NEW-P | 90-16-093 | 275-38-770 | AMD-E | 90-11-005 |
| 250-71-025 | NEW-E | 90-10-002 | 250-75-060 | NEW | 90-20-012 | 275-38-770 | AMD-P | 90-11-007 |
| 250-71-025 | NEW-P | 90-11-108 | 250-75-070 | NEW-P | 90-16-093 | 275-38-770 | AMD | 90-15-017 |
| 250-71-030 | NEW-E | 90-10-002 | 250-75-070 | NEW | 90-20-012 | 275-38-860 | AMD-E | 90-11-005 |
| 250-71-030 | NEW-P | 90-11-108 | 250-75-080 | NEW-P | 90-16-093 | 275-38-860 | AMD-P | 90-11-007 |
| 250-71-035 | NEW-E | 90-10-002 | 250-75-080 | NEW | 90-20-012 | 275-38-860 | AMD | 90-15-017 |
| 250-71-035 | NEW-P | 90-11-108 | 251-01-180 | AMD-P | 90-09-075 | 275-38-906 | AMD-E | 90-11-005 |
| 250-71-040 | NEW-E | 90-10-002 | 251-01-180 | AMD | 90-14-018 | 275-38-906 | AMD-P | 90-11-007 |
| 250-71-040 | NEW-P | 90-11-108 | 251-04-040 | AMD | 90-06-023 | 275-38-906 | AMD | 90-15-017 |
| 250-71-045 | NEW-E | 90-10-002 | 251-04-040 | AMD-E | 90-13-015 | 275-38-960 | AMD-C | 90-04-018 |
| 250-71-045 | NEW-P | 90-11-108 | 251-04-040 | AMD-P | 90-13-120 | 275-38-960 | AMD | 90-04-074 |
| 250-71-050 | NEW-E | 90-10-002 | 251-04-040 | AMD | 90-17-037 | 275-56-005 | AMD | 90-03-113 |
| 250-71-050 | NEW-P | 90-11-108 | 251-09-085 | NEW-W | 90-06-082 | 275-56-010 | AMD | 90-03-113 |
| 250-71-055 | NEW-E | 90-10-002 | 251-09-090 | AMD-C | 90-06-083 | 275-56-015 | AMD | 90-03-113 |
| 250-71-055 | NEW-P | 90-11-108 | 251-09-090 | AMD | 90-10-044 | 275-56-016 | NEW | 90-03-113 |
| 250-71-060 | NEW-E | 90-10-002 | 251-09-092 | NEW-C | 90-06-083 | 275-56-017 | NEW | 90-03-113 |
| 250-71-060 | NEW-P | 90-11-108 | 251-09-092 | NEW | 90-10-044 | 275-56-020 | AMD | 90-03-113 |
| 250-71-065 | NEW-E | 90-10-002 | 251-09-094 | NEW-C | 90-06-083 | 275-56-025 | AMD | 90-03-113 |
| 250-71-065 | NEW-P | 90-11-108 | 251-09-094 | NEW | 90-10-044 | 275-56-030 | REP | 90-03-113 |
| 250-71-070 | NEW-E | 90-10-002 | 251-12-073 | AMD-P | 90-09-076 | 275-56-035 | AMD | 90-03-113 |
| 250-71-070 | NEW-P | 90-11-108 | 251-12-073 | AMD | 90-14-018 | 275-56-040 | AMD | 90-03-113 |
| 250-71-075 | NEW-E | 90-10-002 | 251-12-085 | AMD-P | 90-09-074 | 275-56-042 | NEW | 90-03-113 |
| 250-71-075 | NEW-P | 90-11-108 | 251-12-085 | AMD | 90-13-017 | 275-56-043 | NEW | 90-03-113 |
| 250-72-010 | NEW-P | 90-12-093 | 251-12-099 | NEW-P | 90-09-074 | 275-56-050 | AMD | 90-03-113 |
| 250-72-010 | NEW | 90-16-030 | 251-12-099 | NEW | 90-13-017 | 275-56-055 | AMD | 90-03-113 |
| 250-72-015 | NEW-P | 90-12-093 | 251-18-185 | REP-E | 90-13-016 | 275-56-060 | AMD | 90-03-113 |
| 250-72-015 | NEW | 90-16-030 | 251-18-185 | REP-P | 90-13-121 | 275-56-065 | AMD | 90-03-113 |
| 250-72-020 | NEW-P | 90-12-093 | 251-18-185 | REP | 90-17-037 | 275-56-070 | AMD | 90-03-113 |
| 250-72-020 | NEW | 90-16-030 | 251-18-240 | AMD-E | 90-13-016 | 275-56-075 | AMD | 90-03-113 |
| 250-72-025 | NEW-P | 90-12-093 | 251-18-240 | AMD-P | 90-13-121 | 275-56-080 | AMD | 90-03-113 |
| 250-72-025 | NEW | 90-16-030 | 251-18-240 | AMD | 90-17-037 | 275-56-085 | AMD | 90-03-113 |
| 250-72-030 | NEW-P | 90-12-093 | 251-18-270 | REP-E | 90-13-016 | 275-56-087 | NEW | 90-03-113 |
| 250-72-030 | NEW | 90-16-030 | 251-18-270 | REP-P | 90-13-121 | 275-56-088 | NEW | 90-03-113 |
| 250-72-035 | NEW-P | 90-12-093 | 251-18-270 | REP | 90-17-037 | 275-56-089 | NEW | 90-03-113 |
| 250-72-035 | NEW | 90-16-030 | 251-18-280 | AMD-E | 90-13-016 | 275-56-090 | AMD | 90-03-113 |
| 250-72-040 | NEW-P | 90-12-093 | 251-18-280 | AMD-P | 90-13-121 | 275-56-095 | AMD | 90-03-113 |
| 250-72-040 | NEW | 90-16-030 | 251-18-280 | AMD | 90-17-037 | 275-56-095 | AMD-C | 90-04-019 |
| 250-72-045 | NEW-P | 90-12-093 | 251-22-165 | AMD-P | 90-09-075 | 275-56-095 | AMD-W | 90-04-069 |
| 250-72-045 | NEW | 90-16-030 | 251-22-165 | AMD | 90-14-018 | 275-56-100 | AMD | 90-03-113 |
| 250-73-010 | NEW-P | 90-12-092 | 260-36-190 | NEW-E | 90-09-010 | 275-56-105 | AMD | 90-03-113 |
| 250-73-010 | NEW | 90-16-029 | 260-36-190 | NEW-P | 90-14-023 | 275-56-110 | AMD | 90-03-113 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 275-56-115 | AMD | 90-03-113 | 275-110-060 | AMD | 90-16-086 | 284-49-520 | NEW | 90-18-076 |
| 275-56-120 | REP | 90-03-113 | 275-110-070 | AMD-P | 90-13-113 | 284-49-900 | NEW-E | 90-12-095 |
| 275-56-125 | REP | 90-03-113 | 275-110-070 | AMD | 90-16-086 | 284-49-900 | NEW-P | 90-16-087 |
| 275-56-130 | REP | 90-03-113 | 275-110-080 | AMD-P | 90-13-113 | 284-49-900 | NEW | 90-18-076 |
| 275-56-135 | AMD | 90-03-113 | 275-110-080 | AMD | 90-16-086 | 284-49-999 | NEW-E | 90-12-095 |
| 275-56-140 | REP | 90-03-113 | 275-155-005 | NEW-P | 90-14-046 | 284-49-999 | NEW-P | 90-16-087 |
| 275-56-145 | REP | 90-03-113 | 275-155-005 | NEW-E | 90-14-059 | 284-49-999 | NEW | 90-18-076 |
| 275-56-150 | AMD | 90-03-113 | 275-155-005 | NEW | 90-17-120 | 284-55-010 | REP-P | 90-04-089 |
| 275-56-155 | REP | 90-03-113 | 275-155-010 | NEW-P | 90-14-046 | 284-55-010 | AMD-P | 90-13-085 |
| 275-56-160 | REP | 90-03-113 | 275-155-010 | NEW-E | 90-14-059 | 284-55-010 | AMD | 90-17-038 |
| 275-56-165 | REP | 90-03-113 | 275-155-010 | NEW | 90-17-120 | 284-55-010 | REP-W | 90-17-100 |
| 275-56-170 | AMD | 90-03-113 | 275-155-020 | NEW-P | 90-14-046 | 284-55-020 | REP-P | 90-04-089 |
| 275-56-175 | AMD | 90-03-113 | 275-155-020 | NEW-E | 90-14-059 | 284-55-020 | AMD-P | 90-13-085 |
| 275-56-180 | AMD | 90-03-113 | 275-155-020 | NEW | 90-17-120 | 284-55-020 | AMD | 90-17-038 |
| 275-56-185 | AMD | 90-03-113 | 275-155-030 | NEW-P | 90-14-046 | 284-55-020 | REP-W | 90-17-100 |
| 275-56-190 | REP | 90-03-113 | 275-155-030 | NEW-E | 90-14-059 | 284-55-030 | REP-P | 90-04-089 |
| 275-56-195 | AMD | 90-03-113 | 275-155-030 | NEW | 90-17-120 | 284-55-030 | AMD-P | 90-13-085 |
| 275-56-200 | AMD | 90-03-113 | 275-155-040 | NEW-P | 90-14-046 | 284-55-030 | AMD | 90-17-038 |
| 275-56-205 | AMD | 90-03-113 | 275-155-040 | NEW-E | 90-14-059 | 284-55-030 | REP-W | 90-17-100 |
| 275-56-210 | AMD | 90-03-113 | 275-155-040 | NEW | 90-17-120 | 284-55-035 | REP-P | 90-04-089 |
| 275-56-215 | AMD | 90-03-113 | 275-155-050 | NEW-P | 90-14-046 | 284-55-035 | REP-W | 90-17-100 |
| 275-56-220 | AMD | 90-03-113 | 275-155-050 | NEW-E | 90-14-059 | 284-55-040 | REP-P | 90-04-089 |
| 275-56-225 | AMD | 90-03-113 | 275-155-050 | NEW | 90-17-120 | 284-55-040 | REP-W | 90-17-100 |
| 275-56-230 | AMD | 90-03-113 | 275-155-060 | NEW-P | 90-14-046 | 284-55-045 | REP-P | 90-04-089 |
| 275-56-235 | AMD | 90-03-113 | 275-155-060 | NEW-E | 90-14-059 | 284-55-045 | REP-W | 90-17-100 |
| 275-56-240 | AMD | 90-03-113 | 275-155-060 | NEW | 90-17-120 | 284-55-050 | REP-P | 90-04-089 |
| 275-56-245 | AMD | 90-03-113 | 284-02-020 | AMD-P | 90-14-104 | 284-55-050 | REP-W | 90-17-100 |
| 275-56-250 | REP | 90-03-113 | 284-02-020 | AMD | 90-17-058 | 284-55-060 | REP-P | 90-04-089 |
| 275-56-255 | REP | 90-03-113 | 284-03-060 | AMD-P | 90-15-022 | 284-55-060 | REP-W | 90-17-100 |
| 275-56-260 | AMD | 90-03-113 | 284-03-060 | AMD | 90-18-037 | 284-55-065 | REP-P | 90-04-089 |
| 275-56-265 | REP | 90-03-113 | 284-12-010 | REP | 90-04-060 | 284-55-065 | REP-W | 90-17-100 |
| 275-56-270 | REP | 90-03-113 | 284-12-030 | REP | 90-04-060 | 284-55-067 | REP-P | 90-04-089 |
| 275-56-275 | AMD | 90-03-113 | 284-12-040 | REP | 90-04-060 | 284-55-067 | REP-W | 90-17-100 |
| 275-56-280 | REP | 90-03-113 | 284-12-080 | AMD | 90-04-042 | 284-55-070 | REP-P | 90-04-089 |
| 275-56-285 | AMD | 90-03-113 | 284-17-121 | NEW | 90-04-060 | 284-55-070 | REP-W | 90-17-100 |
| 275-56-290 | AMD | 90-03-113 | 284-17-122 | NEW | 90-04-060 | 284-55-080 | REP-P | 90-04-089 |
| 275-56-295 | AMD | 90-03-113 | 284-17-123 | NEW | 90-04-060 | 284-55-080 | REP-W | 90-17-100 |
| 275-56-300 | AMD | 90-03-113 | 284-17-600 | NEW-P | 90-19-109 | 284-55-090 | REP-P | 90-04-089 |
| 275-56-305 | AMD | 90-03-113 | 284-24-015 | AMD-P | 90-10-056 | 284-55-090 | REP-W | 90-17-100 |
| 275-56-310 | REP | 90-03-113 | 284-24-015 | AMD | 90-13-041 | 284-55-095 | REP-P | 90-04-089 |
| 275-56-315 | REP | 90-03-113 | 284-24-055 | NEW-P | 90-10-056 | 284-55-095 | REP-W | 90-17-100 |
| 275-56-320 | REP | 90-03-113 | 284-24-055 | NEW | 90-13-041 | 284-55-115 | REP-P | 90-04-089 |
| 275-56-325 | REP | 90-03-113 | 284-24-060 | AMD-P | 90-10-056 | 284-55-115 | REP-W | 90-17-100 |
| 275-56-330 | REP | 90-03-113 | 284-24-060 | AMD | 90-13-041 | 284-55-120 | REP-P | 90-04-089 |
| 275-56-335 | AMD | 90-03-113 | 284-24-100 | AMD-P | 90-10-056 | 284-55-120 | REP-W | 90-17-100 |
| 275-56-340 | AMD | 90-03-113 | 284-24-100 | AMD | 90-13-041 | 284-55-125 | REP-P | 90-04-089 |
| 275-56-345 | REP | 90-03-113 | 284-30-800 | AMD-P | 90-17-059 | 284-55-125 | REP-W | 90-17-100 |
| 275-56-350 | REP | 90-03-113 | 284-30-800 | AMD | 90-20-104 | 284-55-150 | REP-P | 90-04-089 |
| 275-56-355 | AMD | 90-03-113 | 284-49-010 | NEW-E | 90-12-095 | 284-55-150 | REP-W | 90-17-100 |
| 275-56-360 | REP | 90-03-113 | 284-49-010 | NEW-P | 90-16-087 | 284-55-155 | REP-P | 90-04-089 |
| 275-56-365 | AMD | 90-03-113 | 284-49-010 | NEW | 90-18-076 | 284-55-155 | REP-W | 90-17-100 |
| 275-56-370 | REP | 90-03-113 | 284-49-020 | NEW-E | 90-12-095 | 284-55-160 | REP-P | 90-04-089 |
| 275-56-375 | REP | 90-03-113 | 284-49-020 | NEW-P | 90-16-087 | 284-55-160 | REP-W | 90-17-100 |
| 275-56-380 | REP | 90-03-113 | 284-49-020 | NEW | 90-18-076 | 284-55-165 | REP-P | 90-04-089 |
| 275-56-385 | AMD | 90-03-113 | 284-49-050 | NEW-E | 90-12-095 | 284-55-165 | REP-W | 90-17-100 |
| 275-56-390 | REP | 90-03-113 | 284-49-050 | NEW-P | 90-16-087 | 284-55-172 | REP-P | 90-04-089 |
| 275-56-395 | REP | 90-03-113 | 284-49-050 | NEW | 90-18-076 | 284-55-172 | REP-P | 90-13-085 |
| 275-56-400 | AMD | 90-03-113 | 284-49-100 | NEW-E | 90-12-095 | 284-55-172 | REP | 90-17-038 |
| 275-56-405 | REP | 90-03-113 | 284-49-100 | NEW-P | 90-16-087 | 284-55-172 | REP-W | 90-17-100 |
| 275-56-410 | REP | 90-03-113 | 284-49-100 | NEW | 90-18-076 | 284-55-177 | REP-P | 90-04-089 |
| 275-56-415 | REP | 90-03-113 | 284-49-115 | NEW-E | 90-12-095 | 284-55-177 | REP-P | 90-13-085 |
| 275-56-420 | REP | 90-03-113 | 284-49-115 | NEW-P | 90-16-087 | 284-55-177 | REP | 90-17-038 |
| 275-56-425 | AMD | 90-03-113 | 284-49-115 | NEW | 90-18-076 | 284-55-177 | REP-W | 90-17-100 |
| 275-56-430 | REP | 90-03-113 | 284-49-300 | NEW-E | 90-12-095 | 284-55-180 | REP-P | 90-04-089 |
| 275-56-435 | REP | 90-03-113 | 284-49-300 | NEW-P | 90-16-087 | 284-55-180 | REP-W | 90-17-100 |
| 275-56-440 | REP | 90-03-113 | 284-49-300 | NEW | 90-18-076 | 284-55-185 | REP-P | 90-04-089 |
| 275-56-445 | AMD | 90-03-113 | 284-49-330 | NEW-E | 90-12-095 | 284-55-185 | REP-W | 90-17-100 |
| 275-56-450 | REP | 90-03-113 | 284-49-330 | NEW-P | 90-16-087 | 284-55-190 | REP-P | 90-04-089 |
| 275-56-465 | NEW | 90-03-113 | 284-49-330 | NEW | 90-18-076 | 284-55-190 | REP-W | 90-17-100 |
| 275-56-475 | NEW | 90-03-113 | 284-49-500 | NEW-E | 90-12-095 | 284-55-205 | REP-P | 90-04-089 |
| 275-56-485 | NEW | 90-03-113 | 284-49-500 | NEW-P | 90-16-087 | 284-55-205 | REP-W | 90-17-100 |
| 275-56-495 | NEW | 90-03-113 | 284-49-500 | NEW | 90-18-076 | 284-55-210 | REP-P | 90-04-089 |
| 275-56-505 | NEW | 90-03-113 | 284-49-510 | NEW-E | 90-12-095 | 284-55-210 | REP-W | 90-17-100 |
| 275-56-515 | NEW | 90-03-113 | 284-49-510 | NEW-P | 90-16-087 | 284-66-010 | NEW-P | 90-04-089 |
| 275-110-050 | AMD-P | 90-13-113 | 284-49-510 | NEW | 90-18-076 | 284-66-010 | NEW | 90-07-059 |
| 275-110-050 | AMD | 90-16-086 | 284-49-520 | NEW-E | 90-12-095 | 284-66-020 | NEW-P | 90-04-089 |
| 275-110-060 | AMD-P | 90-13-113 | 284-49-520 | NEW-P | 90-16-087 | 284-66-020 | NEW | 90-07-059 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 284-66-030 | NEW | 90-07-059 | 292-08-050 | NEW | 90-10-059 | 296-06-080 | AMD | 90-07-004 |
| 284-66-040 | NEW-P | 90-04-089 | 292-12-010 | NEW-P | 90-03-095 | 296-06-090 | AMD-P | 90-02-089 |
| 284-66-040 | NEW | 90-07-059 | 292-12-010 | NEW-E | 90-08-077 | 296-06-090 | AMD | 90-07-004 |
| 284-66-050 | NEW-P | 90-04-089 | 292-12-010 | NEW | 90-10-059 | 296-06-100 | AMD-P | 90-02-089 |
| 284-66-050 | NEW | 90-07-059 | 292-12-020 | NEW-P | 90-03-095 | 296-06-100 | AMD | 90-07-004 |
| 284-66-060 | NEW-P | 90-04-089 | 292-12-020 | NEW-E | 90-08-077 | 296-06-110 | AMD-P | 90-02-089 |
| 284-66-060 | NEW | 90-07-059 | 292-12-020 | NEW | 90-10-059 | 296-06-110 | AMD | 90-07-004 |
| 284-66-070 | NEW-P | 90-04-089 | 292-12-030 | NEW-P | 90-03-095 | 296-06-120 | AMD-P | 90-02-089 |
| 284-66-070 | NEW | 90-07-059 | 292-12-030 | NEW-E | 90-08-077 | 296-06-120 | AMD | 90-07-004 |
| 284-66-080 | NEW-P | 90-04-089 | 292-12-030 | NEW | 90-10-059 | 296-06-130 | AMD-P | 90-02-089 |
| 284-66-080 | NEW | 90-07-059 | 292-12-040 | NEW-P | 90-03-095 | 296-06-130 | AMD | 90-07-004 |
| 284-66-090 | NEW-P | 90-04-089 | 292-12-040 | NEW-E | 90-08-077 | 296-06-140 | AMD-P | 90-02-089 |
| 284-66-090 | NEW | 90-07-059 | 292-12-040 | NEW | 90-10-059 | 296-06-140 | AMD | 90-07-004 |
| 284-66-100 | NEW-P | 90-04-089 | 292-12-050 | NEW-P | 90-03-095 | 296-06-150 | AMD-P | 90-02-089 |
| 284-66-100 | NEW | 90-07-059 | 292-12-050 | NEW-E | 90-08-077 | 296-06-150 | AMD | 90-07-004 |
| 284-66-110 | NEW-P | 90-04-089 | 292-12-050 | NEW | 90-10-059 | 296-06-170 | AMD-P | 90-02-089 |
| 284-66-110 | NEW | 90-07-059 | 292-12-060 | NEW-P | 90-03-095 | 296-06-170 | AMD | 90-07-004 |
| 284-66-120 | NEW-P | 90-04-089 | 292-12-060 | NEW-E | 90-08-077 | 296-06-990 | REP-P | 90-02-089 |
| 284-66-120 | NEW | 90-07-059 | 292-12-060 | NEW | 90-10-059 | 296-06-990 | REP | 90-07-004 |
| 284-66-130 | NEW-P | 90-04-089 | 292-12-070 | NEW-P | 90-03-095 | 296-06-99001 | REP-P | 90-02-089 |
| 284-66-130 | NEW | 90-07-059 | 292-12-070 | NEW-E | 90-08-077 | 296-06-99001 | REP | 90-07-004 |
| 284-66-140 | NEW-P | 90-04-089 | 292-12-070 | NEW | 90-10-059 | 296-14-010 | AMD-P | 90-13-112 |
| 284-66-140 | NEW | 90-07-059 | 292-12-080 | NEW-P | 90-03-095 | 296-14-010 | AMD-C | 90-18-050 |
| 284-66-150 | NEW-P | 90-04-089 | 292-12-080 | NEW-E | 90-08-077 | 296-14-010 | AMD | 90-19-028 |
| 284-66-150 | NEW | 90-07-059 | 292-12-080 | NEW | 90-10-059 | 296-14-400 | AMD | 90-04-007 |
| 284-66-160 | NEW-P | 90-04-089 | 292-12-090 | NEW-P | 90-03-095 | 296-14-400 | AMD-P | 90-13-112 |
| 284-66-160 | NEW | 90-07-059 | 292-12-090 | NEW-E | 90-08-077 | 296-14-400 | AMD-C | 90-18-051 |
| 284-66-170 | NEW-P | 90-04-089 | 292-12-090 | NEW | 90-10-059 | 296-14-400 | AMD-C | 90-20-118 |
| 284-66-170 | NEW | 90-07-059 | 292-12-110 | NEW-P | 90-03-095 | 296-14-410 | NEW-P | 90-13-112 |
| 284-66-180 | NEW-P | 90-04-089 | 292-12-110 | NEW-E | 90-08-077 | 296-14-410 | NEW-C | 90-18-050 |
| 284-66-180 | NEW | 90-07-059 | 292-12-110 | NEW | 90-10-059 | 296-14-410 | NEW | 90-19-028 |
| 284-66-190 | NEW-P | 90-04-089 | 292-12-120 | NEW-P | 90-03-095 | 296-14-420 | NEW-P | 90-13-112 |
| 284-66-190 | NEW | 90-07-059 | 292-12-120 | NEW-E | 90-08-077 | 296-14-420 | NEW-C | 90-18-050 |
| 284-66-200 | NEW-P | 90-04-089 | 292-12-120 | NEW | 90-10-059 | 296-14-420 | NEW | 90-19-028 |
| 284-66-200 | NEW | 90-07-059 | 292-12-130 | NEW-P | 90-03-095 | 296-14-970 | NEW-E | 90-12-105 |
| 284-66-210 | NEW-P | 90-04-089 | 292-12-130 | NEW-E | 90-08-077 | 296-14-970 | NEW-P | 90-12-103 |
| 284-66-210 | NEW | 90-07-059 | 292-12-130 | NEW | 90-10-059 | 296-14-970 | NEW | 90-18-002 |
| 284-66-220 | NEW-P | 90-04-089 | 292-12-140 | NEW-P | 90-03-095 | 296-15-020 | AMD-P | 90-09-071 |
| 284-66-220 | NEW | 90-07-059 | 292-12-140 | NEW-E | 90-08-077 | 296-15-020 | AMD | 90-14-036 |
| 284-66-230 | NEW-P | 90-04-089 | 292-12-140 | NEW | 90-10-059 | 296-15-030 | AMD-P | 90-19-092 |
| 284-66-230 | NEW | 90-07-059 | 292-12-150 | NEW-P | 90-03-095 | 296-15-070 | AMD-P | 90-09-072 |
| 284-66-240 | NEW-P | 90-04-089 | 292-12-150 | NEW-E | 90-08-077 | 296-15-070 | AMD | 90-14-009 |
| 284-66-240 | NEW | 90-07-059 | 292-12-150 | NEW | 90-10-059 | 296-17-350 | AMD-P | 90-08-092 |
| 284-66-250 | NEW-P | 90-04-089 | 292-12-160 | NEW-P | 90-03-095 | 296-17-350 | AMD-C | 90-11-099 |
| 284-66-250 | NEW | 90-07-059 | 292-12-160 | NEW-E | 90-08-077 | 296-17-350 | AMD | 90-13-018 |
| 284-66-260 | NEW-P | 90-04-089 | 292-12-160 | NEW | 90-10-059 | 296-17-45002 | AMD-P | 90-08-092 |
| 284-66-260 | NEW | 90-07-059 | 292-12-170 | NEW-P | 90-03-095 | 296-17-45002 | AMD-C | 90-11-099 |
| 284-66-270 | NEW-P | 90-04-089 | 292-12-170 | NEW-E | 90-08-077 | 296-17-45002 | AMD | 90-13-018 |
| 284-66-270 | NEW | 90-07-059 | 292-12-170 | NEW | 90-10-059 | 296-17-45003 | AMD-P | 90-08-092 |
| 284-66-300 | NEW-P | 90-04-089 | 292-12-180 | NEW-P | 90-03-095 | 296-17-45003 | AMD-C | 90-11-099 |
| 284-66-300 | NEW | 90-07-059 | 292-12-180 | NEW-E | 90-08-077 | 296-17-45003 | AMD | 90-13-018 |
| 284-66-310 | NEW-P | 90-04-089 | 292-12-180 | NEW | 90-10-059 | 296-17-50904 | AMD-P | 90-08-092 |
| 284-66-310 | NEW | 90-07-059 | 296-04-001 | AMD-P | 90-06-103 | 296-17-50904 | AMD-C | 90-11-099 |
| 284-66-320 | NEW-P | 90-04-089 | 296-04-001 | AMD-S | 90-07-084 | 296-17-50904 | AMD | 90-13-018 |
| 284-66-320 | NEW | 90-07-059 | 296-04-001 | AMD-C | 90-16-019 | 296-17-519 | AMD-P | 90-08-092 |
| 284-66-330 | NEW-P | 90-04-089 | 296-04-001 | AMD-S | 90-17-052 | 296-17-519 | AMD-C | 90-11-099 |
| 284-66-330 | NEW | 90-07-059 | 296-04-040 | AMD | 90-10-021 | 296-17-519 | AMD | 90-13-018 |
| 284-66-340 | NEW-P | 90-04-089 | 296-04-042 | NEW-P | 90-06-104 | 296-17-532 | AMD-P | 90-08-092 |
| 284-66-340 | NEW | 90-07-059 | 296-04-042 | NEW-S | 90-07-085 | 296-17-532 | AMD-C | 90-11-099 |
| 284-66-350 | NEW-P | 90-04-089 | 296-04-042 | NEW | 90-16-031 | 296-17-532 | AMD | 90-13-018 |
| 284-66-350 | NEW | 90-07-059 | 296-04-160 | AMD-P | 90-06-103 | 296-17-57602 | AMD-P | 90-08-092 |
| 284-66-400 | NEW-P | 90-04-089 | 296-04-160 | AMD-S | 90-07-084 | 296-17-57602 | AMD-C | 90-11-099 |
| 284-66-400 | NEW | 90-07-059 | 296-04-160 | AMD-C | 90-16-019 | 296-17-57602 | AMD | 90-13-018 |
| 292-08-010 | NEW-P | 90-03-095 | 296-04-160 | AMD-S | 90-17-052 | 296-17-590 | AMD-P | 90-08-092 |
| 292-08-010 | NEW-E | 90-08-077 | 296-04-270 | AMD | 90-10-020 | 296-17-590 | AMD-C | 90-11-099 |
| 292-08-010 | NEW | 90-10-059 | 296-04-340 | AMD | 90-10-019 | 296-17-590 | AMD | 90-13-018 |
| 292-08-020 | NEW-P | 90-03-095 | 296-04-350 | AMD | 90-10-019 | 296-17-592 | AMD-P | 90-08-092 |
| 292-08-020 | NEW-E | 90-08-077 | 296-04-370 | AMD | 90-10-019 | 296-17-592 | AMD-C | 90-11-099 |
| 292-08-020 | NEW | 90-10-059 | 296-06-010 | AMD-P | 90-02-089 | 296-17-592 | AMD | 90-13-018 |
| 292-08-030 | NEW-P | 90-03-095 | 296-06-010 | AMD | 90-07-004 | 296-17-59202 | NEW-P | 90-08-092 |
| 292-08-030 | NEW-E | 90-08-077 | 296-06-020 | AMD-P | 90-02-089 | 296-17-59202 | NEW-C | 90-11-099 |
| 292-08-030 | NEW | 90-10-059 | 296-06-020 | AMD | 90-07-004 | 296-17-59202 | NEW | 90-13-018 |
| 292-08-040 | NEW-P | 90-03-095 | 296-06-030 | AMD-P | 90-02-089 | 296-17-631 | AMD-P | 90-08-092 |
| 292-08-040 | NEW-E | 90-08-077 | 296-06-030 | AMD | 90-07-004 | 296-17-631 | AMD-C | 90-11-099 |
| 292-08-040 | NEW | 90-10-059 | 296-06-040 | AMD-P | 90-02-089 | 296-17-631 | AMD | 90-13-018 |
| 292-08-050 | NEW-P | 90-03-095 | 296-06-040 | AMD | 90-07-004 | 296-17-631 | AMD-P | 90-08-092 |

