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## IN THIS ISSUE

Agriculture, Department of  
Attorney General, Office of the  
Community Development, Department of  
Dental Disciplinary Board  
Ecology, Department of  
Edmonds Community College  
Education, State Board of  
Energy Facility Site Evaluation Council  
Everett Community College  
Funeral Directors and Embalmers, Board of  
Gambling Commission  
Governor, Office of the  
Hardwoods Commission  
Health, Department of  
Higher Education Coordinating Board  
Hispanic Affairs, Commission on  
Insurance Commissioner, Office of  
Labor and Industries, Department of  
Licensing, Department of  
Liquor Control Board  
Marine Employees' Commission  
Natural Resources, Department of

Noxious Weed Control Board  
Nursing, Board of  
Occupational Therapy Practice Board  
Olympic College  
Optometry Board  
Osteopathic Medicine and Surgery, Board of  
Physical Therapy, Board of  
Pilotage Commissioners, Board of  
Pollution Liability Insurance Agency  
Psychology, Examining Board of  
Public Instruction, Superintendent of  
Revenue, Department of  
Social and Health Services, Department of  
Spokane Community Colleges  
Transportation Improvement Board  
University of Washington  
Utilities and Transportation Commission  
Volunteer Firefighters, Board for Washington  
Institute of Applied Technology  
Western Washington University  
Wildlife, Department of

(Subject/Agency index at back of issue)  
This issue contains documents officially  
filed not later than December 5, 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

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

## REPUBLICATION OF OFFICIAL DOCUMENTS

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## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of January 1991 pursuant to RCW 19.52.020 is twelve point zero percent (12.0%).

**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 1991 pursuant to RCW 63.14.130(1)(a) is thirteen point seven five percent (13.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is thirteen point two five percent (13.25%) for the first calendar quarter of 1991.

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.

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# WASHINGTON STATE REGISTER

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

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

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

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 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 <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing 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

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

<sup>2</sup>A 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.

<sup>3</sup>At 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 90-24-001**  
**PERMANENT RULES**  
**UNIVERSITY OF WASHINGTON**

[Filed November 26, 1990, 9:15 a.m.]

Date of Adoption: November 16, 1990.

Purpose: To comply with RCW 69.41.340.

Statutory Authority for Adoption: RCW 69.41.130(1).

Pursuant to notice filed as WSR 90-20-102 on October 2, 1990.

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

November 16, 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 practitioner, as defined by RCW 69.41.010(11), is subject to additional sanctions, including disqualification from participation in university-sponsored athletic events.

**WSR 90-24-002**

PROCLAMATION NO: 90-08

**OFFICE OF THE GOVERNOR**

I issued on November 11, 1990 a Proclamation of Emergency due to heavy rain fall, wind storms, and serious flooding occurring in the following counties: Whatcom, Skagit, King, Snohomish and Grays Harbor. As a result of continuous record of heavy rains and high winds affecting the same counties and other county areas of the state, I now therefore add to my original Proclamation the following counties: Clallam, Pacific, Mason, Jefferson, Thurston, Lewis, Kitsap, Cowlitz, Pierce, Chelan, Kittitas, Wahkiakum, and Yakima.

The Department of Community Development has implemented the state's Comprehensive Emergency Management Plan, coordinating resources to support local officials in alleviating the immediate threats to people and property and assessing the magnitude of the damage. The severity of the damage from the flooding is beyond the capabilities of affected political subdivisions.

NOW, THEREFORE, I, BOOTH GARDNER, Governor of the State of Washington, as a result of the aforementioned situations and under the provisions of Chapter 43.06 and 38.52 of the Revised Code of Washington, do hereby proclaim that a State of Emergency exists in the counties of Chelan, Clallam, Cowlitz, Grays Harbor, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Pacific, Pierce, Skagit, Snohomish, Thurston, Whatcom, Wahkiakum, and Yakima counties and authorize execution of the Washington State Comprehensive Emergency

Management Plan. State agencies and departments are directed to use state resources and do everything possible to assist affected political subdivisions in an effort to cope with the emergency. Additionally, the Department of Community Development, Division of Emergency Management is instructed to coordinate all state assistance to the affected areas, including the use of the Military Department and a determination of the need for federal disaster assistance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 25th day of November, 1990.

Booth Gardner

\_\_\_\_\_  
 Governor of Washington

BY THE GOVERNOR:

Ralph Munro

\_\_\_\_\_  
 Secretary of State

**WSR 90-24-003**

PERMANENT RULES

**DEPARTMENT OF AGRICULTURE**

[Order 2062—Filed November 26, 1990, 2:40 p.m.]

Date of Adoption: November 26, 1990.

Purpose: To increase the license fees for commission merchants, dealers and brokers, as defined under chapter 20.01 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 16-694-001.

Statutory Authority for Adoption: RCW 20.01.020 and chapter 20.01 RCW.

Pursuant to notice filed as WSR 90-20-135 on October 3, 1990.

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

November 26, 1990

Michael V. Schwisow

Deputy Director

for C. Alan Pettibone

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 90-24-004**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Order 2063—Filed November 26, 1990, 2:43 p.m.]

Date of Adoption: November 26, 1990.  
 Purpose: To adopt a fee schedule for calibration services performed in the weights and measures laboratory.  
 Statutory Authority for Adoption: RCW 19.94.190 and chapter 19.94 RCW.

Pursuant to notice filed as WSR 90-20-136 on October 3, 1990.

Changes Other than Editing from Proposed to Adopted Version: A minor change was made in the definition of "tolerance"; and the fee schedule was clarified to more clearly state which fees will apply at the breaking points in the schedule.

Effective Date of Rule: Thirty-one days after filing.  
 November 26, 1990  
 Michael V. Schwisow  
 Deputy Director  
 for C. Alan Pettibone  
 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 allowable amount of variation from a standard.
- (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 499 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 24 kg .... \$ 25.00 an hour
- weighing from 25 to 249 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 24 weights .... \$ 40.00 a set
- sets containing 25 to 39 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 24 weights .... \$150.00 a set
- sets containing 25 to 39 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 24 gallons . . . . . \$ 20.00 each
- measuring 25 to 49 gallons . . . . . \$ 40.00 each
- measuring 50 to 99 gallons . . . . . \$ 80.00 each
- measuring 100 to 499 gallons . . . . . \$150.00 each
- measuring 500 to 999 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 99 liters . . . . . \$ 20.00 each
- measuring 100 to 199 liters . . . . . \$ 40.00 each
- measuring 200 to 399 liters . . . . . \$ 80.00 each
- measuring 400 to 1,999 liters . . . . . \$150.00 each
- measuring 2,000 to 3,999 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 99 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 90-24-005**  
**PERMANENT RULES**  
**GAMBLING COMMISSION**

[Order 218—Filed November 26, 1990, 3:18 p.m.]

Date of Adoption: November 16, 1990.

Purpose: Provides a new method of receipting for bingo income; adds clarity to record-keeping requirement; exempts electronically generated tickets from the required separate series number; clarifies an audit trail and allows for electronically generated receipting; incorporates to date policy changes and allows a test program to continue for one more year; provides for an extension of a grandfather provision to allow electronic crane amusement games; allows a new game at a fund raising event and increases rental maximum allowed; extends an existing test for one year involving bingo and pull tabs; and repealer.

Citation of Existing Rules Affected by this Order: Repealing WAC 230-20-100; amending WAC 230-20-240, 230-20-241, 230-20-246, 230-20-698, 230-25-120, and 230-30-070; and new WAC 230-20-101 and 230-20-102.

Statutory Authority for Adoption: RCW 9.46.070.

Pursuant to notice filed as WSR 90-20-004 on September 20, 1990.

Effective Date of Rule: Thirty-one days after filing.  
 November 26, 1990  
 Frank L. Miller  
 Deputy Director

REPEALER

The following section of the Washington Administrative Code is repealed:

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

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.

(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~~((0-(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))y~~) 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

~~((84))~~ Incomplete cards, ~~((and))~~ cards with alterations which were not verified per subsection ~~((3))1~~(c) above, and cards for which all required imprinted data 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:** 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 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 flashboard, 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((6))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((~~0~~))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((~~0~~))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~~)) two hundred dollars (\$200) 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 premise;

(vii) Prize winners of ((~~twenty~~)) two hundred dollars (\$200) or less may be paid in cash: Provided, that prizes greater than \$200 may be paid by combination of a check and cash of \$200 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 the prize was paid by a combination of cash and check. ((~~on the bingo daily record~~)) This record shall be initialed 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((0))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 the 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.

## WSR 90-24-006

### PROPOSED RULES

### GAMBLING COMMISSION

[Filed November 26, 1990, 3:22 p.m.]

#### Original Notice.

Title of Rule: WAC 230-20-380 Persons obtaining a special amusement game license to conduct activities only at limited locations; 230-25-265 Fund raising event—Regular salary for licensee's not "payment" for work on fund raising event under certain conditions—Food and beverage exception; 230-30-075 Minimum percentages of prizes for certain gambling activities; 230-30-080 Limitation of pull tab dispensing devices; and 230-40-125 Washington Blackjack—Rules of play—wagering limits.

Purpose: Limits the use of amusement games to specific locations when conducted by other than bona fide charitable or nonprofit organizations; clarifies that employee salaries at fund-raising events are not considered

"payment" under certain conditions; provides a minimum percentage of prize payout and limits the amount that may be expended for cash and merchandise prizes; provides regulations for the use of pull tabs including the number of tabs which may be in a series; and provides rules for Washington Blackjack, an approved, nonbanking, card game during a one year test period.

Statutory Authority for Adoption: Chapter 9.46 RCW.

Statute Being Implemented: Chapter 9.46 RCW.

Summary: Expends the rule to allow licensed amusement games to be conducted at regional shopping centers with certain restrictions; allows organizations to provide food and nonalcoholic beverages to event volunteers under certain conditions; increases the amount allowed to be expended for merchandise prizes from \$300 to \$400; increases the number of plays in a pull tab series from 4,000 to 6,000; and extends the Washington Blackjack test until December 31, 1991.

Name of Agency Personnel Responsible for Drafting: Frank L. Miller, Deputy Director, Lacey, Washington, (206) 438-7640; Implementation: Ronald O. Bailey, Director, Lacey, Washington, (206) 438-7640; and Enforcement: Donn Olson, Assistant Director, Lacey, Washington, (206) 438-7690.

Name of Proponent: Washington State Gambling Commission, Washington State Licensed Beverage Association and Sabey Corporation, private and governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Expands the use of amusement games by profit seekers to regional shopping centers with restrictions; allows volunteers at fund-raising events to accept food and nonalcoholic beverages without change to current rules; allows pull tab operators to purchase larger merchandise prizes; allows pull tab operators to purchase pull tab series with a larger number of plays; and allows for an extension of the Washington Blackjack test.

Proposal Changes the Following Existing Rules: All proposed changes expand or clarify the scope of existing rules.

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

The agency has considered whether these rule changes would create an economic impact on small businesses as defined by chapter 19.85 RCW. It has determined that there is no economic impact to small business as a result of these proposals.

Hearing Location: Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, on January 11, 1991, at 10:00 a.m.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98504-8121, by January 9, 1991.

Date of Intended Adoption: January 11, 1991.

November 26, 1990

Frank L. Miller  
Deputy Director

AMENDATORY SECTION (Amending Order 51 [165], filed 4/30/76 [3/16/87])

WAC 230-20-380 PERSONS OBTAINING A SPECIAL AMUSEMENT GAME LICENSE TO CONDUCT ACTIVITIES ONLY AT LIMITED LOCATIONS. (1) Persons other than bona fide charitable or bona fide nonprofit organizations shall conduct amusement games only after obtaining a "special amusement game license" from the commission.

(2) Amusement games may be conducted under such a license only as a part of, and upon the site of:

(a) Any agricultural fair as authorized under chapter 15.76 or 36.37 RCW; or

(b) A civic center of a county, city or town; or

(c) A world's fair or similar exposition which is approved by the Bureau of International Expositions at Paris, France; or

(d) A community-wide civic festival held not more than once annually and sponsored or approved by the city, town, or county in which it is held; or

(e) A commercial exposition organized and sponsored by an organization or association representing the retail sales and service operators conducting business in a shopping center or other commercial area developed and operating for retail sales and service, but only upon a parking lot or similar area located in said shopping center or commercial area for a period of no more than 17 consecutive days by any licensee during any calendar year; or

(f) An amusement park. An amusement park is a group of activities, at a permanent location, to which people go to be entertained through a combination of various mechanical or aquatic rides, theatrical productions, motion picture and/or slide show presentation with food and drink service. The amusement park must include at least five different mechanical or aquatic rides, three additional activities and the gross receipts must be primarily from these amusement activities(.); or

(g) A regional shopping center. A regional shopping center is a shopping center developed and operated for retail sales and service by retail sales and service operators and consisting of more than 600,000 gross square feet (not including parking areas). Amusement games conducted as a part of, and upon the site of, a regional shopping center shall not be subject to the prohibition on revenue sharing set forth in WQAC 230-12-220.

(3) No amusement games shall be conducted in any location except in conformance with local zoning, fire, health and similar regulations. In no event shall the licensee conduct any amusement games at any of the locations set out in (2) above without first having obtained the written permission to do so from the person or organization owning the premises or an authorized agent thereof, and from the persons sponsoring the fair, exhibition, commercial exhibition, or festival, or from the city or town operating the civic center, in connection with which the games are to be operated.

(4) In no event shall the licensee operate amusement games at any location not set forth on his application for licensure, or of which he has not given the commission at least ten day prior written notice, except that the director may shorten this time period if, in his sole discretion, good cause is shown.

(5) The holder of a Class A special amusement game license shall conduct the games only at the location, and during the event, for which the license is issued.

(6) In no event shall a licensee conduct any amusement games at the location described in (2)(g) above, without, at the location of such games, providing adult supervision during all hours licensee is open for business at such location, prohibiting school age minors from entry during school hours, maintaining full-time personnel whose responsibilities include maintaining security and daily machine maintenance and providing for hours for the close of business at such location that are no later than 10:00 p.m. on Fridays and Saturdays and on all other days that are the same as those of the regional shopping center in which the licensee is located.

**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.

**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.

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

AMENDATORY SECTION (Amending Order 111, filed 9/15/81)

WAC 230-25-265 FUND RAISING EVENT—REGULAR SALARY FOR LICENSEE'S EMPLOYEE NOT "PAYMENT" FOR WORK ON FUND RAISING EVENT UNDER CERTAIN CONDITIONS—FOOD & BEVERAGE EXCEPTION. The salary of a regular and full time employee, or a regular but part time employee if the organization has employed a person in that part time position for the past three consecutive years, of an organization licensed to conduct fund raising events shall not be deemed "payment" (as the term "paid" is used in RCW 9.46.020(23)) for work performed by the employee in connection with a fund raising event conducted by that organization when all of the following conditions are met:

(1) The position held by the employee has been created for purposes unrelated to the conduct of fund raising events and requires the performance of duties unrelated to fund raising events year around. The employee's contribution to fund raising events must be an incidental part of his or her total duties, consisting of less than 1% of total time worked for the organization; and

(2) The employee is paid on a recurring basis on a regular and established rate throughout the calendar year, unrelated to the income produced by any fund raising event; and

(3) The employee does not operate any gambling game or lottery at any fund raising event conducted by the organization but confines his or her services in connection with the event to assisting the organization's other members with the overall planning and organization of the event and with supervision of the supporting services for the event. However, such an employee who is also a bona fide member of the organization or its bona fide auxiliary and is not otherwise scheduled for duty in his or her assigned employee duties at the time the fund raising event is to be held may participate in the conduct of the fund raising event as a bona fide member as set out in WAC 230-25-260.

(4) For the purposes of this rule, the furnishing of food and non-alcoholic beverages to event volunteers, not to exceed \$20 per volunteer per event, shall not be construed as payment or compensation, and such expenses shall not be applicable to the statutory limitation on revenue.

AMENDATORY SECTION [(Amending Order 154, filed 10/14/85)]

WAC 230-30-075 MINIMUM PERCENTAGE OF PRIZES FOR CERTAIN GAMBLING ACTIVITIES. No operator shall put out for play and no distributor or manufacturer of punchboards and pull tabs shall sell or otherwise provide to any person in this state or for use in this state any punchboard or pull tab series that does not contain the following minimum percentage in prizes:

(1) Punchboards - a minimum of 60 percent respecting each punchboard placed out for public play.

(2) Pull tabs - a minimum of 60 percent respecting each series of pull tabs placed out for public play.

(3) For the purpose of determining the percentage of prizes offered on any punchboard, or in any pull tab series under this section, total merchandise prizes shall be computed at the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(4) Single cash prized on punchboards/pull tabs shall not exceed:

(a) Two hundred in cash; or

(b) A merchandise prize, or combination merchandise prize, for which the operator has not expended more than (three) four hundred dollars.

(5) Multiple winners on an individual pull tab or punch shall not exceed the single cash or merchandise prize limit in (4) above.

**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 bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION [(Amending Order 136, filed 9/13/83)]

WAC 230-30-080 LIMITATION ON PULL TAB DISPENSING DEVICES. (9) No person shall sell or transfer to another person in this state, or for use within this state, or put out for public play, any pull tab series which contains more than (4000) 6,000 individual pull tabs.



**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 bracketed material preceding the section above was supplied by the code reviser's office.

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

**WAC 230-40-125 WASHINGTON BLACKJACK—RULES OF PLAY—WAGERING LIMITS.** Washington blackjack is a nonhouse banking, card game and shall be permitted in Class A and E card rooms only and shall be played only in the following manner:

(1) One or two standard fifty-two-card decks shall be used with suits disregarded and each card valued numerically only: Ace, 1 or 11; face cards (K, Q, J), 10 each; others according to their spots, 10 to 2. One or two decks may be used when there are six or less players. Two decks shall be used when there are seven or more players. The cards shall be dealt from a shoe at all times. The game is played with a dealer/banker and only a player may be a dealer/banker.

(2) When starting a new table the cards are cut to determine who the first dealer/banker will be. The dealer shall announce the amount of money that he or she will put into the bank. A minimum bank may be established as per individual house rule.

(3) Once the bank has been established, the player to the immediate left of the dealer places his/her wager on the bet line and the dealer covers that wager by matching it with a like amount of chips. Each player makes their wager in turn and each wager is immediately matched by the dealer. The maximum wager shall not be more than ten dollars and the minimum wager may be set by house rule. If the bank runs out of money (tapped out) prior to the commencement of the deal, then only those players with a wager covered will be dealt a hand. No player may be dealt more than one hand.

(4) The play begins with the dealer dealing one card face up to each covered player including himself/herself, one more card face up to each covered player, and then one down card to himself/herself. If a player holds an ace and a face card or a ten, it is a "natural" 21 and the player collects twice the amount of their bet from the dealer, unless the dealer also has a natural which results in a tie (push). All ties result in the players and the dealer recovering their wagers.

(5) If the dealer has a "natural," he/she collects the wagers from players who do not have a "natural." If the dealer does not have a "natural," he/she pays off any player with a "natural" starting with the one closest to their left. Should the dealer not have enough money in the bank to make up the two for one payoff due on a "natural," then those hands and wagers will be frozen in place until the additional wagers are made up or the hand is over. If after the hand is over, a dealer cannot cover the two for one, the player shall get the amount of wager that was covered by the dealer.

(6) If the dealer does not have a "natural," play continues with the player on the dealer's immediate left. The dealer deals cards face up, one by one, as that player calls for them. The player's aim is to total 21 or as close to 21 without going over. When a player is satisfied with their total, they shall declare "stand." If more cards are wanted, the player declares "hit." If a player goes over a 21 point count, the hand is a "bust" and they must turn the hand down, while the dealer collects the bet.

(7) The dealer does the same with each remaining player. Any player who stands must wait while the dealer draws his or her cards. If the dealer goes bust, each standing player is paid the amount of their wager. If the dealer "stands," the down card is turned up and players whose totals are higher than the dealer's are paid. The dealer collects from any player whose total is less. Action is always to the left of the dealer. Any frozen wagers needing to be "made up" will be done in order, to the left of the dealer from losing wagers the dealer collects. Should the dealer not be able to cover all frozen wagers then those frozen wagers are released to the winning players and the deal passes immediately to the left at which time the new dealer shall announce their bank and shuffle the cards. The same shall apply if the dealer has no money in the bank. The dealer may, if allowed by house rule, add to their bank in between hands.

(8) Upon completion of the shuffle, the player to the right of the dealer shall cut the cards. After the cards have been placed into the shoe the dealer shall insert a blank card approximately three quarters of the way through the deck(s). A dealer may deal from the shoe until

he/she reaches the blank card. After the blank card appears, the dealer may continue dealing that hand, but will not start a new hand. The deal must then pass to the player on the dealer's immediate left. The discards may only be reshuffled to complete the last hand.

(9) Once wagers are placed and covered on the bet line, no player, including the dealer, may touch those wagers until the winner has been determined. Any player touching the wagers may be ruled to have fouled and their wager forfeited.

(10) Any player who lifts their cards up from the table or slides their cards out of their own playing area shall be ruled to have fouled and their wager may be forfeited.

(11) No player may "buy" the bank. The deal must pass around the table to the left and no player can authorize another player to deal for him or her. A new player entering the game may not participate as the dealer/banker until at least two other players have dealt. If a player does not wish to deal and passes the deal, that player may not play in the first two hands conducted by the next dealer. A dealer may after completing one full hand, pass the deal and be able to participate in the next hand.

(12) The dealer must stand on 17 or above and must take hits on 16 or below. If a dealer has an ace, it shall be counted as 11 (eleven) if it brings his or her total to 17 or more (but not over 21).

(13) If a player's first two cards total exactly 9, 10 or 11, they may double their wager and receive one more card. The player must then stand on those three cards. If the dealer's bank is insufficient to cover a double down wager, the player may wager an amount equal to the dealer's remaining bank. The dealer must then cover that wager. If the dealer has no bank then a player may not double down.

(14) If the dealer's face-up card is a ten, face card or ace, he/she may look at their face-down card to see if they have a natural; if his/her face-up card is anything else, they may not look at their face-down card until their turn comes to draw. Should the dealer violate this rule their hand may be ruled to have been fouled, which shall result in forfeiture of all remaining dealer wagers.

(15) If a player's first two cards are a pair, then that player may split the pair into two separate hands. The amount of the player's original bet then goes on one of the cards, and they must place an equal amount as a bet on the other card. When this player's turn to draw comes, they receive an up-card for each hand and then play each hand in order. If the dealer does not have enough in their bank to cover the doubled bet, the dealer must cover an amount equal to the value of their remaining bank. The player then has the option to divide the wagers in any manner between the two hands, not to exceed the allowable limit per hand. If the dealer has no bank then the player may divide their wager in any manner between the two hands. If a player's original bet was a minimum allowed in that game then they may not split their pair. A player may only split a pair once.

(16) The dealer will pay only on the value of the cards held by the player and shall not pay on the number of cards received or the card sequence.

(17) There shall be no credit or I.O.U. issued by any player or management.

(18) Washington blackjack shall be authorized for a one year test beginning April 1, 1990, and concluding (~~March 31~~) December 31, 1991. Of the five tables authorized under RCW 9.46.0281(1) the card room licensee may utilize no more than two tables for Washington blackjack, and must notify the director ten days prior to initiating play.

(19) The director may limit the number of participants in the test when in his judgement the number of participants exceed the ability of the staff to adequately monitor the test.

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

**WSR 90-24-007**  
**PERMANENT RULES**  
**LIQUOR CONTROL BOARD**  
[Filed November 27, 1990, 10:21 a.m.]

Date of Adoption: November 7, 1990.

Purpose: Brings existing rule into conformance with state law.

Citation of Existing Rules Affected by this Order:  
Amending WAC 314-12-020.

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: RCW 66.24.010 (2)(b).

Pursuant to notice filed as WSR 90-20-041 on September 25, 1990.

Effective Date of Rule: Thirty days after filing.

November 16, 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 APPLICATIONS. (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 66.24.010(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 control board 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 on 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 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.

**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 90-24-008**  
**PERMANENT RULES**  
**LIQUOR CONTROL BOARD**  
[Filed November 27, 1990, 10:23 a.m.]

Date of Adoption: November 7, 1990.

Purpose: Reduces confusion on who needs to report interests in a licensed business, eliminates \$75.00 fee and defines "principal officers" for reporting purposes.

Citation of Existing Rules Affected by this Order:  
Amending WAC 314-12-070.

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: RCW 66.24.010.

Pursuant to notice filed as WSR 90-20-042 on September 25, 1990.

Effective Date of Rule: Thirty days after filing.

November 16, 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 of 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 90-24-009

## PERMANENT RULES

## LIQUOR CONTROL BOARD

[Filed November 27, 1990, 10:26 a.m.]

Date of Adoption: November 7, 1990.

Purpose: Makes all ownership types meet the same criteria instead of a different definition for a corporate owner than a partnership.

Citation of Existing Rules Affected by this Order: Amending WAC 314-12-033.

Statutory Authority for Adoption: RCW 66.08.030.

Other Authority: RCW 66.24.010 (2)(b).

Pursuant to notice filed as WSR 90-20-043 on September 25, 1990.

Effective Date of Rule: Thirty days after filing.

November 16, 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 90-24-010**

**NOTICE OF PUBLIC MEETINGS  
EVERETT COMMUNITY COLLEGE**

[Memorandum—November 20, 1990]

The time for the December 19, 1990, Everett Community College board of trustees meeting has been changed from 12:30 p.m. to 3:30 p.m. The meeting is scheduled in the president's/board's conference room.

**WSR 90-24-011**

**NOTICE OF PUBLIC MEETINGS  
SPOKANE COMMUNITY COLLEGES**

[Memorandum—November 27, 1990]

Notice is hereby given, pursuant to RCW 42.30.075, that the regular meetings of the board of trustees of Washington Community College District 17 (the Community Colleges of Spokane) during calendar year 1991 shall be held at 1:30 p.m. in the District Office Board Room, North 2000 Greenc Street, Spokane, WA on the following dates:

Tuesday	January 15, 1991
Tuesday	February 19, 1991
Tuesday	March 19, 1991
Tuesday	April 16, 1991
Tuesday	May 21, 1991
Tuesday	June 18, 1991
Tuesday	July 16, 1991
Tuesday	August 20, 1991
Tuesday	September 17, 1991
Tuesday	October 15, 1991
Tuesday	November 19, 1991
Tuesday	December 17, 1991

**WSR 90-24-012  
PERMANENT RULES  
DEPARTMENT OF REVENUE**

[Filed November 27, 1990, 2:10 p.m.]

Date of Adoption: November 27, 1990.

Purpose: To establish the forest land values for each grade of bare forest land on the basis of its use only for growing and harvesting timber.

Citation of Existing Rules Affected by this Order: Amending WAC 458-40-540.

Statutory Authority for Adoption: RCW 84.33.120.

Other Authority: RCW 84.08.010.

Pursuant to notice filed as WSR 90-21-138 on October 24, 1990.

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

November 27, 1990

John B. Conklin

Assistant Director

Forest Tax

**AMENDATORY SECTION** (Amending WSR 89-23-095, filed 11/21/89, effective 12/22/89)

WAC 458-40-540 **PROPERTY TAX, FOREST LAND—FOREST LAND VALUES—((+1990)) 1991.** The true and fair values, per acre, for each grade of forest land for the ((+1990)) 1991 assessment year are determined to be as follows:

((+1990)) 1991 WASHINGTON FOREST LAND VALUES		
LAND GRADE	OPERABILITY CLASS	VALUE PER ACRE
	1	((+\$135)) \$143
1	2	((+30)) 138
	3	((+25)) 132
	4	((91)) 96
	1	((+13)) 120
2	2	((+09)) 115
	3	((+05)) 111
	4	((76)) 80
	1	((89)) 94
3	2	((86)) 91
	3	((84)) 89
	4	((64)) 68

((1990)) 1991  
WASHINGTON FOREST LAND VALUES

LAND GRADE	OPERABILITY CLASS	VALUE PER ACRE
4	1	((67)) 71
	2	((65)) 69
	3	((64)) 68
	4	((56)) 53
5	1	((49)) 52
	2	((45)) 48
	3	((44)) 47
	4	((29)) 31
6	1	((25)) 26
	2	((24)) 25
	3	((24)) 25
	4	((22)) 23
7	1	((+2)) 13
	2	((+2)) 13
	3	((+)) 12
	4	((+)) 12
8		1

**WSR 90-24-013**  
**WITHDRAWAL OF PROPOSED RULES**  
**HARDWOODS COMMISSION**  
[Filed November 27, 1990, 2:15 p.m.]

The Washington Hardwoods Commission is withdrawing WSR 90-22-090, filed on November 7, 1990. This pertained to chapter 244-12 WAC.

We plan to file revised draft rules early in 1991.  
Laurence C. Johnson

**WSR 90-24-014**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON INSTITUTE**  
**OF APPLIED TECHNOLOGY**  
[Memorandum—November 27, 1990]

**BOARD OF DIRECTORS MEETING**  
Wednesday, November 28, 1990  
7:30 a.m.  
WIAT Sixth Floor Boardroom

Should the board deem it necessary, an executive session will be held for the remainder of the meeting to consider those matters permitted under the Open Public Meetings Act.

Next meeting: The next regularly scheduled meeting of the board of directors is Wednesday, January 30, 1991, at 7:30 a.m. in the WIAT Boardroom.

**WSR 90-24-015**  
**NOTICE OF PUBLIC MEETINGS**  
**WESTERN WASHINGTON UNIVERSITY**  
[Memorandum—October 5, 1990]

1991 Board of Trustee Meeting Schedule

February 7 and 8, 1991	Bellingham	Old Main 340, WWU
April 4 and 5, 1991	Bellingham	Old Main 340, WWU
June 6 and 7, 1991	Bellingham	Old Main 340, WWU
August 1 and 2, 1991	Out of Town	
October 3 and 4, 1991	Bellingham	Old Main 340, WWU
December 5 and 6, 1991	Bellingham	Old Main 340, WWU

**WSR 90-24-016**  
**PERMANENT RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed November 27, 1990, 3:35 p.m.]

Date of Adoption: November 21, 1990.

Purpose: Amend WAC 15-514-070 to delete termination date to allow the commission to continue.

Citation of Existing Rules Affected by this Order: Amending chapter 16-514 WAC.

Statutory Authority for Adoption: Chapter 15.65 RCW.

Pursuant to notice filed as WSR 90-18-079 on September 5, 1990.

Effective Date of Rule: Thirty days after filing.

November 27, 1990  
Michael V. Schwisow  
for C. Alan Pettibone  
Director

**AMENDATORY SECTION** (Amending Order 1872, filed 9/25/85, effective 11/1/85)

WAC 16-514-070 EFFECTIVE TIME. (1) This marketing order for eggs shall become effective on or after November 1, 1985.

(2) This order shall remain in full force and effect ((until December 31, 1990)), unless terminated prior thereto under the provisions of chapter 15.65 RCW as

~~set forth in WAC 16-514-060( (: PROVIDED, That if it remains in effect until December 31, 1990, the director shall conduct a referendum election as required for the approval of an order under chapter 15.65 RCW at such time prior to such date so that he may determine if the affected producers desire that the order be terminated on such date or continued in full force and effect beyond such date. All costs of conducting such election shall be defrayed from the funds of the commission)).~~

**WSR 90-24-017**  
**PERMANENT RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed November 28, 1990, 2:00 p.m.]

Date of Adoption: November 27, 1990.

Purpose: To address the serious threat posed to human health and the environment by leaking underground storage tank systems containing petroleum and other regulated substances.

Statutory Authority for Adoption: Chapter 90.76 RCW.

Pursuant to notice filed as WSR 90-15-060 on July 18, 1990.

Changes Other than Editing from Proposed to Adopted Version:

## CONCISE SUMMARY OF CHANGES TO THE PROPOSED RULE

## UNDERGROUND STORAGE TANK REGULATIONS, CHAPTER 173-360 WAC

The following is an explanation of the changes, other than editing, made to the above-referenced proposed rule, which was filed with the Code Reviser's Office on July 18, 1990. These changes were made in response to public concerns voiced through written and oral testimony during the public review period which ended September 18, 1990, as well as in response to observations made within the department regarding the clarity, consistency and intent of the proposed rule. The changes have been categorized according to the appropriate section in the regulations.

Additions to the proposed language are indicated by underscoring and deleted language by double parentheses and deletion marks ((~~example~~)). Following each of the changes to the proposed rule is an explanation of the rationale for the change.

## PART I

## PROGRAM SCOPE, ADMINISTRATION, AND ENFORCEMENT

WAC 173-360-110 Applicability, Exemptions, and Deferrals.Section 110(2):

This subsection describes the types of underground storage tank (UST) systems which are exempt from the requirements of Chapter 173-360 RCW. The following changes were made to the language regarding these tanks:

1. (a) Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act ~~or any dangerous waste subject to the state dangerous waste regulations (chapter 173-303 WAC)~~, or a mixture of such hazardous ~~and/or dangerous waste as defined in chapter 173-303 WAC~~ and other regulated substances.

Rationale for change:

To avoid duplication of regulation, the department extended the federal hazardous waste exemption to tanks which may not fall under the federally defined categories but would be subject to the state dangerous waste regulations (Chapter 173-303 WAC).

However, Ecology is required by the authorizing legislation to establish UST rules which are no less strict than the federal regulations. EPA has determined that the alteration of this exemption would make the state rules less stringent than the federal regulations, so the language has been revised to be the same as the federal rule.

2. (g) Farm or residential ~~tanks~~ ~~UST systems~~ of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale), ~~except tanks installed after August 1, 1990, if all of the following conditions are met:~~

~~(i) There is more than one tank storing the same grade of motor fuel (such as two tanks both storing unleaded gasoline or both storing No. 1 diesel fuel) at a single farm or residential site; and~~

~~(ii) The aggregate volume of the tanks is greater than one thousand one hundred gallons.~~

Rationale for Change:

The intent of the proposed change to the federal language was to prevent tank owners from replacing larger, non-exempt tanks with a number of smaller, exempt tanks. Ecology believes such tank replacement would violate the intent of the federal rule and could increase the possibility of environmental degradation.

However, the proposal to address aggregate tanks was widely misunderstood and created a great deal of confusion, particularly among the agricultural community. The department was concerned that this confusion might lead tank owners to unnecessarily close their tanks or otherwise alter their tank systems inappropriately.

In addition to the fact that the proposal was misunderstood, there are several other reasons Ecology has decided to drop the language regarding aggregate tanks. The department realized that the definition of a site would have to be modified to reflect the intent of the change, but concluded that even the most carefully crafted language may inadvertently include tanks we did not intend to include. Since exempt tanks are not required to be reported, Ecology also recognized that the proposed change would be difficult to enforce.

Finally, the department does not know how many tank owners would take advantage of the federal loophole, but the comments we have received indicate it would be very few and we do not have sufficient data to suggest this is not the case. Therefore, Ecology is concerned that the degree of environmental protection obtained through this change would not be great enough to justify the resources which would be required to successfully implement the proposal. Consequently, the proposed language regarding aggregate tanks has been deleted. However, the department may revisit this proposal if it appears that tank owners are using this exemption as a loophole to circumvent the intent of the rule.

WAC 173-360-120 Definitions.

This section includes the definitions of various terms which are used in Chapter 360-173 WAC. The following definitions were either modified or added:



3. "Abandoned" means left unused indefinitely, without being substantially emptied or permanently altered structurally to prevent reuse.

Rationale for Change:

This definition was added to clarify the meaning of the term.

4. "Closure" means to take an underground storage tank out of operation, either temporarily or permanently, in accordance with WAC 173-360-380 or WAC 173-360-385. The term is synonymous with "decommissioning".

Rationale for Change:

This definition was added to clarify the meaning of the term.

5. "Compatible" means the ability of two or more substances or materials to maintain their respective physical and chemical properties upon contact with one another such that the stored substance will not pass through the wall or lining of the tank and connected piping for the design life of the tank system under conditions likely to be encountered in the UST.

Rationale for Change:

This definition was modified to clarify the meaning of the term.

6. "Decommissioning" or "closure" means to ~~remove~~take an underground storage tank ~~from out of~~ operation, either temporarily or permanently, ~~by abandonment in place or by removal from the ground~~in accordance with WAC 173-360-380 or 173-360-385. The term is synonymous with "closure".

Rationale for Change:

This definition was modified to clarify the meaning of the term.

7. "Emergency power generator" means an engine that uses fuel to produce auxiliary electrical or mechanical energy for use in emergencies.

Rationale for Change:

This definition was added to clarify the meaning of the term.

8. "Emergency power generator tank" means a tank that stores fuel solely

for use by an emergency power generator.

Rationale for Change:

This definition was added to clarify the meaning of the term.

9. "Ground water" means water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Rationale for Change:

This definition was modified to clarify the meaning of the term.

10. "Immiscible" means largely incapable of blending or mixing.

Rationale for Change:

This definition was added to clarify the meaning of the term.

11. "Maintenance" means the normal operational upkeep to prevent an underground storage tank system from releasing product a regulated substance.

Rationale for Change:

The word "product" in this definition has been changed to "a regulated substance" because the latter is a defined and more precise term. This change has been made throughout the chapter, where appropriate.

12. "Owner" means: In the case of an UST system in use on November 8, 1984, or brought into use after that date, any person who owns an UST system used for storage, use, or dispensing of regulated substances; and in the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use. In the event that the owner of an UST system cannot be physically located, the owner shall be the person who owns the property where the UST system is located, except any lien holder, and any agency of the state or unit of local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or circumstances in which the government involuntarily acquires title. This exclusion does not apply to an agency of the state or unit of local government which has caused or contributed to a release or threatened release of a regulated substance from the UST system.

Rationale for Change:

The highlighted language was added to make clear that agencies of the state or units of local government are not regarded as the property owner for the purposes of the chapter if the property in question has been acquired involuntarily. The language parallels nearly identical language used in Chapter 70.105D RCW (Hazardous Waste Cleanup--Model Toxics Control Act).

13. "Party" means a person or group concerned or having or taking part in any affair, matter, transaction or proceeding.

Rationale for Change:

This definition was added to clarify the meaning of the term.

14. "Permanently closed" means: (1) in the case of an UST system taken out of operation before December 22, 1988, the UST system was substantially emptied of regulated substances or permanently altered to prevent reuse; (2) in the case of an UST system taken out of operation after December 21, 1988 and before the effective date of this chapter, the UST system was closed in accordance with 40 CFR 280; and (3) in the case of an UST system taken out of operation on or after the effective date of this chapter, the UST system was closed in accordance with WAC 173-360-385.

Rationale for Change:

This definition was added to clarify the meaning of the term.

15. "Retrofitting" means the ~~modification~~ repair or upgrading of an existing underground storage tank system including, but not limited to, installation of splash, spill and overflow protection, installing or replacing monitoring systems, adding cathodic protective systems, tank repair, replacement of piping, valves, fill pipes or vents and installing tank liners.

Rationale for Change:

This definition was modified to clarify the meaning of the term.

16. "Septic tank" is a water-tight covered receptacle designed and used to receive or process, through liquid separation or biological digestion, the sewage discharged from a building sewer. The effluent from such receptacle is distributed for disposal through the soil and settled solids and scum from the

tank are pumped out periodically and hauled to a treatment facility.

Rationale for Change:

The highlighted language was added to stress that septic tanks are exempt if they are both designed and used as a septic tank. Tanks which are designed to be used as septic tanks, but which are instead used to store substances regulated under the chapter, are subject to the chapter.

17. ~~\*Structural defect" means a hole or crack in the tank portion of the UST system, which has either caused a release from the system or is being repaired to prevent a release from the system.~~

Rationale for Change:

This definition was added to clarify the meaning of the term.

18. "UST site" or "site" means the location at which underground storage tanks are in place or will be placed. An UST site encompasses all of the entire property within a contiguous ownership ~~to the underground storage tanks~~ that is associated with the use of the tanks.

Rationale for Change:

This definition was modified to clarify the meaning of the term. The revised language parallels the definition used in the federal Resource Conservation and Recovery Act.

WAC 173-360-130 Tank Permits and Delivery of Regulated Substances.

19. Section 130(2):

This subsection describes the process for obtaining an UST permit. The proposed language has been deleted and replaced by more specific language.

~~(2) To apply for a permit for a tank which is not in the department's underground storage tank data base the owner or operator must complete a Washington state underground storage tank notification form, as described in WAC 173 360 200, and submit it to the department with a payment of the fee for each tank as specified in WAC 173 360 190, including any fees which should have been paid for earlier fiscal years if the tank had properly registered, but which were not paid. Tanks which are in the department's data base will receive permits by July 1 of each year upon the owner or operator submitting adequate documentation of compliance with the requirements of this chapter to the department or delegated agency when requested to do so by the department~~

~~or delegated agency.~~

(2) Application for a permit. Permits for UST systems shall be obtained as follows:

(a) To apply for a permit for an UST system which is to be newly installed, the owner or operator shall complete a notice of intent to install an UST system, as specified in WAC 173-360-200(1), and submit it to the department at least 30 days prior to installation of the system. An initial permit, valid for ninety days, will be provided by the department so the UST system can be tested and operation of the system can begin. If necessary, and if circumstances warrant, an additional permit valid for ninety days will be provided by the department. Upon receipt of the following items, a permit valid until the following June 30, if the UST system remains in compliance, will be provided by the department for the newly installed UST system:

(i) a properly completed UST notification form, as specified in WAC 173-360-200(2);

(ii) a properly completed installation checklist, as specified in WAC 173-360-200(3) and;

(iii) the applicable annual tank fee, as specified in WAC 173-360-190,

(b) To apply for a permit for an existing UST system not previously reported to the department, the owner or operator shall complete a Washington state underground storage tank notification form, as specified in WAC 173-360-200(2), and submit it to the department with a payment of the applicable annual fee, as specified in WAC 173-360-190, including any fees which should have been paid for earlier fiscal years if the UST system had been properly registered, but which were not paid.

(c) In January of each year the department will request owners and operators of reported UST systems to certify compliance with the requirements of the chapter. UST systems which are in the department's notification data base when the department requests this certification will receive permits by July 1 of each year if:

(i) Adequate documentation of compliance, as specified by the department, is submitted to the department; and

(ii) The documentation of compliance is submitted by the deadline for submittal established by the department in its request.

#### Rationale for Change:

Certain circumstances dictate that UST permits be provided in a manner not fully accommodated by the proposed rule, such as the need to test a tank before putting it into operation. To address this, Ecology made the above revisions in the proposed rule. The changes are designed to facilitate tank testing prior to tank operation and to ensure that tanks which are ready to operate can receive product.

Tanks which are being newly installed will now receive a permit upon receipt by Ecology of a completed notice of intent to install an underground storage tank (rather than a completed UST notification form and fee payment, as specified in the proposed rule). The notice of intent to install must be received within thirty days, rather than sixty days, prior to installation. The initial permit will be valid for

ninety days and may be renewed under certain circumstances.

Upon receipt by the department of a completed notification form and installation checklist (indicating compliance with the rule) and the annual fee payment, a permit valid until the following June 30 (if the UST system remains in compliance) will be provided. The above items are now required within thirty days of beginning operation of the UST system (as in the federal rule) rather than sixty days prior to installation.

20. Section 130(3):

(3) ~~Eligibility for a permit. Underground storage tanks systems are not eligible for a permit unless if the following conditions are met:~~

(a) The owner or operator is in compliance with all requirements of this chapter, including the financial responsibility requirements, and chapter 70.105D RCW/73-340 WAC, if applicable, or the owner or operator is in conformance with a compliance schedule negotiated with and agreed to by the department;

Rationale for Change:

This language has been added to clarify that under certain, generally hardship related, circumstances, Ecology will establish compliance schedules within which it will work with tank owners and operators to help them achieve compliance. This is consistent with the department's approach to implementing other environmental laws and regulations.

21. Section 130(9):

(9) ~~Appeals. The revocation of a permit may be appealed to the Pollution Control Hearings Board, pursuant to Chapter 43.21B RCW.~~

Rationale for Change:

This subsection was added to provide information regarding the process for appealing revocation of an UST system permit. Ecology believes that a party has a right to an appeal of a permit revocation, and that it is appropriate to appeal such actions to the Pollution Control Hearings Board, pursuant to RCW 43.21B.110(1)(e).

WAC 173-360-170 Penalties.

22. Section 170:

(1) Any person who fails to notify the department pursuant to the notification requirements of this chapter, or who submits false information,

is subject to a civil penalty not to exceed five thousand dollars per violation.

(2) Any person who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation.

(3) Penalties may be appealed to the Pollution Control Hearings Board, pursuant to Chapter 43.21B RCW.

Rationale for Change:

This subsection was added to provide information regarding the process for appealing penalties imposed under the chapter. Ecology believes that a party has a right to an appeal of a permit revocation, and that it is appropriate to appeal such actions to the Pollution Control Hearings Board, pursuant to RCW 43.21B.110(1)(e).

WAC 173-360-190 Annual Tank Fees.

23. Section 190:

An annual state tank fee of seventy-five dollars per tank for the fiscal year ending June 30, 1992, and each fiscal year thereafter shall be paid within thirty days of the billing date and no later than the December 31st of each fiscal year by every person who owns an underground storage tank which:

(1) Is located in this state;

(2) Was required to be reported to the department under the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.);

(3) Is not permanently closed according to the requirements of this chapter on June 30 of the fiscal year preceding the fiscal year for which the fee is assessed;

Rationale for Change:

The change in paragraph (1) was made to clarify the due date of the payment of the annual fee. The phrase was added in paragraph (3) to correct the language used in the proposed rule. As the corrected sentence indicates, tanks must be closed prior to the beginning of the fiscal year or they will be subject to the fee for the fiscal year.

PART II

NOTIFICATION, REPORTING, AND RECORDKEEPING REQUIREMENTS

24. Note Preceding Section 200:

NOTE: Tank owners and operators may be subject to certain local requirements in addition to the state UST regulations. Permits or approval for

construction activities may be required by local jurisdictions. These may include, but are not limited to, requirements to obtain grading, building or demolition permits, and requirements for compliance with local ordinances pertaining to environmental review under the state Environmental Policy Act (Chapter 43.21C RCW).

Rationale for Change:

This note was added to inform tank owners' and operators that, although certain local UST requirements are preempted by the state UST rule (under RCW 90.76.110) there may be other local requirements in effect. Such requirements may not be specific to USTs, but may affect UST-related activities.

WAC 173-360-200 Notification Requirements.

25. Section 200(1) and (2):

These paragraphs describe the reporting requirements for UST systems which are to be installed and newly installed systems. The original text of paragraph (1) has been deleted and replaced by language which describes a revised process and provides greater specificity than the proposed language.

~~(1) Except in the circumstances defined in subsection (2) of this section, any owner who intends to install a new UST system or bring an existing UST system into use, shall submit a notice of such intent to the department or delegated agency at least sixty days prior to installing or bringing such a system into use. Such notice shall meet the following requirements:~~

(1) Notice of intent to install a new UST system. Except in the circumstances defined in subsection (5) of this section, any owner who intends to install a new UST system shall submit a notice of such intent to the department or delegated agency at least thirty days prior to installing the UST system. Such notice shall meet the following requirements:

(a) The notice of intent shall be provided on the appropriate Washington state form, which is available from the department;

(b) Each UST system to be installed which is regulated under this chapter shall be reported;

(c) Owners may provide notice for more than one UST system using a single form, but UST systems to be installed at separate sites shall be reported on separate forms; and

(d) The completed form shall include all of the information required on the form.

(2) Notification of new UST systems in use. Within thirty days of bringing any newly installed UST system regulated under this chapter into use, the owner shall submit notice of such UST system to the department. This notice shall meet the following requirements:



Rationale for Change:

Concerns were raised by the regulated community regarding the feasibility of providing accurate information about tanks to be installed sixty days before they were to be installed. Also, the receipt of a permit was based on the notification process, and certain circumstances dictate that UST permits be provided in a manner not fully accommodated by the proposed language. To address these concerns, Ecology made the above revisions in the proposed rule. The changes are designed to allow tank owners to report their intent to install new UST systems without requiring detailed information about them, as well as to facilitate tank testing prior to tank operation and to ensure that systems which are ready to operate can receive product.

Tanks which are being newly installed will now receive a permit upon receipt by Ecology of a completed *notice of intent* to install an underground storage tank (rather than a completed UST notification form and fee payment, as specified in the proposed rule). The notice of intent to install will not require detailed information regarding the UST system, and must be received within thirty days, rather than sixty days, prior to installation. This will give Ecology adequate time to provide an initial permit prior to installation of the new UST system. The initial permit will be valid for ninety days and may be renewed under certain circumstances.

Upon receipt by the department of a completed notification form and installation checklist (indicating compliance with the rule) and the annual fee payment, a permit valid until the following June 30 (if the UST system remains in compliance) will be provided. The above items are now required within thirty days of beginning operation of the UST system (as in the federal rule) rather than sixty days prior to installation.

26. Section 200(4):

(4) Notification of existing UST systems. Owners of any existing UST system regulated under this chapter which has not previously been reported to the department shall provide notification regarding such UST system immediately, following the requirements of WAC 173-360-200(2)(a) through (e).

Note: Owners and operators of UST systems that were in the ground on or after May 8, 1986, unless taken out of operation on or before January 1, 1974, were required to notify the department in accordance with the Hazardous and Solid Waste Amendments of 1984, Public Law 98-616, on a form published by Washington state in December 1985 (Form ECY 020-32) unless notice was given pursuant to section 103(c) of CERCLA. ~~Owners and operators who have not complied with the notification requirements may use Sections I through VI of the notification form.~~

Rationale for Change:

Paragraph (4) has been added to clarify the notification requirements for existing systems which have not been reported. The last line of the "Note" has been deleted because the information provided by this line is presented, in a more appropriate way, in paragraph (4).

27. Section 200(5):

~~(2) Emergency Replacement of UST systems.~~ (5) Replacement UST systems.  
 (a) An exception to the ~~sixtythree~~ sixty-three-day notice requirement for new installations in subsection (1) of this section is allowed when an UST system is being replaced on an emergency basis due to a release from the system being replaced. An emergency shall be regarded as a ~~newly discovered~~ newly discovered release from an UST system which is:

- (i) In operation at the time of the release;
- (ii) Located at an operating facility; and
- (iii) Necessary for the normal operation of the facility.

(b) Under the circumstances described in (a) of this subsection, the ~~notification notice of intent to install an UST system~~ notification notice of intent to install an UST system may be provided after the installation of the new system but no more than seven days after the installation is completed. The information which must be included in the ~~notification notice of intent form~~ notification notice of intent form is the same as in ~~subsection (1) of this section.~~ subsection (1) of this section. ~~WAC 173-360-200(1). A permit for the new UST system will only be issued upon receipt by the department of a properly completed installation checklist as described in subsection (4) of this section.~~ A site assessment meeting the requirements of WAC 173-360-390 shall be completed prior to installing a tank in the excavation pit of a tank being replaced and prior to installing new piping in the piping trench of piping being replaced.

Rationale for Change:

This subsection has been revised to correspond to the changes made in WAC 173-360-200(1). The phrase "newly discovered" was added in regard to releases to clarify that releases which the owner or operator had been aware of, but did not act upon, are not emergencies for the purposes of this subsection. The statement about UST permits has been deleted because it no longer accurately reflects the permit process.

28. ~~(3)(6)~~ Changes to ~~storage~~ UST systems. Any changes in the information initially reported in ~~Sections I through VII of the notification form~~ Sections I through VII of the notification form submitted under subsection ~~(1) or (2)(2), (4) or (5)~~ (1) or (2) of this section, ~~including temporary closure of an UST system that was initially reported as being in use,~~ shall be reported to the department or delegated agency by submitting a new notification form within thirty days after such changes occur.

Rationale for Change:

The references have been changed as appropriate. The specified sections have been deleted because the state UST notification form is being revised and these may change. The phrase concerning temporary closure has been added to emphasize that this change in tank operating status must be reported to the department (as must any other changes in operating status).

29. ~~(4) Installation checklist. All owners and operators of new UST systems shall ensure that a licensed installation supervisor certifies that the methods used to install the tanks and piping comply with the requirements in WAC 173-360-305(4) by completing an installation checklist, which is available from the department, as specified in WAC 173-360-305(5).~~

Rationale for Change:

This subsection has been moved; it is now subsection (3) of this section.

WAC 173-360-210 Reporting and Recordkeeping Requirements.30. Section 210(1) and (2):

(1) Reporting. Owners and operators shall submit the following information ~~specified in (a) through (e) of this subsection~~ to the department or delegated agency:

(a) Notification for all UST systems (WAC 173-360-200), which includes certification of installation for new UST systems (WAC 173-360-305(5));

(b) Reports of all ~~releases including suspected releases~~ (WAC 173-360-360), ~~confirmed releases~~ (WAC 173-360-372), and spills and overfills (WAC 173-360-375); ~~and confirmed releases~~ (WAC 173-360-399);

(c) Reports required for corrective actions under chapter ~~70-105D~~ RCW ~~173-340~~ WAC; and

(d) A notification before permanent closure or change-in-service (WAC 173-360-385); and

(e) The appropriate forms, certificates of compliance, and evidence of financial responsibility (WAC 173-360-446).

(f) Checklists required for tank service activities, site checks and site assessments shall be submitted by tank services providers or persons registered to perform site checks and site assessments, as applicable (WAC 173-360-630(12)).

(2) Recordkeeping. Owners and operators shall maintain the following information:

(a) Documentation of operation of corrosion protection equipment (WAC 173-360-320);

(b) Documentation of UST system repairs (WAC 173-360-325(6));

- (c) Recent compliance with release detection requirements (WAC 173-360-355);
- (d) Results of the site assessment conducted at permanent closure (WAC 173-360-398); ~~and~~
- (e) Corrective action records in accordance with chapter ~~70.105D~~ RCW. ~~173-340 WAC; and~~
- (f) Evidence of financial assurance mechanisms used to demonstrate financial responsibility (WAC 173-360-450).

Rationale for Change:

The above changes were made to clearly indicate all of the reporting requirements of the chapter in one consolidated section. (The details of the reporting requirements are still spelled out in the context of each referenced section.)

31. WAC 173-360-220 Reporting of Releases.

~~WAC 173 360 220 REPORTING OF RELEASES. Owners and operators of UST systems shall report all suspected and confirmed releases, and any spills and overfills, to the department or delegated agency in accordance with WAC 173-360-360, 173-360-372 and 173-360-375, respectively.~~

Rationale for Change:

This section was deleted because it duplicates language in WAC 173-360-210.

32. WAC 173-360-230 Financial Responsibility Reporting and Recordkeeping.

~~WAC 173 360 230 FINANCIAL RESPONSIBILITY REPORTING AND RECORDKEEPING. Owners and operators of UST systems shall maintain evidence of financial assurance mechanisms used to demonstrate financial responsibility under WAC 173 360 400 through 173 360 499 in accordance with WAC 173 360 483, and shall meet the reporting requirements of WAC 173 360 480, including but not limited to submitting the appropriate forms listed in WAC 173 360 483(2) documenting current evidence of financial responsibility.~~

Rationale for Change:

This section was deleted because the requirements have been integrated into WAC 173-360-210.

## PART III

## PERFORMANCE STANDARDS AND OPERATING AND CLOSURE REQUIREMENTS

WAC 173-360-300 Performance Standards for Deferred UST Systems.33. Note following Section 300:

Note: The provisions of WAC 173-360-305 and EPA's publication "The Interim Prohibition: Guidance for Design and Installation of Underground Storage Tanks may be used to satisfy the requirements of this section.

Rationale for Change:

This note was added to provide owners and operators of deferred tanks with information regarding how they might comply with the requirements of the section.

WAC 173-360-305 Performance Standards for New UST Systems.34. Section 305(1):

(1) Tanks. Each tank shall be properly designed and constructed with material that is compatible with and impermeable to the stored substance, and any portion underground that routinely contains ~~product~~ regulated substances shall be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified under (a) through (d) below:

Rationale for Change:

This phrase has been added to reinforce the compatibility requirement specified in WAC 173-360-323.

35. Section 305(1)(b)(iii):

(iii) Cathodic protection systems are designed and installed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the department or delegated agency in accordance with WAC 173-360-210325(5) and (6). ~~These provisions shall include, if the ground surface is covered with either concrete or asphalt, a permanent penetration of that ground cover, where physical contact may be made with the soil; and~~

Rationale for Change:

Ecology has determined that there are a variety of ways that a cathodic protection system design might include provisions for testing to allow a determination of the current operating status and to facilitate such testing by the department or delegated agency.

The department consequently decided to delete the above sentence, which was added to the federal language in this section of in the proposed rule, in order to provide more flexibility regarding the provisions which must be incorporated in such designs. The phrase "and installed" was added to the first sentence to specifically indicate that such provisions for testing must be installed (not merely designed).

36. Section 305(2):

(2) Piping. The piping that routinely contains regulated substances and is in contact with the ground shall be properly designed, and constructed with material that is compatible with and impermeable to the stored substance, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

Rationale for Change:

This phrase has been added to reinforce the compatibility requirement specified in WAC 173-360-323.

37. Section 305(2)(b)(iii):

(iii) Cathodic protection systems are designed and installed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the department or delegated agency in accordance with WAC 173-360-210~~325~~(5) and (6). ~~These provisions shall include:~~

~~(A) If the ground surface is covered with either concrete or asphalt, a permanent penetration of that ground cover, where physical contact may be made with the soil; and~~

~~(B) If any section of the piping is electrically isolated (e.g., metal flex connectors or other metal piping separated on both ends by isolation bushings, etc.), and cannot be physically contacted from the ground surface, a wire shall be attached to that section, with access to the wire permanently provided at the ground surface;~~

Rationale for Change:

Ecology has determined that there are a variety of ways that a cathodic

protection system design might include provisions for testing to allow a determination of the current operating status and to facilitate such testing by the department or delegated agency.

The department consequently decided to delete the above requirements, which were added to the federal language in this section of in the proposed rule, in order to provide more flexibility regarding the provisions which must be incorporated in such designs. The phrase "and installed" was added to the first sentence to specifically indicate that such provisions for testing must be installed (not merely designed).

38. Section 305(3)(a)(ii):

(ii) Overfill prevention equipment that will:

(A) Automatically shut off flow into the tank when the tank is no more than ninety-five percent full; ~~or~~

(B) Alert the transfer operator when the tank is no more than ninety percent full by restricting the flow into the tank or triggering a high-level alarm; or

(C) Restrict flow thirty minutes prior to overfilling, alert the operator with a high level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to regulated substances due to overfilling.

Rationale for Change:

This additional option for overfill prevention provides a realistic alternative for larger UST systems. EPA has also proposed an amendment to the federal UST rule incorporating the above language (published in the Federal Register on April 27, 1990) which is very likely to be adopted.

39. Note following Section 305(3)(a)(ii)(B):

Note: Overflow prevention equipment that will automatically shut off or restrict flow into the tank should ~~only not~~ be used ~~on gravity piping to preclude backflows which may occur with pressurized piping where a pressurized delivery system may be employed since an overflow may occur when the flow is suddenly shut off or restricted.~~

Rationale for Change:

This note was modified for clarification.

40. Section 305(4):

(4) Installation. All tanks and piping shall be properly installed by a licensed tank services provider in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions.

Rationale for Change:

This language has been added to reinforce the licensing requirements of Part VI of the UST rule. Similar language has been added throughout the technical portion of the rule, where appropriate.

WAC 173-360-310 Upgrading Requirements for Existing UST Systems.41. Section 310(2)(b)(ii) and (iii):

(ii) The tank has been installed or internally lined for less than ten years and is monitored monthly for releases in accordance with WAC 173-360-345(6)(e) through (6)(i); or

(iii) The tank has been installed or internally lined for less than ten years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of WAC 173-360-345(6)(d). The first tightness test shall be conducted prior to installing the cathodic protection system. The second tightness test shall be conducted between three and six months following the first operation of the cathodic protection system; or

Rationale for Change:

EPA has concluded that a properly installed internal lining is equivalent to a new installation for at least a ten year period. Based on this information, Ecology had provided in its proposed rule that a tank which has been internally lined does not require periodic internal inspections if it is also cathodically protected within a ten-year period of being lined (WAC 310(2)(a)(ii)). The highlighted phrases have been added to the rule to make the above paragraphs consistent with WAC 310(2)(a)(ii), as was intended in the proposed rule.

42. Section 310(5):

(5) Tank services providers who perform any of the tank services described in this section shall certify whether such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).



Rationale for Change:

The above language has been added to reinforce the requirements for submittal of checklists, as specified in Part VI of the UST rule. Similar language has been included throughout the technical requirements of the rule, where appropriate.

WAC 173-360-323 Compatibility.43. Section 323:

Owners and operators shall use an UST system made of or lined with materials that are compatible with ~~and impermeable to~~ the substance stored in the UST system.

Rationale for Change:

This phrase has been added to emphasize that impermeability is an aspect of the compatibility requirement.

WAC 173-360-325 Repairs of UST Systems.44. Section 325:

WAC 173-360-325 REPAIRS OF UST SYSTEMS. Owners and operators of UST systems shall ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. Any UST system which is repaired to correct a structural defect ~~in the system~~ must also be upgraded at the time of the repair to meet the requirements specified in WAC 173-360-310 ~~(2) through (4)~~ (1)(a) or (b), and must employ a ~~method of release detection for the tank as specified in WAC 173-360-335, WAC 173-360-340 or WAC 173-360-345, as applicable, and a method of release detection for the piping as specified in WAC 173-360-350.~~

Rationale for Change:

The phrase "in the system" has been deleted because the definition of a "structural defect" specifically refers to the tank itself, not the system. The reference to WAC 173-360-310(2) through (4) has been deleted and replaced with a reference to WAC (1)(a) or (b), which adds the option of meeting new tank standards (under "a") and incorporates the requirements of (2) through (4) under "b".

The additional element requiring that release detection requirements must also be met when a tank is repaired to correct a structural defect was intended to be part of the upgrading requirement in the proposed rule, but it was not clearly specified.

Since all UST systems must have release detection by the end of 1993, this is only an "additional" requirement for tanks which are repaired and which are not already subject to the requirement. Ecology believes release detection is particularly important for tanks which have already had a release or have had a hole or crack in the tank (i.e., a "structural defect") repaired to prevent a release.