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| 296-17-634 | AMD-C | 90-11-099 | 296-22-082 | AMD-P | 90-13-111 | 296-24-87001 | AMD | 90-09-026 |
| 296-17-634 | AMD | 90-13-018 | 296-22-205 | AMD-P | 90-13-111 | 296-24-87003 | REP-P | 90-03-093 |
| 296-17-679 | AMD-P | 90-08-092 | 296-23-07907 | AMD-P | 90-13-111 | 296-24-87003 | REP | 90-09-026 |
| 296-17-679 | AMD-C | 90-11-099 | 296-23-900 | AMD-P | 90-13-111 | 296-24-87005 | REP-P | 90-03-093 |
| 296-17-679 | AMD | 90-13-018 | 296-23-900 | AMD | 90-18-028 | 296-24-87005 | REP | 90-09-026 |
| 296-17-850 | AMD-P | 90-16-103 | 296-23-910 | AMD-P | 90-13-111 | 296-24-87007 | REP-P | 90-03-093 |
| 296-17-850 | AMD | 90-20-092 | 296-23-910 | AMD | 90-18-028 | 296-24-87007 | REP | 90-09-026 |
| 296-17-855 | AMD-P | 90-20-119 | 296-23A-150 | AMD | 90-04-057 | 296-24-87009 | AMD-P | 90-03-093 |
| 296-17-870 | AMD-P | 90-08-092 | 296-23A-170 | AMD | 90-04-057 | 296-24-87009 | AMD | 90-09-026 |
| 296-17-870 | AMD-C | 90-11-099 | 296-23A-340 | AMD-P | 90-13-111 | 296-24-87011 | NEW-P | 90-03-093 |
| 296-17-870 | AMD | 90-13-018 | 296-24-020 | AMD | 90-03-029 | 296-24-87011 | NEW | 90-09-026 |
| 296-17-873 | AMD-P | 90-16-103 | 296-24-020 | AMD-P | 90-20-121 | 296-24-87013 | NEW-P | 90-03-093 |
| 296-17-873 | AMD | 90-20-092 | 296-24-065 | AMD-P | 90-20-121 | 296-24-87013 | NEW | 90-09-026 |
| 296-17-87301 | AMD-P | 90-16-103 | 296-24-07501 | AMD-W | 90-11-041 | 296-24-87015 | NEW-P | 90-03-093 |
| 296-17-87301 | AMD | 90-20-092 | 296-24-07801 | AMD-W | 90-11-041 | 296-24-87015 | NEW | 90-09-026 |
| 296-17-87304 | NEW-P | 90-16-103 | 296-24-084 | AMD-P | 90-20-121 | 296-24-87017 | NEW-P | 90-03-093 |
| 296-17-87304 | NEW | 90-20-092 | 296-24-086 | AMD-W | 90-11-041 | 296-24-87017 | NEW | 90-09-026 |
| 296-17-87305 | AMD-P | 90-16-103 | 296-24-102 | NEW | 90-03-029 | 296-24-87019 | NEW-P | 90-03-093 |
| 296-17-87305 | AMD | 90-20-092 | 296-24-10203 | NEW | 90-03-029 | 296-24-87019 | NEW | 90-09-026 |
| 296-17-87306 | AMD-P | 90-16-103 | 296-24-110 | NEW-P | 90-15-065 | 296-24-87031 | NEW-P | 90-03-093 |
| 296-17-87306 | AMD | 90-20-092 | 296-24-110 | NEW | 90-20-091 | 296-24-87031 | NEW | 90-09-026 |
| 296-17-87307 | REP-P | 90-16-103 | 296-24-11001 | NEW-P | 90-15-065 | 296-24-87033 | NEW-P | 90-03-093 |
| 296-17-87307 | REP | 90-20-092 | 296-24-11001 | NEW | 90-20-091 | 296-24-87033 | NEW | 90-09-026 |
| 296-17-87308 | AMD-P | 90-08-092 | 296-24-11003 | NEW-P | 90-15-065 | 296-24-87035 | NEW-P | 90-03-093 |
| 296-17-87308 | AMD-C | 90-11-099 | 296-24-11003 | NEW | 90-20-091 | 296-24-87035 | NEW | 90-09-026 |
| 296-17-87308 | AMD | 90-13-018 | 296-24-11005 | NEW-P | 90-15-065 | 296-24-87035 | AMD-P | 90-20-121 |
| 296-17-87308 | REP-P | 90-16-103 | 296-24-11005 | NEW | 90-20-091 | 296-24-87037 | NEW-P | 90-03-093 |
| 296-17-87308 | REP | 90-20-092 | 296-24-11007 | NEW-P | 90-15-065 | 296-24-87037 | NEW | 90-09-026 |
| 296-17-875 | AMD-P | 90-20-119 | 296-24-11007 | NEW | 90-20-091 | 296-24-95611 | AMD-P | 90-20-121 |
| 296-17-880 | AMD-P | 90-20-119 | 296-24-11009 | NEW-P | 90-15-065 | 296-30-190 | NEW-P | 90-20-120 |
| 296-17-885 | AMD-P | 90-08-092 | 296-24-11009 | NEW | 90-20-091 | 296-36-145 | AMD-P | 90-12-106 |
| 296-17-885 | AMD-C | 90-11-099 | 296-24-11011 | NEW-P | 90-15-065 | 296-36-145 | AMD | 90-17-051 |
| 296-17-885 | AMD | 90-13-018 | 296-24-11011 | NEW | 90-20-091 | 296-36-170 | AMD-P | 90-12-106 |
| 296-17-885 | AMD-P | 90-20-119 | 296-24-11013 | NEW-P | 90-15-065 | 296-36-170 | AMD | 90-17-051 |
| 296-17-890 | AMD-P | 90-20-119 | 296-24-11013 | NEW | 90-20-091 | 296-36-175 | AMD-P | 90-12-106 |
| 296-17-895 | AMD-P | 90-08-092 | 296-24-11015 | NEW-P | 90-15-065 | 296-36-175 | AMD | 90-17-051 |
| 296-17-895 | AMD-C | 90-11-099 | 296-24-11015 | NEW | 90-20-091 | 296-36-180 | AMD-P | 90-12-106 |
| 296-17-895 | AMD | 90-13-018 | 296-24-11017 | NEW-P | 90-15-065 | 296-36-180 | AMD | 90-17-051 |
| 296-17-895 | AMD-P | 90-20-119 | 296-24-11017 | NEW | 90-20-091 | 296-36-210 | AMD-P | 90-12-106 |
| 296-17-916 | AMD-P | 90-19-093 | 296-24-119 | NEW-P | 90-15-065 | 296-36-210 | AMD | 90-17-051 |
| 296-17-91601 | AMD-P | 90-19-093 | 296-24-119 | NEW | 90-20-091 | 296-46-090 | NEW-P | 90-14-102 |
| 296-17-919 | AMD-P | 90-20-119 | 296-24-12009 | AMD | 90-03-029 | 296-46-090 | NEW | 90-19-015 |
| 296-18A-440 | AMD-P | 90-09-072 | 296-24-150 | AMD-P | 90-20-121 | 296-46-110 | AMD-P | 90-14-102 |
| 296-18A-440 | AMD | 90-14-009 | 296-24-15001 | AMD | 90-03-029 | 296-46-110 | AMD | 90-19-015 |
| 296-18A-450 | AMD-P | 90-09-072 | 296-24-15001 | AMD-P | 90-20-121 | 296-46-130 | AMD-P | 90-14-102 |
| 296-18A-450 | AMD | 90-14-009 | 296-24-15003 | AMD-P | 90-20-121 | 296-46-130 | AMD | 90-19-015 |
| 296-18A-480 | AMD-P | 90-09-072 | 296-24-16507 | AMD | 90-03-029 | 296-46-140 | AMD-P | 90-14-102 |
| 296-18A-480 | AMD | 90-14-009 | 296-24-16515 | AMD | 90-03-029 | 296-46-140 | AMD | 90-19-015 |
| 296-18A-500 | AMD-P | 90-09-072 | 296-24-16517 | AMD | 90-03-029 | 296-46-150 | AMD-P | 90-14-102 |
| 296-18A-500 | AMD | 90-14-009 | 296-24-16531 | AMD-P | 90-20-121 | 296-46-150 | AMD | 90-19-015 |
| 296-18A-510 | AMD-P | 90-09-072 | 296-24-19505 | AMD-P | 90-20-121 | 296-46-160 | REP-P | 90-14-102 |
| 296-18A-510 | AMD | 90-14-009 | 296-24-19509 | AMD-P | 90-20-121 | 296-46-160 | REP | 90-19-015 |
| 296-18A-515 | NEW-P | 90-09-072 | 296-24-200 | AMD-P | 90-20-121 | 296-46-200 | REP-P | 90-14-102 |
| 296-18A-515 | NEW | 90-14-009 | 296-24-20503 | AMD | 90-03-029 | 296-46-200 | REP | 90-19-015 |
| 296-18A-520 | AMD-P | 90-09-072 | 296-24-20700 | AMD-P | 90-03-093 | 296-46-21008 | NEW-P | 90-14-102 |
| 296-18A-520 | AMD | 90-14-009 | 296-24-20700 | AMD | 90-09-026 | 296-46-21008 | NEW | 90-19-015 |
| 296-20-010 | AMD | 90-04-057 | 296-24-23023 | AMD-P | 90-20-121 | 296-46-21052 | NEW-P | 90-14-102 |
| 296-20-01002 | AMD | 90-04-057 | 296-24-23027 | AMD-P | 90-20-121 | 296-46-21052 | NEW | 90-19-015 |
| 296-20-01002 | AMD-P | 90-09-072 | 296-24-233 | AMD-P | 90-20-121 | 296-46-220 | AMD-P | 90-14-102 |
| 296-20-01002 | AMD | 90-14-009 | 296-24-23303 | NEW-P | 90-20-121 | 296-46-220 | AMD | 90-19-015 |
| 296-20-015 | AMD | 90-04-057 | 296-24-23533 | NEW-P | 90-20-121 | 296-46-23001 | NEW-P | 90-14-102 |
| 296-20-02001 | AMD | 90-04-057 | 296-24-450 | AMD-P | 90-20-121 | 296-46-23001 | NEW | 90-19-015 |
| 296-20-02010 | AMD | 90-04-057 | 296-24-550 | AMD | 90-03-029 | 296-46-23028 | NEW-P | 90-14-102 |
| 296-20-022 | AMD | 90-04-057 | 296-24-58513 | AMD | 90-03-029 | 296-46-23028 | NEW | 90-19-015 |
| 296-20-024 | AMD | 90-04-057 | 296-24-68203 | AMD-P | 90-20-121 | 296-46-23040 | NEW-P | 90-14-102 |
| 296-20-03001 | AMD | 90-04-057 | 296-24-75009 | AMD | 90-03-029 | 296-46-23040 | NEW | 90-19-015 |
| 296-20-045 | AMD | 90-04-057 | 296-24-75009 | AMD-P | 90-20-121 | 296-46-23062 | NEW-P | 90-14-102 |
| 296-20-075 | AMD | 90-04-057 | 296-24-75011 | AMD-P | 90-20-121 | 296-46-23062 | NEW | 90-19-015 |
| 296-20-097 | AMD-P | 90-13-112 | 296-24-76503 | AMD | 90-03-029 | 296-46-240 | REP-P | 90-14-102 |
| 296-20-097 | AMD-C | 90-18-051 | 296-24-76555 | NEW-P | 90-20-121 | 296-46-240 | REP | 90-19-015 |
| 296-20-097 | AMD-C | 90-20-118 | 296-24-78007 | AMD | 90-03-029 | 296-46-30001 | NEW-P | 90-14-102 |
| 296-20-1103 | AMD-P | 90-09-072 | 296-24-81003 | AMD | 90-03-029 | 296-46-30001 | NEW | 90-19-015 |
| 296-20-1103 | AMD-W | 90-14-035 | 296-24-81005 | AMD | 90-03-029 | 296-46-316 | AMD-P | 90-14-102 |
| 296-20-124 | AMD | 90-04-007 | 296-24-82503 | AMD | 90-03-029 | 296-46-316 | AMD | 90-19-015 |
| 296-20-680 | AMD | 90-04-007 | 296-24-870 | AMD-P | 90-03-093 | 296-46-324 | NEW-P | 90-14-102 |
| 296-21-013 | AMD-P | 90-13-111 | 296-24-870 | AMD | 90-09-026 | 296-46-324 | NEW | 90-19-015 |
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| 296-46-350 | REP-P | 90-14-102 | 296-62-300 | AMD | 90-20-091 | 296-116-075 | AMD | 90-17-094 |
| 296-46-350 | REP | 90-19-015 | 296-62-3020 | AMD-P | 90-15-065 | 296-116-080 | AMD-P | 90-19-086 |
| 296-46-360 | AMD-P | 90-14-102 | 296-62-3020 | AMD | 90-20-091 | 296-116-115 | NEW-P | 90-19-085 |
| 296-46-360 | AMD | 90-19-015 | 296-62-3040 | AMD-P | 90-15-065 | 296-116-120 | AMD-C | 90-08-094 |
| 296-46-420 | REP-P | 90-14-102 | 296-62-3040 | AMD | 90-20-091 | 296-116-120 | AMD-W | 90-09-016 |
| 296-46-420 | REP | 90-19-015 | 296-62-3050 | AMD-P | 90-15-065 | 296-116-120 | AMD-P | 90-09-030 |
| 296-46-42401 | NEW-P | 90-14-102 | 296-62-3050 | AMD | 90-20-091 | 296-116-120 | AMD | 90-13-065 |
| 296-46-42401 | NEW-W | 90-19-014 | 296-62-3060 | AMD-P | 90-15-065 | 296-116-120 | AMD-P | 90-20-040 |
| 296-46-45001 | NEW-P | 90-14-102 | 296-62-3060 | AMD | 90-20-091 | 296-116-130 | REP-P | 90-08-076 |
| 296-46-45001 | NEW | 90-19-015 | 296-62-3070 | AMD-P | 90-15-065 | 296-116-130 | REP | 90-13-077 |
| 296-46-495 | AMD-P | 90-14-102 | 296-62-3070 | AMD | 90-20-091 | 296-116-185 | AMD-P | 90-03-096 |
| 296-46-495 | AMD | 90-19-015 | 296-62-3110 | AMD-P | 90-03-093 | 296-116-185 | AMD | 90-09-013 |
| 296-46-514 | AMD-P | 90-14-102 | 296-62-3110 | AMD | 90-09-026 | 296-116-300 | AMD-P | 90-03-097 |
| 296-46-514 | AMD | 90-19-015 | 296-62-3110 | AMD-P | 90-15-065 | 296-116-300 | AMD | 90-08-095 |
| 296-46-517 | NEW-P | 90-14-102 | 296-62-3110 | AMD | 90-20-091 | 296-116-300 | AMD-E | 90-13-055 |
| 296-46-517 | NEW | 90-19-015 | 296-62-3112 | AMD-P | 90-15-065 | 296-116-300 | AMD-P | 90-14-086 |
| 296-46-55001 | NEW-P | 90-14-102 | 296-62-3112 | AMD | 90-20-091 | 296-116-300 | AMD-C | 90-17-034 |
| 296-46-55001 | NEW | 90-19-015 | 296-62-3140 | AMD-P | 90-15-065 | 296-116-300 | AMD-C | 90-20-038 |
| 296-46-600 | AMD-P | 90-14-102 | 296-62-3140 | AMD | 90-20-091 | 296-116-300 | AMD-W | 90-20-115 |
| 296-46-600 | AMD | 90-19-015 | 296-62-3160 | AMD-P | 90-15-065 | 296-116-300 | AMD | 90-20-116 |
| 296-46-670 | NEW-P | 90-14-102 | 296-62-3160 | AMD | 90-20-091 | 296-116-360 | AMD-P | 90-16-108 |
| 296-46-670 | NEW-W | 90-19-014 | 296-62-3170 | AMD-P | 90-15-065 | 296-116-360 | AMD | 90-20-039 |
| 296-46-700 | NEW-P | 90-14-102 | 296-62-3170 | AMD | 90-20-091 | 296-127-016 | REP-E | 90-08-061 |
| 296-46-700 | NEW | 90-19-015 | 296-62-3180 | AMD-P | 90-15-065 | 296-127-040 | AMD-E | 90-09-047 |
| 296-46-725 | NEW-P | 90-14-102 | 296-62-3180 | AMD | 90-20-091 | 296-127-040 | AMD-P | 90-17-039 |
| 296-46-725 | NEW | 90-19-015 | 296-62-3190 | AMD-P | 90-15-065 | 296-127-040 | AMD-E | 90-17-040 |
| 296-46-770 | NEW-P | 90-14-102 | 296-62-3190 | AMD | 90-20-091 | 296-127-045 | AMD-E | 90-09-047 |
| 296-46-770 | NEW | 90-19-015 | 296-62-400 | NEW-P | 90-12-106 | 296-127-045 | AMD-P | 90-17-039 |
| 296-46-910 | AMD-P | 90-12-104 | 296-62-400 | NEW | 90-17-051 | 296-127-045 | AMD-E | 90-17-040 |
| 296-46-910 | AMD | 90-17-041 | 296-62-40001 | NEW-P | 90-12-106 | 296-127-400 | NEW-E | 90-06-008 |
| 296-46-915 | AMD-P | 90-12-104 | 296-62-40001 | NEW | 90-17-051 | 296-127-400 | NEW-P | 90-14-001 |
| 296-46-915 | AMD | 90-17-041 | 296-62-40003 | NEW-P | 90-12-106 | 296-127-400 | NEW-E | 90-14-002 |
| 296-52-417 | AMD | 90-03-029 | 296-62-40003 | NEW | 90-17-051 | 296-127-400 | NEW | 90-19-061 |
| 296-52-417 | AMD-P | 90-20-121 | 296-62-40005 | NEW-P | 90-12-106 | 296-127-410 | NEW-E | 90-06-008 |
| 296-52-419 | AMD | 90-03-029 | 296-62-40005 | NEW | 90-17-051 | 296-127-410 | NEW-P | 90-14-001 |
| 296-52-461 | AMD | 90-03-029 | 296-62-40007 | NEW-P | 90-12-106 | 296-127-410 | NEW-E | 90-14-002 |
| 296-52-465 | AMD-P | 90-20-121 | 296-62-40007 | NEW | 90-17-051 | 296-127-410 | NEW | 90-19-061 |
| 296-52-473 | REP | 90-03-029 | 296-62-40009 | NEW-P | 90-12-106 | 296-127-420 | NEW-E | 90-06-008 |
| 296-52-477 | AMD | 90-03-029 | 296-62-40009 | NEW | 90-17-051 | 296-127-420 | NEW-P | 90-14-001 |
| 296-52-481 | AMD | 90-03-029 | 296-62-40011 | NEW-P | 90-12-106 | 296-127-420 | NEW-E | 90-14-002 |
| 296-52-489 | AMD-P | 90-20-121 | 296-62-40011 | NEW | 90-17-051 | 296-127-420 | NEW | 90-19-061 |
| 296-52-493 | AMD-P | 90-20-121 | 296-62-40013 | NEW-P | 90-12-106 | 296-127-430 | NEW-E | 90-06-008 |
| 296-52-497 | AMD-P | 90-20-121 | 296-62-40013 | NEW | 90-17-051 | 296-127-430 | NEW-P | 90-14-001 |
| 296-52-509 | AMD | 90-03-029 | 296-62-40015 | NEW-P | 90-12-106 | 296-127-430 | NEW-E | 90-14-002 |
| 296-52-510 | NEW | 90-03-029 | 296-62-40015 | NEW | 90-17-051 | 296-127-430 | NEW | 90-19-061 |
| 296-54-569 | AMD-P | 90-03-093 | 296-62-40017 | NEW-P | 90-12-106 | 296-127-440 | NEW-E | 90-06-008 |
| 296-54-569 | AMD | 90-09-026 | 296-62-40017 | NEW | 90-17-051 | 296-127-440 | NEW-P | 90-14-001 |
| 296-62-07007 | REP-P | 90-03-093 | 296-62-40019 | NEW-P | 90-12-106 | 296-127-440 | NEW-E | 90-14-002 |
| 296-62-07007 | REP | 90-09-026 | 296-62-40019 | NEW | 90-17-051 | 296-127-440 | NEW | 90-19-061 |
| 296-62-07107 | AMD-P | 90-03-093 | 296-62-40021 | NEW-P | 90-12-106 | 296-127-450 | NEW-E | 90-06-008 |
| 296-62-07107 | AMD | 90-09-026 | 296-62-40021 | NEW | 90-17-051 | 296-127-450 | NEW-P | 90-14-001 |
| 296-62-07314 | AMD | 90-03-029 | 296-62-40023 | NEW-P | 90-12-106 | 296-127-450 | NEW-E | 90-14-002 |
| 296-62-07314 | AMD-P | 90-20-121 | 296-62-40023 | NEW | 90-17-051 | 296-127-450 | NEW | 90-19-061 |
| 296-62-07329 | AMD-P | 90-20-121 | 296-62-40025 | NEW-P | 90-12-106 | 296-127-460 | NEW-E | 90-06-008 |
| 296-62-07354 | NEW-P | 90-15-065 | 296-62-40025 | NEW | 90-17-051 | 296-127-460 | NEW-P | 90-14-001 |
| 296-62-07354 | NEW | 90-20-091 | 296-62-40027 | NEW-P | 90-12-106 | 296-127-460 | NEW-E | 90-14-002 |
| 296-62-07507 | AMD | 90-03-029 | 296-62-40027 | NEW | 90-17-051 | 296-127-460 | NEW | 90-19-061 |
| 296-62-07515 | AMD | 90-03-029 | 296-99-015 | AMD | 90-03-029 | 296-127-470 | NEW-E | 90-06-008 |
| 296-62-07517 | AMD-P | 90-03-093 | 296-99-050 | AMD | 90-03-029 | 296-127-470 | NEW-P | 90-14-001 |
| 296-62-07517 | AMD | 90-09-026 | 296-104-015 | AMD-P | 90-04-065 | 296-127-470 | NEW-E | 90-14-002 |
| 296-62-07521 | AMD | 90-03-029 | 296-104-015 | AMD | 90-07-082 | 296-127-470 | NEW | 90-19-061 |
| 296-62-07521 | AMD-P | 90-12-106 | 296-104-170 | AMD-P | 90-16-066 | 296-131 | AMD-C | 90-08-093 |
| 296-62-07521 | AMD | 90-17-051 | 296-104-170 | AMD | 90-20-029 | 296-131-001 | AMD-P | 90-07-078 |
| 296-62-07531 | AMD-P | 90-03-093 | 296-104-195 | NEW | 90-04-009 | 296-131-001 | AMD-C | 90-12-069 |
| 296-62-07531 | AMD | 90-09-026 | 296-104-200 | AMD | 90-04-009 | 296-131-001 | AMD | 90-14-038 |
| 296-62-07540 | AMD | 90-03-029 | 296-104-400 | AMD-P | 90-16-066 | 296-131-005 | NEW-P | 90-07-078 |
| 296-62-07544 | AMD | 90-03-029 | 296-104-400 | AMD | 90-20-029 | 296-131-005 | NEW-C | 90-12-069 |
| 296-62-07713 | AMD-P | 90-12-106 | 296-115-005 | AMD-P | 90-20-121 | 296-131-005 | NEW | 90-14-038 |
| 296-62-07713 | AMD | 90-17-051 | 296-115-010 | AMD-P | 90-20-121 | 296-131-020 | NEW-P | 90-07-078 |
| 296-62-07715 | AMD-P | 90-20-121 | 296-115-015 | AMD-P | 90-20-121 | 296-131-020 | NEW-C | 90-12-069 |
| 296-62-07719 | AMD-P | 90-20-121 | 296-115-025 | AMD-P | 90-20-121 | 296-131-020 | NEW | 90-14-037 |
| 296-62-07721 | AMD-P | 90-20-121 | 296-115-035 | AMD-P | 90-20-121 | 296-131-100 | NEW-P | 90-07-078 |
| 296-62-07725 | AMD-P | 90-20-121 | 296-115-060 | AMD-P | 90-20-121 | 296-131-100 | NEW-C | 90-12-069 |
| 296-62-07731 | AMD-P | 90-20-121 | 296-115-070 | AMD-P | 90-20-121 | 296-131-100 | NEW | 90-14-038 |
| 296-62-07733 | AMD-P | 90-20-121 | 296-115-100 | AMD-P | 90-20-121 | 296-131-105 | NEW-P | 90-07-078 |
| 296-62-07755 | NEW-P | 90-20-121 | 296-116-075 | AMD-P | 90-10-060 | 296-131-105 | NEW-C | 90-12-069 |

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| 296-131-105 | NEW | 90-14-038 | 296-155-66504 | REP-P | 90-20-121 | 308-08-400 | AMD-P | 90-17-072 |
| 296-131-110 | NEW-P | 90-07-078 | 296-155-66505 | REP-P | 90-20-121 | 308-08-410 | REP-P | 90-17-072 |
| 296-131-110 | NEW-C | 90-12-069 | 296-155-675 | AMD | 90-03-029 | 308-08-415 | NEW-P | 90-17-072 |
| 296-131-110 | NEW | 90-14-038 | 296-155-680 | AMD | 90-03-029 | 308-08-416 | NEW-E | 90-17-026 |
| 296-131-115 | NEW-P | 90-07-078 | 296-155-680 | AMD-P | 90-12-106 | 308-08-416 | NEW-P | 90-17-072 |
| 296-131-115 | NEW-C | 90-12-069 | 296-155-680 | AMD | 90-17-051 | 308-08-420 | REP-P | 90-17-072 |
| 296-131-115 | NEW | 90-14-038 | 296-155-682 | AMD-P | 90-12-106 | 308-08-430 | REP-P | 90-17-072 |
| 296-131-120 | NEW-P | 90-07-078 | 296-155-682 | AMD | 90-17-051 | 308-08-440 | REP-P | 90-17-072 |
| 296-131-120 | NEW-C | 90-12-069 | 296-155-682 | AMD-P | 90-20-121 | 308-08-450 | REP-P | 90-17-072 |
| 296-131-120 | NEW | 90-14-038 | 296-155-688 | AMD-P | 90-20-121 | 308-08-460 | AMD-P | 90-17-072 |
| 296-131-125 | NEW-P | 90-07-078 | 296-155-689 | AMD-P | 90-20-121 | 308-08-470 | REP-P | 90-17-072 |
| 296-131-125 | NEW-C | 90-12-069 | 296-155-690 | AMD | 90-03-029 | 308-08-480 | REP-P | 90-17-072 |
| 296-131-125 | NEW | 90-14-038 | 296-155-691 | AMD-P | 90-12-106 | 308-08-490 | REP-P | 90-17-072 |
| 296-131-126 | NEW-P | 90-07-078 | 296-155-691 | AMD | 90-17-051 | 308-08-500 | REP-P | 90-17-072 |
| 296-131-126 | NEW | 90-14-038 | 296-155-692 | REP | 90-03-029 | 308-08-505 | NEW-P | 90-17-072 |
| 296-131-130 | NEW-P | 90-07-078 | 296-155-694 | AMD | 90-03-029 | 308-08-510 | REP-P | 90-17-072 |
| 296-131-130 | NEW-C | 90-12-069 | 296-155-697 | AMD | 90-03-029 | 308-08-520 | REP-P | 90-17-072 |
| 296-131-130 | NEW | 90-14-038 | 296-155-697 | AMD-P | 90-12-106 | 308-08-530 | REP-P | 90-17-072 |
| 296-131-135 | NEW-P | 90-07-078 | 296-155-697 | AMD | 90-17-051 | 308-08-540 | REP-P | 90-17-072 |
| 296-131-135 | NEW-C | 90-12-069 | 296-155-700 | AMD-P | 90-20-121 | 308-08-550 | REP-P | 90-17-072 |
| 296-131-135 | NEW | 90-14-038 | 296-155-705 | AMD-P | 90-20-121 | 308-08-560 | REP-P | 90-17-072 |
| 296-131-140 | NEW-P | 90-07-078 | 296-155-720 | AMD-P | 90-20-121 | 308-08-570 | REP-P | 90-17-072 |
| 296-131-140 | NEW-C | 90-12-069 | 296-155-725 | AMD | 90-03-029 | 308-08-580 | REP-P | 90-17-072 |
| 296-131-140 | NEW | 90-14-038 | 296-155-730 | AMD | 90-03-029 | 308-08-590 | REP-P | 90-17-072 |
| 296-155-200 | AMD-W | 90-11-041 | 296-155-950 | AMD-P | 90-20-121 | 308-08-610 | AMD-P | 90-17-072 |
| 296-155-225 | AMD-P | 90-03-093 | 296-305-015 | AMD-P | 90-12-106 | 308-08-640 | AMD-P | 90-17-072 |
| 296-155-225 | AMD-W | 90-17-021 | 296-305-015 | AMD | 90-17-051 | 308-08-650 | AMD-P | 90-17-072 |
| 296-155-225 | REP-P | 90-20-121 | 296-305-110 | AMD-P | 90-20-121 | 308-08-660 | AMD-P | 90-17-072 |
| 296-155-227 | NEW-P | 90-03-093 | 296-306 | AMD-C | 90-05-002 | 308-11-030 | AMD-P | 90-03-107 |
| 296-155-227 | NEW-W | 90-17-021 | 296-306-060 | AMD-W | 90-11-041 | 308-11-030 | AMD | 90-06-052 |
| 296-155-230 | REP-P | 90-20-121 | 296-306-400 | NEW | 90-11-023 | 308-12-031 | AMD-P | 90-06-066 |
| 296-155-24501 | NEW-P | 90-20-121 | 296-306-40003 | NEW | 90-11-023 | 308-12-031 | AMD | 90-11-062 |
| 296-155-24503 | NEW-P | 90-20-121 | 296-306-40005 | NEW | 90-11-023 | 308-12-320 | PREP | 90-05-041 |
| 296-155-24505 | NEW-P | 90-20-121 | 296-350-030 | AMD-P | 90-03-093 | 308-12-320 | AMD-P | 90-13-059 |
| 296-155-24510 | NEW-P | 90-20-121 | 296-350-030 | AMD | 90-09-026 | 308-12-320 | AMD | 90-17-097 |
| 296-155-24515 | NEW-P | 90-20-121 | 296-401-175 | AMD-P | 90-12-104 | 308-12-326 | AMD | 90-03-032 |
| 296-155-24520 | NEW-P | 90-20-121 | 296-401-175 | AMD | 90-17-041 | 308-13-150 | AMD | 90-03-031 |
| 296-155-24521 | NEW-P | 90-20-121 | 308-08-005 | AMD-E | 90-17-026 | 308-13-150 | AMD-P | 90-11-061 |
| 296-155-24525 | NEW-P | 90-20-121 | 308-08-005 | AMD-P | 90-17-072 | 308-13-150 | AMD | 90-15-039 |
| 296-155-367 | AMD-P | 90-12-106 | 308-08-006 | NEW-P | 90-17-072 | 308-14-080 | NEW-P | 90-05-058 |
| 296-155-367 | AMD | 90-17-051 | 308-08-010 | REP-P | 90-17-072 | 308-14-080 | NEW | 90-10-009 |
| 296-155-480 | AMD-P | 90-03-093 | 308-08-040 | REP-P | 90-17-072 | 308-14-085 | NEW-P | 90-14-096 |
| 296-155-480 | AMD | 90-09-026 | 308-08-070 | REP-P | 90-17-072 | 308-14-085 | NEW | 90-20-008 |
| 296-155-480 | AMD-P | 90-20-121 | 308-08-080 | REP-E | 90-17-026 | 308-14-090 | NEW-P | 90-05-058 |
| 296-155-485 | AMD | 90-03-029 | 308-08-080 | REP-P | 90-17-072 | 308-14-090 | NEW | 90-10-009 |
| 296-155-485 | AMD-P | 90-20-121 | 308-08-085 | NEW-E | 90-17-026 | 308-14-100 | NEW-P | 90-05-058 |
| 296-155-48529 | AMD-P | 90-20-121 | 308-08-085 | NEW-P | 90-17-072 | 308-14-100 | NEW | 90-10-009 |
| 296-155-48531 | AMD-P | 90-12-106 | 308-08-090 | REP-P | 90-17-072 | 308-14-110 | NEW-P | 90-05-058 |
| 296-155-48531 | AMD | 90-17-051 | 308-08-100 | REP-P | 90-17-072 | 308-14-110 | NEW | 90-10-009 |
| 296-155-48531 | AMD-P | 90-20-121 | 308-08-110 | REP-P | 90-17-072 | 308-14-130 | NEW-P | 90-14-096 |
| 296-155-48533 | AMD | 90-03-029 | 308-08-120 | REP-P | 90-17-072 | 308-14-130 | NEW | 90-20-008 |
| 296-155-48533 | AMD-P | 90-20-121 | 308-08-130 | REP-P | 90-17-072 | 308-14-135 | NEW-P | 90-14-096 |
| 296-155-500 | AMD-P | 90-20-121 | 308-08-140 | REP-P | 90-17-072 | 308-14-200 | NEW-P | 90-05-058 |
| 296-155-505 | AMD | 90-03-029 | 308-08-150 | REP-P | 90-17-072 | 308-14-200 | NEW | 90-10-009 |
| 296-155-505 | AMD-P | 90-20-121 | 308-08-160 | REP-P | 90-17-072 | 308-20-107 | AMD-P | 90-03-018 |
| 296-155-50501 | REP-P | 90-20-121 | 308-08-170 | REP-P | 90-17-072 | 308-20-107 | AMD | 90-07-030 |
| 296-155-50503 | AMD-P | 90-20-121 | 308-08-190 | REP-P | 90-17-072 | 308-20-140 | AMD-P | 90-03-018 |
| 296-155-525 | AMD-P | 90-20-121 | 308-08-200 | REP-P | 90-17-072 | 308-20-140 | AMD | 90-07-030 |
| 296-155-530 | AMD-P | 90-20-121 | 308-08-210 | AMD-P | 90-17-072 | 308-20-155 | AMD-P | 90-03-018 |
| 296-155-580 | REP-P | 90-12-106 | 308-08-220 | REP-P | 90-17-072 | 308-20-155 | AMD | 90-07-030 |
| 296-155-580 | REP | 90-17-051 | 308-08-230 | AMD-P | 90-17-072 | 308-20-210 | AMD-P | 90-03-018 |
| 296-155-620 | AMD-P | 90-20-121 | 308-08-240 | AMD-P | 90-17-072 | 308-20-210 | AMD | 90-07-030 |
| 296-155-625 | AMD-P | 90-20-121 | 308-08-250 | REP-P | 90-17-072 | 308-25-010 | REP-W | 90-12-002 |
| 296-155-650 | AMD-P | 90-20-121 | 308-08-260 | AMD-P | 90-17-072 | 308-25-010 | REP-P | 90-19-066 |
| 296-155-655 | AMD-P | 90-20-121 | 308-08-270 | AMD-P | 90-17-072 | 308-25-011 | NEW-W | 90-12-002 |
| 296-155-657 | NEW-P | 90-20-121 | 308-08-280 | AMD-P | 90-17-072 | 308-25-011 | NEW-P | 90-19-066 |
| 296-155-66103 | NEW-P | 90-20-121 | 308-08-290 | AMD-P | 90-17-072 | 308-25-013 | NEW-P | 90-19-066 |
| 296-155-66105 | NEW-P | 90-20-121 | 308-08-300 | AMD-P | 90-17-072 | 308-25-015 | AMD-W | 90-12-002 |
| 296-155-66109 | NEW-P | 90-20-121 | 308-08-310 | AMD-P | 90-17-072 | 308-25-015 | AMD-P | 90-19-066 |
| 296-155-664 | NEW-P | 90-20-121 | 308-08-320 | AMD-P | 90-17-072 | 308-25-031 | NEW-W | 90-12-002 |
| 296-155-65505 | REP-P | 90-20-121 | 308-08-330 | AMD-P | 90-17-072 | 308-25-035 | AMD-W | 90-12-002 |
| 296-155-660 | REP-P | 90-20-121 | 308-08-340 | AMD-P | 90-17-072 | 308-25-035 | NEW-P | 90-19-066 |
| 296-155-66005 | REP-P | 90-20-121 | 308-08-350 | AMD-P | 90-17-072 | 308-25-037 | NEW-P | 90-09-062 |
| 296-155-665 | REP-P | 90-20-121 | 308-08-360 | REP-P | 90-17-072 | 308-25-037 | NEW | 90-12-068 |
| 296-155-66501 | REP-P | 90-20-121 | 308-08-370 | AMD-P | 90-17-072 | 308-25-038 | NEW-P | 90-09-062 |
| 296-155-66502 | REP-P | 90-20-121 | 308-08-380 | AMD-P | 90-17-072 | 308-25-038 | NEW | 90-12-068 |
| 296-155-66503 | REP-P | 90-20-121 | 308-08-390 | AMD-P | 90-17-072 | 308-25-041 | NEW-W | 90-12-002 |

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| 308-25-045 | NEW-W | 90-12-002 | 308-39-150 | NEW-P | 90-14-129 | 308-42-220 | DECOD-P | 90-20-133 |
| 308-25-046 | NEW-W | 90-12-002 | 308-39-150 | NEW | 90-18-041 | 308-42-230 | DECOD-P | 90-20-133 |
| 308-25-047 | NEW-W | 90-12-002 | 308-39-160 | NEW-P | 90-06-065 | 308-42-240 | DECOD-P | 90-20-133 |
| 308-25-065 | AMD | 90-04-094 | 308-39-160 | NEW-W | 90-14-125 | 308-42-250 | DECOD-P | 90-20-133 |
| 308-25-072 | NEW-P | 90-19-066 | 308-39-160 | NEW-P | 90-14-129 | 308-42-260 | DECOD-P | 90-20-133 |
| 308-25-073 | NEW-P | 90-19-066 | 308-39-160 | NEW | 90-18-041 | 308-42-270 | DECOD-P | 90-20-133 |
| 308-25-074 | NEW-P | 90-19-066 | 308-39-170 | NEW-P | 90-06-065 | 308-42-280 | DECOD-P | 90-20-133 |
| 308-25-180 | NEW-P | 90-19-066 | 308-39-170 | NEW-W | 90-14-125 | 308-48-165 | REP-P | 90-14-098 |
| 308-25-290 | NEW-P | 90-10-037 | 308-39-170 | NEW-P | 90-14-129 | 308-48-165 | REP | 90-17-148 |
| 308-25-290 | NEW | 90-16-099 | 308-39-170 | NEW | 90-18-041 | 308-48-520 | REP-P | 90-20-106 |
| 308-25-310 | NEW-P | 90-10-037 | 308-39-180 | NEW-P | 90-06-065 | 308-48-540 | AMD-P | 90-20-106 |
| 308-25-310 | NEW | 90-16-099 | 308-39-180 | NEW-W | 90-14-125 | 308-48-560 | AMD-P | 90-20-106 |
| 308-25-320 | NEW-P | 90-10-037 | 308-39-180 | NEW-P | 90-14-129 | 308-48-580 | REP-P | 90-20-106 |
| 308-25-320 | NEW | 90-16-099 | 308-39-180 | NEW | 90-18-041 | 308-48-590 | AMD-P | 90-20-106 |
| 308-25-330 | NEW-P | 90-10-037 | 308-39-190 | NEW-P | 90-06-065 | 308-48-600 | REP-P | 90-20-106 |
| 308-25-330 | NEW | 90-16-099 | 308-39-190 | NEW-W | 90-14-125 | 308-48-601 | NEW-P | 90-20-106 |
| 308-29-045 | AMD-P | 90-03-107 | 308-39-190 | NEW-P | 90-14-129 | 308-48-610 | NEW-P | 90-20-106 |
| 308-29-045 | AMD | 90-06-052 | 308-39-190 | NEW | 90-18-041 | 308-48-800 | AMD-P | 90-04-110 |
| 308-30-030 | AMD-P | 90-03-107 | 308-39-200 | NEW-P | 90-06-065 | 308-48-800 | AMD | 90-07-024 |
| 308-30-030 | AMD-W | 90-17-024 | 308-39-200 | NEW-W | 90-14-125 | 308-48-800 | AMD-P | 90-20-129 |
| 308-30-040 | AMD-P | 90-03-107 | 308-39-200 | NEW-P | 90-14-129 | 308-49-100 | AMD-P | 90-14-098 |
| 308-30-040 | AMD-W | 90-17-024 | 308-39-200 | NEW | 90-18-041 | 308-49-100 | AMD | 90-17-148 |
| 308-30-050 | AMD-P | 90-03-107 | 308-39-210 | NEW-P | 90-06-065 | 308-49-100 | AMD | 90-17-148 |
| 308-30-050 | AMD-W | 90-17-024 | 308-39-210 | NEW-W | 90-14-125 | 308-49-130 | AMD-P | 90-14-098 |
| 308-30-060 | AMD-P | 90-03-107 | 308-39-210 | NEW-P | 90-14-129 | 308-49-130 | AMD | 90-17-148 |
| 308-30-060 | AMD-W | 90-17-024 | 308-39-210 | NEW | 90-18-041 | 308-49-140 | AMD-P | 90-14-098 |
| 308-30-070 | AMD-P | 90-03-107 | 308-39-220 | NEW-P | 90-06-101 | 308-49-140 | AMD | 90-17-148 |
| 308-30-070 | AMD-W | 90-17-024 | 308-39-220 | NEW | 90-18-040 | 308-49-150 | AMD-P | 90-14-098 |
| 308-30-080 | AMD-P | 90-03-107 | 308-40-107 | NEW-P | 90-04-085 | 308-49-150 | AMD | 90-17-148 |
| 308-30-080 | AMD-W | 90-17-024 | 308-40-107 | NEW | 90-08-011 | 308-49-160 | REP-P | 90-14-098 |
| 308-30-090 | AMD-P | 90-03-107 | 308-40-115 | NEW-P | 90-07-067 | 308-49-160 | REP | 90-17-148 |
| 308-30-090 | AMD-W | 90-17-024 | 308-40-115 | NEW | 90-11-083 | 308-49-162 | NEW-P | 90-14-098 |
| 308-30-100 | AMD-P | 90-03-107 | 308-40-125 | AMD-E | 90-04-083 | 308-49-162 | NEW | 90-17-148 |
| 308-30-100 | AMD | 90-06-052 | 308-40-125 | AMD | 90-04-094 | 308-49-164 | NEW-P | 90-14-098 |
| 308-31-055 | AMD-P | 90-11-096 | 308-40-130 | REP | 90-05-039 | 308-49-164 | NEW | 90-17-148 |
| 308-31-055 | AMD-E | 90-11-097 | 308-40-135 | NEW | 90-05-039 | 308-49-168 | NEW-P | 90-14-098 |
| 308-31-055 | AMD | 90-16-057 | 308-40-150 | NEW-P | 90-07-068 | 308-49-168 | NEW | 90-17-148 |
| 308-31-210 | NEW-P | 90-06-064 | 308-40-150 | NEW-P | 90-14-079 | 308-49-200 | NEW-P | 90-14-098 |
| 308-31-210 | NEW | 90-12-013 | 308-40-150 | NEW-W | 90-14-081 | 308-49-200 | NEW | 90-17-148 |
| 308-31-220 | NEW-P | 90-06-064 | 308-40-150 | NEW | 90-18-038 | 308-50-295 | AMD-W | 90-03-069 |
| 308-31-220 | NEW | 90-12-013 | 308-40-151 | NEW-P | 90-07-068 | 308-50-295 | AMD-P | 90-08-107 |
| 308-31-230 | NEW-P | 90-06-064 | 308-40-151 | NEW-P | 90-14-079 | 308-50-310 | AMD-W | 90-03-069 |
| 308-31-230 | NEW | 90-12-013 | 308-40-151 | NEW-W | 90-14-081 | 308-50-310 | AMD-P | 90-08-107 |
| 308-31-240 | NEW-P | 90-06-064 | 308-40-151 | NEW | 90-18-038 | 308-50-440 | AMD | 90-04-094 |
| 308-31-240 | NEW | 90-12-013 | 308-40-152 | NEW-P | 90-07-068 | 308-51-010 | DECOD-P | 90-20-134 |
| 308-31-250 | NEW-P | 90-06-064 | 308-40-152 | NEW-P | 90-14-079 | 308-51-021 | DECOD-P | 90-20-134 |
| 308-31-250 | NEW | 90-12-013 | 308-40-152 | NEW-W | 90-14-081 | 308-51-050 | DECOD-P | 90-20-134 |
| 308-31-260 | NEW-P | 90-06-064 | 308-40-152 | NEW | 90-18-038 | 308-51-100 | DECOD-P | 90-20-134 |
| 308-31-260 | NEW | 90-12-013 | 308-41-025 | REP-P | 90-14-043 | 308-51-110 | DECOD-P | 90-20-134 |
| 308-31-270 | NEW-P | 90-06-064 | 308-41-025 | REP | 90-17-088 | 308-51-120 | AMD-P | 90-07-069 |
| 308-31-270 | NEW | 90-12-013 | 308-42-010 | DECOD-P | 90-20-133 | 308-51-120 | AMD | 90-13-005 |
| 308-31-280 | NEW-P | 90-06-064 | 308-42-040 | DECOD-P | 90-20-133 | 308-51-120 | DECOD-P | 90-20-134 |
| 308-31-280 | NEW | 90-12-013 | 308-42-045 | AMD-P | 90-04-095 | 308-51-125 | DECOD-P | 90-20-134 |
| 308-32-090 | AMD-P | 90-03-107 | 308-42-045 | AMD | 90-16-070 | 308-51-130 | AMD-P | 90-07-069 |
| 308-32-090 | AMD | 90-06-052 | 308-42-045 | DECOD-P | 90-20-133 | 308-51-130 | AMD | 90-13-005 |
| 308-33-105 | AMD-P | 90-03-107 | 308-42-060 | AMD-P | 90-04-095 | 308-51-140 | DECOD-P | 90-20-134 |
| 308-33-105 | AMD | 90-06-052 | 308-42-060 | AMD | 90-16-070 | 308-51-220 | DECOD-P | 90-20-134 |
| 308-34-170 | AMD | 90-04-094 | 308-42-060 | DECOD-P | 90-20-133 | 308-51-230 | DECOD-P | 90-20-134 |
| 308-34-170 | AMD-E | 90-08-100 | 308-42-070 | DECOD-P | 90-20-133 | 308-51-240 | DECOD-P | 90-20-134 |
| 308-34-170 | AMD-P | 90-08-101 | 308-42-090 | DECOD-P | 90-20-133 | 308-51-250 | DECOD-P | 90-20-134 |
| 308-34-170 | AMD | 90-13-084 | 308-42-110 | DECOD-P | 90-20-133 | 308-51-260 | DECOD-P | 90-20-134 |
| 308-39-100 | AMD-P | 90-06-065 | 308-42-120 | DECOD-P | 90-20-133 | 308-51-270 | DECOD-P | 90-20-134 |
| 308-39-100 | AMD | 90-18-042 | 308-42-121 | DECOD-P | 90-20-133 | 308-51-280 | DECOD-P | 90-20-134 |
| 308-39-110 | AMD-P | 90-06-065 | 308-42-122 | DECOD-P | 90-20-133 | 308-51-290 | DECOD-P | 90-20-134 |
| 308-39-110 | AMD | 90-18-042 | 308-42-123 | DECOD-P | 90-20-133 | 308-51-290 | DECOD-P | 90-20-134 |
| 308-39-120 | REP-P | 90-06-065 | 308-42-125 | DECOD-P | 90-20-133 | 308-51-300 | DECOD-P | 90-20-134 |
| 308-39-120 | REP-W | 90-14-125 | 308-42-130 | DECOD-P | 90-20-133 | 308-51-310 | DECOD-P | 90-20-134 |
| 308-39-120 | REP-P | 90-14-129 | 308-42-135 | DECOD-P | 90-20-133 | 308-51-320 | DECOD-P | 90-20-134 |
| 308-39-120 | REP | 90-18-041 | 308-42-136 | DECOD-P | 90-20-133 | 308-51A-010 | DECOD-P | 90-20-134 |
| 308-39-125 | NEW-P | 90-06-065 | 308-42-140 | DECOD-P | 90-20-133 | 308-51A-020 | DECOD-P | 90-20-134 |
| 308-39-125 | NEW | 90-18-042 | 308-42-145 | AMD-P | 90-04-095 | 308-51A-030 | DECOD-P | 90-20-134 |
| 308-39-130 | NEW-P | 90-06-065 | 308-42-145 | AMD-W | 90-16-035 | 308-51A-040 | DECOD-P | 90-20-134 |
| 308-39-130 | NEW | 90-18-042 | 308-42-145 | DECOD-P | 90-20-133 | 308-51A-050 | DECOD-P | 90-20-134 |
| 308-39-140 | NEW-P | 90-06-065 | 308-42-150 | DECOD-P | 90-20-133 | 308-51A-060 | DECOD-P | 90-20-134 |
| 308-39-140 | NEW | 90-18-042 | 308-42-155 | DECOD-P | 90-20-133 | 308-52-100 | AMD | 90-05-001 |
| 308-39-150 | NEW-P | 90-06-065 | 308-42-160 | DECOD-P | 90-20-133 | 308-52-260 | AMD-E | 90-12-113 |
| | | | | | | 308-52-260 | AMD-P | 90-12-116 |

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|-------------|-------|-----------|-------------|-------|-----------|--------------|-------|-----------|
| 308-52-260 | AMD | 90-18-009 | 308-78-030 | AMD | 90-13-039 | 308-121-060 | REP-P | 90-12-117 |
| 308-52-590 | AMD-E | 90-04-093 | 308-78-040 | AMD-P | 90-08-118 | 308-121-060 | REP | 90-17-043 |
| 308-52-590 | AMD-E | 90-06-100 | 308-78-040 | AMD | 90-13-039 | 308-121-070 | REP-P | 90-12-117 |
| 308-52-590 | AMD-P | 90-08-009 | 308-78-070 | AMD-P | 90-08-118 | 308-121-070 | REP | 90-17-043 |
| 308-52-590 | AMD | 90-18-039 | 308-78-070 | AMD | 90-13-039 | 308-121-110 | NEW-P | 90-10-084 |
| 308-52-690 | AMD-E | 90-09-007 | 308-91-010 | AMD-P | 90-10-091 | 308-121-110 | NEW-C | 90-12-115 |
| 308-52-690 | AMD-E | 90-11-044 | 308-91-010 | AMD-W | 90-13-057 | 308-121-110 | NEW | 90-17-042 |
| 308-53-075 | AMD-P | 90-08-106 | 308-91-010 | AMD-P | 90-13-058 | 308-121-120 | NEW-P | 90-10-084 |
| 308-53-075 | AMD | 90-11-080 | 308-91-010 | AMD | 90-16-072 | 308-121-120 | NEW-C | 90-12-115 |
| 308-53-084 | AMD-P | 90-08-106 | 308-91-030 | AMD-P | 90-10-091 | 308-121-120 | NEW | 90-17-042 |
| 308-53-084 | AMD | 90-11-080 | 308-91-030 | AMD-W | 90-13-057 | 308-121-130 | NEW-P | 90-10-084 |
| 308-53-085 | AMD-P | 90-08-106 | 308-91-030 | AMD-P | 90-13-058 | 308-121-130 | NEW-C | 90-12-115 |
| 308-53-085 | AMD | 90-11-080 | 308-91-030 | AMD | 90-16-072 | 308-121-130 | NEW | 90-17-042 |
| 308-53-210 | PREP | 90-12-065 | 308-91-040 | AMD-P | 90-10-091 | 308-121-140 | NEW-P | 90-10-084 |
| 308-53-265 | PREP | 90-12-065 | 308-91-040 | AMD-W | 90-13-057 | 308-121-140 | NEW-C | 90-12-115 |
| 308-54-315 | AMD | 90-04-094 | 308-91-040 | AMD-P | 90-13-058 | 308-121-140 | NEW | 90-17-042 |
| 308-56A-090 | NEW-P | 90-14-069 | 308-91-040 | AMD | 90-16-072 | 308-121-145 | NEW-P | 90-10-084 |
| 308-56A-090 | NEW-E | 90-14-072 | 308-91-050 | AMD-P | 90-10-091 | 308-121-145 | NEW-C | 90-12-115 |
| 308-56A-420 | AMD-P | 90-06-022 | 308-91-050 | AMD-W | 90-13-057 | 308-121-145 | NEW | 90-17-042 |
| 308-56A-420 | AMD | 90-10-013 | 308-91-050 | AMD-P | 90-13-058 | 308-121-150 | NEW-P | 90-10-084 |
| 308-56A-500 | NEW-P | 90-06-015 | 308-91-050 | AMD | 90-16-072 | 308-121-150 | NEW-C | 90-12-115 |
| 308-56A-500 | NEW-E | 90-06-016 | 308-91-060 | AMD-P | 90-10-091 | 308-121-150 | NEW | 90-17-042 |
| 308-56A-500 | NEW | 90-11-091 | 308-91-060 | AMD-W | 90-13-057 | 308-121-155 | NEW-P | 90-10-084 |
| 308-56A-505 | NEW-P | 90-06-015 | 308-91-060 | AMD-P | 90-13-058 | 308-121-155 | NEW-C | 90-12-115 |
| 308-56A-505 | NEW-E | 90-06-016 | 308-91-060 | AMD | 90-16-072 | 308-121-155 | NEW | 90-17-042 |
| 308-56A-505 | NEW | 90-11-091 | 308-91-070 | AMD-P | 90-10-091 | 308-121-160 | NEW-P | 90-10-084 |
| 308-56A-510 | NEW-P | 90-06-015 | 308-91-070 | AMD-W | 90-13-057 | 308-121-160 | NEW-C | 90-12-115 |
| 308-56A-510 | NEW-E | 90-06-016 | 308-91-070 | AMD-P | 90-13-058 | 308-121-160 | NEW | 90-17-042 |
| 308-56A-510 | NEW | 90-11-091 | 308-91-070 | AMD | 90-16-072 | 308-121-165 | NEW-P | 90-10-084 |
| 308-56A-515 | NEW-P | 90-06-015 | 308-91-080 | AMD-P | 90-10-091 | 308-121-165 | NEW-C | 90-12-115 |
| 308-56A-515 | NEW-E | 90-06-016 | 308-91-080 | AMD-W | 90-13-057 | 308-121-165 | NEW | 90-17-042 |
| 308-56A-515 | NEW | 90-11-091 | 308-91-080 | AMD-P | 90-13-058 | 308-121-170 | NEW-P | 90-10-084 |
| 308-56A-520 | NEW-P | 90-06-015 | 308-91-080 | AMD | 90-16-072 | 308-121-170 | NEW-C | 90-12-115 |
| 308-56A-520 | NEW-E | 90-06-016 | 308-91-090 | AMD-P | 90-10-091 | 308-121-170 | NEW | 90-17-042 |
| 308-56A-520 | NEW | 90-11-091 | 308-91-090 | AMD-W | 90-13-057 | 308-121-175 | NEW-P | 90-10-084 |
| 308-66-150 | AMD-P | 90-04-048 | 308-91-090 | AMD-P | 90-13-058 | 308-121-175 | NEW-C | 90-12-115 |
| 308-66-150 | AMD-C | 90-12-089 | 308-91-090 | AMD | 90-16-072 | 308-121-175 | NEW | 90-17-042 |
| 308-66-150 | AMD | 90-20-086 | 308-91-160 | REP-P | 90-10-091 | 308-121-180 | NEW-P | 90-10-084 |
| 308-66-152 | NEW-P | 90-04-048 | 308-91-160 | REP-W | 90-13-057 | 308-121-180 | NEW-C | 90-12-115 |
| 308-66-152 | NEW-C | 90-12-089 | 308-91-160 | REP-P | 90-13-058 | 308-121-180 | NEW | 90-17-042 |
| 308-66-152 | NEW | 90-20-086 | 308-91-160 | REP | 90-16-072 | 308-122-275 | AMD | 90-04-094 |
| 308-66-180 | AMD-P | 90-18-027 | 308-93-010 | AMD | 90-08-018 | 308-122-500 | AMD-E | 90-05-016 |
| 308-66-190 | AMD-P | 90-06-022 | 308-93-050 | AMD | 90-08-018 | 308-122-500 | AMD-P | 90-05-040 |
| 308-66-190 | AMD | 90-10-013 | 308-93-140 | AMD | 90-08-018 | 308-122-500 | AMD-W | 90-10-100 |
| 308-66-190 | AMD-P | 90-18-027 | 308-93-660 | NEW | 90-08-018 | 308-122-500 | AMD-W | 90-18-069 |
| 308-66-205 | NEW-P | 90-18-027 | 308-93-670 | NEW-P | 90-14-071 | 308-122-503 | REP | 90-05-015 |
| 308-66-206 | NEW-P | 90-18-027 | 308-93-670 | NEW-E | 90-14-074 | 308-122-503 | REP-E | 90-05-017 |
| 308-67-010 | NEW | 90-03-022 | 308-96A-105 | AMD-P | 90-14-070 | 308-122-550 | REP | 90-05-015 |
| 308-72-509 | NEW-P | 90-08-116 | 308-96A-105 | AMD-E | 90-14-073 | 308-122-550 | REP-E | 90-05-017 |
| 308-72-509 | NEW | 90-13-037 | 308-96A-105 | AMD | 90-20-140 | 308-122-555 | REP | 90-05-015 |
| 308-72-520 | AMD-P | 90-08-116 | 308-96A-106 | NEW-P | 90-14-070 | 308-122-555 | REP-E | 90-05-017 |
| 308-72-520 | AMD | 90-13-037 | 308-96A-106 | NEW-E | 90-14-073 | 308-122-560 | REP | 90-05-015 |
| 308-72-540 | AMD-P | 90-08-116 | 308-96A-106 | NEW | 90-20-140 | 308-122-560 | REP-E | 90-05-017 |
| 308-72-540 | AMD | 90-13-037 | 308-96A-120 | AMD-P | 90-14-070 | 308-122-565 | REP | 90-05-015 |
| 308-72-542 | NEW-P | 90-08-116 | 308-96A-120 | AMD-E | 90-14-073 | 308-122-565 | REP-E | 90-05-017 |
| 308-72-542 | NEW | 90-13-037 | 308-96A-120 | AMD | 90-20-140 | 308-122-570 | REP | 90-05-015 |
| 308-72-570 | AMD-P | 90-08-116 | 308-100-010 | AMD-P | 90-14-039 | 308-122-570 | REP-E | 90-05-017 |
| 308-72-570 | AMD | 90-13-037 | 308-100-010 | AMD | 90-17-028 | 308-122-575 | REP | 90-05-015 |
| 308-72-690 | AMD-P | 90-08-116 | 308-100-210 | NEW-P | 90-14-039 | 308-122-575 | REP-E | 90-05-017 |
| 308-72-690 | AMD | 90-13-037 | 308-100-210 | NEW | 90-17-028 | 308-122-580 | REP | 90-05-015 |
| 308-77-034 | AMD-P | 90-08-117 | 308-104-050 | AMD-P | 90-14-039 | 308-122-580 | REP-E | 90-05-017 |
| 308-77-034 | AMD | 90-13-038 | 308-104-050 | AMD | 90-17-028 | 308-124-005 | AMD-P | 90-20-051 |
| 308-77-040 | AMD-P | 90-08-117 | 308-104-145 | NEW-P | 90-14-039 | 308-124-007 | AMD-P | 90-20-051 |
| 308-77-040 | AMD | 90-13-038 | 308-104-145 | NEW | 90-17-028 | 308-124-021 | AMD-P | 90-20-051 |
| 308-77-080 | REP-P | 90-20-127 | 308-115-405 | AMD | 90-04-094 | 308-124A-200 | AMD-P | 90-20-051 |
| 308-77-100 | AMD-P | 90-20-127 | 308-117-500 | AMD | 90-04-094 | 308-124A-420 | AMD-P | 90-20-051 |
| 308-77-120 | AMD-P | 90-08-117 | 308-120-165 | AMD | 90-04-059 | 308-124A-450 | AMD-P | 90-20-051 |
| 308-77-120 | AMD | 90-13-038 | 308-120-275 | AMD | 90-04-094 | 308-124A-460 | AMD-P | 90-20-051 |
| 308-77-125 | NEW-E | 90-08-060 | 308-120-620 | NEW | 90-04-059 | 308-124B-120 | AMD-P | 90-20-051 |
| 308-77-125 | NEW-P | 90-08-119 | 308-121-030 | REP-P | 90-12-117 | 308-124C-010 | AMD-P | 90-20-051 |
| 308-77-125 | NEW | 90-13-036 | 308-121-030 | REP | 90-17-043 | 308-124C-020 | AMD-P | 90-10-075 |
| 308-77-165 | NEW-P | 90-08-117 | 308-121-040 | REP-P | 90-12-117 | 308-124C-020 | AMD-W | 90-11-008 |
| 308-77-165 | NEW | 90-13-038 | 308-121-040 | REP | 90-17-043 | 308-124C-020 | AMD-P | 90-11-098 |
| 308-77-250 | AMD-P | 90-20-089 | 308-121-050 | REP-P | 90-12-117 | 308-124C-020 | AMD-P | 90-20-051 |
| 308-78-010 | AMD-P | 90-08-118 | 308-121-050 | REP | 90-17-043 | 308-124D-050 | AMD-P | 90-20-051 |
| 308-78-010 | AMD | 90-13-039 | 308-121-055 | REP-P | 90-12-117 | 308-124E-013 | AMD-P | 90-20-051 |
| 308-78-030 | AMD-P | 90-08-118 | 308-121-055 | REP | 90-17-043 | 308-124E-014 | AMD-P | 90-02-103 |