45. Section 325(5) and (6):

~~(5) Immediately~~ Except as specified in subsection (6) of this section, ~~within six months~~ following the repair of any cathodically protected UST system ~~and again between one and six months following the repair~~, the cathodic protection system shall be tested in accordance with WAC 173-360-320 (2) and (3) to ensure that it is operating properly.

~~(6) Any repair to a cathodic protection system shall be tested in accordance with WAC 173-360-320(2) and (3), at the time of the repair and again between one and six months following the repair.~~

Rationale for Change:

The proposed rule required testing of cathodic protection systems immediately following repair because Ecology believed that the federal testing requirement pertained to repairs of the cathodic protection system. However, the department has determined that the federal rule requires cathodic protection testing within six months after a cathodically protected UST system is repaired, regardless of whether the repair was to the cathodic protection system.

We have therefore restored the language from the federal rule; however, we have also added new language to specifically address repair of a cathodic protection system. The final rule requires that repaired cathodic protection systems be tested both immediately after the repair and between one and six months thereafter.

46. Section 325(7):

~~(6)(7)~~ UST system owners and operators shall maintain records of each repair for the remaining operating life of the UST ~~systems~~site that demonstrate compliance with the requirements of this section.

Rationale for Change:

This change has been made because the federal rules for state program approval (40 CFR 281.32(e)) require that such records be maintained for the operating life of the facility (which is analogous to "site" in the state rule). Chapter 90.76 RCW specifically requires that the state UST rules meet the requirements for delegation of the federal program.

WAC 173-360-330 Release Detection Compliance Schedule.47. Section 330:

This section presents the compliance schedule for release detection; the following changes are to the notes at the bottom of the compliance schedule.

New tanks (after December 22, 1988) immediately upon installation.

P- Except for emergency power generator tanks, must begin release detection for all pressurized piping in accordance with WAC 173-360-350(2)(a) and ~~173-360-340(2)(d)~~.

RD- Except for emergency power generator tanks, must begin release detection for tanks and suction piping in accordance with WAC 173-360-335(2)(a), 173-360-350(2)(b), and 173-360-340.

E- Must begin release detection for emergency power generator tanks and piping in accordance with WAC 173-360-335(2)(a) and 173-360-350(2)(a) or (b).

Rationale for Change:

The date and terms added to this section were added for clarity. Concerning the deletion, this citation required pressurized piping to be equipped with secondary containment (in addition to being equipped with line leak detectors and being tested annually) by December 1990. EPA has changed its requirement in this regard, and Ecology has elected to be no more stringent than the federal requirement.

WAC 173-360-335 Release Detection for Petroleum UST Systems.48. Section 335(3):

(3) Any existing UST system that cannot apply a method of release detection that complies with the applicable requirements of WAC 173-360-330 through 173-360-355 shall complete the closure procedures in WAC 173-360-380 through 173-360-398 by the date on which release detection is required for that UST system under WAC 173-360-330.

Rationale for Change:

This change was made for clarification.

WAC 173-360-340 Release Detection for Hazardous Substance UST Systems.49. Section 340(2)(c)(ii):

(ii) Prevent precipitation and ground water from entering the external liner and prevent the release of regulated substances to the environment at

any time during the operational life of the UST system;

Rationale for Change:

This additional phrase was added to emphasize that external liners must be designed to prevent water from entering the liner, which could contribute to failure of the UST system, in addition to being designed to prevent releases from the UST system.

WAC 173-360-345 Methods of Release Detection for Tanks.

50. Section 345(2):

(2) UST systems that meet the new tank or upgraded tank performance standards in WAC 173-360-305 or 173-360-310, and the inventory control requirements in WAC 173-360-345(6)(a) or (b), may use tank tightness testing (conducted in accordance with WAC 173-360-345(6)(d)) ~~conducted~~ at least every five years until December 22, 1998, or until ten years after the tank is installed or upgraded under WAC 173-360-310(2), whichever is later.

Rationale for Change:

This language is part of the federal rule and, after Ecology discussed omitting it with the UST Advisory Committee, the department agreed to retain it. However, the language was inadvertently omitted in the proposed state rule so it has now been incorporated in the final rule.

51. Section 345(6)(c)(i) and (ii):

(i) Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded ~~whenever inputs or withdrawals occur~~;

(ii) Tank liquid level measurements ~~reconciled with inventory volume measurements~~ are taken monthly at the beginning and ending of a period of at least twenty-one days, except when extreme snowfall or other travel obstructions occurring in remote locations and preventing access are specifically documented by the owner and operator;

Rationale for Change:

These changes were made to clarify the measurement requirements for this release detection option.

52. Section 345(6)(g):

(g) Ground-water monitoring. Testing or monitoring for liquids on ~~or in~~

the ground water shall meet the following requirements:

Rationale for Change:

This phrase has been added for clarification.

WAC 173-360-355 Release Detection Recordkeeping.

53. Section 355(3):

(3) Written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on-site ~~must~~ shall be maintained for at least ~~one~~ five years after the servicing work is completed, or for another reasonable time period determined by the department or delegated agency. Any schedules of required calibration and maintenance provided by the release detection equipment manufacturer shall be retained for five years from the date of installation.

Rationale for Change:

Ecology believes it is important that release detection compliance records be retained for more than one year. Record inspection is one of the primary ways that the department will determine compliance with the UST program. This is particularly important for any follow-up to the self-certification of compliance that Ecology will largely rely on to determine compliance. Records must be available to demonstrate compliance during the period between inspections.

There are a number of recordkeeping requirements in the release detection portion of the rule (WAC 173-360-355). A five-year recordkeeping requirement for documentation of maintenance and repair of release detection equipment is consistent with two other five-year recordkeeping requirements already imposed by EPA in this section. These requirements cannot be reduced because Chapter 90.76 RCW requires that the state UST rules be no less stringent than the federal rules.

To make the recordkeeping requirements of the UST rule consistent, and to simplify them, the department is requiring all records for which it has discretion to be maintained for a five year period. (Exceptions to this requirement are records regarding repair and upgrading, which must be kept for the operating life of the site, and financial responsibility records, which must be kept until the UST system is properly closed and any required corrective action is completed).

WAC 173-360-360 Reporting of Suspected Releases.54. Section 360(1):

(1) Owners and operators or others discover released regulated substances at the UST site or in the surrounding area (~~such as including but not limited to~~ the presence of free product or ~~vapors~~its constituents in soils, basements, sewer and utility lines, ~~ground water~~, and/or ~~nearby~~ surface water).

Rationale for Change:

These changes were made to clarify the requirements.

WAC 173-360-365 Investigation Due to Off-Site Impacts.55. Section 365:

WAC 173-360-365 INVESTIGATION DUE TO OFF-SITE IMPACTS. When required by the department or delegated agency, owners and operators of UST systems shall follow the procedures in WAC 173-360-370 to determine if the UST system is the source of off-site impacts. These impacts include the discovery of regulated substances (~~such as including but not limited to~~ the presence of free product or ~~vapors~~its constituents in soils, basements, sewer and utility lines, ~~ground water~~, and/or ~~nearby~~ surface ~~and drinking waters~~) that has been observed by the department or delegated agency or brought to their attention by another ~~party~~person.

Rationale for Change:

These changes were made to clarify the requirements.

WAC 173-360-370 Release Investigation and Confirmation Steps.56. Section 370(2):

(2) Site check. Owners and operators shall have a ~~qualified professional, person registered by the department to perform site assessments as defined~~specified in WAC 173-360-610, sample for the presence of a release. Such samples shall be taken and analyzed ~~in accordance with the department's guidance document for site checks and site assessments, or as otherwise directed by the department or delegated agency, where contamination is most likely to be present at the UST site, including but not limited to the excavation zone. In selecting sample types, sample locations, and measurement methods, and in determining the actual number of samples, the following factors shall be considered: The nature of the stored substance, the type of initial alarm or cause of suspicion, the type of backfill, the size of tank,~~

~~the depth of ground water, and other factors appropriate for identifying the presence and source of the release.~~

Rationale for Change:

The phrase "qualified professional" has been deleted and replaced with the new phrase because the original language suggests that only persons with particular degrees or credentials may perform site assessments. The new language more accurately describes the approach taken by the department, which is to approve people based on their experience, education and/or training (in addition to those who have the credentials specified in WAC 173-360-610(3).

The changes regarding samples reflects the fact that the department is preparing a guidance document for site assessment which is much more specific than the deleted language.

WAC 173-360-375 Cleanup and reporting of spills and overfills.

57. Section 375(1):

This subsection establishes requirements for reporting spills and overfills of regulated substances, and references the following two subsections regarding containing and cleaning up such spills and overfills. The language from the proposed rule has been deleted and replaced with more specific language which separately addresses petroleum and hazardous substances.

~~(1) Owners and operators of UST systems shall contain and immediately clean up any spill or overfill of a regulated substance, and shall report any such spill or overfill and the results of any cleanup related thereto to the department or delegated agency within twenty four hours if the spill or overfill exceeds a de minimis amount or comes in contact with soil, ground water, or surface water.~~

~~Note: In the case of petroleum, a de minimis amount is any amount that immediately evaporates or that is specified by the department or delegated agency through guidance documents.~~

(1) Owners and operators of UST systems shall immediately contain and clean up any spill or overfill of petroleum or hazardous substances in accordance with WAC 173-360-375(2) and (3). Spills and overfills shall be reported as follows:

(a) Owners and operators shall immediately report any spill or overfill of petroleum and the results of any related cleanup to the department or delegated agency if the spill or overfill comes in contact with soil, ground water or surface water. Spills or overfills of petroleum which are above a de minimis amount but do not come in contact with soil, ground water or surface water shall be reported within twenty-four hours. A de minimis amount of

petroleum is any amount that immediately evaporates or that is specified by the department or delegated agency through guidance documents. Spills or overfills of petroleum which do not exceed a de minimis amount and do not come in contact with soil, ground water or surface water are not required to be reported.

(b) Owners and operators shall immediately report any spill or overfill of a hazardous substance and the results of any related cleanup to the department or delegated agency if the spill or overfill comes in contact with soil, ground water or surface water. Spills or overfills of hazardous substances which are above a de minimis amount but which do not come in contact with soil, ground water or surface water shall also be reported immediately. A de minimis amount of a hazardous substance is any amount that is below the specified reportable quantity under CERCLA. Spills or overfills of hazardous substances which do not exceed a de minimis amount and do not come in contact with soil, ground water or surface water are not required to be reported.

Note: A release of a hazardous substance equal to or in excess of its reportable quantity under CERCLA (40 CFR 302) must also be reported immediately to the National Response Center under sections 102 and 103 of CERCLA (40 CFR 302.6) and to the appropriate state and local authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).

#### Rationale for Change:

This section was rewritten to provide greater clarity regarding the requirements. The revision distinguishes in (a) and (b) between reporting of petroleum spills and overfills and reporting spills and overfills of hazardous substances. The revision also adds the information that "de minimis" amounts of hazardous substances are those below the reportable quantities of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (Superfund).

The "Note" below the subsection was moved to this position because it addresses reporting, as does the subsection.

#### 58. Section 375(3):

This subsection establishes requirements for taking further appropriate actions when cleanup cannot be accomplished within a specified time or when the spill or overfill exceeds specified amounts. The proposed language has been deleted and replaced by more clearly specified (but not substantially different) requirements.

~~(2)(3)~~ Owners and operators shall ~~begin corrective~~ take appropriate action in accordance with WAC 173-360-399 in the following cases:



~~(a) Spill or overfill of petroleum that results in a release to the environment that is less than twenty five gallons or another reasonable amount specified by the department or delegated agency, and a spill or overfill of a hazardous substance that is less than the reportable quantity, if cleanup is not or cannot be accomplished within twenty four hours, or another reasonable time period established by the department or delegated agency;~~

~~(b) Spill or overfill of petroleum that results in a release to the environment that exceeds twenty five gallons or another reasonable amount specified by the department or delegated agency, or that results in groundwater contamination or causes a sheen on nearby groundwater or surface water; and~~

~~(c) Spill or overfill of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under CERCLA (40 CFR 302).~~

(a) A spill or overfill of petroleum that results in a release to the environment of less than twenty-five gallons or another reasonable amount specified by the department or delegated agency, if cleanup is not or cannot be accomplished within twenty-four hours or another reasonable time period established by the department or delegated agency.

(b) A spill or overfill of petroleum that results in a release to the environment that exceeds twenty-five gallons or another reasonable amount specified by the department or delegated agency.

(c) A spill or overfill of petroleum, regardless of amount, that results in groundwater contamination or causes a sheen on groundwater or surface water, including such water in drywells.

(d) A spill or overfill of a hazardous substance that results in a release to the environment that is less than the reportable quantity under CERCLA, if cleanup is not or cannot be accomplished within twenty-four hours or another reasonable time period established by the department or delegated agency; and

(e) A spill or overfill of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under CERCLA (40 CFR 302).

~~Note: A release of a hazardous substance equal to or in excess of its reportable quantity under CERCLA (40 CFR 302) shall also be reported immediately (rather than within twenty four hours) to the National Response Center under sections 102 and 103 of CERCLA (40 CFR 302.6) and to appropriate state and local authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).~~

#### Rationale for Change:

This subsection was revised to make the requirements more clear. The requirements for petroleum now follow one another, and the requirements for hazardous substances are placed together. The "Note" has been moved to the subsection regarding reporting.

WAC 173-360-380 Temporary Closure of UST Systems.59. Section 380(3) and (4):

~~(3) Any UST system temporarily closed for three months or more shall be tightness tested by a licensed tank services provider in accordance with WAC 173-360-345(6)(d) and 173-360-350(3)(b) prior to being put back into service unless the system is subject to and in compliance with the release detection requirements of WAC 173-360-330.~~

~~(3)(4) When an UST system is temporarily closed for more than twelve months, owners and operators shall have a licensed tank services provider permanently close the UST system if it does not either meet either performance standards in WAC 173-360-305 for new UST systems or the upgrading requirements in WAC 173-360-310 (2) and (3). Such UST systems shall be permanently closed in accordance with WAC 173-360-385 through 173-360-398 at the end of the twelve-month period or upgraded in accordance with WAC 173-360-310 (2) and (3) within thirty days after the end of this twelve-month period, unless the department or delegated agency provides an extension before expiration of the twelve-month temporary closure period. Owners and operators shall have a site assessment completed complete a site assessment in accordance with WAC 173-360-390 before such an extension is applied for.~~

~~(4) Any UST system temporarily closed for three months or more shall be tightness tested prior to being put back into service unless the system is subject to and in compliance with the release detection requirements of WAC 173-360-330.~~

Rationale for Change:

The tank testing requirement for tanks temporarily closed for three months or more was moved to the portion of the section addressing such temporary closures. The language of paragraph (3) was changed to conform more closely to the federal language. The thirty-day period previously provided at the end of the twelve months has been eliminated (there is no such period in the federal rule). However, if necessary, an extension may be granted (but it must be applied for prior to the end of the twelve-month period).

WAC 173-360-385 Permanent Closure and Change-in-Service.60. Section 385(2):

(2) Permanent closure shall be completed by a licensed tank services provider within ~~thirtysixty~~ days after expiration of the thirty-day notice, unless a written request for an extension, explaining the reason for the request, is approved by the department or delegated agency. Any UST system not permanently closed by a compliance date that the UST system is subject to, shall be in compliance with the requirement associated with the compliance date, including the payment of fees. Any UST system not in compliance with

any such requirement will be subject to the penalties described in WAC 173-360-170.

Rationale for Change:

The requirement for tank closure to be completed within thirty days following expiration of the thirty-day notice has prompted concerns because of possible problems in scheduling with contractors and in predicting the degree of difficulty, and therefore length of time necessary, to complete closure of a particular site. To address these concerns, Ecology has extended this time-frame to sixty days. (The language also includes a provision for an extension, if justified.)

WAC 173-360-390 Site Assessment at Closure or Change-in-Service.

61. Section 390(1):

(1) Before permanent closure or a change-in-service is completed, ~~except as specified in subsections (2) and (3) of this section, owners and operators shall have a qualified professional person registered by the department to perform site assessments, as defined specified in WAC 173-360-610, sample for the presence of a release. Such samples shall be taken and analyzed in accordance with the department's guidance document for site assessments, or as otherwise directed by the department or delegated agency, where contamination is most likely to be present at the UST site, including but not limited to the excavation zone. In selecting sample types, sample locations, and measurement methods, and in determining the actual number of samples, the following factors shall be considered: The method of closure, the nature of the stored substance, the type of backfill, the size of tank, the depth to ground water, and other factors appropriate for identifying the presence of a release.~~

Rationale for Change:

The phrase "qualified professional" has been deleted and replaced with the new phrase because the original language suggests that only persons with particular degrees or credentials may perform site assessments. The new language more accurately describes the approach taken by the department, which is to approve people based on their experience, education and/or training (in addition to those who have the credentials specified in WAC 173-360-610(3)).

The changes regarding samples reflects the fact that the department is preparing a guidance document for site assessment which is much more specific than the deleted language.

62. Section 390(2):

(2) The requirements of this section are satisfied if one of the external release detection methods allowed in WAC 173-360-345(6)(f) and (g) is employed for the UST system being closed or for which a change-in-service is being implemented, if the following conditions are met:

(a) The external release detection method is operating, at the time of closure or change-in-service, in accordance with the requirements of WAC 173-360-345(6)(f) or WAC 173-360-345(6)(g), as applicable; and

(b) A report is provided to the department with sufficient information to clearly demonstrate that:

(i) The external release detection method employed was appropriately designed, installed and operated to adequately detect any releases from the UST system; and

(ii) no release was detected from the UST system.

(3) If the department determines that the conditions specified in subsection (2) of this section have not been satisfactorily met, the department may require that a site assessment be performed for the site.

Rationale for Change:

This additional language was added to reinstate the federal allowance for exemption from site assessment at closure if an external release detection method has been properly employed for the UST system. This was deleted in the proposed rule because of concern regarding the potential unreliability of such systems, depending on their design, construction and installation.

However, not allowing this exemption was the source of almost all of the added costs of the proposed state UST rules, according to the economic analyses prepared for the rule. To minimize these costs, Ecology has decided to allow the exemption, but only if a report is provided to the department which substantiates that the system was appropriately designed, constructed and installed, and no release was detected. This report is a substitute for the site assessment report which would otherwise be required.

63. Section 390(3):

~~(2)~~(3) If contaminated soils, contaminated ground water, or free product is discovered under subsection (1) of this section, or by any other manner, owners and operators shall report to the department or delegated agency in accordance with WAC 173-360-372 and ~~begin corrective~~ take appropriate action in accordance with WAC 173-360-399.

Rationale for Change:

This change was made to indicate that "corrective action", in the sense

of further or extensive cleanup, may not necessarily be required. The intent of the language is to direct tank owners or operators to: (1) contact Ecology to determine what further actions may be necessary, and (2) follow the directions of the department.

WAC 173-360-395 Applicability to Previously Closed UST Systems.

64. Section 395:

When directed by the department or delegated agency, the owner and operator of an UST system permanently closed or abandoned before December 22, 1988, shall have a person registered to perform site assessments assess the site and shall have a licensed tank services provider close the UST system in accordance with WAC 173-360-380 through 173-360-398 if releases from the UST may, in the judgment of the department or delegated agency, pose a current or potential threat to human health and the environment.

Rationale for Change:

The above phrase was added to clarify that UST systems for which no effort was made to close (e.g., removing the product) are also subject to the section.

WAC 173-360-398 Closure Records.

65. Section 398:

Owners and operators shall maintain records ~~in accordance with WAC 173-360-210~~ that demonstrate compliance with closure requirements under WAC 173-360-380 through 173-360-398. The results of the site assessment required in WAC 173-360-390 shall be maintained for at least ~~three~~ five years after completion of permanent closure or change-in-service in one of the following ways:

Rationale for Change:

There are a number of recordkeeping requirements in the rule, including two five-year recordkeeping requirements in the release reporting section. These requirements cannot be reduced because Chapter 90.76 RCW requires that the state UST rules be no less stringent than the federal rules.

In an effort to make the recordkeeping requirements of the UST rule consistent and to help prevent confusion about them, the department is requiring all records for which it has discretion to be maintained for a five year period. (Exceptions to this requirement are records regarding repair and upgrading, which must be kept for the operating life of the site, and financial responsibility records, which must be kept until the UST system is properly closed and any required corrective action is

completed).

Record inspection is one of the primary ways that the department will determine compliance with the UST program. This is particularly important for any follow-up to the self-certification of compliance that Ecology will largely rely on to determine compliance. Records must be available to demonstrate compliance during the period between inspections.

WAC 173-360-399 Corrective Action Requirements.

66. Section 399:

Except as provided in WAC 173-360-375, upon confirmation of a release in accordance with WAC 173-360-370 or 173-360-390, or after a release from the UST system is identified in any other manner, owners and operators shall immediately undertake ~~corrective action or other appropriate~~ measures in accordance with chapter ~~70.105D RCW~~ ~~173-340 WAC~~ and/or this chapter, and any additional measures as directed by the department under chapter 90.48 RCW. Owners and operators shall also report such releases to the department or delegated agency within twenty-four hours in accordance with WAC 173-360-372.

Rationale for Change:

This change was made to indicate that "corrective action", in the sense of further or extensive cleanup, may not necessarily be required. The intent of the language is to direct tank owners or operators to: (1) contact Ecology to determine what further actions may be necessary, and (2) follow the directions of the department.

PART IV

FINANCIAL RESPONSIBILITY REQUIREMENTS

WAC 173-360-420 Insurance and Risk Retention Group Coverage.

67. Section 420:

(1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining liability insurance that conforms to the requirements of this section from a qualified insurer or risk retention group. Such insurance may be in the form of a separate insurance policy or an endorsement to an existing insurance policy.

(2) Each insurance policy shall be amended by an endorsement worded as specified in WAC 173-360-476 or evidenced by a certificate of insurance worded as specified in WAC 173-360-480, except that instructions in brackets shall be

replaced with the relevant information and the brackets deleted.

(3) Each insurance policy shall be issued by an insurer or a risk retention group that, at a minimum, is licensed to transact the business of insurance or eligible to provide insurance as an excess or surplus lines insurer in one or more states.

Rationale for Change:

This section is a part of the federal rule which was inadvertently omitted in the proposed rule when filed with the Code Reviser's Office. It has simply been reinserted in the final rule.

PART V

LOCAL PROGRAMS

68. Note Preceding Section 500:

RCW 90.76.110 states that the rules adopted under Chapter 90.76 RCW preempt and supersede any state or local underground storage tank law, ordinance or resolution governing any aspect of regulation covered by these regulations. Exceptions are: (1) local laws, ordinances and resolutions pertaining to local authority to take immediate action in response to a release of a regulated substance; (2) local laws, ordinances and resolutions pertaining to permits and fees for the use of underground storage tanks in street right of ways that were in existence prior to July 1, 1990; and (3) underground storage tank ordinances that are more stringent than the federal regulations and the uniform codes adopted under Chapter 19.27 RCW and that were in effect on November 1, 1988. These cities, towns and counties were required by the statute to notify the department of the existence of that ordinance by July 1, 1989. The department has received notification from: City of Spokane, Spokane County, Tacoma-Pierce County, City of Redmond and City of Renton.

Rationale for Change:

This note was added to clarify for tank owners and operators which local jurisdictions have notified Ecology that they had adopted ordinances before November 1, 1988 which were more stringent than the federal regulations and the Uniform Fire Code, as required by RCW 90.76.110.

WAC 173-360-500 Local Delegation of Underground Storage Tank Programs

69. Section 500(2):

(2) A city, town or county may apply to the department for delegation of ~~program responsibilities~~ authority to enforce, within its jurisdictional

~~boundaries, the state underground storage tank regulations included in part or all of WAC 173-360-100 through 173-360-399. for implementation within its jurisdictional boundaries. The delegated program shall be consistent with and no less stringent than the state program.~~

Rationale for Change:

The above language was revised to make clear that local jurisdictions which receive delegation of authority for the UST program under the chapter will receive authority only to enforce the state regulations, not to develop their own UST regulations. Ecology does not interpret RCW 90.76.030 as providing for creation of new local programs, but merely to provide for the enforcement of the state program. Local governments can only enforce UST requirements more strict than the state rule if they receive such authority to protect environmentally sensitive areas or if they meet the criteria for "grandfathered" programs under RCW 90.76.110.

70. Section 500(8):

(8) In ~~delegating program components to~~ developing agreements or contracts with local governments, the department shall, if possible, provide for an appropriate distribution of resources collected under RCW 90.76.090, while still enabling the department to operate a state program.

Rationale for Change:

Ecology was directed by Chapter 90.76 RCW to establish a statewide program that would, at a minimum, meet the federal program approval requirements. In addition, the statute directed the department to develop a program that encourages delegation of program responsibilities to qualified cities, towns and counties, and to provide for an appropriate distribution of resources to cover the cost of delegated program responsibilities.

The department does not believe it is presently possible to establish a viable state program that will meet the federal program approval requirements and also provide funds to local governments, due to the funding for the program being less than anticipated. However, Ecology does anticipate providing training and technical assistance to local governments seeking program delegation. Therefore, we have changed the above language to make clear that local jurisdictions may request delegation of certain program responsibilities regardless of the department's ability to provide funding.



WAC 173-360-510 Environmentally Sensitive Areas.71. Section 510 (3):

(3) An area that has been designated a sensitive area for the purposes of protecting ground water or surface water from pollution under another statute or regulation will, upon request for designation by the local government, be approved as an environmentally sensitive area for the purposes of WAC 173-360-510.

Rationale for Change:

This phrase was added to clarify that the focus of an environmentally sensitive area designation is to protect groundwater that is vulnerable to pollution from leaks from underground storage tanks. (Certain areas may be designated as sensitive under other laws and regulations to protect them for reasons other than concern about pollution, such as water scarcity.)

## PART VI

## REGISTRATION AND LICENSING REQUIREMENTS FOR UNDERGROUND STORAGE TANK SERVICE PROVIDERS AND SERVICE SUPERVISORS

72. Note Preceding Section 600:NOTE:

Individuals who perform underground tank services may be subject to additional state laws and regulations. These include, but may not be limited to:

(1) Chapter 18.27 RCW and Chapter 296-200 WAC, which apply to individuals who are general and specialty contractors.

(2) Chapter 18.104 RCW and Chapter 173-162 WAC, which apply to individuals who install groundwater monitoring wells.

(3) Chapter 19.28 RCW, Chapter 296.46 WAC, and Chapter 296.40 WAC, which apply to individuals who install and repair impressed current protection systems; and

(4) Chapter 49.17 RCW and Chapter 296-62 WAC, which apply to individuals engaged in activities involving hazardous chemicals and substances and who perform confined space entry during field activities, and Chapter 296-155 WAC, which sets forth safety standards for construction work.

Rationale for Change:

This note is included to inform individuals performing tank services that they are subject to certain laws and regulations in addition to the UST laws and regulations.

WAC 173-360-610 Scope.73. Section 610:

(2) Except as specified in WAC 173-360-655, WAC 173-360-610 through WAC 173-360-690 ~~this chapter~~ applies to any person who performs the installation, retrofitting, decommissioning, testing, site check, site assessment, and inspection for compliance with state regulations, ~~by any person,~~ of underground storage tanks regulated by chapter 90.76 RCW.

(3) A site assessment or site check shall only be performed by a ~~qualified hydrogeologist, geologist, licensed professional engineer, professional soil scientist, certified ground water professional or other qualified professional, as determined person whose experience, education and/or training meet criteria established~~ by the department.

Rationale for Change:

The numbering of this section was revised for clarity. The phrase "except as specified..." was added because WAC 173-360-655 only refers to department personnel (or the personnel of local jurisdictions with program delegation). The word "qualified" has been deleted because Ecology does not apply any additional criteria to individuals with the specified credentials. The last phrase has been modified because the original language could be taken to imply that only persons with particular degrees or credentials would be approved to perform site assessments; the new language more accurately describes the approach taken by the department.

WAC 173-360-630 Registration and Licensing of Tank Service Providers.74. Section 630 (12)(a), (b), and (c):

(12)(a) ~~A tank service provider or person qualified to conduct a site assessment must complete a~~ checklist ~~must be completed~~ for each regulated activity performed. The service provider shall submit the checklist to the department within thirty days following the completion of an underground storage tank installation, retrofit, decommissioning, ~~repair, or test, site check or site assessment,~~ using ~~the~~ appropriate form provided by the department. The checklist must be signed by the owner or operator, by an executive officer of the service provider firm, or his or her designee, and by the licensed tank services supervisor.

~~(b) The checklist must be signed by the owner or operator, an executive officer of the firm and, after January 1, 1991, by the licensed tank services supervisor. A checklist must be completed for each site check or site assessment performed. The person performing the site check or site assessment shall submit the checklist to the department within thirty days following the completion of the site check or site assessment. A checklist for a site check or site assessment must be signed by the person registered to perform site assessments (rather than a licensed supervisor) and an executive officer of the firm or his or her designee, and the tank owner or operator.~~

(c) ~~In addition, the firm must~~ shall submit an as-built site plan, showing the location of completed tank system installations or retrofitted tank system, including adjacent structures, if present. The as-built site plan shall be submitted on the appropriate form provided by the department, or shall be an 8 1/2 inch by 11 inch single page drawing.

#### Rationale for Change:

The changes regarding the checklists were made to clarify the requirement as it applies to tank service providers and persons who perform site checks and site assessments. The language regarding who must sign and submit checklists (in the case of tank service providers) has been modified to provide some flexibility, since it will not be reasonable in some cases for an executive officer of the firm to do so.

The language regarding the as-built site plan in (c) was added to make clear that this plan is to be a one-page drawing, rather than, for example, several pages of construction drawings.

#### WAC 173-360-650 Examination and Licensing of Tank Services Supervisors

##### 75. Section 650 (1):

(1) After January 1, 1991, a licensed tank services supervisor shall be present on site at all times tank service activities are being carried out at a tank installation, retrofit, testing, or decommissioning project ~~unless otherwise determined by the department, when project tasks are being performed, including~~ These tasks may include, but are not limited to:

#### Rationale for Change:

This language was added to clarify that the department may identify certain activities at which a licensed supervisor will not be required to be present.

WAC 173-360-655 Examination and Licensing of Persons Who Perform Inspections.76. Section 655:

After January 1, 1991, only persons who have the appropriate supervisor license shall conduct underground storage tank system inspections for the purpose of determining compliance with the Washington state underground storage tank regulations. Persons wishing to obtain such a license shall comply with the requirements of WAC 173-360-650. This requirement applies only to inspectors who are employed by the department or by an agency which has received delegation of regulatory authority from the department.

Rationale for Change:

This language was added to clarify that these requirements apply only to department personnel or to local government personnel when a local jurisdiction is responsible for implementation of the state regulations. (This section had led to confusion regarding whether personnel working for private companies were required to be licensed if they conduct inspections of USTs owned by their company to determine compliance with the state regulations.)

WAC 173-360-690 Appeals:77. Section 690:

The revocation of a license may be appealed to the Pollution Control Hearings Board, pursuant to Chapter 43.21B RCW.

Rationale for Change:

This section was added to provide information regarding the process for appealing penalties imposed under the chapter. Ecology believes that a party has a right to an appeal of a permit revocation, and that it is appropriate to appeal such actions to the Pollution Control Hearings Board, pursuant to RCW 43.21B.110(1)(e).

Effective Date of Rule: Thirty-one days after filing.  
November 27, 1990  
Fred Olson  
Deputy Director

Chapter 173-360 WAC  
UNDERGROUND STORAGE TANK REGULA-  
TIONS

PART I

PROGRAM SCOPE, ADMINISTRATION, AND  
ENFORCEMENT

- 173-360-100 Purpose and authority.  
173-360-105 Intergovernmental agreements.  
173-360-110 Applicability, exemptions, and  
deferrals.  
173-360-120 Definitions.  
173-360-130 Tank permits and delivery of regulat-  
ed substances.  
173-360-140 Investigation and access.  
173-360-150 Compliance monitoring.  
173-360-160 Enforcement.  
173-360-170 Penalties.  
173-360-180 Public participation and information  
sharing.  
173-360-190 Annual tank fees.

PART II

NOTIFICATION, REPORTING, AND  
RECORDKEEPING REQUIREMENTS

- 173-360-200 Notification requirements.  
173-360-210 Reporting and recordkeeping  
requirements.

PART III

PERFORMANCE STANDARDS AND  
OPERATING AND CLOSURE REQUIREMENTS

- 173-360-300 Performance standards for deferred  
UST systems.  
173-360-305 Performance standards for new UST  
systems.  
173-360-310 Upgrading requirements for existing  
UST systems.  
173-360-315 Spill and overflow control requirements.  
173-360-320 Operation and maintenance of corro-  
sion protection.  
173-360-323 Compatibility.  
173-360-325 Repairs of UST systems.  
173-360-330 Release detection compliance  
schedule.  
173-360-335 Release detection for petroleum UST  
systems.  
173-360-340 Release detection for hazardous sub-  
stance UST systems.  
173-360-345 Methods of release detection for  
tanks.  
173-360-350 Methods of release detection for  
piping.  
173-360-355 Release detection recordkeeping.  
173-360-360 Reporting of suspected releases.  
173-360-365 Investigation due to off-site impacts.

- 173-360-370 Release investigation and confirmation  
steps.  
173-360-372 Reporting of confirmed releases.  
173-360-375 Cleanup and reporting of spills and  
overfills.  
173-360-380 Temporary closure of UST systems.  
173-360-385 Permanent closure and change-in-  
service.  
173-360-390 Site assessment at closure or change-  
in-service.  
173-360-395 Applicability to previously closed UST  
systems.  
173-360-398 Closure records.  
173-360-399 Corrective action requirements.

PART IV

FINANCIAL RESPONSIBILITY REQUIREMENTS

- 173-360-400 Applicability.  
173-360-403 Compliance dates.  
173-360-406 Amount and scope of required finan-  
cial responsibility.  
173-360-410 Allowable mechanisms and combina-  
tions of mechanisms.  
173-360-413 Financial test of self-insurance.  
173-360-416 Guarantee.  
173-360-420 Insurance and risk retention group  
coverage.  
173-360-423 Surety bond.  
173-360-426 Letter of credit.  
173-360-433 Trust fund.  
173-360-436 Standby trust fund.  
173-360-440 Substitution of financial assurance  
mechanisms by owner or operator.  
173-360-443 Cancellation or nonrenewal by a pro-  
vider of financial assurance.  
173-360-446 Reporting by owner or operator.  
173-360-450 Recordkeeping.  
173-360-453 Drawing on financial assurance  
mechanisms.  
173-360-456 Release from the requirements.  
173-360-460 Bankruptcy or other incapacity of  
owner or operator.  
173-360-463 Replenishment of guarantees, letters  
of credit, or surety bonds.  
173-360-466 Suspension of enforcement.  
173-360-470 Appendix A—Letter from chief finan-  
cial officer.  
173-360-473 Appendix B—Guarantee.  
173-360-476 Appendix C—Endorsement.  
173-360-480 Appendix D—Certificate of insurance.  
173-360-483 Appendix E—Performance bond.  
173-360-486 Appendix F—Irrevocable standby let-  
ter of credit.  
173-360-490 Appendix G—Trust agreement.  
173-360-493 Appendix H—Certification of  
acknowledgment.  
173-360-496 Appendix I—Certification of financial  
responsibility.  
173-360-499 Appendix J—Certification of valid  
claim.

**PART V – LOCAL PROGRAMS**

- 173-360-500 Local delegation of underground storage tank programs.
- 173-360-510 Environmentally sensitive areas.
- 173-360-520 Physical criteria for environmentally sensitive areas.
- 173-360-530 Application for designation of environmentally sensitive area and approval of local regulations.

**PART VI  
REGISTRATION AND  
LICENSING REQUIREMENTS FOR  
UNDERGROUND STORAGE TANK SERVICE  
PROVIDERS  
AND SERVICE SUPERVISORS**

- 173-360-600 Purpose of Part VI.
- 173-360-610 Scope.
- 173-360-630 Registration and licensing of tank service providers.
- 173-360-640 Types of licenses.
- 173-360-650 Examination and licensing of tank services supervisors.
- 173-360-655 Examination and licensing of persons who perform inspections.
- 173-360-660 Study guide fees.
- 173-360-670 Penalties.
- 173-360-680 Reciprocity with other states.
- 173-360-690 Appeals.

**PART I  
PROGRAM SCOPE, ADMINISTRATION, AND  
ENFORCEMENT**

**NEW SECTION**

WAC 173-360-100 PURPOSE AND AUTHORITY. (1) The purpose of this chapter is to address the serious threat posed to human health and the environment by leaking underground storage systems containing petroleum and other regulated substances.

(2) The department of ecology is directed by chapter 90.76 RCW to establish an underground storage tank program designed, operated and enforced in a manner that, at a minimum, meets the requirements for delegation of the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.). The legislative intent is that state-wide requirements for underground storage tanks adopted by the department be consistent with and no less stringent than the objectives outlined in the federal regulations. Because certain areas of the state possess physical characteristics that make them especially vulnerable to threats from leaking underground storage tanks, local requirements more stringent than the state-wide requirements may apply in these environmentally sensitive areas.

(Note: All codes, standards, rules, or regulations cited in this chapter are available for inspection at the Department of Ecology, Mailstop PV-11, Olympia, WA 98504-8711.)

**NEW SECTION**

WAC 173-360-105 INTERGOVERNMENTAL AGREEMENTS. In order to fully implement this chapter, and to protect surface and ground water resources that may cross jurisdictional boundaries, the department and delegated agencies may negotiate and enter into cooperative agreements with Indian tribal governments, adjacent states, and Canadian governmental agencies when agencies are delegated responsibility for carrying out all or a portion of the underground storage tank program contiguous with or affecting lands under tribal, state, or Canadian government jurisdiction. Such cooperative agreements shall not affect the regulatory jurisdiction of any party thereto with regard to any civil or criminal matters otherwise exercised by any party. Intergovernmental agreements shall further the purpose of this chapter, and shall serve to establish a framework for intergovernmental coordination and cooperation, and shall serve to minimize duplication and efficiently utilize program resources to manage underground storage tanks and protect surface and ground water resources.

**NEW SECTION**

WAC 173-360-110 APPLICABILITY, EXEMPTIONS, AND DEFERRALS. (1) The requirements of this chapter apply to all owners and operators of an underground storage tank (UST) system as defined in WAC 173-360-120 except as otherwise provided in subsections (2) and (3) of this section. It is the responsibility of owners and operators to ensure that any UST system service providers and supervisors they employ are properly licensed in accordance with WAC 173-360-600 through 173-360-690.

(2) Exemptions. The following UST systems, including any piping connected thereto, are exempt from the requirements of this chapter:

(a) Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances.

(b) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act.

(c) Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks.

(d) Any UST system whose capacity is one hundred ten gallons or less.

(e) Any UST system that contains a de minimis concentration of regulated substances.

(f) Any emergency spill or overflow containment UST system that is expeditiously emptied after use.

(g) Farm or residential UST systems of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale);

(h) UST systems of one thousand one hundred gallons or less capacity used for storing heating oil for consumptive use on the premises where stored;

(i) Septic tanks;

(j) Any pipeline facility (including gathering lines) regulated under:

(i) The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.); or

(ii) The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.); or

(iii) Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in (j) (i) or (ii) of this subsection;

(k) Surface impoundments, pits, ponds, or lagoons;

(l) Storm water or wastewater collection systems;

(m) Flow-through process tanks;

(n) Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or

(o) Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

(3) Deferrals. The following UST systems are subject only to the requirements of WAC 173-360-130, 173-360-140, 173-360-160, 173-360-170, 173-360-190, 173-360-200, 173-360-372 and 173-360-385, except that any UST system included in (f) of this subsection shall only be subject to the requirements of WAC 173-360-372, and any new deferred UST systems shall also be subject to the requirements of WAC 173-360-300:

(a) Wastewater treatment tank systems not regulated under section 307(b) or 402 of the Clean Water Act;

(b) Any UST systems containing radioactive material that are regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(c) Any UST system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR Part 50 Appendix A;

(d) Airport hydrant fuel distribution systems;

(e) UST systems with field-constructed tanks; and

(f) UST systems in excess of one thousand one hundred gallons used for storing heating oil for consumptive use on the premises where stored.

## NEW SECTION

WAC 173-360-120 DEFINITIONS. For the purposes of this chapter, the following definitions shall apply:

"Abandoned" means left unused indefinitely, without being substantially emptied or permanently altered structurally to prevent reuse.

"Aboveground release" means any release to the surface of the land or to surface water. This includes, but is not limited to, releases from the above-ground portion of an UST system and aboveground releases associated with overfills and transfer operations as the regulated substance moves to or from an UST system.

"Accidental release" means any sudden or nonsudden release of petroleum from an underground storage tank that results in a need for corrective action and/or compensation for bodily injury or property damage neither expected nor intended by the tank owner or operator.

"Ancillary equipment" means any devices including, but not limited to, such devices as piping, fittings, flanges, valves, and pumps used to distribute, meter, or control the flow of regulated substances to and from an UST.

"Belowground release" means any release to the sub-surface of the land and to ground water. This includes, but is not limited to, releases from the belowground portions of an underground storage tank system and belowground releases associated with overfills and transfer operations as the regulated substance moves to or from an underground storage tank.

"Beneath the surface of the ground" means beneath the ground surface or otherwise covered with earthen materials.

"Bodily injury" shall have the meaning given to this term by applicable state law; however, this term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for bodily injury.

"Cathodic protection" means a technique to prevent corrosion of a metal surface by making that surface the cathode of an electrochemical cell. For example, a tank system can be cathodically protected through the application of either galvanic anodes or impressed current.

"Cathodic protection tester" means a person who can demonstrate an understanding of the principles and measurements of all common types of cathodic protection systems as applied to buried or submerged metal piping and tank systems by passing an examination and obtaining a license for supervision of cathodic protection installation and testing in compliance with WAC 173-360-600 through 173-360-690. At a minimum, such persons shall have education and experience in soil resistivity, stray current, structure-to-soil potential, and component electrical isolation measurements of buried metal piping and tank systems.

"CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended.

"Closure" means to take an underground storage tank out of operation, either temporarily or permanently, in accordance with WAC 173-360-380 or 173-360-385. The term is synonymous with "decommissioning."

"Compatible" means the ability of two or more substances or materials to maintain their respective physical and chemical properties upon contact with one another such that the stored substance will not pass through the wall or lining of the tank and connected piping for the design life of the tank system under conditions likely to be encountered in the UST.

"Connected piping" means all underground piping including valves, elbows, joints, flanges, and flexible connectors attached to a tank system through which regulated substances flow. For the purpose of determining how much piping is connected to any individual UST system, the piping that joins two UST systems should be allocated equally between them.

"Consumptive use" with respect to heating oil means consumed on the premises.

"Controlling interest" means direct ownership of at least fifty percent of the voting stock of another entity.

"Corrosion expert" means a person who possesses a thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, and is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person shall be accredited or certified as being qualified by the National Association of Corrosion Engineers or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control of buried or submerged metal piping systems and metal tanks.

"Decommissioning" means to take an underground storage tank out of operation, either temporarily or permanently, in accordance with WAC 173-360-380 or 173-360-385. The term is synonymous with "closure."

"Deferral" means a category of UST systems which are subject to certain, but not all, of the requirements of this chapter as specified in WAC 173-360-110(3).

"Delegated agency" means the local government agency which has been delegated responsibility by the department for administering any portion of an UST program approved in accordance with WAC 173-360-500.

"Department" means the department of ecology.

"Dielectric material" means a material that does not conduct direct electrical current. Dielectric coatings are used to electrically isolate UST systems from the surrounding soils. Dielectric bushings are used to electrically isolate portions of the UST system (e.g., tank from piping).

"Director" means the director of the department of ecology.

"Electrical equipment" means underground equipment that contains dielectric fluid that is necessary for the operation of equipment such as transformers and buried electrical cable.

"Emergency power generator" means an engine that uses fuel to produce auxiliary electrical or mechanical energy for use in emergencies.

"Emergency power generator tank" means a tank that stores fuel solely for use by an emergency power generator.

"Excavation zone" means the volume containing the UST system and backfill material bounded by the ground surface, walls, and floor of the pit and trenches into which the UST system is placed at the time of installation.

"Existing UST system" means an UST system used to contain an accumulation of regulated substances or for which installation had commenced on or before December 22, 1988. Installation is considered to have commenced if: The owner or operator had 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 had begun; or

The owner or operator had entered into contractual obligations—which cannot be cancelled or modified without substantial loss—for physical construction at the

site or installation of the tank system to be completed within a reasonable time.

"False alarm" means indicating that an UST system is leaking when in fact it is tight.

"Farm tank" is a tank located on a tract of land devoted to the production of crops or raising animals, including fish, and associated residences and improvements. A farm tank must be located on the farm property. "Farm" includes fish hatcheries, rangeland, and nurseries with growing operations. It does not include laboratories where animals are raised, land used to grow timber, pesticide aviation operations, retail stores or garden centers where nursery products are marketed but not grown, cemeteries, golf courses, or other facilities dedicated primarily to recreation or aesthetics, or other non-agricultural activities.

"Field-constructed tank" means an underground storage tank that is constructed in the field rather than factory built because of its large size.

"Financial reporting year" means the latest consecutive twelve-month period for which any of the following reports used to support a financial test is prepared: A 10-K report submitted to the SEC; an annual report of tangible net worth submitted to Dun and Bradstreet; or annual reports submitted to the Energy Information Administration or the Rural Electrification Administration. "Financial reporting year" may thus comprise a fiscal or a calendar year period.

"Firm" means any business, including but not limited to corporations, limited partnerships, and sole proprietorships, engaged in performing tank services.

"Flow-through process tank" is a tank that forms an integral part of a production process through which there is a steady, variable, recurring, or intermittent flow of materials during the operation of the process. Flow-through process tanks do not include tanks used for the storage of materials prior to their introduction into the production process or for the storage of finished products or by-products from the production process.

"Free product" refers to a regulated substance that is present as a nonaqueous phase liquid (e.g., liquid not dissolved in water).

"Gathering lines" means any pipeline, equipment, facility, or building used in the transportation of oil or gas during oil or gas production or gathering operations.

"Ground water" means water in a saturated zone or stratum beneath the surface of land or below a surface water body.

"Hazardous substance UST system" means an underground storage tank system that contains a hazardous substance defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C) or any mixture of such substances and petroleum, and which is not a petroleum UST system.

"Heating oil" means petroleum that is No. 1, No. 2, No. 4—light, No. 4—heavy, No. 5—light, No. 5—heavy, and No. 6 technical grades of fuel oil; other residual fuel oils (including Navy Special Fuel Oil and Bunker C); and other fuels when used as substitutes for



one of these fuel oils. Heating oil is typically used in the operation of heating equipment, boilers, or furnaces.

"Hydraulic lift tank" means a tank holding hydraulic fluid for a closed-loop mechanical system that uses compressed air or hydraulic fluid to operate lifts, elevators, and other similar devices.

"Immiscible" means largely incapable of blending or mixing.

"Installation" means the activity of placing an underground storage tank system or any part thereof in the ground and preparing it to be placed in service.

"Legal defense cost" is any expense that an owner or operator or provider of financial assurance incurs in defending against claims or actions brought: By the United States Environmental Protection Agency (EPA) or a state to require corrective action or to recover the costs of corrective action; by or on behalf of a third party for bodily injury or property damage caused by an accidental release; or by any person to enforce the terms of a financial assurance mechanism.

"Licensed" means a firm or a person which has been issued a license by the department under this chapter.

"Liquid trap" means sumps, well cellars, and other traps used in association with oil and gas production, gathering, and extraction operations (including gas production plants), for the purpose of collecting oil, water, and other liquids. These liquid traps may temporarily collect liquids for subsequent disposition or reinjection into a production or pipeline stream, or may collect and separate liquids from a gas stream.

"Maintenance" means the normal operational upkeep to prevent an underground storage tank system from releasing a regulated substance.

"Motor fuel" means petroleum or a petroleum-based substance that is motor gasoline, aviation gasoline, No. 1 or No. 2 diesel fuel, or any grade of gasohol, and is typically used in the operation of a motor engine.

"New UST system" means a tank system that will be used to contain an accumulation of regulated substances and for which installation commenced after December 22, 1988. (See also "existing tank system.")

"Noncommercial purposes" with respect to motor fuel means not for resale.

"Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in a release from an underground storage tank.

Note: This definition is intended to assist in the understanding of WAC 173-360-400 through 173-360-499 and is not intended either to limit the meaning of "occurrence" in a way that conflicts with standard insurance usage or to prevent the use of other standard insurance terms in place of "occurrence."

"On the premises where stored" with respect to heating oil means UST systems located on the same property where the stored heating oil is used.

"Operational life" refers to the period beginning when installation of the tank system has commenced until the time the tank system is properly closed under WAC 173-360-380 through 173-360-398.

"Operator" means any person in control of, or having responsibility for, the daily operation of the UST system.

"Overfill release" is a release that occurs when a tank is filled beyond its capacity, resulting in a discharge of the regulated substance to the environment.

"Owner" means: In the case of an UST system in use on November 8, 1984, or brought into use after that date, any person who owns an UST system used for storage, use, or dispensing of regulated substances; and in the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use. In the event that the owner of an UST system cannot be physically located, the owner shall be the person who owns the property where the UST system is located, except any lien holder and any agency of the state or unit of local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or circumstances in which the government involuntarily acquires title. This exclusion does not apply to an agency of the state or unit of local government which has caused or contributed to a release or threatened release of a regulated substance from the UST system.

"Owner or operator," means, for the purposes of WAC 173-360-400 through 173-360-499, when the owner or operator are separate parties, the party that is obtaining or has obtained financial assurances.

"Party" means a person or group concerned or having or taking part in any affair, matter, transaction, or proceeding.

"Permanently closed" means: (1) In the case of an UST system taken out of operation before December 22, 1988, the UST system was substantially emptied of regulated substances or permanently altered structurally to prevent reuse; (2) in the case of an UST system taken out of operation after December 21, 1988, and before the effective date of this chapter, the UST system was closed in accordance with 40 CFR 280; and (3) in the case of an UST system taken out of operation on or after the effective date of this chapter, the UST system was closed in accordance with WAC 173-360-385.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, municipality, commission, political subdivision of a state, or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity, and the United States government.

"Petroleum marketing facilities" include all facilities at which petroleum is produced or refined and all facilities from which petroleum is sold or transferred to other petroleum marketers or to the public.

"Petroleum marketing firms" are all firms owning petroleum marketing facilities. Firms owning other types of facilities with USTs as well as petroleum marketing facilities are considered to be petroleum marketing firms.

"Petroleum UST system" means an underground storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils.

"Pipe" or "piping" means a hollow cylinder or tubular conduit that is constructed of nonferrous materials.

"Pipeline facilities (including gathering lines)" are new and existing pipe rights-of-way and any associated equipment, facilities, or buildings.

"Property damage" shall have the meaning given this term by applicable state law. This term shall not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for property damage. However, such exclusions for property damage shall not include corrective action associated with releases from tanks which are covered by the policy.

"Provider of financial assurance" means an entity that provides financial assurance to an owner or operator of an underground storage tank through one of the mechanisms listed in WAC 173-360-413 through 173-360-436, including a guarantor, insurer, risk retention group, surety, issuer of a letter of credit, issuer of a state-required mechanism, or a state.

"Regulated substance" means:

Any substance defined in section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and any other regulated substances); and

Petroleum, including crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (sixty degrees Fahrenheit and 14.7 pounds per square inch absolute). The term "regulated substance" includes but is not limited to petroleum and petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading and finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. The term "regulated substance" does not include propane or asphalt or any other petroleum product which is not liquid at standard conditions of temperature and pressure.

"Release" means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing from an UST system to ground water, surface water or soils.

"Release detection" means determining whether a release of a regulated substance has occurred from the UST system into the environment or into the interstitial space between the UST system and its secondary barrier or secondary containment around it.

"Repair" means to restore a tank or UST system component that has caused a release of a regulated substance from the UST system.

"Residential tank" is a tank located on property used primarily for dwelling purposes; such properties do not include dormitories, convents, mobile parks, apartments, hotels and similar facilities, unless the tank is used by the owner solely to maintain his or her own residence, rather than the overall facility.

"Retrofitting" means the repair or upgrading of an existing underground storage tank system including, but not limited to, installation of splash, spill and overflow protection, installing or replacing monitoring systems,

adding cathodic protective systems, tank repair, replacement of piping, valves, fill pipes or vents and installing tank liners.

"Septic tank" is a water-tight covered receptacle designed and used to receive or process, through liquid separation or biological digestion, the sewage discharged from a building sewer. The effluent from such receptacle is distributed for disposal through the soil and settled solids and scum from the tank are pumped out periodically and hauled to a treatment facility.

"Site assessment" means investigating an UST site for the presence of a release at the time of closure or change-in-service.

"Site check" means investigating an UST site for the presence of a release when evidence indicates that a release may have occurred.

"Stormwater or wastewater collection system" means piping, pumps, conduits, and any other equipment necessary to collect and transport the flow of surface water run-off resulting from precipitation, or domestic, commercial, or industrial wastewater to and from retention areas or any areas where treatment is designated to occur. The collection of storm water and wastewater does not include treatment except where incidental to conveyance.

"Structural defect" means a hole or crack in the tank portion of the UST system, which has either caused a release from the system or is being repaired to prevent a release from the system.

"Substantial business relationship" means the extent of a business relationship necessary under applicable state law to make a guarantee contract issued incident to that relationship valid and enforceable. A guarantee contract is issued "incident to that relationship" if it arises from and depends on existing economic transactions between the guarantor and the owner or operator.

"Supervisor" means a licensed person operating independently or employed by a contractor, who is responsible for directing and overseeing the performance of tank services at a facility.

"Surface impoundment" is a natural topographic depression, excavation, or diked area formed primarily of earthen materials (although it may be lined with synthetic materials) that is not an injection well.

"Tangible net worth" means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties. For purposes of this definition, "assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity as a result of past transactions.

"Tank" is a stationary device designed to contain an accumulation of regulated substances and constructed of nonearthen materials (e.g., concrete, steel, plastic) that provide structural support.

"Tank permit" means a tank tag, as required by RCW 90.76.020(4).

"Tank services" include underground storage tank installation, decommissioning, retrofitting, and testing.

"Tank services provider" is a person or firm licensed to perform tank services on regulated underground storage tanks in Washington.

"Termination" under WAC 173-360-476 and 173-360-480 means only those changes that could result in a gap in coverage as where the insured has not obtained substitute coverage or has obtained substitute coverage with a different retroactive date than the retroactive date of the original policy.

"Testing" means applying a method to determine the integrity of an underground storage tank.

"Tightness testing" means a procedure for testing the ability of a tank system to prevent an inadvertent release of any stored substance into the environment or, in the case of an underground storage tank system, intrusion of ground water into a tank system.

"Underground area" means an underground room, such as a basement, cellar, shaft or vault, providing enough space for physical inspection of the exterior of the tank situated on or above the surface of the floor.

"Underground release" means any below ground release.

"Underground storage tank" or "UST" means any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is ten percent or more beneath the surface of the ground. This term does not include any of the exempt UST systems specified in WAC 173-360-110(2), or any piping connected thereto.

"Upgrade" means the addition or retrofit of some systems such as cathodic protection, lining, or spill and overflow controls to improve the ability of an underground storage tank system to prevent the release of regulated substances.

"UST site" or "site" means the location at which underground storage tanks are in place or will be placed. An UST site encompasses all of the property within a contiguous ownership that is associated with the use of the tanks.

"UST system" or "tank system" means an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any.

"Wastewater treatment tank" means a tank that is designed to receive and treat an influent wastewater through physical, chemical, or biological methods.

## NEW SECTION

WAC 173-360-130 TANK PERMITS AND DELIVERY OF REGULATED SUBSTANCES. (1) Requirement for a permit. After July 1, 1991, no underground storage tank system, as defined in this chapter, shall be operated without a valid permit from the department. However, possession of a valid permit does not preclude enforcement against the owner or operator of the underground storage tank under this or other laws.

(2) Application for a permit. Permits for UST systems shall be obtained as follows:

(a) To apply for a permit for an UST system which is to be newly installed, the owner or operator shall complete a notice of intent to install an UST system, as specified in WAC 173-360-200(1), and submit it to the

department at least thirty days prior to installation of the system. An initial permit, valid for ninety days, will be provided by the department so the UST system can be tested and operation of the system can begin. If necessary, and if circumstances warrant, an additional permit valid for ninety days will be provided by the department. Upon receipt of the following items, a permit valid until the following June 30, if the UST system remains in compliance, will be provided by the department for the newly installed UST system:

(i) A properly completed UST notification form, as specified in WAC 173-360-200(2);

(ii) A properly completed installation checklist, as specified in WAC 173-360-200(3); and

(iii) The applicable annual tank fee, as specified in WAC 173-360-190.

(b) To apply for a permit for an existing UST system not previously reported to the department, the owner or operator shall complete a Washington state underground storage tank notification form, as specified in WAC 173-360-200(2), and submit it to the department with a payment of the applicable annual fee, as specified in WAC 173-360-190, including any fees which should have been paid for earlier fiscal years if the UST system had been properly registered, but which were not paid.

(c) In January of each year the department will request owners and operators of reported UST systems to certify compliance with the requirements of this chapter. UST systems which are in the department's notification data base when the department requests this certification will receive permits by July 1 of each year if:

(i) Adequate documentation of compliance, as specified by the department, is submitted to the department; and

(ii) The documentation of compliance is submitted by the deadline for submittal established by the department in its request.

(3) Eligibility for a permit. Underground storage tank systems are eligible for a permit if the following conditions are met:

(a) The owner or operator is in compliance with all requirements of this chapter, including the financial responsibility requirements, and chapter 173-340 WAC, if applicable, or the owner or operator is in conformance with a compliance schedule negotiated with and agreed to by the department;

(b) The storage tank system is not known by the owner or operator to be leaking; and

(c) All annual state tank fees and local environmentally sensitive area tank fees have been remitted.

(4) Delivery of regulated substances. Regulated substances shall not be delivered to any underground storage tank requiring a permit under this section unless a valid permit is displayed on such tank itself or the dispensing or measuring device connected thereto or, where appropriate, in the office or kiosk of the facility where the tank is located. This subsection applies only to suppliers who directly transfer regulated substances into underground storage tank systems.

(5) Waste oil tanks. Tanks used to collect and store used or waste oil regulated under this chapter shall not be pumped by a used or waste oil collector unless a valid

permit is displayed on such tank itself or a device connected thereto or, where appropriate, in the office or kiosk of the facility where the tank is located. This prohibition does not apply to a one-time removal of substances from tanks which will not be used again for the storage of used or waste oil once the substances are removed; such tanks must be properly closed or undergo the procedures for a change-in-service in accordance with WAC 173-360-385. This subsection applies only to used or waste oil collectors who directly transfer regulated substances from underground storage tanks.

(6) Delivery prohibited to leaking tanks. Except as specified in subsection (10) of this section, suppliers shall not deliver regulated substances to any underground storage tank which is known by the supplier to be leaking, or to have leaked and not been properly repaired, regardless of the permit status of the tank.

(7) Delivery of regulated substances. If a confirmed release occurs from a permitted tank, in addition to meeting the reporting requirements of WAC 173-360-372, within twenty-four hours of having knowledge of the release the owner or operator shall lock the fill pipe and remove from display the permit for the tank from which the release has occurred. At no time can the owner or operator receive regulated substances, except as specified in subsection (10) of this section, until all the applicable requirements of this chapter and chapter 173-340 WAC have been met. If the department determines that reasonable progress is not being made in meeting these requirements it may request that the owner or operator surrender the permit, as specified in subsection (8) of this section, for the tank from which the release occurred.

(8) Permit revocation. The department may request the surrender of a permit for any tank which does not remain in compliance with the requirements of this chapter, including financial responsibility requirements and payment of fees, or for any violation of the chapter by an underground storage tank owner or operator, including refusal of access to property under WAC 173-360-140. Upon request of a representative of the department or delegated agency or upon receipt of a letter from the department or delegated agency requesting surrender of the permit, the owner or operator must return the permit to the department or delegated agency within seven days.

(9) Appeals. The revocation of a permit may be appealed to the pollution control hearings board, pursuant to chapter 43.21B RCW.

(10) Display of permits for tightness testing. A permit which has been removed from display in accordance with subsection (7) of this section may be redisplayed for the purpose of receiving regulated substances in order to conduct a volumetric tightness test on the storage system. If a leak is determined to exist in the uppermost level of the system, the regulated substance shall be immediately removed to a point below the source of the leak. If a leak is determined to exist below the uppermost level of the system, all regulated substances shall be immediately removed from the system. The requirements of subsection (7) of this section and the requirement for reporting of confirmed releases specified in

WAC 173-360-372 shall be followed, regardless of the location of the source of the release in the storage tank system.

#### NEW SECTION

WAC 173-360-140 INVESTIGATION AND ACCESS. (1) If necessary to determine compliance with the requirements of this chapter, an authorized representative of the state engaged in compliance inspections, monitoring and testing may, by request, require an owner or operator to submit relevant information or documents. The department may subpoena witnesses, documents, and other relevant information that the department deems necessary. In the case of any refusal to obey the subpoena, the superior court for any county in which the person is found, resides, or transacts business has jurisdiction to issue an order requiring the person to appear before the department and give testimony or produce documents. Any failure to obey the order of the court may be punished by the court as contempt.

(2) Any authorized representative of the state may require an owner or operator to conduct monitoring or testing.

(3) Upon reasonable notice, an authorized representative of the state may enter a premises or site subject to regulation under this chapter or in which records relevant to the operation of an underground storage tank system are kept. In the event of an emergency or in circumstances where notice would undermine the effectiveness of an inspection, notice is not required. The authorized representative may copy records, obtain samples of regulated substances, and inspect or conduct monitoring or testing of an underground storage tank system.

(4) For purposes of this section, the term "authorized representative" or "authorized representative of the state" means an enforcement officer, employee, or representative of the department or a local government that has obtained authority under RCW 90.76.030.