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| 308-124E-014 | AMD | 90-09-014 | 308-124H-230 | NEW-C | 90-05-072 | 308-125-110 | NEW-P | 90-17-147 |
| 308-124H | AMD-P | 90-02-102 | 308-124H-230 | NEW | 90-10-010 | 308-125-120 | NEW-P | 90-17-147 |
| 308-124H | AMD-C | 90-05-072 | 308-124H-240 | NEW-C | 90-05-072 | 308-125-130 | NEW-P | 90-17-147 |
| 308-124H | AMD | 90-10-010 | 308-124H-240 | NEW | 90-10-010 | 308-125-140 | NEW-P | 90-17-147 |
| 308-124H | AMD-P | 90-20-051 | 308-124H-250 | NEW-C | 90-05-072 | 308-125-150 | NEW-P | 90-17-147 |
| 308-124H-011 | NEW-P | 90-02-102 | 308-124H-250 | NEW | 90-10-010 | 308-125-160 | NEW-P | 90-17-147 |
| 308-124H-011 | NEW-C | 90-05-072 | 308-124H-260 | NEW-C | 90-05-072 | 308-125-170 | NEW-P | 90-17-147 |
| 308-124H-011 | NEW | 90-10-010 | 308-124H-260 | NEW | 90-10-010 | 308-125-180 | NEW-P | 90-17-147 |
| 308-124H-020 | REP-P | 90-02-102 | 308-124H-260 | AMD-P | 90-20-051 | 308-125-190 | NEW-P | 90-17-147 |
| 308-124H-020 | REP-C | 90-05-072 | 308-124H-270 | NEW-C | 90-05-072 | 308-125-200 | NEW-P | 90-17-147 |
| 308-124H-020 | REP | 90-10-010 | 308-124H-270 | NEW | 90-10-010 | 308-125-210 | NEW-P | 90-17-147 |
| 308-124H-021 | NEW-P | 90-02-102 | 308-124H-280 | NEW-C | 90-05-072 | 308-127-010 | REP-P | 90-04-088 |
| 308-124H-021 | NEW-C | 90-05-072 | 308-124H-280 | NEW | 90-10-010 | 308-127-010 | REP | 90-07-023 |
| 308-124H-021 | NEW | 90-10-010 | 308-124H-290 | NEW-C | 90-05-072 | 308-127-020 | REP-P | 90-04-088 |
| 308-124H-021 | AMD-P | 90-20-051 | 308-124H-290 | NEW | 90-10-010 | 308-127-020 | REP | 90-07-023 |
| 308-124H-025 | NEW-P | 90-02-102 | 308-124H-300 | NEW-C | 90-05-072 | 308-127-030 | REP-P | 90-04-088 |
| 308-124H-025 | NEW-C | 90-05-072 | 308-124H-300 | NEW | 90-10-010 | 308-127-030 | REP | 90-07-023 |
| 308-124H-025 | NEW | 90-10-010 | 308-124H-310 | NEW-C | 90-05-072 | 308-127-035 | NEW-P | 90-04-088 |
| 308-124H-030 | REP-P | 90-02-102 | 308-124H-310 | NEW | 90-10-010 | 308-127-035 | NEW | 90-07-023 |
| 308-124H-030 | REP-C | 90-05-072 | 308-124H-320 | NEW-C | 90-05-072 | 308-127-040 | AMD-P | 90-04-088 |
| 308-124H-030 | REP | 90-10-010 | 308-124H-320 | NEW | 90-10-010 | 308-127-040 | AMD | 90-07-023 |
| 308-124H-033 | REP-P | 90-02-102 | 308-124H-330 | NEW-C | 90-05-072 | 308-127-100 | REP-P | 90-04-088 |
| 308-124H-033 | REP-C | 90-05-072 | 308-124H-330 | NEW | 90-10-010 | 308-127-100 | REP | 90-07-023 |
| 308-124H-033 | REP | 90-10-010 | 308-124H-340 | NEW-C | 90-05-072 | 308-127-105 | NEW-P | 90-04-088 |
| 308-124H-035 | AMD-P | 90-02-102 | 308-124H-340 | NEW | 90-10-010 | 308-127-105 | NEW | 90-07-023 |
| 308-124H-035 | AMD-C | 90-05-072 | 308-124H-510 | NEW-C | 90-05-072 | 308-127-110 | AMD-P | 90-04-088 |
| 308-124H-035 | AMD | 90-10-010 | 308-124H-510 | NEW | 90-10-010 | 308-127-110 | AMD | 90-07-023 |
| 308-124H-036 | AMD-P | 90-02-102 | 308-124H-520 | NEW-C | 90-05-072 | 308-127-120 | AMD-P | 90-04-088 |
| 308-124H-036 | AMD-C | 90-05-072 | 308-124H-520 | NEW | 90-10-010 | 308-127-120 | AMD | 90-07-023 |
| 308-124H-036 | AMD | 90-10-010 | 308-124H-520 | AMD-P | 90-20-051 | 308-127-130 | AMD-P | 90-04-088 |
| 308-124H-037 | AMD-P | 90-02-102 | 308-124H-530 | NEW-C | 90-05-072 | 308-127-130 | AMD | 90-07-023 |
| 308-124H-037 | AMD-C | 90-05-072 | 308-124H-530 | NEW | 90-10-010 | 308-127-140 | AMD-P | 90-04-088 |
| 308-124H-037 | AMD | 90-10-010 | 308-124H-540 | NEW-C | 90-05-072 | 308-127-140 | AMD | 90-07-023 |
| 308-124H-038 | REP-P | 90-02-102 | 308-124H-540 | NEW | 90-10-010 | 308-127-155 | REP-P | 90-04-088 |
| 308-124H-038 | REP-C | 90-05-072 | 308-124H-550 | NEW-C | 90-05-072 | 308-127-155 | REP | 90-07-023 |
| 308-124H-038 | REP | 90-10-010 | 308-124H-550 | NEW | 90-10-010 | 308-127-160 | NEW-P | 90-04-088 |
| 308-124H-040 | REP-P | 90-02-102 | 308-124H-560 | NEW-C | 90-05-072 | 308-127-160 | NEW | 90-07-023 |
| 308-124H-040 | REP-C | 90-05-072 | 308-124H-560 | NEW | 90-10-010 | 308-127-200 | AMD-P | 90-04-088 |
| 308-124H-040 | REP | 90-10-010 | 308-124H-570 | NEW-C | 90-05-072 | 308-127-200 | AMD | 90-07-023 |
| 308-124H-041 | NEW-P | 90-02-102 | 308-124H-570 | NEW | 90-10-010 | 308-127-210 | AMD-P | 90-04-088 |
| 308-124H-041 | NEW-C | 90-05-072 | 308-124H-580 | NEW-C | 90-05-072 | 308-127-210 | AMD | 90-07-023 |
| 308-124H-041 | NEW | 90-10-010 | 308-124H-580 | NEW | 90-10-010 | 308-127-220 | REP-P | 90-04-088 |
| 308-124H-043 | REP-P | 90-02-102 | 308-124H-800 | NEW-P | 90-10-075 | 308-127-220 | REP | 90-07-023 |
| 308-124H-043 | REP-C | 90-05-072 | 308-124H-800 | NEW-W | 90-11-008 | 308-127-225 | NEW-P | 90-04-088 |
| 308-124H-043 | REP | 90-10-010 | 308-124H-800 | NEW-P | 90-11-098 | 308-127-225 | NEW | 90-07-023 |
| 308-124H-045 | REP-P | 90-02-102 | 308-124I-010 | NEW-P | 90-02-102 | 308-127-300 | AMD-P | 90-04-088 |
| 308-124H-045 | REP-C | 90-05-072 | 308-124I-020 | NEW-P | 90-02-102 | 308-127-300 | AMD | 90-07-023 |
| 308-124H-045 | REP | 90-10-010 | 308-124I-030 | NEW-P | 90-02-102 | 308-128B-060 | REP | 90-03-098 |
| 308-124H-050 | REP-P | 90-02-102 | 308-124I-040 | NEW-P | 90-02-102 | 308-128B-080 | AMD | 90-03-099 |
| 308-124H-050 | REP-C | 90-05-072 | 308-124I-050 | NEW-P | 90-02-102 | 308-138-080 | AMD | 90-04-094 |
| 308-124H-050 | REP | 90-10-010 | 308-124I-060 | NEW-P | 90-02-102 | 308-152-030 | AMD | 90-04-094 |
| 308-124H-051 | NEW-P | 90-02-102 | 308-124I-070 | NEW-P | 90-02-102 | 308-152-030 | AMD-P | 90-08-009 |
| 308-124H-051 | NEW-C | 90-05-072 | 308-124I-080 | NEW-P | 90-02-102 | 308-152-030 | AMD | 90-18-039 |
| 308-124H-051 | NEW | 90-10-010 | 308-124I-090 | NEW-P | 90-02-102 | 308-158-010 | NEW-P | 90-16-097 |
| 308-124H-055 | REP-P | 90-02-102 | 308-124I-100 | NEW-P | 90-02-102 | 308-158-020 | NEW-P | 90-16-097 |
| 308-124H-055 | REP-C | 90-05-072 | 308-124I-110 | NEW-P | 90-02-102 | 308-158-030 | NEW-P | 90-16-097 |
| 308-124H-055 | REP | 90-10-010 | 308-124I-120 | NEW-P | 90-02-102 | 308-158-040 | NEW-P | 90-16-097 |
| 308-124H-060 | REP-P | 90-02-102 | 308-124I-130 | NEW-P | 90-02-102 | 308-171-001 | AMD-P | 90-04-096 |
| 308-124H-060 | REP-C | 90-05-072 | 308-124I-140 | NEW-P | 90-02-102 | 308-171-001 | AMD | 90-16-071 |
| 308-124H-060 | REP | 90-10-010 | 308-124J-010 | NEW-P | 90-02-102 | 308-171-010 | AMD-P | 90-04-096 |
| 308-124H-061 | NEW-P | 90-02-102 | 308-124J-020 | NEW-P | 90-02-102 | 308-171-010 | AMD | 90-16-071 |
| 308-124H-061 | NEW-C | 90-05-072 | 308-124J-030 | NEW-P | 90-02-102 | 308-171-020 | AMD-P | 90-04-096 |
| 308-124H-061 | NEW | 90-10-010 | 308-124J-040 | NEW-P | 90-02-102 | 308-171-020 | AMD | 90-16-071 |
| 308-124H-062 | NEW-P | 90-02-102 | 308-124J-050 | NEW-P | 90-02-102 | 308-171-041 | NEW-P | 90-04-096 |
| 308-124H-062 | NEW-C | 90-05-072 | 308-124J-060 | NEW-P | 90-02-102 | 308-171-041 | NEW-W | 90-16-036 |
| 308-124H-062 | NEW | 90-10-010 | 308-124J-070 | NEW-P | 90-02-102 | 308-171-041 | NEW-P | 90-16-096 |
| 308-124H-065 | REP-P | 90-02-102 | 308-124J-080 | NEW-P | 90-02-102 | 308-171-045 | AMD-P | 90-16-096 |
| 308-124H-065 | REP-C | 90-05-072 | 308-125-010 | NEW-P | 90-17-147 | 308-171-301 | AMD-P | 90-16-096 |
| 308-124H-065 | REP | 90-10-010 | 308-125-020 | NEW-P | 90-17-147 | 308-171-320 | AMD-P | 90-16-096 |
| 308-124H-070 | REP-P | 90-02-102 | 308-125-030 | NEW-P | 90-17-147 | 308-173-130 | AMD | 90-04-094 |
| 308-124H-070 | REP-C | 90-05-072 | 308-125-040 | NEW-P | 90-17-147 | 308-173-210 | NEW-P | 90-10-084 |
| 308-124H-070 | REP | 90-10-010 | 308-125-050 | NEW-P | 90-17-147 | 308-173-210 | NEW-C | 90-12-115 |
| 308-124H-210 | NEW-C | 90-05-072 | 308-125-060 | NEW-P | 90-17-147 | 308-173-210 | NEW | 90-20-018 |
| 308-124H-210 | NEW | 90-10-010 | 308-125-070 | NEW-P | 90-17-147 | 308-173-220 | NEW-P | 90-10-084 |
| 308-124H-220 | NEW-C | 90-05-072 | 308-125-080 | NEW-P | 90-17-147 | 308-173-220 | NEW-C | 90-12-115 |
| 308-124H-220 | NEW | 90-10-010 | 308-125-090 | NEW-P | 90-17-147 | 308-173-220 | NEW | 90-20-018 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|-------------|-------|-----------|------------|---------|-----------|
| 308-173-230 | NEW-P | 90-10-084 | 308-420-010 | NEW-P | 90-20-126 | 315-11-562 | NEW-P | 90-11-127 |
| 308-173-230 | NEW-C | 90-12-115 | 308-420-020 | NEW-P | 90-20-126 | 315-11-562 | NEW | 90-15-014 |
| 308-173-230 | NEW | 90-20-018 | 308-420-030 | NEW-P | 90-20-126 | 315-11-570 | NEW-P | 90-11-127 |
| 308-173-240 | NEW-P | 90-10-084 | 308-420-040 | NEW-P | 90-20-126 | 315-11-570 | NEW | 90-15-014 |
| 308-173-240 | NEW-C | 90-12-115 | 308-420-050 | NEW-P | 90-20-126 | 315-11-571 | NEW-P | 90-11-127 |
| 308-173-240 | NEW | 90-20-018 | 308-420-060 | NEW-P | 90-20-126 | 315-11-571 | NEW | 90-15-014 |
| 308-173-245 | NEW-P | 90-10-084 | 308-420-070 | NEW-P | 90-20-126 | 315-11-571 | AMD-P | 90-16-094 |
| 308-173-245 | NEW-C | 90-12-115 | 308-420-080 | NEW-P | 90-20-126 | 315-11-571 | AMD | 90-19-048 |
| 308-173-245 | NEW | 90-20-018 | 308-420-090 | NEW-P | 90-20-126 | 315-11-572 | NEW-P | 90-11-127 |
| 308-173-250 | NEW-P | 90-10-084 | 308-420-100 | NEW-P | 90-20-126 | 315-11-572 | NEW | 90-15-014 |
| 308-173-250 | NEW-C | 90-12-115 | 308-420-110 | NEW-P | 90-20-126 | 315-11-580 | NEW-P | 90-16-094 |
| 308-173-250 | NEW | 90-20-018 | 308-420-120 | NEW-P | 90-20-126 | 315-11-580 | NEW | 90-19-048 |
| 308-173-255 | NEW-P | 90-10-084 | 308-420-130 | NEW-P | 90-20-126 | 315-11-581 | NEW-P | 90-16-094 |
| 308-173-255 | NEW-C | 90-12-115 | 308-420-140 | NEW-P | 90-20-126 | 315-11-581 | NEW | 90-19-048 |
| 308-173-255 | NEW | 90-20-018 | 308-420-150 | NEW-P | 90-20-126 | 315-11-582 | NEW-P | 90-16-094 |
| 308-173-260 | NEW-P | 90-10-084 | 308-420-160 | NEW-P | 90-20-126 | 315-11-582 | NEW | 90-19-048 |
| 308-173-260 | NEW-C | 90-12-115 | 308-420-170 | NEW-P | 90-20-126 | 315-11-590 | NEW-P | 90-19-090 |
| 308-173-260 | NEW | 90-20-018 | 308-420-180 | NEW-P | 90-20-126 | 315-11-591 | NEW-P | 90-19-090 |
| 308-173-265 | NEW-P | 90-10-084 | 308-420-190 | NEW-P | 90-20-126 | 315-11-592 | NEW-P | 90-19-090 |
| 308-173-265 | NEW-C | 90-12-115 | 308-420-200 | NEW-P | 90-20-126 | 315-11-600 | NEW-P | 90-19-090 |
| 308-173-265 | NEW | 90-20-018 | 308-420-210 | NEW-P | 90-20-126 | 315-11-601 | NEW-P | 90-19-090 |
| 308-173-270 | NEW-P | 90-10-084 | 308-420-220 | NEW-P | 90-20-126 | 315-11-602 | NEW-P | 90-19-090 |
| 308-173-270 | NEW-C | 90-12-115 | 308-420-230 | NEW-P | 90-20-126 | 315-32-060 | AMD-P | 90-16-094 |
| 308-173-270 | NEW | 90-20-018 | 308-420-240 | NEW-P | 90-20-126 | 315-32-060 | AMD | 90-19-048 |
| 308-173-275 | NEW-P | 90-10-084 | 314-12-020 | AMD-P | 90-20-041 | 315-33-010 | NEW-P | 90-03-109 |
| 308-173-275 | NEW-C | 90-12-115 | 314-12-033 | AMD-P | 90-20-043 | 315-33-010 | NEW | 90-06-060 |
| 308-173-275 | NEW | 90-20-018 | 314-12-070 | AMD-P | 90-20-042 | 315-33-020 | NEW-P | 90-03-109 |
| 308-173-280 | NEW-P | 90-10-084 | 314-12-135 | NEW-P | 90-10-088 | 315-33-020 | NEW | 90-06-060 |
| 308-173-280 | NEW-C | 90-12-115 | 314-12-135 | NEW | 90-14-003 | 315-33-030 | NEW-P | 90-03-109 |
| 308-173-280 | NEW | 90-20-018 | 314-12-175 | AMD-P | 90-10-087 | 315-33-030 | NEW | 90-06-060 |
| 308-175-140 | AMD | 90-04-094 | 314-12-175 | REP | 90-14-012 | 315-33-040 | NEW-P | 90-03-109 |
| 308-175-200 | AMD-E | 90-06-004 | 314-16-170 | AMD-P | 90-03-088 | 315-33-040 | NEW | 90-06-060 |
| 308-175-200 | AMD-P | 90-11-019 | 314-16-170 | AMD-W | 90-17-018 | 315-33-050 | NEW-P | 90-03-109 |
| 308-175-200 | AMD | 90-14-131 | 314-20-020 | AMD-P | 90-10-090 | 315-33-050 | NEW | 90-06-060 |
| 308-177-110 | AMD | 90-04-094 | 314-20-020 | AMD | 90-18-008 | 315-33-060 | NEW-P | 90-03-109 |
| 308-180-120 | AMD-P | 90-05-053 | 314-20-025 | NEW-P | 90-03-089 | 315-33-060 | NEW | 90-06-060 |
| 308-180-120 | AMD | 90-11-093 | 314-20-025 | NEW-W | 90-17-019 | 315-33-070 | NEW-P | 90-03-109 |
| 308-180-150 | AMD-P | 90-08-002 | 314-40-020 | AMD-P | 90-10-089 | 315-33-070 | NEW | 90-06-060 |
| 308-180-150 | AMD | 90-12-114 | 314-40-020 | AMD | 90-14-004 | 315-34-010 | NEW-P | 90-16-094 |
| 308-180-210 | AMD-P | 90-08-002 | 314-60-040 | AMD | 90-02-109 | 315-34-010 | NEW | 90-19-048 |
| 308-180-210 | AMD | 90-12-114 | 315-04-132 | AMD-P | 90-07-086 | 315-34-020 | NEW-P | 90-16-094 |
| 308-180-250 | AMD-P | 90-08-002 | 315-04-132 | AMD | 90-11-040 | 315-34-020 | NEW | 90-19-048 |
| 308-180-250 | AMD | 90-12-114 | 315-06-080 | AMD-P | 90-07-086 | 315-34-030 | NEW-P | 90-16-094 |
| 308-180-260 | AMD | 90-04-094 | 315-06-080 | AMD | 90-11-040 | 315-34-030 | NEW | 90-19-048 |
| 308-180-260 | AMD-P | 90-08-009 | 315-08-010 | NEW-P | 90-07-086 | 315-34-040 | NEW-P | 90-16-094 |
| 308-180-260 | AMD | 90-18-039 | 315-08-010 | NEW | 90-11-040 | 315-34-040 | NEW | 90-19-048 |
| 308-190-010 | AMD | 90-04-094 | 315-08-020 | NEW-P | 90-07-086 | 315-34-050 | NEW-P | 90-16-094 |
| 308-190-010 | AMD-P | 90-08-009 | 315-08-020 | NEW | 90-11-040 | 315-34-050 | NEW | 90-19-048 |
| 308-190-010 | AMD | 90-18-039 | 315-08-030 | NEW-P | 90-07-086 | 315-34-060 | NEW-P | 90-16-094 |
| 308-300 | NEW-E | 90-14-021 | 315-08-030 | NEW | 90-11-040 | 315-34-060 | NEW | 90-19-048 |
| 308-300 | NEW-P | 90-14-022 | 315-08-040 | NEW-P | 90-07-086 | 316-55-001 | AMD-P | 90-03-039 |
| 308-300 | NEW | 90-17-062 | 315-08-040 | NEW | 90-11-040 | 316-55-001 | AMD | 90-06-047 |
| 308-300-075 | NEW-E | 90-14-021 | 315-11-480 | AMD | 90-03-023 | 316-55-005 | NEW-P | 90-03-039 |
| 308-300-075 | NEW-P | 90-14-022 | 315-11-490 | AMD | 90-03-023 | 316-55-005 | NEW | 90-06-047 |
| 308-300-075 | NEW | 90-17-062 | 315-11-491 | AMD | 90-03-023 | 316-55-010 | AMD-P | 90-03-039 |
| 308-310-010 | AMD | 90-04-094 | 315-11-530 | NEW-P | 90-03-109 | 316-55-010 | AMD | 90-06-047 |
| 308-320-010 | NEW | 90-02-060 | 315-11-530 | NEW | 90-06-060 | 316-55-020 | AMD-P | 90-03-039 |
| 308-320-010 | NEW-E | 90-02-061 | 315-11-531 | NEW-P | 90-03-109 | 316-55-020 | AMD | 90-06-047 |
| 308-320-020 | NEW | 90-02-060 | 315-11-531 | NEW | 90-06-060 | 316-55-030 | AMD-P | 90-03-039 |
| 308-320-020 | NEW-E | 90-02-061 | 315-11-532 | NEW-P | 90-03-109 | 316-55-030 | AMD | 90-06-047 |
| 308-320-030 | NEW | 90-02-060 | 315-11-532 | NEW | 90-06-060 | 316-55-050 | AMD-P | 90-03-039 |
| 308-320-030 | NEW-E | 90-02-061 | 315-11-540 | NEW-P | 90-03-109 | 316-55-050 | AMD | 90-06-047 |
| 308-320-040 | NEW | 90-02-060 | 315-11-540 | NEW | 90-06-060 | 316-55-050 | AMD-P | 90-03-039 |
| 308-320-040 | NEW-E | 90-02-061 | 315-11-541 | NEW-P | 90-03-109 | 316-55-070 | AMD | 90-06-047 |
| 308-320-050 | NEW | 90-02-060 | 315-11-541 | NEW | 90-06-060 | 316-55-090 | RE-AD-P | 90-03-039 |
| 308-320-050 | NEW-E | 90-02-061 | 315-11-542 | NEW-P | 90-03-109 | 316-55-090 | RE-AD | 90-06-047 |
| 308-320-060 | NEW | 90-02-060 | 315-11-542 | NEW | 90-06-060 | 316-55-110 | AMD-P | 90-03-039 |
| 308-320-060 | NEW-E | 90-02-061 | 315-11-550 | NEW-P | 90-07-086 | 316-55-110 | AMD | 90-06-047 |
| 308-320-070 | NEW | 90-02-060 | 315-11-550 | NEW | 90-11-040 | 316-55-120 | NEW-P | 90-03-039 |
| 308-320-070 | NEW-E | 90-02-061 | 315-11-551 | NEW-P | 90-07-086 | 316-55-120 | NEW | 90-06-047 |
| 308-320-080 | NEW | 90-02-060 | 315-11-551 | NEW | 90-11-040 | 316-55-130 | RE-AD-P | 90-03-039 |
| 308-320-080 | NEW-E | 90-02-061 | 315-11-552 | NEW-P | 90-07-086 | 316-55-130 | RE-AD | 90-06-047 |
| 308-320-090 | NEW | 90-02-060 | 315-11-552 | NEW | 90-11-040 | 316-55-150 | RE-AD-P | 90-03-039 |
| 308-320-090 | NEW-E | 90-02-061 | 315-11-560 | NEW-P | 90-11-127 | 316-55-150 | RE-AD | 90-06-047 |
| 308-320-100 | NEW-W | 90-11-068 | 315-11-560 | NEW | 90-15-014 | 316-55-160 | AMD-P | 90-03-039 |
| 308-400-042 | AMD | 90-04-050 | 315-11-561 | NEW-P | 90-11-127 | 316-55-160 | AMD | 90-06-047 |
| 308-400-095 | AMD | 90-04-050 | 315-11-561 | NEW | 90-15-014 | 316-55-170 | RE-AD-P | 90-03-039 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|--------------|---------|-----------|--------------|-------|-----------|------------|-------|-----------|
| 316-55-170 | RE-AD | 90-06-047 | 352-12-030 | AMD-E | 90-08-121 | 352-37-050 | NEW-E | 90-06-006 |
| 316-55-500 | AMD-P | 90-03-039 | 352-20-010 | AMD-P | 90-04-108 | 352-37-050 | NEW | 90-07-050 |
| 316-55-500 | AMD | 90-06-047 | 352-20-010 | AMD | 90-07-062 | 352-37-060 | NEW-P | 90-04-106 |
| 316-55-505 | AMD-P | 90-03-039 | 352-20-010 | AMD-E | 90-08-121 | 352-37-060 | NEW-E | 90-06-006 |
| 316-55-505 | AMD | 90-06-047 | 352-20-050 | AMD-P | 90-04-108 | 352-37-060 | NEW | 90-07-050 |
| 316-55-510 | RE-AD-P | 90-03-039 | 352-20-050 | AMD | 90-07-062 | 352-37-070 | NEW-P | 90-04-106 |
| 316-55-510 | RE-AD | 90-06-047 | 352-20-050 | AMD-E | 90-08-121 | 352-37-070 | NEW-E | 90-06-006 |
| 316-55-515 | AMD-P | 90-03-039 | 352-32-010 | AMD-P | 90-04-108 | 352-37-070 | NEW | 90-07-050 |
| 316-55-515 | AMD | 90-06-047 | 352-32-010 | AMD-W | 90-07-064 | 352-37-080 | NEW-P | 90-04-106 |
| 316-55-517 | NEW-P | 90-03-039 | 352-32-011 | NEW-E | 90-15-075 | 352-37-080 | NEW-E | 90-06-006 |
| 316-55-517 | NEW | 90-06-047 | 352-32-011 | NEW-P | 90-16-105 | 352-37-080 | NEW | 90-07-050 |
| 316-55-520 | REP-P | 90-03-039 | 352-32-011 | NEW | 90-20-031 | 352-37-090 | NEW-P | 90-04-106 |
| 316-55-520 | REP | 90-06-047 | 352-32-045 | AMD-P | 90-04-108 | 352-37-090 | NEW-E | 90-06-006 |
| 316-55-525 | AMD-P | 90-03-039 | 352-32-045 | AMD | 90-07-062 | 352-37-090 | NEW | 90-07-050 |
| 316-55-525 | AMD | 90-06-047 | 352-32-045 | AMD-E | 90-08-121 | 352-37-100 | NEW-P | 90-04-106 |
| 316-55-600 | RE-AD-P | 90-03-039 | 352-32-050 | AMD-P | 90-04-108 | 352-37-100 | NEW-E | 90-06-006 |
| 316-55-600 | RE-AD | 90-06-047 | 352-32-050 | AMD | 90-07-062 | 352-37-100 | NEW | 90-07-050 |
| 316-55-700 | NEW-P | 90-03-039 | 352-32-050 | AMD-E | 90-08-121 | 352-37-110 | NEW-P | 90-04-106 |
| 316-55-700 | NEW | 90-06-047 | 352-32-235 | AMD | 90-04-025 | 352-37-110 | NEW-E | 90-06-006 |
| 316-55-710 | NEW-P | 90-03-039 | 352-32-250 | AMD-P | 90-04-108 | 352-37-110 | NEW | 90-07-050 |
| 316-55-710 | NEW | 90-06-047 | 352-32-250 | AMD | 90-07-062 | 352-37-120 | NEW-P | 90-04-106 |
| 316-55-730 | NEW-P | 90-03-039 | 352-32-250 | AMD-E | 90-08-121 | 352-37-120 | NEW-E | 90-06-006 |
| 316-55-730 | NEW | 90-06-047 | 352-32-25001 | AMD-P | 90-04-108 | 352-37-120 | NEW | 90-07-050 |
| 316-85-001 | NEW-P | 90-03-040 | 352-32-25001 | AMD | 90-07-062 | 352-37-130 | NEW-P | 90-04-106 |
| 316-85-001 | NEW | 90-06-046 | 352-32-25001 | AMD-E | 90-08-121 | 352-37-130 | NEW-E | 90-06-006 |
| 316-85-010 | NEW-P | 90-03-040 | 352-32-25001 | AMD-P | 90-19-095 | 352-37-130 | NEW | 90-07-050 |
| 316-85-010 | NEW | 90-06-046 | 352-32-251 | AMD | 90-04-024 | 352-37-140 | NEW-P | 90-04-106 |
| 316-85-020 | NEW-P | 90-03-040 | 352-32-252 | AMD-P | 90-04-108 | 352-37-140 | NEW-E | 90-06-006 |
| 316-85-020 | NEW | 90-06-046 | 352-32-252 | AMD | 90-07-062 | 352-37-140 | NEW | 90-07-050 |
| 316-85-030 | NEW-P | 90-03-040 | 352-32-252 | AMD-E | 90-08-121 | 352-37-150 | NEW-P | 90-04-106 |
| 316-85-030 | NEW | 90-06-046 | 352-32-270 | AMD-P | 90-06-108 | 352-37-150 | NEW-E | 90-06-006 |
| 316-85-040 | NEW-P | 90-03-040 | 352-32-270 | AMD | 90-10-023 | 352-37-150 | NEW | 90-07-050 |
| 316-85-040 | NEW | 90-06-046 | 352-36-010 | REP-P | 90-06-109 | 352-37-160 | NEW-P | 90-04-106 |
| 316-85-050 | NEW-P | 90-03-040 | 352-36-010 | REP | 90-10-024 | 352-37-160 | NEW-E | 90-06-006 |
| 316-85-050 | NEW | 90-06-046 | 352-36-020 | REP-P | 90-06-109 | 352-37-160 | NEW | 90-07-050 |
| 316-85-060 | NEW-P | 90-03-040 | 352-36-020 | REP | 90-10-024 | 352-37-170 | NEW-P | 90-04-106 |
| 316-85-060 | NEW | 90-06-046 | 352-36-025 | REP-P | 90-06-109 | 352-37-170 | NEW-E | 90-06-006 |
| 316-85-070 | NEW-P | 90-03-040 | 352-36-025 | REP | 90-10-024 | 352-37-170 | NEW | 90-07-050 |
| 316-85-070 | NEW | 90-06-046 | 352-36-030 | REP-P | 90-06-109 | 352-37-180 | NEW-P | 90-04-106 |
| 316-85-080 | NEW-P | 90-03-040 | 352-36-030 | REP | 90-10-024 | 352-37-180 | NEW-E | 90-06-006 |
| 316-85-080 | NEW | 90-06-046 | 352-36-040 | REP-P | 90-06-109 | 352-37-180 | NEW | 90-07-050 |
| 316-85-090 | NEW-P | 90-03-040 | 352-36-040 | REP | 90-10-024 | 352-37-190 | NEW-P | 90-04-106 |
| 316-85-090 | NEW | 90-06-046 | 352-36-050 | REP-P | 90-06-109 | 352-37-190 | NEW-E | 90-06-006 |
| 316-85-100 | NEW-P | 90-03-040 | 352-36-050 | REP | 90-10-024 | 352-37-190 | NEW | 90-07-050 |
| 316-85-100 | NEW | 90-06-046 | 352-36-060 | REP-P | 90-06-109 | 352-37-200 | NEW-P | 90-04-106 |
| 320-08-002 | NEW-P | 90-14-080 | 352-36-060 | REP | 90-10-024 | 352-37-200 | NEW-E | 90-06-006 |
| 320-08-002 | NEW | 90-20-049 | 352-36-070 | REP-P | 90-06-109 | 352-37-200 | NEW | 90-07-050 |
| 326-30-030 | AMD | 90-06-040 | 352-36-070 | REP | 90-10-024 | 352-37-210 | NEW-P | 90-04-106 |
| 326-30-03902 | NEW | 90-06-041 | 352-36-080 | REP-P | 90-06-109 | 352-37-210 | NEW-E | 90-06-006 |
| 326-30-03903 | NEW-E | 90-13-023 | 352-36-080 | REP | 90-10-024 | 352-37-210 | NEW | 90-07-050 |
| 326-30-03903 | NEW-P | 90-18-059 | 352-36-090 | REP-P | 90-06-109 | 352-40-125 | NEW-E | 90-13-009 |
| 326-30-03903 | NEW-E | 90-20-151 | 352-36-090 | REP | 90-10-024 | 352-40-125 | NEW-P | 90-16-106 |
| 332-24-700 | NEW-P | 90-12-015 | 352-36-100 | REP-P | 90-06-109 | 352-40-125 | NEW | 90-20-032 |
| 332-24-700 | NEW | 90-15-061 | 352-36-100 | REP | 90-10-024 | 352-40-127 | NEW-E | 90-13-009 |
| 332-26-010 | NEW-E | 90-15-012 | 352-36-110 | REP-P | 90-06-109 | 352-40-127 | NEW-P | 90-16-106 |
| 332-26-020 | NEW-E | 90-15-012 | 352-36-110 | REP | 90-10-024 | 352-40-127 | NEW | 90-20-032 |
| 332-26-030 | NEW-E | 90-15-012 | 352-36-115 | REP-P | 90-06-109 | 352-40-130 | AMD-E | 90-13-009 |
| 332-26-030 | REP-E | 90-17-015 | 352-36-115 | REP | 90-10-024 | 352-40-130 | AMD-P | 90-16-106 |
| 332-26-040 | NEW-E | 90-15-012 | 352-36-120 | REP-P | 90-06-109 | 352-40-130 | AMD | 90-20-032 |
| 332-26-050 | NEW-E | 90-15-012 | 352-36-120 | REP | 90-10-024 | 352-40-140 | AMD-E | 90-13-009 |
| 332-26-060 | NEW-E | 90-15-012 | 352-36-130 | REP-P | 90-06-109 | 352-40-140 | AMD-P | 90-16-106 |
| 332-26-080 | NEW-E | 90-17-015 | 352-36-130 | REP | 90-10-024 | 352-40-140 | AMD | 90-20-032 |
| 332-26-081 | NEW-E | 90-18-053 | 352-36-140 | REP-P | 90-06-109 | 352-40-900 | AMD-E | 90-13-009 |
| 332-30-166 | AMD | 90-02-085 | 352-36-140 | REP | 90-10-024 | 352-40-900 | AMD-P | 90-16-106 |
| 332-130-030 | AMD-P | 90-03-066 | 352-37-010 | NEW-P | 90-04-106 | 352-40-900 | AMD | 90-20-032 |
| 332-130-030 | AMD | 90-06-028 | 352-37-010 | NEW-E | 90-06-006 | 352-64-020 | AMD | 90-04-064 |
| 332-130-070 | AMD-P | 90-03-066 | 352-37-010 | NEW | 90-07-050 | 352-64-030 | AMD | 90-04-064 |
| 332-130-070 | AMD | 90-06-028 | 352-37-020 | NEW-P | 90-04-106 | 352-64-040 | AMD | 90-04-064 |
| 332-130-080 | AMD-P | 90-03-066 | 352-37-020 | NEW-E | 90-06-006 | 352-64-050 | AMD | 90-04-064 |
| 332-130-080 | AMD | 90-06-028 | 352-37-020 | NEW | 90-07-050 | 352-64-060 | AMD | 90-04-064 |
| 332-130-090 | AMD-P | 90-03-066 | 352-37-030 | NEW-P | 90-04-106 | 352-64-070 | AMD | 90-04-064 |
| 332-130-090 | AMD | 90-06-028 | 352-37-030 | NEW-E | 90-06-006 | 352-64-080 | AMD | 90-04-064 |
| 352-12-020 | AMD-P | 90-04-108 | 352-37-030 | NEW | 90-07-050 | 352-65-010 | NEW-P | 90-09-070 |
| 352-12-020 | AMD | 90-07-062 | 352-37-040 | NEW-P | 90-04-106 | 352-65-010 | NEW | 90-13-008 |
| 352-12-020 | AMD-E | 90-08-121 | 352-37-040 | NEW-E | 90-06-006 | 352-65-020 | NEW-P | 90-09-070 |
| 352-12-030 | AMD-P | 90-04-108 | 352-37-040 | NEW | 90-07-050 | 352-65-020 | NEW | 90-13-008 |
| 352-12-030 | AMD | 90-07-062 | 352-37-050 | NEW-P | 90-04-106 | 352-65-030 | NEW-P | 90-09-070 |

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| 352-65-030 | NEW | 90-13-008 | 356-15-020 | AMD-C | 90-19-043 | 356-34-115 | REP-C | 90-07-053 |
| 352-65-040 | NEW-P | 90-09-070 | 356-15-060 | AMD-P | 90-03-102 | 356-34-115 | REP-E | 90-10-017 |
| 352-65-040 | NEW | 90-13-008 | 356-15-060 | AMD-C | 90-07-054 | 356-34-115 | REP | 90-10-018 |
| 352-65-050 | NEW-P | 90-09-070 | 356-15-060 | AMD-C | 90-10-015 | 356-34-117 | REP-P | 90-03-101 |
| 352-65-050 | NEW | 90-13-008 | 356-15-060 | AMD-C | 90-12-017 | 356-34-117 | REP-C | 90-07-053 |
| 352-65-060 | NEW-P | 90-09-070 | 356-15-060 | AMD-W | 90-13-066 | 356-34-117 | REP-E | 90-10-017 |
| 352-65-060 | NEW | 90-13-008 | 356-15-100 | AMD-P | 90-11-112 | 356-34-117 | REP | 90-10-018 |
| 352-66-010 | NEW-P | 90-04-107 | 356-15-100 | AMD-E | 90-15-036 | 356-34-118 | REP-P | 90-03-101 |
| 352-66-010 | NEW | 90-07-051 | 356-15-100 | AMD | 90-15-037 | 356-34-118 | REP-C | 90-07-053 |
| 352-66-020 | NEW-P | 90-04-107 | 356-15-125 | AMD-P | 90-03-102 | 356-34-118 | REP-E | 90-10-017 |
| 352-66-020 | NEW | 90-07-051 | 356-15-125 | AMD-C | 90-07-054 | 356-34-118 | REP | 90-10-018 |
| 352-66-030 | NEW-P | 90-04-107 | 356-15-125 | AMD-C | 90-10-015 | 356-34-119 | REP-P | 90-03-101 |
| 352-66-030 | NEW | 90-07-051 | 356-15-125 | AMD-C | 90-12-017 | 356-34-119 | REP-C | 90-07-053 |
| 352-66-040 | NEW-P | 90-04-107 | 356-15-125 | AMD-W | 90-13-066 | 356-34-119 | REP-E | 90-10-017 |
| 352-66-040 | NEW | 90-07-051 | 356-15-130 | AMD-P | 90-10-039 | 356-34-119 | REP | 90-10-018 |
| 352-66-050 | NEW-P | 90-04-107 | 356-15-130 | AMD-E | 90-11-042 | 356-34-130 | REP-P | 90-03-101 |
| 352-66-050 | NEW | 90-07-051 | 356-15-130 | AMD | 90-13-068 | 356-34-130 | REP-C | 90-07-053 |
| 352-66-060 | NEW-P | 90-04-107 | 356-15-130 | AMD-E | 90-19-042 | 356-34-130 | REP-E | 90-10-017 |
| 352-66-060 | NEW | 90-07-051 | 356-15-130 | AMD-P | 90-20-150 | 356-34-130 | REP | 90-10-018 |
| 352-66-070 | NEW-P | 90-04-107 | 356-22-010 | AMD-C | 90-03-047 | 356-34-140 | REP-P | 90-03-101 |
| 352-66-070 | NEW | 90-07-051 | 356-22-010 | AMD | 90-05-029 | 356-34-140 | REP-C | 90-07-053 |
| 352-66-080 | NEW-P | 90-04-107 | 356-22-060 | AMD-P | 90-20-144 | 356-34-140 | REP-E | 90-10-017 |
| 352-66-080 | NEW | 90-07-051 | 356-22-070 | AMD-P | 90-08-072 | 356-34-140 | REP | 90-10-018 |
| 352-66-090 | NEW-P | 90-04-107 | 356-22-070 | AMD | 90-12-020 | 356-34-160 | REP-P | 90-03-101 |
| 352-66-090 | NEW | 90-07-051 | 356-22-11001 | REP-C | 90-03-047 | 356-34-160 | REP-C | 90-07-053 |
| 352-66-100 | NEW-P | 90-04-107 | 356-22-11001 | REP | 90-05-029 | 356-34-160 | REP-E | 90-10-017 |
| 352-66-100 | NEW | 90-07-051 | 356-22-111 | NEW-C | 90-03-047 | 356-34-160 | REP | 90-10-018 |
| 352-66-110 | NEW-P | 90-04-107 | 356-22-111 | NEW | 90-05-029 | 356-34-170 | REP-P | 90-03-101 |
| 352-66-110 | NEW | 90-07-051 | 356-22-120 | AMD-C | 90-03-047 | 356-34-170 | REP-C | 90-07-053 |
| 352-66-120 | NEW-P | 90-04-107 | 356-22-120 | AMD | 90-05-029 | 356-34-170 | REP-E | 90-10-017 |
| 352-66-120 | NEW | 90-07-051 | 356-22-120 | AMD-P | 90-20-145 | 356-34-170 | REP | 90-10-018 |
| 352-75-010 | NEW-P | 90-06-110 | 356-22-130 | AMD-P | 90-20-146 | 356-34-180 | REP-P | 90-03-101 |
| 352-75-010 | NEW | 90-10-052 | 356-22-140 | AMD-P | 90-20-147 | 356-34-180 | REP-C | 90-07-053 |
| 352-75-020 | NEW-P | 90-06-110 | 356-22-230 | AMD-P | 90-20-148 | 356-34-180 | REP-E | 90-10-017 |
| 352-75-020 | NEW | 90-10-052 | 356-26-040 | AMD-P | 90-12-018 | 356-34-180 | REP | 90-10-018 |
| 352-75-030 | NEW-P | 90-06-110 | 356-26-040 | AMD-C | 90-15-033 | 356-34-190 | REP-P | 90-03-101 |
| 352-75-030 | NEW | 90-10-052 | 356-26-040 | AMD-C | 90-19-046 | 356-34-190 | REP-C | 90-07-053 |
| 352-75-040 | NEW-P | 90-06-110 | 356-26-060 | AMD-P | 90-08-075 | 356-34-190 | REP-E | 90-10-017 |
| 352-75-040 | NEW | 90-10-052 | 356-26-060 | AMD-E | 90-12-021 | 356-34-190 | REP | 90-10-018 |
| 352-75-050 | NEW-P | 90-06-110 | 356-26-060 | AMD | 90-12-022 | 356-34-200 | REP-P | 90-03-101 |
| 352-75-050 | NEW | 90-10-052 | 356-26-060 | AMD-P | 90-16-050 | 356-34-200 | REP-C | 90-07-053 |
| 352-75-060 | NEW-P | 90-06-110 | 356-26-060 | AMD-C | 90-19-044 | 356-34-200 | REP-E | 90-10-017 |
| 352-75-060 | NEW | 90-10-052 | 356-30-135 | NEW-P | 90-16-050 | 356-34-200 | REP | 90-10-018 |
| 352-75-070 | NEW-P | 90-06-110 | 356-30-135 | NEW-C | 90-19-044 | 356-34-210 | REP-P | 90-03-101 |
| 352-75-070 | NEW | 90-10-052 | 356-30-145 | AMD-C | 90-03-045 | 356-34-210 | REP-C | 90-07-053 |
| 352-75-080 | NEW-P | 90-06-110 | 356-30-145 | AMD-C | 90-05-027 | 356-34-210 | REP-E | 90-10-017 |
| 352-75-080 | NEW | 90-10-052 | 356-30-145 | AMD-C | 90-07-055 | 356-34-210 | REP | 90-10-018 |
| 352-75-090 | NEW-P | 90-06-110 | 356-30-145 | AMD-C | 90-10-016 | 356-34-220 | REP-P | 90-03-101 |
| 352-75-090 | NEW | 90-10-052 | 356-30-145 | AMD-W | 90-11-043 | 356-34-220 | REP-C | 90-07-053 |
| 356-05-063 | NEW-P | 90-11-112 | 356-30-180 | AMD-C | 90-03-045 | 356-34-220 | REP-E | 90-10-017 |
| 356-05-063 | NEW-W | 90-15-038 | 356-30-180 | AMD-C | 90-05-027 | 356-34-220 | REP | 90-10-018 |
| 356-05-210 | AMD | 90-03-044 | 356-30-180 | AMD-C | 90-07-055 | 356-34-230 | REP-P | 90-03-101 |
| 356-06-020 | AMD-P | 90-08-074 | 356-30-180 | AMD-W | 90-11-043 | 356-34-230 | REP-C | 90-07-053 |
| 356-06-020 | AMD-E | 90-12-026 | 356-30-190 | AMD-C | 90-03-045 | 356-34-230 | REP-E | 90-10-017 |
| 356-06-020 | AMD | 90-12-027 | 356-30-190 | AMD-C | 90-05-027 | 356-34-230 | REP | 90-10-018 |
| 356-06-040 | AMD-P | 90-20-148 | 356-30-190 | AMD-C | 90-07-055 | 356-37-010 | NEW-P | 90-03-101 |
| 356-06-055 | AMD-P | 90-08-074 | 356-30-190 | AMD-W | 90-11-043 | 356-37-010 | NEW | 90-07-057 |
| 356-06-055 | AMD-E | 90-12-026 | 356-30-280 | AMD-C | 90-03-045 | 356-37-020 | NEW-P | 90-03-101 |
| 356-06-055 | AMD | 90-12-027 | 356-30-280 | AMD-C | 90-05-027 | 356-37-020 | NEW | 90-07-057 |
| 356-06-080 | AMD-P | 90-08-075 | 356-30-280 | AMD-C | 90-07-055 | 356-37-030 | NEW-P | 90-03-101 |
| 356-06-080 | AMD-E | 90-12-021 | 356-30-280 | AMD-W | 90-11-043 | 356-37-030 | NEW | 90-07-057 |
| 356-06-080 | AMD | 90-12-022 | 356-30-320 | AMD-C | 90-03-045 | 356-37-040 | NEW-P | 90-03-101 |
| 356-07-030 | AMD-C | 90-03-048 | 356-30-320 | AMD | 90-05-028 | 356-37-040 | NEW | 90-07-057 |
| 356-07-030 | AMD | 90-07-056 | 356-30-320 | AMD-P | 90-12-019 | 356-37-050 | NEW-P | 90-03-101 |
| 356-10-050 | AMD-P | 90-20-149 | 356-30-320 | AMD-C | 90-15-032 | 356-37-050 | NEW | 90-07-057 |
| 356-14-067 | NEW-E | 90-19-042 | 356-30-320 | AMD-C | 90-19-045 | 356-37-060 | NEW-P | 90-03-101 |
| 356-14-067 | NEW-P | 90-20-150 | 356-34-010 | AMD-P | 90-16-050 | 356-37-060 | NEW | 90-07-057 |
| 356-14-140 | AMD-P | 90-18-086 | 356-34-010 | AMD-C | 90-19-044 | 356-37-070 | NEW-P | 90-03-101 |
| 356-14-140 | AMD-E | 90-19-042 | 356-34-110 | REP-P | 90-03-101 | 356-37-070 | NEW | 90-07-057 |
| 356-14-140 | AMD-P | 90-20-150 | 356-34-110 | REP-C | 90-07-053 | 356-37-080 | NEW-P | 90-03-101 |
| 356-14-240 | AMD-P | 90-03-102 | 356-34-110 | REP-E | 90-10-017 | 356-37-080 | NEW | 90-07-057 |
| 356-14-240 | AMD-C | 90-07-054 | 356-34-110 | REP | 90-10-018 | 356-37-090 | NEW-P | 90-03-101 |
| 356-14-240 | AMD-C | 90-10-015 | 356-34-113 | REP-P | 90-03-101 | 356-37-090 | NEW | 90-07-057 |
| 356-14-240 | AMD-W | 90-11-043 | 356-34-113 | REP-C | 90-07-053 | 356-37-100 | NEW-P | 90-03-101 |
| 356-14-240 | AMD-C | 90-12-017 | 356-34-113 | REP-E | 90-10-017 | 356-37-100 | NEW | 90-07-057 |
| 356-14-240 | AMD-W | 90-13-066 | 356-34-113 | REP | 90-10-018 | 356-37-110 | NEW-P | 90-03-101 |
| 356-15-020 | AMD-P | 90-16-049 | 356-34-115 | REP-P | 90-03-101 | 356-37-110 | NEW | 90-07-057 |

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| 356-37-120 | NEW | 90-07-057 | 365-110-040 | REP | 90-09-008 |
| 356-37-130 | NEW-P | 90-03-101 | 365-110-050 | REP-P | 90-03-017 |
| 356-37-130 | NEW | 90-07-057 | 365-110-050 | REP | 90-09-008 |
| 356-37-140 | NEW-P | 90-03-101 | 365-110-060 | REP-P | 90-03-017 |
| 356-37-140 | NEW | 90-07-057 | 365-110-060 | REP | 90-09-008 |
| 356-37-150 | NEW-P | 90-03-101 | 365-110-080 | REP-P | 90-03-017 |
| 356-37-150 | NEW | 90-07-057 | 365-110-080 | REP | 90-09-008 |
| 356-42-055 | AMD-P | 90-03-104 | 365-190-010 | NEW-E | 90-18-063 |
| 356-42-055 | AMD | 90-08-020 | 365-190-020 | NEW-E | 90-18-063 |
| 356-42-056 | NEW-P | 90-03-103 | 365-190-030 | NEW-E | 90-18-063 |
| 356-42-056 | NEW-W | 90-17-022 | 365-190-040 | NEW-E | 90-18-063 |
| 356-46-060 | AMD-P | 90-07-052 | 365-190-050 | NEW-E | 90-18-063 |
| 356-46-060 | AMD | 90-12-028 | 365-190-060 | NEW-E | 90-18-063 |
| 356-46-135 | NEW-P | 90-08-071 | 365-190-070 | NEW-E | 90-18-063 |
| 356-46-135 | NEW-C | 90-12-016 | 365-190-080 | NEW-E | 90-18-063 |
| 356-46-135 | NEW-C | 90-13-067 | 371-08-001 | NEW-P | 90-14-097 |
| 356-46-135 | NEW-E | 90-15-034 | 371-08-002 | NEW-P | 90-14-097 |
| 356-46-135 | NEW | 90-15-035 | 371-08-005 | AMD-P | 90-14-097 |
| 356-46-140 | NEW-P | 90-08-071 | 371-08-010 | AMD-P | 90-14-097 |
| 356-46-140 | NEW-C | 90-12-016 | 371-08-015 | REP-P | 90-14-097 |
| 356-46-140 | NEW-C | 90-13-067 | 371-08-020 | AMD-P | 90-14-097 |
| 356-46-140 | NEW-E | 90-15-034 | 371-08-030 | AMD-P | 90-14-097 |
| 356-46-140 | NEW | 90-15-035 | 371-08-031 | REP-P | 90-14-097 |
| 356-46-145 | NEW-P | 90-08-071 | 371-08-032 | AMD-P | 90-14-097 |
| 356-46-145 | NEW-C | 90-12-016 | 371-08-033 | NEW-P | 90-14-097 |
| 356-46-145 | NEW-C | 90-13-067 | 371-08-035 | AMD-P | 90-14-097 |
| 356-46-145 | NEW-E | 90-15-034 | 371-08-040 | AMD-P | 90-14-097 |
| 356-46-145 | NEW | 90-15-035 | 371-08-045 | REP-P | 90-14-097 |
| 356-47-030 | AMD-P | 90-08-073 | 371-08-065 | AMD-P | 90-14-097 |
| 356-47-030 | AMD-E | 90-12-023 | 371-08-071 | AMD-P | 90-14-097 |
| 356-47-030 | AMD | 90-12-024 | 371-08-075 | AMD-P | 90-14-097 |
| 356-47-090 | AMD-P | 90-08-070 | 371-08-080 | AMD-P | 90-14-097 |
| 356-47-090 | AMD | 90-12-025 | 371-08-085 | AMD-P | 90-14-097 |
| 360-10-050 | AMD-P | 90-03-053 | 371-08-095 | REP-P | 90-14-097 |
| 360-10-050 | AMD-W | 90-11-069 | 371-08-100 | AMD-P | 90-14-097 |
| 360-10-050 | AMD | 90-11-079 | 371-08-102 | REP-P | 90-14-097 |
| 360-15-010 | NEW | 90-03-054 | 371-08-104 | AMD-P | 90-14-097 |
| 360-15-020 | NEW | 90-03-054 | 371-08-105 | REP-P | 90-14-097 |
| 360-15-030 | NEW | 90-03-054 | 371-08-106 | NEW-P | 90-14-097 |
| 360-15-040 | NEW | 90-03-054 | 371-08-110 | REP-P | 90-14-097 |
| 360-15-050 | NEW | 90-03-054 | 371-08-115 | REP-P | 90-14-097 |
| 360-15-060 | NEW | 90-03-054 | 371-08-120 | REP-P | 90-14-097 |
| 360-15-070 | NEW | 90-03-054 | 371-08-125 | AMD-P | 90-14-097 |
| 360-16A-010 | NEW | 90-03-055 | 371-08-130 | AMD-P | 90-14-097 |
| 360-16A-020 | NEW | 90-03-055 | 371-08-131 | REP-P | 90-14-097 |
| 360-16A-030 | NEW | 90-03-055 | 371-08-132 | REP-P | 90-14-097 |
| 360-16A-040 | NEW | 90-03-055 | 371-08-135 | REP-P | 90-14-097 |
| 360-16A-050 | NEW-W | 90-11-070 | 371-08-140 | AMD-P | 90-14-097 |
| 360-16A-060 | NEW | 90-03-055 | 371-08-144 | AMD-P | 90-14-097 |
| 360-16A-070 | NEW | 90-03-055 | 371-08-146 | NEW-P | 90-14-097 |
| 360-16A-080 | NEW | 90-03-055 | 371-08-147 | NEW-P | 90-14-097 |
| 360-16A-090 | NEW | 90-03-055 | 371-08-148 | NEW-P | 90-14-097 |
| 360-16A-100 | NEW | 90-03-055 | 371-08-155 | AMD-P | 90-14-097 |
| 360-17-010 | AMD-P | 90-19-022 | 371-08-156 | AMD-P | 90-14-097 |
| 360-17-040 | AMD-P | 90-19-022 | 371-08-160 | REP-P | 90-14-097 |
| 360-17-070 | AMD-P | 90-19-022 | 371-08-162 | NEW-P | 90-14-097 |
| 360-17-075 | NEW-P | 90-19-022 | 371-08-163 | REP-P | 90-14-097 |
| 360-17-095 | NEW-P | 90-19-022 | 371-08-165 | AMD-P | 90-14-097 |
| 360-17-100 | AMD-P | 90-19-022 | 371-08-175 | REP-P | 90-14-097 |
| 360-35-010 | NEW-P | 90-19-021 | 371-08-180 | AMD-P | 90-14-097 |
| 360-35-020 | NEW-P | 90-19-021 | 371-08-183 | AMD-P | 90-14-097 |
| 360-35-030 | NEW-P | 90-19-021 | 371-08-184 | NEW-P | 90-14-097 |
| 360-35-040 | NEW-P | 90-19-021 | 371-08-186 | AMD-P | 90-14-097 |
| 360-35-050 | NEW-P | 90-19-021 | 371-08-187 | AMD-P | 90-14-097 |
| 360-35-060 | NEW-P | 90-19-021 | 371-08-188 | AMD-P | 90-14-097 |
| 360-35-070 | NEW-P | 90-19-021 | 371-08-189 | AMD-P | 90-14-097 |
| 360-35-080 | NEW-P | 90-19-021 | 371-08-190 | REP-P | 90-14-097 |
| 360-35-090 | NEW-P | 90-19-021 | 371-08-195 | AMD-P | 90-14-097 |
| 360-35-100 | NEW-P | 90-19-021 | 371-08-196 | AMD-P | 90-14-097 |
| 360-35-110 | NEW-P | 90-19-021 | 371-08-200 | AMD-P | 90-14-097 |
| 365-110-020 | AMD-P | 90-03-017 | 371-08-201 | REP-P | 90-14-097 |
| 365-110-020 | AMD | 90-09-008 | 371-08-205 | REP-P | 90-14-097 |
| 365-110-030 | REP-P | 90-03-017 | 371-08-210 | REP-P | 90-14-097 |
| 365-110-030 | REP | 90-09-008 | 371-08-215 | AMD-P | 90-14-097 |
| 365-110-035 | AMD-P | 90-03-017 | 371-08-220 | AMD-P | 90-14-097 |
| 365-110-035 | AMD | 90-09-008 | 371-08-230 | AMD-P | 90-14-097 |
| 371-08-240 | AMD-P | 90-14-097 | | | |
| 371-08-245 | REP-P | 90-14-097 | | | |
| 371-12-010 | REP-P | 90-14-097 | | | |
| 371-12-020 | REP-P | 90-14-097 | | | |
| 371-12-030 | REP-P | 90-14-097 | | | |
| 371-12-040 | REP-P | 90-14-097 | | | |
| 371-12-050 | REP-P | 90-14-097 | | | |
| 371-12-060 | REP-P | 90-14-097 | | | |
| 371-12-070 | REP-P | 90-14-097 | | | |
| 371-12-080 | REP-P | 90-14-097 | | | |
| 371-12-090 | REP-P | 90-14-097 | | | |
| 371-12-100 | REP-P | 90-14-097 | | | |
| 371-12-110 | REP-P | 90-14-097 | | | |
| 371-12-120 | REP-P | 90-14-097 | | | |
| 371-12-130 | REP-P | 90-14-097 | | | |
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| 374-20-010 | NEW | 90-14-019 | | | |
| 374-20-020 | NEW-P | 90-10-093 | | | |
| 374-20-020 | NEW | 90-14-019 | | | |
| 374-20-030 | NEW-P | 90-10-093 | | | |
| 374-20-030 | NEW | 90-14-019 | | | |
| 374-20-040 | NEW-P | 90-10-093 | | | |
| 374-20-040 | NEW | 90-14-019 | | | |
| 374-20-050 | NEW-P | 90-10-093 | | | |
| 374-20-050 | NEW | 90-14-019 | | | |
| 374-20-050 | AMD-P | 90-18-071 | | | |
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| 374-20-060 | NEW | 90-14-019 | | | |
| 374-20-070 | NEW-P | 90-10-093 | | | |
| 374-20-070 | NEW | 90-14-019 | | | |
| 374-20-080 | NEW-P | 90-10-093 | | | |
| 374-20-080 | NEW | 90-14-019 | | | |
| 374-20-090 | NEW-P | 90-10-093 | | | |
| 374-20-090 | NEW | 90-14-019 | | | |
| 374-20-100 | NEW-P | 90-10-093 | | | |
| 374-20-100 | NEW | 90-14-019 | | | |
| 374-30-010 | NEW-P | 90-10-094 | | | |
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| 374-30-020 | NEW | 90-14-020 | | | |
| 374-30-030 | NEW-P | 90-10-094 | | | |
| 374-30-030 | NEW | 90-14-020 | | | |
| 374-30-040 | NEW-P | 90-10-094 | | | |
| 374-30-040 | NEW | 90-14-020 | | | |
| 374-30-050 | NEW-P | 90-10-094 | | | |
| 374-30-050 | NEW | 90-14-020 | | | |
| 374-30-060 | NEW-P | 90-10-094 | | | |
| 374-30-060 | NEW | 90-14-020 | | | |
| 374-40-010 | NEW-P | 90-15-066 | | | |
| 374-40-010 | NEW | 90-18-057 | | | |
| 374-40-020 | NEW-P | 90-15-066 | | | |
| 374-40-020 | NEW | 90-18-057 | | | |
| 374-40-030 | NEW-P | 90-15-066 | | | |
| 374-40-030 | NEW | 90-18-057 | | | |
| 374-40-040 | NEW-P | 90-15-066 | | | |
| 374-40-040 | NEW | 90-18-057 | | | |
| 374-40-050 | NEW-P | 90-15-066 | | | |
| 374-40-050 | NEW | 90-18-057 | | | |
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| 388-08-00201 | REP | 90-04-076 | | | |
| 388-08-00401 | REP-C | 90-04-020 | | | |
| 388-08-00401 | REP | 90-04-076 | | | |
| 388-08-006 | REP-C | 90-04-020 | | | |
| 388-08-006 | REP | 90-04-076 | | | |
| 388-08-00601 | REP-C | 90-04-020 | | | |
| 388-08-00601 | REP | 90-04-076 | | | |
| 388-08-010 | REP-C | 90-04-020 | | | |
| 388-08-010 | REP | 90-04-076 | | | |
| 388-08-405 | REP-C | 90-04-020 | | | |
| 388-08-405 | REP | 90-04-076 | | | |
| 388-08-406 | REP-C | 90-04-020 | | | |
| 388-08-406 | REP | 90-04-076 | | | |
| 388-08-409 | REP-C | 90-04-020 | | | |
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| 388-08-410 | AMD-P | 90-09-095 | 388-11-015 | AMD-E | 90-15-011 | 388-14-420 | AMD-E | 90-12-085 |
| 388-08-410 | AMD-W | 90-13-053 | 388-11-015 | AMD | 90-20-072 | 388-14-420 | AMD | 90-16-041 |
| 388-08-413 | AMD-C | 90-04-020 | 388-11-030 | AMD-P | 90-15-010 | 388-15-207 | AMD-P | 90-11-124 |
| 388-08-413 | AMD | 90-04-076 | 388-11-030 | AMD-E | 90-15-011 | 388-15-207 | AMD | 90-15-029 |
| 388-08-416 | REP-C | 90-04-020 | 388-11-030 | AMD | 90-20-072 | 388-15-208 | AMD-P | 90-11-124 |
| 388-08-416 | REP | 90-04-076 | 388-11-100 | AMD-C | 90-04-021 | 388-15-208 | AMD | 90-15-029 |
| 388-08-425 | NEW-C | 90-04-020 | 388-11-100 | AMD | 90-04-077 | 388-15-209 | AMD-P | 90-11-124 |
| 388-08-425 | NEW | 90-04-076 | 388-11-105 | REP-C | 90-04-021 | 388-15-209 | AMD | 90-15-029 |
| 388-08-428 | NEW-C | 90-04-020 | 388-11-105 | REP | 90-04-077 | 388-15-212 | AMD-P | 90-11-124 |
| 388-08-428 | NEW | 90-04-076 | 388-11-155 | AMD-P | 90-15-010 | 388-15-212 | AMD | 90-15-029 |
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| 388-08-431 | NEW | 90-04-076 | 388-11-155 | AMD | 90-20-072 | 388-15-213 | AMD | 90-15-029 |
| 388-08-434 | NEW-C | 90-04-020 | 388-11-170 | AMD-P | 90-15-010 | 388-15-214 | AMD-P | 90-11-124 |
| 388-08-434 | NEW | 90-04-076 | 388-11-170 | AMD-E | 90-15-011 | 388-15-214 | AMD | 90-15-029 |
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| 388-08-435 | REP | 90-04-076 | 388-11-180 | AMD-C | 90-04-021 | 388-15-215 | AMD | 90-15-029 |
| 388-08-437 | NEW-C | 90-04-020 | 388-11-180 | AMD | 90-04-077 | 388-15-216 | AMD-P | 90-11-124 |
| 388-08-437 | NEW | 90-04-076 | 388-11-185 | REP-C | 90-04-021 | 388-15-216 | AMD | 90-15-029 |
| 388-08-440 | NEW-C | 90-04-020 | 388-11-185 | REP | 90-04-077 | 388-15-217 | AMD-P | 90-11-124 |
| 388-08-440 | NEW | 90-04-076 | 388-11-195 | AMD-P | 90-15-010 | 388-15-217 | AMD | 90-15-029 |
| 388-08-446 | NEW-C | 90-04-020 | 388-11-195 | AMD-E | 90-15-011 | 388-15-610 | AMD-P | 90-11-006 |
| 388-08-446 | NEW | 90-04-076 | 388-11-195 | AMD | 90-20-072 | 388-15-610 | AMD | 90-15-019 |
| 388-08-449 | NEW-C | 90-04-020 | 388-11-200 | AMD-P | 90-15-010 | 388-15-620 | AMD-P | 90-11-006 |
| 388-08-449 | NEW | 90-04-076 | 388-11-200 | AMD-E | 90-15-011 | 388-15-620 | AMD | 90-15-019 |
| 388-08-452 | NEW-C | 90-04-020 | 388-11-200 | AMD | 90-20-072 | 388-15-630 | AMD-P | 90-11-006 |
| 388-08-452 | NEW | 90-04-076 | 388-11-205 | AMD-P | 90-15-010 | 388-15-630 | AMD | 90-15-019 |
| 388-08-461 | NEW-C | 90-04-020 | 388-11-205 | AMD-E | 90-15-011 | 388-15-820 | AMD-E | 90-02-079 |
| 388-08-461 | NEW | 90-04-076 | 388-11-205 | AMD | 90-20-072 | 388-15-820 | AMD-P | 90-02-084 |
| 388-08-464 | NEW-C | 90-04-020 | 388-11-210 | AMD-P | 90-15-010 | 388-15-820 | AMD | 90-06-038 |
| 388-08-464 | NEW | 90-04-076 | 388-11-210 | AMD-E | 90-15-011 | 388-15-870 | AMD-E | 90-02-079 |
| 388-08-470 | NEW-C | 90-04-020 | 388-11-210 | AMD | 90-20-072 | 388-15-870 | AMD-P | 90-02-084 |
| 388-08-470 | NEW | 90-04-076 | 388-11-215 | AMD-P | 90-15-010 | 388-15-870 | AMD | 90-06-038 |
| 388-08-482 | NEW-P | 90-09-095 | 388-11-215 | AMD-E | 90-15-011 | 388-15-880 | AMD-E | 90-02-079 |
| 388-08-482 | NEW-W | 90-10-028 | 388-11-215 | AMD | 90-20-072 | 388-15-880 | AMD-P | 90-02-084 |
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| 388-08-485 | NEW-W | 90-10-028 | 388-11-220 | NEW-E | 90-15-011 | 388-17-100 | AMD-C | 90-04-022 |
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| 388-08-525 | NEW-C | 90-04-020 | 388-13-070 | AMD | 90-04-077 | 388-19-005 | AMD | 90-12-112 |
| 388-08-525 | NEW | 90-04-076 | 388-13-080 | REP-C | 90-04-021 | 388-19-015 | AMD-P | 90-10-065 |
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| 388-08-535 | NEW | 90-04-076 | 388-13-110 | AMD-C | 90-04-021 | 388-19-020 | AMD-P | 90-10-065 |
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| 388-08-545 | NEW | 90-04-076 | 388-14-200 | AMD | 90-05-022 | 388-19-030 | AMD-P | 90-10-065 |
| 388-08-550 | REP-C | 90-04-020 | 388-14-260 | AMD-C | 90-04-021 | 388-19-030 | AMD | 90-12-112 |
| 388-08-550 | REP | 90-04-076 | 388-14-260 | AMD | 90-04-077 | 388-19-035 | AMD-P | 90-10-065 |
| 388-08-555 | NEW-C | 90-04-020 | 388-14-270 | AMD-P | 90-03-041 | 388-19-035 | AMD | 90-12-112 |
| 388-08-555 | NEW | 90-04-076 | 388-14-270 | AMD-E | 90-03-042 | 388-19-045 | AMD-P | 90-10-065 |
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| 388-08-575 | NEW | 90-04-076 | 388-14-300 | AMD-E | 90-12-085 | 388-24-050 | AMD-C | 90-12-039 |
| 388-08-580 | REP-C | 90-04-020 | 388-14-300 | AMD | 90-16-041 | 388-24-050 | AMD-C | 90-13-043 |
| 388-08-580 | REP | 90-04-076 | 388-14-302 | REP-P | 90-12-083 | 388-24-050 | AMD-C | 90-15-055 |
| 388-08-590 | REP-C | 90-04-020 | 388-14-302 | REP-E | 90-12-085 | 388-24-050 | AMD-C | 90-16-080 |
| 388-08-590 | REP | 90-04-076 | 388-14-302 | REP | 90-16-041 | 388-24-050 | AMD-C | 90-17-053 |
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| 388-09-010 | REP | 90-05-020 | 388-14-305 | REP-E | 90-12-085 | 388-24-070 | AMD-P | 90-09-054 |
| 388-09-020 | REP-C | 90-04-020 | 388-14-305 | REP | 90-16-041 | 388-24-070 | AMD | 90-16-081 |
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| 388-09-030 | REP-C | 90-04-020 | 388-14-310 | AMD-E | 90-12-085 | 388-24-074 | AMD-E | 90-09-055 |
| 388-09-030 | REP | 90-05-020 | 388-14-310 | AMD | 90-16-041 | 388-24-074 | AMD-P | 90-15-054 |
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| 388-31-015 | AMD 90-18-007 | 388-47-130 | NEW-P 90-20-057 | 388-49-590 | AMD-P 90-07-080 |
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| 388-33-135 | AMD 90-16-085 | 388-47-210 | NEW-E 90-20-055 | 388-51-040 | NEW-W 90-18-031 |
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| 388-33-382 | AMD 90-09-035 | 388-47-215 | NEW-E 90-20-055 | 388-51-100 | NEW-W 90-18-031 |
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| 388-37-030 | AMD 90-16-085 | 388-47-220 | NEW-W 90-18-031 | 388-51-150 | NEW-P 90-15-030 |
| 388-40-010 | AMD-P 90-18-054 | 388-47-220 | NEW-E 90-20-055 | 388-51-150 | NEW-W 90-18-031 |
| 388-40-055 | AMD-P 90-18-054 | 388-47-220 | NEW-P 90-20-057 | 388-51-150 | NEW-E 90-20-056 |
| 388-40-090 | AMD-P 90-18-054 | 388-47-300 | NEW-P 90-15-030 | 388-51-150 | NEW-P 90-20-058 |
| 388-40-091 | AMD-P 90-18-054 | 388-47-300 | NEW-W 90-18-031 | 388-51-200 | NEW-P 90-15-030 |
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| 388-42-150 | AMD 90-10-031 | 388-49-070 | AMD-P 90-09-080 | 388-51-300 | NEW 90-06-032 |
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| 388-47-010 | NEW-E 90-20-055 | 388-49-080 | AMD-P 90-09-083 | 388-57-011 | REP-E 90-20-055 |