#### NEW SECTION

WAC 173-360-150 COMPLIANCE MONITORING. The department's compliance monitoring procedures, including procedures for recordkeeping and a program for systematic inspections, shall be consistent with and no less stringent than those required by 40 CFR 281.40 and amendments thereto.

#### NEW SECTION

WAC 173-360-160 ENFORCEMENT. (1) The director may seek appropriate injunctive or other judicial relief by filing an action in Thurston County superior court or issuing such order as the director deems appropriate to:

(a) Enjoin any threatened or continuing violation of this chapter;

(b) Restrain immediately and effectively a person from engaging in unauthorized activity that results in a violation of any requirement of this chapter and is endangering or causing damage to public health or the environment;

(c) Require compliance with requests for information, access, testing, or monitoring under WAC 173-360-140; or

(d) Assess and recover civil penalties authorized under RCW 90.76.080.

(2) The department's enforcement procedures shall be consistent with and no less stringent than those required by 40 CFR 281.41 and amendments thereto.

#### NEW SECTION

WAC 173-360-170 PENALTIES. (1) Any person who fails to notify the department pursuant to the notification requirements of this chapter, or who submits false information, is subject to a civil penalty not to exceed five thousand dollars per violation.

(2) Any person who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation.

(3) Penalties may be appealed to the pollution control hearings board, pursuant to chapter 43.21B RCW.

#### NEW SECTION

WAC 173-360-180 PUBLIC PARTICIPATION AND INFORMATION SHARING. The department's procedures for public participation and information sharing shall be consistent with and no less stringent than those required by 40 CFR 281.42 and 281.43 and amendments thereto.

#### NEW SECTION

WAC 173-360-190 ANNUAL TANK FEES. An annual state tank fee of seventy-five dollars per tank for the fiscal year ending June 30, 1992, and each fiscal year thereafter shall be paid within thirty days of the billing date and no later than the December 31st of each fiscal year by every person who owns an underground storage tank which:

(1) Is located in this state;

(2) Was required to be reported to the department under the Federal Underground Storage Tank Program of the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901, et seq.);

(3) Is not permanently closed according to the requirements of this chapter on June 30 of the fiscal year preceding the fiscal year for which the fee is assessed; and

(4) If required, for which corrective action has not been completed in accordance with this chapter.

### PART II NOTIFICATION, REPORTING, AND RECORDKEEPING REQUIREMENTS

Note: Tank owners and operators may be subject to certain local requirements in addition to the state UST regulations. Permits or approval for construction activities may be required by local jurisdictions. These may include, but are not limited to, requirements to obtain grading, building or demolition permits, and requirements for compliance with local ordinances pertaining to environmental review under the state Environmental Policy Act (chapter 43.21C RCW).

#### NEW SECTION

WAC 173-360-200 NOTIFICATION REQUIREMENTS. (1) Notice of intent to install a new UST system. Except in the circumstances defined in subsection (5) of this section, any owner who intends to install a new UST system shall submit a notice of such intent to the department or delegated agency at least thirty days prior to installing the UST system. Such notice shall meet the following requirements:

(a) The notice of intent shall be provided on the appropriate Washington state form, which is available from the department;

(b) Each UST system to be installed which is regulated under this chapter shall be reported;

(c) Owners may provide notice for more than one UST system using a single form, but UST systems to be installed at separate sites shall be reported on separate forms; and

(d) The completed form shall include all of the information required on the form.

(2) Notification of new UST systems in use. Within thirty days of bringing any newly installed UST system regulated under this chapter into use, the owner shall submit notice of such UST system to the department. This notice shall meet the following requirements:

(a) The notice shall be provided on the appropriate Washington state underground storage tank notification form, which is available from the department;

(b) Each tank regulated under this chapter shall be reported;

(c) Owners may provide notice for more than one tank using a single notification form, but owners who own tanks located at more than one site shall file a separate notification form for each site;

(d) Notification required under this section shall include all of the information required on the form for each tank for which notice must be given; and

(e) Notification for tanks installed after December 22, 1988, shall also certify compliance with the following requirements:

(i) Corrosion protection of steel tanks and piping under WAC 173-360-305 (1) and (2);

(ii) Financial responsibility under WAC 173-360-400 through 173-360-499; and

(iii) Release detection under WAC 173-360-335 and 173-360-340.

(3) Installation checklist. All owners and operators of new UST systems shall ensure that a licensed installation supervisor certifies that the methods used to install the tanks and piping comply with the requirements in WAC 173-360-305(4). Such certification shall be accomplished by completing an installation checklist, which is available from the department, as specified in WAC 173-360-305(5).

(4) Notification of existing UST systems. Owners of any existing UST system regulated under this chapter which has not previously been reported to the department shall provide notification regarding such UST system immediately, following the requirements of subsection (2) (a) through (c) of this section.

Note: Owners and operators of UST systems that were in the ground on or after May 8, 1986, unless taken out of operation on or before January 1, 1974, were required to notify the department in accordance with the Hazardous and Solid Waste Amendments of 1984, Public Law 98-616, on a form published by Washington state in December 1985 (Form ECY 020-32) unless notice was given pursuant to section 103(c) of CERCLA.

(5) Emergency replacement of UST systems.

(a) An exception to the thirty-day notice requirement for new installations in subsection (1) of this section is allowed when an UST system is being replaced on an emergency basis due to a release from the system being replaced. An emergency shall be regarded as a newly discovered release from an UST system which is:

- (i) In operation at the time of the release;
- (ii) Located at an operating facility; and
- (iii) Necessary for the normal operation of the facility.

(b) Under the circumstances described in (a) of this subsection, the notice of intent to install an UST system may be provided after the installation of the new system but no more than seven days after the installation is completed. The information which must be included in the notice of intent form is the same as in subsection (1) of this section. A site assessment meeting the requirements of WAC 173-360-390 shall be completed prior to installing a tank in the excavation pit of a tank being replaced and prior to installing new piping in the piping trench of piping being replaced.

(6) Changes to UST systems. Any changes in the information initially reported in the notification form submitted under subsection (2), (4) or (5) of this section, including temporary closure of an UST system that was initially reported as being in use, shall be reported to the department or delegated agency by submitting a new notification form within thirty days after such changes occur.

(7) Beginning October 24, 1988, any person who sells a new tank which is intended to be used as an underground storage tank, or an existing UST system or property including an existing UST system which is intended to be used as an UST system, shall notify the purchaser of such tank or UST system of the owner's notification obligations under this section.

#### NEW SECTION

**WAC 173-360-210 REPORTING AND RECORDKEEPING REQUIREMENTS.** Owners and operators of UST systems shall cooperate fully with inspections, monitoring, and testing conducted by the department or delegated agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to RCW 90.76.060.

(1) Reporting. Owners and operators shall submit the information specified in (a) through (e) of this subsection to the department or delegated agency:

(a) Notification for all UST systems (WAC 173-360-200), which includes certification of installation for new UST systems (WAC 173-360-305(5));

(b) Reports of all suspected releases (WAC 173-360-360), confirmed releases (WAC 173-360-372), and spills and overfills (WAC 173-360-375);

(c) Reports required for corrective actions under chapter 173-340 WAC;

(d) A notification before permanent closure or change-in-service (WAC 173-360-385); and

(e) The appropriate forms, certificates of compliance, and evidence of financial responsibility (WAC 173-360-446).

(f) Checklists required for tank service activities, site checks, and site assessments shall be submitted by tank services providers or persons registered to perform site checks and site assessments, as applicable (WAC 173-360-630(12)).

(2) Recordkeeping. Owners and operators shall maintain the following information:

(a) Documentation of operation of corrosion protection equipment (WAC 173-360-320);

(b) Documentation of UST system repairs (WAC 173-360-325(7));

(c) Recent compliance with release detection requirements (WAC 173-360-355);

(d) Results of the site assessment conducted at permanent closure (WAC 173-360-398);

(e) Corrective action records in accordance with chapter 173-340 WAC; and

(f) Evidence of financial assurance mechanisms used to demonstrate financial responsibility (WAC 173-360-450).

(3) Availability and maintenance of records. Owners and operators shall keep the records required either:

(a) At the UST site and immediately available for inspection by the department or delegated agency; or

(b) At a readily available alternative site and be provided for inspection to the department or delegated agency upon request.

(c) In the case of permanent closure records required under WAC 173-360-398, owners and operators are also provided with the additional alternative of mailing closure records to the department or delegated agency if they cannot be kept at the site or an alternative site as indicated above.

### PART III

#### PERFORMANCE STANDARDS AND OPERATING AND CLOSURE REQUIREMENTS

#### NEW SECTION

**WAC 173-360-300 PERFORMANCE STANDARDS FOR DEFERRED UST SYSTEMS.** In order to prevent releases due to structural failure, corrosion, or spills and overfills for as long as the UST system is used to store regulated substances, no person may install a deferred UST system listed in WAC 173-360-110(3) for the purpose of storing regulated substances unless the UST system (whether of single-wall or double-wall construction):

(1) Will prevent releases due to corrosion or structural failure for the operational life of the UST system;

(2) Is cathodically protected against corrosion, constructed of noncorrodible material, steel clad with a

noncorrodible material, or designed in a manner to prevent the release or threatened release of any stored substance; and

(3) Is constructed or lined with material that is compatible with the stored substance.

Note: The provisions of WAC 173-360-305 and EPA's publication "The Interim Prohibition: Guidance for Design and Installation of Underground Storage Tanks" may be used to satisfy the requirements of this section.

## NEW SECTION

**WAC 173-360-305 PERFORMANCE STANDARDS FOR NEW UST SYSTEMS.** In order to prevent releases due to structural failure, corrosion, or spills and overfills for as long as the UST system is used to store regulated substances, all owners and operators of new UST systems shall meet the following requirements:

(1) Tanks. Each tank shall be properly designed and constructed with material that is compatible with and impermeable to the stored substance, and any portion underground that routinely contains regulated substances shall be protected from corrosion, in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified under (a) through (d) below:

(a) The tank is constructed of fiberglass-reinforced plastic; or

Note: The following industry codes may be used to comply with subsection (1)(a) of this section: Underwriters Laboratories Standard 1316, "Standard for Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products"; Underwriter's Laboratories of Canada CAN4-S615-M83, "Standard for Reinforced Plastic Underground Tanks for Petroleum Products"; or American Society of Testing and Materials Standard D4021-86, "Standard Specification for Glass-Fiber-Reinforced Polyester Underground Petroleum Storage Tanks."

(b) The tank is constructed of steel and cathodically protected in the following manner:

(i) The tank is coated with a suitable dielectric material;

(ii) The tank is equipped with a factory-installed or field-installed cathodic protection system designed by a corrosion expert;

(iii) Cathodic protection systems are designed and installed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the department or delegated agency in accordance with WAC 173-360-325 (5) and (6); and

(iv) Cathodic protection systems are operated and maintained in accordance with WAC 173-360-320 or according to guidelines established by the department or delegated agency; or

Note: The following codes and standards may be used to comply with subsection (1)(b) of this section:

(A) Steel Tank Institute "Specification for STI-P3 System of External Corrosion Protection of Underground Steel Storage Tanks";

(B) Underwriters Laboratories Standard 1746, "Corrosion Protection Systems for Underground Storage Tanks";

(C) Underwriters Laboratories of Canada CAN4-S603-M85, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids," and CAN4-G03.1-M85, "Standard for Galvanic Corrosion Protection Systems for Underground Tanks for Flammable and Combustible Liquids," and CAN4-S631-M84, "Isolating Bushings for Steel Underground Tanks Protected with Coatings and Galvanic Systems"; or

(D) National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," and Underwriters Laboratories Standard 58, "Standard for Steel Underground Tanks for Flammable and Combustible Liquids."

(c) The tank is constructed of a steel-fiberglass-reinforced-plastic composite; or

Note: The following industry codes may be used to comply with subsection (1)(c) of this section: Underwriters Laboratories Standard 1746, "Corrosion Protection Systems for Underground Storage Tanks," or the Association for Composite Tanks ACT-100, "Specification for the Fabrication of FRP Clad Underground Storage Tanks."

(d) The tank construction and corrosion protection are determined by the department or delegated agency to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than subsection (1)(a) through (c) of this section.

(2) Piping. The piping that routinely contains regulated substances and is in contact with the ground shall be properly designed and constructed with material that is compatible with and impermeable to the stored substance, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory as specified below:

(a) The piping is constructed of fiberglass-reinforced plastic; or

Note: The following codes and standards may be used to comply with subsection (2)(a) of this section:

(i) Underwriters Laboratories Subject 971, "UL Listed Non-Metal Pipe";

(ii) Underwriters Laboratories Standard 567, "Pipe Connectors for Flammable and Combustible and LP Gas";

(iii) Underwriters Laboratories of Canada Guide ULC-107, "Glass Fiber Reinforced Plastic Pipe and Fittings for Flammable Liquids"; and

(iv) Underwriters Laboratories of Canada Standard CAN 4-S633-M81, "Flexible Underground Hose Connectors."

(b) The piping is constructed of steel and cathodically protected in the following manner:

(i) The piping is coated with a suitable dielectric material;

(ii) Field-installed cathodic protection systems are designed by a corrosion expert;

(iii) Cathodic protection systems are designed and installed to include provisions for testing to allow a determination of current operating status as required in WAC 173-360-320(2) and to facilitate testing by the

department or delegated agency in accordance with WAC 173-360-325 (5) and (6); and

(iv) Cathodic protection systems are operated and maintained in accordance with WAC 173-360-320 or guidelines established by the department or delegated agency; or

Note: The following codes and standards may be used to comply with subsection (2)(b) of this section:

(A) National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code";

(B) American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage Systems";

(C) American Petroleum Institute Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems"; and

(D) National Association of Corrosion Engineers Standard RP-01-69, "Control of External Corrosion on Submerged Metallic Piping Systems."

(c) The piping construction and corrosion protection are determined by the department or delegated agency to be designed to prevent the release or threatened release of any stored regulated substance in a manner that is no less protective of human health and the environment than the requirements in subsection (2)(a) and (b) of this section.

(d) Metal flexible underground hose connectors shall be cathodically protected or covered with sleeves or jackets that will provide corrosion protection over the operating life of the UST system.

(3) Spill and overflow prevention equipment.

(a) Except as provided in subsection (3)(b) of this section, to prevent spilling and overflowing associated with transfer of regulated substances to the UST system, owners and operators shall use the following spill and overflow prevention equipment:

(i) Spill prevention equipment that will prevent release of regulated substances to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin); and

(ii) Overflow prevention equipment that will:

(A) Automatically shut off flow into the tank when the tank is no more than ninety-five percent full;

(B) Alert the transfer operator when the tank is no more than ninety percent full by restricting the flow into the tank or triggering a high-level alarm; or

(C) Restrict flow thirty minutes prior to overflowing, alert the operator with a high level alarm one minute before overflowing, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to regulated substances due to overflowing.

Note: Overflow prevention equipment that will automatically shut off or restrict flow into the tank should not be used where a pressurized delivery system may be employed since an overflow may occur when the flow is suddenly shut off or restricted.

(b) Owners and operators are not required to use the spill and overflow prevention equipment specified in subsection (3)(a) of this section if:

(i) Alternative equipment is used that is determined by the department or delegated agency to be no less

protective of human health and the environment than the equipment specified in subsection (3)(a)(i) or (ii) of this section; or

(ii) The UST system is filled by transfers of no more than twenty-five gallons at one time.

(4) Installation. All tanks and piping shall be properly installed by a licensed tank services provider in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions.

Note: Tank and piping system installation practices and procedures described in the following codes may be used to comply with the requirements of subsection (4) of this section:

(a) American Petroleum Institute Publication 1615, "Installation of Underground Petroleum Storage System"; or

(b) Petroleum Equipment Institute Publication RP100-90, "Recommended Practices for Installation of Underground Liquid Storage Systems"; or

(c) American National Standards Institute Standard B31.3, "Petroleum Refinery Piping," and American National Standards Institute Standard B31.4 "Liquid Petroleum Transportation Piping System."

(5) Certification of installation. All owners and operators shall ensure that a licensed tank services provider certifies compliance with subsection (4) of this section by submitting a properly completed installation checklist to the department on a form provided by the department as required in WAC 173-360-630(12).

#### NEW SECTION

**WAC 173-360-310 UPGRADING REQUIREMENTS FOR EXISTING UST SYSTEMS.** (1) Alternatives allowed. Not later than December 22, 1998, all existing UST systems shall comply with one of the following requirements:

(a) New UST system performance standards under WAC 173-360-305;

(b) The upgrading requirements in subsections (2) through (4) of this section; or

(c) Closure requirements under WAC 173-360-380 through 173-360-398, including applicable requirements for corrective action under WAC 173-360-399.

(2) Tank upgrading requirements. Steel tanks shall be upgraded by a licensed tank services provider to meet one of the following requirements in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory:

(a) Interior lining. A tank may be upgraded by interior lining if:

(i) The lining is installed in accordance with the requirements of WAC 173-360-325; and

(ii) Within ten years after lining, and every five years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications, unless cathodic protection is also installed within ten years of lining the tank, as specified in WAC 173-360-310(2)(c).

(b) Cathodic protection. A tank may be upgraded by cathodic protection if the cathodic protection system meets the requirements of WAC 173-360-305 (1)(b)(ii), (iii), and (iv) and the integrity of the tank is ensured using one of the following methods:

(i) The tank is internally inspected and assessed to ensure that the tank is structurally sound and free of



corrosion holes prior to installing the cathodic protection system; or

(ii) The tank has been installed or internally lined for less than ten years and is monitored monthly for releases in accordance with WAC 173-360-345(6)(e) through (6)(i); or

(iii) The tank has been installed or internally lined for less than ten years and is assessed for corrosion holes by conducting two tightness tests that meet the requirements of WAC 173-360-345(6)(d). The first tightness test shall be conducted prior to installing the cathodic protection system. The second tightness test shall be conducted between three and six months following the first operation of the cathodic protection system; or

(iv) The tank is assessed for corrosion holes by a method that is determined by the department or delegated agency to prevent releases in a manner that is no less protective of human health and the environment than subsection (2)(b)(i) through (iii) of this section.

(c) Internal lining combined with cathodic protection. A tank may be upgraded by both internal lining and cathodic protection if:

(i) The lining is installed in accordance with the requirements of WAC 173-360-325; and

(ii) The cathodic protection system is installed within ten years of the tank being lined and meets the requirements of WAC 173-360-305 (1)(b)(ii), (iii), and (iv).

Note: The following codes and standards may be used to comply with this section:

(A) American Petroleum Institute Publication 1631, "Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks";

(B) National Leak Prevention Association Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground Tanks by Lining Without the Addition of Cathodic Protection";

(C) National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems"; and

(D) American Petroleum Institute Publication 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems."

(3) Piping upgrading requirements. Metal piping that routinely contains regulated substances and is in contact with the ground shall be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and shall meet the requirements of WAC 173-360-305 (2)(b)(ii), (iii), and (iv).

Note: The codes and standards listed in the note following WAC 173-360-305 (2)(b) may be used to comply with this requirement.

(4) Spill and overfill prevention equipment. To prevent spilling and overfilling associated with transfer of regulated substances to the UST system, all existing UST systems shall comply with new UST system spill and overfill prevention equipment requirements specified in WAC 173-360-305(3).

(5) Tank services providers who perform any of the tank services described in this section shall certify that

such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

**WAC 173-360-315 SPILL AND OVERFILL CONTROL REQUIREMENTS.** (1) Owners and operators shall ensure that releases due to spilling or overfilling do not occur. The owner and operator shall ensure that the volume available in the tank is greater than the volume of regulated substances to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling.

Note: The transfer procedures described in National Fire Protection Association Publication 385 may be used to comply with paragraph (a) of this section. Further guidance on spill and overfill prevention appears in American Petroleum Institute Publication 1621, "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets," and National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code."

(2) The owner and operator shall report, investigate, and clean up any spills and overfills in accordance with WAC 173-360-375.

#### NEW SECTION

**WAC 173-360-320 OPERATION AND MAINTENANCE OF CORROSION PROTECTION.** All owners and operators of steel UST systems with corrosion protection shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the UST system is used to store regulated substances:

(1) All corrosion protection systems shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground.

(2) All UST systems equipped with cathodic protection systems shall be inspected for proper operation by a licensed supervisor of cathodic protection installation and testing in accordance with the following requirements:

(a) Frequency. All cathodic protection systems shall be tested when they are installed, and again between one and six months after installation, and at least every three years thereafter or according to another reasonable time frame established by the department or delegated agency; and

(b) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by this section shall be in accordance with a code of practice developed by a nationally recognized association.

Note: National Association of Corrosion Engineers Standard RP-02-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," may be used to comply with subsection (2)(b) of this section.

(3) UST systems with impressed current cathodic protection systems shall also be inspected every 60 days to ensure the equipment is running properly.

(4) For UST systems using cathodic protection, records of the operation of the cathodic protection shall be maintained to demonstrate compliance with the performance standards in this section. These records shall provide the following:

(a) The results of the last three inspections required in subsection (3) of this section; and

(b) The results of testing from the last two inspections required in subsection (2) of this section.

(5) Tank services providers who perform any of the tank services described in this section shall certify that such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

### NEW SECTION

**WAC 173-360-323 COMPATIBILITY.** Owners and operators shall use an UST system made of or lined with materials that are compatible with and impermeable to the substance stored in the UST system.

Note: Owners and operators storing alcohol blends may use the following codes to comply with the requirements of this section:

(1) American Petroleum Institute Publication 1626, "Storing and Handling Ethanol and Gasoline-Ethanol Blends at Distribution Terminals and Service Stations"; and

(2) American Petroleum Institute Publication 1627, "Storage and Handling of Gasoline-Methanol/Cosolvent Blends at Distribution Terminals and Service Stations."

### NEW SECTION

**WAC 173-360-325 REPAIRS OF UST SYSTEMS.** Owners and operators of UST systems shall ensure that repairs will prevent releases due to structural failure or corrosion as long as the UST system is used to store regulated substances. Any UST system which is repaired to correct a structural defect must also be upgraded at the time of the repair to meet the requirements specified in WAC 173-360-310 (1)(a) or (b), and must employ a method of release detection for the tank as specified in WAC 183-360-335, 173-360-340 or 173-360-345, as applicable, and a method of release detection for the piping as specified in WAC 173-360-350. The repairs shall meet the following requirements:

(1) Repairs to UST systems shall be properly conducted by a licensed tank services provider in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory.

Note: The following codes and standards may be used to comply with subsection (1) of this section: National Fire Protection Association Standard 30, "Flammable and Combustible Liquids Code"; American Petroleum Institute Publication 2200, "Repairing Crude Oil, Liquefied Petroleum Gas, and Product Pipelines"; American Petroleum Institute Publication 1631, "Recommended Practice for the Interior Lining of Existing Steel Underground Storage Tanks"; and National Leak Prevention Association Standard 631, "Spill Prevention, Minimum 10 Year Life Extension of Existing Steel Underground

Tanks by Lining Without the Addition of Cathodic Protection."

(2) Repairs to fiberglass-reinforced plastic tanks shall be made in accordance with the manufacturer's specifications or a code of practice developed by a nationally recognized association or an independent testing laboratory.

(3) Metal pipe sections and fittings that have released regulated substances as a result of corrosion or other damage shall be replaced. Fiberglass pipes and fittings may be repaired in accordance with the manufacturer's specifications.

(4) Repaired tanks and piping shall be tightness tested in accordance with WAC 173-360-345 (6)(d) and 173-360-350 (3)(b) within thirty days following the date of the completion of the repair except as provided in subsection (4) (a) through (c), of this section:

(a) The repaired tank is internally inspected in accordance with a code of practice developed by a nationally recognized association or an independent testing laboratory; or

(b) The repaired portion of the UST system is monitored monthly for releases in accordance with a method specified in WAC 173-360-345(6)(e) through (6)(i); or

(c) Another test method is used that is determined by the department or delegated agency to be no less protective of human health and the environment than those listed above.

(5) Except as specified in subsection (6) of this section, within six months following the repair of any cathodically protected UST system, the cathodic protection system shall be tested in accordance with WAC 173-360-320 (2) and (3) to ensure that it is operating properly.

(6) Any repair to a cathodic protection system shall be tested in accordance with WAC 173-360-320 (2) and (3), at the time of the repair and again between one and six months following the repair.

(7) UST system owners and operators shall maintain records of each repair for the remaining operating life of the UST site that demonstrate compliance with the requirements of this section.

(8) Tank services providers who perform any of the tank services described in this section shall certify that such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

### NEW SECTION

**WAC 173-360-330 RELEASE DETECTION COMPLIANCE SCHEDULE.** Owners and operators of all UST systems shall comply with the release detection requirements of WAC 173-360-330 through 173-360-355 by December 22 of the year listed in the following table:

TABLE: SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

Year System was installed	Year when release detection is required (by December 22 of the year indicated)						
	1989	1990	1991	1992	1993	1994	1995
Before 1965 or date unknown.	RD	P	E				
1965-69..		P/RD		E			
1970-74..		P	RD		E		
1975-79..		P		RD		E	
1980-88..		P			RD		E

New tanks (after December 22, 1988,) immediately upon installation.

P- Except for emergency power generator tanks, must begin release detection for all pressurized piping as defined in WAC 173-360-350 (2)(a).

RD- Except for emergency power generator tanks, must begin release detection for tanks and suction piping in accordance with WAC 173-360-335 (2)(a), 173-360-350 (2)(b), and 173-360-340.

E- Must begin release detection for emergency power generator tanks and piping in accordance with WAC 173-360-335 (2)(a) and 173-360-350 (2)(a) or (b).

Note: Dates preceding the effective date of this rule correspond to federal requirements under 40 CFR 280 and are included here to reflect conformity to the federal rule.

**NEW SECTION**

**WAC 173-360-335 RELEASE DETECTION FOR PETROLEUM UST SYSTEMS.** (1) Owners and operators of new and existing petroleum UST systems shall provide a method, or combination of methods, of release detection that:

(a) Can detect a release from any portion of the tank and the connected underground piping that routinely contains a regulated substance;

(b) Is installed, calibrated, operated, and maintained in accordance with the manufacturer's instructions, including routine maintenance and service checks for operability or running condition; and

(c) Meets the performance requirements in WAC 173-360-345 or 173-360-350.

(2) Owners and operators of petroleum UST systems shall monitor tanks and piping for releases as follows:

(a) Tanks. Tanks shall be monitored at least every thirty days for releases using one of the methods listed in WAC 173-360-345(6)(c) through (6) (i) except as provided in WAC 173-360-345(2) through (5).

(b) Piping. Underground piping that routinely contains regulated substances shall be monitored for releases as required under WAC 173-360-350.

(3) Owners and operators of any existing UST system that cannot apply a method of release detection that complies with the applicable requirements of WAC 173-360-330 through 173-360-355 shall complete the closure procedures in WAC 173-360-380 through 173-360-398 by the date on which release detection is required for that UST system under WAC 173-360-330.

**NEW SECTION**

**WAC 173-360-340 RELEASE DETECTION FOR HAZARDOUS SUBSTANCE UST SYSTEMS.** Owners and operators of hazardous substance UST systems shall provide release detection that meets the following requirements:

(1) Release detection at existing hazardous substance UST systems shall meet the requirements for petroleum UST systems in WAC 173-360-335. By December 22, 1998, all existing hazardous substance UST systems shall meet the release detection requirements for new systems in subsection (2) of this section.

(2) Release detection at new hazardous substance UST systems shall employ some method of release containment such as secondary containment systems, double-walled tanks, or external liners (e.g., in a pit or excavation). Such methods shall meet the following requirements:

(a) Secondary containment systems shall be designed, constructed and installed to:

(i) Contain regulated substances released from the tank system until they are detected and removed;

(ii) Prevent precipitation and ground water from entering the external liner and prevent the release of regulated substances to the environment at any time during the operational life of the UST system; and

(iii) Be checked for evidence of a release at least every thirty days.

Note: The provisions of 40 CFR 265.193, Containment and Detection of Releases, may be used to comply with these requirements.

(b) Double-walled tanks shall be designed, constructed, and installed to:

(i) Contain a release from any portion of the inner tank within the outer wall; and

(ii) Detect the failure of the inner wall.

(c) External liners (including vaults) shall be designed, constructed, and installed to:

(i) Contain one hundred percent of the capacity of the largest tank within its boundary;

(ii) Prevent the interference of precipitation or ground-water intrusion with the ability to contain or detect a release of regulated substances; and

(iii) Surround the tank completely (i.e., it is capable of preventing lateral as well as vertical migration of regulated substances).

(d) Underground piping shall be equipped with secondary containment that satisfies the requirements of subsection (2)(a) of this section (e.g., trench liners, jacketing of double-walled pipe). In addition, underground piping that conveys regulated substances under pressure shall be equipped with an automatic line leak detector in accordance with WAC 173-360-350(3)(a).

(e) Other methods of release detection may be used if owners and operators:

(i) Demonstrate to the department or delegated agency that an alternate method can detect a release of the stored substance as effectively as any of the methods allowed in WAC 173-360-345(6)(b) through (6)(i) can detect a release of petroleum;

(ii) Provide information to the department or delegated agency on effective corrective action technologies, health risks, and chemical and physical properties of the stored substance, and the characteristics of the UST site; and

(iii) Obtain approval from the department or delegated agency to use the alternate release detection method before the installation and operation of the new UST system.

#### NEW SECTION

**WAC 173-360-345 METHODS OF RELEASE DETECTION FOR TANKS.** (1) Any method of release detection for tanks shall meet the performance requirements of this section. In addition, methods used after December 22, 1990, except for methods permanently installed prior to that date, shall be capable of detecting the leak rate or quantity specified for that method in subsection (6)(b), (c), (d), and (e) of this section with a probability of detection of 0.95 and a probability of false alarm of 0.05. (That is, under test conditions, a method will correctly detect at least ninety-five of one hundred actual releases, and will falsely indicate a release no more than five times in one hundred tests of nonleaking systems.)

**Note:** The establishment of leak indication thresholds is a means of setting a standard for the equipment or method used. It is not in any way meant to imply that actual leak rates less than these limits are allowable. No release is acceptable, and any indication that a release may have occurred should be investigated in accordance with WAC 173-360-360. Manufacturers and tank services providers installing or utilizing leak detection equipment and/or methods are encouraged to follow EPA's standard test procedures for evaluating leak detection methods to demonstrate compliance with the requirements of subsection (1) of this section.

(2) UST systems that meet the new tank or upgraded tank performance standards in WAC 173-360-305 or 173-360-310, and the inventory control requirements in subsection (6) (a) or (b) of this section, may use tank tightness testing (conducted in accordance with subsection (6)(d) of this section) at least every five years until December 22, 1998, or until ten years after the tank is installed or upgraded under WAC 173-360-310(2), whichever is later.

(3) UST systems that do not meet the new tank or upgraded tank performance standards in WAC 173-360-305 or 173-360-310 may use inventory controls (conducted in accordance with subsection (6) (a) or (b) of this section) and annual tank tightness testing (conducted in accordance with subsection (6)(d) of this section) until December 22, 1998, when the tank shall be upgraded under WAC 173-360-310 or permanently closed under WAC 173-360-385.

(4) Tanks with capacity of 550 gallons or less may use weekly tank gauging conducted in accordance with subsection (6)(b) of this section.

(5) Tanks that store fuel solely for use by emergency power generators may use the following methods of release detection:

(a) Emergency power generator tanks with nominal capacity of five hundred fifty gallons or less may use

monthly tank gauging conducted in accordance with subsection (6)(c) of this section.

(b) Emergency power generator tanks with nominal capacity of five hundred fifty-one to two thousand gallons may use monthly tank gauging conducted in accordance with subsection (6)(c) of this section, in conjunction with annual tank tightness testing conducted in accordance with subsection (6)(d) of this section.

(c) Emergency power generator tanks with nominal capacity greater than two thousand gallons may use weekly tank gauging conducted in accordance with subsection (6)(b) of this section, in conjunction with annual tank tightness testing conducted in accordance with subsection (6)(d) of this section.

(6) Each method of release detection for tanks used to meet the requirements of WAC 173-360-335 shall be conducted in accordance with the following:

(a) Daily inventory control. Daily inventory control (or another test of equivalent performance) shall be conducted in a manner capable of detecting a release of at least 1.0 percent of flow-through plus 130 gallons on a monthly basis in the following manner:

(i) Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded each operating day;

(ii) The equipment used is capable of measuring the level of regulated substance in the tank over the full range of the tank's height to the nearest one-eighth of an inch;

(iii) The regulated substance inputs are reconciled with delivery receipts by measurement of the tank inventory volume before and after delivery;

(iv) Deliveries are made through a drop tube that extends to within one foot of the tank bottom;

(v) Dispensing of regulated substances is metered and recorded within the local standards for meter calibration or an accuracy of at least six cubic inches for every five gallons of regulated substances which is withdrawn; and

(vi) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month.

**Note:** Practices described in the American Petroleum Institute Publication 1621, "Recommended Practice for Bulk Liquid Stock Control at Retail Outlets," may be used, where applicable, as guidance in meeting the requirements of this paragraph.

(b) Weekly tank gauging. Only tanks of five hundred fifty gallons or less nominal capacity may use weekly tank gauging as the sole method of release detection. Tanks of five hundred fifty-one to two thousand gallons may use the method in place of daily inventory control in (a) of this subsection, in conjunction with tank tightness testing, as specified in (d) of this subsection. Tanks of greater than two thousand gallons nominal capacity may use this method to meet the requirements of WAC 173-360-330 through 173-360-355 only if such tanks store fuel solely for use by emergency power generators. Weekly tank gauging shall meet the following requirements:

(i) Tank liquid level measurements are taken weekly at the beginning and ending of a period of at least thirty-six hours during which no liquid is added to or removed from the tank;

(ii) Level measurements are based on an average of two consecutive stick readings at both the beginning and ending of the period (that is, four measurements shall be taken, two consecutive measurements at the beginning and two consecutive measurements at the end of the period during which no liquid has been added or removed from the tank);

(iii) The equipment used is capable of measuring the level of regulated substance in the tank over the full range of the tank's height to the nearest one-eighth of an inch;

(iv) If the variation between beginning and ending measurements exceeds the weekly or monthly standards in the following table, a leak may be occurring and the requirements of WAC 173-360-360 through 173-360-375 shall be followed:

Nominal Tank Capacity	Weekly Standard (one test)	Monthly Standard (average of four tests)
550 gallons or less	10 gallons	5 gallons
551-1,000 gallons	13 gallons	7 gallons
1,001-2,000 gallons	26 gallons	13 gallons
2,001 gallons or more*	.75% of capacity	.5% of capacity

(\*Emergency Power Generator Tanks only.)

(c) Monthly tank gauging. Only tanks that store fuel solely for use by emergency power generators with a nominal capacity of two thousand gallons or less may use monthly tank gauging as a method of release detection. Such tanks with nominal capacity of five hundred fifty-one to two thousand gallons shall also have an annual tank tightness test conducted in accordance with (d) of this subsection. Monthly tank gauging shall meet the following requirements:

(i) Inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank are recorded whenever inputs or withdrawals occur;

(ii) Tank liquid level measurements reconciled with inventory volume measurements are taken monthly at the beginning and ending of a period of at least twenty-one days, except when extreme snowfall or other travel obstructions occurring in remote locations and preventing access are specifically documented by the owner and operator;

(iii) Level measurements are based on an average of two consecutive readings at both the beginning and ending of the period (that is, four measurements shall be taken, two consecutive measurements at the beginning and two consecutive measurements at the end of the period);

(iv) The equipment used is capable of measuring the level of regulated substance in the tank over the full range of the tank's height to the nearest one-eighth of an inch or a corresponding amount of gallons;

(v) The measurement of any water level in the bottom of the tank is made to the nearest one-eighth of an inch at least once a month;

(vi) If the variation between beginning and ending measurements exceeds the monthly standards in the following table, a leak may be occurring and the requirements of WAC 173-360-360 through 173-360-375 shall be followed:

Nominal Tank Capacity	Monthly Standard (average of four tests)
550 gallons or less	5 gallons
551-1,000 gallons	7 gallons
1,001-2000 gallons	13 gallons

(d) Tank tightness testing. Tank tightness testing (or another test of equivalent performance) shall be capable of detecting at least a 0.1 gallon per hour leak rate from any portion of the tank that routinely contains a regulated substance while accounting for the effects of thermal expansion or contraction of the regulated substance, vapor pockets, tank deformation, evaporation or condensation, and the location of the water table.

(e) Automatic tank gauging. Equipment for automatic tank gauging that tests for the loss of regulated substance and conducts inventory control shall meet the following requirements:

(i) The automatic product level monitor test can detect at least a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains a regulated substance; and

(ii) Daily inventory control (or another test of equivalent performance) is conducted in accordance with the requirements of (a) of this subsection.

(f) Vapor monitoring. Testing or monitoring for vapors within the soil gas of the excavation zone shall meet the following requirements:

(i) The materials used as backfill are sufficiently porous (e.g., gravel, sand, crushed rock) to readily allow diffusion of vapors from releases into the excavation area;

(ii) The stored regulated substance, or a tracer compound placed in the tank system, is sufficiently volatile (e.g., gasoline) to result in a vapor level that is detectable by the monitoring devices located in the excavation zone in the event of a release from the tank;

(iii) The measurement of vapors by the monitoring device is not rendered inoperative by the ground water, rainfall, or soil moisture or other known interferences so that a release could go undetected for more than thirty days;

(iv) The level of background contamination in the excavation zone will not interfere with the method used to detect releases from the tank;

(v) The vapor monitors are designed and operated to detect any significant increase in concentration above background of the regulated substance stored in the tank system, a component or components of that substance, or a tracer compound placed in the tank system;

(vi) In the UST excavation zone, the site is evaluated for its appropriateness for installation of vapor monitors to ensure compliance with the requirements of this subsection and to establish the number and positioning of monitoring wells that will detect releases within the excavation zone from any portion of the tank that routinely contains a regulated substance; and

(vii) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

Note: Monitoring wells must also comply with the minimum standards for construction, maintenance, and abandonment of wells specified in chapter 173-160 WAC.

(g) Ground water monitoring. Testing or monitoring for liquids on or in the ground water shall meet the following requirements:

(i) The regulated substance stored is immiscible in water and has a specific gravity of less than one;

(ii) Ground water is never more than twenty feet from the ground surface and the hydraulic conductivity of the soil(s) between the UST system and the monitoring wells or devices is not less than 0.01 cm/sec (e.g., the soil should consist of gravels, coarse to medium sands, coarse silts or other permeable materials);

(iii) The slotted portion of the monitoring well casing shall be designed to prevent migration of natural soils or filter pack into the well and to allow entry of regulated substance on the water table into the well under both high and low ground-water conditions;

(iv) Monitoring wells shall be sealed from the ground surface to the top of the filter pack;

(v) Monitoring wells or devices intercept the excavation zone or are as close to it as is technically feasible;

(vi) The continuous monitoring devices or manual methods used can detect the presence of at least one-eighth of an inch of free product on top of the ground water in the monitoring wells;

(vii) Within and immediately below the UST system excavation zone, the site is evaluated for its appropriateness for installation of ground water monitors to ensure compliance with the requirements in (g)(i) through (v) of this subsection and to establish the number and positioning of monitoring wells or devices that will detect releases from any portion of the tank that routinely contains a regulated substance; and

(viii) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

Note: Monitoring wells must also comply with the minimum standards for construction, maintenance, and abandonment of wells specified in chapter 173-160 WAC.

(h) Interstitial monitoring. Interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed and installed to detect a leak from any portion of the tank that routinely contains a regulated substance and also meets one of the following requirements:

(i) For double-walled UST systems, the sampling or testing method can detect a release through the inner wall in any portion of the tank that routinely contains a regulated substance;

Note: The provisions outlined in the Steel Tank Institute's "Standard for Dual Wall Underground Storage Tanks" may be used as guidance for aspects of the design and construction of underground steel double-walled tanks.

(ii) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a release between the UST system and the secondary barrier;

(A) The secondary barrier around or beneath the UST system consists of artificially constructed material that is sufficiently thick and impermeable (at least  $10^{-6}$  cm/sec for the regulated substance stored) to direct a release to the monitoring point and permit its detection;

(B) The barrier is compatible with the regulated substance stored so that a release from the UST system will not cause a deterioration of the barrier allowing a release to pass through undetected;

(C) For cathodically protected tanks, the secondary barrier shall be installed so that it does not interfere with the proper operation of the cathodic protection system;

(D) The ground water, soil moisture, or rainfall will not render the testing or sampling method used inoperative so that a release could go undetected for more than thirty days;

(E) The site is evaluated for its appropriateness for installation of interstitial monitors to ensure that the secondary barrier is always above the ground water and not in a twenty-five-year flood plain, unless the barrier and monitoring designs are for use under such conditions; and

(F) Monitoring wells are clearly marked and secured to avoid unauthorized access and tampering.

(iii) For tanks with an internally fitted liner, an automated device can detect a release between the inner wall of the tank and the liner, and the liner is compatible with the substance stored.

(i) Other methods. Any other type of release detection method, or combination of methods, can be used if:

(i) It can detect a 0.2 gallon per hour leak rate or a release of one hundred fifty gallons within a month with a probability of detection of 0.95 and a probability of false alarm of 0.05; or

(ii) The department or delegated agency may approve another method if the owner and operator can demonstrate that the method can detect a release as effectively as any of the methods allowed in (d) through (i) of this subsection. In comparing methods, the department or delegated agency shall consider the size of release that the method can detect and the frequency and reliability with which it can be detected. If the method is approved, the owner and operator shall comply with any conditions imposed by the department or delegated agency on its use to ensure the protection of human health and the environment.

(7) Tank services providers who perform any of the tank services described in this section shall certify that such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

WAC 173-360-350 METHODS OF RELEASE DETECTION FOR PIPING. (1) Any method of release detection for piping shall meet the performance requirements of this section, with any performance claims and their manner of determination described in writing by the equipment manufacturer or installer. In addition, methods used after December 22, 1990, except for methods permanently installed prior to that date, shall be capable of detecting the leak rate or quantity specified for that method in subsection (3)(a) and (b) of this section with a probability of detection of 0.95 and a probability of false alarm of 0.05. (That is, under test

conditions, a method will correctly detect at least ninety-five of one hundred actual releases, and will falsely indicate a release no more than five times in one hundred tests of nonleaking systems.)

Note: The establishment of leak indication thresholds is a means of setting a standard for the equipment or method used. It is not in any way meant to imply that actual leak rates less than these limits are allowable. No release is acceptable, and any indication that a release may have occurred should be investigated in accordance with WAC 173-360-360.

(2) Underground piping that routinely contains regulated substances shall be monitored for releases in a manner that meets one of the following requirements:

(a) Pressurized piping. Underground piping that conveys regulated substances under pressure shall:

(i) Be equipped with an automatic line leak detector conducted in accordance with subsection (3)(a) of this section; and

(ii) Have an annual line tightness test conducted by a licensed tank services provider in accordance with subsection (3)(b) of this section or have monthly monitoring conducted in accordance with subsection (3)(c) of this section.

(b) Suction piping. Underground piping that conveys regulated substances under suction shall either have a line tightness test conducted at least every three years and in accordance with subsection (3)(b) of this section, or use a monthly monitoring method conducted in accordance with subsection (3)(c) of this section. No release detection is required for suction piping that is designed and constructed to meet the following standards:

(i) The below-grade piping operates at less than atmospheric pressure;

(ii) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released;

(iii) Only one check valve is included in each suction line;

(iv) The check valve is located directly below and as close as practical to the suction pump; and

(v) A method is provided that allows compliance with subsection (2)(b)(ii) through (iv) of this section to be readily determined.

(3) Each method of release detection for piping used to meet the requirements of WAC 173-360-335 shall be conducted in accordance with the following:

(a) Automatic line leak detectors. Methods which alert the operator to the presence of a leak by restricting or shutting off the flow of regulated substances through piping or triggering an audible or visual alarm may be used only if they detect leaks of three gallons per hour at ten pounds per square inch line pressure within one hour. An annual test of the operation of the leak detector shall be conducted in accordance with the manufacturer's requirements.

(b) Line tightness testing. A periodic test of piping may be conducted only if it can detect a 0.1 gallon per hour leak rate at one and one-half times the operating pressure.

Note: National Fire Protection Association Standard 329, "Underground Leakage of Flammable and Combustible Liquids", may be used to comply with this requirement.

(c) Applicable tank methods. Any of the methods in WAC 173-360-345 (6)(f) through (i) may be used if they are designed to detect a release from any portion of the underground piping that routinely contains regulated substances.

(4) Tank services providers who perform any of the tank services described in this section shall certify that such services comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

WAC 173-360-355 RELEASE DETECTION RECORDKEEPING. All UST system owners and operators shall maintain records demonstrating compliance with all applicable requirements of WAC 173-360-330 through 173-360-355. These records shall include the following:

(1) All written performance claims pertaining to any release detection system used, and the manner in which these claims have been justified or tested by the equipment manufacturer or installer, shall be maintained for five years, or for another reasonable period of time determined by the department or delegated agency, from the date of installation;

(2) The results of any sampling, testing, or monitoring shall be maintained for at least five years, or for another reasonable period of time determined by the department or delegated agency, except that the results of tank tightness testing conducted in accordance with WAC 173-360-345 (6)(d) shall be retained until the next test is conducted; and

(3) Written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on-site shall be maintained for at least five years after the servicing work is completed, or for another reasonable time period determined by the department or delegated agency. Any schedules of required calibration and maintenance provided by the release detection equipment manufacturer shall be retained for five years from the date of installation.

#### NEW SECTION

WAC 173-360-360 REPORTING OF SUSPECTED RELEASES. Owners and operators of UST systems shall report to the department or delegated agency within twenty-four hours, or another reasonable time period specified by the department or delegated agency, and follow the procedures in WAC 173-360-370 when any of the following conditions apply:

(1) Owners and operators or others discover released regulated substances at the UST site or in the surrounding area (including but not limited to the presence of free product or its constituents in soils, basements, sewer and utility lines, ground water, and/or surface water).

(2) Unusual operating conditions are observed by owners and operators (such as the erratic behavior of product dispensing equipment, the sudden loss of a regulated substance from the UST system, or an unexplained presence of water in the tank), unless system

equipment is found to be defective but not leaking, and is immediately repaired or replaced; or

(3) Monitoring results from a release detection method required under WAC 173-360-335 and 173-360-340 indicate that a release may have occurred unless:

(a) A false alarm is confirmed;

(b) The monitoring device is found to be defective, and is immediately repaired, recalibrated or replaced, and additional monitoring does not confirm the initial result; or

(c) In the case of inventory control, a second month of data does not confirm the initial result, except that owners and operators shall immediately investigate all larger-than-normal or reoccurring variations in inventory control results, and report such variations if they are unaccounted for, without waiting to obtain a second month of data.

Note: Other federal, state, and local laws also require reporting, and in some cases investigation, of suspected releases.

### NEW SECTION

**WAC 173-360-365 INVESTIGATION DUE TO OFF-SITE IMPACTS.** When required by the department or delegated agency, owners and operators of UST systems shall follow the procedures in WAC 173-360-370 to determine if the UST system is the source of off-site impacts. These impacts include the discovery of regulated substances (including but not limited to the presence of free product or its constituents in soils, basements, sewer and utility lines, ground water, and/or surface water) that has been observed by the department or delegated agency or brought to their attention by another person.

### NEW SECTION

**WAC 173-360-370 RELEASE INVESTIGATION AND CONFIRMATION STEPS.** Unless corrective action is initiated in accordance with WAC 173-360-399, owners and operators shall immediately investigate and confirm all suspected releases of regulated substances requiring reporting under WAC 173-360-360 within seven days of discovery, or another reasonable time period specified by the department or delegated agency, using either the following steps or another procedure approved by the department or delegated agency:

(1) System test. Owners and operators shall have a licensed tank services provider conduct tests (according to the requirements for tightness testing in WAC 173-360-345 (6)(d) and 173-360-350 (3)(b)) that determine whether a leak exists in any portions of the UST system that routinely contains a regulated substance, including the tank and the attached delivery piping, and in any connected tanks and piping that may or may not be in use. All such portions shall be tested either separately or together or in combinations thereof.

(a) Owners and operators shall have a licensed tank services provider repair, replace, upgrade, or close the UST system, and shall begin corrective action in accordance with WAC 173-360-399 if the test results for

the system, tank, or delivery piping indicate that a leak exists.

(b) Further investigation is not required if the test results for the system, tank, and delivery piping do not indicate that a leak exists and if environmental contamination is not the basis for suspecting a release.

(c) Owners and operators shall conduct a site check in accordance with subsection (2) of this section if the test results for the system, tank, and delivery piping do not indicate that a leak exists but environmental contamination is the basis for suspecting a release.

(2) Site check. Owners and operators shall have a person registered by the department to perform site assessments, as specified in WAC 173-360-610, sample for the presence of a release. Such samples shall be taken and analyzed in accordance with the department's guidance document for site checks and site assessments, or as otherwise directed by the department or delegated agency, where contamination is most likely to be present at the UST site.

(a) If the site check results indicate that a release has occurred, owners and operators shall report to the department or delegated agency in accordance with WAC 173-360-372 and begin corrective action in accordance with WAC 173-360-399.

(b) If the site check results do not indicate that a release has occurred, further investigation is not required.

(3) Tank services providers who perform any of the tank services described in this section, and persons who perform site checks, shall certify that such services or site checks, as applicable, comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

### NEW SECTION

**WAC 173-360-372 REPORTING OF CONFIRMED RELEASES.** Owners and operators shall report all confirmed releases, including but not limited to those confirmed in accordance with WAC 173-360-370 and 173-360-390, and those required to be reported under WAC 173-360-375, to the department or delegated agency within twenty-four hours.

Note: Other federal, state, and local laws also require reporting, and in some cases cleanup, of confirmed releases.

### NEW SECTION

**WAC 173-360-375 CLEANUP AND REPORTING OF SPILLS AND OVERFILLS.** (1) Owners and operators of UST systems shall immediately contain and clean up any spill or overflow of petroleum or hazardous substances in accordance with subsections (2) and (3) of this section. Spills and overfills shall also be reported as follows:

(a) Owners and operators shall immediately report any spill or overflow of petroleum and the results of any related cleanup to the department or delegated agency if the spill or overflow comes in contact with soil, ground water, or surface water. Spills or overfills of petroleum which are above a de minimis amount but do not come in contact with soil, ground water, or surface water shall



be reported within twenty-four hours. A de minimis amount of petroleum is any amount that immediately evaporates or that is specified by the department or delegated agency through guidance documents. Spills or overfills of petroleum which do not exceed a de minimis amount and do not come in contact with soil, ground water, or surface water are not required to be reported.

(b) Owners and operators shall immediately report any spill or overfill of a hazardous substance and the results of any related cleanup to the department or delegated agency if the spill or overfill comes in contact with soil, ground water, or surface water. Spills or overfills of hazardous substances which are above a de minimis amount but which do not come in contact with soil, ground water, or surface water shall also be reported immediately. A de minimis amount of a hazardous substance is any amount that is below the specified reportable quantity under CERCLA. Spills or overfills of hazardous substances which do not exceed a de minimis amount and do not come in contact with soil, ground water, or surface water are not required to be reported.

Note: A release of a hazardous substance equal to or in excess of its reportable quantity under CERCLA (40 CFR 302) must also be reported immediately to the National Response Center under sections 102 and 103 of CERCLA (40 CFR 302.6) and to the appropriate state and local authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).

(2) Containment and cleanup shall include the following actions:

(a) Visually inspect and take immediate action to prevent any further release and/or spreading of the regulated substance into the environment, including surrounding soils, ground water, and surface water;

(b) Eliminate or minimize any fire, explosion, and vapor hazards, and absorb or otherwise contain all free product and provide for proper disposal of such product and any used absorbent materials in accordance with all applicable federal, state, and local requirements. Free product shall not be flushed into storm drains, catch basins, dry wells, monitoring wells, or other locations with a possible connection to surrounding soils, ground water, or surface water; and

(c) Provide for proper disposal of, or treat, any contaminated soils in accordance with all applicable federal, state, and local requirements.

(3) Owners and operators shall take appropriate action in accordance with WAC 173-360-399 in the following cases:

(a) A spill or overfill of petroleum that results in a release to the environment of less than twenty-five gallons or another reasonable amount specified by the department or delegated agency, if cleanup is not or cannot be accomplished within twenty-four hours or another reasonable time period established by the department or delegated agency;

(b) A spill or overfill of petroleum that results in a release to the environment that exceeds twenty-five gallons or another reasonable amount specified by the department or delegated agency;

(c) A spill or overfill of petroleum, regardless of amount, that results in ground water contamination or

causes a sheen on ground water or surface water, including such water in dry wells;

(d) A spill or overfill of a hazardous substance that results in a release to the environment that is less than the reportable quantity under CERCLA, if cleanup is not or cannot be accomplished within twenty-four hours or another reasonable time period established by the department or delegated agency; and

(e) A spill or overfill of a hazardous substance that results in a release to the environment that equals or exceeds its reportable quantity under CERCLA (40 CFR 302).

#### NEW SECTION

**WAC 173-360-380 TEMPORARY CLOSURE OF UST SYSTEMS.** (1) When an UST system is temporarily closed, owners and operators shall continue operation and maintenance of corrosion protection in accordance with WAC 173-360-320, and any release detection in accordance with WAC 173-360-330 through 173-360-355. WAC 173-360-360 through 173-360-375 and 173-360-399 shall be complied with if a release is suspected or confirmed. However, release detection is not required as long as the UST system is empty. The UST system is empty when all materials have been removed using commonly employed practices so that no more than 2.5 centimeters (one inch) of residue, or 0.3 percent by weight of the total capacity of the UST system, remain in the system.

(2) When an UST system is temporarily closed for three months or more, owners and operators shall also comply with the following requirements:

(a) Leave vent lines open and functioning; and

(b) Cap and secure all other lines, pumps, entryways, and ancillary equipment.

(3) Any UST system temporarily closed for three months or more shall be tightness tested by a licensed tank services provider in accordance with WAC 173-360-345 (6)(d) and 173-360-350 (3)(b) prior to being put back into service unless the system is subject to and in compliance with the release detection requirements of WAC 173-360-330.

(4) When an UST system is temporarily closed for more than twelve months, owners and operators shall have a licensed tank services provider permanently close the UST system if it does not either meet the performance standards in WAC 173-360-305 for new UST systems or the upgrading requirements in WAC 173-360-310 (2) and (3). Such UST systems shall be permanently closed in accordance with WAC 173-360-385 through 173-360-398 at the end of the twelve-month period unless the department or delegated agency provides an extension before expiration of the twelve-month temporary closure period. Owners and operators shall have a site assessment completed in accordance with WAC 173-360-390 before such an extension is applied for.

(5) Tank services providers who perform any of the tank services described in this section, and persons who perform site assessments, shall certify that such services and site assessments, as applicable, comply with the requirements of this chapter by submitting the appropriate

checklist(s) to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

**WAC 173-360-385 PERMANENT CLOSURE AND CHANGE-IN-SERVICE.** (1) At least thirty days before beginning either permanent closure or a change-in-service under subsections (2) and (3) of this section, or within another reasonable time period determined by the department or delegated agency, owners and operators shall notify the department or delegated agency in writing of their intent to permanently close or make the change-in-service, unless such action is in response to corrective action. The site assessment required under WAC 173-360-390 shall be performed after notifying the department or delegated agency but before completion of the permanent closure or a change-in-service.

(2) Permanent closure shall be completed by a licensed tank services provider within sixty days after expiration of the thirty-day notice, unless a written request for an extension, explaining the reason for the request, is approved by the department or delegated agency. Any UST system not permanently closed by a compliance date that the UST system is subject to, shall be in compliance with the requirement associated with the compliance date, including the payment of fees. Any UST system not in compliance with any such requirement will be subject to the penalties described in WAC 173-360-170.

(3) To permanently close an UST system, the tank services provider shall empty and clean the tank by removing all liquids and accumulated sludges.

Note: Any sludges removed must also be designated and disposed of in accordance with chapter 173-303 WAC.

(4) All tanks taken out of service permanently shall also be either removed from the ground or filled with an inert solid material. All piping shall either be capped (except any vent lines) or removed from the ground.

(5) Continued use of an UST system to store a non-regulated substance is considered a change-in-service. Before a change-in-service, owners and operators shall have a licensed tank services provider empty and clean the tank by removing all liquid and accumulated sludge, and shall have a site assessment conducted in accordance with WAC 173-360-390.

Note: The following cleaning and closure procedures may be used to comply with this section:

(A) American Petroleum Institute Recommended Practice 1604, "Removal and Disposal of Used Underground Petroleum Storage Tanks";

(B) American Petroleum Institute Publication 2015, "Cleaning Petroleum Storage Tanks";

(C) American Petroleum Institute Recommended Practice 1631, "Interior Lining of Underground Storage Tanks," may be used as guidance for compliance with this section; and

(D) The National Institute for Occupational Safety and Health "Criteria for a Recommended Standard...Working in Confined Space" may be used as guidance for conducting safe closure procedures at some hazardous substance tanks.

(5) Tank services providers who perform any of the tank services described in this section, and persons who perform site assessments, shall certify that such services or site assessments, as applicable, comply with the requirements of this section by submitting the appropriate checklist(s) to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

**WAC 173-360-390 SITE ASSESSMENT AT CLOSURE OR CHANGE-IN-SERVICE.** (1) Before permanent closure or a change-in-service is completed, except as specified in subsections (2), (3), and (4) of this section, owners and operators shall have a person registered by the department to perform site assessments, as specified in WAC 173-360-610, sample for the presence of a release. Such samples shall be taken and analyzed in accordance with the department's guidance document for site assessments, or as otherwise directed by the department or delegated agency, where contamination is most likely to be present at the UST site.

(2) The requirements of this section are satisfied if one of the external release detection methods allowed in WAC 173-360-345 (6) (f) and (g) is employed for the UST system being closed or undergoing a change-in-service, if the following conditions are met:

(a) The external release detection method is operating, at the time of closure or change-in-service, in accordance with the requirements of WAC 173-360-345 (6) (f) or (g), as applicable; and

(b) A report is provided to the department with sufficient information to clearly demonstrate that:

(i) The external release detection method employed was appropriately designed, installed, and operated to adequately detect any releases from the UST system; and

(ii) No release was detected from the UST system.

(3) If the department determines that the conditions specified in subsection (2)(a) and (b) of this section have not been satisfactorily met, the department may require that a site assessment be performed for the site.

(4) If contaminated soils, contaminated ground water, or free product is discovered under subsection (1) of this section, or by any other manner, owners and operators shall report to the department or delegated agency in accordance with WAC 173-360-372 and take appropriate action in accordance with WAC 173-360-399.

(5) Persons who perform site assessments shall certify that such site assessments comply with the requirements of this section by submitting the appropriate checklist to the department in accordance with WAC 173-360-630(12).

#### NEW SECTION

**WAC 173-360-395 APPLICABILITY TO PREVIOUSLY CLOSED UST SYSTEMS.** When directed by the department or delegated agency, the owner and operator of an UST system permanently closed or abandoned before December 22, 1988, shall have a person registered to perform site assessments assess the site and shall have a licensed tank services provider close the

UST system in accordance with WAC 173-360-380 through 173-360-398 if releases from the UST may, in the judgment of the department or delegated agency, pose a current or potential threat to human health and the environment.

#### NEW SECTION

**WAC 173-360-398 CLOSURE RECORDS.** Owners and operators shall maintain records that demonstrate compliance with closure requirements under WAC 173-360-380 through 173-360-398. The results of the site assessment required in WAC 173-360-390 shall be maintained for at least five years after completion of permanent closure or change-in-service in one of the following ways:

- (1) By the owners and operators who took the UST system out of service;
- (2) By the current owners and operators of the UST system site; or
- (3) By mailing these records to the department or delegated agency if they cannot be maintained at the closed facility.

#### NEW SECTION

**WAC 173-360-399 CORRECTIVE ACTION REQUIREMENTS.** Except as provided in WAC 173-360-375, upon confirmation of a release in accordance with WAC 173-360-370 or 173-360-390, or after a release from the UST system is identified in any other manner, owners and operators shall immediately undertake appropriate measures in accordance with chapter 173-340 WAC and/or this chapter, and any additional measures as directed by the department under chapter 90.48 RCW. Owners and operators shall also report such releases to the department or delegated agency within twenty-four hours in accordance with WAC 173-360-372.

### PART IV

#### FINANCIAL RESPONSIBILITY REQUIREMENTS

#### NEW SECTION

**WAC 173-360-400 APPLICABILITY.** (1) WAC 173-360-400 through 173-360-499 applies to owners and operators of all petroleum underground storage tank (UST) systems except as otherwise provided in this section.

(2) Owners and operators of petroleum UST systems are subject to these requirements if they are in operation on or after the date for compliance established in WAC 173-360-403.

(3) state and federal government entities whose debts and liabilities are the debts and liabilities of a state or the United States are exempt from the requirements of WAC 173-360-400 through 173-360-499.

(4) The requirements of WAC 173-360-400 through 173-360-499 do not apply to owners and operators of any UST system described in WAC 173-360-110 (2) or (3).

(5) If the owner and operator of a petroleum underground storage tank are separate persons, only one person is required to demonstrate financial responsibility; however, both parties are liable in event of noncompliance. Regardless of which party complies, the date set for compliance at a particular facility is determined by the characteristics of the owner as set forth in WAC 173-360-403.

#### NEW SECTION

**WAC 173-360-403 COMPLIANCE DATES.** Owners of petroleum underground storage tanks are required to comply with the requirements of WAC 173-360-400 through 173-360-499 by the following dates:

(1) All petroleum marketing firms owning 1,000 or more USTs and all other UST owners that report a tangible net worth of twenty million dollars or more to the United States Securities and Exchange Commission (SEC), Dun and Bradstreet, the Energy Information Administration, or the Rural Electrification Administration; January 24, 1989, except that compliance with WAC 173-360-410(2) is required by July 24, 1989.

(2) All petroleum marketing firms owning 100-999 USTs; October 26, 1989.

(3) All petroleum marketing firms owning a combined total of 13-99 USTs which are located at more than one facility; April 26, 1991.

(4) All petroleum UST owners not described in subsections (1), (2), or (3) of this section, including all local government entities; October 26, 1991.

#### NEW SECTION

**WAC 173-360-406 AMOUNT AND SCOPE OF REQUIRED FINANCIAL RESPONSIBILITY.** (1) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts:

(a) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than ten thousand gallons of petroleum per month based on annual throughput for the previous calendar year; one million dollars.

(b) For all other owners or operators of petroleum underground storage tanks; five hundred thousand dollars.

(2) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following annual aggregate amounts:

(a) For owners or operators of 1 to 100 petroleum underground storage tanks, one million dollars; and

(b) For owners or operators of 101 or more petroleum underground storage tanks, two million dollars.

(3) For the purposes of subsections (2) and (4) of this section only, "a petroleum underground storage tank" means a single containment unit and does not mean combinations of single containment units.

(4) Owners or operators shall review the amount of aggregate assurance provided whenever additional petroleum underground storage tanks are acquired or installed. If the number of petroleum underground storage tanks for which assurance must be provided exceeds one hundred, the owner or operator shall demonstrate financial responsibility in the amount of at least two million dollars of annual aggregate assurance by the anniversary of the date on which the mechanism demonstrating financial responsibility became effective. If assurance is being demonstrated by a combination of mechanisms, the owner or operator shall demonstrate financial responsibility in the amount of at least two million dollars of annual aggregate assurance by the first-occurring effective date anniversary of any one of the mechanisms combined (other than a financial test or guarantee) to provide assurance.

(5) The amounts of assurance required under this section exclude legal defense costs.

(6) The required per-occurrence and annual aggregate coverage amounts do not in any way limit the liability of the owner or operator.

#### NEW SECTION

WAC 173-360-410 ALLOWABLE MECHANISMS AND COMBINATIONS OF MECHANISMS. (1) Subject to the limitations of subsections (2) and (3) of this section, an owner or operator may use any one or combination of the mechanisms listed in WAC 173-360-413 through 173-360-436 to demonstrate financial responsibility under WAC 173-360-400 through 173-360-499 for one or more underground storage tanks.

(2) An owner or operator may use a guarantee or surety bond to establish financial responsibility under WAC 173-360-400 through 173-360-499.

(3) An owner or operator may use self-insurance in combination with a guarantee only if, for the purpose of meeting the requirements of the financial test under this rule, the financial statements of the owner or operator are not consolidated with the financial statements of the guarantor.

(4) Except as provided in subsection (5) of this section, if the owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate financial responsibility for:

(a) Taking corrective action;

(b) Compensating third parties for bodily injury and property damage caused by sudden accidental releases; or

(c) Compensating third parties for bodily injury and property damage caused by nonsudden accidental releases, the amount of assurance provided by each mechanism or combination of mechanisms shall be in the full amount specified in WAC 173-360-406 (1) and (2).

(5) If an owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate

financial responsibility for different petroleum underground storage tanks, the annual aggregate required shall be based on the number of tanks covered by each such separate mechanism or combination of mechanisms.

#### NEW SECTION

WAC 173-360-413 FINANCIAL TEST OF SELF-INSURANCE. (1) An owner or operator, and/or guarantor, may satisfy the requirements of WAC 173-360-406 by passing a financial test as specified in this section. To pass the financial test of self-insurance, the owner or operator, and/or guarantor shall meet the criteria of subsection (2) or (3) of this section based on year-end financial statements for the latest completed fiscal year.

(2)(a) The owner or operator, and/or guarantor, must have a tangible net worth of at least ten times:

(i) The total of the applicable aggregate amount required by WAC 173-360-406, based on the number of underground storage tanks for which a financial test is used to demonstrate financial responsibility to the department under this section;

(ii) The sum of the corrective action cost estimates, the current closure and post-closure care cost estimates, and amount of liability coverage for which a financial test is used to demonstrate financial responsibility to EPA under 40 CFR Parts 264.101, 264.143, 264.145, 265.143, 265.145, 264.147, and 265.147 or to a state agency under a state program authorized by EPA under Part 271; and

(iii) The sum of current plugging and abandonment cost estimates for which a financial test is used to demonstrate financial responsibility to EPA under 40 CFR Part 144.63 or to a state agency under a state program authorized by EPA under 40 CFR Part 145.

Note: Titles of the above-referenced CFR citations are as follows: Part 264.101 - Corrective Action for Solid Waste Management Units; Part 264.143 - Financial Assurance for Closure; Part 264.145 - Financial Assurance for Post-Closure Care; Part 265.143 - Financial Assurance for Closure; Part 265.145 - Financial Assurance for Post-Closure Care; Part 264.147 - Liability Requirements; Part 265.147 - Liability Requirements; Part 144.63 - Financial Assurance for Plugging and Abandonment; and Part 145 - State UIC Program Requirements.

(b) The owner or operator, and/or guarantor, must have a tangible net worth of at least ten million dollars.

(c) The owner or operator, and/or guarantor, shall have a letter signed by the chief financial officer as specified in subsection (4) of this section and as set forth in WAC 173-360-470.

(d) The owner or operator, and/or guarantor, shall either:

(i) File financial statements annually with the United States Securities and Exchange Commission, the Energy Information Administration, or the Rural Electrification Administration; or

(ii) Report annually the firm's tangible net worth to Dun and Bradstreet, and Dun and Bradstreet must have assigned the firm a financial strength rating of 4A or 5A.

(e) The firm's year-end financial statements, if independently audited, cannot include an adverse auditor's opinion, a disclaimer of opinion, or a "going concern" qualification.

(3)(a) The owner or operator, and/or guarantor shall meet the financial test requirements of 40 CFR 264.147(f)(1), substituting the appropriate amounts specified in WAC 173-360-406 (2)(a) and (b) for the "amount of liability coverage" each time specified in that section.

(b) The fiscal year-end financial statements of the owner or operator, and/or guarantor, shall be examined by an independent certified public accountant and be accompanied by the accountant's report of the examination.

(c) The firm's year-end financial statements cannot include an adverse auditor's opinion, a disclaimer of opinion, or a "going concern" qualification.

(d) The owner or operator, and/or guarantor, shall have a letter signed by the chief financial officer, worded as specified in subsection (4) of this section.

(e) If the financial statements of the owner or operator, and/or guarantor, are not submitted annually to the United States Securities and Exchange Commission, the Energy Information Administration or the Rural Electrification Administration, the owner or operator, and/or guarantor, shall obtain a special report by an independent certified public accountant stating that:

(i) He or she has compared the data that the letter from the chief financial officer specifies as having been derived from the latest year-end financial statements of the owner or operator, and/or guarantor, with the amounts in such financial statements; and

(ii) In connection with that comparison, no matters came to his attention which caused him to believe that the specified data should be adjusted.

(4) To demonstrate that it meets the financial test under subsection (2) or (3) of this section, the chief financial officer of the owner or operator, and/or guarantor, shall sign, within one hundred twenty days of the close of each financial reporting year, as defined by the twelve-month period for which financial statements used to support the financial test are prepared, a letter worded exactly as set forth in WAC 173-360-470, except that the instructions in brackets are to be replaced by the relevant information and the brackets deleted.

(5) If an owner or operator using the test to provide financial assurance finds that he or she no longer meets the requirements of the financial test based on the year-end financial statements, the owner or operator shall obtain alternative coverage within one hundred fifty days of the end of the year for which financial statements have been prepared.

(6) The director may require reports of financial condition at any time from the owner or operator, and/or guarantor. If the director finds, on the basis of such reports or other information, that the owner or operator, and/or guarantor, no longer meets the financial test requirements of WAC 173-360-413 (2) or (3) and (4), the owner or operator shall obtain alternate coverage within thirty days after notification of such a finding.

(7) If the owner or operator fails to obtain alternate assurance within one hundred fifty days of finding that he or she no longer meets the requirements of the financial test based on the year-end financial statements, or within thirty days of notification by the director that he or she no longer meets the requirements of the financial test, the owner or operator shall notify the director of such failure within ten days.

#### NEW SECTION

WAC 173-360-416 GUARANTEE. (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining a guarantee that conforms to the requirements of this section. The guarantor shall be:

(a) A firm that:

(i) Possesses a controlling interest in the owner or operator;

(ii) Possesses a controlling interest in a firm described under (a)(i) of this subsection; or

(iii) Is controlled through stock ownership by a common parent firm that possesses a controlling interest in the owner or operator; or

(b) A firm engaged in a substantial business relationship with the owner or operator and issuing the guarantee as an act incident to that business relationship.

(2) Within one hundred twenty days of the close of each financial reporting year the guarantor shall demonstrate that it meets the financial test criteria of WAC 173-360-413 based on year-end financial statements for the latest completed financial reporting year by completing the letter from the chief financial officer described in WAC 173-360-413(4) and shall deliver the letter to the owner or operator. If the guarantor fails to meet the requirements of the financial test at the end of any financial reporting year, within one hundred twenty days of the end of that financial reporting year the guarantor shall send by certified mail, before cancellation or non-renewal of the guarantee, notice to the owner or operator. If the director notifies the guarantor that he no longer meets the requirements of the financial test of WAC 173-360-413 (2) or (3) and (4), the guarantor shall notify the owner or operator within ten days of receiving such notification from the director. In both cases, the guarantee will terminate no less than one hundred twenty days after the date the owner or operator receives the notification, as evidenced by the return receipt. The owner or operator shall obtain alternate coverage as specified in WAC 173-360-460(3).

(3) The guarantee shall be worded as set forth in WAC 173-360-473, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(4) An owner or operator who uses a guarantee to satisfy the requirements of WAC 173-360-406 shall establish a standby trust fund when the guarantee is obtained. Under the terms of the guarantee, all amounts paid by the guarantor under the guarantee will be deposited directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

NEW SECTION

**WAC 173-360-420 INSURANCE AND RISK RETENTION GROUP COVERAGE.** (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining liability insurance that conforms to the requirements of this section from a qualified insurer or risk retention group. Such insurance may be in the form of a separate insurance policy or an endorsement to an existing insurance policy.

(2) Each insurance policy shall be amended by an endorsement worded as specified in WAC 173-360-476 or evidenced by a certificate of insurance worded as specified in WAC 173-360-480, except that instructions in brackets shall be replaced with the relevant information and the brackets deleted.

(3) Each insurance policy shall be issued by an insurer or a risk retention group that, at a minimum, is licensed to transact the business of insurance or eligible to provide insurance as an excess or surplus lines insurer in one or more states.

NEW SECTION

**WAC 173-360-423 SURETY BOND.** (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining a surety bond that conforms to the requirements of this section. The surety company issuing the bond shall be among those listed as acceptable sureties on federal bonds in the latest Circular 570 of the U.S. Department of the Treasury.

(2) The surety bond shall be worded as set forth in WAC 173-360-483, except that instructions in brackets shall be replaced with the relevant information and the brackets deleted.

(3) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond. In all cases, the surety's liability is limited to the per-occurrence and annual aggregate penal sums.

(4) The owner or operator who uses a surety bond to satisfy the requirements of WAC 173-360-406 shall establish a standby trust fund when the surety bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

NEW SECTION

**WAC 173-360-426 LETTER OF CREDIT.** (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by obtaining an irrevocable standby letter of credit that conforms to the requirements of this section. The issuing institution shall be an entity that has the authority to issue letters of credit in Washington state and whose letter-of-credit operations are regulated and examined by a federal or state agency.

(2) The letter of credit shall be worded as set forth in WAC 173-360-486, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(3) An owner or operator who uses a letter of credit to satisfy the requirements of WAC 173-360-406 shall also establish a standby trust fund when the letter of credit is acquired. Under the terms of the letter of credit, all amounts paid pursuant to a draft by the director will be deposited by the issuing institution directly into the standby trust fund in accordance with instructions from the director under WAC 173-360-453. This standby trust fund shall meet the requirements specified in WAC 173-360-436.

(4) The letter of credit shall be irrevocable with a term specified by the issuing institution. The letter of credit shall provide that credit be automatically renewed for the same term as the original term, unless, at least one hundred twenty days before the current expiration date, the issuing institution notifies the owner or operator by certified mail of its decision not to renew the letter of credit. Under the terms of the letter of credit, the one hundred twenty days will begin on the date when the owner or operator receives the notice, as evidenced by the return receipt.

NEW SECTION

**WAC 173-360-433 TRUST FUND.** (1) An owner or operator may satisfy the requirements of WAC 173-360-406 by establishing a trust fund that conforms to the requirements of this section. The trustee shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the state in which the fund is established.

(2) The wording of the trust agreement shall be identical to the wording specified in WAC 173-360-490, and shall be accompanied by a formal certification of acknowledgment as specified in WAC 173-360-493.

(3) The trust fund, when established, shall be funded for the full required amount of coverage, or funded for part of the required amount of coverage and used in combination with other mechanism(s) that provide the remaining required coverage.

(4) If the value of the trust fund is greater than the required amount of coverage, the owner or operator may submit a written request to the director for release of the excess.

(5) If other financial assurance as specified in WAC 173-360-400 through 173-360-499 is substituted for all or part of the trust fund, the owner or operator may submit a written request to the director for release of the excess.

(6) Within sixty days after receiving a request from the owner or operator for release of funds as specified in subsections (4) or (5) of this section, the director will instruct the trustee to release to the owner or operator such funds as the director specifies in writing.

NEW SECTION

**WAC 173-360-436 STANDBY TRUST FUND.** (1) An owner or operator using any one of the mechanisms authorized by WAC 173-360-416, 173-360-423, or 173-360-426 shall establish a standby trust fund when the mechanism is acquired. The trustee of the

standby trust fund must be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the state in which the fund is established.

(2)(a) The standby trust agreement or trust agreement shall be worded as set forth in WAC 173-360-490, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

(b) The standby trust agreement or trust agreement shall be accompanied by a formal certification of acknowledgment similar to that set forth in WAC 173-360-493.

(3) The director will instruct the trustee to refund the balance of the standby trust fund to the provider of financial assurance if the director determines that no additional corrective action costs or third-party liability claims will occur as a result of a release covered by the financial assurance mechanism for which the standby trust fund was established.

(4) An owner or operator may establish one trust fund as the depository mechanism for all funds assured in compliance with this rule.

#### NEW SECTION

**WAC 173-360-440 SUBSTITUTION OF FINANCIAL ASSURANCE MECHANISMS BY OWNER OR OPERATOR.** (1) An owner or operator may substitute any alternate financial assurance mechanisms as specified in WAC 173-360-400 through 173-360-499, provided that at all times he maintains an effective financial assurance mechanism or combination of mechanisms that satisfies the requirements of WAC 173-360-406.

(2) After obtaining alternate financial assurance as specified in WAC 173-360-400 through 173-360-499, an owner or operator may cancel a financial assurance mechanism by providing notice to the provider of financial assurance in accordance with requirements for cancellation set forth for the specific mechanism in WAC 173-360-470 through 173-360-490.

#### NEW SECTION

**WAC 173-360-443 CANCELLATION OR NONRENEWAL BY A PROVIDER OF FINANCIAL ASSURANCE.** (1) Except as otherwise provided, a provider of financial assurance may cancel or fail to renew an assurance mechanism by sending a notice of termination by certified mail to the owner or operator.

(a) Termination of a guarantee, a surety bond, or a letter of credit may not occur until one hundred twenty days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

(b) Termination of insurance or risk retention group coverage, except for nonpayment or misrepresentation by the insured, or state-funded assurance may not occur until sixty days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt. Termination for nonpayment of premium or misrepresentation by the insured may not occur

until a minimum of ten days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

(2) If a provider of financial responsibility cancels or fails to renew for reasons other than incapacity of the provider as specified in WAC 173-360-446, the owner or operator shall obtain alternate coverage as specified in this section within sixty days after receipt of the notice of termination. If the owner or operator fails to obtain alternate coverage within sixty days after receipt of the notice of termination, the owner or operator shall notify the director of such failure and submit:

(a) The name and address of the provider of financial assurance;

(b) The effective date of termination; and

(c) The evidence of the financial assurance mechanism subject to the termination maintained in accordance with WAC 173-360-450(2).

#### NEW SECTION

**WAC 173-360-446 REPORTING BY OWNER OR OPERATOR.** (1) An owner or operator shall submit the appropriate forms listed in WAC 173-360-450(2) documenting current evidence of financial responsibility to the director:

(a) Within thirty days after the owner or operator identifies a release from an underground storage tank required to be reported under WAC 173-360-372, 173-360-375 or 173-360-399;

(b) If the owner or operator fails to obtain alternate coverage as required by WAC 173-360-400 through 173-360-499, within thirty days after the owner or operator receives notice of:

(i) Commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming a provider of financial assurance as a debtor, (ii) Suspension or revocation of the authority of a provider of financial assurance to issue a financial assurance mechanism, (iii) Failure of a guarantor to meet the requirements of the financial test, (iv) Other incapacity of a provider of financial assurance; or

(c) As required by WAC 173-360-413(7) and 173-360-443(2).

(2) An owner or operator shall certify compliance with the financial responsibility requirements of WAC 173-360-400 through 173-360-499 as specified in the new tank notification form when notifying the appropriate state or local agency of the installation of a new underground storage tank under WAC 173-360-200.

(3) The director may require an owner or operator to submit evidence of financial assurance as described in WAC 173-360-450(2) or other information relevant to compliance with WAC 173-360-400 through 173-360-499 at any time.

#### NEW SECTION

**WAC 173-360-450 RECORDKEEPING.** (1) Owners or operators shall maintain evidence of all financial assurance mechanisms used to demonstrate financial responsibility under WAC 173-360-400 through

173-360-499 for an underground storage tank until released from the requirements of WAC 173-360-400 through 173-360-499 under 173-360-456. An owner or operator shall maintain such evidence at the underground storage tank site or the owner's or operator's place of business. Records maintained off-site shall be made available upon request of the department or delegated agency.

(2) An owner or operator shall maintain the following types of evidence of financial responsibility:

(a) An owner or operator using an assurance mechanism specified in WAC 173-360-413 through 173-360-433 shall maintain a copy of the instrument worded as specified.

(b) An owner or operator using a financial test or guarantee shall maintain a copy of the chief financial officer's letter based on year-end financial statements for the most recent completed financial reporting year. Such evidence shall be on file no later than one hundred twenty days after the close of the financial reporting year.

(c) An owner or operator using a guarantee, surety bond, or letter of credit shall maintain a copy of the signed standby trust fund agreement and copies of any amendments to the agreement.

(d) An owner or operator using an insurance policy or risk retention group coverage shall maintain a copy of the signed insurance policy or risk retention group coverage policy, with the endorsement or certificate of insurance and any amendments to the agreements.

(e) An owner or operator covered by a financial assurance program shall maintain on file a copy of any evidence of coverage supplied by or required by the state.

(f) An owner or operator using an assurance mechanism specified in WAC 173-360-413 through 173-360-433 shall maintain an updated copy of a certification of financial responsibility worded as set forth in WAC 173-360-496, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

The owner or operator shall update this certification whenever the financial assurance mechanism(s) used to demonstrate financial responsibility change(s).

#### NEW SECTION

**WAC 173-360-453 DRAWING ON FINANCIAL ASSURANCE MECHANISMS.** (1) The director shall require the guarantor, surety, or institution issuing a letter of credit to place the amount of funds stipulated by the director, up to the limit of funds provided by the financial assurance mechanism, into the standby trust if:

(a)(i) The owner or operator fails to establish alternate financial assurance within sixty days after receiving notice of cancellation of the guarantee, surety bond, letter of credit, or, as applicable, other financial assurance mechanism; and

(ii) The director determines or suspects that a release from an underground storage tank covered by the mechanism has occurred and so notifies the owner or operator or the owner or operator has notified the director pursuant to WAC 173-360-360 through 173-360-375 or

173-360-399 of a release from an underground storage tank covered by the mechanism; or

(b) The conditions of subsection (2)(a), (b)(i) or (ii) of this section are satisfied.

(2) The director may draw on a standby trust fund when:

(a) The director makes a final determination that a release has occurred and immediate or long-term corrective action for the release is needed, and the owner or operator, after appropriate notice and opportunity to comply, has not conducted corrective action as required under WAC 173-360-399; or

(b) The director has received either:

(i) Certification from the owner or operator and the third-party liability claimant(s) and from attorneys representing the owner or operator and the third-party liability claimant(s) that a third-party liability claim should be paid. The certification shall be worded as set forth in WAC 173-360-499, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted; or

(ii) A valid final court order establishing a judgment against the owner or operator for bodily injury or property damage caused by an accidental release from an underground storage tank covered by financial assurance under WAC 173-360-400 through 173-360-499 and the director determines that the owner or operator has not satisfied the judgment.

(3) If the director determines that the amount of corrective action costs and third-party liability claims eligible for payment under subsection (2) of this section may exceed the balance of the standby trust fund and the obligation of the provider of financial assurance, the first priority for payment shall be corrective action costs necessary to protect human health and the environment. The director shall pay third-party liability claims in the order in which the director receives certifications under subsection (2)(b)(i) of this section and valid court orders under subsection (2)(b)(ii) of this section.

#### NEW SECTION

**WAC 173-360-456 RELEASE FROM THE REQUIREMENTS.** An owner or operator is no longer required to maintain financial responsibility under WAC 173-360-400 through 173-360-499 for an underground storage tank after the tank has been properly closed or, if corrective action is required, after corrective action has been completed and the tank has been properly closed as required by WAC 173-360-380 through 173-360-398.

#### NEW SECTION

**WAC 173-360-460 BANKRUPTCY OR OTHER INCAPACITY OF OWNER OR OPERATOR.** (1) Within ten days after commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming an owner or operator as debtor, the owner or operator shall notify the director by certified mail of such commencement and submit the appropriate forms listed in WAC 173-360-450(2) documenting current financial responsibility.



(2) Within ten days after commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming a guarantor providing financial assurance as debtor, such guarantor shall notify the owner or operator by certified mail of such commencement as required under the terms of the guarantee specified in WAC 173-360-416.

(3) An owner or operator who obtains financial assurance by a mechanism other than the financial test of self-insurance will be deemed to be without the required financial assurance in the event of a bankruptcy or incapacity of its provider of financial assurance, or a suspension or revocation of the authority of the provider of financial assurance to issue a guarantee, insurance policy, risk retention group coverage policy, surety bond, or letter of credit. The owner or operator shall obtain alternate financial assurance as specified in WAC 173-360-400 through 173-360-499 within thirty days after receiving notice of such an event. If the owner or operator does not obtain alternate coverage within thirty days after such notification, he shall notify the director.

(4) Within thirty days after receipt of notification that a state fund or other state assurance has become incapable of paying for assured corrective action or third-party compensation costs, the owner or operator shall obtain alternate financial assurance.

**NEW SECTION**

WAC 173-360-463 REPLENISHMENT OF GUARANTEES, LETTERS OF CREDIT, OR SURETY BONDS. (1) If at any time after a standby trust is funded upon the instruction of the director with funds drawn from a guarantee, letter of credit, or surety bond, and the amount in the standby trust is reduced below the full amount of coverage required, the owner or operator shall by the anniversary date of the financial mechanism from which the funds were drawn:

(a) Replenish the value of financial assurance to equal the full amount of coverage required, or (b) Acquire another financial assurance mechanism for the amount by which funds in the standby trust have been reduced.

(2) For purposes of this section, the full amount of coverage required is the amount of coverage to be provided by WAC 173-360-406. If a combination of mechanisms was used to provide the assurance funds which were drawn upon, replenishment shall occur by the earliest anniversary date among the mechanisms.

**NEW SECTION**

WAC 173-360-466 SUSPENSION OF ENFORCEMENT. Reserved.

**NEW SECTION**

WAC 173-360-470 APPENDIX A—LETTER FROM CHIEF FINANCIAL OFFICER.

LETTER FROM CHIEF FINANCIAL OFFICER

I am the chief financial officer of [insert: name and address of the owner or operator, or guarantor]. This letter is in support of the use of [insert: "the financial test of self-insurance," and/or "guarantee"] to

demonstrate financial responsibility for [insert: "taking corrective action" and/or "compensating third parties for bodily injury and property damage"] caused by [insert: "sudden accidental releases" and/or "nonsudden accidental releases"] in the amount of at least [insert: dollar amount] per occurrence and [insert: dollar amount] annual aggregate arising from operating (an) underground storage tank(s).

Underground storage tanks at the following facilities are assured by this financial test by this [insert: "owner or operator," and/or "guarantor"]: [List for each facility: The name and address of the facility where tanks assured by this financial test are located, and whether tanks are assured by this financial test. If separate mechanisms or combinations of mechanisms are being used to assure any of the tanks at this facility, list each tank assured by this financial test by the tank identification number provided in the notification submitted pursuant to WAC 173-360-200.]

A [insert: "financial test," and/or "guarantee"] is also used by this [insert: "owner or operator," or "guarantor"] to demonstrate evidence of financial responsibility in the following amounts under other EPA regulations or state programs authorized by EPA under 40 CFR Parts 271 and 145:

	Amount
EPA Regulations:	
Closure (264.143 and 265.143) .....	\$ .....
Post-Closure Care (264.145 and 265.145) .....	\$ .....
Liability Coverage (264.147 and 265.147) .....	\$ .....
Corrective Action (264.101(b)) .....	\$ .....
Plugging and Abandonment (144.63) .....	\$ .....

	Amount
Authorized state programs:	
Closure .....	\$ .....
Post-Closure Care .....	\$ .....
Liability Coverage .....	\$ .....
Corrective Action .....	\$ .....
Plugging and Abandonment .....	\$ .....
TOTAL .....	\$ .....

This [insert: "owner or operator," or "guarantor"] has not received an adverse opinion, a disclaimer of opinion, or a "going concern" qualification from an independent auditor on his financial statements for the latest completed fiscal year.

[Fill in the information for Alternative I if the criteria of WAC 173-360-413(2) are being used to demonstrate compliance with the financial test requirements. Fill in the information for Alternative II if the criteria of WAC 173-360-413(3) are being used to demonstrate compliance with the financial test requirements.]

ALTERNATIVE I

1. Amount of annual UST aggregate coverage being assured by a financial test, and/or guarantee ..... \$ .....
2. Amount of corrective action, closure and post-closure care costs, liability coverage, and plugging and abandonment costs covered by a financial test, and/or guarantee ..... \$ .....
3. Sum of lines 1 and 2 ..... \$ .....
4. Total tangible assets ..... \$ .....
5. Total liabilities [if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6] ..... \$ .....
6. Tangible net worth [subtract line 5 from line 4] ..... \$ .....

Yes No

7. Is line 6 at least \$10 million? ..... ..
8. Is line 6 at least 10 times line 3? ..... ..
9. Have financial statements for the latest fiscal year been filed with the Securities and Exchange Commission? ..... ..
10. Have financial statements for the latest fiscal year been filed with the Energy Information Administration? ..... ..

- 11. Have financial statements for the latest fiscal year been filed with the Rural Electrification Administration? .....
- 12. Has financial information been provided to Dun and Bradstreet, and has Dun and Bradstreet provided a financial strength rating of 4A or 5A?

[Answer "Yes" only if both criteria have been met] .....

ALTERNATIVE II

- 1. Amount of annual UST aggregate coverage being assured by a financial test, and/or guarantee ..... \$ .....
  - 2. Amount of corrective action, closure and post-closure care costs, liability coverage, and plugging and abandonment costs covered by a financial test, and/or guarantee ..... \$ .....
  - 3. Sum of lines 1 and 2 ..... \$ .....
  - 4. Total tangible assets ..... \$ .....
  - 5. Total liabilities [if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6] ..... \$ .....
  - 6. Tangible net worth [subtract line 5 from line 4] ..... \$ .....
  - 7. Total assets in the U.S. [required only if less than 90 percent of assets are located in the U.S.] ..... \$ .....
- Yes No
- 8. Is line 6 at least \$10 million? .....
  - 9. Is line 6 at least 6 times line 3? .....
  - 10. Are at least 90 percent of assets located in the U.S.? [If "No," complete line 11] .....
  - 11. Is line 7 at least 6 times line 3? .....

[Fill in either lines 12-15 or lines 16-18:]

- 12. Current assets ..... \$ .....
  - 13. Current liabilities ..... \$ .....
  - 14. Net working capital [subtract line 13 from line 12] ..... \$ .....
- Yes No
- 15. Is line 14 at least 6 times line 3? .....
  - 16. Current bond rating of most recent bond issue .....
  - 17. Name of rating service .....
  - 18. Date of maturity of bond .....

- 19. Have financial statements for the latest fiscal year been filed with the SEC, the Energy Information Administration, or the Rural Electrification Administration? .....

[If "No," please attach a report from an independent certified public accountant certifying that there are no material differences between the data as reported in lines 4-18 above and the financial statements for the latest fiscal year.]

[For both Alternative I and Alternative II complete the certification with this statement.]

I hereby certify that the wording of this letter is identical to the wording specified in WAC 173-360-470 as such regulations were constituted on the date shown immediately below.

[Signature]  
 [Name]  
 [Title]  
 [Date]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-360-473 APPENDIX B—GUARANTEE.

GUARANTEE

Guarantee made this [date] by name of guaranteeing entity, a business entity organized under the laws of the state of Washington, herein referred to as guarantor, to the Washington state department of ecology and to any and all third parties, and obligees, on behalf of [owner or operator] of [business address].

Recitals.

(1) Guarantor meets or exceeds the financial test criteria of WAC 173-360-413 (2) or (3) and (4) and agrees to comply with the requirements for guarantors as specified in WAC 173-360-416(2).

(2) [Owner or operator] owns or operates the following underground storage tank(s) covered by this guarantee: [List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.] This guarantee satisfies WAC 173-360-400 through 173-360-499 requirements for assuring funding for [insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location] arising from operating the above-identified underground storage tank(s) in the amount of [insert dollar amount] per occurrence and [insert dollar amount] annual aggregate.

(3) [Insert appropriate phrase: "On behalf of our subsidiary" (if guarantor is corporate parent of the owner or operator); "On behalf of our affiliate" (if guarantor is a related firm of the owner or operator); or "Incident to our business relationship with" (if guarantor is providing the guarantee as an incident to a substantial business relationship with owner or operator)] [owner or operator], guarantor guarantees to the Washington state department of ecology and to any and all third parties that:

In the event that [owner or operator] fails to provide alternate coverage within 60 days after receipt of a notice of cancellation of this guarantee and the director of the Washington state department of ecology has determined or suspects that a release has occurred at an underground storage tank covered by this guarantee, the guarantor, upon instructions from the director, shall fund a standby trust fund in accordance with the provisions of WAC 173-360-453, in an amount not to exceed the coverage limits specified above.

In the event that the director determines that [owner or operator] has failed to perform corrective action for releases arising out of the operation of the above-identified tank(s) in accordance with WAC 173-360-399,

the guarantor, upon written instructions from the director, shall fund a standby trust in accordance with the provisions of WAC 173-360-453, in an amount not to exceed the coverage limits specified above.

If [owner or operator] fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage to third parties caused by ["sudden" and/or "nonsudden"] accidental releases arising from the operation of the above-identified tank(s), or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor, upon written instructions from the director, shall fund a standby trust in accordance with the provisions of WAC 173-360-453 to satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage specified above.

(4) Guarantor agrees that if, at the end of any fiscal year before cancellation of this guarantee, the guarantor fails to meet the financial test criteria of WAC 173-360-413 (2) or (3) and (4), guarantor shall send within 120 days of such failure, by certified mail, notice to [owner or operator]. The guarantee will terminate 120 days from the date of receipt of the notice by [owner or operator], as evidenced by the return receipt.

(5) Guarantor agrees to notify [owner or operator] by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding.

(6) Guarantor agrees to remain bound under this guarantee notwithstanding any modification or alteration of any obligation of [owner or operator] pursuant to Chapter 173-360 WAC.

(7) Guarantor agrees to remain bound under this guarantee for so long as [owner or operator] shall comply with the applicable financial responsibility requirements of WAC 173-360-400 through 173-360-499 for the above-identified tank(s), except that guarantor may cancel this guarantee by sending notice by certified mail to [owner or operator], such cancellation to become effective no earlier than 120 days after receipt of such notice by [owner or operator], as evidenced by the return receipt.

(8) The guarantor's obligation does not apply to any of the following:

(a) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator];

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [insert owner or operator] that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily damage or property damage for which [insert owner or operator] is obligated to pay damages by

reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

(9) Guarantor expressly waives notice of acceptance of this guarantee by the Washington state department of ecology, by any or all third parties, or by [owner or operator].

I hereby certify that the wording of this guarantee is identical to the wording specified in WAC 173-360-473 as such regulations were constituted on the effective date shown immediately below.

Effective date:

[Name of guarantor]

[Authorized signature for guarantor]

[Name of person signing]

[Title of person signing]

Signature of witness or notary:

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

## NEW SECTION

### WAC 173-360-476 APPENDIX C—ENDORSEMENT.

#### ENDORSEMENT

Name: [Name of each covered location]

Address: [Address of each covered location]

Policy Number:

Period of Coverage: [Current policy period]

Name of [insurer or risk retention group]:

Address of [insurer or risk retention group]:

Name of insured:

Address of insured:

Endorsement:

1. This endorsement certifies that the policy to which the endorsement is attached provides liability insurance covering the following underground storage tanks:

[List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.]

for [insert: "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental release"; in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location] arising from operating the underground storage tank(s) identified above.

The limits of liability are [insert the dollar amount of the "each occurrence" and "annual aggregate" limits of the insurer's or group's liability; if the amount of coverage is different for different types of coverage or for different underground storage tanks or locations, indicate the amount of coverage for each type of coverage and/or

for each underground storage tank or location], exclusive of legal defense costs, which are subject to a separate limit under the policy. This coverage is provided under [policy number]. The effective date of said policy is [date].

2. The insurance afforded with respect to such occurrences is subject to all of the terms and conditions of the policy; provided, however, that any provisions inconsistent with subsections (a) through (e) of this Paragraph 2 are hereby amended to conform with subsections (a) through (e):

a. Bankruptcy or insolvency of the insured shall not relieve the ["insurer" or "group"] of its obligations under the policy to which this endorsement is attached.

b. The ["insurer" or "group"] is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a damaged third-party, with a right of reimbursement by the insured for any such payment made by the ["insurer" or "group"]. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in WAC 173-360-413 through 173-360-433.

c. Whenever requested by the director of the Washington state department of ecology, the ["insurer" or "group"] agrees to furnish to the director a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the ["insurer" or "group"], except for nonpayment of premium or misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the insured. Cancellation for nonpayment of premium or misrepresentation by the insured will be effective only upon written notice and only after expiration of a minimum of 10 days after a copy of such written notice is received by the insured.

[Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the ["insurer" or "group"] within six months of the effective date of cancellation or nonrenewal of the policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date. Claims reported during such extended reporting period are subject to the terms, conditions, limits, including limits of liability, and exclusions of the policy.]

I hereby certify that the wording of this instrument is identical to the wording in WAC 173-360-476 and that the ["insurer" or "group"] is ["licensed to transact the business of insurance or eligible to provide insurance as an excess or surplus lines insurer in one or more states"].

[Signature of authorized representative of insurer or risk retention group]

[Name of person signing]

[Title of person signing], Authorized Representative of [name of insurer or risk retention group]

[Address of representative]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

## NEW SECTION

### WAC 173-360-480 APPENDIX D—CERTIFICATE OF INSURANCE.

#### CERTIFICATE OF INSURANCE

Name: [Name of each covered location]

Address: [Address of each covered location]

Policy number:

Endorsement (if applicable):

Period of coverage: [Current policy period]

Name of [insurer or risk retention group]:

Address of [insurer or risk retention group]:

Name of insured:

Address of insured:

Certification:

1. [Name of insurer or risk retention group], [the "insurer" or "group"], as identified above, hereby certifies that it has issued liability insurance covering the following underground storage tank(s):

[List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility].

for [insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; in accordance with and subject to the limits of liability, exclusions, conditions, and other terms of the policy; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location] arising from operating the underground storage tank(s) identified above.

The limits of liability are [insert the dollar amount of the "each occurrence" and "annual aggregate" limits of the insurer's or group's liability; if the amount of coverage is different for different types of coverage or for different underground storage tanks or locations, indicate the amount of coverage for each type of coverage and/or for each underground storage tank or location], exclusive of legal defense costs, which are subject to a separate limit under the policy. This coverage is provided under [policy number]. The effective date of said policy is [date].

2. The ["insurer" or "group"] further certifies the following with respect to the insurance described in Paragraph 1:

a. Bankruptcy or insolvency of the insured shall not relieve the ["insurer" or "group"] of its obligations under the policy to which this certificate applies.

b. The ["insurer" or "group"] is liable for the payment of amounts within any deductible applicable to the policy to the provider of corrective action or a damaged

third-party, with a right of reimbursement by the insured for any such payment made by the ["insurer" or "group"]. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms as specified in WAC 173-360-413 through 173-360-433.

c. Whenever requested by the director of the Washington state department of ecology, the ["insurer" or "group"] agrees to furnish the director a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the ["insurer" or "group"], except for nonpayment of premium or misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by the insured. Cancellation for nonpayment of premium or misrepresentation by the insured will be effective only upon written notice and only after expiration of a minimum of 10 days after a copy of such notice is received by the insured.

[Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the ["insurer" or "group"] within six months of the effective date of the cancellation or nonrenewal of the policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date. Claims reported during such extended reporting period are subject to the terms, conditions, limits, including limits of liability, and exclusions of the policy.]

I hereby certify that the wording of this instrument is identical to the wording in WAC 173-360-480 and that the ["insurer" or "group"] is ["licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one or more states"].

[Signature of authorized representative of insurer]

[Type name]

[Title], authorized representative of [name of insurer or risk

Retention group]

[Address of representative]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

## NEW SECTION

### WAC 173-360-483 APPENDIX E—PERFORMANCE BOND.

#### PERFORMANCE BOND

Date bond executed:

Period of coverage:

Principal: [Legal name and business address of owner or operator]

Type of organization: [Insert "individual," "joint venture," "partnership," or "corporation"]

State of incorporation (if applicable):

Surety(ies): [Name(s) and business address(es)]

Scope of coverage: [List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility. List the coverage guaranteed by the bond: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases" "arising from operating the underground storage tank"].

Penal sums of bond:

Per occurrence \$

Annual aggregate \$

Surety's bond number:

Know All Persons by These Presents, that we, the principal and surety(ies), hereto are firmly bound to the Washington state department of ecology, in the above penal sums for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sums jointly and severally only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each surety binds itself, jointly and severally with the principal, for the payment of such sums only as is set forth opposite the name of such surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sums.

Whereas said principal is required under Subtitle I of the Resource Conservation and Recovery Act (RCRA), as amended, to provide financial assurance for [insert: "Taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"; if coverage is different for different tanks or locations, indicate the type of coverage applicable to each tank or location] arising from operating the underground storage tanks identified above, and

Whereas said principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, therefore, the conditions of the obligation are such that if the principal shall faithfully ["take corrective action, in accordance with WAC 173-360-399 and the director of the Washington state department of ecology's instructions for," and/or "compensate injured third parties for bodily injury and property damage caused by" either "sudden" or "nonsudden" or "sudden and nonsudden"] accidental releases arising from operating the tank(s) identified above, or if the principal shall provide alternate financial assurance, as specified in WAC 173-360-400 through 173-360-499, within 120 days after the date the notice of cancellation is received by the principal from the surety(ies), then this obligation

shall be null and void; otherwise it is to remain in full force and effect.

Such obligation does not apply to any of the following:

(1) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(2) Bodily injury to an employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator];

(3) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(4) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [insert owner or operator] that is not the direct result of a release from a petroleum underground storage tank;

(5) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

The surety(ies) shall become liable on this bond obligation only when the principal has failed to fulfill the conditions described above.

Upon notification by the director of the Washington state department of ecology that the principal has failed to ["take corrective action, in accordance with WAC 173-360-399 and the director's instructions" and/or "compensate injured third parties"] as guaranteed by this bond, the surety(ies) shall either perform ["corrective action in accordance with WAC 173-360-399 and the director's instructions" and/or "third-party liability compensation"] or place funds in an amount up to the annual aggregate penal sum into the standby trust fund as directed by the director under WAC 173-360-453.

Upon notification by the director that the principal has failed to provide alternate financial assurance within 60 days after the date the notice of cancellation is received by the principal from the surety(ies) and that the director has determined or suspects that a release has occurred, the surety(ies) shall place funds in an amount not exceeding the annual aggregate penal sum into the standby trust fund as directed by the director under WAC 173-360-453.

The surety(ies) hereby waive(s) notification of amendments to applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the annual aggregate to the penal sum shown on the face of the bond, but in no event shall the obligation of the surety(ies) hereunder exceed the amount of said annual aggregate penal sum.

The surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the principal, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by the principal, as evidenced by the return receipt.

The principal may terminate this bond by sending written notice to the surety(ies).

In witness thereof, the principal and surety(ies) have executed this Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the principal and surety(ies) and that the wording of this surety bond is identical to the wording specified in WAC 173-360-483 as such regulations were constituted on the date this bond was executed.

#### PRINCIPAL

[Signature(s)]

[Name(s)]

[Title(s)]

[Corporate seal]

#### CORPORATE SURETY(IES)

[Name and address]

[State of incorporation:]

[Liability limit: \$

[Signature(s)]

[Name(s) and title(s)]

[Corporate seal]

[For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for surety above.]

Bond premium: \$

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

#### WAC 173-360-486 APPENDIX F—IRREVOCABLE STANDBY LETTER OF CREDIT.

#### IRREVOCABLE STANDBY LETTER OF CREDIT

[Name and address of issuing institution]

[Name and address of director of the Washington state department of ecology]

Dear Sir or Madam: We hereby establish our Irrevocable Standby Letter of Credit No. . . . . in your favor, at the request and for the account of [owner or operator name] of [address] up to the aggregate amount of [in words] U.S. dollars (\$[insert dollar amount]), available upon presentation of

(1) your sight draft, bearing reference to this letter of credit, No. . . . ., and

(2) your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of Subtitle I of the Resource Conservation and Recovery Act of 1976, as amended."

This letter of credit may be drawn on to cover [insert: "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"] arising from operating the underground storage tank(s) identified below in the amount of [in words] \$[insert dollar amount] per occurrence and [in words] \$[insert dollar amount] annual aggregate:

[List the number of tanks at each facility and the name(s) and address(es) of the facility(ies) where the tanks are located. If more than one instrument is used to assure different tanks at any one facility, for each tank covered by this instrument, list the tank identification number provided in the notification submitted pursuant to WAC 173-360-200, and the name and address of the facility.]

The letter of credit may not be drawn on to cover any of the following:

(a) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator];

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [insert owner or operator] that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

This letter of credit is effective as of [date] and shall expire on [date], but such expiration date shall be automatically extended for a period of [at least the length of the original term] on [expiration date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify [owner or operator] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event that [owner or operator] is so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by [owner or operator], as shown on the signed return receipt.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of [owner or operator] in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in WAC 173-360-486 as such regulations were constituted on the date shown immediately below.

[Signature(s) and title(s) of official(s) of issuing institution]

[Date]

This credit is subject to [insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce," or "the Uniform Commercial Code"].

## NEW SECTION

### WAC 173-360-490 APPENDIX G—TRUST AGREEMENT.

#### TRUST AGREEMENT

Trust agreement, the "agreement," entered into as of [date] by and between [name of the owner or operator], a Washington state [insert "corporation," "partnership," "association," or "proprietorship"], the "grantor," and [name of corporate trustee], [insert "Incorporated in the state of Washington" or "a national bank"], the "trustee."

Whereas, the department of ecology, "ecology", an agency of the state of Washington, has established certain regulations applicable to the grantor, requiring that an owner or operator of an underground storage tank shall provide assurance that funds will be available when needed for corrective action and third-party compensation for bodily injury and property damage caused by sudden and nonsudden accidental releases arising from the operation of the underground storage tank. The attached Schedule A lists the number of tanks at each facility and the name(s) and addresses of the facility(ies) where the tanks are located that are covered by the standby trust agreement.

[Whereas, the grantor has elected to establish [insert either "a guarantee," "surety bond," or "letter of credit"] to provide all or part of such financial assurance for the underground storage tanks identified herein and is required to establish a standby trust fund able to accept payments from the instrument (This paragraph is only applicable to the standby trust agreement.);]

Whereas, the grantor, acting through its duly authorized officers, has selected the trustee to be the trustee under this agreement, and the trustee is willing to act as trustee;

Now, therefore, the grantor and the trustee agree as follows:

Section 1. Definitions. As used in this agreement:

(1) The term "grantor" means the owner or operator who enters into this agreement and any successors or assigns of the grantor.

(2) The term "trustee" means the trustee who enters into this agreement and any successor trustee.

Section 2. Identification of the Financial Assurance Mechanism. This agreement pertains to the [identify the financial assurance mechanism, either a guarantee, surety bond, or letter of credit, from which the standby trust fund is established to receive payments (This paragraph is only applicable to the standby trust agreement.)].

Section 3. Establishment of fund. The grantor and the trustee hereby establish a trust fund, the "fund," for the benefit of the Washington state department of ecology. The grantor and the trustee intend that no third party have access to the fund except as herein provided. [The fund is established initially as a standby to receive payments and shall not consist of any property.] Payments made by the provider of financial assurance pursuant to the director of the department of ecology's instruction are transferred to the trustee and are referred to as the fund, together with all earnings and profits thereon, less

any payments or distributions made by the trustee pursuant to this agreement. The fund shall be held by the trustee, IN TRUST, as hereinafter provided. The trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the grantor as provider of financial assurance, any payments necessary to discharge any liability of the grantor established by the department of ecology.

Section 4. Payment for ["corrective action" and/or "third-party liability claims"]. The trustee shall make payments from the fund as the director of the department of ecology shall direct, in writing, to provide for the payment of the costs of [insert: "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases"] arising from operating the tanks covered by the financial assurance mechanism identified in this agreement.

The fund may not be drawn upon to cover any of the following:

(a) Any obligation of [insert owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [insert owner or operator] arising from, and in the course of, employment by [insert owner or operator];

(c) Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [insert owner or operator] that is not the direct result of a release from a petroleum underground storage tank;

(e) Bodily injury or property damage for which [insert owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of WAC 173-360-406.

The trustee shall reimburse the grantor, or other persons as specified by the director from the fund for corrective action expenditures and/or third-party liability claims in such amounts as the director shall direct in writing. In addition, the trustee shall refund to the grantor such amounts as the director specifies in writing. Upon refund, such funds shall no longer constitute part of the fund as defined herein.

Section 5. Payments comprising the fund. Payments made to the trustee for the fund shall consist of cash and securities acceptable to the trustee.

Section 6. Trustee management. The trustee shall invest and reinvest the principal and income of the fund and keep the fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the grantor may communicate in writing to the trustee from time to time, subject, however, to the provisions of this section. In investing, reinvesting, exchanging, selling, and managing the fund, the trustee shall discharge

his duties with respect to the trust fund solely in the interest of the beneficiaries and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

(a) Securities or other obligations of the grantor, or any other owner or operator of the tanks, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-2(1), shall not be acquired or held, unless they are securities or other obligations of the federal or a state government;

(b) The trustee is authorized to invest the fund in time or demand deposits of the trustee, to the extent insured by an agency of the federal or state government; and

(c) The trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and investment. The trustee is expressly authorized in its discretion:

(a) To transfer from time to time any or all of the assets of the fund to any common, commingled, or collective trust fund created by the trustee in which the fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq., including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the trustee. The trustee may vote such shares in its discretion.

Section 8. Express powers of trustee. Without in any way limiting the powers and discretions conferred upon the trustee by the other provisions of this agreement or by law, the trustee is expressly authorized and empowered:

(a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein



by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the trustee shall at all times show that all such securities are part of the fund;

(d) To deposit any cash in the fund in interest-bearing accounts maintained or savings certificates issued by the trustee, in its separate corporate capacity, or in any other banking institution affiliated with the trustee, to the extent insured by an agency of the federal or state government; and

(e) To compromise or otherwise adjust all claims in favor of or against the fund.

Section 9. Taxes and expenses. All taxes of any kind that may be assessed or levied against or in respect of the fund and all brokerage commissions incurred by the fund shall be paid from the fund. All other expenses incurred by the trustee in connection with the administration of this trust, including fees for legal services rendered to the trustee, the compensation of the trustee to the extent not paid directly by the grantor, and all other proper charges and disbursements of the trustee shall be paid from the fund.

Section 10. Advice of counsel. The trustee may from time to time consult with counsel, who may be counsel to the grantor, with respect to any questions arising as to the construction of this agreement or any action to be taken hereunder. The trustee shall be fully protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 11. Trustee compensation. The trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the grantor.

Section 12. Successor trustee. The trustee may resign or the grantor may replace the trustee, but such resignation or replacement shall not be effective until the grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the trustee hereunder. Upon the successor trustee's acceptance of the appointment, the trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the fund. If for any reason the grantor cannot or does not act in the event of the resignation of the trustee, the trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in writing sent to the grantor and the present trustee by certified mail 10 days before such change becomes effective. Any expenses incurred by the trustee as a result of any of the acts contemplated by this section shall be paid as provided in section 9.

Section 13. Instructions to the trustee. All orders, requests, and instructions by the grantor to the trustee shall be in writing, signed by such persons as are designated in the attached Schedule B or such other designees as the grantor may designate by amendment to Schedule B. The trustee shall be fully protected in acting without inquiry in accordance with the grantor's orders, requests,

and instructions. All orders, requests, and instructions by the director of the Washington state department of ecology to the trustee shall be in writing, signed by the director, and the trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the grantor or the director, hereunder has occurred. The trustee shall have no duty to act in the absence of such orders, requests, and instructions from the grantor and/or the director, except as provided for herein.

Section 14. Amendment of agreement. This agreement may be amended by an instrument in writing executed by the grantor and the trustee, or by the trustee and the director of the department of ecology, if the grantor ceases to exist.

Section 15. Irrevocability and termination. Subject to the right of the parties to amend this agreement as provided in Section 14, this trust shall be irrevocable and shall continue until terminated at the written direction of the grantor and the trustee, or by the trustee and the director of the department of ecology, if the grantor ceases to exist. Upon termination of the trust, all remaining trust property, less final trust administration expenses, shall be delivered to the grantor.

Section 16. Immunity and indemnification. The trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this trust, or in carrying out any directions by the grantor or the director of the department of ecology, issued in accordance with this agreement. The trustee shall be indemnified and saved harmless by the grantor, from and against any personal liability to which the trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the grantor fails to provide such defense.

Section 17. Choice of law. This agreement shall be administered, construed, and enforced according to the laws of the state of Washington, or the Comptroller of the Currency in the case of National Association banks.

Section 18. Interpretation. As used in this agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each section of this agreement shall not affect the interpretation or the legal efficacy of this agreement.

In witness whereof the parties have caused this agreement to be executed by their respective officers duly authorized and their corporate seals (if applicable) to be hereunto affixed and attested as of the date first above written. The parties below certify that the wording of this agreement is identical to the wording specified in WAC 173-360-490 as such regulations were constituted on the date written above.

[Signature of grantor]

[Name of the grantor]

[Title]

Attest:

[Signature of trustee]

[Name of the trustee]

[Title]  
[Seal]

Attest:

[Signature of witness]  
[Name of witness]  
[Title]  
[Seal]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-360-493 APPENDIX H—CERTIFICATION OF ACKNOWLEDGMENT.

State of Washington  
County of

On this [date], before me personally came [owner or operator] to me known, who, being by me duly sworn, did depose and say that she/he resides at [address], that she/he is [title] of [corporation], the corporation described in and which executed the above instrument; that she/he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that she/he signed her/his name there-to by like order.

[Signature of notary public]  
[Name of notary public]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-360-496 APPENDIX I—CERTIFICATION OF FINANCIAL RESPONSIBILITY.

CERTIFICATION OF FINANCIAL RESPONSIBILITY

[Owner or operator] hereby certifies that it is in compliance with the requirements of WAC 173-360-400 through 173-360-499.

The financial assurance mechanism[s] used to demonstrate financial responsibility under WAC 173-360-400 through 173-360-499 is [are] as follows:

[For each mechanism, list the type of mechanism, name of issuer, mechanism number (if applicable), amount of coverage, effective period of coverage and whether the mechanism covers "taking corrective action" and/or "compensating third parties for bodily injury and property damage caused by" either "sudden accidental releases" or "nonsudden accidental releases" or "accidental releases."]

[Signature of owner or operator]  
[Name of owner or operator]  
[Title]  
[Date]  
[Signature of witness or notary]  
[Name of witness or notary]  
[Date]

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 173-360-499 APPENDIX J—CERTIFICATION OF VALID CLAIM.

CERTIFICATION OF VALID CLAIM

The undersigned, as principals and as legal representatives of [insert owner or operator] and [insert name and address of third-party claimant], hereby certify that the claim of bodily injury [and/or] property damage caused by an accidental release arising from operating [owner's or operator's] underground storage tank should be paid in the amount of \$[. . .].

[Signatures]	[Signature(s)]
Owner or Operator	Claimant(s)
Attorney for	Attorney(s) for
Owner or Operator	Claimant(s)
(Notary) Date	(Notary) Date

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

PART V – LOCAL PROGRAMS

Note: RCW 90.76.110 states that the rules adopted under chapter 90.76 RCW preempt and supersede any state or local underground storage tank law, ordinance, or resolution governing any aspect of regulation covered by these regulations. Exceptions are: (1) Local laws, ordinances, and resolutions pertaining to local authority to take immediate action in response to a release of a regulated substance; (2) local laws, ordinances, and resolutions pertaining to permits and fees for the use of underground storage tanks in street right of ways that were in existence prior to July 1, 1990; and (3) underground storage tank ordinances that are more stringent than the federal regulations and the uniform codes adopted under chapter 19.27 RCW and that were in effect on November 1, 1988. These cities, towns, and counties were required by the statute to notify the department of the existence of that ordinance by July 1, 1989. The department has received notification from: City of Spokane, Spokane County, Tacoma-Pierce County, city of Redmond, and city of Renton.

NEW SECTION

WAC 173-360-500 LOCAL DELEGATION OF UNDERGROUND STORAGE TANK PROGRAMS.

(1) The department encourages the delegation of underground storage tank program responsibilities to a qualified city, town, or county.

(2) A city, town, or county may apply to the department for delegation of authority to enforce, within its jurisdictional boundaries, the state underground storage tank regulations included in part or all of WAC 173-360-100 through 173-360-399.

(3) A fire protection district or political subdivision may enter into an agreement under chapter 39.34 RCW with a city, town, or county to assume all or a portion of delegated program responsibilities. Department approval shall be obtained prior to the effective date of such agreement, and such agreement shall be part of the city, county, or town's agreement or contract with the department.

(4) A city, town, or county seeking delegation of underground storage tank program activities shall submit a written application to the department, describing the portions of the state program for which delegation is sought. The application shall contain the following:

(a) A description of the scope, structure, and procedures of the proposed program; and

(b) A description, including an organization chart, of the local agency which will operate the program, including:

(i) The number of employees, occupation and general duties of each employee who will carry out the activities of the program;

(ii) An estimate of the cost of establishing and administering the program, including the cost of personnel listed in (b)(i) of this subsection, as well as administrative and technical support.

(5) Within thirty days after receiving the application, the department will review the application for completeness and request any additional information needed in order for the application to be complete.

(6) The department will begin negotiating with the applicant within thirty days of receiving a complete application, in order to establish the following:

(a) The source and amount of funding available to meet the costs listed in subsection (4)(b)(ii) of this section, including any restrictions or limitation upon this funding;

(b) The applicable procedures, including any required permit procedures;

(c) Permit forms, application forms, and reporting forms that will be used in the program;

(d) The methods to be used to assure compliance and enforcement of the program; and

(e) The procedures to be used to coordinate information with the department, including the frequency of reporting and report content.

(7) After finalizing the items listed in subsection (6) of this section, the department will prepare and mail a written agreement or contract to the applicant, which outlines the terms and conditions under which the department will delegate the state underground storage tank program, or portions of the state program, to the applicant. The applicant must sign and return the agreement or contract to the department in order for the agreement or contract to become effective.

(8) In developing agreements or contracts with local governments, the department shall, if possible, provide for an appropriate distribution of resources collected under RCW 90.76.090, while still enabling the department to operate a state program.

#### NEW SECTION

WAC 173-360-510 ENVIRONMENTALLY SENSITIVE AREAS. (1) An environmentally sensitive area is an area, proposed by a city, town or county, and designated by the department, which possesses physical characteristics that make it especially vulnerable to threats from leaking underground storage tanks, and in which local underground storage tank requirements more stringent than state-wide requirements are necessary.

(2) Any city, town, or county may apply to the department to have an area within its jurisdictional boundaries designated an environmentally sensitive area. A city, town, or county may submit a joint application with any other city, town, or county for joint administration under chapter 39.34 RCW of a single environmentally sensitive area located in both jurisdictions.

(3) An area that has been designated a sensitive area for the purposes of protecting ground water or surface water from pollution under another statute or regulation will, upon request for designation by the local government, be approved as an environmentally sensitive area for the purposes of WAC 173-360-510. Those areas may include, but are not limited to:

(a) An aquifer identified as the primary source of supply for public water supply systems;

(b) An aquifer underlying a critical water supply service area where the coordinated water system plan established pursuant to chapter 70.116 RCW has identified a need for a ground water management program;

(c) An aquifer designated as a sole source aquifer by the Federal Environmental Protection Agency;

(d) An area designated a certified ground water management area identified under chapter 173-100 WAC; and

(e) An area designated an aquifer protection area, under chapter 36.36 RCW.

(4) The agency requesting designation shall comply with WAC 173-360-530.

#### NEW SECTION

WAC 173-360-520 PHYSICAL CRITERIA FOR ENVIRONMENTALLY SENSITIVE AREAS. Except as provided for in WAC 173-360-510(3), environmentally sensitive areas shall be designated based on the criteria established by the department. One or more of the criteria shall be present and the department will evaluate the application for designation based on the overall sensitivity of the environment and consistency with WAC 173-360-510(1). Those criteria include, but are not limited to:

(1) Ground water that is vulnerable to pollution because of specific hydrogeological characteristics, including but not limited to, recharge areas, permeability, precipitation, direction and quantity of ground water flow, and presence of aquitards;

(2) Proximity to wetlands;

(3) Being located within a 100-year flood plain; or

(4) Proximity to other surface waters that can be shown to have a hydrogeologic link to such ground water as is described in subsection (1) of this section, underlying an area where underground storage tank systems are installed or may be installed, if a leak from such a system has a reasonable chance of reaching ground water.

#### NEW SECTION

WAC 173-360-530 APPLICATION FOR DESIGNATION OF ENVIRONMENTALLY SENSITIVE AREA AND APPROVAL OF LOCAL REGULATIONS. (1) Designation of an environmentally sensitive area under this chapter is solely for the purposes of

implementing chapter 90.76 RCW, and such designation under chapter 90.76 RCW does not establish an environmentally sensitive area under any other law.

(2) The application for designation of an environmentally sensitive area shall consist of a concise, factual report and shall consider the guidelines and criteria set forth in WAC 173-360-520. The local government applicant shall provide sufficient information for the department to determine if the area should be so designated. Information provided by the applicant shall include, but need not be limited to, the following:

- (a) A rationale for the proposed designation;
  - (b) A description of any underground water resource included within the proposed environmentally sensitive area;
  - (c) The geographic limits of the area where more stringent underground storage tank standards would be required;
  - (d) Any available maps of the aquifer and recharge area, including water table;
  - (e) A map of the area to be designated;
  - (f) A description of the more stringent underground storage tank standards proposed to be required in the area, including underground storage tank technical standards, operating standards, and administrative procedures. When proposing more stringent standards, the local jurisdiction should consider:
    - (i) Actions already undertaken by owners or operators to upgrade existing underground storage tank systems to federal or state standards, and the economic impacts of requiring already upgraded systems to meet more stringent standards; and
    - (ii) The possible impacts of contaminated ground water on human health and the environment and whether underground storage tank systems which have already been upgraded under the requirements of the state or federal rules will effectively prevent leaks which may contaminate ground water.
  - (g) A description of any other measures in place or considered to protect ground water and/or surface water from environmental threats;
  - (h) Any written comments submitted by members of the public to the local government regarding the proposed designation of an environmentally sensitive area; and
  - (i) Documentation of coordination with affected state and local agencies and water user groups.
- (3) Additional information may be required by the department if necessary to adequately evaluate the proposal. This information may include, but is not limited to, the following:
- (a) The geographic limits of the ground water recharge zone;
  - (b) The geographic limits of the underground water resource;
  - (c) The geology within both the recharge zone and the underground water resource;
  - (d) Location, yield, well depth and present use of wells within the limits of the threatened underground water resource;
  - (e) Estimated capacity of the underground water resource;

(f) Location, type and number of underground storage tanks existing in the proposed area;

(g) Such other information the department deems necessary.

(4) Prior to submitting the request for designation and approval of more stringent standards to the department, the local government applicant shall hold at least one public hearing for the purpose of receiving comments from the public, affected local, state, and tribal agencies and ground water user groups, regarding the designation proposal. The local government shall provide adequate notice to affected parties.

The local government applicant shall submit the application for designation and approval of more stringent standards to the department and other affected agencies and ground water user groups for their review and comment. Comments shall be submitted to the department.

(5) Within thirty days after receiving the application, the department will review the application for completeness and request any additional information needed in order for the application to be complete.

(a) Prior to approval of the application, the department may, at its discretion, hold a public hearing in the jurisdiction where the environmentally sensitive area is proposed.

(b) The department shall approve or disapprove the application for designation as an environmentally sensitive area based upon review of the application, comments received, whether the proposed area meets the guidelines and criteria of WAC 173-360-520 and 173-360-530, and whether the proposed local ordinance or resolution is reasonably consistent with previously approved local regulations for similar environmentally sensitive areas.

(6) If application for the designation of an environmentally sensitive area is made later than five years after the date of final adoption of these rules, proposed local ordinances and resolutions shall only apply to new underground storage tank installations.

Ordinances and resolutions described under subsection (1) of this section and disapproved by the department may be modified by the local government and resubmitted to the department for approval.