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| 388-57-040 | REP-P | 90-15-030 | 388-70-520 | AMD-E | 90-20-007 | 388-77-005 | AMD-E | 90-09-088 |
| 388-57-040 | REP-W | 90-18-031 | 388-70-530 | AMD-P | 90-20-006 | 388-77-005 | AMD-P | 90-09-085 |
| 388-57-040 | REP-E | 90-20-055 | 388-70-530 | AMD-E | 90-20-007 | 388-77-005 | AMD | 90-12-059 |
| 388-57-040 | REP-P | 90-20-057 | 388-70-540 | AMD-P | 90-20-006 | 388-77-006 | NEW-E | 90-09-088 |
| 388-57-057 | REP-P | 90-15-030 | 388-70-540 | AMD-E | 90-20-007 | 388-77-006 | NEW-P | 90-09-085 |
| 388-57-057 | REP-W | 90-18-031 | 388-70-550 | AMD-P | 90-20-006 | 388-77-006 | NEW | 90-12-059 |
| 388-57-057 | REP-E | 90-20-055 | 388-70-550 | AMD-E | 90-20-007 | 388-77-200 | AMD-E | 90-09-088 |
| 388-57-057 | REP-P | 90-20-057 | 388-70-590 | AMD-C | 90-04-016 | 388-77-200 | AMD-P | 90-09-085 |
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| 388-57-059 | REP-E | 90-20-055 | 388-70-595 | NEW-E | 90-20-007 | 388-77-256 | NEW-P | 90-09-085 |
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| 388-57-063 | REP-W | 90-18-031 | 388-73-022 | AMD-E | 90-16-027 | 388-77-515 | AMD | 90-12-042 |
| 388-57-063 | REP-E | 90-20-055 | 388-73-022 | AMD | 90-20-076 | 388-78-205 | AMD-P | 90-18-055 |
| 388-57-063 | REP-P | 90-20-057 | 388-73-030 | AMD-P | 90-16-026 | 388-78-210 | AMD-P | 90-18-055 |
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| 388-57-066 | REP-E | 90-20-055 | 388-73-036 | AMD-C | 90-04-016 | 388-78-230 | NEW-P | 90-18-055 |
| 388-57-066 | REP-P | 90-20-057 | 388-73-036 | AMD | 90-04-072 | 388-78-240 | NEW-P | 90-18-055 |
| 388-57-067 | REP-P | 90-15-030 | 388-73-036 | AMD-P | 90-16-026 | 388-81-043 | AMD-P | 90-09-082 |
| 388-57-067 | REP-W | 90-18-031 | 388-73-036 | AMD-E | 90-16-027 | 388-81-043 | AMD | 90-12-063 |
| 388-57-067 | REP-E | 90-20-055 | 388-73-036 | AMD | 90-20-076 | 388-81-060 | AMD-P | 90-14-051 |
| 388-57-067 | REP-P | 90-20-057 | 388-76-010 | AMD | 90-03-051 | 388-81-060 | AMD-E | 90-14-061 |
| 388-57-071 | REP-P | 90-15-030 | 388-76-020 | AMD | 90-03-051 | 388-81-060 | AMD-C | 90-17-113 |
| 388-57-071 | REP-W | 90-18-031 | 388-76-030 | AMD | 90-03-051 | 388-81-060 | AMD | 90-18-006 |
| 388-57-071 | REP-E | 90-20-055 | 388-76-040 | AMD | 90-03-051 | 388-82-010 | AMD | 90-04-013 |
| 388-57-071 | REP-P | 90-20-057 | 388-76-045 | NEW | 90-03-051 | 388-82-115 | AMD | 90-06-033 |
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| 388-57-074 | REP-E | 90-20-055 | 388-76-070 | AMD | 90-03-051 | 388-82-130 | AMD | 90-17-121 |
| 388-57-074 | REP-P | 90-20-057 | 388-76-085 | NEW | 90-03-051 | 388-82-130 | AMD-E | 90-18-056 |
| 388-57-097 | REP-P | 90-15-030 | 388-76-087 | NEW | 90-03-051 | 388-82-140 | AMD-P | 90-08-045 |
| 388-57-097 | REP-W | 90-18-031 | 388-76-090 | AMD | 90-03-051 | 388-82-140 | AMD-E | 90-08-050 |
| 388-57-097 | REP-E | 90-20-055 | 388-76-095 | NEW-C | 90-04-015 | 388-82-140 | AMD | 90-12-045 |
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| 388-57-100 | REP-P | 90-15-030 | 388-76-095 | AMD-P | 90-20-132 | 388-82-160 | NEW-E | 90-14-061 |
| 388-57-100 | REP-W | 90-18-031 | 388-76-100 | AMD | 90-03-051 | 388-82-160 | NEW-C | 90-17-113 |
| 388-57-100 | REP-E | 90-20-055 | 388-76-110 | NEW | 90-03-051 | 388-82-160 | NEW | 90-18-006 |
| 388-57-100 | REP-P | 90-20-057 | 388-76-130 | AMD | 90-03-051 | 388-83-013 | AMD | 90-04-012 |
| 388-57-105 | REP-P | 90-15-030 | 388-76-140 | AMD | 90-03-051 | 388-83-026 | NEW-P | 90-20-065 |
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| 388-57-105 | REP-P | 90-20-057 | 388-76-170 | AMD | 90-03-051 | 388-83-028 | REP-E | 90-08-052 |
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| 388-57-115 | REP-E | 90-20-055 | 388-76-250 | AMD | 90-03-051 | 388-83-032 | AMD | 90-12-052 |
| 388-57-115 | REP-P | 90-20-057 | 388-76-260 | AMD | 90-03-051 | 388-83-033 | AMD-P | 90-08-047 |
| 388-57-117 | REP-P | 90-15-030 | 388-76-280 | AMD | 90-03-051 | 388-83-033 | AMD-E | 90-08-051 |
| 388-57-117 | REP-W | 90-18-031 | 388-76-290 | AMD | 90-03-051 | 388-83-033 | AMD | 90-12-043 |
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| 388-57-117 | REP-P | 90-20-057 | 388-76-300 | AMD | 90-03-051 | 388-83-130 | AMD-E | 90-08-052 |
| 388-57-120 | REP-P | 90-15-030 | 388-76-310 | AMD | 90-03-051 | 388-83-130 | AMD | 90-12-060 |
| 388-57-120 | REP-W | 90-18-031 | 388-76-340 | AMD | 90-03-051 | 388-83-200 | AMD-P | 90-08-046 |
| 388-57-120 | REP-E | 90-20-055 | 388-76-350 | AMD | 90-03-051 | 388-83-200 | AMD-E | 90-08-057 |
| 388-57-120 | REP-P | 90-20-057 | 388-76-360 | AMD | 90-03-051 | 388-83-200 | AMD | 90-12-050 |
| 388-57-122 | REP-P | 90-15-030 | 388-76-370 | AMD | 90-03-051 | 388-83-210 | AMD-P | 90-08-046 |
| 388-57-122 | REP-W | 90-18-031 | 388-76-380 | AMD | 90-03-051 | 388-83-210 | AMD-E | 90-08-057 |
| 388-57-122 | REP-E | 90-20-055 | 388-76-390 | AMD | 90-03-051 | 388-83-210 | AMD | 90-12-050 |
| 388-57-122 | REP-P | 90-20-057 | 388-76-400 | AMD | 90-03-051 | 388-83-220 | NEW-P | 90-14-053 |
| 388-57-123 | REP-P | 90-15-030 | 388-76-410 | AMD | 90-03-051 | 388-83-220 | NEW-E | 90-14-063 |
| 388-57-123 | REP-W | 90-18-031 | 388-76-420 | AMD | 90-03-051 | 388-83-220 | NEW | 90-17-118 |
| 388-57-123 | REP-E | 90-20-055 | 388-76-430 | AMD | 90-03-051 | 388-85-105 | AMD-P | 90-08-039 |
| 388-57-123 | REP-P | 90-20-057 | 388-76-435 | NEW | 90-03-051 | 388-85-105 | AMD-E | 90-08-053 |
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| 388-57-124 | REP-W | 90-18-031 | 388-76-450 | AMD | 90-03-051 | 388-86-005 | AMD-P | 90-08-109 |
| 388-57-124 | REP-E | 90-20-055 | 388-76-460 | AMD | 90-03-051 | 388-86-005 | AMD-E | 90-08-110 |
| 388-57-124 | REP-P | 90-20-057 | 388-76-465 | AMD | 90-03-051 | 388-86-005 | AMD | 90-12-051 |
| 388-57-125 | REP-P | 90-15-030 | 388-76-475 | NEW | 90-03-051 | 388-86-005 | AMD-P | 90-14-055 |
| 388-57-125 | REP-W | 90-18-031 | 388-76-480 | AMD | 90-03-051 | 388-86-005 | AMD-E | 90-14-058 |
| 388-57-125 | REP-E | 90-20-055 | 388-76-490 | AMD | 90-03-051 | 388-86-005 | AMD | 90-17-122 |
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| 388-86-019 | NEW-P | 90-14-055 | 388-96-561 | AMD-P | 90-05-014 | 388-150-400 | NEW-P | 90-18-091 |
| 388-86-019 | NEW-E | 90-14-058 | 388-96-561 | AMD | 90-09-061 | 388-150-410 | NEW-P | 90-18-091 |
| 388-86-019 | NEW | 90-17-122 | 388-96-585 | AMD-E | 90-05-013 | 388-150-420 | NEW-P | 90-18-091 |
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| 388-86-021 | AMD | 90-12-046 | 388-96-585 | AMD | 90-09-061 | 388-150-440 | NEW-P | 90-18-091 |
| 388-86-022 | NEW-P | 90-14-054 | 388-96-713 | AMD-P | 90-05-014 | 388-150-450 | NEW-P | 90-18-091 |
| 388-86-022 | NEW | 90-17-119 | 388-96-713 | AMD | 90-09-061 | 388-150-460 | NEW-P | 90-18-091 |
| 388-86-022 | NEW | 90-18-033 | 388-96-719 | AMD-P | 90-05-014 | 388-150-470 | NEW-P | 90-18-091 |
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| 388-86-024 | AMD-P | 90-20-071 | 388-96-745 | AMD-P | 90-05-014 | 388-150-490 | NEW-P | 90-18-091 |
| 388-86-027 | AMD-P | 90-08-037 | 388-96-745 | AMD | 90-09-061 | 388-150-500 | NEW-P | 90-18-091 |
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| 388-86-073 | NEW-P | 90-14-054 | 388-96-754 | AMD | 90-09-061 | 388-320-020 | AMD-P | 90-13-030 |
| 388-86-073 | NEW | 90-17-119 | 388-96-763 | AMD-P | 90-05-014 | 388-320-020 | AMD | 90-17-002 |
| 388-86-073 | NEW | 90-18-033 | 388-96-763 | AMD | 90-09-061 | 388-320-184 | NEW-P | 90-13-030 |
| 388-86-085 | AMD-P | 90-09-087 | 388-96-768 | AMD-P | 90-05-014 | 388-320-184 | NEW | 90-17-002 |
| 388-86-085 | AMD-C | 90-12-040 | 388-96-768 | AMD | 90-09-061 | 388-320-185 | NEW-P | 90-09-095 |
| 388-86-085 | AMD-C | 90-14-056 | 388-96-771 | AMD-P | 90-05-014 | 388-320-185 | NEW-C | 90-13-013 |
| 388-86-085 | AMD | 90-16-053 | 388-96-771 | AMD | 90-09-061 | 388-320-185 | NEW | 90-13-054 |
| 388-86-090 | AMD-P | 90-14-054 | 388-96-773 | REP-P | 90-05-014 | 388-320-340 | NEW-C | 90-04-020 |
| 388-86-090 | AMD | 90-17-119 | 388-96-773 | REP | 90-09-061 | 388-320-340 | NEW | 90-04-076 |
| 388-86-090 | AMD | 90-18-033 | 388-96-774 | AMD-P | 90-05-014 | 388-320-350 | NEW-C | 90-04-020 |
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| 388-86-098 | AMD | 90-18-033 | 388-96-904 | AMD | 90-04-071 | 388-320-360 | NEW | 90-04-076 |
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| 388-87-005 | AMD-E | 90-14-058 | 388-98-003 | NEW-E | 90-02-100 | 388-320-370 | NEW | 90-04-076 |
| 388-87-005 | AMD-C | 90-17-114 | 388-98-003 | NEW | 90-06-031 | 388-320-400 | NEW-C | 90-04-020 |
| 388-87-005 | AMD | 90-18-092 | 388-98-810 | NEW-P | 90-08-108 | 388-320-400 | NEW | 90-04-076 |
| 388-87-011 | AMD-P | 90-08-040 | 388-98-810 | NEW | 90-12-048 | 388-320-410 | NEW-C | 90-04-020 |
| 388-87-011 | AMD-E | 90-08-054 | 388-99-010 | AMD | 90-04-033 | 388-320-410 | NEW | 90-04-076 |
| 388-87-011 | AMD | 90-12-047 | 388-99-020 | AMD | 90-06-034 | 388-320-500 | NEW-C | 90-04-020 |
| 388-87-019 | NEW-P | 90-14-055 | 388-99-030 | AMD | 90-04-034 | 388-320-500 | NEW | 90-04-076 |
| 388-87-019 | NEW-E | 90-14-058 | 388-99-030 | AMD-E | 90-04-035 | 390-12-050 | AMD-P | 90-12-091 |
| 388-87-019 | NEW | 90-17-122 | 388-100-010 | AMD-P | 90-08-038 | 390-12-050 | AMD | 90-16-083 |
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| 388-87-060 | AMD-E | 90-08-054 | 388-150-010 | NEW-P | 90-18-091 | 390-12-255 | AMD | 90-16-083 |
| 388-87-060 | AMD | 90-12-047 | 388-150-020 | NEW-P | 90-18-091 | 390-16-033 | AMD-P | 90-12-091 |
| 388-87-115 | AMD-E | 90-20-066 | 388-150-040 | NEW-P | 90-18-091 | 390-16-033 | AMD | 90-16-083 |
| 388-87-115 | AMD-P | 90-20-067 | 388-150-050 | NEW-P | 90-18-091 | 390-16-041 | AMD-P | 90-12-091 |
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| 388-95-320 | AMD-E | 90-09-040 | 388-150-070 | NEW-P | 90-18-091 | 390-16-120 | AMD-P | 90-12-091 |
| 388-95-320 | AMD-P | 90-09-041 | 388-150-080 | NEW-P | 90-18-091 | 390-16-120 | AMD | 90-16-083 |
| 388-95-320 | AMD | 90-12-062 | 388-150-090 | NEW-P | 90-18-091 | 390-16-125 | AMD-P | 90-12-091 |
| 388-95-337 | AMD-W | 90-06-029 | 388-150-100 | NEW-P | 90-18-091 | 390-16-125 | AMD | 90-16-083 |
| 388-95-337 | AMD-P | 90-08-043 | 388-150-110 | NEW-P | 90-18-091 | 390-16-155 | AMD-P | 90-12-091 |
| 388-95-337 | AMD-E | 90-08-059 | 388-150-120 | NEW-P | 90-18-091 | 390-16-155 | AMD | 90-16-083 |
| 388-95-337 | AMD | 90-12-049 | 388-150-130 | NEW-P | 90-18-091 | 390-16-308 | NEW-P | 90-17-156 |
| 388-95-360 | AMD-W | 90-06-029 | 388-150-140 | NEW-P | 90-18-091 | 390-16-308 | NEW | 90-20-088 |
| 388-95-360 | AMD-P | 90-08-043 | 388-150-150 | NEW-P | 90-18-091 | 390-16-310 | NEW-P | 90-17-156 |
| 388-95-360 | AMD-E | 90-08-059 | 388-150-160 | NEW-P | 90-18-091 | 390-16-310 | NEW | 90-20-088 |
| 388-95-360 | AMD | 90-12-049 | 388-150-165 | NEW-P | 90-18-091 | 390-20-020 | AMD-P | 90-17-155 |
| 388-95-400 | AMD | 90-06-037 | 388-150-170 | NEW-P | 90-18-091 | 390-20-020 | AMD | 90-20-088 |
| 388-96-010 | AMD-P | 90-05-014 | 388-150-180 | NEW-P | 90-18-091 | 390-20-022 | REP-P | 90-12-091 |
| 388-96-010 | AMD | 90-09-061 | 388-150-190 | NEW-P | 90-18-091 | 390-20-022 | REP | 90-16-083 |
| 388-96-204 | AMD-P | 90-05-014 | 388-150-200 | NEW-P | 90-18-091 | 390-20-110 | AMD-P | 90-17-155 |
| 388-96-204 | AMD | 90-09-061 | 388-150-210 | NEW-P | 90-18-091 | 390-20-110 | AMD-C | 90-20-087 |
| 388-96-366 | AMD-P | 90-17-138 | 388-150-220 | NEW-P | 90-18-091 | 390-20-111 | NEW-E | 90-12-004 |
| 388-96-366 | AMD | 90-20-075 | 388-150-230 | NEW-P | 90-18-091 | 390-20-111 | NEW-P | 90-12-091 |
| 388-96-369 | AMD-P | 90-17-138 | 388-150-240 | NEW-P | 90-18-091 | 390-20-111 | NEW | 90-16-083 |
| 388-96-369 | AMD | 90-20-075 | 388-150-250 | NEW-P | 90-18-091 | 390-20-125 | AMD-E | 90-12-077 |
| 388-96-372 | AMD-P | 90-17-138 | 388-150-260 | NEW-P | 90-18-091 | 390-20-125 | AMD-P | 90-12-091 |
| 388-96-372 | AMD | 90-20-075 | 388-150-270 | NEW-P | 90-18-091 | 390-20-125 | AMD | 90-16-083 |
| 388-96-375 | AMD-P | 90-17-138 | 388-150-280 | NEW-P | 90-18-091 | 390-37-063 | AMD-P | 90-12-091 |
| 388-96-375 | AMD | 90-20-075 | 388-150-290 | NEW-P | 90-18-091 | 390-37-063 | AMD-W | 90-17-081 |
| 388-96-378 | AMD-P | 90-17-138 | 388-150-310 | NEW-P | 90-18-091 | 390-37-100 | AMD-P | 90-12-091 |
| 388-96-378 | AMD | 90-20-075 | 388-150-320 | NEW-P | 90-18-091 | 390-37-100 | AMD | 90-16-083 |
| 388-96-381 | AMD-P | 90-17-138 | 388-150-330 | NEW-P | 90-18-091 | 390-37-210 | AMD-P | 90-12-091 |
| 388-96-381 | AMD | 90-20-075 | 388-150-340 | NEW-P | 90-18-091 | 390-37-210 | AMD | 90-16-083 |
| 388-96-384 | AMD-P | 90-17-138 | 388-150-350 | NEW-P | 90-18-091 | 391-08-001 | AMD | 90-06-070 |
| 388-96-384 | AMD | 90-20-075 | 388-150-360 | NEW-P | 90-18-091 | 391-08-003 | RE-AD | 90-06-070 |
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| 391-08-020 | RE-AD | 90-06-070 | 391-35-050 | RE-AD | 90-06-073 | 392-120-001 | AMD | 90-16-002 |
| 391-08-030 | RE-AD | 90-06-070 | 391-35-070 | RE-AD | 90-06-073 | 392-120-005 | AMD-P | 90-05-035 |
| 391-08-040 | RE-AD | 90-06-070 | 391-35-080 | NEW | 90-06-073 | 392-120-005 | AMD | 90-09-038 |
| 391-08-100 | RE-AD | 90-06-070 | 391-35-090 | RE-AD | 90-06-073 | 392-120-010 | AMD-P | 90-05-035 |
| 391-08-110 | REP | 90-06-070 | 391-35-099 | RE-AD | 90-06-073 | 392-120-010 | AMD | 90-09-038 |
| 391-08-120 | AMD | 90-06-070 | 391-35-110 | RE-AD | 90-06-073 | 392-120-015 | AMD-P | 90-05-035 |
| 391-08-160 | REP | 90-06-070 | 391-35-130 | RE-AD | 90-06-073 | 392-120-015 | AMD | 90-09-038 |
| 391-08-180 | AMD | 90-06-070 | 391-35-170 | AMD | 90-06-073 | 392-120-020 | AMD-P | 90-05-035 |
| 391-08-200 | REP | 90-06-070 | 391-35-190 | RE-AD | 90-06-073 | 392-120-020 | AMD | 90-09-038 |
| 391-08-210 | REP | 90-06-070 | 391-35-210 | RE-AD | 90-06-073 | 392-120-025 | AMD-P | 90-05-035 |
| 391-08-230 | RE-AD | 90-06-070 | 391-35-230 | RE-AD | 90-06-073 | 392-120-025 | AMD | 90-09-038 |
| 391-08-300 | AMD | 90-06-070 | 391-35-250 | RE-AD | 90-06-073 | 392-120-030 | NEW-P | 90-05-035 |
| 391-08-310 | AMD | 90-06-070 | 391-45-001 | AMD | 90-06-074 | 392-120-030 | NEW | 90-09-038 |
| 391-08-315 | NEW | 90-06-070 | 391-45-002 | RE-AD | 90-06-074 | 392-120-035 | NEW-P | 90-05-035 |
| 391-08-500 | REP | 90-06-070 | 391-45-010 | RE-AD | 90-06-074 | 392-120-035 | NEW | 90-09-038 |
| 391-08-510 | REP | 90-06-070 | 391-45-019 | RE-AD | 90-06-074 | 392-120-040 | NEW-P | 90-05-035 |
| 391-08-600 | REP | 90-06-070 | 391-45-030 | RE-AD | 90-06-074 | 392-120-040 | NEW | 90-09-038 |
| 391-08-610 | RE-AD | 90-06-070 | 391-45-050 | RE-AD | 90-06-074 | 392-120-045 | NEW-P | 90-05-035 |
| 391-08-630 | AMD | 90-06-070 | 391-45-070 | RE-AD | 90-06-074 | 392-120-045 | NEW | 90-09-038 |
| 391-08-800 | RE-AD | 90-06-070 | 391-45-090 | RE-AD | 90-06-074 | 392-120-050 | NEW-P | 90-05-035 |
| 391-08-810 | RE-AD | 90-06-070 | 391-45-110 | RE-AD | 90-06-074 | 392-120-050 | NEW | 90-09-038 |
| 391-08-820 | AMD | 90-06-070 | 391-45-130 | RE-AD | 90-06-074 | 392-120-055 | NEW-P | 90-05-035 |
| 391-08-900 | REP | 90-06-070 | 391-45-170 | AMD | 90-06-074 | 392-120-055 | NEW | 90-09-038 |
| 391-08-910 | REP | 90-06-070 | 391-45-190 | RE-AD | 90-06-074 | 392-120-060 | NEW-P | 90-05-035 |
| 391-08-920 | REP | 90-06-070 | 391-45-210 | RE-AD | 90-06-074 | 392-120-060 | NEW | 90-09-038 |
| 391-08-930 | REP | 90-06-070 | 391-45-230 | RE-AD | 90-06-074 | 392-120-065 | NEW-P | 90-05-035 |
| 391-25-001 | AMD | 90-06-072 | 391-45-250 | RE-AD | 90-06-074 | 392-120-065 | NEW | 90-09-038 |
| 391-25-002 | RE-AD | 90-06-072 | 391-45-260 | AMD | 90-06-074 | 392-120-070 | NEW-P | 90-05-035 |
| 391-25-010 | RE-AD | 90-06-072 | 391-45-270 | AMD | 90-06-074 | 392-120-070 | NEW | 90-09-038 |
| 391-25-012 | RE-AD | 90-06-072 | 391-45-290 | RE-AD | 90-06-074 | 392-121-001 | AMD-P | 90-11-128 |
| 391-25-030 | RE-AD | 90-06-072 | 391-45-310 | RE-AD | 90-06-074 | 392-121-001 | AMD | 90-16-002 |
| 391-25-050 | RE-AD | 90-06-072 | 391-45-330 | RE-AD | 90-06-074 | 392-121-107 | AMD-P | 90-11-128 |
| 391-25-070 | RE-AD | 90-06-072 | 391-45-350 | RE-AD | 90-06-074 | 392-121-107 | AMD | 90-16-002 |
| 391-25-090 | RE-AD | 90-06-072 | 391-45-370 | RE-AD | 90-06-074 | 392-121-108 | AMD-P | 90-11-128 |
| 391-25-092 | RE-AD | 90-06-072 | 391-45-390 | RE-AD | 90-06-074 | 392-121-108 | AMD | 90-16-002 |
| 391-25-110 | RE-AD | 90-06-072 | 391-45-410 | RE-AD | 90-06-074 | 392-121-161 | AMD-P | 90-11-128 |
| 391-25-130 | RE-AD | 90-06-072 | 391-45-430 | RE-AD | 90-06-074 | 392-121-161 | AMD | 90-16-002 |
| 391-25-140 | RE-AD | 90-06-072 | 391-45-431 | RE-AD | 90-06-074 | 392-121-257 | AMD-P | 90-11-128 |
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| 391-25-190 | RE-AD | 90-06-072 | 391-95-001 | AMD | 90-06-075 | 392-121-260 | AMD | 90-13-088 |
| 391-25-210 | RE-AD | 90-06-072 | 391-95-010 | RE-AD | 90-06-075 | 392-121-261 | NEW-P | 90-10-095 |
| 391-25-220 | NEW | 90-06-072 | 391-95-030 | RE-AD | 90-06-075 | 392-121-261 | NEW | 90-13-088 |
| 391-25-230 | RE-AD | 90-06-072 | 391-95-050 | RE-AD | 90-06-075 | 392-121-270 | AMD-P | 90-10-095 |
| 391-25-250 | RE-AD | 90-06-072 | 391-95-070 | RE-AD | 90-06-075 | 392-121-270 | AMD | 90-13-088 |
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| 391-25-253 | RE-AD | 90-06-072 | 391-95-110 | RE-AD | 90-06-075 | 392-121-299 | AMD | 90-16-002 |
| 391-25-270 | RE-AD | 90-06-072 | 391-95-130 | RE-AD | 90-06-075 | 392-121-400 | AMD-P | 90-11-128 |
| 391-25-290 | RE-AD | 90-06-072 | 391-95-150 | RE-AD | 90-06-075 | 392-121-400 | AMD | 90-16-002 |
| 391-25-299 | RE-AD | 90-06-072 | 391-95-170 | AMD | 90-06-075 | 392-121-415 | AMD-P | 90-11-128 |
| 391-25-310 | RE-AD | 90-06-072 | 391-95-190 | RE-AD | 90-06-075 | 392-121-415 | AMD | 90-16-002 |
| 391-25-350 | AMD | 90-06-072 | 391-95-230 | AMD | 90-06-075 | 392-121-420 | AMD-P | 90-09-019 |
| 391-25-370 | RE-AD | 90-06-072 | 391-95-250 | RE-AD | 90-06-075 | 392-121-420 | AMD-P | 90-11-128 |
| 391-25-390 | RE-AD | 90-06-072 | 391-95-260 | RE-AD | 90-06-075 | 392-121-420 | AMD | 90-12-079 |
| 391-25-391 | RE-AD | 90-06-072 | 391-95-270 | RE-AD | 90-06-075 | 392-121-420 | AMD | 90-16-002 |
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| 391-25-412 | RE-AD | 90-06-072 | 391-95-290 | RE-AD | 90-06-075 | 392-121-436 | NEW | 90-19-040 |
| 391-25-413 | RE-AD | 90-06-072 | 391-95-310 | RE-AD | 90-06-075 | 392-121-438 | NEW-P | 90-15-068 |
| 391-25-430 | RE-AD | 90-06-072 | 392-100-060 | AMD-P | 90-07-043 | 392-121-438 | NEW | 90-19-040 |
| 391-25-450 | RE-AD | 90-06-072 | 392-100-060 | AMD | 90-11-027 | 392-121-440 | AMD-P | 90-15-068 |
| 391-25-470 | RE-AD | 90-06-072 | 392-103-005 | AMD-P | 90-11-128 | 392-121-440 | AMD | 90-19-040 |
| 391-25-490 | RE-AD | 90-06-072 | 392-103-005 | AMD | 90-16-002 | 392-121-442 | AMD-P | 90-15-068 |
| 391-25-510 | RE-AD | 90-06-072 | 392-103-010 | AMD-P | 90-11-128 | 392-121-442 | AMD | 90-19-040 |
| 391-25-530 | RE-AD | 90-06-072 | 392-103-010 | AMD | 90-16-002 | 392-121-443 | NEW-P | 90-15-068 |
| 391-25-531 | RE-AD | 90-06-072 | 392-105-030 | AMD-P | 90-19-072 | 392-121-443 | NEW | 90-19-040 |
| 391-25-550 | RE-AD | 90-06-072 | 392-109-037 | AMD-P | 90-11-128 | 392-121-445 | AMD-P | 90-11-128 |
| 391-25-570 | RE-AD | 90-06-072 | 392-109-037 | AMD | 90-16-002 | 392-121-445 | AMD | 90-16-002 |
| 391-25-590 | RE-AD | 90-06-072 | 392-109-043 | AMD-P | 90-11-128 | 392-121-500 | NEW-P | 90-18-088 |
| 391-25-610 | RE-AD | 90-06-072 | 392-109-043 | AMD | 90-16-002 | 392-121-505 | NEW-P | 90-18-088 |
| 391-25-630 | RE-AD | 90-06-072 | 392-109-065 | AMD-P | 90-11-128 | 392-121-510 | NEW-P | 90-18-088 |
| 391-25-650 | RE-AD | 90-06-072 | 392-109-065 | AMD | 90-16-002 | 392-121-515 | NEW-P | 90-18-088 |
| 391-25-670 | RE-AD | 90-06-072 | 392-109-072 | AMD-P | 90-11-128 | 392-121-520 | NEW-P | 90-18-088 |
| 391-35-001 | AMD | 90-06-073 | 392-109-072 | AMD | 90-16-002 | 392-121-525 | NEW-P | 90-18-088 |
| 391-35-002 | RE-AD | 90-06-073 | 392-109-117 | AMD | 90-04-043 | 392-121-530 | NEW-P | 90-18-088 |
| 391-35-010 | RE-AD | 90-06-073 | 392-109-120 | AMD-P | 90-11-128 | 392-121-535 | NEW-P | 90-18-088 |
| 391-35-020 | RE-AD | 90-06-073 | 392-109-120 | AMD | 90-16-002 | 392-121-540 | NEW-P | 90-18-088 |

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| 392-122-005 | AMD-P | 90-11-128 | 392-126-099 | NEW | 90-17-110 | 392-135-005 | AMD-P | 90-11-128 |
| 392-122-005 | AMD | 90-16-002 | 392-126-104 | NEW-P | 90-12-122 | 392-135-005 | AMD | 90-16-002 |
| 392-122-010 | AMD-P | 90-11-128 | 392-126-104 | NEW | 90-17-110 | 392-135-030 | AMD-P | 90-11-128 |
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| 392-122-610 | AMD-P | 90-11-128 | 392-126-400 | AMD | 90-16-002 | 392-135-035 | AMD-P | 90-11-128 |
| 392-122-610 | AMD | 90-16-002 | 392-126-405 | AMD-P | 90-11-128 | 392-135-035 | AMD | 90-16-002 |
| 392-122-710 | AMD-P | 90-11-128 | 392-126-405 | AMD | 90-16-002 | 392-136-003 | AMD-P | 90-11-128 |
| 392-122-710 | AMD | 90-16-002 | 392-127 | AMD-P | 90-09-020 | 392-136-003 | AMD | 90-16-002 |
| 392-122-810 | AMD-P | 90-11-128 | 392-127 | AMD | 90-12-078 | 392-136-005 | AMD-P | 90-11-128 |
| 392-122-810 | AMD | 90-16-002 | 392-127-003 | REP-P | 90-09-020 | 392-136-005 | AMD | 90-16-002 |
| 392-123-003 | AMD-P | 90-11-128 | 392-127-003 | REP | 90-12-078 | 392-136-025 | NEW-P | 90-12-029 |
| 392-123-003 | AMD | 90-16-002 | 392-127-004 | NEW-P | 90-09-020 | 392-136-025 | NEW | 90-16-043 |
| 392-123-005 | AMD-P | 90-11-128 | 392-127-004 | NEW | 90-12-078 | 392-137-001 | AMD-P | 90-11-128 |
| 392-123-005 | AMD | 90-16-002 | 392-127-005 | REP-P | 90-09-020 | 392-137-001 | REP-E | 90-12-074 |
| 392-123-046 | AMD-P | 90-11-128 | 392-127-005 | REP | 90-12-078 | 392-137-001 | REP-P | 90-15-070 |
| 392-123-046 | AMD | 90-16-002 | 392-127-006 | NEW-P | 90-09-020 | 392-137-001 | REP | 90-19-068 |
| 392-123-070 | AMD-P | 90-11-128 | 392-127-006 | NEW | 90-12-078 | 392-137-001 | AMD | 90-16-002 |
| 392-123-070 | AMD | 90-16-002 | 392-127-010 | REP-P | 90-09-020 | 392-137-002 | REP-E | 90-12-074 |
| 392-123-079 | AMD-P | 90-11-128 | 392-127-010 | REP | 90-12-078 | 392-137-002 | REP-P | 90-15-070 |
| 392-123-079 | AMD | 90-16-002 | 392-127-011 | NEW-P | 90-09-020 | 392-137-002 | REP | 90-19-068 |
| 392-123-135 | AMD-P | 90-11-128 | 392-127-011 | NEW | 90-12-078 | 392-137-003 | AMD-P | 90-11-128 |
| 392-123-135 | AMD | 90-16-002 | 392-127-015 | NEW-P | 90-09-020 | 392-137-003 | REP-E | 90-12-074 |
| 392-123-165 | AMD-P | 90-11-128 | 392-127-015 | NEW | 90-12-078 | 392-137-003 | REP-P | 90-15-070 |
| 392-123-165 | AMD | 90-16-002 | 392-127-020 | NEW-P | 90-09-020 | 392-137-003 | AMD | 90-16-002 |
| 392-123-170 | AMD-P | 90-11-128 | 392-127-020 | NEW | 90-12-078 | 392-137-003 | REP | 90-19-068 |
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| 392-123-175 | AMD-P | 90-11-128 | 392-127-025 | NEW | 90-12-078 | 392-137-010 | REP-E | 90-12-074 |
| 392-123-175 | AMD | 90-16-002 | 392-127-030 | NEW-P | 90-09-020 | 392-137-010 | REP-P | 90-15-070 |
| 392-123-180 | AMD-P | 90-11-128 | 392-127-030 | NEW | 90-12-078 | 392-137-010 | REP | 90-19-068 |
| 392-123-180 | AMD | 90-16-002 | 392-127-035 | NEW-P | 90-09-020 | 392-137-010 | REP-E | 90-12-074 |
| 392-125-003 | AMD-P | 90-11-128 | 392-127-035 | NEW | 90-12-078 | 392-137-015 | REP-P | 90-15-070 |
| 392-125-003 | AMD | 90-16-002 | 392-127-040 | NEW-P | 90-09-020 | 392-137-015 | REP | 90-19-068 |
| 392-125-005 | AMD-P | 90-11-128 | 392-127-040 | NEW | 90-12-078 | 392-137-020 | AMD-P | 90-11-128 |
| 392-125-005 | AMD | 90-16-002 | 392-127-045 | NEW-P | 90-09-020 | 392-137-020 | REP-E | 90-12-074 |
| 392-125-036 | AMD-P | 90-11-128 | 392-127-045 | NEW | 90-12-078 | 392-137-020 | REP-P | 90-15-070 |
| 392-125-036 | AMD | 90-16-002 | 392-127-050 | NEW-P | 90-09-020 | 392-137-020 | AMD | 90-16-002 |
| 392-125-080 | AMD-P | 90-11-128 | 392-127-050 | NEW | 90-12-078 | 392-137-020 | REP | 90-19-068 |
| 392-125-080 | AMD | 90-16-002 | 392-127-055 | NEW-P | 90-09-020 | 392-137-025 | REP-E | 90-12-074 |
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| 392-126-004 | NEW | 90-17-110 | 392-127-060 | NEW-P | 90-09-020 | 392-137-025 | REP | 90-19-068 |
| 392-126-006 | NEW-P | 90-12-122 | 392-127-060 | NEW | 90-12-078 | 392-137-030 | REP-E | 90-12-074 |
| 392-126-006 | NEW | 90-17-110 | 392-127-065 | NEW-P | 90-09-020 | 392-137-030 | REP-P | 90-15-070 |
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| 392-126-015 | NEW | 90-17-110 | 392-127-070 | NEW-P | 90-09-020 | 392-137-030 | REP-E | 90-12-074 |
| 392-126-020 | NEW-P | 90-12-122 | 392-127-070 | NEW | 90-12-078 | 392-137-035 | REP-P | 90-15-070 |
| 392-126-020 | NEW | 90-17-110 | 392-127-075 | NEW-P | 90-09-020 | 392-137-035 | REP | 90-19-068 |
| 392-126-025 | NEW-P | 90-12-122 | 392-127-075 | NEW | 90-12-078 | 392-137-040 | REP-E | 90-12-074 |
| 392-126-025 | NEW | 90-17-110 | 392-127-080 | NEW-P | 90-09-020 | 392-137-040 | REP-P | 90-15-070 |
| 392-126-030 | NEW-P | 90-12-122 | 392-127-080 | NEW | 90-12-078 | 392-137-040 | REP | 90-19-068 |
| 392-126-030 | NEW | 90-17-110 | 392-127-085 | NEW-P | 90-09-020 | 392-137-045 | REP-E | 90-12-074 |
| 392-126-035 | NEW-P | 90-12-122 | 392-127-085 | NEW | 90-12-078 | 392-137-045 | REP-P | 90-15-070 |
| 392-126-035 | NEW | 90-17-110 | 392-127-090 | NEW-P | 90-09-020 | 392-137-045 | REP | 90-19-068 |
| 392-126-040 | NEW-P | 90-12-122 | 392-127-090 | NEW | 90-12-078 | 392-137-051 | REP-E | 90-12-074 |
| 392-126-040 | NEW | 90-17-110 | 392-127-095 | NEW-P | 90-09-020 | 392-137-051 | REP-P | 90-15-070 |
| 392-126-045 | NEW-P | 90-12-122 | 392-127-095 | NEW | 90-12-078 | 392-137-051 | REP | 90-19-068 |
| 392-126-045 | NEW | 90-17-110 | 392-127-101 | NEW-P | 90-09-020 | 392-137-055 | REP-E | 90-12-074 |
| 392-126-050 | NEW-P | 90-12-122 | 392-127-101 | NEW | 90-12-078 | 392-137-055 | REP-P | 90-15-070 |
| 392-126-050 | NEW | 90-17-110 | 392-127-106 | NEW-P | 90-09-020 | 392-137-055 | REP | 90-19-068 |
| 392-126-055 | NEW-P | 90-12-122 | 392-127-106 | NEW | 90-12-078 | 392-137-060 | REP-E | 90-12-074 |
| 392-126-055 | NEW | 90-17-110 | 392-127-111 | NEW-P | 90-09-020 | 392-137-060 | REP-P | 90-15-070 |
| 392-126-060 | NEW-P | 90-12-122 | 392-127-111 | NEW | 90-12-078 | 392-137-060 | REP | 90-19-068 |
| 392-126-060 | NEW | 90-17-110 | 392-129-003 | AMD-P | 90-11-128 | 392-137-065 | REP-E | 90-12-074 |
| 392-126-065 | NEW-P | 90-12-122 | 392-129-003 | AMD | 90-16-002 | 392-137-065 | REP-P | 90-15-070 |
| 392-126-065 | NEW | 90-17-110 | 392-129-005 | AMD-P | 90-11-128 | 392-137-065 | REP | 90-19-068 |
| 392-126-070 | NEW-P | 90-12-122 | 392-129-005 | AMD | 90-16-002 | 392-137-070 | REP-E | 90-12-074 |
| 392-126-070 | NEW | 90-17-110 | 392-129-015 | AMD-P | 90-11-128 | 392-137-070 | REP-P | 90-15-070 |
| 392-126-075 | NEW-P | 90-12-122 | 392-129-015 | AMD | 90-16-002 | 392-137-070 | REP | 90-19-068 |
| 392-126-075 | NEW | 90-17-110 | 392-129-040 | AMD-P | 90-15-069 | 392-137-100 | NEW-E | 90-12-074 |
| 392-126-080 | NEW-P | 90-12-122 | 392-129-040 | AMD | 90-19-039 | 392-137-100 | NEW-P | 90-15-070 |
| 392-126-080 | NEW | 90-17-110 | 392-132-010 | AMD-P | 90-11-128 | 392-137-100 | NEW | 90-19-068 |
| 392-126-085 | NEW-P | 90-12-122 | 392-132-010 | AMD | 90-16-002 | 392-137-105 | NEW-E | 90-12-074 |
| 392-126-085 | NEW | 90-17-110 | 392-134-002 | AMD-P | 90-11-128 | 392-137-105 | NEW-P | 90-15-070 |
| 392-126-090 | NEW-P | 90-12-122 | 392-134-002 | AMD | 90-16-002 | 392-137-105 | NEW | 90-19-068 |
| 392-126-090 | NEW | 90-17-110 | 392-134-005 | AMD-P | 90-11-128 | 392-137-110 | NEW-E | 90-12-074 |
| 392-126-095 | NEW-P | 90-12-122 | 392-134-005 | AMD | 90-16-002 | 392-137-110 | NEW-P | 90-15-070 |
| 392-126-095 | NEW | 90-17-110 | 392-134-030 | AMD-P | 90-11-128 | 392-137-110 | NEW | 90-19-068 |

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| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 392-137-115 | NEW-E | 90-12-074 | 392-139-115 | AMD | 90-16-002 | 392-140-265 | NEW-P | 90-19-070 |
| 392-137-115 | NEW-P | 90-15-070 | 392-139-120 | AMD-P | 90-11-128 | 392-140-266 | NEW-P | 90-19-070 |
| 392-137-115 | NEW | 90-19-068 | 392-139-120 | AMD | 90-16-002 | 392-140-267 | NEW-P | 90-19-070 |
| 392-137-120 | NEW-E | 90-12-074 | 392-139-122 | AMD-P | 90-11-128 | 392-140-300 | AMD-P | 90-11-128 |
| 392-137-120 | NEW-P | 90-15-070 | 392-139-122 | AMD | 90-16-002 | 392-140-300 | AMD | 90-16-002 |
| 392-137-120 | NEW | 90-19-068 | 392-139-126 | AMD-P | 90-11-128 | 392-140-301 | AMD-P | 90-11-128 |
| 392-137-125 | NEW-E | 90-12-074 | 392-139-126 | AMD | 90-16-002 | 392-140-301 | AMD | 90-16-002 |
| 392-137-125 | NEW-P | 90-15-070 | 392-139-128 | AMD-P | 90-11-128 | 392-140-302 | AMD-P | 90-11-128 |
| 392-137-125 | NEW | 90-19-068 | 392-139-128 | AMD | 90-16-002 | 392-140-302 | AMD | 90-16-002 |
| 392-137-130 | NEW-E | 90-12-074 | 392-139-132 | AMD-P | 90-11-128 | 392-140-336 | NEW-P | 90-09-022 |
| 392-137-130 | NEW-P | 90-15-070 | 392-139-132 | AMD | 90-16-002 | 392-140-336 | NEW | 90-12-081 |
| 392-137-130 | NEW | 90-19-068 | 392-139-134 | AMD-P | 90-11-128 | 392-140-337 | NEW-P | 90-09-022 |
| 392-137-135 | NEW-E | 90-12-074 | 392-139-134 | AMD | 90-16-002 | 392-140-337 | NEW | 90-12-081 |
| 392-137-135 | NEW-P | 90-15-070 | 392-139-205 | AMD-P | 90-11-128 | 392-140-338 | NEW-P | 90-09-022 |
| 392-137-135 | NEW | 90-19-068 | 392-139-205 | AMD | 90-16-002 | 392-140-338 | NEW | 90-12-081 |
| 392-137-140 | NEW-E | 90-12-074 | 392-139-215 | AMD-P | 90-11-128 | 392-140-400 | NEW-P | 90-07-045 |
| 392-137-140 | NEW-P | 90-15-070 | 392-139-215 | AMD | 90-16-002 | 392-140-400 | NEW | 90-11-028 |
| 392-137-140 | NEW | 90-19-068 | 392-139-230 | AMD-P | 90-11-128 | 392-140-401 | NEW-P | 90-07-045 |
| 392-137-145 | NEW-E | 90-12-074 | 392-139-230 | AMD | 90-16-002 | 392-140-401 | NEW | 90-11-028 |
| 392-137-145 | NEW-P | 90-15-070 | 392-139-235 | AMD-P | 90-11-128 | 392-140-402 | NEW-P | 90-07-045 |
| 392-137-145 | NEW | 90-19-068 | 392-139-235 | AMD | 90-16-002 | 392-140-402 | NEW | 90-11-028 |
| 392-137-150 | NEW-E | 90-12-074 | 392-139-330 | AMD-P | 90-11-128 | 392-140-403 | NEW-P | 90-07-045 |
| 392-137-150 | NEW-P | 90-15-070 | 392-139-330 | AMD | 90-16-002 | 392-140-403 | NEW | 90-11-028 |
| 392-137-150 | NEW | 90-19-068 | 392-139-340 | AMD-P | 90-11-128 | 392-140-404 | NEW-P | 90-07-045 |
| 392-137-155 | NEW-E | 90-12-074 | 392-139-340 | AMD | 90-16-002 | 392-140-404 | NEW | 90-11-028 |
| 392-137-155 | NEW-P | 90-15-070 | 392-139-900 | AMD-P | 90-09-021 | 392-140-405 | NEW-P | 90-07-045 |
| 392-137-155 | NEW | 90-19-068 | 392-139-900 | AMD | 90-12-080 | 392-140-405 | NEW | 90-11-028 |
| 392-137-160 | NEW-E | 90-12-074 | 392-139-905 | NEW-P | 90-09-021 | 392-140-406 | NEW-P | 90-07-045 |
| 392-137-160 | NEW-P | 90-15-070 | 392-139-905 | NEW | 90-12-080 | 392-140-406 | NEW | 90-11-028 |
| 392-137-160 | NEW | 90-19-068 | 392-140-001 | AMD-P | 90-11-128 | 392-140-407 | NEW-P | 90-07-045 |
| 392-137-190 | NEW-E | 90-12-074 | 392-140-001 | AMD | 90-16-002 | 392-140-407 | NEW | 90-11-028 |
| 392-137-190 | NEW-P | 90-15-070 | 392-140-075 | AMD-P | 90-11-128 | 392-140-408 | NEW-P | 90-07-045 |
| 392-137-190 | NEW | 90-19-068 | 392-140-075 | AMD | 90-16-002 | 392-140-408 | NEW | 90-11-028 |
| 392-137-195 | NEW-E | 90-12-074 | 392-140-079 | AMD-P | 90-11-128 | 392-140-409 | NEW-P | 90-07-045 |
| 392-137-195 | NEW-P | 90-15-070 | 392-140-079 | AMD | 90-16-002 | 392-140-409 | NEW | 90-11-028 |
| 392-137-195 | NEW | 90-19-068 | 392-140-175 | AMD-P | 90-18-087 | 392-140-410 | NEW-P | 90-07-045 |
| 392-137-200 | NEW-E | 90-12-074 | 392-140-181 | AMD-P | 90-18-087 | 392-140-410 | NEW | 90-11-028 |
| 392-137-200 | NEW-P | 90-15-070 | 392-140-182 | AMD-P | 90-18-087 | 392-140-411 | NEW-P | 90-07-045 |
| 392-137-200 | NEW | 90-19-068 | 392-140-183 | AMD-P | 90-18-087 | 392-140-411 | NEW | 90-11-028 |
| 392-137-205 | NEW-E | 90-12-074 | 392-140-184 | REP-P | 90-18-087 | 392-140-412 | NEW-P | 90-07-045 |
| 392-137-205 | NEW-P | 90-15-070 | 392-140-185 | AMD-P | 90-18-087 | 392-140-412 | NEW | 90-11-028 |
| 392-137-205 | NEW | 90-19-068 | 392-140-186 | AMD-P | 90-18-087 | 392-140-413 | NEW-P | 90-07-045 |
| 392-137-220 | NEW-E | 90-12-074 | 392-140-190 | NEW | 90-06-007 | 392-140-413 | NEW | 90-11-028 |
| 392-137-220 | NEW-P | 90-15-070 | 392-140-191 | NEW | 90-06-007 | 392-140-414 | NEW-P | 90-07-045 |
| 392-137-220 | NEW | 90-19-068 | 392-140-192 | NEW | 90-06-007 | 392-140-414 | NEW | 90-11-028 |
| 392-137-225 | NEW-E | 90-12-074 | 392-140-193 | NEW | 90-06-007 | 392-140-415 | NEW-P | 90-07-045 |
| 392-137-225 | NEW-P | 90-15-070 | 392-140-194 | NEW | 90-06-007 | 392-140-415 | NEW | 90-11-028 |
| 392-137-225 | NEW | 90-19-068 | 392-140-195 | NEW | 90-06-007 | 392-140-416 | NEW-P | 90-07-045 |
| 392-137-230 | NEW-E | 90-12-074 | 392-140-196 | NEW | 90-06-007 | 392-140-416 | NEW | 90-11-028 |
| 392-137-230 | NEW-P | 90-15-070 | 392-140-197 | NEW | 90-06-007 | 392-140-417 | NEW-P | 90-07-045 |
| 392-137-230 | NEW | 90-19-068 | 392-140-198 | NEW | 90-06-007 | 392-140-417 | NEW | 90-11-028 |
| 392-137-235 | NEW-E | 90-12-074 | 392-140-199 | NEW | 90-06-007 | 392-140-418 | NEW-P | 90-07-045 |
| 392-137-235 | NEW-P | 90-15-070 | 392-140-200 | NEW | 90-06-007 | 392-140-418 | NEW | 90-11-028 |
| 392-137-235 | NEW | 90-19-068 | 392-140-201 | NEW | 90-06-007 | 392-140-419 | NEW-P | 90-07-045 |
| 392-137-240 | NEW-E | 90-12-074 | 392-140-202 | NEW | 90-06-007 | 392-140-419 | NEW | 90-11-028 |
| 392-137-240 | NEW-P | 90-15-070 | 392-140-220 | NEW-P | 90-19-053 | 392-140-420 | NEW-P | 90-07-045 |
| 392-137-240 | NEW | 90-19-068 | 392-140-221 | NEW-P | 90-19-053 | 392-140-420 | NEW | 90-11-028 |
| 392-137-245 | NEW-E | 90-12-074 | 392-140-222 | NEW-P | 90-19-053 | 392-140-421 | NEW-P | 90-07-045 |
| 392-137-245 | NEW-P | 90-15-070 | 392-140-223 | NEW-P | 90-19-053 | 392-140-421 | NEW | 90-11-028 |
| 392-137-245 | NEW | 90-19-068 | 392-140-224 | NEW-P | 90-19-053 | 392-140-422 | NEW-P | 90-07-045 |
| 392-138-003 | AMD-P | 90-11-128 | 392-140-225 | NEW-P | 90-19-053 | 392-140-422 | NEW | 90-11-028 |
| 392-138-003 | AMD | 90-16-002 | 392-140-226 | NEW-P | 90-19-053 | 392-140-423 | NEW-P | 90-07-045 |
| 392-138-005 | AMD-P | 90-11-128 | 392-140-230 | NEW-P | 90-19-053 | 392-140-423 | NEW | 90-11-028 |
| 392-138-005 | AMD | 90-16-002 | 392-140-231 | NEW-P | 90-19-053 | 392-141-105 | AMD-P | 90-11-128 |
| 392-138-030 | AMD-P | 90-11-128 | 392-140-232 | NEW-P | 90-19-053 | 392-141-105 | AMD | 90-16-002 |
| 392-138-030 | AMD | 90-16-002 | 392-140-233 | NEW-P | 90-19-053 | 392-141-115 | AMD-P | 90-11-128 |
| 392-138-040 | AMD-P | 90-11-128 | 392-140-234 | NEW-P | 90-19-053 | 392-141-115 | AMD | 90-16-002 |
| 392-138-040 | AMD | 90-16-002 | 392-140-250 | NEW-P | 90-19-070 | 392-141-180 | AMD-P | 90-11-128 |
| 392-138-065 | AMD-P | 90-11-128 | 392-140-251 | NEW-P | 90-19-070 | 392-141-180 | AMD | 90-16-002 |
| 392-138-065 | AMD | 90-16-002 | 392-140-252 | NEW-P | 90-19-070 | 392-141-185 | AMD-P | 90-11-128 |
| 392-138-100 | AMD-P | 90-11-128 | 392-140-253 | NEW-P | 90-19-070 | 392-141-185 | AMD | 90-16-002 |
| 392-138-100 | AMD | 90-16-002 | 392-140-254 | NEW-P | 90-19-070 | 392-141-195 | AMD-P | 90-11-128 |
| 392-139-001 | AMD-P | 90-11-128 | 392-140-255 | NEW-P | 90-19-070 | 392-141-195 | AMD | 90-16-002 |
| 392-139-001 | AMD | 90-16-002 | 392-140-256 | NEW-P | 90-19-070 | 392-142-005 | AMD | 90-02-077 |
| 392-139-005 | AMD-P | 90-11-128 | 392-140-257 | NEW-P | 90-19-070 | 392-142-010 | AMD | 90-02-077 |
| 392-139-005 | AMD | 90-16-002 | 392-140-258 | NEW-P | 90-19-070 | 392-142-015 | REP | 90-02-077 |
| 392-139-115 | AMD-P | 90-11-128 | 392-140-259 | NEW-P | 90-19-070 | 392-142-020 | REP | 90-02-077 |

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| 392-142-025 | REP | 90-02-077 | 392-168-135 | AMD-P | 90-07-044 | 392-185-010 | AMD | 90-16-002 |
| 392-142-030 | REP | 90-02-077 | 392-168-135 | AMD | 90-11-029 | 392-185-060 | AMD-P | 90-11-128 |
| 392-142-035 | REP | 90-02-077 | 392-168-140 | AMD-P | 90-07-044 | 392-185-060 | AMD | 90-16-002 |
| 392-142-040 | REP | 90-02-077 | 392-168-140 | AMD | 90-11-029 | 392-185-100 | AMD-P | 90-11-128 |
| 392-142-045 | REP | 90-02-077 | 392-168-160 | AMD-P | 90-07-044 | 392-185-100 | AMD | 90-16-002 |
| 392-142-050 | REP | 90-02-077 | 392-168-160 | AMD | 90-11-029 | 392-185-120 | AMD-P | 90-11-128 |
| 392-142-055 | REP | 90-02-077 | 392-168-170 | AMD-P | 90-07-044 | 392-185-120 | AMD | 90-16-002 |
| 392-142-060 | REP | 90-02-077 | 392-168-170 | AMD | 90-11-029 | 392-190-005 | AMD-P | 90-11-128 |
| 392-142-065 | REP | 90-02-077 | 392-170-005 | AMD-P | 90-11-128 | 392-190-005 | AMD | 90-16-002 |
| 392-142-070 | REP | 90-02-077 | 392-170-005 | AMD | 90-16-002 | 392-190-055 | AMD-P | 90-11-128 |
| 392-142-075 | NEW | 90-02-077 | 392-171-295 | AMD-P | 90-11-128 | 392-190-055 | AMD | 90-16-002 |
| 392-142-080 | NEW | 90-02-077 | 392-171-295 | AMD | 90-16-002 | 392-191-001 | AMD | 90-02-078 |
| 392-142-085 | NEW | 90-02-077 | 392-171-300 | AMD-P | 90-11-128 | 392-191-005 | AMD | 90-02-078 |
| 392-142-090 | NEW | 90-02-077 | 392-171-300 | AMD | 90-16-002 | 392-191-007 | NEW-P | 90-19-038 |
| 392-142-095 | NEW | 90-02-077 | 392-171-310 | AMD-P | 90-11-039 | 392-191-010 | AMD | 90-02-078 |
| 392-142-100 | NEW | 90-02-077 | 392-171-310 | AMD-P | 90-11-128 | 392-191-020 | AMD | 90-02-078 |
| 392-142-105 | NEW | 90-02-077 | 392-171-310 | AMD | 90-16-002 | 392-191-025 | NEW | 90-02-078 |
| 392-142-110 | NEW | 90-02-077 | 392-171-310 | AMD | 90-16-045 | 392-191-030 | NEW | 90-02-078 |
| 392-142-115 | NEW | 90-02-077 | 392-171-315 | AMD-P | 90-11-039 | 392-191-030 | AMD-P | 90-19-038 |
| 392-142-120 | NEW | 90-02-077 | 392-171-315 | AMD | 90-16-045 | 392-191-035 | NEW | 90-02-078 |
| 392-142-125 | NEW | 90-02-077 | 392-171-322 | NEW-P | 90-11-039 | 392-191-035 | AMD-P | 90-19-038 |
| 392-142-130 | NEW | 90-02-077 | 392-171-322 | NEW | 90-16-045 | 392-191-040 | NEW | 90-02-078 |
| 392-142-135 | NEW | 90-02-077 | 392-171-361 | AMD-P | 90-11-128 | 392-191-040 | AMD-P | 90-19-038 |
| 392-142-140 | NEW | 90-02-077 | 392-171-361 | AMD | 90-16-002 | 392-191-045 | NEW | 90-02-078 |
| 392-142-145 | NEW | 90-02-077 | 392-171-371 | AMD-P | 90-11-039 | 392-191-060 | NEW | 90-02-078 |
| 392-142-150 | NEW | 90-02-077 | 392-171-371 | AMD | 90-16-045 | 392-191-065 | NEW | 90-02-078 |
| 392-142-155 | NEW | 90-02-077 | 392-171-371 | AMD-E | 90-20-062 | 392-191-070 | NEW | 90-02-078 |
| 392-142-160 | NEW | 90-02-077 | 392-171-456 | AMD-E | 90-16-091 | 392-191-075 | NEW | 90-02-078 |
| 392-142-165 | NEW | 90-02-077 | 392-171-491 | AMD-P | 90-11-128 | 392-191-080 | NEW | 90-02-078 |
| 392-142-170 | NEW | 90-02-077 | 392-171-491 | AMD | 90-16-002 | 392-191-085 | NEW | 90-02-078 |
| 392-142-175 | NEW | 90-02-077 | 392-171-636 | AMD-E | 90-16-044 | 392-191-090 | NEW | 90-02-078 |
| 392-142-180 | NEW | 90-02-077 | 392-171-636 | AMD-P | 90-16-107 | 392-191-095 | NEW | 90-02-078 |
| 392-142-185 | NEW | 90-02-077 | 392-171-636 | AMD | 90-19-054 | 392-192-005 | NEW-P | 90-19-037 |
| 392-142-190 | NEW | 90-02-077 | 392-171-711 | AMD-P | 90-11-128 | 392-192-010 | NEW-P | 90-19-037 |
| 392-142-195 | NEW | 90-02-077 | 392-171-711 | AMD | 90-16-002 | 392-192-020 | NEW-P | 90-19-037 |
| 392-142-200 | NEW | 90-02-077 | 392-171-800 | NEW-P | 90-04-045 | 392-192-030 | NEW-P | 90-19-037 |
| 392-142-205 | NEW | 90-02-077 | 392-171-800 | NEW | 90-10-096 | 392-192-040 | NEW-P | 90-19-037 |
| 392-142-210 | NEW | 90-02-077 | 392-171-805 | NEW-P | 90-04-045 | 392-192-050 | NEW-P | 90-19-037 |
| 392-142-215 | NEW | 90-02-077 | 392-171-805 | NEW | 90-10-096 | 392-192-060 | NEW-P | 90-19-037 |
| 392-142-220 | NEW | 90-02-077 | 392-171-810 | NEW-P | 90-04-045 | 392-192-070 | NEW-P | 90-19-037 |
| 392-142-225 | NEW | 90-02-077 | 392-171-810 | NEW | 90-10-096 | 392-193-005 | AMD-P | 90-11-128 |
| 392-142-230 | NEW | 90-02-077 | 392-171-815 | NEW-P | 90-04-045 | 392-193-005 | AMD | 90-16-002 |
| 392-142-235 | NEW | 90-02-077 | 392-171-815 | NEW | 90-10-096 | 392-193-020 | AMD-P | 90-11-128 |
| 392-142-240 | NEW | 90-02-077 | 392-171-820 | NEW-P | 90-04-045 | 392-193-020 | AMD | 90-16-002 |
| 392-142-245 | NEW | 90-02-077 | 392-171-820 | NEW | 90-10-096 | 392-193-055 | AMD-P | 90-11-128 |
| 392-142-250 | NEW | 90-02-077 | 392-171-825 | NEW-P | 90-04-045 | 392-193-055 | AMD-P | 90-13-087 |
| 392-142-255 | NEW | 90-02-077 | 392-171-825 | NEW | 90-10-096 | 392-193-055 | AMD | 90-16-002 |
| 392-142-260 | NEW | 90-02-077 | 392-171-830 | NEW-P | 90-04-045 | 392-193-055 | AMD | 90-20-015 |
| 392-142-265 | NEW | 90-02-077 | 392-171-830 | NEW | 90-10-096 | 392-195-003 | AMD-P | 90-11-128 |
| 392-142-270 | NEW | 90-02-077 | 392-173-003 | AMD-P | 90-11-128 | 392-195-003 | AMD | 90-16-002 |
| 392-143-061 | NEW-P | 90-19-114 | 392-173-003 | AMD | 90-16-002 | 392-196-005 | AMD-P | 90-11-128 |
| 392-145-015 | AMD-P | 90-19-113 | 392-173-025 | AMD-E | 90-16-042 | 392-196-005 | AMD | 90-16-002 |
| 392-145-030 | AMD-P | 90-19-113 | 392-173-025 | AMD-P | 90-16-092 | 392-196-011 | AMD-P | 90-11-128 |
| 392-153-010 | AMD-P | 90-11-128 | 392-173-025 | AMD | 90-19-069 | 392-196-011 | AMD | 90-16-002 |
| 392-153-010 | AMD | 90-16-002 | 392-182-005 | AMD-P | 90-11-128 | 392-196-020 | AMD-P | 90-11-128 |
| 392-153-020 | AMD-P | 90-11-128 | 392-182-005 | AMD | 90-16-002 | 392-196-020 | AMD | 90-16-002 |
| 392-153-020 | AMD | 90-16-002 | 392-182-010 | AMD-P | 90-11-128 | 392-196-030 | AMD-P | 90-11-088 |
| 392-160-003 | AMD-P | 90-11-128 | 392-182-010 | AMD | 90-16-002 | 392-196-030 | AMD-P | 90-11-128 |
| 392-160-003 | AMD | 90-16-002 | 392-183-005 | NEW-P | 90-05-036 | 392-196-030 | AMD | 90-14-093 |
| 392-162-047 | AMD-P | 90-11-128 | 392-183-010 | NEW-P | 90-05-036 | 392-196-030 | AMD | 90-16-002 |
| 392-162-047 | AMD | 90-16-002 | 392-183-015 | NEW-P | 90-05-036 | 392-196-037 | NEW-P | 90-11-088 |
| 392-163-100 | AMD-P | 90-11-128 | 392-183-020 | NEW-P | 90-05-036 | 392-196-037 | NEW | 90-14-093 |
| 392-163-100 | AMD | 90-16-002 | 392-183-025 | NEW-P | 90-05-036 | 392-196-040 | AMD-P | 90-11-088 |
| 392-164-100 | AMD-P | 90-11-128 | 392-183-030 | NEW-P | 90-05-036 | 392-196-040 | AMD | 90-14-093 |
| 392-164-100 | AMD | 90-16-002 | 392-183A-005 | NEW | 90-09-039 | 392-196-045 | AMD-P | 90-11-088 |
| 392-164-225 | AMD-P | 90-11-128 | 392-183A-010 | NEW | 90-09-039 | 392-196-045 | AMD | 90-14-093 |
| 392-164-225 | AMD | 90-16-002 | 392-183A-015 | NEW | 90-09-039 | 392-196-051 | REP-P | 90-11-088 |
| 392-165-100 | AMD-P | 90-11-128 | 392-183A-020 | NEW | 90-09-039 | 392-196-051 | REP | 90-14-093 |
| 392-165-100 | AMD | 90-16-002 | 392-183A-025 | NEW | 90-09-039 | 392-196-052 | REP-P | 90-11-088 |
| 392-166-115 | AMD-P | 90-11-128 | 392-183A-030 | NEW | 90-09-039 | 392-196-052 | REP | 90-14-093 |
| 392-166-115 | AMD | 90-16-002 | 392-184-003 | AMD-P | 90-11-128 | 392-196-066 | AMD-P | 90-11-088 |
| 392-168-105 | AMD-P | 90-11-128 | 392-184-003 | AMD | 90-16-002 | 392-196-066 | AMD | 90-14-093 |
| 392-168-105 | AMD | 90-16-002 | 392-185-003 | AMD-P | 90-11-128 | 392-196-070 | REP-P | 90-11-088 |
| 392-168-125 | AMD-P | 90-07-044 | 392-185-003 | AMD | 90-16-002 | 392-196-070 | REP | 90-14-093 |
| 392-168-125 | AMD | 90-11-029 | 392-185-005 | AMD-P | 90-11-128 | 392-196-072 | REP-P | 90-11-088 |
| 392-168-125 | AMD-E | 90-20-113 | 392-185-005 | AMD | 90-16-002 | 392-196-072 | REP | 90-14-093 |
| 392-168-125 | AMD-P | 90-20-114 | 392-185-010 | AMD-P | 90-11-128 | 392-196-075 | REP-P | 90-11-088 |

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| 392-196-075 | REP | 90-14-093 | 402-70-060 | NEW-C | 90-19-067 | 440-44-030 | AMD-P | 90-11-092 |
| 392-196-080 | AMD-P | 90-11-088 | 402-70-062 | NEW-P | 90-06-106 | 440-44-030 | AMD | 90-15-001 |
| 392-196-080 | AMD-P | 90-11-128 | 402-70-062 | NEW-C | 90-19-067 | 440-44-050 | REP-P | 90-06-106 |
| 392-196-080 | AMD | 90-14-093 | 402-70-064 | NEW-P | 90-06-106 | 440-44-050 | REP-C | 90-19-067 |
| 392-196-080 | AMD | 90-16-002 | 402-70-064 | NEW-C | 90-19-067 | 440-44-057 | REP-P | 90-06-106 |
| 392-196-085 | AMD-P | 90-11-088 | 402-70-066 | NEW-P | 90-06-106 | 440-44-057 | REP-C | 90-19-067 |
| 392-196-085 | AMD | 90-14-093 | 402-70-066 | NEW-C | 90-19-067 | 440-44-058 | REP-P | 90-06-106 |
| 392-196-085 | AMD-E | 90-16-090 | 402-70-068 | NEW-P | 90-06-106 | 440-44-058 | REP-C | 90-19-067 |
| 392-196-085 | AMD-P | 90-19-071 | 402-70-068 | NEW-C | 90-19-067 | 440-44-059 | REP-P | 90-06-106 |
| 392-196-100 | AMD-P | 90-11-088 | 402-70-070 | NEW-C | 90-06-106 | 440-44-059 | REP-C | 90-19-067 |
| 392-196-100 | AMD | 90-14-093 | 402-70-070 | AMD-C | 90-19-067 | 440-44-060 | REP-P | 90-06-106 |
| 392-200-003 | AMD-P | 90-11-128 | 402-70-073 | NEW-P | 90-06-106 | 440-44-060 | REP-C | 90-19-067 |
| 392-200-003 | AMD | 90-16-002 | 402-70-073 | NEW | 90-11-126 | 440-44-061 | REP-P | 90-06-106 |
| 392-200-015 | AMD-P | 90-11-128 | 402-70-077 | NEW-P | 90-06-106 | 440-44-061 | REP | 90-11-126 |
| 392-200-015 | AMD | 90-16-002 | 402-70-077 | NEW-C | 90-19-067 | 440-44-062 | REP-P | 90-06-106 |
| 392-202-003 | AMD-P | 90-11-128 | 402-70-080 | AMD-P | 90-06-106 | 440-44-062 | REP-C | 90-19-067 |
| 392-202-003 | AMD-P | 90-15-071 | 402-70-080 | AMD-C | 90-19-067 | 446-10-090 | AMD-P | 90-04-027 |
| 392-202-003 | AMD | 90-16-002 | 402-70-085 | NEW-P | 90-06-106 | 446-10-090 | AMD | 90-10-097 |
| 392-202-005 | AMD-P | 90-15-071 | 402-70-085 | NEW-C | 90-19-067 | 446-20-020 | AMD-P | 90-15-020 |
| 392-202-005 | AMD | 90-19-041 | 402-70-090 | AMD-P | 90-06-106 | 446-20-020 | AMD-E | 90-15-021 |
| 392-202-027 | NEW-P | 90-15-071 | 402-70-090 | AMD-C | 90-19-067 | 446-20-020 | AMD | 90-20-003 |
| 392-202-027 | NEW | 90-19-041 | 415-02-090 | REP-E | 90-19-007 | 446-20-285 | AMD-P | 90-15-020 |
| 392-202-070 | AMD-P | 90-15-071 | 415-100-041 | NEW-E | 90-14-082 | 446-20-285 | AMD-E | 90-15-021 |
| 392-202-070 | AMD | 90-19-041 | 415-100-045 | NEW-E | 90-14-082 | 446-20-285 | AMD | 90-20-003 |
| 392-202-075 | AMD-P | 90-15-071 | 415-100-051 | NEW-E | 90-14-082 | 446-20-290 | AMD-P | 90-15-020 |
| 392-202-075 | AMD | 90-19-041 | 415-100-055 | NEW-E | 90-14-082 | 446-20-290 | AMD-E | 90-15-021 |
| 392-202-080 | AMD-P | 90-15-071 | 415-104-108 | NEW-E | 90-19-007 | 446-20-290 | AMD | 90-20-003 |
| 392-202-080 | AMD | 90-19-041 | 415-104-201 | NEW-E | 90-14-084 | 446-20-500 | NEW-P | 90-15-020 |
| 392-202-087 | NEW-P | 90-15-071 | 415-104-205 | NEW-E | 90-14-084 | 446-20-500 | NEW-E | 90-15-021 |
| 392-202-087 | NEW | 90-19-041 | 415-104-211 | NEW-E | 90-14-084 | 446-20-500 | NEW | 90-20-003 |
| 392-202-113 | NEW-P | 90-15-071 | 415-104-215 | NEW-E | 90-14-084 | 446-20-510 | NEW-P | 90-15-020 |
| 392-202-113 | NEW | 90-19-041 | 415-108-320 | NEW-E | 90-14-083 | 446-20-510 | NEW-E | 90-15-021 |
| 392-210-005 | AMD-P | 90-11-128 | 415-108-322 | NEW-E | 90-14-083 | 446-20-510 | NEW | 90-20-003 |
| 392-210-005 | AMD | 90-16-002 | 415-108-324 | NEW-E | 90-14-083 | 446-20-515 | NEW-P | 90-15-020 |
| 392-310-010 | AMD-P | 90-11-128 | 415-108-326 | NEW-E | 90-14-083 | 446-20-515 | NEW-E | 90-15-021 |
| 392-310-010 | AMD | 90-16-002 | 415-108-340 | NEW-E | 90-19-008 | 446-20-515 | NEW | 90-20-003 |
| 392-315-005 | AMD-P | 90-11-128 | 415-112-040 | NEW-E | 90-19-006 | 446-20-520 | NEW-P | 90-15-020 |
| 392-315-005 | AMD | 90-16-002 | 415-112-720 | NEW-E | 90-14-085 | 446-20-520 | NEW-E | 90-15-021 |
| 392-315-075 | AMD-P | 90-11-128 | 415-112-722 | NEW-E | 90-14-085 | 446-20-520 | NEW | 90-20-003 |
| 392-315-075 | AMD | 90-16-002 | 415-112-725 | NEW-E | 90-14-085 | 446-20-525 | NEW-P | 90-15-020 |
| 392-315-080 | AMD-P | 90-11-128 | 415-112-727 | NEW-E | 90-14-085 | 446-20-525 | NEW-E | 90-15-021 |
| 392-315-080 | AMD | 90-16-002 | 415-113-010 | NEW-E | 90-11-129 | 446-20-525 | NEW | 90-20-003 |
| 392-315-130 | AMD-P | 90-11-128 | 415-113-010 | NEW-P | 90-17-089 | 446-20-530 | NEW-P | 90-15-020 |
| 392-315-130 | AMD | 90-16-002 | 415-113-020 | NEW-E | 90-11-129 | 446-20-530 | NEW-E | 90-15-021 |
| 400-04-040 | AMD-P | 90-13-106 | 415-113-020 | NEW-P | 90-17-089 | 446-20-530 | NEW | 90-20-003 |
| 400-04-040 | AMD-E | 90-13-107 | 415-113-030 | NEW-E | 90-11-129 | 448-12-010 | REP-P | 90-20-050 |
| 400-04-040 | AMD | 90-17-063 | 415-113-030 | NEW-P | 90-17-089 | 448-12-015 | REP-P | 90-20-050 |
| 400-06-020 | AMD-P | 90-13-106 | 415-113-040 | NEW-E | 90-11-129 | 448-12-016 | REP-P | 90-20-050 |
| 400-06-020 | AMD-E | 90-13-107 | 415-113-040 | NEW-P | 90-17-089 | 448-12-020 | REP-P | 90-20-050 |
| 400-06-020 | AMD | 90-17-063 | 415-113-050 | NEW-E | 90-11-129 | 448-12-030 | REP-P | 90-20-050 |
| 400-06-030 | AMD-P | 90-13-106 | 415-113-050 | NEW-P | 90-17-089 | 448-12-040 | REP-P | 90-20-050 |
| 400-06-030 | AMD-E | 90-13-107 | 415-113-060 | NEW-P | 90-17-089 | 448-12-050 | REP-P | 90-20-050 |
| 400-06-030 | AMD | 90-17-063 | 434-19-012 | AMD-P | 90-19-094 | 448-12-055 | REP-P | 90-20-050 |
| 400-06-050 | AMD-P | 90-13-106 | 434-19-020 | AMD-P | 90-19-094 | 448-12-060 | REP-P | 90-20-050 |
| 400-06-050 | AMD-E | 90-13-107 | 434-19-052 | AMD-P | 90-19-094 | 448-12-070 | REP-P | 90-20-050 |
| 400-06-050 | AMD | 90-17-063 | 434-19-053 | AMD-P | 90-19-094 | 448-12-075 | REP-P | 90-20-050 |
| 400-06-070 | AMD-P | 90-13-106 | 434-19-054 | AMD-P | 90-19-094 | 448-12-080 | REP-P | 90-20-050 |
| 400-06-070 | AMD-E | 90-13-107 | 434-19-056 | AMD-P | 90-19-094 | 448-12-090 | REP-P | 90-20-050 |
| 400-06-070 | AMD | 90-17-063 | 434-19-059 | AMD-P | 90-19-094 | 448-12-100 | REP-P | 90-20-050 |
| 400-06-160 | AMD-P | 90-13-106 | 434-19-060 | AMD-P | 90-19-094 | 448-12-210 | REP-P | 90-20-050 |
| 400-06-160 | AMD-E | 90-13-107 | 434-19-061 | AMD-P | 90-19-094 | 448-12-220 | REP-P | 90-20-050 |
| 400-06-160 | AMD | 90-17-063 | 434-19-075 | AMD-P | 90-19-094 | 448-12-230 | REP-P | 90-20-050 |
| 402-70-010 | AMD-P | 90-06-106 | 434-19-084 | AMD-P | 90-19-094 | 448-12-240 | REP-P | 90-20-050 |
| 402-70-010 | AMD-C | 90-19-067 | 434-19-085 | NEW-P | 90-19-094 | 448-12-250 | REP-P | 90-20-050 |
| 402-70-020 | AMD-P | 90-06-106 | 434-19-090 | REP-P | 90-19-094 | 448-12-260 | REP-P | 90-20-050 |
| 402-70-020 | AMD-C | 90-19-067 | 434-19-097 | NEW-P | 90-19-094 | 448-12-270 | REP-P | 90-20-050 |
| 402-70-030 | AMD-P | 90-06-106 | 434-19-098 | NEW-P | 90-19-094 | 448-12-280 | REP-P | 90-20-050 |
| 402-70-030 | AMD-C | 90-19-067 | 434-19-101 | AMD-P | 90-19-094 | 448-12-290 | REP-P | 90-20-050 |
| 402-70-040 | NEW-P | 90-06-106 | 434-19-110 | AMD-P | 90-19-094 | 448-12-300 | REP-P | 90-20-050 |
| 402-70-040 | NEW-C | 90-19-067 | 434-19-113 | REP-P | 90-19-094 | 448-12-320 | REP-P | 90-20-050 |
| 402-70-045 | NEW-P | 90-06-106 | 434-19-114 | AMD-P | 90-19-094 | 448-12-330 | REP-P | 90-20-050 |
| 402-70-045 | NEW-C | 90-19-067 | 434-19-115 | AMD-P | 90-19-094 | 448-12-340 | REP-P | 90-20-050 |
| 402-70-050 | AMD-P | 90-06-106 | 434-19-118 | AMD-P | 90-19-094 | 448-13-010 | NEW-P | 90-20-050 |
| 402-70-050 | AMD-C | 90-19-067 | 434-19-191 | AMD-P | 90-19-094 | 448-13-020 | NEW-P | 90-20-050 |
| 402-70-055 | NEW-P | 90-06-106 | 434-19-192 | AMD-P | 90-19-094 | 448-13-030 | NEW-P | 90-20-050 |
| 402-70-055 | NEW-C | 90-19-067 | 434-19-193 | AMD-P | 90-19-094 | 448-13-040 | NEW-P | 90-20-050 |
| 402-70-060 | NEW-P | 90-06-106 | 440-44-028 | NEW | 90-03-049 | 448-13-050 | NEW-P | 90-20-050 |