(7) Proposed local ordinances and resolutions shall become effective when approved by the department.

(8) A local jurisdiction with an approved ordinance or resolution under this chapter may establish local tank fees, in an amount not to exceed fifty percent of the annual state tank fee, if the fee is necessary for enhanced program administration or enforcement. Pursuant to RCW 90.76.090, the fee shall be collected and deposited into the state underground storage tank account.

**PART VI  
REGISTRATION AND  
LICENSING REQUIREMENTS FOR  
UNDERGROUND STORAGE TANK SERVICE  
PROVIDERS  
AND SERVICE SUPERVISORS**

Note: Individuals who perform underground tank services may be subject to additional state laws and regulations. These include, but may not be limited to:

- (1) Chapter 18.27 RCW and chapter 296-200 WAC, which apply to individuals who are general and specialty contractors;
- (2) Chapter 18.104 RCW and chapter 173-162 WAC, which apply to individuals who install ground water monitoring wells;
- (3) Chapter 19.28 RCW, chapters 296-46 and 296-40 WAC, which apply to individuals who install and repair impressed current cathodic protection systems; and
- (4) Chapter 49.17 RCW and chapter 296-62 WAC, which apply to individuals engaged in activities involving hazardous chemicals and substances and who perform confined space entry during field activities, and chapter 296-155 WAC, which sets forth safety standards for construction work.

### NEW SECTION

WAC 173-360-600 PURPOSE OF PART VI. The purpose of WAC 173-360-600 through 173-360-690 is to regulate firms and persons that service and inspect underground storage tank systems in order to assure that underground storage tank systems are being serviced in a manner which will protect human health and the environment.

### NEW SECTION

WAC 173-360-610 SCOPE. (1) WAC 173-360-610 through 173-360-690 establishes requirements for:

- (a) Registration and licensing of firms that perform services on underground storage tanks;
- (b) Examination, qualification, and licensing of persons who supervise the performance of tank service;
- (c) Examination and licensing of persons conducting underground storage tank system inspections for determination of compliance with the state underground storage tank regulations; and
- (d) Administration and enforcement of these rules by the department.

(2) Except as specified in WAC 173-360-655, WAC 173-360-610 through 173-360-690 applies to any person who performs the installation, retrofitting, decommissioning, testing, site check, site assessment, and inspection for compliance with state regulations, by any person, of underground storage tanks regulated by chapter 90.76 RCW.

(3) A site assessment or site check shall only be performed by a hydrogeologist, geologist, licensed professional engineer, professional soil scientist, certified ground water professional or other person whose experience, education, and/or training meet criteria established by the department. A person performing site assessments and site checks must register with the department as per the requirements of WAC 173-360-630 (1) and (2), except that no license will be required for this activity.

(4) The requirements of this licensing program do not apply to persons performing the activities specified in subsection (2) of this section for tanks which are exempt or deferred from the UST rule, as provided in WAC 173-360-110 (1) and (2).

### NEW SECTION

WAC 173-360-630 REGISTRATION AND LICENSING OF TANK SERVICE PROVIDERS. (1) After August 1, 1990, only firms that have registered

with the department shall perform tank services in the state of Washington.

(2) Registration and application for a license shall be accomplished by:

(a) Completing a registration application provided by the department, including submission of the following information to the department:

(i) The name, address, and telephone number of the firm;

(ii) The nature of the tank services to be offered;

(iii) A summary of the recent project history of the firm (the two-year period immediately preceding the application) including the number of projects completed by the firm in each tank services category and identification of any other industry or government licenses held by the firm related to specific tank services;

(iv) Identifying the names of employees or principals responsible for on-site project supervision; and

(b) Including a signed statement that certifies that:

"I (name), am the chief executive officer of (company) and do hereby certify that I will comply with the applicable laws, and rules, and procedures pertaining to the regulation of underground storage tanks in the state of Washington and will direct the employees and principals of this company to perform the tank services rendered by this company in a manner that is consistent with these requirements."

(3) After January 1, 1991, only tank services providers who have obtained a license from the department may install, retrofit, test, decommission, or inspect for the purpose of determining compliance with state regulations, an underground storage tank system in the state of Washington.

(4) After January 1, 1991, an application for a tank services provider license must be submitted to the department and must include:

(a) The information required by subsection (2)(a) and (b) of this section;

(b) A list of employees licensed by the department to supervise tank services, and identification of the specific tank services for which they are licensed; the date the employee received a license from the department; and the license number of the employee.

(5) The department will review the license application for completeness. If the application is incomplete, the department shall notify the applicant of the deficiencies. The department shall deny, in writing, a license to an applicant who has not satisfied the license application requirements. The department shall issue a license to the applicant after approving the application.

(6) The department shall issue licenses for a period not to exceed two years.

(7) Renewals:

(a) License renewals must be applied for in the same manner as is required for an initial license, pursuant to subsection (4) of this section.

(b) The complete license renewal application shall be submitted to the department no later than thirty days prior to the expiration date of the current license.

(8) The department may suspend or revoke a license if the tank services provider:

(a) Fraudulently obtains or attempts to obtain a license;

(b) Fails at any time to satisfy the requirements for a license or comply with any rules or procedures adopted by the department;

(c) Fails to meet any applicable state or federal standard relating to the service performed under the license; or

(d) Fails to employ and designate a licensed supervisor for each underground storage tank project which is directly overseen by the tank services provider.

(9) A tank services provider who has a license suspended or revoked may reapply for a license after demonstrating to the department that the cause of the revocation has been resolved.

(10) In the event a tank services provider no longer employs a supervisor licensed to perform a particular tank service, the tank services provider must stop providing this service on any regulated underground storage tank system. Work involving this service shall not start until a supervisor licensed for the particular service is again employed by the provider and written notice of the hiring of a licensed supervisor is received by the department.

(11) Any tank services provider licensed by the department under the provisions of this chapter shall:

(a) Comply with WAC 173-360-600 through 173-360-690;

(b) Maintain a current address on file with the department; and

(c) Comply with all federal and state regulations and procedures when performing tank services.

(12)(a) A checklist must be completed for each regulated activity performed. The service provider shall submit the checklist to the department within thirty days following the completion of an underground storage tank installation, retrofit, decommissioning, or test, using the appropriate form provided by the department. The checklist must be signed by the owner or operator, by an executive officer of the service provider firm, or his or her designee, and by the licensed tank services supervisor.

(b) A checklist must be completed for each site check or site assessment performed. The person performing the site check or site assessment shall submit the checklist to the department within thirty days following the completion of the site check or site assessment. A checklist for a site check or site assessment must be signed by the person registered to perform site assessments (rather than a licensed supervisor) and an executive officer of the firm or his or her designee, and the tank owner or operator.

(c) The firm shall submit an as-built site plan, showing the location of completed tank system installations or retrofitted tank system, including adjacent structures, if present. The as-built site plan shall be submitted on the appropriate form provided by the department, or shall be an 8 1/2 inch by 11 inch single page drawing.

(13) A licensed tank services provider, or person qualified to conduct a site assessment or site check shall report to the department and the tank owner or operator

the existence of any confirmed release from an underground tank system that poses a threat to human health and the environment. This report shall be provided to the tank owner or operator immediately, and to the department within seventy-two hours of the discovery of the condition. If the owner or operator are not immediately available, the report should be made immediately to the department.

#### NEW SECTION

WAC 173-360-640 TYPES OF LICENSES. (1) The department will issue the following five separate licenses:

(a) Tank services provider;

(b) Supervision of tank installation and retrofitting;

(c) Supervision of tank decommissioning;

(d) Supervision of tightness testing; and

(e) Supervision of cathodic protection installation and testing.

(2) A tank services supervisor must pass an examination and obtain a license for each activity that person intends to supervise. A firm which obtains a tank services provider license may provide all authorized tank services.

(3) A license will be issued to firms and individuals who meet the qualification requirements of WAC 173-360-630 (2)(a) and (b) or 173-360-650(4), whichever is applicable.

#### NEW SECTION

WAC 173-360-650 EXAMINATION AND LICENSING OF TANK SERVICES SUPERVISORS.

(1) After January 1, 1991, a licensed tank services supervisor shall be present on site at all times tank service activities are being carried out at a tank installation, retrofit, testing, or decommissioning project unless otherwise determined by the department. These tasks may include but may not be limited to:

(a) Preparing the excavation immediately prior to receiving backfill and placement of the tank into the excavation;

(b) Any movement of the tank vessel, including but not limited to transferring the vessel from the vehicle used to transport it to the project site;

(c) Setting the tank and its associated piping into the excavation, including placing any anchoring devices and strapping, if any, and backfilling to the level of the tank;

(d) Placing and connecting the piping system to the tank vessel;

(e) Installing cathodic protection systems;

(f) All pressure testing of the underground storage tank system, including associated piping, performed during the installation or retrofitting;

(g) Completing the backfill and filling of the installation;

(h) Evaluating preparation for and installing any tank lining system;

(i) Tank purging or inerting;

(j) Removal of the tank, removal of sludge from the tank, and cleaning of the tank;

(k) Removing flammable vapors from tanks;

- (l) Excavating around tanks for removal;
- (m) Field installation and operational testing of cathodic protection systems;
- (n) Inspecting of existing tank and piping systems for corrosion;
- (o) Tank or line tightness testing;
- (p) Inspection of existing tanks for structural integrity; and
- (q) Inspection of existing tank and piping systems for the purpose of determining compliance with the Washington state underground storage tank regulations; and
- (r) Installation of release detection equipment.

(2) If a licensed supervisor, or person qualified to conduct a site assessment or site check, obtains knowledge, in the course of performing regulated activities, that a regulated tank has not been registered with the department, or is otherwise out of compliance with the requirements of this chapter, the supervisor shall inform the tank owner or operator of the notification requirement and any other applicable requirements.

(3) After January 1, 1991, only persons licensed by the department under this section may perform the duties of a tank services supervisor.

(4) To obtain a license from the department as a tank services supervisor, a person shall take and pass a qualifying examination approved by the department.

(5) At least once prior to January 1, 1991, and twice every year thereafter, the department shall offer a qualifying examination for any person who wishes to become licensed to install, remove, test, or retrofit underground storage tank systems. Not less than thirty days prior to offering an examination, the department shall prepare and make available to interested persons, a study guide which may include sample examination questions. The department shall develop and administer the qualifying examinations in a manner consistent with the objectives of this section.

(6) An application for a supervisor examination and license shall be submitted to the department on a form provided at least forty-five days prior to the date of the qualifying examination.

(7) A tank services supervisor license is valid for a period not to exceed two years after the date of issue. Upon issuance of a supervisor's license, the department shall issue an identification card showing the license number and license expiration date to the successful applicant.

The supervisor's license identification card shall be available for inspection at any project site supervised by the licensee.

(8) License renewals shall be applied for in the same manner as the original license, including taking a qualifying examination.

(9) The department may suspend or revoke a supervisor's license for failure to comply with any state or federal law, regulation, or procedure pertaining to underground storage tanks.

(10) If a supervisor's license is revoked, that person may not apply for another supervisor license prior to ninety days after the revocation date.

(11) The requirements of this section are in addition to and not in lieu of any other licensing and registration requirement imposed by other laws or regulations.

#### NEW SECTION

WAC 173-360-655 EXAMINATION AND LICENSING OF PERSONS WHO PERFORM INSPECTIONS. After January 1, 1991, only persons who have the appropriate supervisor license shall conduct underground storage tank system inspections for the purpose of determining compliance with the Washington state underground storage tank regulations. Persons wishing to obtain such a license shall comply with the requirements of WAC 173-360-650. This requirement applies only to inspectors who are employed by the department or by an agency which has received delegation of regulatory authority from the department.

#### NEW SECTION

WAC 173-360-660 STUDY GUIDE FEES. The department shall make examination study guides available to the public for a fee of ten dollars for each set of study guides.

#### NEW SECTION

WAC 173-360-670 PENALTIES. Any person or firm who violates this chapter is subject to a civil penalty not to exceed five thousand dollars for each tank per day of violation, pursuant to RCW 90.76.080(2).

#### NEW SECTION

WAC 173-360-680 RECIPROCITY WITH OTHER STATES. If the director or director's designee determines that a licensing program established by another state is essentially equivalent to the licensing program created by this chapter, and a person with a valid license from such a state applies to the department on a Washington state form, the department may issue a Washington license. This license shall be valid until the expiration date of the license issued by the previous state, or the expiration date of the licensing period described in WAC 173-360-630 and 173-360-650, whichever date comes first. The license shall become immediately invalid if revoked by the state in which it was initially issued, and may be revoked by the department as provided in WAC 173-360-650(9).

#### NEW SECTION

WAC 173-360-690 APPEALS. The revocation of a license may be appealed to the pollution control hearings board, pursuant to chapter 43.21B RCW.

**WSR 90-24-018**

**PROPOSED RULES**

**SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Filed November 28, 1990, 4:08 p.m.]

Original Notice.

Title of Rule: WAC 392-127-700 Running start program.

Purpose: To set forth policies and procedures governing the running start program.

Statutory Authority for Adoption: RCW 28A.600.390.

Statute Being Implemented: RCW 28A.600.390.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Old Capitol Building, (206) 753-2298; Implementation: Schley M. Costello, Old Capitol Building, (206) 753-1717; and Enforcement: David Moberly, Old Capitol Building, (206) 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

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

Proposal does not change existing rules.

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

Hearing Location: Preston Conference Room, 3rd Floor, Old Capitol Building, Olympia, Washington 98504, on January 11, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, Olympia, Washington 98504, by January 8, 1991.

Date of Intended Adoption: January 16, 1991.

November 28, 1990

Judith A. Billings

Superintendent of

Public Instruction

#### NEW SECTION

WAC 392-127-700 **AUTHORITY.** The authority for this chapter is RCW 28A.600.390, which authorizes the superintendent of public instruction, the state board for community college education, and the higher education coordinating board to jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, and 28A.150.260 and 28A.150.290 which authorize the superintendent of public instruction to adopt rules governing basic education allocation moneys.

#### NEW SECTION

WAC 392-127-703 **PURPOSE.** The purpose of this chapter is to set forth policies and procedures governing the running start program.

#### NEW SECTION

WAC 392-127-705 **RUNNING START PROGRAM—DEFINITION.** As used in this chapter, the term "running start program" means the enrollment of an eligible student under this chapter simultaneously in school district and community college or vocational-technical institute courses, or both, or solely in community college or vocational-technical institute courses, or both, for the purpose of earning high school credit to be awarded by a school district, and such additional college level academic and vocational or vocational-technical institute credit as may be awarded by a community college or vocational-technical institute.

#### NEW SECTION

WAC 392-127-710 **ELIGIBLE STUDENT—DEFINITION.** As used in this chapter, the term "eligible student" means any person, including a person who is otherwise attending a private school or receiving home-based instruction, who meets each of the following conditions:

(1) The person is under the age of twenty-one years of age at the beginning of the school year (September 1 through August 31).

(2) The person is eligible by reason of his or her residence or admission under the law to enroll in the school district through which the person seeks to obtain the award of running start program high school credit. See, RCW 28A.175.090 ("at risk" students), 28A.225.160 (residents of a school district), 28A.225.170 (residents of United States and Indian reservations), 28A.225.210 (residents of "nonhigh" school districts), and RCW 28A.225.220 ("choice" students).

(3) The person is eligible under the grade placement policies of the school district through which the person seeks to obtain running start program high school credit to be in the eleventh or the twelfth grade.

(4) The person has not as of the beginning of the school year received a high school diploma or its equivalent, excluding a general education development certificate.

(5) The person has not as of the beginning of the school year earned the credits required for the award of a high school diploma by the school district through which the person seeks to obtain the award of running start program high school credit.

#### NEW SECTION

WAC 392-127-715 **FULL-TIME EQUIVALENT HIGH SCHOOL AND VOCATIONAL-TECHNICAL INSTITUTE STUDENTS—DEFINITION.** The definition of a "full-time equivalent high school student and vocational-technical institute student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes, each eligible student enrolled in a school district high school program or vocational-technical institute program, or both, as of the fourth school day of the school year (September 1 through August 31) and/or as of the first school day of eight subsequent months, for not less than twenty-five hours each week, or five hours (three hundred minutes) each scheduled school day.

#### NEW SECTION

WAC 392-127-720 **FULL-TIME EQUIVALENT COMMUNITY COLLEGE STUDENT—DEFINITION.** The definition of a "full-time equivalent community college student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes each eligible student enrolled in a community college as of the fourth college day of the school year (September 1 through August 31) and/or as of the first college day of eight subsequent months, for not less than fifteen quarter credit hours.

#### NEW SECTION

WAC 392-127-725 **ANNUAL AVERAGE FULL-TIME EQUIVALENT STUDENT—DEFINITION.** The definition of "annual average full-time equivalent student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter, means and includes the quotient obtained by dividing the annual total of an eligible student's full-time running start program enrollment counts reported under WAC 392-127-805 by nine.

#### NEW SECTION

WAC 392-127-730 **COMMUNITY COLLEGE DISTRICT—DEFINITION.** As used in this chapter, the term "community college district" means the appointed board of trustees of a Washington public community college district and the territory, facilities, and educational programs under the jurisdiction of the board of trustees.

#### NEW SECTION

WAC 392-127-735 **COMMUNITY COLLEGE—DEFINITION.** As used in this chapter, the term "community college" means a two-year institution of higher education under the jurisdiction of a community college district.



NEW SECTION

**WAC 392-127-740 SCHOOL DISTRICT—DEFINITION.** As used in this chapter, the term "school district" means the elected board of directors of a Washington public school district and the territory, facilities, and educational programs under the jurisdiction of the board of directors.

NEW SECTION

**WAC 392-127-745 VOCATIONAL-TECHNICAL INSTITUTE—DEFINITION.** As used in this chapter, the term "vocational-technical institute" means a specialized area nongraded vocational education facility offering comprehensive courses primarily oriented to the job market under the jurisdiction of the Bellingham School District, Clover Park School District, Lake Washington School District, Renton School District, or Tacoma School District.

NEW SECTION

**WAC 392-127-750 ANNUAL NOTICE TO STUDENTS AND PARENTS.** Each school district that elects to participate in the running start program during the 1990-91 and 1991-92 school years, and thereafter every school district, shall annually provide general information respecting the running start program to all tenth and eleventh grade students of the school district and their parents and guardians.

NEW SECTION

**WAC 392-127-755 ENROLLMENT—GENERAL REQUIREMENTS AND CONDITIONS.** The enrollment of an eligible student in the running start program shall be governed as follows:

(1) An eligible student is responsible for applying for and pursuing admission to a community college or vocational-technical institute.

(2) It shall not be necessary for an eligible student to obtain a release of attendance from his or her resident school district in order for the student to enroll in any community college or vocational-technical institute.

(3) An eligible student is entitled to enroll in any community college and any vocational-technical institute in the state for running start program purposes subject to each of the following conditions and limitations:

(a) Prior confirmation pursuant to WAC 392-127-770 by the school district through which the student seeks to obtain the award of running start program high school credit of the amount of high school credit to be awarded.

(b) Acceptance by the community college or vocational-technical institute subject to generally applicable admission standards and enrollment restrictions established by the community college or vocational-technical institute.

(c) The limitations upon the duration and extent of community college and vocational-technical institute course enrollment set forth at WAC 392-127-775.

(d) The 1990-91 and 1991-92 school year limitations upon student, community college, and vocational-technical institute participation set forth at WAC 392-127-760 and 392-127-765.

(4) An eligible student shall not be required by a community college or vocational-technical institute to pay any tuition or other fee as a condition to the student's full participation in community college and vocational-technical institute course work and related activities, or as a condition to the award of credit therefor: **PROVIDED**, That requiring a student to provide and pay for consumable supplies, textbooks, and other materials to be retained by the student does not constitute the assessment of tuition or a fee for purposes of this subsection.

(5) Once an eligible student has been enrolled in a community college or vocational-technical institute course or program, the student shall not be displaced by another student: **PROVIDED**, That the student's continued enrollment in a course or program and enrollment in other courses or programs shall be subject to generally applicable enrollment requirements and limitations established by the community college or vocational-technical institute.

NEW SECTION

**WAC 392-127-760 ENROLLMENT—1990-91 AND 1991-92 SCHOOL YEARS—LIMITATIONS ON COMMUNITY COLLEGE AND STUDENT PARTICIPATION.** Notwithstanding any

other provision of this chapter to the contrary, admission to a community college for running start program purposes during the 1990-91 and 1991-92 school years is limited to:

(1) Admission to a community college of a community college district that has been designated as a running start program district by resolution of the state board for community college education.

(2) Eligible students who are eligible by reason of their residence or admission under the law to enroll in a school district that meets each of the following conditions:

(a) The school district is located in whole or part within the territory of a community college district that has been designated as a running start program district by resolution of the state board for community college education.

(b) The school district has elected to participate in the running start program by resolution of the board of directors.

NEW SECTION

**WAC 392-127-765 ENROLLMENT—1990-91 SCHOOL YEAR—LIMITATION ON VOCATIONAL-TECHNICAL INSTITUTE PARTICIPATION.** Notwithstanding any other provision of this chapter to the contrary, admission to a vocational-technical institute for running start program purposes during the 1990-91 school year is limited to admission to a vocational-technical institute which has elected to participate in the program by resolution of the school district board of directors.

NEW SECTION

**WAC 392-127-770 ENROLLMENT—HIGH SCHOOL CREDIT—PRIOR CONFIRMATION.** As a condition to an eligible student's enrollment in community college or vocational-technical institute courses under this chapter, the eligibility of the courses which the student intends to take for the award of high school credit and the amount of such credit shall first be established, as follows:

(1) The student shall notify the school district through which the student seeks to obtain the award of running start program high school credit of the specific community college and vocational-technical institute courses he or she intends to take and shall request confirmation of the amount of high school credit that will be awarded upon successful completion of the courses.

(2) The school district shall establish in accordance with chapter 180-51 WAC the amount of high school required or elective credit that shall be awarded for each course successfully completed by the student.

(3) If no comparable course is offered by the school district, the school district superintendent shall determine the amount of high school credit which shall be awarded, if any, following consultation with a community college or vocational-technical institute representative designated for that purpose.

(4) Within twenty school district business days of a student's request for confirmation of credit the school district superintendent or other designated school district representative shall confirm in writing the amount of high school credit which shall be awarded upon successful completion of the courses.

NEW SECTION

**WAC 392-127-775 ENROLLMENT—EXTENT AND DURATION.** The extent and duration of an eligible student's enrollment in the running start program shall be limited as set forth in subsections (1) through (5) of this section: **PROVIDED**, That a school district or community college district, or both, may elect to allow eligible students to exceed such enrollment limitations so long as the enrollment claimed for basic education allocation purposes does not exceed the WAC 392-127-810 full-time equivalent student claim limitations.

(1) The combined enrollments of an eligible student in a high school and in a community college or vocational-technical institute, or both, under this chapter shall not concurrently exceed one full-time equivalent student. Accordingly, an eligible student must elect to enroll in high school for less than twenty-five hours per week in order to concurrently enroll in a community college or vocational-technical institute.

(2) A student who enrolls in grade eleven may enroll in a school district, community college, vocational-technical institute, or any combination thereof, for no more than the course work equivalent to two regular academic years of attendance as an annual average full-time equivalent student, (i.e., six college quarters as a full-time equivalent

community college student, two one hundred eighty-day or more regular school years as a high school or vocational-technical institute full-time equivalent student, or a combination thereof not to exceed two annual average full-time equivalent enrollments).

(3) A student who enrolls in grade twelve may enroll in a school district, community college, vocational-technical institute, or any combination thereof, for no more than the course work equivalent to one regular academic year of attendance as an annual average full-time equivalent student.

(4) A student who becomes eligible during the regular school year for the award of a high school diploma by the school district through which the student seeks the award of running start program high school credit shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district at which time the student's entitlement to enroll under this chapter shall terminate.

(5) A student whose twenty-first birthday occurs during the regular school year shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district through which the student seeks to obtain running start program high school credit at which time the student's entitlement under this chapter to enroll shall terminate.

#### NEW SECTION

WAC 392-127-780 ACADEMIC STANDARDS AND DISCIPLINE—JURISDICTION OF EDUCATIONAL AGENCIES. Each school district and community college district shall have and exercise exclusive jurisdiction over academic and discipline matters involving an eligible student's enrollment and participation in courses of, and the receipt of services and benefits from, the school district and the community college district.

#### NEW SECTION

WAC 392-127-785 COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS OF LAW—SPECIAL EDUCATION PROGRAM REQUIREMENTS—NECESSARY COOPERATIVE AGREEMENTS. As a general rule, a school district and a community college district are independently responsible for assuring compliance with federal and state requirements of law which are applicable to the provision of services and benefits by the school district or community college district under this chapter. If, however, the individualized education program of an eligible student established under chapter 392-171 WAC provides for such enrollment in a community college or a vocational-technical institute of another school district, the school district which established the individualized education program shall also be responsible for assuring compliance with chapter 392-171 WAC in connection with the student's enrollment in the community college or vocational-technical institute. School districts and community college districts shall enter into cooperative agreements as necessary to assure compliance with their respective duties under federal and state law, including agreements which substantiate a school district's claim to necessary federal and state special education funding.

#### NEW SECTION

WAC 392-127-790 HIGH SCHOOL CREDIT—AWARD BY SCHOOL DISTRICTS. Upon confirmation by a community college or vocational-technical institute of an eligible student's successful completion of running start program courses, the school district shall record on the student's secondary school records and transcript the high school credit previously confirmed under WAC 392-127-770, together with a notation that the courses were taken at a community college or vocational-technical institute. See WAC 180-51-050 which provides for the conversion of college credits to high school credits at the rate of one high school credit for five college quarter or three college semester hour credits.

#### NEW SECTION

WAC 392-127-795 FINANCE—GENERATION OF STATE AND FEDERAL MONEYS. Each eligible student shall generate state and federal moneys based upon the student's enrollment under

this chapter in school district, community college, or vocational-technical institute courses or programs, or any combination thereof, in accordance with the definitions of full-time equivalent students set forth in WAC 392-127-715 through 392-127-725, the enrollment and enrollment count limitations set forth in WAC 392-127-775 and 392-127-810, rules of the superintendent of public instruction set forth at Title 392 WAC which supplement and do not conflict with this chapter, and the Biennial Operating Appropriations Act.

#### NEW SECTION

WAC 392-127-800 FINANCE—COMMUNITY COLLEGE AND VOCATIONAL-TECHNICAL INSTITUTE REPORTING REQUIREMENTS. Each community college and vocational-technical institute that enrolls an eligible student under this chapter shall periodically report enrollment information as follows:

(1) Within ten calendar days of acceptance of the student, provide written notice to the student, superintendent of public instruction, and the school district through which the student seeks to obtain running start program high school credit of the courses and the credit hours or instructional/clock hours of enrollment.

(2) On a monthly basis, provide such enrollment information to the school district through which the student seeks to obtain the award of running start program high school credit as is necessary for the school district to claim basic education allocation moneys under this chapter and chapter 392-121 WAC including, but not limited to, notice of termination of the student's enrollment in a course due to withdrawal, suspension, or expulsion.

#### NEW SECTION

WAC 392-127-805 FINANCE—SCHOOL DISTRICT REPORTING REQUIREMENTS. Each school district through which an eligible student seeks to obtain running start program high school credit shall make all reports to the superintendent of public instruction in accordance with this chapter and chapter 392-121 WAC as are necessary to substantiate the district's entitlement to the receipt of basic education allocation moneys based upon the student's high school, community college, and vocational-technical institute enrollment under this chapter. Eligible students shall be so reported as full-time equivalent students, or fractions thereof, in accordance with the definitions of full-time equivalent students set forth at WAC 392-127-715 through 392-127-725.

#### NEW SECTION

WAC 392-127-810 FINANCE—LIMITATIONS ON ENROLLMENT COUNTS. No eligible student enrolled in a high school, community college, vocational-technical institute, or any combination thereof, reported under WAC 392-127-800 and 392-127-805 shall be counted as more than one full-time equivalent student for any single month or more than one annual average full-time equivalent student in any school year: PROVIDED, That an eligible student who enrolls in grade eleven and elects to enroll in a summer community college or vocational-technical institute program that school year in order to accelerate his or her high school graduation may be counted as more than one annual average full-time equivalent student for that school year: PROVIDED FURTHER, That the student shall not be counted the succeeding school year as more than one annual average full-time equivalent student less that portion of the prior school year count which exceeded one annual average full-time equivalent student count.

#### NEW SECTION

WAC 392-127-815 FINANCE—APPORTIONMENT AND PAYMENT OF BASIC EDUCATION ALLOCATION MONEYS TO COMMUNITY COLLEGE DISTRICTS AND OTHER SCHOOL DISTRICTS. School districts and community college districts may enter into agreements which provide for and govern the apportionment and payment of basic education allocation moneys generated by running start program students. In the absence of such an agreement, the school district through which an eligible student seeks to obtain running start program high school credit shall apportion such moneys and make payment on not less than a quarterly basis to the community college or other school districts serving the student under this chapter as follows:

(1) If an eligible student is enrolled exclusively in a community college or a vocational-technical institute operated by another school district, all basic education moneys generated by the student shall be paid to the community college district or other school district of enrollment: PROVIDED, That the school district through which the student seeks to obtain running start program high school credit may retain up to five percent of such moneys to offset costs incurred in evaluating and granting high school credit and processing basic education allocation claims and payments.

(2) If an eligible student is enrolled simultaneously in the school district through which the student seeks to obtain running start program high school credit and a community college or a vocational-technical institute operated by another school district, the school district through which the student seeks such high school credit shall retain that portion of the basic education allocation moneys generated by the student based upon the student's high school enrollment, and shall pay to the community college district or other school district the balance consisting of that portion of such moneys generated by the student based upon the student's community college or vocational-technical institute enrollment (e.g., in the case of an eligible student enrolled five hours in a high school (one-fifth of an FTE) and five quarter credit hours in a community college (one-third of an FTE), the school district would retain an amount equal to one-fifth of a full basic education allocation and pay to the community college district an amount equal to one-third of a full basic education allocation).

(3) Notwithstanding subsections (1) and (2) of this section, the maximum amount payable to a community college district or another school district by a school district operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students shall be the incremental amount per full-time equivalent community college or vocational-technical institute student that is or would be generated for student enrollments in excess of sixty annual full-time equivalent students.

#### NEW SECTION

WAC 392-127-820 FINANCE—PRIOR LEGISLATIVE APPROVAL OF FINANCE RULES REQUIRED. WAC 392-127-720 respecting the definition of full-time community college students and 392-127-810 respecting eleventh grade summer time enrollment counts shall have no force and effect unless the chairpersons of the senate ways and means and house of representatives appropriations committees provide written notice of approval under RCW 28A.150-.260 (2)(d) to so revise the definition of full-time equivalent student and its method of application.

#### NEW SECTION

WAC 392-127-825 CURRENT AND FUTURE COMMUNITY COLLEGE ENROLLMENT ALTERNATIVES NOT AFFECTED. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a community college pursuant to a contractual agreement entered into pursuant to RCW 28B.50.530 (inter school district/community college cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See WAC 392-121-183 (contracting with an educational institution other than a school district).

#### NEW SECTION

WAC 392-127-830 CURRENT AND FUTURE VOCATIONAL-TECHNICAL INSTITUTE ENROLLMENT ALTERNATIVES NOT AFFECTED. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a vocational-technical institute operated by the school district in which the student resides or in a vocational-technical institute operated by another school district pursuant to a contractual agreement entered into pursuant to RCW 28A.225.250 and 28A.335.160 (inter school district cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See chapter 392-135 WAC (inter school district cooperation programs).

**WSR 90-24-019**  
**PERMANENT RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**

[Filed November 28, 1990, 4:21 p.m.]

Date of Adoption: November 8, 1990.

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.

Citation of Existing Rules Affected by this Order: Amending WAC 296-116-120.

Statutory Authority for Adoption: RCW 88.16.090(6).

Other Authority: RCW 88.16.100(4).

Pursuant to notice filed as WSR 90-20-040 on September 25, 1990.

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

November 28, 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, rainfall, 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 (phencyclidine). 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, antianxiety 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 90-24-020

##### ATTORNEY GENERAL OPINION

Cite as: AGO 1990 No. 16

[November 27, 1990]

#### DEPARTMENT OF TRANSPORTATION—FERRIES—PROHIBITION OF COMMERCIAL FERRY CROSSING WITHIN TEN MILES OF A STATE FERRY CROSSING

1. RCW 47.60.120 prohibits a commercial ferry crossing with ten miles of a state ferry crossing. The prohibition in RCW 47.60.120 applies to passenger-only ferries.
2. The ten-mile distance in RCW 47.60.120 is ten statute miles measured by airline distance.
3. The ten-mile rule in RCW 47.60.120 is applied by comparing the state ferry crossing to the commercial ferry crossing. A crossing consists of the two end points or termini of the run. If the two end points or termini of the commercial ferry crossing are within ten miles of the two end points or termini of the state ferry crossing, the commercial ferry crossing is prohibited.

#### Requested by:

The Honorable Duane Berentson  
Secretary of Transportation  
Transportation Building,  
KF-01 Olympia, Washington 98504-5201

#### WSR 90-24-021

##### NOTICE OF PUBLIC MEETINGS

##### DEPARTMENT OF

##### NATURAL RESOURCES

(Board of Natural Resources)

[Memorandum—November 27, 1990]

The Board of Natural Resources meeting regularly scheduled for Tuesday, December 4, 1990, has been canceled.

#### WSR 90-24-022

##### NOTICE OF PUBLIC MEETINGS

##### DEPARTMENT OF

##### NATURAL RESOURCES

(Board of Natural Resources)

[Memorandum—November 27, 1990]

The Board of Natural Resources meeting regularly scheduled for Tuesday, January 1, 1991, has been rescheduled to be held Wednesday, January 16, 1991, at 9:00 a.m. in the State Board Conference Room, Old Capitol Building, corner of Legion and Franklin, Olympia, Washington.

WSR 90-24-023
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed November 29, 1990, 2:51 p.m.]

Date of Adoption: July 18, 1990.
Purpose: Adoption of rules implementing chapter 28B.100 RCW, Gender equality in higher education.
Statutory Authority for Adoption: Chapter 28B.110 RCW, Gender equality in higher education.
Pursuant to notice filed as WSR 90-11-108 on May 22, 1990.
Effective Date of Rule: Thirty-one days after filing.
November 29, 1990
Ann Daley
Executive Director

STATE OF WASHINGTON
GENDER EQUALITY IN HIGHER EDUCATION
Chapter 250-71 WAC

- WAC 250-71-010 PURPOSE-ELIMINATION OF DISCRIMINATION IN HIGHER EDUCATION BASED ON GENDER
WAC 250-71-015 DEFINITIONS
WAC 250-71-020 ACADEMIC PROGRAMS
WAC 250-71-025 COUNSELING AND GUIDANCE SERVICES
WAC 250-71-030 STUDENT EMPLOYMENT
WAC 250-71-035 FINANCIAL AID
WAC 250-71-040 RECREATIONAL ACTIVITIES
WAC 250-71-045 OTHER STUDENT SERVICES
WAC 250-71-050 INTERCOLLEGIATE ATHLETICS
WAC 250-71-055 MALE AND FEMALE COACHES AND ADMINISTRATORS
WAC 250-71-060 SEXUAL HARASSMENT
WAC 250-71-065 INSTITUTIONAL SELF-STUDY AND PLAN
WAC 250-71-070 DISTRIBUTION
WAC 250-71-075 COMPLIANCE-COMPLAINTS

NEW SECTION

WAC 250-71-010 PURPOSE-ELIMINATION OF DISCRIMINATION BASED ON GENDER IN HIGHER EDUCATION. The purpose of this chapter is to establish administrative rules implementing chapter 28B.110 RCW, prohibiting discrimination on the basis of gender in all public institutions of higher education in the state of Washington.

NEW SECTION

WAC 250-71-015 DEFINITIONS. (1) "Institution" shall mean a public university, college, or community college within the state of Washington.
(2) "Without regard to gender" shall mean that gender may not be taken into account when making a decision regarding a student.

(3) "Available without regard to gender" shall mean that there are no institutional factors operating to prevent or discourage students of either gender from selecting, participating in, or completing a program of study or activity.

(4) "Equitable" shall mean that the benefits of a program or activity shall be enjoyed by males and females substantially proportional to their enrollment as undergraduates at the institution.

(5) "Opportunities for participation" shall specifically apply to athletics and mean the number of positions on the initial eligibility roster of student athletes, minus students who are cut from the team, and students who drop out voluntarily within the first ten days of practice.

(6) "Academic programs" shall mean all instructional, research, and instruction and research related public service activities of the institution, including internships, teaching and research assistantships, and cooperative education, at all levels of study.

NEW SECTION

WAC 250-71-020 ACADEMIC PROGRAMS. (1) Institutions shall ensure that admission to academic programs is made without regard to gender.

(2) Institutions shall ensure that all academic programs are available without regard to gender for student selection, participation, and completion.

NEW SECTION

WAC 250-71-025 COUNSELING AND GUIDANCE SERVICES. Institutions shall ensure that all counseling and guidance services are made available to all students without regard to gender, including:

(1) That counseling and academic advising personnel stress access to all career and vocational opportunities to all students;

(2) That materials, assessment instruments, and techniques used encourage students to participate in academic programs and other activities on individual rather than gender-based factors;

(3) That assessment instruments intended to measure aptitude, interest, personality, emotional stability, or other characteristics, the interpretation of those instruments, and the counseling staff do not discriminate on the basis of gender.

NEW SECTION

WAC 250-71-030 STUDENT EMPLOYMENT. Institutions shall ensure that all student employment is conducted without regard to gender, including:

(1) No differentiation in pay scales;

(2) Assignment of positions, jobs, and duties, except in cases of bona fide occupational qualifications under WAC 162-16-020;

(3) Opportunities for advancement;

(4) Conditions of employment, including, but not limited to, hiring practices, leaves of absence, and hours of employment;

(5) All organizations and companies not under the jurisdiction of the institution to which students are referred for employment by the institution, or for which



students are recruited on campus or under the auspices of the institution.

#### NEW SECTION

**WAC 250-71-035 FINANCIAL AID.** Institutions shall ensure that in the assignment of financial aid there is no discrimination in types, amounts, or patterns of aid awarded to students of each gender. Types of aid include, but are not limited to the following:

- (1) Federal and state funded, including institutionally controlled, need-based assistance;
- (2) Merit-based awards
- (3) Graduate assistantships and fellowships
- (4) Athletic assistance
- (5) Department-based awards
- (6) Foreign study scholarships and opportunities
- (7) Non-need based waivers
- (8) Discretionary programs

#### NEW SECTION

**WAC 250-71-040 RECREATIONAL ACTIVITIES.** Recreational activities include all activities provided by the institution, or sanctioned by the institution, to meet the recreational needs or interests of students, including, but not limited to, intramural activities and club sports.

(1) Institutions are not required to offer any specific type or level of recreational opportunities. Institutions which elect to offer recreational opportunities shall do so based upon the interest levels of the students.

(2) Institutions which provide the following benefits and services for recreational activities must make them available without regard to gender:

- (a) Equipment, supplies, laundry services
- (b) Medical care, services and insurance,
- (c) Transportation and per diem allowances,
- (d) Opportunities to receive coaching and instruction,
- (e) Assignment of game officials,
- (f) Opportunities for competitions,
- (g) Publicity and awards,
- (h) Scheduling of games and practice times, including use of courts, gyms and pools, showers, toilets, lockers, or training room facilities.

#### NEW SECTION

**WAC 250-71-045 OTHER STUDENT SERVICES.** Institutions which provide other student services including, but not limited to health services, minority student services, placement, child care, and housing, shall make them available without regard to gender.

#### NEW SECTION

**WAC 250-71-050 INTERCOLLEGIATE ATHLETICS.** Institutions which provide intercollegiate athletics shall do so with no disparities based on gender, according to the following standards:

(1) No sports may be excluded or treated separately for purposes of meeting any of the requirements of this section.

(2) Institutions shall provide equitable opportunities for participation for males and females in intercollegiate athletics:

(a) Intercollegiate athletics shall include all sports recognized by the NCAA, NAIA, and NWAACC, plus the sport of crew.

(b) Consistent with RCW 28B.15.460, satisfactory progress toward the goal of equitable opportunity, as of July 1, 1994, will be assumed if, by that date, the number of opportunities for participation in athletics for female students meets or exceeds the approximate rate (39%) at which high school girls participated in interscholastic athletics in the state of Washington in 1990.

(c) After 1994, institutions shall show continuing progress toward the goal of providing numbers of opportunities for participation in athletics for male and female students proportional to their respective undergraduate enrollments at the institutions.

(3) If any benefits, services, or facilities are provided, they shall be made available proportionally, across the athletic program considered as a whole. Institutions which provide higher levels of support to some sports than to others shall ensure that male and female athletes experience the benefits of such enhanced support in an equal proportion to their participation rates. Examples of such benefits include:

- (a) equipment, supplies, laundry services
- (b) medical care, services, and insurance
- (c) scholarships and all other forms of financial aid or benefits from any source related to the students' status as an athlete
- (d) opportunities to receive coaching and instruction, including academic tutoring
- (e) conditioning programs
- (f) opportunities for competition, including pre- and post-season opportunities and levels of competition
- (g) transportation and per diem allowances
- (h) assignment of game officials
- (i) scheduling of games and practice times, including use of courts, gyms, and pools.
- (j) publicity and awards
- (k) showers, lockers, toilets, training room facilities.

#### NEW SECTION

**WAC 250-71-055 MALE AND FEMALE COACHES AND ADMINISTRATORS.** Institutions shall provide coaches and athletic administrators of both genders to act as role models for male and female athletes, and shall endeavor to attract staff of the underrepresented gender.

#### NEW SECTION

**WAC 250-71-060 SEXUAL HARASSMENT.** Each institution shall develop and annually distribute to students, faculty, and staff, policies and procedures for handling complaints of sexual harassment, including:

(1) A definition of sexual harassment which includes, but is not necessarily limited to, unwanted verbal or physical sexual behavior of faculty or staff toward students, supervisors toward student supervisees, or students toward students.

(2) The name, address, and phone number of one or more persons to whom complaints may be addressed, and the procedures available.

#### NEW SECTION

**WAC 250-71-065 INSTITUTIONAL SELF-STUDY AND PLAN.** (1) By September 30, 1990, each institution shall submit to the Higher Education Coordinating Board an initial self-study assessing its compliance with the gender equality requirements of this chapter. The self-study shall utilize date from the 1988-89 academic year, and shall include:

(a) An assessment of the students in each major, at the graduate and undergraduate levels, and in all programs and services related to academics, to determine whether the participation of males and females is substantially proportional to the enrollment of each gender in the undergraduate population of the institution;

(b) An analysis of student employment to determine the proportion of each gender employed by the institution, and their rates of pay;

(c) An evaluation of all advising and counseling services and appraisal instruments to determine freedom from gender bias;

(d) An assessment of the participation of male and female students in the recreational activities of the institution, and of the benefits associated with these activities;

(e) An examination of the amounts, types, and patterns of financial aid awarded to males and to females at all levels of study to determine whether any disparities exist;

(f) An evaluation of other areas of student services, including, but not limited to, housing, placement, child care, minority affairs, and special services, to determine if students of both genders receive comparable benefits;

(g) An analysis of the intercollegiate athletics program to identify any existing disparities between genders in participation opportunities, benefits, services, or facilities;

(h) An enumeration of athletic administrators and coaches by position title, sport and gender;

(i) a description of efforts implemented to educate students, faculty and staff about sexual harassment.

(2) By November 30, 1990, each institution shall submit to the Higher Education Coordinating Board a plan to comply with the requirements of this chapter, including:

(a) identification of barriers or factors which need to be addressed in order to reach compliance with the provisions of this chapter;

(b) measures to be implemented to ensure institutional compliance with the provisions of this chapter by September 30, 1994, except as otherwise allowed in RCW 28B.15.460.

(3) By October 30 of each even numbered year, beginning in 1992, each institution shall submit an update to its plan, including:

(a) An assessment of the results of activities undertaken under the previous plan to remove barriers to compliance with the provisions of this chapter;

(b) The results of continued monitoring of gender equity at the institution;

(c) Additional activities, or modifications of current activities, to be undertaken to address remaining issues of gender equity at the institution.

(4) The Higher Education Coordinating Board shall report biennially, beginning December 31, 1990, to the governor and the higher education committees of the House of Representatives and the Senate on:

(a) The efforts of each institution and the extent to which it has complied with this chapter.

(b) Recommendations on measures to assist institutions with compliance.

#### NEW SECTION

**WAC 250-71-070 DISTRIBUTION.** Institutions of higher education shall distribute summaries of the provisions of RCW Ch. 28B.110 to all students, including the procedures for filing a complaint with the institution and the Human Rights Commission.

#### NEW SECTION

**WAC 250-71-075 COMPLIANCE—COMPLAINTS.** (1) The president of each institution shall designate a specific staff person who shall be responsible for monitoring and coordinating the institution's compliance with this chapter.

(2) Each institution shall identify existing complaint procedures, or establish new ones, as an institutional remedy for complaints under this chapter.

(3) All rights and remedies under chapter 49.60 RCW, including the right to file a complaint with the human rights commission and to bring a civil action, shall also apply.

### **WSR 90-24-024**

#### **EMERGENCY RULES**

#### **HIGHER EDUCATION**

#### **COORDINATING BOARD**

[Filed November 29, 1990, 2:55 p.m.]

Date of Adoption: July 18, 1990.

Purpose: Adoption of rules implementing chapter 28B.110 RCW, Gender equality in higher education.

Statutory Authority for Adoption: Chapter 28B.110 RCW, Gender equality in higher education.

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: Chapter 28B.110 RCW requires all public institutions of higher education to submit a gender equity plan by November 30, 1990, and for the Higher Education Coordinating Board to subsequently approve each plan. Emergency rules are needed to regulate this process.

Effective Date of Rule: Immediately.

November 29, 1990

Ann Daley

Executive Director

STATE OF WASHINGTON  
 GENDER EQUALITY IN HIGHER EDUCATION  
 Chapter 250-71 WAC

- WAC 250-71-010 PURPOSE—ELIMINATION OF DISCRIMINATION IN HIGHER EDUCATION BASED ON GENDER
- WAC 250-71-015 DEFINITIONS
- WAC 250-71-020 ACADEMIC PROGRAMS
- WAC 250-71-025 COUNSELING AND GUIDANCE SERVICES
- WAC 250-71-030 STUDENT EMPLOYMENT
- WAC 250-71-035 FINANCIAL AID
- WAC 250-71-040 RECREATIONAL ACTIVITIES
- WAC 250-71-045 OTHER STUDENT SERVICES
- WAC 250-71-050 INTERCOLLEGIATE ATHLETICS
- WAC 250-71-055 MALE AND FEMALE COACHES AND ADMINISTRATORS
- WAC 250-71-060 SEXUAL HARASSMENT
- WAC 250-71-065 INSTITUTIONAL SELF-STUDY AND PLAN
- WAC 250-71-070 DISTRIBUTION
- WAC 250-71-075 COMPLIANCE—COMPLAINTS

NEW SECTION

WAC 250-71-010 PURPOSE—ELIMINATION OF DISCRIMINATION BASED ON GENDER IN HIGHER EDUCATION. The purpose of this chapter is to establish administrative rules implementing chapter 28B.110 RCW, prohibiting discrimination on the basis of gender in all public institutions of higher education in the state of Washington.

NEW SECTION

WAC 250-71-015 DEFINITIONS. (1) "Institution" shall mean a public university, college, or community college within the state of Washington.

(2) "Without regard to gender" shall mean that gender may not be taken into account when making a decision regarding a student.

(3) "Available without regard to gender" shall mean that there are no institutional factors operating to prevent or discourage students of either gender from selecting, participating in, or completing a program of study or activity.

(4) "Equitable" shall mean that the benefits of a program or activity shall be enjoyed by males and females substantially proportional to their enrollment as undergraduates at the institution.

(5) "Opportunities for participation" shall specifically apply to athletics and mean the number of positions on the initial eligibility roster of student athletes, minus students who are cut from the team, and students who drop out voluntarily within the first ten days of practice.

(6) "Academic programs" shall mean all instructional, research, and instruction and research related public service activities of the institution, including internships,

teaching and research assistantships, and cooperative education, at all levels of study.

NEW SECTION

WAC 250-71-020 ACADEMIC PROGRAMS. (1) Institutions shall ensure that admission to academic programs is made without regard to gender.

(2) Institutions shall ensure that all academic programs are available without regard to gender for student selection, participation, and completion.

NEW SECTION

WAC 250-71-025 COUNSELING AND GUIDANCE SERVICES. Institutions shall ensure that all counseling and guidance services are made available to all students without regard to gender, including:

(1) That counseling and academic advising personnel stress access to all career and vocational opportunities to all students;

(2) That materials, assessment instruments, and techniques used encourage students to participate in academic programs and other activities on individual rather than gender-based factors;

(3) That assessment instruments intended to measure aptitude, interest, personality, emotional stability, or other characteristics, the interpretation of those instruments, and the counseling staff do not discriminate on the basis of gender.

NEW SECTION

WAC 250-71-030 STUDENT EMPLOYMENT. Institutions shall ensure that all student employment is conducted without regard to gender, including:

(1) No differentiation in pay scales;

(2) Assignment of positions, jobs, and duties, except in cases of bona fide occupational qualifications under WAC 162-16-020;

(3) Opportunities for advancement;

(4) Conditions of employment, including, but not limited to, hiring practices, leaves of absence, and hours of employment;

(5) All organizations and companies not under the jurisdiction of the institution to which students are referred for employment by the institution, or for which students are recruited on campus or under the auspices of the institution.

NEW SECTION

WAC 250-71-035 FINANCIAL AID. Institutions shall ensure that in the assignment of financial aid there is no discrimination in types, amounts, or patterns of aid awarded to students of each gender. Types of aid include, but are not limited to the following:

(1) Federal and state funded, including institutionally controlled, need-based assistance;

(2) Merit-based awards

(3) Graduate assistantships and fellowships

(4) Athletic assistance

(5) Department-based awards

(6) Foreign study scholarships and opportunities

- (7) Non-need based waivers
- (8) Discretionary programs

#### NEW SECTION

**WAC 250-71-040 RECREATIONAL ACTIVITIES.** Recreational activities include all activities provided by the institution, or sanctioned by the institution, to meet the recreational needs or interests of students, including, but not limited to, intramural activities and club sports.

(1) Institutions are not required to offer any specific type or level of recreational opportunities. Institutions which elect to offer recreational opportunities shall do so based upon the interest levels of the students.

(2) Institutions which provide the following benefits and services for recreational activities must make them available without regard to gender:

- (a) Equipment, supplies, laundry services
- (b) Medical care, services and insurance,
- (c) Transportation and per diem allowances,
- (d) Opportunities to receive coaching and instruction,
- (e) Assignment of game officials,
- (f) Opportunities for competitions,
- (g) Publicity and awards,
- (h) Scheduling of games and practice times, including use of courts, gyms and pools, showers, toilets, lockers, or training room facilities.

#### NEW SECTION

**WAC 250-71-045 OTHER STUDENT SERVICES.** Institutions which provide other student services including, but not limited to health services, minority student services, placement, child care, and housing, shall make them available without regard to gender.

#### NEW SECTION

**WAC 250-71-050 INTERCOLLEGIATE ATHLETICS.** Institutions which provide intercollegiate athletics shall do so with no disparities based on gender, according to the following standards:

(1) No sports may be excluded or treated separately for purposes of meeting any of the requirements of this section.

(2) Institutions shall provide equitable opportunities for participation for males and females in intercollegiate athletics:

(a) Intercollegiate athletics shall include all sports recognized by the NCAA, NAIA, and NWAACC, plus the sport of crew.

(b) Consistent with RCW 28B.15.460, satisfactory progress toward the goal of equitable opportunity, as of July 1, 1994, will be assumed if, by that date, the number of opportunities for participation in athletics for female students meets or exceeds the approximate rate (39%) at which high school girls participated in interscholastic athletics in the state of Washington in 1990.

(c) After 1994, institutions shall show continuing progress toward the goal of providing numbers of opportunities for participation in athletics for male and female students proportional to their respective undergraduate enrollments at the institution.

(3) If any benefits, services, or facilities are provided, they shall be made available proportionally, across the athletic program considered as a whole. Institutions which provide higher levels of support to some sports than to others shall ensure that male and female athletes experience the benefits of such enhanced support in an equal proportion to their participation rates. Examples of such benefits include:

- (a) equipment, supplies, laundry services
- (b) medical care, services, and insurance
- (c) scholarships and all other forms of financial aid or benefits from any source related to the students' status as an athlete
- (d) opportunities to receive coaching and instruction, including academic tutoring
- (e) conditioning programs
- (f) opportunities for competition, including pre- and post-season opportunities and levels of competition
- (g) transportation and per diem allowances
- (h) assignment of game officials
- (i) scheduling of games and practice times, including use of courts, gyms, and pools.
- (j) publicity and awards
- (k) showers, lockers, toilets, training room facilities.

#### NEW SECTION

**WAC 250-71-055 MALE AND FEMALE COACHES AND ADMINISTRATORS.** Institutions shall provide coaches and athletic administrators of both genders to act as role models for male and female athletes, and shall endeavor to attract staff of the underrepresented gender.

#### NEW SECTION

**WAC 250-71-060 SEXUAL HARASSMENT.** Each institution shall develop and annually distribute to students, faculty, and staff, policies and procedures for handling complaints of sexual harassment, including:

(1) A definition of sexual harassment which includes, but is not necessarily limited to, unwanted verbal or physical sexual behavior of faculty or staff toward students, supervisors toward student supervisees, or students toward students.

(2) The name, address, and phone number of one or more persons to whom complaints may be addressed, and the procedures available.

#### NEW SECTION

**WAC 250-71-065 INSTITUTIONAL SELF-STUDY AND PLAN.** (1) By September 30, 1990, each institution shall submit to the Higher Education Coordinating Board an initial self-study assessing its compliance with the gender equality requirements of this chapter. The self-study shall utilize data from the 1988-89 academic year, and shall include:

(a) An assessment of the students in each major, at the graduate and undergraduate levels, and in all programs and services related to academics, to determine whether the participation of males and females is substantially proportional to the enrollment of each gender in the undergraduate population of the institution;

(b) An analysis of student employment to determine the proportion of each gender employed by the institution, and their rates of pay;

(c) An evaluation of all advising and counseling services and appraisal instruments to determine freedom from gender bias;

(d) An assessment of the participation of male and female students in the recreational activities of the institution, and of the benefits associated with these activities;

(e) An examination of the amounts, types, and patterns of financial aid awarded to males and to females at all levels of study to determine whether any disparities exist;

(f) An evaluation of other areas of student services, including, but not limited to, housing, placement, child care, minority affairs, and special services, to determine if students of both genders receive comparable benefits;

(g) An analysis of the intercollegiate athletics program to identify any existing disparities between genders in participation opportunities, benefits, services, or facilities;

(h) An enumeration of athletic administrators and coaches by position title, sport and gender;

(i) a description of efforts implemented to educate students, faculty and staff about sexual harassment.

(2) By November 30, 1990, each institution shall submit to the Higher Education Coordinating Board a plan to comply with the requirements of this chapter, including:

(a) identification of barriers or factors which need to be addressed in order to reach compliance with the provisions of this chapter;

(b) measures to be implemented to ensure institutional compliance with the provisions of this chapter by September 30, 1994, except as otherwise allowed in RCW 28B.15.460.

(3) By October 30 of each even numbered year, beginning in 1992, each institution shall submit an update to its plan, including:

(a) An assessment of the results of activities undertaken under the previous plan to remove barriers to compliance with the provisions of this chapter;

(b) The results of continued monitoring of gender equity at the institution;

(c) Additional activities, or modifications of current activities, to be undertaken to address remaining issues of gender equity at the institution.

(4) The Higher Education Coordinating Board shall report biennially, beginning December 31, 1990, to the governor and the higher education committees of the House of Representatives and the Senate on:

(a) The efforts of each institution and the extent to which it has complied with this chapter.

(b) Recommendations on measures to assist institutions with compliance.

**NEW SECTION**

**WAC 250-71-070 DISTRIBUTION.** Institutions of higher education shall distribute summaries of the

provisions of RCW Ch. 28B.110 to all students, including the procedures for filing a complaint with the institution and the Human Rights Commission.

**NEW SECTION**

**WAC 250-71-075 COMPLIANCE—COMPLAINTS.** (1) The president of each institution shall designate a specific staff person who shall be responsible for monitoring and coordinating the institution's compliance with this chapter.

(2) Each institution shall identify existing complaint procedures, or establish new ones, as an institutional remedy for complaints under this chapter.

(3) All rights and remedies under chapter 49.60 RCW, including the right to file a complaint with the human rights commission and to bring a civil action, shall also apply.

**WSR 90-24-025**

**PROPOSED RULES**

**EDMONDS COMMUNITY COLLEGE**

[Filed November 30, 1990, 8:19 a.m.]

Original Notice.

Title of Rule: Chapter 132Y-400 WAC, Loss of eligibility—Student athletic participation, due process procedure for students violating chapter 69.41 RCW.

Purpose: To put in place a process whereby students found by the college to have violated chapter 69.41 RCW may request hearing and review before the college implements suspension from athletic participation.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 69.41 RCW.

Reasons Supporting Proposal: To provide an orderly process for review of suspension decisions related to participation in college-sponsored athletic events.

Name of Agency Personnel Responsible for Drafting: Attorney General's Office; Implementation and Enforcement: George Smith, Dean of Students, (206) 771-1668.

Name of Proponent: Edmonds Community College, governmental.

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: Board Room, LYN 424, Edmonds Community College, on January 17, 1991, at 4 p.m.

Submit Written Comments to: Barbara Patterson, by January 16, 1991.

Date of Intended Adoption: January 17, 1991.

November 7, 1990

Barbara Patterson

Director

Human Resources and Assistant to the President

Chapter 132Y-400 WAC  
LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION

NEW SECTION

WAC 132Y-400-010 GROUND FOR INELIGIBILITY. Any student found by the college to have violated chapter 69.41 RCW by virtue of a criminal conviction or otherwise insofar as it prohibits the possession, use, or sale of legend drugs, including anabolic steroids, will be disqualified from participation for one year in any school-sponsored athletic event or activity.

NEW SECTION

WAC 132Y-400-020 SUSPENSION PROCEDURE—RIGHT TO INFORMAL HEARING. Any student notified of a claimed violation of WAC 132Y-400-010 shall have the right to a brief adjudicative hearing if a written request for such a hearing is received by the president within three days after receipt of the declaration of further athletic ineligibility. If no written request is received within three days after receipt of the declaration of athletic ineligibility, the student will be deemed to have waived any right to a brief adjudicative hearing and will be declared ineligible from further participation in school-sponsored athletic events for the remainder of the school year.

NEW SECTION

WAC 132Y-400-030 HEARING. If a timely written request for a hearing is made, the president shall designate a hearing officer who shall be a college officer who is not involved with the athletic program to conduct the brief adjudicative hearing. The hearing officer shall promptly conduct the hearing and permit affected parties to explain both the college's view of the matter and the student's view of the matter. The brief adjudicative proceeding shall be conducted in accordance with the Administrative Procedure Act, RCW 34.05.482 through 34.05.494.

NEW SECTION

WAC 132Y-400-040 DECISION. The college official who acts as hearing officer shall issue a written decision which shall include a brief statement of the reasons for the decision and a notice that judicial review may be available. All documents presented, considered, or prepared by the hearing officer shall be maintained as the official record of the brief administrative proceeding. A decision must be promptly rendered after the conclusion of the brief adjudicative hearing and in no event later than twenty days after the request for hearing is received by the president.

**WSR 90-24-026  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Filed November 30, 1990, 8:48 a.m.]

Continuance of WSR 90-21-149.  
Title of Rule: Chapter 388-77 WAC, Family independence program.  
Date of Intended Adoption: December 14, 1990.  
November 30, 1990  
Rosemary Carr  
Acting Director  
Administrative Services

**WSR 90-24-027  
PERMANENT RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3105—Filed November 30, 1990, 8:55 a.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: To incorporate the change in state law allowing medical services for children 8 to 18 years of age.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-032, 388-83-033, 388-99-010, and 388-100-010.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-21-145 on October 24, 1990.

Effective Date of Rule: January 1, 1991.

November 30, 1990

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3010, filed 5/31/90)

WAC 388-83-032 PREGNANT WOMEN ((~~AND INFANTS~~)). (1) The department shall find a pregnant ((~~women and infants under one year of age~~)) woman eligible for Medicaid as categorically needy, if the pregnant ((~~women and infants~~)) woman meets:

(a) The income requirements of this section; and

(b) Citizenship, Social Security number, and residence requirements under chapter 388-83 WAC.

(2) If a pregnant woman applies on or before the last day of pregnancy, the department shall find her eligible for continued Medicaid coverage through the end of the month containing the sixtieth day from the day pregnancy ends.

(3) Income eligibility:

(a) Total family income shall not exceed one hundred eighty-five percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. One hundred eighty-five percent of the 1990 federal poverty income guidelines is:

	Family Size	Monthly
(i)	One	\$ 968
(ii)	Two	\$ 1,298
(iii)	Three	\$ 1,628
(iv)	Four	\$ 1,958
(v)	Five	\$ 2,288
(vi)	Six	\$ 2,618
(vii)	Seven	\$ 2,948
(viii)	Eight	\$ 3,278

(ix) For family units with nine members or more, add \$ 330 to the monthly income for each additional member.

(b) The department shall determine family income:

(i) According to AFDC methodology, except the department shall:

(A) Exclude the income of the unmarried father of the unborn or unborns unless the income is actually contributed; and

(B) Determine eligibility as if the unborn or unborns are born.

(ii) Apply the special situations under WAC 388-83-130 ~~((3) and (4))~~.

~~((3))~~ (4) The department shall not consider resources in determining the pregnant woman's eligibility ~~((of groups in this section))~~.