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| 448-13-070 | NEW-P | 90-20-050 | 456-10-320 | AMD-W | 90-08-096 | 458-14-055 | REP-P | 90-18-097 |
| 448-13-080 | NEW-P | 90-20-050 | 456-10-320 | AMD-P | 90-08-098 | 458-14-056 | NEW-E | 90-15-006 |
| 448-13-090 | NEW-P | 90-20-050 | 456-10-320 | AMD | 90-11-103 | 458-14-056 | NEW-P | 90-18-097 |
| 448-13-100 | NEW-P | 90-20-050 | 456-10-325 | AMD-P | 90-08-006 | 458-14-060 | REP-W | 90-11-032 |
| 448-13-110 | NEW-P | 90-20-050 | 456-10-325 | AMD | 90-11-106 | 458-14-060 | REP-E | 90-15-006 |
| 448-13-120 | NEW-P | 90-20-050 | 456-10-430 | AMD-P | 90-08-006 | 458-14-060 | REP-P | 90-18-097 |
| 448-13-130 | NEW-P | 90-20-050 | 456-10-430 | AMD | 90-11-106 | 458-14-062 | REP-W | 90-11-032 |
| 448-13-140 | NEW-P | 90-20-050 | 456-10-440 | AMD-P | 90-08-006 | 458-14-062 | REP-E | 90-15-006 |
| 448-13-150 | NEW-P | 90-20-050 | 456-10-440 | AMD | 90-11-106 | 458-14-062 | REP-P | 90-18-097 |
| 448-13-160 | NEW-P | 90-20-050 | 456-10-545 | AMD-P | 90-08-006 | 458-14-065 | REP-W | 90-11-032 |
| 448-13-170 | NEW-P | 90-20-050 | 456-10-545 | AMD | 90-11-106 | 458-14-065 | REP-E | 90-15-006 |
| 448-13-180 | NEW-P | 90-20-050 | 456-10-730 | AMD-P | 90-08-006 | 458-14-065 | REP-P | 90-18-097 |
| 448-13-190 | NEW-P | 90-20-050 | 456-10-730 | AMD | 90-11-106 | 458-14-066 | NEW-E | 90-15-006 |
| 448-13-200 | NEW-P | 90-20-050 | 456-10-735 | AMD-P | 90-08-006 | 458-14-066 | NEW-P | 90-18-097 |
| 456-09-110 | AMD-P | 90-08-007 | 456-10-735 | AMD | 90-11-106 | 458-14-070 | REP-W | 90-11-032 |
| 456-09-110 | AMD | 90-11-105 | 456-10-740 | AMD-P | 90-08-006 | 458-14-070 | REP-E | 90-15-006 |
| 456-09-150 | AMD-P | 90-08-007 | 456-10-740 | AMD | 90-11-106 | 458-14-070 | REP-P | 90-18-097 |
| 456-09-150 | AMD | 90-11-105 | 456-10-755 | AMD-P | 90-08-006 | 458-14-075 | REP-W | 90-11-032 |
| 456-09-210 | AMD-P | 90-08-007 | 456-10-755 | AMD | 90-11-106 | 458-14-075 | REP-E | 90-15-006 |
| 456-09-210 | AMD | 90-11-105 | 456-12-030 | AMD-P | 90-08-005 | 458-14-075 | REP-P | 90-18-097 |
| 456-09-230 | AMD-P | 90-08-007 | 456-12-030 | AMD | 90-11-107 | 458-14-076 | NEW-E | 90-15-006 |
| 456-09-230 | AMD | 90-11-105 | 456-12-090 | AMD-P | 90-08-005 | 458-14-076 | NEW-P | 90-18-097 |
| 456-09-310 | AMD-P | 90-08-007 | 456-12-140 | AMD-P | 90-08-005 | 458-14-080 | REP-W | 90-11-032 |
| 456-09-310 | AMD | 90-11-105 | 456-12-140 | AMD | 90-11-107 | 458-14-080 | REP-E | 90-15-006 |
| 456-09-315 | AMD-P | 90-08-007 | 458-12-270 | PREP | 90-19-105 | 458-14-080 | REP-P | 90-18-097 |
| 456-09-315 | AMD | 90-11-105 | 458-12-275 | PREP | 90-19-105 | 458-14-085 | REP-W | 90-11-032 |
| 456-09-320 | AMD-P | 90-08-007 | 458-12-280 | PREP | 90-19-105 | 458-14-085 | REP-E | 90-15-006 |
| 456-09-320 | AMD-W | 90-08-096 | 458-14 | PREP | 90-15-053 | 458-14-085 | REP-P | 90-18-097 |
| 456-09-320 | AMD-P | 90-08-097 | 458-14-001 | NEW-E | 90-15-006 | 458-14-086 | REP-W | 90-11-032 |
| 456-09-320 | AMD | 90-11-104 | 458-14-001 | NEW-P | 90-18-097 | 458-14-086 | REP-E | 90-15-006 |
| 456-09-325 | AMD-P | 90-08-007 | 458-14-005 | NEW-W | 90-11-032 | 458-14-086 | REP-P | 90-18-097 |
| 456-09-325 | AMD | 90-11-105 | 458-14-005 | NEW-E | 90-15-006 | 458-14-087 | NEW-E | 90-15-006 |
| 456-09-430 | AMD-P | 90-08-007 | 458-14-005 | NEW-P | 90-18-097 | 458-14-087 | NEW-P | 90-18-097 |
| 456-09-430 | AMD | 90-11-105 | 458-14-009 | NEW-W | 90-11-032 | 458-14-090 | REP-W | 90-11-032 |
| 456-09-440 | AMD-P | 90-08-007 | 458-14-010 | REP-W | 90-11-032 | 458-14-090 | REP-E | 90-15-006 |
| 456-09-440 | AMD | 90-11-105 | 458-14-010 | REP-E | 90-15-006 | 458-14-090 | REP-P | 90-18-097 |
| 456-09-520 | AMD-P | 90-08-007 | 458-14-010 | REP-P | 90-18-097 | 458-14-091 | REP-W | 90-11-032 |
| 456-09-520 | AMD | 90-11-105 | 458-14-014 | NEW-W | 90-11-032 | 458-14-091 | REP-E | 90-15-006 |
| 456-09-530 | AMD-P | 90-08-007 | 458-14-015 | NEW-W | 90-11-032 | 458-14-091 | REP-P | 90-18-097 |
| 456-09-530 | AMD | 90-11-105 | 458-14-015 | NEW-E | 90-15-006 | 458-14-092 | REP-W | 90-11-032 |
| 456-09-655 | AMD-P | 90-08-007 | 458-14-015 | NEW-P | 90-18-097 | 458-14-092 | REP-E | 90-15-006 |
| 456-09-655 | AMD | 90-11-105 | 458-14-016 | NEW-W | 90-11-032 | 458-14-092 | REP-P | 90-18-097 |
| 456-09-730 | AMD-P | 90-08-007 | 458-14-017 | NEW-W | 90-11-032 | 458-14-094 | REP-W | 90-11-032 |
| 456-09-730 | AMD | 90-11-105 | 458-14-019 | NEW-W | 90-11-032 | 458-14-094 | REP-E | 90-15-006 |
| 456-09-732 | NEW-P | 90-08-007 | 458-14-020 | REP-W | 90-11-032 | 458-14-094 | REP-P | 90-18-097 |
| 456-09-732 | NEW | 90-11-105 | 458-14-020 | REP-E | 90-15-006 | 458-14-095 | NEW-E | 90-15-006 |
| 456-09-740 | AMD-P | 90-08-007 | 458-14-020 | REP-P | 90-18-097 | 458-14-095 | NEW-P | 90-18-097 |
| 456-09-740 | AMD | 90-11-105 | 458-14-021 | NEW-W | 90-11-032 | 458-14-098 | REP-W | 90-11-032 |
| 456-09-742 | NEW-P | 90-08-007 | 458-14-023 | NEW-W | 90-11-032 | 458-14-098 | REP-E | 90-15-006 |
| 456-09-742 | NEW | 90-11-105 | 458-14-025 | NEW-W | 90-11-032 | 458-14-098 | REP-P | 90-18-097 |
| 456-09-760 | AMD-P | 90-08-007 | 458-14-025 | NEW-E | 90-15-006 | 458-14-100 | REP-W | 90-11-032 |
| 456-09-760 | AMD | 90-11-105 | 458-14-025 | NEW-P | 90-18-097 | 458-14-100 | REP-E | 90-15-006 |
| 456-09-762 | NEW-P | 90-08-007 | 458-14-027 | NEW-W | 90-11-032 | 458-14-100 | REP-P | 90-18-097 |
| 456-09-762 | NEW | 90-11-105 | 458-14-029 | NEW-W | 90-11-032 | 458-14-105 | NEW-E | 90-15-006 |
| 456-09-925 | AMD-P | 90-08-007 | 458-14-030 | REP-W | 90-11-032 | 458-14-105 | NEW-P | 90-18-097 |
| 456-09-925 | AMD | 90-11-105 | 458-14-030 | REP-E | 90-15-006 | 458-14-110 | REP-W | 90-11-032 |
| 456-09-930 | AMD-P | 90-08-007 | 458-14-030 | REP-P | 90-18-097 | 458-14-110 | REP-E | 90-15-006 |
| 456-09-930 | AMD | 90-11-105 | 458-14-031 | NEW-W | 90-11-032 | 458-14-110 | REP-P | 90-18-097 |
| 456-09-935 | AMD-P | 90-08-007 | 458-14-035 | NEW-E | 90-15-006 | 458-14-115 | REP-W | 90-11-032 |
| 456-09-935 | AMD | 90-11-105 | 458-14-035 | NEW-P | 90-18-097 | 458-14-115 | REP-E | 90-15-006 |
| 456-09-940 | AMD-P | 90-08-007 | 458-14-040 | REP-W | 90-11-032 | 458-14-115 | REP-P | 90-18-097 |
| 456-09-940 | AMD | 90-11-105 | 458-14-040 | REP-E | 90-15-006 | 458-14-116 | NEW-E | 90-15-006 |
| 456-09-945 | AMD-P | 90-08-007 | 458-14-040 | REP-P | 90-18-097 | 458-14-116 | NEW-P | 90-18-097 |
| 456-09-945 | AMD | 90-11-105 | 458-14-042 | NEW-W | 90-11-032 | 458-14-120 | REP-W | 90-11-032 |
| 456-09-955 | AMD-P | 90-08-007 | 458-14-045 | REP-W | 90-11-032 | 458-14-120 | REP-E | 90-15-006 |
| 456-09-955 | AMD | 90-11-105 | 458-14-045 | REP-E | 90-15-006 | 458-14-120 | REP-P | 90-18-097 |
| 456-09-960 | NEW-P | 90-08-007 | 458-14-045 | REP-P | 90-18-097 | 458-14-121 | REP-W | 90-11-032 |
| 456-09-960 | NEW | 90-11-105 | 458-14-046 | NEW-E | 90-15-006 | 458-14-121 | REP-E | 90-15-006 |
| 456-10-110 | AMD-P | 90-08-006 | 458-14-046 | NEW-P | 90-18-097 | 458-14-121 | REP-P | 90-18-097 |
| 456-10-110 | AMD | 90-11-106 | 458-14-050 | REP-W | 90-11-032 | 458-14-122 | REP-W | 90-11-032 |
| 456-10-160 | AMD-P | 90-08-006 | 458-14-050 | REP-E | 90-15-006 | 458-14-122 | REP-E | 90-15-006 |
| 456-10-160 | AMD | 90-11-106 | 458-14-050 | REP-P | 90-18-097 | 458-14-122 | REP-P | 90-18-097 |
| 456-10-310 | AMD-P | 90-08-006 | 458-14-052 | REP-W | 90-11-032 | 458-14-125 | REP-W | 90-11-032 |
| 456-10-310 | AMD | 90-11-106 | 458-14-052 | REP-E | 90-15-006 | 458-14-125 | REP-E | 90-15-006 |
| 456-10-315 | AMD-P | 90-08-006 | 458-14-052 | REP-P | 90-18-097 | 458-14-125 | REP-P | 90-18-097 |
| 456-10-315 | AMD | 90-11-106 | 458-14-055 | REP-W | 90-11-032 | 458-14-126 | REP-W | 90-11-032 |

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| 458-14-126 | REP-E | 90-15-006 | 458-30-200 | PREP | 90-17-132 | 460-44A-501 | AMD | 90-09-059 |
| 458-14-126 | REP-P | 90-18-097 | 458-30-200 | AMD-P | 90-20-130 | 460-44A-502 | AMD-P | 90-02-087 |
| 458-14-127 | NEW-E | 90-15-006 | 458-30-205 | PREP | 90-17-132 | 460-44A-502 | AMD-S | 90-05-061 |
| 458-14-127 | NEW-P | 90-18-097 | 458-30-205 | AMD-P | 90-20-130 | 460-44A-502 | AMD | 90-09-059 |
| 458-14-130 | REP-W | 90-11-032 | 458-30-210 | PREP | 90-17-132 | 460-44A-503 | AMD-P | 90-02-087 |
| 458-14-130 | REP-E | 90-15-006 | 458-30-210 | AMD-P | 90-20-130 | 460-44A-503 | AMD-S | 90-05-061 |
| 458-14-130 | REP-P | 90-18-097 | 458-30-220 | PREP | 90-17-132 | 460-44A-503 | AMD | 90-09-059 |
| 458-14-135 | REP-W | 90-11-032 | 458-30-220 | AMD-P | 90-20-130 | 460-44A-504 | NEW-P | 90-02-087 |
| 458-14-135 | REP-E | 90-15-006 | 458-30-225 | PREP | 90-17-132 | 460-44A-504 | NEW-S | 90-05-061 |
| 458-14-135 | REP-P | 90-18-097 | 458-30-225 | AMD-P | 90-20-130 | 460-44A-504 | NEW | 90-09-059 |
| 458-14-136 | NEW-E | 90-15-006 | 458-30-235 | PREP | 90-17-132 | 460-44A-508 | AMD-P | 90-02-087 |
| 458-14-136 | NEW-P | 90-18-097 | 458-30-235 | AMD-P | 90-20-130 | 460-44A-508 | AMD-S | 90-05-061 |
| 458-14-140 | REP-W | 90-11-032 | 458-30-260 | AMD | 90-02-080 | 460-44A-508 | AMD | 90-09-059 |
| 458-14-140 | REP-E | 90-15-006 | 458-30-261 | REP | 90-02-080 | 460-46A | AMD-P | 90-02-087 |
| 458-14-140 | REP-P | 90-18-097 | 458-30-262 | NEW | 90-02-080 | 460-46A | AMD-S | 90-05-061 |
| 458-14-145 | REP-W | 90-11-032 | 458-30-262 | PREP | 90-17-132 | 460-46A | AMD | 90-09-059 |
| 458-14-145 | REP-E | 90-15-006 | 458-30-262 | AMD-P | 90-20-130 | 460-46A-010 | AMD-P | 90-02-087 |
| 458-14-145 | REP-P | 90-18-097 | 458-30-275 | PREP | 90-17-132 | 460-46A-010 | AMD-S | 90-05-061 |
| 458-14-146 | NEW-E | 90-15-006 | 458-30-275 | AMD-P | 90-20-130 | 460-46A-010 | AMD | 90-09-059 |
| 458-14-146 | NEW-P | 90-18-097 | 458-30-285 | PREP | 90-17-132 | 460-46A-020 | AMD-P | 90-02-087 |
| 458-14-150 | REP-W | 90-11-032 | 458-30-285 | AMD-P | 90-20-130 | 460-46A-020 | AMD-S | 90-05-061 |
| 458-14-150 | REP-E | 90-15-006 | 458-30-290 | PREP | 90-17-132 | 460-46A-020 | AMD | 90-09-059 |
| 458-14-150 | REP-P | 90-18-097 | 458-30-290 | AMD-P | 90-20-130 | 460-46A-025 | AMD-P | 90-02-087 |
| 458-14-152 | REP-W | 90-11-032 | 458-30-295 | PREP | 90-17-132 | 460-46A-025 | AMD-S | 90-05-061 |
| 458-14-152 | REP-E | 90-15-006 | 458-30-295 | AMD-P | 90-20-130 | 460-46A-025 | AMD | 90-09-059 |
| 458-14-152 | REP-P | 90-18-097 | 458-30-300 | PREP | 90-17-132 | 460-46A-040 | AMD-P | 90-02-087 |
| 458-14-155 | REP-W | 90-11-032 | 458-30-300 | AMD-P | 90-20-130 | 460-46A-040 | AMD-S | 90-05-061 |
| 458-14-155 | REP-E | 90-15-006 | 458-30-305 | PREP | 90-17-132 | 460-46A-040 | AMD | 90-09-059 |
| 458-14-155 | REP-P | 90-18-097 | 458-30-305 | AMD-P | 90-20-130 | 460-46A-090 | AMD-P | 90-02-087 |
| 458-14-156 | NEW-E | 90-15-006 | 458-30-310 | PREP | 90-17-132 | 460-46A-090 | AMD-S | 90-05-061 |
| 458-14-156 | NEW-P | 90-18-097 | 458-30-310 | AMD-P | 90-20-130 | 460-46A-090 | AMD | 90-09-059 |
| 458-14-160 | NEW-W | 90-11-032 | 458-30-315 | PREP | 90-17-132 | 460-46A-095 | AMD-P | 90-02-087 |
| 458-14-160 | NEW-E | 90-15-006 | 458-30-315 | AMD-P | 90-20-130 | 460-46A-095 | AMD-S | 90-05-061 |
| 458-14-160 | NEW-P | 90-18-097 | 458-30-325 | PREP | 90-17-132 | 460-46A-095 | AMD | 90-09-059 |
| 458-14-170 | NEW-E | 90-15-006 | 458-30-325 | AMD-P | 90-20-130 | 460-46A-100 | AMD-P | 90-02-087 |
| 458-14-170 | NEW-P | 90-18-097 | 458-30-345 | PREP | 90-17-132 | 460-46A-100 | AMD-S | 90-05-061 |
| 458-16-265 | NEW-P | 90-03-059 | 458-30-345 | AMD-P | 90-20-130 | 460-46A-100 | AMD | 90-09-059 |
| 458-16-265 | NEW | 90-06-048 | 458-30-590 | PREP | 90-17-132 | 460-46A-105 | AMD-P | 90-02-087 |
| 458-19 | PREP | 90-18-096 | 458-30-590 | AMD-P | 90-20-130 | 460-46A-105 | AMD-S | 90-05-061 |
| 458-20-100 | PREP | 90-19-107 | 458-40-610 | AMD-P | 90-10-079 | 460-46A-105 | AMD | 90-09-059 |
| 458-20-10001 | PREP | 90-19-106 | 458-40-610 | AMD-E | 90-14-032 | 460-46A-110 | AMD-P | 90-02-087 |
| 458-20-106 | PREP | 90-16-088 | 458-40-610 | AMD | 90-14-033 | 460-46A-110 | AMD-S | 90-05-061 |
| 458-20-107 | AMD-E | 90-06-077 | 458-40-636 | AMD-P | 90-10-079 | 460-46A-110 | AMD | 90-09-059 |
| 458-20-107 | AMD-P | 90-07-087 | 458-40-636 | AMD-E | 90-14-032 | 460-46A-145 | AMD-P | 90-02-087 |
| 458-20-107 | AMD | 90-10-080 | 458-40-636 | AMD | 90-14-033 | 460-46A-145 | AMD-S | 90-05-061 |
| 458-20-109 | PREP | 90-17-070 | 458-40-640 | AMD-P | 90-10-079 | 460-46A-145 | AMD | 90-09-059 |
| 458-20-118 | AMD-P | 90-13-011 | 458-40-640 | AMD-E | 90-14-032 | 460-46A-150 | AMD-P | 90-02-087 |
| 458-20-118 | AMD-C | 90-17-010 | 458-40-640 | AMD | 90-14-033 | 460-46A-150 | AMD-S | 90-05-061 |
| 458-20-126 | PREP | 90-19-108 | 458-40-660 | AMD-P | 90-10-079 | 460-46A-150 | AMD | 90-09-059 |
| 458-20-132 | PREP | 90-17-069 | 458-40-660 | AMD-E | 90-14-032 | 460-46A-155 | AMD-P | 90-02-087 |
| 458-20-138 | PREP | 90-19-078 | 458-40-660 | AMD | 90-14-033 | 460-46A-155 | AMD-S | 90-05-061 |
| 458-20-151 | PREP | 90-17-133 | 458-40-670 | AMD-P | 90-10-079 | 460-46A-155 | AMD | 90-09-059 |
| 458-20-163 | PREP | 90-18-072 | 458-40-670 | AMD-E | 90-14-032 | 460-46A-160 | AMD-P | 90-02-087 |
| 458-20-17902 | NEW-E | 90-13-117 | 458-40-670 | AMD | 90-14-033 | 460-46A-160 | AMD-S | 90-05-061 |
| 458-20-17902 | NEW-P | 90-14-095 | 458-53 | PREP | 90-19-104 | 460-46A-160 | AMD | 90-09-059 |
| 458-20-17902 | NEW | 90-17-068 | 458-276-130 | AMD-E | 90-14-028 | 460-46A-165 | AMD-P | 90-02-087 |
| 458-20-185 | AMD | 90-04-038 | 460-20A-400 | AMD-P | 90-05-051 | 460-46A-165 | AMD-S | 90-05-061 |
| 458-20-186 | AMD | 90-04-039 | 460-20A-400 | AMD | 90-09-058 | 460-46A-165 | AMD | 90-09-059 |
| 458-20-186 | PREP | 90-19-079 | 460-24A-040 | NEW-P | 90-06-061 | 460-90A-005 | AMD-P | 90-03-106 |
| 458-20-197 | AMD-P | 90-07-089 | 460-24A-040 | NEW | 90-13-029 | 460-90A-005 | AMD | 90-06-051 |
| 458-20-197 | AMD | 90-10-082 | 460-24A-050 | AMD | 90-05-003 | 460-90A-005 | REP-P | 90-20-126 |
| 458-20-200 | AMD-P | 90-13-012 | 460-24A-205 | AMD-P | 90-06-061 | 460-90A-015 | AMD-P | 90-03-106 |
| 458-20-200 | AMD-C | 90-17-011 | 460-24A-205 | AMD | 90-13-029 | 460-90A-015 | AMD-W | 90-17-023 |
| 458-20-227 | PREP | 90-17-134 | 460-44A-060 | REP-P | 90-02-087 | 460-90A-015 | REP-P | 90-20-126 |
| 458-20-22801 | NEW | 90-05-044 | 460-44A-060 | REP-S | 90-05-061 | 460-90A-017 | AMD-P | 90-03-106 |
| 458-20-22802 | NEW-P | 90-16-104 | 460-44A-060 | REP | 90-09-059 | 460-90A-017 | AMD | 90-06-051 |
| 458-20-22802 | NEW | 90-19-052 | 460-44A-065 | REP-P | 90-02-087 | 460-90A-017 | REP-P | 90-20-126 |
| 458-20-231 | PREP | 90-13-070 | 460-44A-065 | REP-S | 90-05-061 | 460-90A-018 | AMD-P | 90-03-106 |
| 458-20-231 | AMD-P | 90-20-026 | 460-44A-065 | REP | 90-09-059 | 460-90A-018 | AMD | 90-06-051 |
| 458-20-256 | NEW | 90-04-058 | 460-44A-070 | REP-P | 90-02-087 | 460-90A-018 | REP-P | 90-20-126 |
| 458-20-257 | NEW-E | 90-06-078 | 460-44A-070 | REP-S | 90-05-061 | 460-90A-022 | REP-P | 90-20-126 |
| 458-20-257 | NEW-P | 90-07-088 | 460-44A-070 | REP | 90-09-059 | 460-90A-025 | REP-P | 90-20-126 |
| 458-20-257 | NEW | 90-10-081 | 460-44A-500 | AMD-P | 90-02-087 | 460-90A-027 | REP-P | 90-20-126 |
| 458-20-258 | NEW-P | 90-13-093 | 460-44A-500 | AMD-S | 90-05-061 | 460-90A-030 | REP-P | 90-20-126 |
| 458-20-258 | NEW | 90-17-003 | 460-44A-500 | AMD | 90-09-059 | 460-90A-032 | AMD-P | 90-03-106 |
| 458-20-259 | NEW-P | 90-13-094 | 460-44A-501 | AMD-P | 90-02-087 | 460-90A-032 | AMD | 90-06-051 |
| 458-20-259 | NEW | 90-17-007 | 460-44A-501 | AMD-S | 90-05-061 | 460-90A-032 | REP-P | 90-20-126 |

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| 460-90A-035 | AMD-P | 90-03-106 | 463-30-260 | REP | 90-05-018 | 478-108-060 | NEW | 90-15-005 |
| 460-90A-035 | AMD | 90-06-051 | 463-30-270 | AMD | 90-05-018 | 478-108-070 | NEW | 90-15-005 |
| 460-90A-035 | REP-P | 90-20-126 | 463-30-290 | REP | 90-05-018 | 478-108-080 | NEW | 90-15-005 |
| 460-90A-045 | REP-P | 90-20-126 | 463-30-295 | REP | 90-05-018 | 478-108-110 | NEW-P | 90-08-084 |
| 460-90A-055 | AMD-P | 90-03-106 | 463-30-300 | AMD | 90-05-018 | 478-108-110 | NEW | 90-15-005 |
| 460-90A-055 | AMD-W | 90-17-023 | 463-30-310 | AMD | 90-05-018 | 478-108-120 | NEW-P | 90-08-084 |
| 460-90A-055 | REP-P | 90-20-126 | 463-30-320 | AMD | 90-05-018 | 478-108-120 | NEW | 90-15-005 |
| 460-90A-060 | REP-P | 90-20-126 | 463-30-330 | AMD | 90-05-018 | 478-108-130 | NEW-P | 90-08-084 |
| 460-90A-070 | REP-P | 90-20-126 | 463-30-335 | NEW | 90-05-018 | 478-108-130 | NEW | 90-15-005 |
| 460-90A-080 | REP-P | 90-20-126 | 463-30-340 | REP | 90-05-018 | 478-108-140 | NEW-P | 90-08-084 |
| 460-90A-090 | AMD-P | 90-03-106 | 463-30-350 | REP | 90-05-018 | 478-108-140 | NEW | 90-15-005 |
| 460-90A-090 | AMD | 90-06-051 | 463-30-360 | REP | 90-05-018 | 478-116 | AMD-C | 90-04-002 |
| 460-90A-090 | REP-P | 90-20-126 | 463-30-370 | REP | 90-05-018 | 478-116-250 | AMD-W | 90-10-040 |
| 460-90A-100 | REP-P | 90-20-126 | 463-30-380 | REP | 90-05-018 | 478-116-250 | AMD-P | 90-10-072 |
| 460-90A-105 | REP-P | 90-03-106 | 463-30-410 | AMD | 90-05-018 | 478-116-250 | AMD | 90-13-026 |
| 460-90A-105 | REP-W | 90-17-023 | 463-30-420 | AMD | 90-05-018 | 478-116-260 | AMD-W | 90-10-040 |
| 460-90A-105 | REP-P | 90-20-126 | 463-34 | AMD-C | 90-03-087 | 478-116-510 | AMD-P | 90-08-084 |
| 460-90A-115 | AMD-P | 90-03-106 | 463-34 | AMD | 90-05-018 | 478-116-510 | AMD | 90-15-005 |
| 460-90A-115 | AMD | 90-06-051 | 463-34-010 | AMD | 90-05-018 | 478-116-600 | AMD-W | 90-10-040 |
| 460-90A-115 | REP-P | 90-20-126 | 463-34-020 | REP | 90-05-018 | 478-120-070 | AMD-P | 90-08-084 |
| 460-90A-122 | AMD-P | 90-03-106 | 463-34-030 | AMD | 90-05-018 | 478-120-130 | AMD-P | 90-08-084 |
| 460-90A-122 | AMD | 90-06-051 | 463-34-040 | REP | 90-05-018 | 478-124-035 | NEW-P | 90-20-102 |
| 460-90A-122 | REP-P | 90-20-126 | 463-34-050 | AMD | 90-05-018 | 478-136-030 | AMD-P | 90-08-030 |
| 460-90A-125 | REP-P | 90-03-106 | 463-34-060 | REP | 90-05-018 | 478-136-030 | AMD | 90-12-034 |
| 460-90A-125 | REP-W | 90-17-023 | 463-34-070 | AMD | 90-05-018 | 478-138-030 | AMD-W | 90-04-001 |
| 460-90A-125 | REP-P | 90-20-126 | 463-34-080 | AMD | 90-05-018 | 478-138-040 | AMD-W | 90-04-001 |
| 460-90A-130 | REP-P | 90-20-126 | 463-34-090 | AMD | 90-05-018 | 478-138-050 | AMD-W | 90-04-001 |
| 460-90A-140 | AMD-P | 90-03-106 | 463-34-100 | REP | 90-05-018 | 478-160-162 | NEW-P | 90-08-084 |
| 460-90A-140 | AMD-W | 90-17-023 | 463-38-041 | AMD-P | 90-09-029 | 478-160-162 | NEW | 90-15-005 |
| 460-90A-140 | REP-P | 90-20-126 | 463-38-041 | AMD-C | 90-13-032 | 478-160-232 | NEW-P | 90-08-084 |
| 460-90A-145 | AMD-P | 90-03-106 | 463-38-042 | AMD-P | 90-09-029 | 478-160-232 | NEW | 90-15-005 |
| 460-90A-145 | AMD | 90-06-051 | 463-38-042 | AMD-C | 90-13-032 | 479-01-010 | AMD-P | 90-07-060 |
| 460-90A-145 | REP-P | 90-20-126 | 463-38-063 | AMD-P | 90-09-029 | 479-01-010 | AMD | 90-11-035 |
| 463-06-010 | AMD-P | 90-09-029 | 463-38-063 | AMD-C | 90-13-032 | 479-01-020 | AMD-P | 90-07-060 |
| 463-06-010 | AMD-C | 90-13-032 | 463-39-130 | REP-P | 90-09-029 | 479-01-020 | AMD | 90-11-035 |
| 463-10-010 | AMD-P | 90-09-029 | 463-39-130 | REP-C | 90-13-032 | 479-01-030 | AMD-P | 90-07-060 |
| 463-10-010 | AMD-C | 90-13-032 | 463-39-150 | AMD-P | 90-09-029 | 479-01-030 | AMD | 90-11-035 |
| 463-14-030 | AMD-P | 90-09-029 | 463-39-150 | AMD-C | 90-13-032 | 479-01-040 | NEW-P | 90-07-060 |
| 463-14-030 | AMD-C | 90-13-032 | 463-43-060 | AMD-P | 90-09-029 | 479-01-040 | NEW | 90-11-035 |
| 463-14-080 | AMD-P | 90-09-029 | 463-43-060 | AMD-C | 90-13-032 | 479-12 | AMD-P | 90-07-060 |
| 463-14-080 | AMD-C | 90-13-032 | 463-47-060 | AMD-P | 90-09-029 | 479-12 | AMD | 90-11-035 |
| 463-18-020 | AMD-P | 90-09-029 | 463-47-060 | AMD-C | 90-13-032 | 479-12-010 | AMD-P | 90-07-060 |
| 463-26-120 | AMD-P | 90-09-029 | 463-50-030 | AMD-P | 90-09-029 | 479-12-010 | AMD | 90-11-035 |
| 463-26-120 | AMD-C | 90-13-032 | 463-50-030 | AMD-C | 90-13-032 | 479-12-020 | AMD-P | 90-07-060 |
| 463-26-130 | AMD-P | 90-09-029 | 463-54-070 | AMD-P | 90-09-029 | 479-12-020 | AMD | 90-11-035 |
| 463-26-130 | AMD-C | 90-13-032 | 463-54-070 | AMD-C | 90-13-032 | 479-13 | AMD-P | 90-07-060 |
| 463-28-060 | AMD-P | 90-09-029 | 463-58-030 | AMD-P | 90-09-029 | 479-13 | AMD | 90-11-035 |
| 463-28-060 | AMD-C | 90-13-032 | 463-58-030 | AMD-C | 90-13-032 | 479-13-010 | AMD-P | 90-07-060 |
| 463-28-080 | AMD-P | 90-09-029 | 468-06-140 | NEW-P | 90-20-036 | 479-13-010 | AMD | 90-11-035 |
| 463-28-080 | AMD-C | 90-13-032 | 468-22-010 | NEW-P | 90-16-061 | 479-13-035 | AMD-P | 90-07-060 |
| 463-30 | AMD-C | 90-03-087 | 468-22-010 | NEW | 90-19-103 | 479-13-035 | AMD | 90-11-035 |
| 463-30 | AMD | 90-05-018 | 468-22-020 | NEW-P | 90-16-061 | 479-13-040 | REP-P | 90-07-060 |
| 463-30-010 | AMD | 90-05-018 | 468-22-020 | NEW | 90-19-103 | 479-13-040 | REP | 90-11-035 |
| 463-30-020 | AMD | 90-05-018 | 468-22-030 | NEW-P | 90-16-061 | 479-13-040 | REP-P | 90-07-060 |
| 463-30-050 | AMD | 90-05-018 | 468-22-030 | NEW | 90-19-103 | 479-13-050 | REP-P | 90-11-035 |
| 463-30-060 | AMD | 90-05-018 | 468-22-040 | NEW-P | 90-16-061 | 479-13-060 | AMD-P | 90-07-060 |
| 463-30-070 | REP | 90-05-018 | 468-22-040 | NEW | 90-19-103 | 479-13-060 | AMD | 90-11-035 |
| 463-30-080 | AMD | 90-05-018 | 468-22-050 | NEW-P | 90-16-061 | 479-13-070 | AMD-P | 90-07-060 |
| 463-30-085 | NEW | 90-05-018 | 468-22-050 | NEW | 90-19-103 | 479-13-070 | AMD | 90-11-035 |
| 463-30-090 | AMD | 90-05-018 | 468-22-060 | NEW | 90-19-103 | 479-16-015 | AMD-P | 90-07-060 |
| 463-30-100 | AMD | 90-05-018 | 468-22-060 | NEW | 90-19-103 | 479-16-015 | AMD | 90-11-035 |
| 463-30-110 | REP | 90-05-018 | 468-72-010 | NEW-P | 90-19-009 | 479-16-016 | AMD-P | 90-07-060 |
| 463-30-120 | AMD | 90-05-018 | 468-72-050 | NEW-P | 90-19-009 | 479-16-016 | AMD | 90-11-035 |
| 463-30-130 | REP | 90-05-018 | 478-04-010 | NEW-P | 90-08-084 | 479-16-020 | AMD-P | 90-07-060 |
| 463-30-140 | REP | 90-05-018 | 478-04-010 | NEW | 90-15-005 | 479-16-020 | AMD | 90-11-035 |
| 463-30-150 | REP | 90-05-018 | 478-04-020 | NEW-P | 90-08-084 | 479-16-030 | AMD-P | 90-07-060 |
| 463-30-160 | REP | 90-05-018 | 478-04-020 | NEW | 90-15-005 | 479-16-030 | AMD | 90-11-035 |
| 463-30-170 | REP | 90-05-018 | 478-108-010 | NEW-P | 90-08-084 | 479-16-035 | AMD-P | 90-07-060 |
| 463-30-180 | REP | 90-05-018 | 478-108-010 | NEW | 90-15-005 | 479-16-035 | AMD | 90-11-035 |
| 463-30-190 | AMD | 90-05-018 | 478-108-020 | NEW-P | 90-08-084 | 479-16-040 | AMD-P | 90-07-060 |
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| 463-30-210 | REP | 90-05-018 | 478-108-030 | NEW-P | 90-08-084 | 479-16-045 | AMD-P | 90-07-060 |
| 463-30-220 | REP | 90-05-018 | 478-108-030 | NEW | 90-15-005 | 479-16-045 | AMD | 90-11-035 |
| 463-30-230 | AMD | 90-05-018 | 478-108-040 | NEW-P | 90-08-084 | 479-16-050 | AMD-P | 90-07-060 |
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| 479-16-098 | AMD-P | 90-07-060 | 480-12-520 | NEW-P | 90-19-003 | 480-70-560 | NEW | 90-13-118 |
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| 479-20-007 | NEW | 90-11-035 | 480-30-020 | AMD-W | 90-12-119 | 480-70-630 | NEW-P | 90-20-117 |
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| 479-24-030 | AMD | 90-11-035 | 480-40-060 | AMD-W | 90-12-119 | 480-122-050 | AMD | 90-19-020 |
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| 480-149-060 | AMD-W | 90-12-119 | 490-800-180 | A/R-E | 90-19-073 | 504-15-860 | NEW | 90-11-078 |
| 480-149-060 | AMD-P | 90-17-050 | 490-800-190 | A/R-E | 90-19-073 | 504-15-900 | NEW-S | 90-05-060 |
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| 480-149-070 | REP-W | 90-12-119 | 490-800-205 | A/R-E | 90-19-073 | 504-15-920 | NEW-S | 90-05-060 |
| 480-149-070 | REP-P | 90-17-050 | 490-800-208 | A/R-E | 90-19-073 | 504-15-920 | NEW | 90-11-078 |
| 480-149-120 | AMD-P | 90-10-077 | 490-800-210 | A/R-E | 90-19-073 | 504-15-940 | NEW-S | 90-05-060 |
| 480-149-120 | AMD-W | 90-12-119 | 490-800-220 | A/R-E | 90-19-073 | 504-15-940 | NEW | 90-11-078 |
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| 490-500-350 | AMD | 90-11-114 | 504-15-080 | NEW | 90-11-078 | 504-17-090 | REP | 90-11-078 |
| 490-500-387 | REP-P | 90-07-035 | 504-15-100 | NEW-S | 90-05-060 | 504-17-100 | REP-S | 90-05-060 |
| 490-500-387 | REP | 90-11-114 | 504-15-100 | NEW | 90-11-078 | 504-17-100 | REP | 90-11-078 |
| 490-500-390 | AMD-P | 90-07-035 | 504-15-100 | NEW | 90-11-078 | 504-17-110 | REP-S | 90-05-060 |
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| 490-500-405 | AMD | 90-11-114 | 504-15-210 | NEW | 90-11-078 | 504-17-130 | REP-S | 90-05-060 |
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| 490-500-417 | NEW-P | 90-07-035 | 504-15-250 | NEW-S | 90-05-060 | 504-17-140 | REP | 90-11-078 |
| 490-500-417 | NEW | 90-11-114 | 504-15-250 | NEW | 90-11-078 | 504-17-150 | REP-S | 90-05-060 |
| 490-500-418 | NEW-P | 90-07-035 | 504-15-300 | NEW-S | 90-05-060 | 504-17-150 | REP | 90-11-078 |
| 490-500-418 | NEW | 90-11-114 | 504-15-300 | NEW | 90-11-078 | 504-17-160 | REP-S | 90-05-060 |
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| 490-500-420 | AMD | 90-11-114 | 504-15-350 | NEW | 90-11-078 | 504-17-170 | REP-S | 90-05-060 |
| 490-500-430 | AMD-P | 90-07-035 | 504-15-360 | NEW-S | 90-05-060 | 504-17-170 | REP | 90-11-078 |
| 490-500-430 | AMD | 90-11-114 | 504-15-360 | NEW | 90-11-078 | 504-17-180 | REP-S | 90-05-060 |
| 490-500-435 | AMD-P | 90-07-035 | 504-15-410 | NEW-S | 90-05-060 | 504-17-180 | REP | 90-11-078 |
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| 490-500-560 | AMD-P | 90-07-035 | 504-15-430 | NEW-S | 90-05-060 | 504-17-195 | REP | 90-11-078 |
| 490-500-560 | AMD | 90-11-114 | 504-15-430 | NEW | 90-11-078 | 504-17-200 | REP-S | 90-05-060 |
| 490-500-570 | AMD-P | 90-07-035 | 504-15-440 | NEW-S | 90-05-060 | 504-17-200 | REP | 90-11-078 |
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| 490-500-600 | NEW-P | 90-07-035 | 504-15-450 | NEW-S | 90-05-060 | 504-17-215 | REP | 90-11-078 |
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