~~((4))~~ (5) Changes in family income shall not affect eligibility for medical assistance during pregnancy and when eligible under subsection (2) of this section through the end of the month that contains the sixtieth day from the last day of pregnancy:

(a) Once the department determines a pregnant woman eligible under this section; or

(b) If at any time while eligible for and receiving medical assistance a pregnant woman meets the eligibility requirements of this section.

~~((5) An infant shall be eligible until the later of the end of the month in which the infant:~~

~~(a) Becomes one year of age; or~~

~~(b) Receives inpatient services if:~~

~~(i) The infant is receiving inpatient services on the last day of the month in which the child becomes one year of age; and~~

~~(ii) The stay for inpatient services continues into the following month or months; and~~

~~(iii) The infant is eligible for medical assistance under this section except for age.)~~

**AMENDATORY SECTION** (Amending Order 2985, filed 5/31/90, effective 7/1/90)

WAC 388-83-033 ~~((NEEDY)) CHILDREN—((ONE YEAR OF AGE)) ELIGIBLE TO ((EIGHT)) EIGHTEEN YEARS OF AGE.~~ (1) The department shall find a child ~~((under eight)) who has not yet attained eighteen years of age((, born after September 30, 1983,))~~ eligible for Medicaid ~~((as categorically needy if))~~ when the child meets citizenship, residence, and enumeration requirements under this chapter and the income requirement corresponding to the age levels under the following subsections:

(a) ~~((The income requirements corresponding to the age requirements as listed in this section))~~ A child born before October 1, 1983, who attains seven years of age, but has not attained eighteen years of age, shall be eligible as categorically needy when the family income and resources are equal to or less than the AFDC income and resource standards; ((and))

(b) ~~((Citizenship, Social Security Number, and residence under chapter 388-83 WAC.~~

~~(2) Income eligibility:~~

~~(a) For the))~~ A child ((attaining)) born after September 30, 1983, who attains six years of age, but has not attained eight years of age, ((the total family income)) shall be eligible as categorically needy when the total family countable income does not exceed one hundred percent of the poverty income guidelines as published and updated by the secretary of health and human

services. One hundred percent of the 1990 poverty income guidelines is:

	FAMILY SIZE	MONTHLY
(i)	One	\$ 523
(ii)	Two	\$ 702
(iii)	Three	\$ 880
(iv)	Four	\$ 1,058
(v)	Five	\$ 1,237
(vi)	Six	\$ 1,415
(vii)	Seven	\$ 1,593
(viii)	Eight	\$ 1,772

(ix) For family units with more than eight members, add \$ 178 to the monthly income for each additional member.

~~((b) Effective April 1, 1990, for the))~~ (c) A child ((attaining)) who attains one year of age, but has not attained six years of age, shall be eligible as categorically needy when the total family countable income ((shall)) does not exceed one hundred thirty-three percent of the federal poverty income guidelines as published and updated by the secretary of health and human services. One hundred thirty-three percent of the 1990 federal poverty income guidelines is:

	FAMILY SIZE	MONTHLY
(i)	One	\$ 696
(ii)	Two	\$ 933
(iii)	Three	\$ 1,170
(iv)	Four	\$ 1,408
(v)	Five	\$ 1,645
(vi)	Six	\$ 1,882
(vii)	Seven	\$ 2,119
(viii)	Eight	\$ 2,356

(ix) For family units with more than eight members, add \$237 to the monthly income for each additional member.

~~((c) The department shall determine family income:~~

~~(i) According to AFDC methodology; and~~

~~(ii) Applying the special situations under WAC 388-83-130 (3) and (4))~~ (d) An infant under one year of age shall be eligible as categorically needy when the infant is a member of a family whose total family countable income does not exceed one hundred eighty-five percent of the 1990 federal poverty income guidelines. See income guidelines as described under WAC 388-83-032 (3)(a).

~~(2) The department shall:~~

~~(a) Find an infant under one year of age eligible as categorically needy when the infant:~~

~~(i) Is born to a woman eligible for and receiving medical assistance on the date of the infant's birth; and~~

~~(ii) Remains a member of the mother's household and the mother remains eligible for medical assistance.~~

~~(b) Not consider citizenship, enumeration, income, or resource requirements for infants under this subsection.~~

~~(3) Effective January 1, 1991, regardless of citizenship or enumeration, the department shall determine a child from birth to eighteen years of age, eligible for state-funded medical services with the same medical coverage as categorically needy, if the:~~

(a) Child is not eligible for any federally-funded Medicaid program; and

(b) Child's total family countable income does not exceed one hundred percent of the 1990 federal poverty income guidelines. See income guidelines as described under subsection (1)(b) of this section.

(4) The department shall determine family income according to AFDC methodology, and apply the special situations as required under WAC 388-83-130.

(5) The department shall not consider resources in determining eligibility of a child (~~included in~~) under this section except in subsection (1)(a) of this section.

~~((4))~~ (6) A child (~~attaining eight years of age~~) shall (~~be~~) remain eligible under (~~subsection (2)(a) of~~) this section until the later of the end of the month:

(a) Of the child's (~~eighth~~) birthday that exceeds the age requirement; or

(b) In which the child receives inpatient services if:

(i) The child is receiving inpatient services on the last day of the month (~~in which~~) of the (~~child becomes eight years of~~) child's birthday that exceeds the age requirement; and

(ii) The stay for inpatient services continues into the following month or months; and

(iii) (~~Who, but for becoming such~~) Except for the age requirement, (~~is~~) the child would be eligible for assistance under this section.

~~((5) A child attaining six years of age shall be eligible under subsection (2)(b) of this section until the later of the end of the month:~~

~~(a) Of the child's sixth birthday; or~~

~~(b) In which the child receives inpatient services if:~~

~~(i) The child is receiving inpatient services on the last day of the month in which the child attains six years of age;~~

~~(ii) The stay for inpatient services continues into the following months; and~~

~~(iii) Who, but for attaining such age, is eligible for assistance under this section.)~~

AMENDATORY SECTION (Amending Order 2938, filed 1/31/90)

WAC 388-99-010 PERSONS ELIGIBLE FOR MEDICALLY NEEDY ASSISTANCE. The department shall determine as medically needy a resident of the state of Washington who meets the income and resource levels in WAC 388-99-020 and 388-99-035 and is:

(1) Categorically needy as defined under WAC 388-82-010 but for income and/or resources; or

(2) The aged, blind, or disabled ineligible spouse of an SSI beneficiary; or

(3) A child seventeen years of age and under (~~eight years of age, born after September 30, 1983~~) as defined under WAC 388-83-033(1) but for income and resources; or

(4) A pregnant woman who the department considers categorically needy but for income and resource requirements. For the purposes of this subsection, the department shall increase the number in the household by

(~~one~~) the number of unborns before comparing the pregnant woman's:

(a) Income to the medically needy income level in WAC 388-99-020; and

(b) Resources to the resource level in WAC 388-99-035.

(5) Not an inmate of a public institution.

AMENDATORY SECTION (Amending Order 3011, filed 5/31/90)

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION. (1) Citizenship and residency are not requirements for eligibility. However, an individual shall not be eligible for LCP-MI when the individual:

(a) Is eligible for medical care from another state; or

(b) Enters Washington state specifically for the purpose of obtaining medical care.

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The individual is not receiving continuing cash assistance or eligible for any other medical program;

(b) Income shall:

(i) Not exceed the medically needy income level in WAC 388-99-020; or

(ii) Be spent down to that level according to procedures in WAC 388-99-030(~~;~~);

(c) Nonexempt resources shall not exceed the resource standard for SSI or shall be spent down to that level according to procedures in WAC 388-100-015;

(d) The applicant who transferred resources within two years before the date of application but after July 1, 1981, shall spenddown the uncompensated value of the resource as described in WAC 388-100-015. See WAC 388-92-043 for determining the uncompensated value of the transferred resource; and

(e) For a pregnant woman, the department shall increase the number in the household by (~~one~~) the number of unborns before comparing the (~~number in the household~~) pregnant woman's income to the:

(i) Income requirements of subdivision (b) of this subsection; and

(ii) Resource requirements of subdivision (c) of this subsection.

(3) The department shall use AFDC income guidelines in chapter 388-28 WAC to determine treatment of income, except:

(a) The AFDC earned income exemption of thirty dollars plus one-third of the remainder does not apply to individuals applying for LCP-MI; and

(b) Deduct health insurance premiums expected to be paid during the base period.

(4) The department shall use AFDC resource guidelines in chapter 388-28 WAC to determine resources, except for provisions under WAC 388-28-425.

(5) The applicant shall satisfy the deductible requirement in WAC 388-100-030.



**WSR 90-24-028**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3106—Filed November 30, 1990, 9:01 a.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: To clarify the WAC section regarding clothing of residents.

Citation of Existing Rules Affected by this Order: Amending WAC 388-76-290 Clothing.

Statutory Authority for Adoption: RCW 74.08.044.

Pursuant to notice filed as WSR 90-20-131 on October 3, 1990; and WSR 90-23-066 on November 20, 1990.

Effective Date of Rule: January 1, 1991.

November 30, 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 90-24-029**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3107—Filed November 30, 1990, 9:04 a.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: To make the rule conform with RCW 70.128.060, 43.20A.205, and chapter 34.05 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 388-76-095 License action notice—Adjudicative proceeding.

Statutory Authority for Adoption: RCW 74.08.044.

Pursuant to notice filed as WSR 90-20-132 on October 3, 1990; and WSR 90-23-067 on November 20, 1990.

Effective Date of Rule: January 1, 1991.

November 30, 1990

Rosemary Carr

Acting Director

Administrative Services

**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.

**WSR 90-24-030**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3090—Filed November 30, 1990, 9:07 a.m.]

Date of Adoption: November 30, 1990.

Purpose: To simplify and clarify how the department considers loans.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-480.

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 be consistent with the transmittal from the federal government.

Effective Date of Rule: December 1, 1990, 12:01 a.m.

October 24, 1990

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3062, filed 8/23/90, effective 9/23/90)

**WAC 388-28-480 USE OF INCOME AND INCOME POTENTIALS—TYPES OF INCOME—EFFECT ON NEED.** (1) Treatment of income.

(a) To be eligible for AFDC, a client shall meet the following income tests:

(i) The one hundred eighty-five percent of need test as defined under WAC 388-28-484(7);

(ii) If the assistance unit has not received assistance in one of the four months before the month of application, the assistance unit's monthly nonexempt unearned income plus monthly earned income, as defined under WAC 388-28-570, less the disregards and deductions contained under WAC 388-28-535, 388-28-570(4), and 388-28-570 (6)(a)(i) and (iv), shall be below the appropriate state need standard plus additional requirements. This test does not apply if the assistance unit received assistance in one of the four months before the month of application; and

(iii) The assistance unit's monthly nonexempt unearned income plus monthly nonexempt earned income as determined under WAC 388-28-570 shall be below the appropriate state payment standard plus additional requirements.

(b) To be eligible for general assistance unemployable (GA-U), a client's monthly nonexempt income shall be below the monthly payment standard plus authorized additional requirements.

(2) Grant amount.

(a) The department shall determine the grant amount for the month of application by subtracting all nonexempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The department shall prorate the remainder for the number of days after grant authorization. This prorated figure is the grant amount for the first month of eligibility.

(b) The department shall determine the grant amount for the month following the month of initial eligibility by subtracting all nonexempt income, received or reasonably expected to be received during the calendar month, from the payment level plus authorized additional requirements. The remainder is the grant amount for the second month of eligibility.

(c) The department shall base the grant amount for the third month of assistance and subsequent months upon income received in the budget and/or report month. WAC 388-28-483(3) is an exception to this rule.

(3) Irregular or nonrecurring income.

(a) The department shall disregard irregular income up to five dollars per month received by a general assistance applicant or recipient.

(b) The department shall disregard nonrecurring cash gifts up to thirty cumulative dollars received by each member of the AFDC assistance unit per calendar quarter. The department, unless otherwise specified by the donor, shall determine an individual's share in a gift to more than one person by dividing the amount of the gift by the number of persons receiving the gift.

(c) The department shall disregard as income an earned income credit (EIC).

(4) Loans.

(a) The department shall ~~((disregard as income or resources any contractually agreed loan acquired by a client committing all funds for a specific purpose other than current maintenance, and so expended:~~

~~(i) The department shall disregard the property used as collateral for the loan in determining property reserves.~~

~~(ii) The department shall consider toward the resource ceiling the equity accumulated in the specified property)) consider a bona fide loan as exempt income or resource. The department shall consider a loan bona fide when the loan is a debt the borrower has an obligation to repay.~~

(b) The department shall ~~((disregard as income or resources any other loan, regardless of the loan's ability to meet current needs when the department verifies:~~

~~(i) The terms of the loan are stated in a written agreement between the lender and the borrower, and~~

~~(ii) The agreement clearly specifies the obligation of the borrower to repay the loan, and~~

~~(iii) The agreement includes a repayment plan providing for installments of specified amounts to begin within ninety days of either the receipt of the loan or the date of application for assistance and continue thereafter on a regular basis until the loan is fully repaid, and~~

~~(iv) The agreement sets forth the terms of the loan regarding the loan's amount, and~~

~~(v) The agreement is signed by the lender and the borrower.~~

~~(c) The department shall disregard as income repayments to a recipient of money previously loaned by the recipient to another party since the loan represents income or resources already considered in computing need.~~

~~(i) The department shall verify the facts of the loan.~~

~~(ii) The department shall consider any interest paid on the loan to be newly acquired income)) not consider as income to a client money received from loan repayment; however, the department shall consider any interest paid in the loan as newly acquired income.~~

(5) Gifts other than cash.

(a) The department shall disregard gifts other than cash as defined under WAC 388-22-030 (36)(a) provided such gifts are within the allowable program resource limits.

(6) Lump sums.

(a) The department shall consider lump sum payments as income in the month received;

(b) The department defines a lump sum payment as nonrecurring unearned income. Lump sums may include, but are not limited to:

(i) Lottery winnings,

(ii) An inheritance,

(iii) Personal injury award,

(iv) Workers compensation awards, or

(v) Social Security back payments.

(7) WAC 388-28-482 and 388-28-484 cover newly acquired income received by a recipient.

**WSR 90-24-031**  
**RULES COORDINATOR**  
**DEPARTMENT OF LICENSING**  
 [Filed November 30, 1990, 9:09 a.m.]

I have designated Walt Fahrner, Management Analyst, as the rules coordinator for the Department of Licensing and its associated boards and committees with rule-making authority.

In accordance with RCW 34.05.310, please publish the mailing address for our rules coordinator in the state register: Walt Fahrner, Office of Budget and Program Support, Highways-Licenses Building, Olympia, Washington 98504, (206) 586-3503, 321-3503 SCAN.

Mary Faulk  
 Director

**WSR 90-24-032**  
**PREPROPOSAL COMMENTS**  
**DEPARTMENT OF ECOLOGY**  
 [Filed November 30, 1990, 9:10 a.m.]

Subject of Possible Rule Making: The Department of Ecology is drafting rules which would raise the wastewater operator certification program's examination and reciprocity application fees and the annual renewal of certificates fees.

Persons may comment on this subject in the following ways: Please submit written comments or call: (206) 438-7043, Katherine Scott, Wastewater Certification Program, Mailstop PV-11, Olympia, Washington 98504, prior to the formal rule proposal date.

August 10, 1990  
 Fred Olson  
 Deputy Director

**WSR 90-24-033**  
**PERMANENT RULES**  
**BOARD FOR**  
**VOLUNTEER FIREFIGHTERS**  
 [Filed November 30, 1990, 10:16 a.m.]

Date of Adoption: November 30, 1990.

Purpose: Provides tables, schedules and factors, proposed by the state actuary, for calculating retirement allowances options.

Statutory Authority for Adoption: RCW 41.24.290(2).

Pursuant to notice filed as WSR 90-19-080 on September 18, 1990.

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

November 30, 1990  
 Joseph H. Faubion  
 Executive Secretary

**NEW SECTION**

WAC 491-02-095 ACTUARIAL TABLES, SCHEDULES, AND FACTORS. This chapter contains

the tables, schedules, and factors adopted by the board for volunteer fire fighters pursuant to the authority granted by RCW 41.24.185 for calculating optional retirement allowances of members of retirement systems administered by the board. These tables, schedules, and factors were adopted by the board upon the recommendation of and in light of the findings of the state actuary in his regular actuarial investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of such retirement systems. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from January 1, 1991, until such time as these tables, schedules, and factors are amended by the board following the next actuarial investigation conducted by the state actuary. The retirement allowances of members retiring before January 1, 1991, 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 board in the future shall govern retirement allowances only of members retiring after the adoption of such new tables, schedules, and factors.

**BOARD FOR VOLUNTEER FIRE FIGHTERS**  
**TABLE #1**

JOINT/SURVIVORS PENSION			
MEMBER YOUNGER		MEMBER OLDER	
FACTOR	AGE DIFFER	FACTOR	AGE DIFFER
0.973	-20	0.837	0
0.970	-19	0.822	1
0.964	-18	0.809	2
0.960	-17	0.800	3
0.957	-16	0.794	4
0.953	-15	0.789	5
0.949	-14	0.784	6
0.945	-13	0.776	7
0.940	-12	0.766	8
0.934	-11	0.754	9
0.929	-10	0.744	10
0.923	-09	0.736	11
0.917	-08	0.731	12
0.910	-07	0.726	13
0.902	-06	0.721	14
0.895	-05	0.717	15
0.887	-04	0.713	16
0.878	-03	0.709	17
0.866	-02	0.706	18
0.852	-01	0.702	19
		0.699	20

**BOARD FOR VOLUNTEER FIRE FIGHTERS**  
**TABLE #2**

SURVIVORS PENSION	
0	1.0000
1	.9915
2	.9830
3	.9746
4	.9661
5	.9576
6	.9491

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
	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
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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
	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
	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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
5	.3608
6	.3581
7	.3554
8	.3528
9	.3501
10	.3474
11	.3447
11 0	.3420
1	.3396
2	.3372
3	.3348
4	.3324
5	.3300
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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
4	.2348
5	.2332
6	.2316
7	.2299
8	.2283
9	.2267
10	.2250
11	.2234
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	.1716
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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
3	.1560
4	.1550
5	.1540
6	.1529
7	.1519
8	.1509
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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
2	.1052
3	.1046
4	.1039
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
30 0	.0722

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
	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
	9 .0502
	10 .0499
	11 .0496

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
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
	6 .0000
	7 .0000
	8 .0000
	9 .0000
	10 .0000

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
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

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #2

SURVIVORS PENSION	
6	.0000
7	.0000
8	.0000
9	.0000
10	.0000
11	.0000
45 0	.0000

BOARD FOR VOLUNTEER FIRE FIGHTERS  
TABLE #3

LUMP-SUM SETTLEMENTS

AGE	FACTOR	AGE	FACTOR
20	13.5031945	60	10.5436530
21	13.4828384	61	10.3813085
22	13.4611435	62	10.2142476
23	13.4380193	63	10.0431489
24	13.4133963	64	9.8688692
25	13.3871605	65	9.6924284
26	13.3592278	66	9.5149814
27	13.3294828	67	9.3377061
28	13.2978313	68	9.1617871
29	13.2641359	69	8.9884173
30	13.2283033	70	8.8188080
31	13.1901943	71	8.6543209
32	13.1496774	72	8.4968388
33	13.1066190	73	8.3489101
34	13.0608717	74	8.2138433
35	13.0124419	75	8.0958080
36	12.9608581	76	7.97523319
37	12.9060159	77	7.85162108
38	12.8477966	78	7.72484515
39	12.7860919	79	7.5947852
40	12.7208125	80	7.4606387
41	12.6518603	81	7.3225724
42	12.5791754	82	7.180597
43	12.5027332	83	7.03423305
44	12.4225027	84	6.883202466
45	12.3384922	85	6.72756034
46	12.2507383	86	6.5674798
47	12.1592074	87	6.4033893
48	12.0638174	88	6.2352420
49	11.9644609	89	6.06201933
50	11.8609398	90	5.88435578
51	11.7530134	91	5.701246900
52	11.6404264	92	5.5128550
53	11.5229103	93	5.3192069188
54	11.4002076	94	5.120106933
55	11.2720392	95	4.915258567
56	11.1381509	96	4.70477190
57	10.9983815	97	4.48748732
58	10.8526988	98	4.26466632
59	10.7011985	99	4.03527960



**WSR 90-24-034****PERMANENT RULES****DEPARTMENT OF AGRICULTURE**

[Order 2064—Filed November 30, 1990, 11:34 a.m.]

Date of Adoption: November 30, 1990.

Purpose: To redefine the apple maggot interior quarantine area to exclude apple producing areas of the northwest.

Citation of Existing Rules Affected by this Order: Amending chapter 16-470 WAC, Rules relating to apple maggot and plum curculio quarantine.

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

Pursuant to notice filed as WSR 90-20-112 on October 2, 1990.

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

November 30, 1990  
 Michael V. Schwisow  
 Deputy Director  
 for C. Alan Pettibone  
 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. ~~((AH)) 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 90-24-035****PROPOSED RULES****DEPARTMENT OF HEALTH****(Optometry Board)**

[Filed November 30, 1990, 1:11 p.m.]

Original Notice.

Title of Rule: See Recodification Section below.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Statutory Authority for Adoption: RCW 18.54.070.

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: Dorothy Gosney, 1300 Quince Street, Olympia, WA 98504, 753-4614.

Name of Proponent: Optometry Board, 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: West Coast Sea-Tac Hotel, Cascade Room, 18220 Pacific Highway South, Seattle, WA 98168, on February 15, 1991, at 9:15 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, Mailstop EY-16, Olympia, WA 98504, by February 14, 1991.

Date of Intended Adoption: February 15, 1991.

November 30, 1990

Dorothy Gosney  
 Program Manager

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-851 WAC:

Chapter 246-851 WAC  
Optometrists

308-53-010	as	246-851-020
308-53-030	as	246-851-030
308-53-070	as	246-851-040
308-53-075	as	246-851-050
308-53-084	as	246-851-060
308-53-085	as	246-851-070
308-53-320	as	246-851-080
308-53-100	as	246-851-090
308-53-110	as	246-851-100
308-53-120	as	246-851-110
308-53-123	as	246-851-120
308-53-125	as	246-851-130
308-53-135	as	246-851-140
308-53-140	as	246-851-150
308-53-145	as	246-851-160
308-53-146	as	246-851-170
308-53-150	as	246-851-180
308-53-151	as	246-851-190
308-53-155	as	246-851-200
308-53-165	as	246-851-210
308-53-170	as	246-851-220
308-53-175	as	246-851-230
308-53-180	as	246-851-240
308-53-200	as	246-851-250
308-53-205	as	246-851-260
308-53-210	as	246-851-270
308-53-215	as	246-851-280
308-53-220	as	246-851-290
308-53-230	as	246-851-300
308-53-235	as	246-851-310
308-53-240	as	246-851-320
308-53-245	as	246-851-330
308-53-250	as	246-851-340
308-53-260	as	246-851-350
308-53-265	as	246-851-360
308-53-270	as	246-851-370
308-53-275	as	246-851-380
308-53-280	as	246-851-390
308-53-330	as	246-851-400
308-53-340	as	246-851-410
308-53-350	as	246-851-420
308-53-400	as	246-851-430

**WSR 90-24-036**

**PERMANENT RULES**

**DEPARTMENT OF REVENUE**

[Filed November 30, 1990, 2:15 p.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: To amend WAC 458-20-186 for the inclusion of the penalty provisions of chapter 267, Laws of 1990.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-186.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 90-21-164 on October 24, 1990.

Effective Date of Rule: January 1, 1991.

November 30, 1990  
Edward L. Faker  
Assistant Director

AMENDATORY SECTION (Amending WSR 90-04-039, filed 1/31/90, effective 3/3/90)

WAC 458-20-186 TAX ON CIGARETTES. (1) The Washington state cigarette tax is imposed in the total amount of 1.7 cents per cigarette or 34 cents upon each package of 20 cigarettes or 42 and 1/2 cents per package of 25. The cigarette tax provides funds to drug enforcement and education, water quality and the general fund accounts in the amount of 3, 8, and 23 cents respectively upon each package of 20 cigarettes.

(2) This tax is due and payable by the first person who sells, uses, consumes, handles, possesses or distributes the cigarettes in this state. For purposes of this rule, a possessor is anyone who personally or through an agent, employee, or designee has possession of cigarettes in this state. Payment is made through the purchase of stamps from authorized banks.

(3) EXEMPTIONS. The cigarette tax does not apply upon cigarettes sold to persons licensed as cigarette distributors in other states when, as a condition of the sale, the seller either delivers the cigarettes to such a buyer at a point outside this state, or delivers the same to a common carrier with the shipment consigned by the seller to such a buyer at a location outside this state. Any person engaged in making sales to licensed distributors in other states or making export sales (see WAC 458-20-193A and 458-20-193C) or in making sales to the federal government must furnish a surety bond in a sum equal to twice the amount of tax which would be affixed to the cigarettes that are set aside for the conduct of such business without affixing cigarette tax stamps. Such unstamped stock must be kept separate and apart from any stamped stock.

(4) Cigarettes, other than those above mentioned, which are stamped and exempt from the tax by reason of their sale either to an Indian or an Indian tribe for resale must follow the provisions of WAC 458-20-192.

(5) COLLECTION. Every person unlawfully in possession of unstamped cigarettes in this state shall be liable for the cigarette tax provided for herein. Ordinarily, the tax obligation is imposed and collected on the first possessor of such unstamped cigarettes. However, failure by the first possessor to pay such tax does not excuse any subsequent possessor of unstamped cigarettes. Stamps indicating the payment of the cigarette tax must be affixed prior to any sale, use, consumption, handling, possession or distribution for all cigarettes other than those mentioned in (3) above. The stamp must be applied to the smallest container or package, unless the department determines that it is impractical to do so.

(6) Every licensed stamping wholesaler shall stamp those cigarettes that require stamping within 72 hours after receipt, but in any event, on or before sale or transfer to another party. Stamps shall be of the type authorized by the department which at present is only the heat applied "fuson" type. The use of meter stamping machines for use in imprinting packages, in lieu of attaching stamps, is not authorized by the department. The use of water "decalcomania" type stamps by such vendors is not authorized.

(7) Persons other than licensed stamping wholesalers must file with the department of revenue, prior to receipt, a notice of intent to possess unstamped cigarettes in the state of Washington. A copy of this notice, validated by an agent of the department of revenue, must be in the possession of any such person who is in possession of unstamped cigarettes in this state.

(8) Persons who have filed the aforementioned notice must bring the cigarettes to a department office for payment of the tax within 72 hours of receipt, but in any event, on or before sale or transfer to another party. Persons who have failed to file the notice of intent, as provided above, must bring the cigarettes to a department office for payment of the tax before the end of business on the day of receipt, if such is a department business day, but if not, then on or before the close of the next department business day following receipt. In any event such persons shall bring the cigarettes in and pay the tax on or before the sale or transfer thereof to another party. Failure so to act will subject the person in possession of such cigarettes to criminal sanctions as set forth in subparagraphs (17) and (18) below.

(9) Any unstamped cigarettes in the possession of persons (other than licensed stamping wholesalers) who have failed to file a notice of intent to possess unstamped cigarettes in the state of Washington or who have failed to affix stamps and/or who have failed to pay the tax as required herein, will be deemed contraband and subject to seizure and forfeiture under the provisions of RCW 82.24.130.

(10) State approved cigarette stamps are available from authorized banks. Payment for stamps may be made either at the time of sale, or deferred until later, although the latter form of payment is available only to vendors who meet the requirements of the department and who have furnished a surety bond equal to the proposed total monthly credit limit. In addition, purchases on a deferred payment plan may be made only by the cigarette seller himself or by an agent authorized by him to do so. This authorization may be in the form of a signature card, filed with the bank, from which stamps are usually obtained, and kept current by the vendor. Payments under a deferred plan are due within 30 days following the purchase, and are to be paid at the outlet from which the stamps were obtained, and may be paid by check payable to the department of revenue. Cigarette wholesalers who purchase stamps under either plan are allowed, as compensation for their services in affixing stamps, an amount equal to \$4.00 per thousand stamps affixed, which is offset against the purchase price.

(11) BOOKS AND RECORDS. An accurate set of records showing all transactions had with reference to the purchase, sale or distribution of cigarettes must be retained. These records may be combined with those required in connection with the tobacco products tax, by WAC 458-20-185, provided there is a segregation therein of the amount involved. All such records must be preserved for 5 years from the date of the transaction.

(12) In particular, persons shipping or delivering any cigarettes to a point outside of this state shall transmit to the miscellaneous tax and unclaimed property division, not later than the 15th of the following calendar

month, a true duplicate invoice showing full and complete details of the interstate sale or delivery.

(13) REPORTS AND RETURNS. The department of revenue may require any person dealing with cigarettes, in this state, to complete and return forms, as furnished, setting forth sales, inventory and other data required by the department to maintain control over trade in cigarettes.

(14) Manufacturers and wholesalers selling stamped, unstamped or untaxed cigarettes shall, before the 15th day of each month, transmit to the miscellaneous tax and unclaimed property division a complete record of sales of cigarettes in this state during the preceding month.

(15) REFUNDS. Any person may request a refund of the face value of the stamps. Refunds for stamped untaxed cigarettes sold to Indians or Indian tribes will include the stamping allowance and will be approved by an agent of the department. Refunds for stamped cigarettes will not include the stamping allowance if the stamps are:

(a) Damaged, or unfit for sale, and as a result are destroyed or returned to the manufacturer or distributor.

(b) Improperly or partially affixed through burns, jams, double stamps, stamped on carton flaps, or improper removal from the stamp roll.

(16) The claim for refund must be filed on a form which is provided by the department, Form REV 37-2063. An affidavit((f+)) or a certificate from the manufacturer claiming refund, or by the agent of the department verifying the voiding of stamps and authorizing the refund, shall accompany the form.

(17) CRIMINAL PROVISIONS. RCW 82.24.110(1) prohibits certain specified criminal activities with respect to cigarettes and makes such activities gross misdemeanors. Also, RCW 82.24.100 and 82.24.110(2) prohibit alteration or fabrication of stamps and transportation and/or possession of 300 or more cartons of unstamped cigarettes and makes those activities felonies. Persons commercially handling cigarettes in this state must refer to these statutes.

(18) SEARCH, SEIZURE AND FORFEITURE. The department of revenue may search for, seize and subsequently dispose of unstamped cigarette packages and containers, vehicles of all kinds utilized for the transportation thereof, and vending machines utilized for the sale thereof. Persons handling unstamped cigarettes in this state must refer to RCW 82.24.130 and subsequent sections for provisions relating to search, seizure and forfeiture of such property, for possible redemption thereof, and for treatment of such property in the absence of redemption.

(19) PENALTIES. RCW 82.24.120 provides a penalty for failure to affix the cigarette stamps or to cause such stamps to be affixed as required, or to pay any tax due under chapter 82.24 RCW. In addition to the tax found to be due, a penalty equal to the greater of ten dollars per package of unstamped cigarettes or two hundred fifty dollars shall be assessed. Interest shall also be added at the rate of one percent for each thirty days or portions thereof from the date the tax became due. The department may cancel all or part of the penalty for good reason.

**WSR 90-24-037**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**

[Order 477—Filed November 30, 1990, 2:25 p.m.]

Date of Adoption: November 30, 1990.

Purpose: To deter anglers from entering and fishing in a very hazardous section of Tokul Creek. Department of Wildlife engineers have determined that a hillside on the east bank of Tokul Creek is very unstable and poses a threat to human safety.

Statutory Authority for Adoption: RCW 77.12.040.

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 winter steelhead season opens December 1. This emergency regulation is necessary to protect human life in a hazardous area.

Effective Date of Rule: Immediately.

November 30, 1990  
 Curt Smitch  
 Director  
 for John C. McGlenn  
 Chair

**NEW SECTION**

**WAC 232-28-61816 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS – TOKUL CREEK.** Notwithstanding the provisions of WAC 232-28-618, the following regulations apply to Tokul Creek, effective December 1, 1990.

**TOKUL CREEK**, from the posted cable boundary marker located approximately 700 feet upstream of the mouth to the railroad trestle: Closed to all fishing from Dec. 1 – Mar. 29.

All other provisions of WAC 232-28-618 relating to Tokul Creek remain in effect.

**WSR 90-24-038**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**

[Order 478—Filed November 30, 1990, 2:29 p.m.]

Date of Adoption: November 30, 1990.

Purpose: To restrict the harvest of wild steelhead by sport anglers in the Lake Washington system through wild steelhead release regulations and closing selected areas to the taking of steelhead. The 1990-91 Lake Washington wild steelhead runsize is predicted to be approximately 2,350 fish. Sea lions will kill an estimated 1,050 wild steelhead leaving only 1,308 [1,300] fish for the tribal and nontribal fisheries and for escapement.

Since the runsize after sea lion predation is only 82 percent of the escapement goal of 1,600, harvest of wild steelhead must be restricted.

Statutory Authority for Adoption: RCW 77.12.040.

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: Wild winter steelhead will begin entering the Lake Washington system in December and this emergency regulation is necessary to protect as many wild steelhead as possible.

Effective Date of Rule: Immediately.

November 30, 1990  
 Curt Smitch  
 Director  
 for John C. McGlenn  
 Chair

**NEW SECTION**

**WAC 232-28-61815 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS – CEDAR AND SAMMAMISH RIVERS, LAKE WASHINGTON, LAKE SAMMAMISH, SALMON BAY AND LAKE WASHINGTON SHIP CANAL (ALSO KNOWN AS LAKE UNION SHIP CANAL).** Notwithstanding the provisions of WAC 232-28-618 on the Cedar and Sammamish Rivers, and in Lakes Washington and Sammamish, Salmon Bay, and Lake Washington Ship Canal (also known as Lake Union Ship Canal), only steelhead with missing adipose or ventral fins may be possessed (it is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral, or adipose fin) as follows:

Effective 12:01 AM December 8, 1990 to 11:59 PM February 28, 1991:

Cedar and Sammamish Rivers;  
 Salmon Bay;  
 Lake Washington;  
 Lake Sammamish; and  
 Lake Washington Ship Canal (also known as the Lake Union Ship Canal).

Also notwithstanding the provisions of WAC 232-28-618, the following waters are CLOSED to the taking of steelhead:

Effective 12:01 AM March 1, 1991 to 11:59 PM March 31, 1991:

Cedar and Sammamish Rivers; and Salmon Bay (only that portion as follows: from the east end of the north wing wall of the Chittenden Locks to a line approximately 175' seaward of, and parallel to the railroad bridge, and which runs through the wooden tower structure near the south shore).

Also notwithstanding the provisions of WAC 232-28-618, the following waters are CLOSED to the taking of steelhead:

Effective 12:01 AM March 1, 1991 to 11:59 PM May 31, 1991:

Lake Washington;

*Lake Sammamish;*

*Salmon Bay (only that portion as follows: all waters from the Chittenden Locks (in Ballard) upstream (east) to the Fremont Bridge);*

*Lake Washington Ship Canal (also known as the Lake Union Ship Canal).*

*This amends and supercedes certain provisions of the corresponding information shown in the 1990-91 Washington Game Fish Regulations pamphlet edition for these waters. All other provisions of WAC 232-28-618 relating to the above waters remain in effect.*

**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.

**WSR 90-24-039**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed November 30, 1990, 2:33 p.m.]

Date of Adoption: November 30, 1990.

Purpose: To define surety requirements to become an employer certified to self insure workers' compensation benefits in Washington.

Citation of Existing Rules Affected by this Order: Amending WAC 296-15-030.

Statutory Authority for Adoption: RCW 51.04.020.

Pursuant to notice filed as WSR 90-19-092 on September 19, 1990.

Changes Other than Editing from Proposed to Adopted Version: The second sentence in new subsection (10)(a) now reads, "The financial information from such banks must be provided with the first letter of credit issued and annually during the period that ~~((the))~~ any letter of credit is in effect" (two words added, one replaced).

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

November 30, 1990

Joseph A. Dear  
Director

**AMENDATORY SECTION** (Amending Order 88-07, filed 6/1/88)

WAC 296-15-030 ~~((POSTING OF SECURITY))~~ **SURETY REQUIREMENT.** Subsections (1)~~((2))~~~~((3))~~ through (6) and ~~((4))~~ (9) through (11) of this section shall apply only to individual self-insurers except counties, cities, school districts, municipal corporations, and individual accounts participating in ~~((a))~~ group self-insurance programs. Subsection ~~((6))~~ (8) of this section shall apply only to counties, cities, municipal corporations, and school districts not participating in ~~((a))~~ group self-insurance programs. Group self-insurance programs are subject to subsection (7) of this section and reserve requirements set forth in WAC 296-15-02601(3) and 296-15-02605~~((in lieu of application of this section))~~. Subsection (12) of this section applies to all self-insurers.

(1) Upon ~~((receiving a completed))~~ approval of an application for certification to self-insure, the director shall review the matter and notify the employer of the amount of ~~((security which must be deposited))~~ surety which must be provided to secure the payment of compensation and assessments, pursuant to RCW 51.14.020 as now or hereafter amended. This amount as so established may be satisfied by the employer's supplying of ~~((money))~~ cash, corporate or governmental securities approved by the director, or a ~~((surety))~~ bond, written by a company admitted to transact surety business in this state, in favor of the department. ~~((All such))~~ A self-insurer with a net worth of not less than five hundred million dollars may also provide surety in the form of an irrevocable standby letter of credit issued by a federally or state chartered commercial bank authorized to conduct business in this state. Cash and securities of a self-insurer shall be deposited with an escrow agent ~~((appointed))~~ approved by the director and administered pursuant to a written agreement between the department, the self-insurer and the escrow agent. Cash and securities shall be registered in the name of the escrow agent on behalf of the self-insurer. The originals of all surety ~~((bonds))~~ documents submitted by self-insurers ~~((following approval))~~ after acceptance by the director ~~((and the attorney general))~~ will be kept on file in the department.

(2) ~~((On or after July 1, 1985;))~~ The minimum amount of ~~((security))~~ surety required for initial certification as a self-insurer shall be the projected average current cost of a permanent total disability claim ~~((for an injury occurring during the first year after the employer's self-insuring;))~~ including medical, time-loss, pension reserve, and any other miscellaneous claim costs paid prior to award of the pension. This average cost shall be calculated by the department on an annual basis.

The ~~((security))~~ surety required for initial certification as a self-insurer ~~((on or after July 1, 1985;))~~ may be greater than the minimum amount described above. In establishing such ~~((security))~~ surety requirements, the department shall estimate the following amounts:

(a) The estimated amount of accident and medical aid fund premium that the self-insurer would have paid to the state fund during the first year of self-insurance, if it had remained in the state fund.

(b) The estimated amount of incurred benefits for the first year of self-insurance, based on past experience with the state fund, adjusted for intervening changes in benefit schedules and exposure.

If either or both of the above amounts exceed the minimum ~~((security deposit))~~ surety requirement described in this section, the department ~~((may))~~ will require the larger of (a) or (b) of this subsection as ~~((a security deposit))~~ the surety requirement for initial certification as a self-insurer ~~((on or after July 1, 1985)).~~

(c) Provided that, the initial surety requirement for a self-insurer may be based on an estimate of the expected average annual incurred losses, made by an independent qualified actuary.

(d) ~~((The initial surety requirement for a self-insurer may be based upon an estimate of the expected average~~

annual incurred losses, net of expected payments during the first year, made by an independent actuary; provided:

(i) That the applicant self-insurer agrees in writing to provide the department with an estimate of the outstanding liability made by an independent actuary within sixty days of the end of each calendar year of certification, through the first full three years of self-insurance; and

(ii) That the applicant self-insurer agrees in writing that if an estimate from an independent actuary is not provided as indicated in (d) of this subsection, the department, each year, will automatically increase the self-insurers' surety requirement by the amount of its average annual incurred losses estimated at the time of certification.) The ((security)) surety required in accordance with the above procedures may be adjusted by the department if there are other known conditions which may alter the self-insurer's potential claim costs and/or its ability to pay them.

(3) ((The amount of security required of each self-insurer shall be reviewed periodically by the director to determine if there is need for any increase or decrease thereof.)) The surety requirement for each self-insurer will be subject to review and increased or decreased at such times as the director deems necessary to maintain the adequacy of these requirements. To facilitate this review a self-insurer's annual report (SIF #7) shall be required in the form prescribed by the director and supplied to all self-insurers.

((Security)) Surety requirements ((in effect on, or initially established after, July 1, 1985;)) shall not be increased unless and until one or more of the following conditions are met:

(a) An estimate of the self-insurer's outstanding claim liabilities, made by either the self-insured employer or the department, exceeds the amount of ((security)) surety in force; or

(b) The projected average current cost of a permanent total pension claim ((for an injury in the current year;)) including medical, time-loss, pension reserve, and any other miscellaneous claim costs paid prior to award of the pension, exceeds the ((security)) surety in force for the employer by ((one hundred)) twenty-five thousand dollars or more.

(4) ((The following procedure shall apply for purposes of updating security requirements:

(a) On July 1, 1985, the security requirement for each self-insurer shall be the larger of the following two amounts:

(i) The existing security in force for the self-insurer; or

(ii) The self-insurer's stated estimate of outstanding claim liabilities as shown on the 1984 self-insurer's annual report (SIF #7).

(b) On July 1, 1986, the security requirement for each self-insurer shall be the larger of the following amounts:

(i) The existing security in force for the self-insurer; or

(ii) The average of the self-insurer's stated estimate of outstanding claim liabilities as shown on the 1985

self-insurer's annual report (SIF #7) and the department's estimate of the self-insurer's outstanding claim liabilities as of December 31, 1985, made in accordance with provisions of (c) of this subsection; or

(iii) The minimum security requirement.

(c) On July 1, 1987, the security requirement for each self-insurer shall be the larger of the following amounts:

(i) The existing security in force for the self-insurer; or

(ii) The department's estimate of the self-insurer's outstanding claim liabilities as of December 31, 1986, made in accordance with provisions of (c) of this subsection; or

(iii) The minimum security requirement.

(d) After July 1, 1987, the security requirement for each self-insurer will be subject to review and increased or decreased at such times as the director deems necessary to maintain the adequacy of those requirements. Such review and adjustment, when made, shall be performed in accordance with provisions of (c) of this subsection:

(e) In establishing or adjusting security requirements for a self-insurer, the department may perform a runoff test of the adequacy of the employer's estimates of liabilities, by tracking the subsequent cost of claims (subsequent payments plus the employer's updated estimates of remaining liabilities). If the subsequent costs do not exceed original liability estimates, the employer's most recent estimates of claim liabilities shall be considered adequate for purposes of setting current security requirements for the employer.

If the runoff test shows that subsequent costs of claims exceed the employer's original estimates of outstanding liabilities, the department may apply a loss development factor to the employer's most recent estimates of claim liabilities to compensate for anticipated repetition of inadequate estimates. The loss development factor shall be based on the self-insured employer's experience.) In determining the surety requirement after the initial three years of certification, the department will make an analysis of the self-insurer's history of loss development. The analysis will provide average factors for each period of loss development by measuring historical changes in incurred losses. These factors will be applied to reported incurred liabilities for each accident year to arrive at the expected total incurred liability. The estimated remaining incurred liability, at a given calendar year end, will be the result of subtraction of claims payments made to date.

(a) The following special considerations shall apply in ((establishing or)) adjusting ((security)) surety requirements for a self-insurer:

(i) Pension claims - Reserve amounts attributable to death or permanent total disability claims independently secured by means of a ((surety)) bond or assignment of account, and which are included in estimates of outstanding claim liabilities as shown on the self-insurer's annual report (SIF #7), shall be deducted from estimates of outstanding claim liabilities made in accordance with other provisions of this section.

(ii) Reinsurance – Anticipated recoveries under reinsurance policies held by a self-insurer must be documented by the self-insurer and reported to the department to qualify for consideration in establishing ~~((security))~~ surety requirements. Such anticipated recoveries shall be applied to either the self-insurer's estimate of outstanding claim liabilities as shown on the most current self-insurer's annual report (SIF #7) or the department's estimate of the self-insurer's outstanding liabilities made in accordance with ~~((c) of))~~ this ~~((subsection))~~ rule, whichever is greater. If the resulting estimate of claim liabilities net of reinsurance recoveries is less than the ~~((security))~~ surety requirement~~((s))~~ imposed by this ~~((section))~~ rule without adjustment for reinsurance, the ~~((security))~~ surety requirement shall be reduced accordingly; provided, that ~~((security))~~ surety requirement~~((s))~~ imposed upon initial certification of a self-insurer or ~~((based upon the projected average cost of a permanent total pension claim))~~ the minimum surety requirement may be retained by the department regardless of other estimates of claim liabilities for the self-insurer.

(iii) Strict application of loss development factors based upon the ~~((runoff test))~~ loss development analysis presumes a consistency of reserving methodology and results for the self-insurer. If the department determines that an employer has changed its reserving methodology in such a way as to invalidate loss development factors based upon past experience, then the department shall make such adjustments to the procedure as it may deem appropriate under the circumstances.

(iv) The department will give ~~((full))~~ due consideration to any ~~((evaluation))~~ estimate of the self-insured employer's outstanding claim liabilities made by an independent qualified actuary. Such independent actuarial ~~((evaluations))~~ estimates are optional and not required by this rule.

~~((f))~~ (b) Any changes to the existing ~~((bonds and/or adjustments to bond amounts made by or))~~ surety required ~~((of a self-insurer on or after))~~ by the department based on the loss development analysis shall be due by July 1 ~~((, 1985;))~~ of each year and shall provide adequate ~~((security))~~ surety for all self-insured workers' compensation liabilities of the employer, regardless of when ~~((the claims giving rise to))~~ those liabilities were incurred. ~~((Changes contemplated by this subsection include, but are not limited to, designation of a new surety carrier, issuance of a replacement bond by a current surety carrier, and/or revision of the face amount of any bond whether by endorsement or issuance of a replacement bond. If a new surety carrier does not assume full responsibility for all past self-insured liabilities regardless of when incurred, the department may require that such liabilities be secured by other means.))~~

(5) Surety must be submitted on a department-approved form. This form requires coverage of all past, present, and future liabilities. The only exceptions which would allow coverage from the effective date forward are the self-insurer's initial surety or surety which continues coverage provided by other cancelled surety. If a bond is provided in an amount equal to the self-insurer's current surety requirement, on a department-approved form

covering all liabilities, all other surety will be released. The department will have sole authority to determine in which order surety is used in the event of a default.

(6) When an employer surrenders its certificate to self-insure, it must continue to provide surety at the level determined by the department. The Annual Report of Self-Insured Business (SIF #7) must continue to be filed as long as quarterly reporting is required. A bond existing at the time of surrender of certificate may be cancelled, but it continues to provide surety for claims occurring prior to its cancellation. Any increase in surety required must be in the form of cash or securities deposited into an escrow account if a bond or letter of credit cannot be provided. All surety will be held until there is no further possibility of benefit payments.

(7) A self-insurer's annual report (SIF #7) shall be required of group self-insurance ~~((plans, in))~~ programs on the form ~~((prescribed by the director and))~~ supplied ~~((to all group self-insurance plans))~~ by the department.

~~((6) On January 1, 1987, the security))~~ (8) The surety requirement for counties, cities, school districts, and municipal corporations shall provide for sufficient revenues to satisfy one hundred percent of the estimated claims for the succeeding fiscal ~~((year. The county, city, school district, or municipal corporation shall provide a cumulative reserve fund comprised of governmental securities, surety bonds, or any legal source of funding, equal to no less than twenty-five percent of the estimated claims payments for the succeeding fiscal year, to satisfy unforeseen claims obligations: PROVIDED, That))~~ period. The minimum security requirement shall be one hundred thousand dollars. ~~((If a jurisdiction's cumulative reserve fund as of the effective date of this section is not at the required level, it shall annually increase the amount of such fund by no less than one-fourth of the difference between the amount of such fund as of January 1, 1987, and the required level of such cumulative reserve fund.))~~ In addition, a cumulative reserve of not less than twenty-five percent of the surety requirement must also be established. This cumulative reserve may be in the form of a bond, cash or securities in an escrow account, or any acceptable legal source of funding.

By ~~((February))~~ July 1 of each year, each county, city, school district, or municipal corporation shall certify ~~((in writing to the department, the security requirements, specifying the source, or sources, of revenues including securities, bonds, anticipated insurance recoveries, or other moneys. A copy of the officially adopted budget that sets forth the fund or funds, and the accounts as required by the state auditor's budget accounting reporting system to meet the minimum security requirement, expenses, and liabilities of industrial insurance shall be available to the department. Security)),~~ on a form supplied by the department, its estimated claims liability and the revenues to meet those obligations. Documentation must be provided showing the estimated claims liabilities, the source(s) of revenues, and detailing accounts identified for the self-insurance obligations. Documentation of the cumulative reserve must specify the type of funding and reflect the account balance. Surety requirements for governmental units shall be

subject to ~~((an annual))~~ a periodic review by the department.

(9) An employer meeting the financial requirements specified in RCW 51.14.020(2) may provide the department with an irrevocable standby letter of credit to satisfy the surety requirement specified for its self-insurance obligations. An employer using a letter of credit must provide the department with a memorandum of understanding, on a form supplied by the department, agreeing to the following conditions:

(a) The letter of credit providing surety for the self-insurer's workers' compensation claims liability will cover all past, present, and future liability of the self-insurer regardless of any date of injury.

(b) Unless the department is notified otherwise, by registered mail at least sixty days prior to its expiration date, the letter of credit will be automatically extended without amendment for an additional one-year period.

(c) The self-insurer may substitute a bond and/or cash or securities deposited into an escrow account, in an amount designated by the department, as replacement for the letter of credit.

(d) If the department is notified that the letter of credit will not be renewed and no acceptable replacement surety is provided within thirty days of receipt of such notice, the department will draw the full value of the letter of credit. All proceeds of the letter of credit will be deposited with the accident fund under a subsidiary ledger account. Accrued interest in excess of the self-insurer's surety requirement will be returned semi-annually. If the self-insurer provides acceptable replacement surety at a later date, the proceeds will be returned.

(e) If, in addition to not providing replacement surety for a nonrenewed letter of credit, the self-insurer then defaults on payment of its workers' compensation liabilities, the proceeds of the letter of credit previously deposited with the accident fund and the accrued interest will be used to provide for payment of the self-insurer's workers' compensation liabilities.

(f) If the self-insurer's letter of credit remains in force and the self-insurer defaults on the payment of its workers' compensation liabilities, the department will draw the full value of the letter of credit. The proceeds will be deposited and accounted for as indicated in (d) of this subsection and, with the accrued interest, used to provide for payment of the self-insurer's workers' compensation liabilities.

(g) Legal proceedings initiated by any party with respect to the letter of credit shall be subject to the courts and laws of the state of Washington.

(10) Letters of credit provided by self-insurers as surety are subject to acceptance by the department. Acceptance will include, but not be limited to, approval of the financial condition of the banking institution issuing the letter of credit.

(a) A bank must provide to the department an audited financial statement or call report made to the banking regulatory agencies for the most recent fiscal year. The financial information from such banks must be provided with the first letter of credit issued and annually during the period that any letter of credit is in effect.

(b) A letter of credit will not be accepted if the amount of the credit exceeds the legal limit allowed to the bank.

(c) A letter of credit will not be accepted unless the issuing bank is able to accept presentment of drawings on the credit at an office in this state.

(11) Letters of credit and any amendments to letters of credit must be on forms supplied by the department. The department's interest in a letter of credit will be released if the self-insurer provides a bond or acceptable cash or securities deposited into an escrow account in the amount required by the department.

(12) Failure to provide active surety in the amount required by the department will result in the withdrawal of certification.

**WSR 90-24-040**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed November 30, 1990, 2:35 p.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: Amending retrospective rating mandatory annual adjustments to two with an optional third and fourth, and providing an opportunity for employers and employer groups enrolled in coverage periods beginning July 1, 1987, through October 1, 1990, an option to be governed by this revised WAC.

Citation of Existing Rules Affected by this Order:  
Amending WAC 296-17-916 and 296-17-91601.

Statutory Authority for Adoption: RCW 51.04.020(1) and 51.16.035.

Pursuant to notice filed as WSR 90-19-093 on September 19, 1990.

Effective Date of Rule: January 1, 1991.

November 30, 1990  
Joseph A. Dear  
Director

AMENDATORY SECTION (Amending Order 88-26, filed 12/1/88, effective 1/1/89)

WAC 296-17-916 RETROSPECTIVE PREMIUM ADJUSTMENTS—DUE AND PAYABLE. The initial retrospective premium adjustment will be calculated approximately twelve months from the close of the coverage period (~~((and annually thereafter for a period of two years))~~). The second and final required retrospective premium adjustment will be calculated approximately one year later. Provided a request is made by the employer or employer group within ninety days following ~~((promulgation of))~~ the ~~((third))~~ second and final required retrospective premium adjustment ~~((by the employer or employer group up to))~~, two subsequent annual retrospective premium adjustments on the coverage period will be made. The additional adjustments will be identified as the third and fourth ~~((and fifth))~~ adjustments ~~((and must be requested and made in succession))~~.



Retrospective premium adjustments are the sole responsibility of the employer or employer group. Retrospective premium adjustments become due or payable within sixty days of notification of amount. Reevaluation of incurred losses or premium audits will not delay retrospective premium adjustment payments. For employers participating on an individual retrospective rating plan, no retrospective premium adjustment refund check will be written for less than ten dollars. In lieu of refund checks, retrospective premium adjustments of less than ten dollars will be credited to the employer's industrial insurance account. Retrospective premium adjustments of less than five dollars will be disregarded and not considered due or payable.

The department may withhold any member's pro rata share from the group's retrospective premium adjustment refund and credit the employer's industrial insurance account when premiums, penalties, or assessments are owing the department. For employers participating in an individual retrospective rating plan, retrospective premium adjustment refunds may be credited to the employer's industrial insurance account when premiums, penalties, or assessments are owing the department.

**AMENDATORY SECTION** (Amending Order 88-08, filed 5/31/88)

WAC 296-17-91601 NINETY-DAY OPEN OPTION. Employer or employer groups that have enrolled for coverage periods beginning (~~July 1, 1984, through July 1, 1988~~) July 1, 1987, through October 1, 1990, may elect to (~~eliminate the required fourth and fifth retrospective premium adjustment under~~) be governed by WAC 296-17-916 as amended January 1, 1991, by giving written notification to the department of labor and industries no later than (~~September 30, 1988~~) March 31, 1991.

(~~Employer or employer groups that have elected to eliminate the required fourth and fifth annual retrospective premium adjustments may request optional fourth and fifth retrospective premium adjustments as described in WAC 296-17-916 as amended July 1, 1988.~~)

**WSR 90-24-041**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed November 30, 1990, 2:37 p.m., effective December 31, 1990]

Date of Adoption: November 30, 1990.

Purpose: Propose new rule to revise base rate table 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) and 51.16.035.

Pursuant to notice filed as WSR 90-21-160 on October 24, 1990.

Effective Date of Rule: December 31, 1990.

November 30, 1990  
 Joseph A. Dear  
 Director

**NEW SECTION**

WAC 296-17-896 CHRISTMAS TREE INDUSTRY BASE RATE REVISION. Industrial insurance - accident fund, medical aid fund, and supplemental pension assessment base rates for the "Christmas tree industry," risk classification 7307 shall be as set forth below and are effective January 1, 1989, through December 31, 1990.

Year	Accident Fund	Medical Aid Fund	Supplemental Pension
1989	.5783	.6792	.0370
1990	.7146	.7073	.0334

**WSR 90-24-042**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed November 30, 1990, 2:40 p.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

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.

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) and 51.16.035.

Pursuant to notice filed as WSR 90-20-119 on October 3, 1990.

Changes Other than Editing from Proposed to Adopted Version: Revision to WAC 296-17-885 Expected loss and D-ratio tables were further modified to reflect more current information.

Effective Date of Rule: January 1, 1991.

November 30, 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:

$$\text{Primary loss} = \frac{((+9,520)) \text{ } 18,840}{\text{Total loss} + ((+1,712)) \text{ } 11,304} \times \text{total loss}$$

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.

" $Ae$ " 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 " $WAc$ " 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	$((7,808))$ <u>7,536</u>
$((8,133))$ 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
$((29,704))$ 32,698	14,000
$((53,236))$ 63,685	16,000
$((116,981*))$ 114,195*	$((17,744))$ <u>17,143</u>
$((195,200**))$ 188,400**	$((18,415))$ <u>17,774</u>

\* 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
<del><math>((4,228 \text{ \&amp; Under}))</math></del>	<del>36,830</del>	<del>0.00</del>
<del>4,229 = 8,521</del>	<del>36,462</del>	<del>0.01</del>
<del>8,522 = 12,878</del>	<del>36,093</del>	<del>0.02</del>
<del>12,879 = 17,300</del>	<del>35,725</del>	<del>0.03</del>
<del>17,301 = 21,790</del>	<del>35,357</del>	<del>0.04</del>
<del>21,791 = 26,350</del>	<del>34,989</del>	<del>0.05</del>
<del>26,351 = 30,980</del>	<del>34,620</del>	<del>0.06</del>
<del>30,981 = 35,683</del>	<del>34,252</del>	<del>0.07</del>
<del>35,684 = 40,462</del>	<del>33,884</del>	<del>0.08</del>
<del>40,463 = 45,316</del>	<del>33,515</del>	<del>0.09</del>
<del>45,317 = 50,249</del>	<del>33,147</del>	<del>0.10</del>
<del>50,250 = 55,264</del>	<del>32,779</del>	<del>0.11</del>
<del>55,265 = 60,361</del>	<del>32,410</del>	<del>0.12</del>
<del>60,362 = 65,543</del>	<del>32,042</del>	<del>0.13</del>
<del>65,544 = 70,813</del>	<del>31,674</del>	<del>0.14</del>
<del>70,814 = 76,173</del>	<del>31,306</del>	<del>0.15</del>
<del>76,174 = 81,625</del>	<del>30,937</del>	<del>0.16</del>
<del>81,626 = 87,173</del>	<del>30,569</del>	<del>0.17</del>
<del>87,174 = 92,818</del>	<del>30,201</del>	<del>0.18</del>
<del>92,819 = 98,564</del>	<del>29,832</del>	<del>0.19</del>
<del>98,565 = 104,412</del>	<del>29,464</del>	<del>0.20</del>
<del>104,413 = 110,368</del>	<del>29,096</del>	<del>0.21</del>
<del>110,369 = 116,433</del>	<del>28,727</del>	<del>0.22</del>
<del>116,434 = 122,610</del>	<del>28,359</del>	<del>0.23</del>
<del>122,611 = 128,904</del>	<del>27,991</del>	<del>0.24</del>

Expected Losses	B	W
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

Expected Losses	B	W
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
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

Expected Losses	B	W
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
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.

Expected Loss Rates and D-Ratios  
Expected Loss Rates in Dollars Per Worker Hour  
for Indicated Fiscal Year

(CLASS	1986	1987	1988	D-RATIO
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
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

(CLASS	1986	1987	1988	D-RATIO
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
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

(CLASS	1986	1987	1988	D-RATIO
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



<del>CLASS</del>	<del>1986</del>	<del>1987</del>	<del>1988</del>	<del>D-RATIO</del>
<del>7307</del>	<del>1.1401</del>	<del>1.0555</del>	<del>.9371</del>	<del>.563</del>
<del>7308</del>	<del>.2154</del>	<del>.1985</del>	<del>.1762</del>	<del>.477</del>
<del>7309</del>	<del>.1379</del>	<del>.1277</del>	<del>.1136</del>	<del>.554</del>

\*Daily expected loss rate))

CLASS	1987	1988	1989	D-RATIO
0101	0.9854	0.9200	0.9247	0.430
0102	1.1626	1.0849	1.0701	0.459
0103	1.1025	1.0310	1.0014	0.434
0104	1.1649	1.0905	1.1056	0.346
0105	0.9242	0.8624	0.8026	0.473
0106	2.4817	2.3181	2.2322	0.499
0107	0.8388	0.7834	0.8066	0.422
0108	0.8580	0.8021	0.8193	0.407
0109	2.6293	2.4566	2.4862	0.417
0201	1.5522	1.4503	1.4618	0.398
0202	1.9823	1.8609	1.8575	0.377
0206	1.4090	1.3148	1.3492	0.417
0301	0.5217	0.4861	0.4563	0.545
0302	1.4422	1.3461	1.3641	0.403
0306	0.7457	0.6960	0.6883	0.455
0307	0.6295	0.5873	0.5726	0.477
0403	0.8883	0.8301	0.8109	0.474
0502	0.8752	0.8161	0.8355	0.463
0504	1.1895	1.1107	1.0897	0.442
0506	2.9692	2.7718	2.7210	0.479
0507	2.5657	2.3908	2.2512	0.487
0508	2.9021	2.7155	2.7526	0.368
0509	1.6401	1.5357	1.5396	0.400
0510	1.1120	1.0363	0.9905	0.486
0511	0.9337	0.8695	0.8435	0.508
0512	1.2120	1.1309	1.1309	0.464
0513	0.6834	0.6367	0.5953	0.518
0514	1.0723	1.0015	0.9894	0.458
0515	1.8601	1.7359	1.7411	0.430
0516	1.5107	1.4096	1.3886	0.472
0517	1.5056	1.4068	1.4174	0.453
0518	1.2066	1.1254	1.1432	0.432
0519	1.4273	1.3308	1.3382	0.488
0601	0.4880	0.4559	0.4530	0.478
0602	0.3148	0.2936	0.2930	0.511
0603	0.6767	0.6319	0.6027	0.443
0604	0.9631	0.8996	0.8486	0.405
0606	0.2201	0.2057	0.1978	0.528
0607	0.2445	0.2285	0.2110	0.505
0608	0.2226	0.2078	0.1990	0.523
0701	1.5198	1.4186	1.4530	0.387
0803	0.2975	0.2779	0.2603	0.465
0804	0.7024	0.6562	0.6317	0.440
0901	1.5960	1.4940	1.4571	0.357
1002	0.8104	0.7555	0.7035	0.511
1003	0.4737	0.4423	0.4244	0.475
1004	0.4737	0.4423	0.4244	0.475
1005	3.4890	3.2458	2.9655	0.478
1007	0.2051	0.1915	0.1870	0.506
1101	0.4395	0.4101	0.3865	0.530
1102	0.9331	0.8699	0.8451	0.459
1103	0.3631	0.3389	0.3167	0.510
1104	0.5173	0.4834	0.4460	0.498

CLASS	1987	1988	1989	D-RATIO
1106	0.1916	0.1790	0.1636	0.577
1108	0.4096	0.3828	0.3634	0.507
1109	0.6684	0.6238	0.5650	0.524
1301	0.2108	0.1973	0.2013	0.444
1303	0.1744	0.1628	0.1591	0.479
1304	0.0174	0.0163	0.0160	0.548
1305	0.2523	0.2352	0.2198	0.546
1401	0.7402	0.6938	0.6585	0.470
1404	0.5108	0.4762	0.4305	0.520
1405	0.4534	0.4232	0.3971	0.502
1501	0.3164	0.2956	0.2762	0.512
1507	0.2198	0.2054	0.1961	0.515
1701	1.3268	1.2410	1.2587	0.360
1702	1.3268	1.2410	1.2587	0.360
1703	0.3874	0.3617	0.3498	0.437
1704	0.7753	0.7249	0.6983	0.426
1801	0.8594	0.8027	0.8010	0.438
1802	0.5023	0.4689	0.4343	0.504
2002	0.5617	0.5254	0.4896	0.485
2003	0.3532	0.3300	0.3138	0.519
2004	0.6708	0.6256	0.5812	0.506
2005	0.3037	0.2843	0.2625	0.499
2007	0.3362	0.3149	0.2930	0.496
2008	0.2225	0.2079	0.1941	0.460
2101	0.4944	0.4610	0.4256	0.501
2102	0.3532	0.3300	0.3138	0.519
2104	0.3015	0.2810	0.2417	0.555
2105	0.4161	0.3889	0.3801	0.483
2106	0.3718	0.3475	0.3235	0.494
2201	0.1997	0.1863	0.1742	0.534
2202	0.4154	0.3885	0.3605	0.511
2203	0.2636	0.2457	0.2253	0.527
2401	0.4395	0.4103	0.3846	0.504
2903	0.6357	0.5930	0.5506	0.531
2904	0.5803	0.5420	0.5040	0.503
2905	0.4117	0.3841	0.3453	0.539
2906	0.4286	0.3998	0.3852	0.491
2907	0.4047	0.3772	0.3500	0.532
2908	0.7848	0.7323	0.6926	0.501
2909	0.5626	0.5251	0.4850	0.497
3101	0.5921	0.5531	0.5358	0.444
3102	0.3907	0.3654	0.3506	0.440
3103	0.3907	0.3654	0.3506	0.440
3104	0.4505	0.4224	0.4153	0.474
3105	0.7527	0.7013	0.6470	0.514
3303	0.2124	0.1986	0.1827	0.479
3304	0.6096	0.5674	0.5124	0.561
3309	0.3276	0.3071	0.2842	0.490
3401	0.3198	0.2987	0.2866	0.496
3402	0.3471	0.3239	0.3040	0.524
3403	0.1216	0.1138	0.1100	0.505
3404	0.3335	0.3111	0.2899	0.543
3405	0.2217	0.2070	0.1938	0.522
3406	0.1593	0.1491	0.1384	0.537
3407	0.2575	0.2411	0.2364	0.435
3408	0.0811	0.0758	0.0750	0.485
3409	0.1140	0.1065	0.0991	0.500
3501	0.6014	0.5620	0.5284	0.462
3503	0.1874	0.1749	0.1542	0.539
3506	0.6310	0.5896	0.5906	0.447

CLASS	1987	1988	1989	D-RATIO	CLASS	1987	1988	1989	D-RATIO
3508	0.3445	0.3215	0.3013	0.531	5001	3.3722	3.1496	3.2021	0.410
3509	0.3535	0.3287	0.3052	0.621	5002	0.4378	0.4078	0.3965	0.540
3510	0.3445	0.3215	0.3013	0.531	5003	1.1065	1.0336	1.0137	0.417
3602	0.0871	0.0815	0.0748	0.565	5004	2.7005	2.5148	2.2824	0.488
3603	0.4680	0.4375	0.4137	0.508	5101	0.5708	0.5325	0.4935	0.507
3604	1.0475	0.9786	0.9099	0.461	5103	0.7285	0.6793	0.6186	0.531
3605	0.3866	0.3605	0.3335	0.520	5106	0.5002	0.4689	0.4418	0.455
3606	0.7110	0.6647	0.6170	0.492	5108	0.5979	0.5583	0.5384	0.492
3701	0.2262	0.2111	0.2003	0.519	5109	0.3559	0.3330	0.3143	0.443
3702	0.3714	0.3471	0.3331	0.447	5201	0.2567	0.2400	0.2299	0.484
3707	0.3427	0.3193	0.2963	0.531	5204	0.9684	0.8998	0.8601	0.510
3708	0.2399	0.2240	0.2061	0.526	5206	0.3002	0.2806	0.2772	0.449
3801	0.1796	0.1675	0.1588	0.515	5207	0.1311	0.1224	0.1114	0.573
3802	0.1419	0.1325	0.1251	0.577	5208	0.7466	0.6960	0.6686	0.503
3808	0.2345	0.2187	0.2028	0.543	5209	0.5148	0.4804	0.4455	0.532
3901	0.1351	0.1262	0.1151	0.530	5301	0.0201	0.0188	0.0180	0.508
3902	0.4460	0.4160	0.3826	0.536	5305	0.0277	0.0260	0.0249	0.464
3903	0.9575	0.8970	0.8308	0.474	5306	0.0329	0.0309	0.0294	0.463
3905	0.1208	0.1132	0.1059	0.563	5307	0.2967	0.2770	0.2682	0.517
3906	0.3589	0.3354	0.3223	0.496	6103	0.0391	0.0366	0.0347	0.554
3909	0.2581	0.2416	0.2210	0.502	6104	0.2552	0.2383	0.2199	0.519
4002	0.5567	0.5197	0.4940	0.485	6105	0.1385	0.1294	0.1197	0.530
4101	0.1772	0.1658	0.1530	0.527	6107	0.0959	0.0897	0.0853	0.535
4103	0.2065	0.1931	0.1906	0.517	6108	0.4402	0.4103	0.3824	0.585
4107	0.0943	0.0884	0.0857	0.507	6109	0.0312	0.0292	0.0270	0.567
4108	0.1772	0.1658	0.1530	0.527	6110	0.3230	0.3013	0.2779	0.597
4109	0.1772	0.1658	0.1530	0.527	6201	0.1227	0.1149	0.1099	0.509
4201	0.2016	0.1881	0.1858	0.500	6202	0.5097	0.4771	0.4447	0.448
4301	0.7024	0.6553	0.6084	0.517	6203	0.0723	0.0677	0.0630	0.489
4302	0.5708	0.5319	0.4932	0.505	6204	0.1420	0.1328	0.1223	0.562
4303	0.2315	0.2161	0.2003	0.519	6205	0.1420	0.1328	0.1223	0.562
4304	0.5277	0.4928	0.4570	0.534	6206	0.1420	0.1328	0.1223	0.562
4305	0.9111	0.8500	0.8568	0.484	6207	0.8227	0.7701	0.7157	0.525
4401	0.4407	0.4102	0.3824	0.557	6208	0.2302	0.2151	0.1979	0.513
4402	0.6093	0.5685	0.5301	0.517	6209	0.1919	0.1798	0.1667	0.523
4404	0.5063	0.4713	0.4361	0.529	6301	0.0945	0.0885	0.0914	0.446
4501	0.1156	0.1082	0.1037	0.446	6302	0.1416	0.1327	0.1236	0.427
4502	0.0344	0.0323	0.0311	0.430	6303	0.0540	0.0506	0.0482	0.462
4504	0.0692	0.0648	0.0593	0.555	6304	0.1190	0.1115	0.1005	0.521
4601	0.5453	0.5119	0.4853	0.437	6305	0.0575	0.0538	0.0478	0.528
4802	0.3258	0.3042	0.2684	0.503	6306	0.2001	0.1870	0.1709	0.499
4803	0.3265	0.3039	0.2288	0.540	6308	0.0327	0.0306	0.0285	0.480
4804	0.4659	0.4349	0.4041	0.537	6309	0.1108	0.1036	0.0941	0.539
4805	0.3193	0.2978	0.2684	0.538	6402	0.2076	0.1937	0.1741	0.515
4806	0.0858	0.0800	0.0652	0.527	6403	0.1553	0.1451	0.1333	0.574
4808	0.4272	0.3992	0.3659	0.467	6404	0.1402	0.1309	0.1166	0.569
4809	0.2004	0.1871	0.1739	0.561	6405	0.4438	0.4143	0.3969	0.512
4810	0.1597	0.1491	0.1276	0.517	6406	0.0710	0.0665	0.0617	0.543
4811	0.2594	0.2421	0.2068	0.499	6407	0.1595	0.1491	0.1324	0.549
4812	0.4129	0.3849	0.3598	0.530	6408	0.2767	0.2591	0.2465	0.459
4901	0.0404	0.0377	0.0372	0.531	6409	0.4196	0.3938	0.3821	0.440
4902	0.0311	0.0291	0.0277	0.529	6501	0.0624	0.0581	0.0537	0.577
4903	0.0404	0.0377	0.0372	0.531	6502	0.0154	0.0144	0.0137	0.501
4904	0.0123	0.0115	0.0109	0.534	6503	0.0686	0.0644	0.0651	0.348
4905	0.2584	0.2413	0.2192	0.575	6504	0.3010	0.2817	0.2582	0.580
4906	0.0459	0.0430	0.0407	0.521	6505	0.1187	0.1109	0.1034	0.526
4907	0.0678	0.0635	0.0589	0.487	6506	0.0687	0.0644	0.0594	0.538
4908	0.1062	0.1001	0.0933	0.492	6508	0.3419	0.3195	0.2999	0.521
4909	0.1062	0.1001	0.0933	0.492	6509	0.1827	0.1710	0.1586	0.495
4910	0.2932	0.2737	0.2491	0.526	6601	0.1618	0.1514	0.1391	0.527



CLASS	1987	1988	1989	D-RATIO
6602	0.4133	0.3857	0.3565	0.556
6603	0.2188	0.2045	0.1935	0.516
6604	0.0531	0.0496	0.0479	0.470
6605	0.2118	0.1977	0.1941	0.547
6607	0.1311	0.1224	0.1114	0.573
6608	0.1913	0.1784	0.1736	0.486
6704	0.1449	0.1355	0.1264	0.508
6705	0.7012	0.6555	0.5816	0.552
6706	0.3193	0.2990	0.2920	0.507
6707	1.6261	1.5183	1.4239	0.598
6708	3.7000	3.4899	3.3134	0.442
6709	0.1524	0.1427	0.1304	0.582
6801	0.2893	0.2705	0.2704	0.421
6802	0.2695	0.2521	0.2378	0.501
6803	1.1117	1.0404	1.0764	0.291
6804	0.1663	0.1556	0.1517	0.460
6809	2.3852	2.2431	2.1201	0.527
6901	0.0285	0.0272	0.0255	0.684
6902	0.3950	0.3689	0.3551	0.436
6903	5.4323	5.1028	5.1944	0.287
6904	0.1524	0.1425	0.1439	0.488
6905	0.2000	0.1873	0.1813	0.438
6906	0.0896	0.0855	0.0801	0.684
6907	1.2058	1.1245	1.0618	0.492
6908	0.3224	0.3003	0.2757	0.544
6909	0.0540	0.0506	0.0483	0.503
7101	0.0217	0.0203	0.0203	0.451
7102	2.9552	2.7846	2.6911	0.529
7103	0.1736	0.1621	0.1561	0.499
7104	0.0391	0.0366	0.0184	0.462
7105	0.2676	0.2495	0.0310	0.456
7106	0.5457	0.5086	0.1750	0.487
7107	1.2513	1.1725	0.1745	0.484
7108	2.1153	1.9707	0.1757	0.492
7109	5.2383	4.8932	0.2335	0.537
7110	0.2749	0.2563	0.2368	0.516
7111	0.3122	0.2907	0.2723	0.553
7112	0.5283	0.4925	0.4680	0.472
7113	0.5568	0.5195	0.4827	0.455
7114	0.5296	0.4938	0.4570	0.494
7115	0.5260	0.4903	0.4545	0.472
7116	0.5550	0.5174	0.4795	0.480
7117	1.2579	1.1769	1.0909	0.506
7118	2.2115	2.0627	1.9117	0.481
7119	1.9722	1.8380	1.7022	0.484
7120	5.1854	4.8437	4.4972	0.467
7121	5.1846	4.8429	4.4965	0.467
7201	0.6532	0.6068	0.5666	0.536
7202	0.0290	0.0271	0.0258	0.484
7203	0.1091	0.1023	0.0945	0.480
7204	0.0000	0.0000	0.0000	0.684
7301	0.5485	0.5113	0.4652	0.525
7302	0.5898	0.5522	0.5226	0.552
7307	0.8565	0.7959	0.6761	0.573
7308	0.2039	0.1910	0.1743	0.490
7309	0.1524	0.1427	0.1304	0.582

\*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
<del>((1,848 &amp; Under</del>	<del>0.90</del>
<del>1,849 - 1,977</del>	<del>0.89</del>
<del>1,978 - 2,116</del>	<del>0.88</del>
<del>2,117 - 2,268</del>	<del>0.87</del>
<del>2,269 - 2,432</del>	<del>0.86</del>
<del>2,433 - 2,610</del>	<del>0.85</del>
<del>2,611 - 2,804</del>	<del>0.84</del>
<del>2,805 - 3,014</del>	<del>0.83</del>
<del>3,015 - 3,243</del>	<del>0.82</del>
<del>3,244 - 3,493</del>	<del>0.81</del>
<del>3,494 - 3,766</del>	<del>0.80</del>
<del>3,767 - 4,063</del>	<del>0.79</del>
<del>4,064 - 4,389</del>	<del>0.78</del>
<del>4,390 - 4,745</del>	<del>0.77</del>
<del>4,746 - 5,135</del>	<del>0.76</del>
<del>5,136 - 5,564</del>	<del>0.75</del>
<del>5,565 - 6,035</del>	<del>0.74</del>
<del>6,036 - 6,552</del>	<del>0.73</del>
<del>6,553 - 7,123</del>	<del>0.72</del>
<del>7,124 - 7,752</del>	<del>0.71</del>
<del>7,753 - 8,447</del>	<del>0.70</del>
<del>8,448 - 9,216</del>	<del>0.69</del>
<del>9,217 - 10,067</del>	<del>0.68</del>
<del>10,068 - 11,012</del>	<del>0.67</del>
<del>11,013 - 12,062</del>	<del>0.66</del>
<del>12,063 - 13,230</del>	<del>0.65</del>
<del>13,231 - 14,533</del>	<del>0.64</del>
<del>14,534 - 15,988</del>	<del>0.63</del>
<del>15,989 - 17,615</del>	<del>0.62</del>
<del>17,616 - 19,439</del>	<del>0.61</del>
<del>19,440 &amp; Over</del>	<del>0.60))</del>
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

Expected Loss Range	Maximum Experience Modification	Base Rates Effective January 1, ((+1990)) 1991	
		Class	Medical Aid Fund
7,483 - 8,153	0.70		
8,154 - 8,895	0.69	0517	0.8465
8,896 - 9,717	0.68	0518	0.6423
9,718 - 10,628	0.67	0519	0.8924
10,629 - 11,642	0.66	0601	0.3137
11,643 - 12,769	0.65	0602	0.2609
12,770 - 14,027	0.64	0603	0.3846
14,028 - 15,431	0.63	0604	1.3686
15,432 - 17,001	0.62	0606	0.1655
17,002 - 18,762	0.61	0607	0.1698
18,763 & Over	0.60	0608	0.1749
		0701	0.6622
		0803	0.2240
		0804	0.3742
		0901	0.8865
		1002	0.5984
		1003	0.3604
		1004	0.3604
		1005	1.7917
		1007	0.1474
		1101	0.4307
		1102	0.6137
		1103	0.2769
		1104	0.3524
		1106	0.1708
		1108	0.3141
		1109	0.5085
		1301	0.1467
		1303	0.1092
		1304	0.0140
		1305	0.2113
		1401	1.2560
		1404	0.3679
		1405	0.3241
		1501	0.2331
		1507	0.1672
		1701	0.7117
		1702	0.7117
		1703	0.2340
		1704	0.5071
		1801	0.6276
		1802	0.3356
		2002	0.4026
		2003	0.2736
		2004	0.4019
		2005	0.2555
		2007	0.2495
		2008	0.1577
		2101	0.4184
		2102	0.2736
		2104	0.2184
		2105	0.2723
		2106	0.2949
		2201	0.1578
		2202	0.3425
		2203	0.1839
		2401	0.3146

**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.

Class	Base Rates Effective January 1, ((+1990)) 1991	
	Accident Fund	Medical Aid Fund
<del>((0101</del>	1.2222	0.6207
<del>0102</del>	1.1529	0.6391
<del>0103</del>	1.3079	0.9728
<del>0104</del>	1.3381	0.5465
<del>0105</del>	0.8936	0.6653
<del>0106</del>	1.8695	1.5910
<del>0107</del>	1.0469	0.5469
<del>0108</del>	1.0913	0.4396
<del>0109</del>	2.7192	1.3186
<del>0201</del>	1.9953	0.8657
<del>0202</del>	2.2044	2.1940
<del>0206</del>	1.6933	0.7296
<del>0301</del>	0.5045	0.3799
<del>0302</del>	1.8706	0.7567
<del>0306</del>	0.7548	0.4520
<del>0307</del>	0.6983	0.4755
<del>0403</del>	0.9842	0.6665
<del>0502</del>	1.1202	0.4946
<del>0504</del>	1.2989	0.7388
<del>0506</del>	3.0344	2.0654
<del>0507</del>	2.7529	1.6845
<del>0508</del>	3.1977	1.8432
<del>0509</del>	2.0130	1.1533
<del>0510</del>	1.1487	0.7237
<del>0511</del>	1.0313	0.6550
<del>0512</del>	1.4676	0.8291
<del>0513</del>	0.6854	0.4539
<del>0514</del>	1.2017	0.7746
<del>0515</del>	2.2189	1.0423
<del>0516</del>	1.6437	0.8907

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
2903	0.5209	0.4355	4304	0.4350	0.4134
2904	0.4963	0.6544	4305	1.0451	0.6882
2905	0.3683	0.3413	4401	0.3784	0.2870
2906	0.4900	0.3164	4402	0.5770	0.4500
2907	0.3939	0.2957	4404	0.5039	0.3671
2908	0.7648	0.5287	4501	0.1210	0.0877
2909	0.4905	0.3789	4502	0.0312	0.0221
3101	0.5539	0.3201	4504	0.0506	0.0664
3102	0.3669	0.2495	4601	0.4303	0.4894
3103	0.3669	0.2495	4802	0.2294	0.1985
3104	0.3991	0.4489	4803	0.1907	0.2251
3105	0.8326	0.4832	4804	0.4266	0.4071
3303	0.1834	0.1699	4805	0.2771	0.2427
3304	0.5999	0.4410	4806	0.0582	0.0581
3309	0.2575	0.2408	4808	0.3406	0.2731
3401	0.3063	0.2532	4809	0.1701	0.1777
3402	0.2883	0.2417	4810	0.1044	0.1089
3403	0.1080	0.0962	4811	0.2027	0.1841
3404	0.3137	0.2770	4812	0.3549	0.2651
3405	0.1876	0.1481	4901	0.0409	0.0312
3406	0.1164	0.1532	4902	0.0290	0.0249
3407	0.2554	0.1832	4903	0.0409	0.0312
3408	0.0888	0.0676	4904	0.0134	0.0140
3409	0.1154	0.1224	4905	0.2132	0.2437
3501	0.5964	0.4696	4906	0.0387	0.0373
3503	0.1683	0.1547	4907	0.0664	0.0575
3506	0.6986	0.3926	4908	0.0648	0.1138
3508	0.4346	0.3791	4909	0.0648	0.1138
3509	0.2862	0.2381	4910	0.2404	0.2291
3510	0.4346	0.3791	5001	4.1269	1.9893
3602	0.0594	0.0639	5002	0.4747	0.3181
3603	0.4602	0.3822	5003	1.2407	0.6748
3604	0.9838	0.7083	5004	2.1618	1.3200
3605	0.3380	0.2729	5101	0.5408	0.3774
3701	0.2121	0.1807	5103	0.6031	0.4655
3702	0.3769	0.2550	5106	0.4607	0.4385
3707	0.3250	0.2282	5108	0.6117	0.4403
3708	0.2160	0.1737	5109	0.4191	0.2661
3801	0.1783	0.1368	5201	0.2518	0.2040
3802	0.1125	0.1494	5204	1.3680	0.5900
3808	0.2045	0.1751	5206	0.3167	0.1679
3901	0.1106	0.1083	5207	0.1128	0.1300
3902	0.4003	0.3342	5208	0.8342	0.5292
3903	0.7843	0.7985	5209	0.4570	0.3511
3905	0.0882	0.1223	5301	0.0170	0.0181
3906	0.3249	0.2451	5305	0.0226	0.0208
3909	0.2004	0.2132	5306	0.0270	0.0224
4002	0.5786	0.4115	5307	0.2887	0.2099
4101	0.1382	0.1690	6103	0.0270	0.0336
4103	0.2298	0.1807	6104	0.2352	0.2178
4107	0.0862	0.0761	6105	0.1220	0.1014
4108	0.1382	0.1690	6107	0.0794	0.0753
4109	0.1382	0.1690	6108	0.4048	0.3793
4201	0.2556	0.1667	6109	0.0265	0.0262
4301	0.7354	0.4891	6110	0.2190	0.2094
4302	0.5859	0.4048	6201	0.1071	0.1034

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
6202	0.4829	0.3862	6902	0.4463	0.2594
6203	0.0646	0.0613	6903	5.7307	3.0914
6204	0.1052	0.1133	6904	0.1658	0.1170
6205	0.1052	0.1133	6905	0.1962	0.1404
6206	0.1052	0.1133	6906		0.1404
6207	0.6270	0.7017	6907	1.2887	0.7471
6208	0.1726	0.1629	6908	0.2810	0.2223
6209	0.1496	0.1792	6909	0.0461	0.0441
6301	0.1102	0.0717	7101	0.0248	0.0159
6302	0.1234	0.1020	7102	13.34*	27.76*
6303	0.0438	0.0443	7103	0.1688	0.1181
6304	0.0814	0.0941	7104	0.0162	0.0188
6305	0.0340	0.0447	7105	0.0379	0.0269
6306	0.1733	0.1911	7106	0.1942	0.1470
6308	0.0314	0.0223	7107	0.1942	0.1470
6309	0.0750	0.0909	7108	0.1926	0.1470
6402	0.1763	0.1491	7109	0.2520	0.2019
6403	0.1151	0.1269	7110	0.2520	0.2019
6404	0.0894	0.1014	7111	0.2611	0.2019
6405	0.4745	0.3454	7112	0.5796	0.3398
6406	0.0523	0.0579	7113	0.5544	0.3398
6407	0.1051	0.1255	7114	0.5544	0.3398
6408	0.2551	0.2477	7115	0.5544	0.3398
6409	0.3150	0.3364	7116	0.5544	0.3398
6501	0.0492	0.0490	7117	0.9528	1.1142
6502	0.0134	0.0137	7118	2.1091	1.3442
6503	0.0863	0.0543	7119	2.1091	1.3442
6504	0.1988	0.2993	7120	4.9234	3.7491
6505	0.1237	0.1376	7121	4.9234	3.7491
6506	0.0471	0.0551	7201	0.6148	0.3426
6508	0.3163	0.2780	7202	0.0267	0.0220
6509	0.1504	0.1477	7203	0.0823	0.0909
6601	0.1238	0.1369	7204		
6602	0.3818	0.4025	7301	0.4707	0.4096
6603	0.1959	0.1738	7302	0.4842	0.5661
6604	0.0564	0.0394	7307	0.7184	1.0230
6605	0.1945	0.1410	7308	0.1702	0.1699
6607	0.1128	0.1300	7309	0.0916	0.1311))
6608	0.2158	0.1242	0101	1.1963	0.6806
6614	127.2820**	148.8180**	0102	1.3225	0.8664
6615	95.0120**	111.0880**	0103	1.1948	0.8453
6616	12.4930**	14.6070**	0104	1.5032	0.6980
6617	9.2660**	10.8340**	0105	0.9554	0.6901
6618	68.7350**	80.3650**	0106	2.4857	2.1245
6704	0.1288	0.1451	0107	1.0657	0.5652
6705	0.4702	0.5796	0108	1.0529	0.6031
6706	0.2826	0.2770	0109	3.2607	1.7599
6707	9.69*	11.66*	0201	1.9767	0.9592
6708	2.6540	3.6860	0202	2.0413	1.7329
6709	0.0916	0.1311	0206	1.8773	0.8357
6801	0.4098	0.2252	0301	0.5109	0.4379
6802	0.2748	0.2381	0302	1.8681	0.8778
6803	1.8750	0.4345	0306	0.8553	0.5514
6804	0.1968	0.1352	0307	0.6859	0.4906
6809	1.4431	2.2613	0403	0.9276	0.7385
6901		0.0566	0502	1.1020	0.5976

Base Rates Effective  
January 1, ((+1990)) 1991Base Rates Effective  
January 1, ((+1990)) 1991

Class	Accident Fund	Medical Aid Fund
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

Class	Accident Fund	Medical Aid Fund
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
2903	0.5850	0.5617
2904	0.5449	0.4980
2905	0.3545	0.3651
2906	0.4642	0.3273
2907	0.3955	0.3306
2908	0.7941	0.6345
2909	0.5429	0.4580
3101	0.6623	0.4288
3102	0.4098	0.3060
3103	0.4098	0.3060
3104	0.4132	0.4460
3105	0.7658	0.5697
3303	0.1941	0.1830
3304	0.5642	0.5054
3309	0.2600	0.3311
3401	0.3144	0.2786
3402	0.3262	0.3060
3403	0.1122	0.1161
3404	0.3048	0.2997
3405	0.2034	0.1991
3406	0.1199	0.1703
3407	0.2703	0.2128
3408	0.0834	0.0711
3409	0.1046	0.1006
3501	0.6005	0.4834
3503	0.1568	0.1649
3506	0.7268	0.4767
3508	0.3257	0.3008
3509	0.3307	0.3126
3510	0.3257	0.3008
3602	0.0641	0.0932
3603	0.4251	0.4334
3604	1.0512	0.8141
3605	0.3728	0.3177
3606	0.6462	0.6302
3701	0.2171	0.1983
3702	0.3951	0.2853
3707	0.3401	0.2741
3708	0.2118	0.2172
3801	0.1785	0.1502
3802	0.1253	0.1371
3808	0.2199	0.2022
3901	0.1128	0.1274
3902	0.4066	0.3896

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
3903	0.8077	0.9127	5208	0.8053	0.5711
3905	0.0875	0.1357	5209	0.4760	0.4504
3906	0.3480	0.3181	5301	0.0175	0.0199
3909	0.2109	0.2489	5305	0.0248	0.0265
4002	0.5686	0.4478	5306	0.0299	0.0310
4101	0.1442	0.1752	5307	0.2931	0.2638
4103	0.1970	0.1988	6103	0.0304	0.0425
4107	0.0852	0.0929	6104	0.2369	0.2192
4108	0.1442	0.1752	6105	0.1238	0.1252
4109	0.1442	0.1752	6107	0.0818	0.0963
4201	0.2206	0.1622	6108	0.3876	0.4162
4301	0.6767	0.5833	6109	0.0263	0.0304
4302	0.5868	0.4293	6110	0.2650	0.3204
4303	0.2171	0.1983	6201	0.1080	0.1205
4304	0.4661	0.4862	6202	0.4747	0.4389
4305	1.0580	0.6998	6203	0.0611	0.0698
4401	0.4399	0.3558	6204	0.1135	0.1431
4402	0.5863	0.5118	6205	0.1135	0.1431
4404	0.5191	0.3829	6206	0.1135	0.1431
4501	0.1154	0.0973	6207	0.6636	0.8310
4502	0.0348	0.0288	6208	0.1967	0.2148
4504	0.0514	0.0732	6209	0.1437	0.2049
4601	0.4527	0.5496	6301	0.1053	0.0818
4802	0.2842	0.2716	6302	0.1283	0.1253
4803	0.2201	0.2588	6303	0.0489	0.0508
4804	0.4213	0.4204	6304	0.0850	0.1254
4805	0.2855	0.2732	6305	0.0379	0.0623
4806	0.0649	0.0708	6306	0.1812	0.1725
4808	0.4000	0.3536	6308	0.0318	0.0268
4809	0.1707	0.1933	6309	0.0829	0.1141
4810	0.1238	0.1417	6402	0.1828	0.1790
4811	0.2129	0.2158	6403	0.1186	0.1618
4812	0.4067	0.3395	6404	0.1082	0.1366
4901	0.0400	0.0373	6405	0.4452	0.3758
4902	0.0312	0.0263	6406	0.0543	0.0749
4903	0.0400	0.0373	6407	0.1169	0.1607
4904	0.0107	0.0121	6408	0.2522	0.2560
4905	0.2021	0.2587	6409	0.3754	0.4121
4906	0.0418	0.0428	6501	0.0558	0.0567
4907	0.0631	0.0586	6502	0.0134	0.0149
4908	0.0635	0.1324	6503	0.0786	0.0523
4909	0.0635	0.1324	6504	0.2105	0.3345
4910	0.2505	0.2690	6505	0.1017	0.1137
5001	4.2256	2.2446	6506	0.0531	0.0712
5002	0.4678	0.3543	6508	0.3067	0.3169
5003	1.2838	0.7727	6509	0.1585	0.1705
5004	2.8593	1.8177	6601	0.1269	0.1639
5101	0.5569	0.4629	6602	0.3608	0.3844
5103	0.6738	0.6111	6603	0.1974	0.2046
5106	0.4359	0.4759	6604	0.0540	0.0443
5108	0.6175	0.4917	6605	0.2129	0.1914
5109	0.3537	0.2897	6607	0.1043	0.1296
5201	0.2527	0.2214	6608	0.2149	0.1411
5204	1.1664	0.5955	6614	147.1050**	171.9950**
5206	0.3302	0.2361	6615	109.7640**	128.3360**
5207	0.1043	0.1296	6616	14.3370**	16.7630**

Base Rates Effective  
January 1, ((+1990)) 1991

Class	Accident Fund	Medical Aid Fund
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

Base Rates Effective  
January 1, ((+1990)) 1991

Class	Accident Fund	Medical Aid Fund
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
<del>((84</del>	<del>\$ 3,430 - \$ 3,956</del>
<del>83</del>	<del>3,957 - 4,542</del>
<del>82</del>	<del>4,543 - 5,192</del>
<del>81</del>	<del>5,193 - 5,912</del>
<del>80</del>	<del>5,913 - 6,707</del>
<del>79</del>	<del>6,708 - 7,584</del>
<del>78</del>	<del>7,585 - 8,549</del>
<del>77</del>	<del>8,550 - 9,610</del>
<del>76</del>	<del>9,611 - 10,773</del>
<del>75</del>	<del>10,774 - 12,047</del>
<del>74</del>	<del>12,048 - 13,440</del>
<del>73</del>	<del>13,441 - 14,961</del>
<del>72</del>	<del>14,962 - 16,620</del>
<del>71</del>	<del>16,621 - 18,427</del>
<del>70</del>	<del>18,428 - 20,393</del>
<del>69</del>	<del>20,394 - 22,529</del>
<del>68</del>	<del>22,530 - 23,149</del>
<del>67</del>	<del>23,150 - 24,450</del>
<del>66</del>	<del>24,451 - 25,845</del>
<del>65</del>	<del>25,846 - 27,344</del>
<del>64</del>	<del>27,345 - 28,955</del>
<del>63</del>	<del>28,956 - 30,688</del>
<del>62</del>	<del>30,689 - 32,556</del>
<del>61</del>	<del>32,557 - 34,571</del>
<del>60</del>	<del>34,572 - 36,748</del>
<del>59</del>	<del>36,749 - 39,102</del>
<del>58</del>	<del>39,103 - 41,651</del>
<del>57</del>	<del>41,652 - 44,416</del>
<del>56</del>	<del>44,417 - 47,419</del>
<del>55</del>	<del>47,420 - 50,685</del>
<del>54</del>	<del>50,686 - 54,243</del>
<del>53</del>	<del>54,244 - 58,125</del>

Size Group Number	Standard Premium Range	Size Group Number	Standard Premium Range
52	58,126 - 62,367	76	10,370 - 11,624
51	62,368 - 67,012	75	11,625 - 12,999
50	67,013 - 72,106	74	13,000 - 14,502
49	72,107 - 77,703	73	14,503 - 16,143
48	77,704 - 83,866	72	16,144 - 17,933
47	83,867 - 90,664	71	17,934 - 19,883
46	90,665 - 98,180	70	19,884 - 22,004
45	98,181 - 106,507	69	22,005 - 24,309
44	106,508 - 112,526	68	24,310 - 24,978
43	112,527 - 119,928	67	24,979 - 26,382
42	119,929 - 128,010	66	26,383 - 27,887
41	128,011 - 136,854	65	27,888 - 29,504
40	136,855 - 146,554	64	29,505 - 31,243
39	146,555 - 157,217	63	31,244 - 33,112
38	157,218 - 168,968	62	33,113 - 35,128
37	168,969 - 181,951	61	35,129 - 37,302
36	181,952 - 196,336	60	37,303 - 39,651
35	196,337 - 212,318	59	39,652 - 42,191
34	212,319 - 230,132	58	42,192 - 44,942
33	230,133 - 250,049	57	44,943 - 47,925
32	250,050 - 272,396	56	47,926 - 51,165
31	272,397 - 297,561	55	51,166 - 54,689
30	297,562 - 326,009	54	54,690 - 58,528
29	326,010 - 358,304	53	58,529 - 62,717
28	358,305 - 395,129	52	62,718 - 67,294
27	395,130 - 437,321	51	67,295 - 72,306
26	437,322 - 485,911	50	72,307 - 77,802
25	485,912 - 542,180	49	77,803 - 83,842
24	542,181 - 607,735	48	83,843 - 90,491
23	607,736 - 684,605	47	90,492 - 97,827
22	684,606 - 775,387	46	97,828 - 105,936
21	775,388 - 883,432	45	105,937 - 114,921
20	883,433 - 1,013,121	44	114,922 - 121,416
19	1,013,122 - 1,170,258	43	121,417 - 129,402
18	1,170,259 - 1,362,646	42	129,403 - 138,123
17	1,362,647 - 1,600,938	41	138,124 - 147,666
16	1,600,939 - 1,781,791	40	147,667 - 158,132
15	1,781,792 - 1,988,139	39	158,133 - 169,637
14	1,988,140 - 2,218,748	38	169,638 - 182,317
13	2,218,749 - 2,587,774	37	182,318 - 196,325
12	2,587,775 - 3,042,862	36	196,326 - 211,847
11	3,042,863 - 3,992,113	35	211,848 - 229,091
10	3,992,114 - 5,448,295	34	229,092 - 248,313
9	5,448,296 - 7,095,502	33	248,314 - 269,803
8	7,095,503 - 9,585,723	32	269,804 - 293,915
7	9,585,724 - 13,506,841	31	293,916 - 321,068
6	13,506,842 - 20,237,405	30	321,069 - 351,764
5	20,237,406 & over))	29	351,765 - 386,610
84	\$ 3,701 - \$ 4,269	28	386,611 - 426,344
83	4,270 - 4,901	27	426,345 - 471,869
82	4,902 - 5,602	26	471,870 - 524,298
81	5,603 - 6,379	25	524,299 - 585,012
80	6,380 - 7,237	24	585,013 - 655,746
79	7,238 - 8,183	23	655,747 - 738,689
78	8,184 - 9,224	22	738,690 - 836,643
77	9,225 - 10,369	21	836,644 - 953,223



Size  
Group  
Number

Standard  
Premium  
Range

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 90-24-043**  
**PROPOSED RULES**  
**OFFICE OF**  
**INSURANCE COMMISSIONER**  
[Filed November 30, 1990, 3:07 p.m.]

Continuance of WSR 90-21-136.

Title of Rule: New section of chapter 284-24 WAC, Rates.

Other Identifying Information: Insurance Commissioner Matter No. R 90-13.

Date of Intended Adoption: December 17, 1990.

November 30, 1990  
Dick Marquardt  
Insurance Commissioner  
by Edward H. Southon  
Deputy Insurance Commissioner

**WSR 90-24-044**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
[Order 115—Filed November 30, 1990, 3:15 p.m.]

Date of Adoption: November 23, 1990.

Purpose: To update nine sections of minimum standards for health and safety of patients.

Citation of Existing Rules Affected by this Order: Repealing WAC 248-18-225, 248-18-230, 248-18-245, and 248-18-555; and amending WAC 248-18-001 Definitions, 248-18-035 Infection control, and 248-18-040 Personnel.

Statutory Authority for Adoption: RCW 70.41.030.

Pursuant to notice filed as WSR 90-20-035 on September 25, 1990.

Effective Date of Rule: Thirty-one days after filing.  
November 28, 1990  
Frank Hickey  
Acting  
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 nonaccidental 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))~~ (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 disordered 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 Residence 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 relites 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) "Relite" 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, housekeeping 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~~

~~(e) 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;

(b) 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 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 248-318-240 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 248-318-740 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.

#### NEW SECTION

WAC 248-318-250 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 248-318-860 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.

#### 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 248-318-260 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 248-318-870 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 90-24-045**  
**EMERGENCY RULES**  
**POLLUTION LIABILITY**  
**INSURANCE AGENCY**

[Order 90-10—Filed November 30, 1990, 3:41 p.m.]

Date of Adoption: [November 30, 1990].

Purpose: The rule implements RCW 70.148.035 that provides for a program to cover the costs incurred in determining applicants' eligibility for pollution liability insurance.

Statutory Authority for Adoption: RCW 70.148.040.

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: Adoption of the rule is necessary for timely implementation of the reimbursement program.

Effective Date of Rule: Immediately.

November 30, 1990

James M. Sims

Director

*Chapter 374-50 WAC*  
**INSURANCE ELIGIBILITY ASSESSMENT**  
**REIMBURSEMENT**

#### NEW SECTION

**WAC 374-50-010 AUTHORITY AND PURPOSE.** *This chapter is promulgated under the authority of RCW 70.148.040. Its purpose is to implement those provisions of RCW 70.148.035 relating to covering insurers' costs of determining the eligibility of applicants for pollution liability insurance under the pollution liability program.*

#### NEW SECTION

**WAC 374-50-020 DEFINITIONS.** *Unless the context requires otherwise, the following definitions shall apply:*

(1) "Agency" means the pollution liability insurance agency created by chapter 70.148 RCW.

(2) "Director" means the director of the pollution liability insurance agency.

(3) "Insurer" means a commercial property and casualty insurance company or risk retention group with whom the agency has a contract to provide reinsurance.

(4) "Insurance eligibility assessment" means those actions required to determine the eligibility of an owner or operator for pollution liability insurance coverage by an insurer, including, but not limited to, evaluation of inventory control records, tightness testing of tanks and connected piping, soil sampling, and other physical or chemical tests.

(5) "Operator" means a person in control of, or having responsibility for, the daily operation of a petroleum underground storage tank.

(6) "Owner" means a person who owns a petroleum underground storage tank.

(7) "Person" means an individual, trust, firm, joint stock company, corporation (including government corporation), partnership, association, consortium, joint venture, commercial entity, state, municipality, commission, political subdivision of a state, interstate body, the federal government or any department or agency of the federal government, or an Indian tribe or agency or entity of an Indian tribe.

(8) "Substantial economic impact" means elimination or substantial reduction of the availability of petroleum products or other goods or services in which petroleum products are a necessary part of the production or distribution process within a community or an area resulting from closure of one or more petroleum underground storage tanks.

#### NEW SECTION

**WAC 374-50-030 ELIGIBILITY FOR REIMBURSEMENT PROGRAM — WHO MAY APPLY.** Any person who is required to demonstrate financial responsibility for one or more petroleum underground storage tanks under 40 CFR Parts 280.90, 280.91, and 280.92 (the federal underground storage tank regulation), chapter 90.76 RCW, or other applicable laws, ordinances or rules AND who satisfies the criteria set forth in WAC 374-40-040 may apply for assistance in covering an insurer's costs of an insurance eligibility assessment under the program established by this chapter, except for:

(1) Persons whose compliance dates under 40 CFR Part 280.91 as now or hereafter amended, chapter 90.76 RCW or other laws, ordinances or rules precede the effective date of this chapter;

(2) The federal government or entities of the federal government;

(3) The State of Washington or entities of the State of Washington;

(4) Indian tribes or entities of Indian tribes;

(5) Counties, cities, towns, or special purpose districts including but not limited to fire districts, hospital districts, library districts, metropolitan park districts, park and recreation districts, and school districts, or entities of such governmental units; and

(6) Owners or operators of farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for non-commercial purposes.

#### NEW SECTION

**WAC 374-50-040 ELIGIBILITY CRITERIA.** (1) Persons eligible to apply for participation in the program established by this chapter must satisfy the following criteria:

(a) The applicant is eligible under WAC 374-50-030;

(b) The applicant is the owner or operator of one or more petroleum underground storage tanks located in the state of Washington;

(c) The applicant's tank or tanks are registered with the department of ecology and all required fees due under chapter 90.76 RCW, local ordinances if applicable,

and any other applicable laws, ordinances or rules have been paid;

(d) The applicant is in compliance with all applicable technical and operating requirements under 40 CFR Part 280, Subparts B, C and D, applicable requirements of chapter 90.76 RCW and rules adopted thereunder, and other applicable laws, ordinances or rules effective on the date of application;

(e) The applicant is responsible for demonstrating financial responsibility for the tank or tanks under 40 CFR Parts 280.90, 280.91, and 280.92, chapter 90.76 RCW or other laws, ordinances or rules;

(f) The applicant has applied for pollution liability insurance from an insurer with whom the agency has a contract to provide reinsurance;

(g) The applicant affirms that he or she intends to purchase such insurance coverage if the tank, tanks, site, or sites to be insured satisfy the underwriting requirements of the insurer, and

(h) The applicant's net worth is five hundred thousand dollars or less, excepted as provided for in subsection (2) of this section.

(2) Additional consideration may be given to applications for reimbursement of insurance eligibility assessment costs when:

(a) The applicant fails to satisfy the net worth criterion in WAC 374-50-040 (1)(h), but can demonstrate through income tax returns or other acceptable means that such costs would result in unfair economic hardship; or

(b) The applicant demonstrates that closure of the petroleum underground storage tank or tanks would impose a substantial economic impact upon the community or area in which it is located.

#### NEW SECTION

**WAC 374-50-050 REIMBURSEMENT LIMITS.** (1) Insurers will be reimbursed for insurance eligibility assessment costs incurred on behalf of persons whose applications for participation in the program established by this chapter are approved according to the following schedule:

(a) For costs incurred on behalf of persons with net worth of two hundred fifty thousand dollars or less — seventy five percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of two thousand six hundred twenty five dollars;

(b) For costs incurred on behalf of persons with net worth greater than two hundred fifty thousand dollars but less than or equal to five hundred thousand dollars — fifty percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of one thousand seven hundred fifty dollars;

(c) For costs incurred on behalf of persons with net worth greater than five hundred thousand dollars whose applications for participation in this program have been accepted on the basis of WAC 374-50-040(2) — twenty five percent of the first three thousand five hundred dollars of eligible costs up to a reimbursement limit of eight hundred seventy five dollars.

(2) Within the limits of subsection (1) of this section, reimbursement for the following specific insurance eligibility assessment costs will be made at the indicated percentages of the following maximum amounts.

(a) Inventory control records evaluation — one hundred fifty dollars per site;

(b) Tank tightness testing — five hundred dollars per tank;

(c) Line tightness testing — one hundred fifty dollars per product line; and

(d) Soil or groundwater sampling — two hundred fifty dollars per sample.

(3) It is the intent of the program established by this chapter to assist as many owners or operators of petroleum underground storage tanks with limited economic resources as possible. Therefore, not more than one application for participation in the program established by this chapter will be approved for each such natural person or entity, regardless of the number of underground storage tanks owned or operated, whether directly or indirectly.

#### NEW SECTION

**WAC 374-50-060 PROGRAM SCHEDULE.** (1) The program established by this chapter will proceed according to the following schedule:

(a) Applications will be accepted by the agency beginning on December 1, 1990.

(b) Applications from persons with a financial responsibility compliance date of April 26, 1991 will be accepted until March 31, 1991.

(c) Applications from persons with a financial responsibility compliance date of October 26, 1991 will be accepted until September 30, 1991.

(d) No additional applications will be accepted after September 30, 1991 except by order of the director.

(2) Approval of applications and payments are contingent upon the availability of revenue. The director reserves the right to order termination of the program at any time that reimbursement commitments or payments exhaust the revenue available for the reimbursement program.

#### NEW SECTION

**WAC 374-60-070 APPLICATION PROCEDURE.** (1) Information concerning the insurance eligibility assessment cost reimbursement program and forms or materials necessary for application may be obtained from:

Pollution Liability Insurance Agency  
1015 - 10th Street, S.E.  
Mail Stop EN - 12  
Olympia, Washington 98504

(2) Application for participation in the program established by this chapter requires preparation and submission of the following:

(a) A completed asset and liability statement on a form provided by the agency;

(b) A statement of intent to purchase pollution liability insurance if the insurer's underwriting requirements

are satisfied accompanied by a copy of the insurance application; and

(c) A statement from the potential insurer listing the underwriting tests and evaluations required.

(3) The agency will act upon applications as expeditiously as feasible unless additional information is required. If this is the case, the applicant will be notified and the application will be acted upon as expeditiously as feasible after receipt of the required additional information by the agency.

(4) Applicants and insurers will be notified of agency approval or disapproval by return mail. Persons whose applications are disapproved will be informed of the reason for such action.

(5) An applicant who disagrees with disapproval of his or her application may request review of the agency decision by the director. The applicant will be notified by mail of the director's decision as expeditiously as feasible after receipt by the agency of the request for review unless additional time is required. If additional time is required in order for the review to be completed, the applicant will be notified by mail.

**Reviser's note:** The section above was filed by the agency as WAC 374-60-070. The section was placed among sections filed as chapter 374-50 WAC and should probably have been numbered as WAC 374-50-070. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

#### NEW SECTION

**WAC 374-50-080 PAYMENT OF REIMBURSEMENT.** (1) Reimbursement of insurers for approved insurance eligibility assessment costs incurred on behalf of applicants accepted under the program established by this chapter will be made as expeditiously as feasible after receipt by the agency of the following information:

(a) A copy of the notification of agency approval of the applicant's application for the program established by this chapter;

(b) A copy of the invoice from the person or firm performing the insurance eligibility assessment services with a breakdown showing the cost of each test or service performed separately and an indication thereon, or by separate receipt, that payment in full has been made by the insurer;

(c) A copy of the completed assessment report; and

(d) A copy of the face sheet of an issued pollution liability insurance policy if the applicant's tank, tanks, site or sites have satisfied the insurer's underwriting requirements.

(2) Persons on whose behalf reimbursement under the program created by this chapter has been made are required to maintain their insurance coverage in force for at least one year. If insurance coverage is not maintained for this period, the person is required to return a pro rata share of the reimbursement to the agency, with the share being that fraction of one year for which insurance coverage was not maintained in force.

(3) Persons who have applied for insurance in good faith but whose tank, tanks, site, or sites fail to satisfy the insurer's underwriting requirements will not be required to return reimbursement payments.

**NEW SECTION**

**WAC 374-50-090 OTHER RESTRICTIONS.** (1) Persons whose applications for the program established by this chapter are accepted will be responsible for the cost of all fuels or products required for tank or connected piping tightness testing.

(2) All testing and sampling must be performed by persons who are registered with and licensed by the Washington department of ecology. Until the licensing program is fully implemented, all testing and sampling will be done by a qualified hydrogeologist, geologist, licensed professional engineer, professional soil scientist, certified groundwater professional, or other qualified professional as determined by the department of ecology.

**WSR 90-24-046**  
**NOTICE OF PUBLIC MEETINGS**  
**UTILITIES AND**  
**TRANSPORTATION COMMISSION**  
 [Memorandum—November 30, 1990]

**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON UTILITIES AND**  
**TRANSPORTATION COMMISSION**

Notice is hereby given that commencing January 1, 1991, and continuing for the balance of 1991, the time and place of meetings are as follows: Regular public meetings of the commission shall be held each Wednesday, commencing at 9:00 a.m., in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, Washington.

**WSR 90-24-047**  
**RULES COORDINATOR**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**  
 [Filed November 30, 1990, 4:29 p.m.]

The following is the name and office mailing address of the rules coordinator designated by the Washington Utilities and Transportation Commission: Paul Curl, Office of the Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Mailstop FY-11, P.O. Box 9022, Olympia, WA 98504, (206) 753-6451.

Paul Curl

**WSR 90-24-048**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**  
 [Filed November 30, 1990, 4:35 p.m.]

Original Notice.

Title of Rule: WAC 480-70-050, 480-70-060, 480-70-070, 480-70-100, 480-70-130, 480-70-150, 480-

70-230, 480-70-260, 480-70-280, 480-70-330, 480-70-340, 480-70-350, 480-70-360, 480-70-390, 480-70-400, 480-70-405, 480-70-420, 480-70-440, 480-70-500, and 480-70-570 relating to solid waste collection companies. The proposed amendatory sections are shown below as Appendix A, Docket No. TG-900718. 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 amendments substitute the wording "solid waste" for "garbage and/or refuse."

Statutory Authority for Adoption: RCW 80.01.040.

Statute Being Implemented: Chapter 81.77 RCW.

Reasons Supporting Proposal: These amendments are proposed to conform with the wording adopted by the 1989 legislature in chapter 81.77 RCW.

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.

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

Proposal Changes the Following Existing Rules: Substitutes the wording "solid waste" for "garbage and/or refuse."

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 January 9, 1991, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by December 31, 1990.

Date of Intended Adoption: January 9, 1991.

November 30, 1990

Paul Curl  
Secretary

**APPENDIX "A"**

**AMENDATORY SECTION** (Amending Order R-321, filed 6/21/90)

WAC 480-70-050 DEFINITIONS. Unless the language or context indicates that a different meaning is intended, the following words, terms and phrases shall, for the purpose of these rules, be given the following meanings (~~hereinafter subjoined to them~~):

(1) "State" means the state of Washington.

(2) "Commission" means the Washington utilities and transportation commission.

(3) "Certificate" means the certificate of public convenience and necessity authorized to be issued for the operation of (~~garbage and/or refuse~~) solid waste collection companies under the provisions of chapter 81.77 RCW, as amended.



(4) The terms "motor vehicle," "public highway," "common carrier," "contract carrier," "private carrier," "vehicle," "~~((garbage and refuse))~~ solid waste collection companies," shall have the meaning when used herein given to them by RCW 81.77.010 and by RCW 81.08.010, 81.12.010, 81.77.015, 81.77.030, and 81.77.110.

(5) "Garbage" includes but shall not be limited to offal or animal and vegetable wastes which may be mixed with refuse. Garbage includes scrap, waste materials, dead animals, discarded articles, garbage disposal, and swill. The term does not include sewage disposal or cesspool wastes which are hauled in special equipment as an incidental part of a septic tank or cesspool cleaning service.

(6) "Refuse" includes all commercially worthless, useless, discarded, rejected or refused material, except offal and animal and vegetable waste materials; also it includes scrap, waste materials, rubbish, non-commercial lamp black, waste acid, sludge, broken building and fire bricks, discarded rubber tires, noncommercial sawdust, debris, trade waste, discarded articles and industrial waste. The term does include earth or dirt mixed with refuse but not commercially salable earth which is used as fill, road ballast, aggregate, etc. NOTE: The incidental hauling of pure refuse as herein defined may be a part of a regular garbage collection and disposal service.

(7) The phrase "the business of transporting (~~((garbage and/or refuse))~~) solid waste for collection and/or disposal for compensation" used in RCW 81.77.010 applies only to those carriers who are primarily in the specialized business of transporting (~~((garbage and/or refuse))~~) solid waste for collection and/or disposal for all potential customers within a specified area. NOTE: Chapter 81.77 RCW, as amended, was not intended to cover operations of carriers whose business is other than the primary business of transporting (~~((garbage and/or refuse))~~) solid waste for collection and/or disposal. Permit holders under the provisions of chapter 81.80 RCW, whose primary business is not the collection of (~~((garbage and/or refuse))~~) solid waste, need not secure a certificate under the provisions of chapter 81.77 RCW. In some instances, carriers may be engaged extensively in both motor freight carrier and in (~~((garbage and/or refuse))~~) solid waste hauling operations. In cases where such operations are separable, carriers may be required to hold both a certificate and a permit in order to continue both services. In each case it will be within the discretion of the commission to determine whether a carrier is required to hold both a common carrier permit and a certificate.

(8) "Biohazardous or biomedical waste" includes untreated solid waste of the following types:

(a) "Animal waste," which includes animal carcasses, body parts and bedding of animals that were known to have been deliberately infected or inoculated with human pathogenic microorganisms during research.

(b) "Liquid human body fluids," which includes liquid emanating or derived from humans including but not limited to human blood and blood products, serum and plasma, sputum, drainage secretions, cerebrospinal fluid and amniotic fluid that exceeds fifty milliliters per container, storage vessel, or plastic bag and cannot be and has not been directly discarded into a sanitary sewage system.

(c) "Cultures and stocks," which includes cultures and stocks of microbiological agents infectious to humans, human serums and discarded live and attenuated vaccines infectious to humans, human blood specimens, and laboratory wastes that are contaminated with these agents or specimens.

(d) "Biosafety level 4 disease waste," which includes wastes contaminated with blood, excretions, exudates, or secretions from humans or animals which are isolated to protect others from highly communicable infectious diseases which are identified as viruses assigned to Biosafety Level 4 by the Centers for Disease Control, National Institute of Health, *Biosafety in Microbiological and Biomedical Laboratories*, 2nd Edition, 1988. These viruses include Congo-Crimean hemorrhagic fever, tick-borne encephalitis virus complex (Asbettaarov, Hanzalova, Hypr, Humlinge, Kyassanur Forest disease, Omsk hemorrhagic fever, and Russian spring-summer encephalitis), Marburg Ebola, Junin, Lassa, and Machupo.

(e) "Pathological waste," which includes human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, autopsies, and laboratory procedure. "Pathological waste" does not include teeth or formaldehyde or other preservative agents, human corpses, remains, and anatomical parts that are intended for interment or cremation.

(f) "Sharps waste," which includes hypodermic needles, syringe IV tubing with needles attached, scalpel blades, and lancets that have

been used in animal or human patient care or treatment in medical research.

(9) "Biohazardous or biomedical waste generator," means any person, by site whose act or process produces infectious waste as defined in this rule, or whose act first causes an infectious waste to become subject to regulation. In the case where more than one person, e.g., doctors with separate medical practices are located in the same building, each individual business entity is a separate generator for the purpose of this rule.

(10) "Biohazardous or biomedical waste transporter" means any person who transports infectious waste over the highways in a quantity equal to or exceeding one hundred pounds per month for compensation.

(11) "Treatment" includes incineration, steam sterilization, or any method, technique, or process designed to change the biological character or composition of biohazardous or biomedical waste to render it noninfectious. Any waste, except sharps, that has been treated shall not be considered biohazardous or biomedical, and may be considered to be solid waste for purposes of handling and disposal.

(12) "Shipping paper" means a shipping order, bill of lading, manifest or other shipping document serving a similar purpose and containing the information required in WAC 480-70-550.

(13) "Solid waste" means the same as defined under RCW 70.95-.030, except for the purposes of this chapter solid waste does not include recyclable materials except for source separated recyclable materials collected from residences.

(14) Solid waste collection does not include collecting or transporting recyclable materials from a drop-box or recycling buy-back center, nor collecting or transporting recyclable materials by or on behalf of a commercial or industrial generator or recyclable materials to a recycler for use or reclamation. Transportation of these materials is regulated under chapter 81.80 RCW.

**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 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.

#### AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-70-060 LICENSES. No motor vehicle shall be operated upon the public highways of this state by any (~~((garbage and refuse))~~) solid waste collection company until the owner or person lawfully in control thereof shall have complied with the laws of this state pertaining to licenses and the rules and regulations of the commission governing the operation of motor vehicles upon the public highways.

#### AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-70-070 CERTIFICATES, NO OPERATION WITHOUT. No (~~((garbage and/or refuse))~~) solid waste collection company shall operate, establish or begin operation of a line or route or serve any territory, or any extension, for the purpose of transporting (~~((garbage and/or refuse))~~) solid waste on the public highways of this state, without first having obtained from the commission a certificate declaring that public convenience and necessity requires, or will require, the establishment and operation of such line or route or in such territory.

#### AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-70-100 CERTIFICATES, SECURED BY FALSE AFFIDAVIT. Any certificate to operate in the transportation of (~~((garbage and/or refuse))~~) solid waste for compensation obtained upon any application by any false affidavit or representation shall be subject to revocation and cancellation by the commission.

#### AMENDATORY SECTION (Amending Order R-26, filed 5/14/71)

WAC 480-70-130 TEMPORARY CERTIFICATES, APPLICATION FOR. Temporary certificates to engage in the business of operating a (~~((garbage and/or refuse))~~) solid waste collection company may be issued if such issuance is consistent with the public interest.

(1) In determining whether or not the requested temporary authority is consistent with the public interest the commission will consider the following factors:

(a) A showing of an immediate and urgent need for the requested service;

(b) The presence or lack of available service capable of meeting the need; and

(c) Any other circumstances indicating that the grant of such temporary authority is consistent with the public interest.

(2) When an applicant requests a temporary certificate to operate in territory that another carrier is authorized to serve, the commission shall notify the existing ((garbage and/or refuse)) solid waste collection company or companies authorized to serve the territory of the application and problem and shall issue the temporary certificate only if the existing ((garbage and/or refuse)) solid waste collection company or companies cannot or will not provide service to the satisfaction of the commission. Temporary certificates issued pursuant to this subsection will carry the following condition:

"This certificate is subject to cancellation any time within 20 days after date of issuance, if the commission receives evidence that no emergency exists or another carrier with authority can and will provide service to the satisfaction of the commission."

(3) Temporary certificates may be issued for a period up to 180 days where the area or territory covered thereby is not contained in the certificate of any other ((garbage and/or refuse)) solid waste collection company; in all other cases temporary certificates may be issued for a period not to exceed 120 days. Applications for temporary certificates shall conform to the requirements of WAC 480-70-120.

**AMENDATORY SECTION** (Amending Order R-240, filed 9/25/85)

**WAC 480-70-150 CERTIFICATES, APPLICATIONS--NOTICE TO EXISTING CARRIERS.** (1) For the purposes of this rule, applications for permanent authority shall include applications for permanent certificates or extensions of certificate authority, and requests for authority to sell, assign, lease or transfer outstanding certificates or any rights thereunder. Not included are applications for contract certificates under fully executed contracts with the United States of America or any agency thereof.

(2) Except as hereinafter provided, the commission shall notify by means of its weekly application docket all known existing ((garbage and/or refuse)) solid waste collection companies who, at the time of the filing of an application for permanent authority, are serving, or hold authority to serve, the route, line, or territory described in the application, of the filing of same. Such existing certificate holders or a ((garbage and/or refuse)) solid waste collection organization, association, or conference on behalf of such existing certificate holders shall have twenty days from the date of such notice to file with the commission their opposition to the application. Protests should set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceeding. Applications for authority to provide service to the United States of America or any agency thereof shall not be subject to docketing and protest.

**AMENDATORY SECTION** (Amending Order R-31, filed 10/18/71)

**WAC 480-70-230 DUAL OPERATION.** (1) ((Garbage and/or refuse)) solid waste collection companies which, after securing a certificate of public convenience and necessity under the provisions of chapter 295, Laws of 1961 [chapter 81.77 RCW], will also be operating under a common carrier or contract carrier permit issued pursuant to the provisions of chapter 81.80 RCW, who will use the same motor vehicle equipment in dual operations requiring both a certificate under chapter 295, Laws of 1961 [chapter 81.77 RCW], as amended, and a permit under the provisions of chapter 81.80 RCW, must properly identify equipment and pay applicable fees under the provisions of both statutes. There must be filed with the commission certificates of liability and property damage insurance, by which the insurance company agrees to provide the necessary insurance coverage for operation of the vehicle under both chapter 295, Laws of 1961 [chapter 81.77 RCW], and chapter 81.80 RCW.

(2) In cases of dual operation also requiring common and/or contract motor carrier permits issued under chapter 81.80 RCW the operator shall file separate reports commencing with the calendar year 1972. Such motor carrier reports shall, at the minimum, contain the segregated revenues applicable to the operations under the motor carrier permit and shall contain a listing of the revenue equipment fully

and partially dedicated to such operations and such expenses and net investment as are capable of direct assignment. However, companies filing separate reports under common or contract motor carrier permits and reporting over \$100,000 in annual gross operating revenues from such common or contract motor carrier operations must report on a fully separated basis, operating revenues, operating expenses and operating property together with related reserves for depreciation in order that net operating income as well as net investment under common or contract motor carrier permits can be determined. To the extent that these elements are not wholly directly assignable such reports must reflect separations based on reasonable allocations and apportionments.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending Order R-5, filed 6/6/69)

**WAC 480-70-260 INSURANCE ENDORSEMENT.** All liability and property damage insurance policies issued to ((garbage and refuse)) solid waste collection companies shall carry a uniform motor carrier bodily injury and property damage liability endorsement.

**AMENDATORY SECTION** (Amending Order R-5, filed 6/6/69)

**WAC 480-70-280 SURETY BOND.** Should a ((garbage and/or refuse)) solid waste collection company elect to file a surety bond in lieu of liability and property damage insurance such bond shall be in the following form:

SURETY BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, ..... of the city of ....., state of Washington, as principal, and ..... a corporation organized and existing under and by virtue of the laws of ....., and authorized to transact business in the state of Washington under the laws thereof, as surety, are held and firmly bound unto the state of Washington, in the just and full sum of lawful money of the United States of America, upon each and every vehicle operated by the principal herein in the amounts as set out in the schedule below for the payment of which well and truly to be made, do hereby bind ourselves, our heirs, executors, administrators, successors, and assigns, severally by these presents.

This bond is written in pursuance of and is to be construed in accordance with chapter 295, Laws of 1961 [chapter 81.77 RCW], as amended, and the rules and regulations of the Washington utilities and transportation commission, adopted thereunder; is to be filed with the state for the benefit of persons who sustain damage or injury from the negligent operation of any and all motor vehicles operated by the common or contract carrier (principal herein) under and by virtue of its or his permit and/or certificate issued by the Washington utilities and transportation commission.

SCHEDULE

On each motor vehicle used for the transportation of property and/or ((garbage and refuse)) solid waste:

\$ 25,000	for any recovery for personal injury by one person, and
\$100,000	for all persons receiving personal injury by reason of one act of negligence, and
\$ 10,000	for damage to property of any person other than the principal

Now, therefore, the condition of this obligation is such that if the said principal in accordance with the provisions of chapter 295, Laws of 1961 [chapter 81.77 RCW], as amended, shall pay all damages for personal injuries which may be sustained by any person or any damage to property of any person other than the principal by reason of any act of negligence on the part of said principal, its or his agents or employees in the operation of motor propelled vehicles in transporting property and/or ((garbage and refuse)) solid waste for compensation under its or his certificate issued by the Washington Utilities and Transportation Commission then this obligation is to be void, otherwise to remain in full force and effect.

**PROVIDED:** That if the total liability herein for any reason be decreased by payment made by the surety or otherwise, written notice of such decrease will be given forthwith to the Washington Utilities and Transportation Commission by the surety.

This bond may be canceled by the surety at any time by filing written notice with the Washington Utilities and Transportation Commission stating when the cancellation shall be effective, but in no case shall such cancellation notice be effective within thirty days after the receipt of such notice by the Washington Utilities and Transportation Commission.

Signed, sealed and dated this . . . . . day of . . . . . 19 . . . . .
Principal
Surety

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order R-295, filed 2/23/89)

WAC 480-70-330 DRIVERS, HOURS OF WORK. (1) The rules and regulations relating to drivers' logs and drivers' hours of service adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 395, as well as and including all appendices and amendments thereto in effect on October 1, 1988, are adopted and prescribed by the commission to be observed by all ((garbage and/or refuse)) solid waste collection companies operating under chapter 81.77 RCW.

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

AMENDATORY SECTION (Amending Order R-57, filed 11/7/73)

WAC 480-70-340 ANNUAL FEE. (1) Every ((garbage and/or refuse)) solid waste collection company shall, on or before the first day of April of each year, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof.

(2) Every statement of gross operating revenue so filed shall be accompanied by a fee based upon such gross operating revenue and at a rate to be fixed each year by notice or order of the commission. Such fee shall in no case be less than one dollar.

AMENDATORY SECTION (Amending Order R-313, filed 12/15/89)

WAC 480-70-350 ACCOUNTS—UNIFORM SYSTEM ADOPTED—REPORTS. (1) Effective January 1, 1989, a "uniform system of accounts" is hereby prescribed for use of ((garbage and/or refuse)) solid waste collection companies in the state of Washington operating under chapter 295, Laws of 1961 (chapter 81.77 RCW).

(2) The various carriers shall be divided into two classes as per average yearly gross revenue according to the following schedule:

- Class A - Those carriers having an annual yearly gross revenue of \$500,000 or over per year.
Class B - Those carriers having an annual yearly gross revenue of less than \$500,000 per year.

As set forth in the above classification, any carrier may, at its option, place itself in a group higher than the one in which it falls on the basis of its annual gross operating revenue.

(3) Each ((garbage and/or refuse)) solid waste collection company must secure from the commission a copy of the "uniform system of accounts" applicable to its business and keep its accounts and other records in conformity therewith to the end that its records may be kept and the annual report required to be filed by it may be compiled in accordance therewith.

(4) For purposes of rendering annual reports, ((garbage and/or refuse)) solid waste collection companies shall secure from the commission the proper forms and make and file annual reports as soon after the close of the calendar year as possible, but in no event later than May 1st of the succeeding year. Failure to file such reports will be

sufficient cause for the commission, in its discretion, to revoke a certificate.

(5) In the event that a certificate is transferred, or is canceled for any cause, the annual report required by this rule must be filed immediately covering the period from the first of the year to the date on which the ((garbage and/or refuse)) solid waste collection company ceased operations. Where operations are discontinued prior to the close of the calendar year, or where operations are started during the calendar year, an annual report shall be rendered covering that portion of the calendar year during which the ((garbage and/or refuse)) solid waste collection company operated and shall show on the face thereof the exact period covered thereby.

(6) Each ((garbage and/or refuse)) solid waste collection company must maintain complete records of the collection service provided to each customer, showing for each and every customer served the amount billed, the categories and quantity of service provided, the amounts collected, and the balance due. Such customer records must also be maintained in such manner so that the service provided and the rates and charges assessed are easily identifiable in tariff terms contained in the applicable tariff of each carrier. These records must be kept on file in the general office of each company, in alphabetical, address or route order, for a period of three years subject to inspection by the commission so that the commission may ascertain at any time the number of customers served, the amounts being billed and collected, and the balance due from each and every customer. Customers requesting either by letter, telephone or office visit an itemized statement of all charges shall be furnished same.

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-70-360 CONTRACTS. (1) Contracts between contract carriers and their shippers shall be terminable within the period for which they are written only in the manner provided in the contract and upon not less than five days' notice to the commission and each contracting party, and every such contract shall so provide.

(2) No contract carrier shall operate under any individual contract or agreement for the transportation of ((garbage and/or refuse)) solid waste by motor vehicle, for compensation, with any shipper or shippers without having first filed with the Washington utilities and transportation commission, and having been approved by the commission, an original or duplicate original contract covering such agreement. Every such agreement shall be mutually binding upon both shipper and carrier, entered into and performed in good faith, for an agreed compensation, for an agreed term, covering a series of shipments during a stated period of time, in contrast to contracts of carriage covering individual shipments, and which contract mutually binds the carrier to transport, and the shipper to supply, a specific category and substantial amount of ((garbage and/or refuse)) solid waste during the term of the contract, and which contract shall conform to the following requirements:

- (a) The time or term of performance by both parties must be stated.
(b) The route and/or area involved in the performance of the contract must be stated.
(c) The kind and minimum quantity of the commodity or commodities to be transported must be stated definitely. This minimum quantity shall be a substantial amount of all tonnage of the class of commodities which is the subject of the contract, shipped by the shipper by truck during the term of the contract over the route or in the area covered by the contract. A "substantial" amount of tonnage shall be an amount sufficient to make possible the operation of the carrier's own equipment at a profit.

(3) Where a contract carrier enters into more than four special and individual contracts with shippers, the commission may enter into a hearing for the purpose of determining whether such carrier's operations are those of a bona fide contract carrier.

(4) Every contract filed shall also contain the provisions that it is made subject to the power and authority of the commission to fix, alter and amend just, fair, and reasonable classifications, rules and regulations, and minimum rates and charges of contract carriers in intrastate service.

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-70-390 DISCONTINUANCE OF SERVICE, COMMISSION APPROVAL REQUIRED. No ((garbage and/or refuse)) solid waste collection company shall discontinue the service called for under its certificate and tariff schedule filed thereunder without first

having given to the commission and to the public at least ten days' notice in writing of the intention to discontinue such service, and having secured from the commission permission so to do.

**AMENDATORY SECTION** (Amending Order R-295, filed 2/23/89)

**WAC 480-70-400 EQUIPMENT—SAFETY.** (1) All motor vehicles operated under authority of chapter 81.77 RCW, as amended, shall be maintained in a safe and sanitary condition. They shall at all times be subject to inspection by the commission and its duly authorized representatives, inspection stations, or the state patrol, who shall have power to order out of service any vehicle which in their judgment is unsafe or not being operated in compliance with the state laws in regard to equipment or method.

(2) Failure of any certificate holder to obey and comply with all motor vehicle safety laws of the state of Washington shall be grounds for cancellation of certificate.

(3) In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.77 RCW shall comply with the following:

(a) The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 383, part 392, excluding section 392.2 and paragraph (c) of section 392.1; part 393, excluding paragraph (b) of section 393.1, and sections 393.16, 393.17, 393.76, 393.100, 393.102, 393.104, 393.106; part 396, except that with respect to section 396.11 no driver vehicle inspection report need be filed if no defects are found, and excluding paragraph (b) of section 396.1; part 397, excluding section 397.21 and paragraph (c) of section 397.1; as well as and including all appendices and amendments thereto in effect on October 1, 1988, are adopted and prescribed by the commission to be observed by all ~~((garbage and/or refuse))~~ solid waste collection companies operating under chapter 81.77 RCW.

(b) The rules and regulations governing hazardous materials prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, parts 170-189, as well as and including all appendices and amendments thereto, in effect on January 1, 1983, are adopted and prescribed by the commission to define hazardous materials for motor vehicle transportation purposes, and to state the precautions that must be observed in storage, packaging, loading, and unloading such materials, and in maintaining, placarding, marking, and certifying motor vehicles and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all ~~((garbage and/or refuse))~~ solid waste collection companies operating under chapter 81.77 RCW.

(c) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every ~~((garbage and/or refuse))~~ solid waste collection company operating under chapter 81.77 RCW who reports to the United States Department of Transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

(d) Qualifications of drivers. Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 383, part 391, excluding paragraphs (a) and (b) of section 391.2, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b); as well as and including all appendices and amendments thereto, in effect on October 1, 1988, are adopted and prescribed by the commission to be observed by all ~~((garbage and/or refuse))~~ solid waste collection companies operating under chapter 81.77 RCW except:

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

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

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

(iv) Section 391.21, 391.23, 391.25, 391.27, 391.31, 391.33, 391.35, and 391.37 shall not apply to a single vehicle owner driver when operating under its own permit.

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

(f) Whenever the term "lightweight vehicle" is used in Title 49, Code of Federal Regulations, part 391 and part 395, adopted in this section, such term shall mean a motor vehicle that:

(i) Was manufactured on or after January 1, 1972, and has a manufacturer's gross vehicle weight rating of ten thousand pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of ten thousand pounds or less, in the case of an articulated vehicle; or

(ii) Was manufactured before January 1, 1972, and has a gross weight, including its load and the gross weight of any vehicle being towed by the motor vehicle, of ten thousand pounds or less, except:

(iii) The term "lightweight vehicle" does not include a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-12-195.

**AMENDATORY SECTION** (Amending Order R-295, filed 2/23/89)

**WAC 480-70-405 ACCIDENT REPORTING.** (1) Accidents occurring in this state arising from or in connection with the operations of any ~~((garbage and/or refuse))~~ solid waste company operating under chapter 81.77 RCW, resulting in an injury to any person, the death of any person, or involving a motor vehicle carrying hazardous materials and required to be placarded, shall be reported by such carrier to the commission as soon as possible, but in no event later than twelve hours after the occurrence of the accident. The occurrence of such accidents shall be reported to the commission by telephone at the following number: 1-800-562-6150; or if the call is made from out of the state: 1-206-586-1119.

(2) Copies of written reports of all accidents, including those accidents described in subsection (1) of this section, shall be maintained in the main office of the carrier subject to inspection by the commission.

**AMENDATORY SECTION** (Amending Order R-5, filed 6/6/69)

**WAC 480-70-420 PENALTY ASSESSMENTS.** In addition to all other penalties provided by law, every ~~((garbage and/or refuse))~~ solid waste collection company and every officer, agent, or employee of every such company who violates or procures, aids, or abets in the violation of any law, rule, regulation, or commission decision applicable to such company shall incur a penalty of one hundred dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in the case of a continuing violation every day's continuance shall be deemed to be a separate and distinct violation.

**AMENDATORY SECTION** (Amending Order R-5, filed 6/6/69)

**WAC 480-70-440 ((GARBAGE AND REFUSE)) SOLID WASTE COLLECTION COMPANIES STATUTE APPLICABLE.** ~~((Garbage and refuse))~~ solid waste collection companies are subject to the following statutes:

RCW 81.04.130	*Suspension of tariff changes
RCW 81.04.405	Penalties for violations by public service companies
RCW 81.28.010	Duties of carriers as to rates and charges
RCW 81.28.040	*Tariff schedules to be filed
RCW 81.28.050	*Tariff changes, statutory notice
RCW 81.28.080	Published rates to be charged
RCW 81.28.180	Rate discrimination prohibited
RCW 81.28.190	Unreasonable preferences prohibited
RCW 81.28.210	Rebating prohibited
RCW 81.28.230	Upon complaint or own motion commission shall fix reasonable rates.

\*Also contained in rules of tariff circular 6.

**AMENDATORY SECTION** (Amending Order R-321, filed 6/21/90)

WAC 480-70-500 OPERATIONAL REQUIREMENTS. For those certificated ((garbage)) solid waste collection companies handling biohazardous or biomedical waste as defined in WAC 480-70-050, the following requirements shall apply:

An operational plan shall be prepared for handling and transporting biohazardous or biomedical waste which shall include:

(1) A method of receiving biohazardous or biomedical waste that ensures that biohazardous or biomedical waste is handled separately from other solid waste until treatment or disposal, and that prevents unauthorized persons from having access to or contact with the biohazardous or biomedical waste;

(2) A method of loading and unloading biohazardous or biomedical waste that limits the number of persons handling the waste and minimizes the possibility of exposure to biohazardous or biomedical waste of employees and the public;

(3) A method of decontaminating transport vehicles used to haul biohazardous or biomedical waste;

(4) Provision of and required use of clean gloves and uniforms along with other protective clothing to provide protection of those employees required to load, unload, and transport biohazardous or biomedical waste;

(5) A means of decontaminating any person having had bodily contact with a biohazardous or biomedical waste while transporting the waste to the treatment, storage, or disposal site.

**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 R-321, filed 6/21/90)

WAC 480-70-570 REPORTING OF ACCIDENTS. (1) Each common or contract ((garbage)) solid waste hauler transporting biohazardous or biomedical waste in this state shall report to the commission as soon as possible, but in no event later than twelve hours after any leakage or spillage of biohazardous or biomedical waste which could endanger employees of the carrier or the public at the scene of an accident or any accident involving injury to any person, death of any person, or property damage. The occurrence of such accidents shall be reported to the commission by telephone at the following number: 1-800-562-6150; or if the call is made from out of the state: 1-206-586-1119.

(2) Copies of written reports of all accidents described in subsection (1) of this section shall be filed with the commission and maintained in the main office of the carrier subject to inspection by the commission.

**WSR 90-24-049  
PERMANENT RULES  
DEPARTMENT OF REVENUE**

[Filed November 30, 1990, 4:39 p.m., effective January 1, 1991]

Date of Adoption: November 30, 1990.

Purpose: This rule represents a change in the Department of Revenue appeal procedures. The amended title is Appeals, small claims and settlements.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-100.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 90-21-165 on October 24, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 458-20-100(1): The following section was added to the rule amendment: A taxpayer is encouraged to request a conference with a supervisor of the department where disagreement exists over a proposed action of the department. The request for the conference

should be made to the division of the department that is proposing to issue an assessment or is taking some other action in dispute.

Reason for the change: To clarify that supervisory conferences remain available to the taxpayer.

WAC 458-20-100 (2)(a): The following addition was made: Therefore, the department may not grant an extension of time to file a petition for review requesting a refund of taxes paid.

Reason for the change: To clarify that the department may not grant extensions of time to file a petition for refund.

WAC 458-20-100 (4)(a): The following change - addition was made: Most hearings are conducted by telephone conference. If a taxpayer prefers and requests an in-person hearing at the department's Olympia office, the request will be granted. Hearings at offices of the department of revenue throughout the state may be granted upon special request of the taxpayer and at the discretion of the department.

Reason for change: To clarify that a taxpayer may request and be granted an in-person hearing in Olympia, and, may request that a hearing be held throughout the state.

WAC 458-20-100 (4)(b): The following addition was made: Other departmental employees may be in attendance at an in-person hearing and the department shall notify the taxpayer when other departmental employees are attending.

Reason for change: To clarify that other departmental employees may attend only an in-person hearing and only after notification to the taxpayer.

Section - Form Petition. The petition was expanded to provide more information in the following manner:

Name, address and \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
of Representative: \_\_\_\_\_

Do you request this petition to be heard under the small claims procedure? The small claims procedure is limited to appeals of tax issues which do not exceed \$5,000 or issues involving penalties and interest which do not exceed \$10,000. You may not revoke your request to be heard under the small claims procedure after the conference with the administrative law judge has been held. Under the small claims procedure, the decision of the department is final and the department will not accept a petition for reconsideration.

\_\_\_\_\_ Yes \_\_\_\_\_ No

Do you request this petition to be heard as an executive level petition? A petition for executive level consideration may be granted if the issue is one of first impression or the issue has industry-wide impact or significance. The specific reasons for an executive level appeal must be specified in the petition. A decision of a petition heard at the executive level is the final decision of the department and a petition for reconsideration will not be accepted.

\_\_\_\_\_ Yes \_\_\_\_\_ No

Is this a petition for reconsideration?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Is this a petition for executive level reconsideration? (Specific reasons must be specified.)

\_\_\_\_\_ Yes \_\_\_\_\_ No

Reason for change: To assist taxpayers in understanding the options provided and to assist them in completing the form.

Effective Date of Rule: January 1, 1991.

November 30, 1990  
Edward L. Faker  
Assistant Director

AMENDATORY SECTION (Amending Order ET 83-15, filed 3/15/83)

WAC 458-20-100 APPEALS, ((PROCEDURES)) SMALL CLAIMS AND SETTLEMENTS. ((+)) In any case of an account under audit where substantial agreement has not been reached between taxpayer and field auditor, the taxpayer is entitled to a preliminary conference with the auditor's immediate superior, the field audit unit supervisor, prior to finalization and submission of the audit report. Such conference is informal in nature, and is intended to clarify the issues in dispute resolving them where possible, and in any event effecting agreement as to the facts and figures involved. In those cases where agreement cannot be reached at this level as to the tax interpretations applied, the report will be finalized and submitted to Olympia, from where, following review and approval of the recommendations of the report, an assessment will be issued.

(2) Any person having been issued a notice of assessment of additional taxes, delinquent taxes, penalties or interest may petition the department of revenue in writing for a correction of the amount of the assessment and a conference for examination and review of the assessment. Petitions should be addressed: State of Washington, Department of Revenue, Interpretation and Appeals Division, Olympia, Washington 98504.

(3) Under the law the petition must be received by the department of revenue within twenty days after the issuance of the original notice of the amount of the deficiency, or within the period covered by any extension of the due date granted by the department. An extension of thirty days in the due date of the assessment may be granted if additional time is required for preparation of the appeal and such extension is requested prior to expiration of the twenty day period. If no petition is filed within these time periods, the assessment covered by the notice shall become final.

(4) Petitions for correction of assessment shall be in writing, indicating which item or items are in question, and shall set forth the reasons why the correction should be granted and the amount of tax, or of interest and penalties, as the case may be, which the petitioner believes to be due.

(5) Any person having paid any tax, original assessment or corrected assessment of any tax may apply to the department within the time limitation for refund provided in RCW 82.32.060, by petition in writing for a

~~correction of the amount paid and a conference for examination and review of the tax liability.~~

~~(6) Petitions for refund shall be in writing and shall set forth the amount of the tax believed to have been overpaid, the date of payment, the periods for which such tax was paid and the reasons why the petitioner believes that a refund should be granted.~~

~~(7) Petitions for correction of assessment and petitions for refund may be granted or denied by the department of revenue. If the petition is denied, the petitioner shall immediately be notified by mail.~~

~~(8) The department may grant a conference for review of such petitions, fixing the time and place therefor and notifying the petitioner by mail.~~

~~(9) Such conferences will be conducted by an administrative law judge of the department of revenue, an employee especially trained in interpretation of the Revenue Act and the precedents established by prior departmental rulings and by the courts. Other departmental employees may be in attendance. The petitioner may appear personally or may be represented by an attorney, accountant or any other person competent to present his case. At the discretion of the department the conference may be scheduled before the director or an assistant director.~~

~~(10) All conferences before the administrative law judges will be conducted informally.~~

~~(11) Conferences before an administrative law judge will be held at district offices of the department of revenue, located so as to be as convenient as possible for the petitioner.~~

~~(12) Following the conference, the administrative law judge will make such determination as may appear to him just and lawful and in accordance with the rules, principles and precedents established by the department of revenue, and shall notify the taxpayer in writing of his decision.~~

~~(13) The determination of the administrative law judge shall be deemed to represent the official position of the department of revenue and shall be binding upon the taxpayer unless timely appealed.~~

~~(14) If the petition was denied without a hearing or if the taxpayer believes that an error has been made in the determination of the administrative law judge, he may, within twenty days after the date of the petition denial or of the determination, or within the period of any extension of the due date of the tax deficiency assessment, appeal in writing to the director of revenue for a review. The appeal shall indicate his reasons for thinking that the decision should be set aside.~~

~~(15) The director shall decide whether or not the decision is in error and may grant or deny a conference. If denied, the taxpayer shall receive written notice of such determination. If a conference is granted, it shall be held before the director or an assistant director, shall be conducted informally, and shall be held at the departmental offices in Olympia. The determination of the director or an assistant director shall be transmitted to the taxpayer in writing and shall represent the final determination of the department of revenue.~~

~~(16) Appeals from determinations of the department of revenue on petitions for correction of assessment and~~

~~petitions for refund may be taken to the board of tax appeals pursuant to the rules of the board. Petitions for hearing before the board of tax appeals must be filed with the board and a copy thereof served upon the interpretations and appeals division of the department within thirty days after final action by the department of revenue. A taxpayer filing a petition for correction of assessment with the board of tax appeals must make payment of the assessment by the due date thereof unless arrangements are made with the department of revenue for a stay of collection pursuant to RCW 82.32-200. See WAC 458-20-228. This statute gives the department discretion to grant a stay upon the filing of a suitable bond in an amount up to twice the amount on which such a stay is requested along with satisfactory sureties to cover such amounts plus interest at the rate of 1% per month thereon for the duration of the requested stay. Upon the receipt of an offer of such a bond and sureties the department will grant a stay only upon a determination that to do so would be in the best interest of the state.~~

~~(17) Any taxpayer having paid any tax and feeling aggrieved by the amount of the tax may appeal directly to the superior court of Thurston County within the time limitation for refund provided in chapter 82.32 RCW. (See RCW 82.32.180 for statutory requirements as to such appeals.)~~

~~(18) Any taxpayer may make a written request to the department of revenue for a written opinion and ruling of tax liability. Such a request shall contain all pertinent facts concerning the question presented and may contain a statement of the taxpayer's views concerning the correct application of the law. The department may schedule a conference in respect to such a request, but shall advise the taxpayer in writing of its determination, and such determinations shall be binding upon both the taxpayer and the department under identical facts, and any future change in such determination shall have prospective application only.~~

~~(19) All rules, determinations, orders, bulletins, and other similar interpretations of the law which have heretofore been issued by the tax commission and which are in effect June 30, 1967, shall be deemed to be interpretations by the department of revenue and shall be binding upon the department and on taxpayers to the same extent as if such interpretations had been made by the department of revenue.)~~ (1) INTRODUCTION. This section explains the procedure for a taxpayer to seek an administrative review of an action by the department of revenue. A taxpayer is encouraged to request a conference with a supervisor of the department where disagreement exists over a proposed action of the department. The request for the conference should be made to the division of the department that is proposing to issue an assessment or is taking some other action in dispute. Such conferences provide an opportunity to resolve any issue without a review as provided in this section. Any taxpayer who has been issued a notice of departmental action or having paid any tax administered by chapter 82.32 RCW may petition the department of revenue for the review of the action or for a determination of the

taxpayer's liability for the tax paid. Departmental actions subject to review include but are not limited to:

(a) A notice of assessment of additional taxes, of use tax due, or of tax balances due;

(b) A notice of penalties or interest due;

(c) A notice of delinquent taxes, including a notice of tax collection activities; and

(d) An order revoking a certificate of registration.

(2) TIME FOR FILING OF PETITIONS - EXTENSIONS. A review of a departmental action is started by the filing of a petition for review. A petition for review must be filed with the department within thirty days after the date the departmental action has occurred.

(a) A petition for review requesting a refund of taxes paid must be filed within four years after the close of the tax year in which the taxes were paid. Therefore, the department may not grant an extension of time to file a petition for review requesting a refund of taxes paid.

(b) An extension of time to file a petition may be granted if requested within the thirty-day filing period.

(c) A petition or request for extension is timely if it bears a United States Postal Service cancelled postmark on or before the thirty-day due date or is received by the department within the thirty-day filing period.

(3) CONTENTS OF PETITIONS. A petition should be addressed: State of Washington, Department of Revenue, Interpretations and Appeals, Mailstop AX-02, Olympia, Washington 98504-0090. A petition must be in writing and contain the following information:

(a) Indicate which item or items are in question;

(b) Set forth the reasons why the correction, refund, or relief should be granted;

(c) State the amount of the tax, and/or interest, and/or penalty which the taxpayer believes to be in error or which the taxpayer seeks to be refunded;

(d) Indicate whether the petitioner elects to have the petition heard under the small claims procedure;

(e) Indicate whether the petitioner requests the petition to be heard as an executive level petition stating the specific reasons for the request;

(f) In the case of an appeal of an order revoking a certificate of registration, specifically identify the mistake of fact, error of law, or the date the warrant was paid; and

(g) Be signed by the taxpayer and/or authorized representative.

(h) The department has provided as an addendum to this section a form which when completed will provide the necessary information. A taxpayer wishing a review is encouraged to provide the information requested so that the appeal can be processed, heard, and decided as quickly as possible.

(4) HEARING ON THE PETITION - ISSUANCE OF DETERMINATION. A petition for review may be granted or denied. If a review is denied, the taxpayer shall be promptly notified by mail. The reason for the denial, e.g., the nontimely filing of the petition, shall be included in the notification.

(a) When a petition for review is granted, the department may grant a hearing or issue a determination without conducting a hearing. If a hearing is granted,

the taxpayer is notified by mail of its time and place. Most hearings are conducted by telephone conference. If a taxpayer prefers and requests an in-person hearing at the department's Olympia office, the request will be granted. Hearings at offices of the department of revenue throughout the state may be granted upon special request of the taxpayer and at the discretion of the department.

(b) Hearings will be conducted by an administrative law judge of the department of revenue, an employee specially trained in interpretation of the Revenue Act and the precedents established by prior department rulings and by the courts. Other departmental employees may be in attendance at an in-person hearing and the department shall notify the taxpayer when other departmental employees are attending. The taxpayer may appear personally or may be represented by an attorney, accountant, or any other person.

(c) All hearings before an administrative law judge will be conducted informally in a nonadversary, uncontested manner.

(d) Following the hearing, the administrative law judge will make such determination as may appear to be just and lawful and in accordance with the rules, principles, and precedents established by the department. The department shall notify the taxpayer in writing of the decision.

(e) The determination of the administrative law judge is the official position of the department of revenue and is binding upon the taxpayer unless a petition for reconsideration is timely filed. See: Subsection (8) of this section for taxpayer appeals outside the department.

(5) **REQUEST FOR RECONSIDERATION.** If a taxpayer believes that an error has been made in the determination of the administrative law judge, the taxpayer may, within thirty days of the issuance of the determination, request in writing a reconsideration of the decision. A petition for reconsideration may be made on the petition form provided as an addendum to this section. The request for reconsideration shall indicate specific mistakes in law or fact and provide legal authority that would necessitate the reconsideration of the decision. A taxpayer may request an executive level reconsideration when the determination decided an issue of first impression or an issue which has industry-wide impact or significance.

The department shall decide whether or not the decision is to be reconsidered and may grant or deny the petition. If the request for reconsideration is denied, the department shall mail to the taxpayer written notice of the denial and the reason for the denial, e.g., the petition is not timely filed, the authorities specified do not support a mistake of law, or the facts specified were considered in the determination. The denial is then the final action of the department. If the request is granted, a hearing on reconsideration may be conducted or a determination may be issued without a hearing. If a hearing is granted, it shall be conducted informally in a nonadversary, uncontested manner, and shall be held at the department offices in Olympia. A determination upon reconsideration shall be sent to the taxpayer in writing

and shall represent the final action of the department of revenue.

(6) **REQUEST FOR HEARING AT THE EXECUTIVE LEVEL.** If a taxpayer appeal involves an issue of first impression (one for which no precedent has been established) or an issue which has industry-wide significance or impact, a taxpayer may request the petition be heard at the executive level by the director or the director's designee. The request must specify the reasons why this action is appropriate. The department may grant or deny the request. An executive level hearing shall be conducted informally in a nonadversary, uncontested manner. A determination from an executive level appeal is the final action of the department and a request for reconsideration will not be granted.

(7) **SMALL CLAIMS HEARING.** Under certain conditions, a taxpayer may elect, by so indicating on the petition, to have the appeal heard under the expedited small claims hearing procedure.

(a) An appeal qualifies for a small claims hearing only if:

(i) The tax at issue in the appeal is five thousand dollars or less; or

(ii) Penalties and/or interest is the only issue and the amount of penalties and/or interest is ten thousand dollars or less.

(b) The department may decline to hear an appeal under the small claims procedure if the department finds it to be unsuitable for small claims resolution. Appeals with multiple or complex issues, issues of first impression, issues of industry-wide application, and constitutional issues are generally not suitable for small claims resolution.

(c) After the small claims hearing with the administrative law judge has been conducted, the taxpayer may no longer revoke the election for small claims resolution.

(d) The taxpayer will be notified of the time and place of the hearing. The hearing will be conducted informally in a nonadversary, uncontested manner by an administrative law judge and the taxpayer may personally, or through a representative, present oral and/or written testimony at that time. Upon conclusion of the hearing, the administrative law judge may render an oral decision at that time, but in no case will the decision be rendered more than five working days after the hearing. In all small claims hearings, either an abbreviated written decision (determination) containing the department's conclusions will be issued, or a closing agreement will be signed.

(e) The decision rendered in a small claims hearing is the final action of the department and a taxpayer request for reconsideration of the decision will not be granted.

(f) A decision rendered in a small claims hearing has no precedential value.

(8) **APPEALS TO BOARD OF TAX APPEALS – THURSTON COUNTY SUPERIOR COURT.** A taxpayer may appeal a determination of the department of revenue to the board of tax appeals or may seek a refund of taxes paid in Thurston County superior court. See: Chapter 82.03 RCW, and RCW 82.32.180. A taxpayer filing an appeal with the board of tax appeals must pay



the tax by the due date, unless arrangements are made with the department of revenue for a stay of collection pursuant to RCW 82.32.200. See: WAC 458-20-228.

(9) RULINGS OF PRIOR DETERMINATION OF TAX LIABILITY. Any taxpayer may make a written request to the department for a written opinion of future tax liability. Such a request shall contain all pertinent facts concerning the question presented and may contain a statement of the taxpayer's views concerning the correct application of the law. The department shall advise the taxpayer in writing of its opinion. The opinion shall be binding upon both the taxpayer and the department under the facts presented until the department changes the opinion by a determination or subsequent opinion issued to the taxpayer, or the legal basis of the opinion has been changed by legislative, court, or WAC rule action. When changes occur, a taxpayer may contact the department to determine if a change in the legal basis of the opinion has occurred. Any future change in the opinion shall have prospective application only.

(10) SETTLEMENT. At any time during the appeal process, the taxpayer or the department may propose to compromise the matter by settlement.

(a) Settlement may be appropriate when:

(i) The issue is nonrecurring. An issue is nonrecurring when the law has changed so future periods are treated differently than the periods under appeal; or the taxpayer's position or business activity has changed so that in future periods the issue under consideration is changed or does not exist; or the taxpayer agrees to a prospective change; or

(ii) A conflict exists between precedents i.e., statutes, rules, excise tax bulletins, and correspondences to the taxpayer; or

(iii) A strict application of the law would have unduly harsh consequences which may be only relieved by an equitable doctrine; or

(iv) There is uncertainty of the outcome of the appeal if it were presented to a court. Factors to be considered include the relative degrees of certainty and the costs for both the taxpayer and the state. This category includes cases which involve factual issues that might require extensive expert testimony to resolve; or

(b) Settlement is not appropriate when:

(i) The same issue in the taxpayer's appeal is being litigated by the department; or

(ii) The taxpayer challenges a long-standing departmental policy or a WAC rule which the department will not change unless the policy or rule is declared invalid by a court of record; or

(iii) The taxpayer presents issues that have no basis upon which relief for the taxpayer can be granted or given. Settlement will not be considered if the taxpayer's offer of settlement is simply to eliminate the inconvenience or cost of further negotiation or litigation, and is not based upon the merits of the case; or

(iv) The taxpayer's only argument is that a statute is unconstitutional; or

(v) The taxpayer's only argument is financial hardship. Financial hardship issues are properly discussed with the department's compliance division.

(c) Each settlement is concluded by a closing agreement being signed by both the department and the taxpayer as provided by RCW 82.32.350 and is binding on both parties as provided in RCW 82.32.360. A closing agreement has no precedential value.

PETITION

STATE OF WASHINGTON
DEPARTMENT OF REVENUE
INTERPRETATION AND APPEALS
MAILSTOP AX-02
OLYMPIA, WA 98504-0090

Taxpayer Name
Address and
Telephone No.

Name, address and
Telephone No.
of Representative:

Registration No.:

Amount At Issue:

Audit No.: Document No.:

Do you request this petition to be heard under the small claims procedure? The small claims procedures are limited to appeals of tax issues which do not exceed \$5,000 or issues involving penalties and interest which do not exceed \$10,000. You may not revoke your request to be heard under the small claims procedure after the conference with the administrative law judge has been held. Under the small claims procedures, the decision of the department is final and the department will not accept a petition for reconsideration. Yes

No

Do you request this petition to be heard as an executive level petition? A petition for executive level consideration may be granted if the issue is one of first impression or the issue has industry-wide impact or significance. The specific reasons for an executive level appeal must be specified in the petition. A decision of a petition heard at the executive level is the final decision of the department and a petition for reconsideration will not be accepted.

Yes

No

Is this a petition for reconsideration? Yes

No

Is this a petition for executive level reconsideration? (Specific reasons must be specified.) Yes

No

Items Protested (attach additional information if necessary):

Time Period at Issue:

Relief Requested (attach additional information if necessary):

Reason for relief (cite applicable rules, statutes, etc., and attach additional information if necessary):

(Signature of Taxpayer or Authorized Representative - Date)

WSR 90-24-050
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
COMMUNITY DEVELOPMENT
[Memorandum--November 30, 1990]

The Governor's Emergency Management Council will meet on January 17, 1990 [1991]. The meeting will begin at 8:00 a.m. and end at 2 p.m. at the Aladdin Motor Inn, Henry C's, Cascade Room, 900 South Capitol Way, Olympia. Please call Joan E. Sterling, administrative assistant, at (206) 459-9191 if you have any questions.

WSR 90-24-051
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD
[Memorandum--November 30, 1990]

MEETING NOTICE FOR
DECEMBER 1990 AND JANUARY 1991
TRANSPORTATION IMPROVEMENT BOARD
TRANSPORTATION BUILDING
OLYMPIA, WASHINGTON 98504

Work session, 4:00 p.m., Thursday, December 20, 1990, in Vancouver at the Mark 205 Motor Inn, 221 N.E. Chkalov Drive.

TIB meeting, 9:00 a.m., Friday, December 21, 1990, in Vancouver at the Mark 205 Motor Inn, 221 N.E. Chkalov Drive.

TIB work session, 6:00 p.m., Thursday, January 17, 1991, in Olympia at the Best Western Aladdin Motor Inn, 900 South Capitol Way, Olympia.

TIB meeting, 9:00 a.m., Friday, January 18, 1991, in Olympia at the Commission Board Room, Transportation Building, Olympia.

WSR 90-24-052
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed December 3, 1990, 11:03 a.m.]

Original Notice.
Title of Rule: Finance--Categorical apportionment, chapter 392-122 WAC.
Purpose: To update procedures for allocating state moneys to school districts for state categorical programs

(i.e., handicapped, institutional education, learning assistance, transitional bilingual, and highly capable programs.

Statutory Authority for Adoption: RCW 28A.150.290.

Statute Being Implemented: Chapter 19, Laws of 1989 1st ex. sess. and chapter 16, Laws of 1990 1st ex. sess.

Summary: Procedures for allocating state money for state categorical programs are revised to reflect state funding for the 1989-90 and 1990-91 school years as defined in the 1989-91 Biennial Operating Appropriations Act as amended.

Reasons Supporting Proposal: Appropriations language has changed.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Old Capitol Building, Olympia, Washington, 753-2298; Implementation: Thomas J. Case, Old Capitol Building, Olympia, Washington, 753-6708; and Enforcement: David Moberly, Old Capitol Building, Olympia, Washington, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

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

Hearing Location: Preston Conference Room, 3rd Floor, Old Capitol Building, Olympia, Washington 98504, on January 11, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by January 8, 1991.

Date of Intended Adoption: January 16, 1991.

November 30, 1990

Judith A. Billings  
Superintendent of  
Public Instruction

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-122-010 PURPOSE. The purpose of this chapter is to establish policies and procedures for the distribution of state moneys to school districts for programs authorized by RCW 28A.150.370 other than basic education apportionment, special allocations pursuant to chapter 392-140 WAC, and transportation allocations.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-100 STATE HANDICAPPED PROGRAM - APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state education program for handicapped students:

(1) WAC 392-122-100 through ((392-122-160)) 392-122-165; and

(2) WAC 392-122-900 through ((392-122-905)) 392-122-910.

AMENDATORY SECTION (Amending Order 85-16, filed 12/9/85)

WAC 392-122-106 DEFINITION -FORM P-223H. "Form P-223H" ((~~staff~~)) means the report of school district handicapped

headcount enrollment by each handicapping condition and age for eligible handicapped students as defined in WAC 392-122-135 submitted monthly by the school districts to the superintendent of public instruction for the school year for the purpose of calculating the handicapped program allocations.

(1) The count dates for handicapped student enrollments shall be the same as specified in WAC ((392-121-105(2))) 392-121-122.

(2) This report shall indicate the handicapped enrollment by resident school district and serving school district.

AMENDATORY SECTION (Amending Order 85-16, filed 12/9/85)

WAC 392-122-107 DEFINITION-REPORT 1220. "Report 1220" ((~~staff~~)) means the school district's handicapped allocation report calculated and prepared by the superintendent of public instruction using the district's eight-month average annual headcount enrollment as submitted on Form P-223H for the school year and the ratios and percentages established in the LEAP document for state handicapped program((s)) allocation as defined in WAC 392-122-105. For the purpose of handicapped allocations, the district's eight-month average annual headcount enrollment shall be the average of the enrollments for first school day of the second reporting month and the subsequent seven months.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-110 DEFINITION-STATE HANDICAPPED PROGRAM-HANDICAPPED PROGRAM CERTIFICATED ((~~DERIVED-BASE SALARY~~)) INSTRUCTIONAL STAFF SALARY AND MIX FACTOR VARIABLES FOR THE ALLOCATION FORMULA. ((~~"Handicapped program certificated derived base salary" means the handicapped program certificated derived base salary for the current school year calculated and provided annually by the superintendent of public instruction for the purpose of distributing handicapped program allocations.~~)) Handicapped program certificated instructional staff salary and mix factor variables used in the handicapped allocation formula shall be defined the same as those defined in WAC 392-121-285 through 392-121-298: PROVIDED, That the words "state handicapped program" shall be substituted for "basic education" throughout those definitions.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-120 STATE HANDICAPPED PROGRAM- DETERMINATION OF DISTRICT AVERAGE STATE HANDICAPPED PROGRAM CERTIFICATED ((~~DERIVED-BASE~~)) INSTRUCTIONAL STAFF SALARY FOR THE PURPOSE OF AP- PORTIONMENT. ((~~State handicapped program moneys shall be allocated using each school district's handicapped program certificated derived base salary and its staff mix factor for certificated handicapped program staff as provided in the state operating appropriation act currently in effect and provided by the superintendent of public instruction for the purpose of distributing handicapped program allocations. The certificated staff mix factor used for certificated staff in each school district shall be determined using the procedure described in WAC 392-121-121 and 392-121-125. The staff mix factor and average salary computations shall be based on certificated staff as reported on Form S-275 with work assignments in the state handicapped program.~~)) The determination of district average handicapped program certificated instructional staff salary used in the handicapped allocation formula for the purposes of apportionment shall be the same as specified in WAC 392-121-299: PROVIDED, That the words "state handicapped program" shall be substituted for "basic education" throughout that section.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-145 STATE HANDICAPPED PROGRAM- HOME AND/OR HOSPITAL CARE--EXTENDED ABSENCES. Students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care((, otherwise not deemed "handicapped" pursuant to WAC 392-171-310.)) shall be counted as enrolled students pursuant to WAC 392-121-106 as follows:

(1) Students not deemed eligible handicapped students pursuant to WAC 392-122-135 whose absence from the regular attendance continues through two consecutive monthly enrollment report days shall be dropped from the rolls and shall not be counted as an enrolled student ((~~until~~)) on the next monthly enrollment report day unless attendance ((~~is~~)) has resumed ((~~as provided under WAC 392-121-~~

~~180(6)). ((These)) Such students ((whose absences extends beyond the two consecutive monthly enrollment report days)) shall only be eligible for home and/or hospital care allocations until attendance in the regular program is resumed.~~

(2) Students deemed eligible handicapped students pursuant to WAC 392-122-135 shall be reported as enrolled students for the duration of the home and/or hospital care.

#### NEW SECTION

WAC 392-122-165 STATE HANDICAPPED PROGRAM—APPORTIONMENT OF STATE HANDICAPPED PROGRAM MONEYS. From moneys appropriated by the legislature, the superintendent of public instruction shall apportion state handicapped program moneys to each school district based on the LEAP document for state handicapped program allocation and on the provisions of WAC 392-122-100 through 392-122-160. The superintendent of public instruction shall make payments in the same manner as provided in WAC 392-121-400.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-200 STATE INSTITUTIONAL EDUCATION PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state institutional education program:

(1) WAC 392-122-200 through ~~((392-122-280))~~ 392-122-275; and

(2) WAC 392-122-900 through ~~((392-122-905))~~ 392-122-910.

#### NEW SECTION

WAC 392-122-206 DEFINITION—STATE INSTITUTIONAL EDUCATION PROGRAM—FORM E-672. "Form E-672" means the form distributed by the superintendent of public instruction on which school districts operating institutional education programs report eligible institutional education students enrolled on the enrollment count dates specified in WAC 392-121-122.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-210 DEFINITION—STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CERTIFICATED ~~((DERIVED BASE SALARY))~~ INSTRUCTIONAL STAFF AND MIX FACTOR VARIABLES FOR THE ALLOCATION FORMULA. ~~((<sup>2</sup>Institutional program certificated derived base salary<sup>2</sup> means the district's institutional education program certificated derived base salary calculated and provided annually by the superintendent of public instruction for the purpose of distributing institutional education program allocations.))~~ The definition of state institutional education program certificated instructional staff salary and mix factor variables used in the institutional education allocation formula shall be defined the same as those defined in WAC 392-121-285 through 392-121-298: PROVIDED, That the words "state institutional education program" shall be substituted for "basic education" throughout those definitions.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-230 STATE INSTITUTIONAL EDUCATION PROGRAM—ELIGIBLE INSTITUTIONAL EDUCATION STUDENTS. State institutional education program moneys shall be allocated to school districts based on the institutional full-time equivalent enrollment levels ~~((provided by the department of social and health services to the special and institutional education))~~ reported on Form E-672 by school districts operating state institutional education programs to the school business services division in the office of the superintendent of public instruction.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-235 STATE INSTITUTIONAL EDUCATION PROGRAM—DETERMINATION OF DISTRICT AVERAGE STATE INSTITUTIONAL PROGRAM CERTIFICATED ~~((AVERAGE))~~ INSTRUCTIONAL STAFF SALARY FOR THE PURPOSE OF APPORTIONMENT. ~~((State institutional education program moneys for the purpose of recognition of institutional program certificated staff salaries shall be allocated using each school district's~~

~~state institutional certificated derived base salary and the district's staff mix factor for certificated institutional education program staff as provided in the State Appropriations Act currently in effect and provided by the superintendent of public instruction for the purpose of distributing institutional education program allocations. The certificated staff mix factor used for certificated staff in each school district shall be determined using the procedure described in WAC 392-121-121 and 392-121-125. The staff mix factor and average salary computations for the institutional education program shall be based on certificated staff with work assignments in the state institutional education program as reported by the district on the Form S-275 for the current school year.))~~ The determination of district average institutional education program certificated instructional staff salary used in the institutional education allocation formula for the purposes of apportionment shall be the same as specified in WAC 392-121-299: PROVIDED, That the words "state institutional education program" shall be substituted for "basic education" throughout that section.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-270 STATE INSTITUTIONAL EDUCATION PROGRAM—~~((INITIAL ALLOCATION))~~ APPORTIONMENT OF STATE MONEYS. ~~((The initial allocation for state institutional education programs shall be))~~ From the state institutional education program moneys appropriated to the superintendent of public instruction, the superintendent shall make allocations to school districts based upon the sum of moneys allocated in accordance with WAC 392-122-230, 392-122-235, ~~((392-122-240, 392-122-245, 392-122-250, and))~~ 392-122-255, and 392-122-260. ~~((Additional funds shall be allocated to state institutional education programs during the school year as approved by the superintendent of public instruction.))~~ The superintendent of public instruction shall make payments in the same manner as provided in WAC 392-121-400.

#### AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-600 STATE ~~((REMEDATION))~~ LEARNING ASSISTANCE PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state moneys for the state ~~((remediation))~~ learning assistance program:

(1) WAC 392-122-600 through 392-122-610; ~~((and))~~

(2) WAC 392-122-900 ~~((through 392-122-905));~~ PROVIDED, That allowable expenditures including indirect expenditures shall be determined pursuant to WAC 392-162-095; and

(3) WAC 392-122-905 through 392-122-910.

#### AMENDATORY SECTION (Amending Order 87-2, filed 4/6/87)

WAC 392-122-605 ~~((FORMULA FOR DISTRIBUTION))~~ APPORTIONMENT OF STATE MONEYS FOR THE STATE ~~((REMEDATION))~~ LEARNING ASSISTANCE PROGRAM. ~~((1) As used in this section, the term "district fourth grade RAP percentage" shall mean the percentage of students who scored in the lowest quartile of the approved fourth grade test administered by districts pursuant to RCW 28A.03.060, using the most recent prior five-year average scores on the fourth grade test.~~

~~((2) A district's entitlement for state moneys for the state remediation assistance program shall be calculated as follows:~~

~~((a) Multiply the district fourth grade RAP percentage by the number of estimated average annual full-time equivalent students enrolled in the district in grades two through six; and~~

~~((b) Reduce the amount obtained in (a) of this subsection to the extent that the number of students ages seven through eleven resident to the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full-time equivalent enrollment in grades two through six; and~~

~~((c) Multiply the number of students obtained in (b) of this subsection by the per pupil allocation established in the state appropriation act for the state remediation assistance program; and~~

~~((d) The result in (c) of this subsection is the district's entitlement subject to WAC 392-122-610, 392-122-900 and its provision for enrollment adjustment.))~~ State learning assistance program moneys shall be allocated as provided in the state Operating Appropriations Act in effect at the time the apportionment is due.

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-122-610 (~~(DISTRIBUTION)~~) PAYMENT OF STATE MONEYS FOR THE STATE (~~(REMEDATION)~~) LEARNING ASSISTANCE PROGRAM. (~~The superintendent of public instruction shall apportion to districts for the state remediation assistance program the amount calculated per district in WAC 392-122-605 in monthly payments according to the schedule depicted in RCW 28A.510.250. Monthly payments to districts shall be adjusted during the year to reflect the changes in each district's annual average full-time enrollment in grades two through six and eight-month annual average specific learning disabled headcount enrollment ages seven through eleven.~~) From the state learning assistance program moneys appropriated to the superintendent of public instruction, the superintendent shall make payments in the same manner as provided in WAC 392-121-400.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-700 STATE TRANSITIONAL BILINGUAL PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state (~~(funds)~~) moneys for the state transitional bilingual program:

- (1) WAC 392-122-700 through 392-122-710; and
- (2) WAC 392-122-900 through (~~(392-122-905)~~) 392-122-910.

AMENDATORY SECTION (Amending Order 84-10, filed 6/13/84)

WAC 392-122-800 STATE HIGHLY CAPABLE STUDENTS EDUCATION PROGRAM—APPLICABLE CODE PROVISIONS. The following sections of this chapter are applicable to the distribution of state (~~(funds)~~) moneys for the state highly capable students education program:

- (1) WAC 392-122-800 through 392-122-810; and
- (2) WAC 392-122-900 through (~~(392-122-905)~~) 392-122-910.

AMENDATORY SECTION (Amending Order 84-36, filed 10/2/84)

WAC 392-122-805 FORMULA FOR DISTRIBUTION OF STATE MONEYS FOR THE STATE HIGHLY CAPABLE STUDENTS EDUCATION PROGRAM. (1) As used in this section, the term "average annual full-time equivalent students" or AAFTE shall be defined as that term defined in WAC (~~(392-121-105(3))~~) 392-121-133.

(2) A district's entitlement for state moneys for the state highly capable students education program shall be calculated as follows:

- (a) Multiplying the AAFTE of the reporting district by one percent;
- (b) Multiplying the number of students obtained in the above calculation by the per pupil allocation established in the State Operating Appropriations Act in effect at the time the apportionment is due; and
- (c) The product is the district's entitlement subject to WAC 392-122-810 and its provision for enrollment adjustment.

#### NEW SECTION

WAC 392-122-910 GENERAL PROVISIONS—RECOVERY FOR FAILURE TO MEET PROGRAM REQUIREMENTS. (1) Categorical apportionment moneys affected by this chapter shall be recovered in the event that a school district fails to meet one or more conditions that are established in state law, including the state Operating Appropriations Act, or state rules, or regulations.

(2) Such recovery shall occur if:

(a) The school district's failure to meet one or more established conditions is documented either on a school district report that has been submitted to the superintendent of public instruction or by review of the school district's program by the superintendent of public instruction; and

(b) The school district has been given notice by the superintendent of public instruction of such failure at least thirty calendar days prior to the date of recovery.

(3) The amount of such recovery shall be proportional to the degree to which the school district fails to meet the established condition.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-122-115 DEFINITION—STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED DERIVED BASE SALARY.

WAC 392-122-125 STATE HANDICAPPED PROGRAM—HANDICAPPED PROGRAM CLASSIFIED DERIVED BASE SALARY.

WAC 392-122-215 DEFINITION—STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CLASSIFIED AVERAGE SALARY.

WAC 392-122-240 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM CLASSIFIED AVERAGE SALARY.

WAC 392-122-245 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM INSURANCE BENEFITS.

WAC 392-122-250 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM NONEMPLOYEE RELATED COST.

WAC 392-122-265 STATE INSTITUTIONAL EDUCATION PROGRAM—INSTITUTIONAL PROGRAM TRAFFIC SAFETY ALLOCATION.

### WSR 90-24-053

#### PERMANENT RULES

#### DEPARTMENT OF

#### LABOR AND INDUSTRIES

[Filed December 3, 1990, 1:09 p.m.]

Date of Adoption: December 3, 1990.

Purpose: To reduce fees for filing prevailing wage forms with the department.

Citation of Existing Rules Affected by this Order: Amending WAC 297-127-040 [296-127-040] and 297-127-045 [296-127-045].

Statutory Authority for Adoption: RCW 43.22.270.

Pursuant to notice filed as WSR 90-22-050 on November 2, 1990.

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

December 3, 1990

Joseph A. Dear

Director

#### READOPTED/AMENDATORY

SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-040 STATEMENT OF INTENT TO PAY PREVAILING WAGES. (1) All statements of intent to pay prevailing wages (~~(for contracts in excess of two thousand five hundred dollars)~~) submitted to the industrial statistician of the department shall be accompanied by a fee of (~~(twenty-five dollars)~~) twelve dollars and fifty cents for each statement. (~~(All statements of intent to pay prevailing wages for contracts of two thousand five hundred dollars or less submitted to the department shall be accompanied by a fee of twelve dollars fifty cents for each statement.)~~) Fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies statements of intent for its own contracts shall provide to the industrial statistician each month the number of statements of intent certified and quarterly shall send a fee of (~~(\$10.00)~~) ten dollars for each statement of intent to pay prevailing wages it has certified.

This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

### READOPTED/AMENDATORY

SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-045 AFFIDAVIT OF WAGES PAID. (1) All affidavits of wages paid (~~for contracts in excess of two thousand five hundred dollars~~) submitted to the industrial statistician of the department shall be accompanied by a fee of (~~twenty-five dollars~~) twelve dollars and fifty cents for each affidavit of wages paid. (~~All affidavits of wages paid for contracts of two thousand five hundred dollars or less submitted to the industrial statistician of the department shall be accompanied by a fee of twelve dollars fifty cents for each affidavit.~~) All fees shall be made payable to the department of labor and industries.

(2) Any agency, division, or department of the state of Washington which through agreement with the department certifies affidavits of wages paid for its own contracts shall provide to the industrial statistician each month the number of affidavit of wages paid it has certified and quarterly shall send a fee of (~~\$10.00~~) ten dollars for each affidavit of wages paid it has certified. This fee shall be sent to the industrial statistician and be made payable to the department of labor and industries.

### **WSR 90-24-054**

#### PERMANENT RULES

#### DEPARTMENT OF LICENSING

[Filed December 3, 1990, 2:10 p.m.]

Date of Adoption: December 1, 1990.

Purpose: To provide record keeping requirements for vehicle dealers and vehicle dealer auction companies relative to odometer mileage disclosure. To provide procedures for obtaining secure odometer power of attorney forms and the circumstances in which they may be used.

Citation of Existing Rules Affected by this Order: Amending WAC 308-66-180 and 308-66-190.

Statutory Authority for Adoption: RCW 46.70.160.

Pursuant to notice filed as WSR 90-18-027 on August 27, 1990.

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

December 1, 1990

Mary Faulk

Director

AMENDATORY SECTION (Amending Order DLR 115, filed 12/9/86)

WAC 308-66-180 RECORD OF TRANSACTIONS. (1) The record of purchase and sale of vehicles maintained by a dealer shall, where applicable, include, but not be limited to:

(a) A description of the vehicle, which shall include those items of description required on the Washington application for title;

(b) The Washington license plate number assigned to the vehicle upon transfer;

(c) The required odometer statement disclosure form which shall conform to 49 Code of Federal Regulations, part 580, or if a licensed vehicle dealer auction company conducting wholesale consignment sales, the odometer disclosure record for such sales as required in 49 Code of Federal Regulations, part 580.9;

(d) The hardback copy of the temporary license permit after the permanent license plates have been provided to the purchaser, if the vehicle is delivered on such permit issued by the dealer.

(2) The record of purchase and sale of the vehicle shall be maintained on all transactions whether at retail or wholesale.

AMENDATORY SECTION (Amending WSR 90-10-013, filed 4/20/90, effective 5/21/90)

WAC 308-66-190 TRANSFER OF CERTIFICATE OF TITLE BY DEALER. (1) When a vehicle displaying current Washington plates is sold by a dealer, the dealer shall make an application for a certificate of title in the purchaser's name within thirty days following the sale of the vehicle.

(2) The dealer shall in every case sign or type his name on the certificate of title accompanying the transfer. If an authorized agent signs for the dealer, he shall give his title.

(3) The name and address of the previous registered owner shall be shown on the application for transfer of title.

(4) The dealer shall (~~insert the odometer mileage reading on title applications as required by RCW 46.12-120~~) provide a vehicle odometer disclosure statement with the title application as required by section 6, chapter 238, Laws of 1990.

### NEW SECTION

WAC 308-66-205 VEHICLE ODOMETER DISCLOSURE. (1) A vehicle dealer shall obtain a vehicle odometer disclosure statement, on a form approved by the department, for all vehicles purchased and sold by the dealer unless otherwise exempted by section 6, chapter 238, Laws of 1990.

(2) When a vehicle is sold by a licensed vehicle dealer auction company to a nondealer, the dealer auction company must complete the odometer disclosure statement as the transferor, and the dealer auction company shall comply with all odometer disclosure requirements set forth in chapter 238, Laws of 1990.

(3) Licensed vehicle dealer auction companies must retain the following odometer records for each vehicle sold at wholesale:

(a) Name of the most recent owner, other than the auction company;

(b) Name of the buyer;

(c) Vehicle identification number; and

(d) Odometer reading of the vehicle for the date on which the auction company took possession of the vehicle.

**NEW SECTION**

WAC 308-66-206 SECURE ODOMETER POWER OF ATTORNEY FORMS. For the purpose of mileage disclosure, a dealer may use the secure odometer power of attorney form, number TD-420-003 P.O.A., on all transactions in which the department has issued a secure title and that title is physically held by a lienholder or is lost. The secure odometer power of attorney form, number TD-420-003 P.O.A., may be obtained in one of three ways:

- (1) By becoming an authorized distributor of the form;
- (2) By purchasing or obtaining from an authorized distributor of the form;
- (3) Directly from the department of licensing.

**WSR 90-24-055  
PERMANENT RULES  
DEPARTMENT OF HEALTH  
(Board of Osteopathic  
Medicine and Surgery)**

[Order 100B--Filed December 3, 1990, 3:19 p.m., effective January 31, 1991]

Date of Adoption: November 30, 1990.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Citation of Existing Rules Affected by this Order: See list below.

Statutory Authority for Adoption: RCW 18.57.005.

Pursuant to notice filed as WSR 90-21-072 on October 16, 1990.

Effective Date of Rule: January 31, 1991.

November 30, 1990  
Bruce Kuhlmann, D.O.  
Chairman

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-853 WAC:

Chapter 246-853 WAC  
Osteopathic physicians and surgeons

308-138-055 as	246-853-020
308-138-065 as	246-853-030
308-138-070 as	246-853-040
308-138-180 as	246-853-050
308-138-200 as	246-853-060
308-138-210 as	246-853-070
308-138-220 as	246-853-080
308-138-230 as	246-853-090
308-138-300 as	246-853-100
308-138-310 as	246-853-110
308-138-320 as	246-853-120
308-138-321 as	246-853-130
308-138-322 as	246-853-140
308-138-323 as	246-853-150
308-138-324 as	246-853-160
308-138-325 as	246-853-170

308-138-326 as	246-853-180
308-138-327 as	246-853-190
308-138-328 as	246-853-200
308-138-330 as	246-853-210
308-138-340 as	246-853-220
308-138-350 as	246-853-230
308-138-360 as	246-853-240

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-854 WAC:

Chapter 246-854 WAC  
Osteopathic physicians' assistants

308-138A-020as	246-854-020
308-138A-025as	246-854-030
308-138A-030as	246-854-040
308-138A-040as	246-854-050
308-138A-050as	246-854-060
308-138A-060as	246-854-070
308-138A-070as	246-854-080
308-138A-080as	246-854-090
308-138A-090as	246-854-100

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-855 WAC:

Chapter 246-855 WAC  
Osteopathic physicians' acupuncture assistants

308-138B-100as	246-855-020
308-138B-105as	246-855-030
308-138B-110as	246-855-040
308-138B-130as	246-855-050
308-138B-140as	246-855-060
308-138B-150as	246-855-070
308-138B-160as	246-855-080
308-138B-165as	246-855-010
308-138B-170as	246-855-090
308-138B-180as	246-855-100
308-138B-190as	246-855-110
308-138B-200as	246-855-120

**WSR 90-24-056  
PERMANENT RULES  
BOARD OF  
FUNERAL DIRECTORS AND EMBALMERS**

[Filed December 3, 1990, 4:11 p.m.]

Date of Adoption: November 13, 1990.

Purpose: The purpose is to improve the efficiency of the continuing education program.

Citation of Existing Rules Affected by this Order: Amending WAC 308-48-540 and 308-48-560.

Statutory Authority for Adoption: RCW 18.39.175(7).

Pursuant to notice filed as WSR 90-20-106 on October 2, 1990.

Effective Date of Rule: Thirty-one days after filing.  
 November 13, 1990  
 Laurence C. Mathews  
 Chairman

**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.

**WSR 90-24-057**  
**NOTICE OF PUBLIC MEETINGS**  
**OLYMPIC COLLEGE**  
 [Memorandum--November 27, 1990]

Regular meetings: One regular meeting of the board of trustees shall be held each month. This meeting shall be held on the fourth Tuesday of each month and begin at 7:30 p.m. in the Board Room, College Service Center, Olympic College, 16th and Chester, Bremerton, Washington, or at such other time and place as the board may direct from time to time and as published in the State Register. The location of each meeting is available in the Office of the President, Olympic College, 16th and Chester, Bremerton, Washington. The chairman of the board, with the concurrence of a majority of the members of the board, may cancel any regular meeting. All such regular meetings will be conducted in conformance with the laws of the state of Washington governing such meetings.

The regular meeting date schedule for 1991, which needs to be published in the State Register for Olympic College, is as follows:

January 22	July 23
February 26	August 27
March 26	September 24
April 23	October 22
May 28	November 26
June 25	December 24

**WSR 90-24-058**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(By the Code Reviser's Office)**  
 [Filed December 4, 1990, 2:58 p.m.]

WAC 308-124H-800 and 308-124C-020, proposed by the Department of Licensing in WSR 90-11-098, appearing in issue 90-11 of the State Register, which was distributed on June 6, 1990, is withdrawn by the code reviser under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
 Washington State Register

**WSR 90-24-059**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF AGRICULTURE**  
**(Noxious Weed Control Board)**  
 [Memorandum--November 29, 1990]

The following is the 1991 meeting schedule for the Washington State Noxious Weed Control Board.

February 20, 1991	Yakima
February 21, 1991	Yakima
March 20, 1991	Yakima
March 21, 1991	Yakima
May 15, 1991	Yakima
May 16, 1991	Yakima
July 17, 1991	Ellensburg
September 18, 1991	Ellensburg
November 20, 1991	Ellensburg

Contact the Washington State Noxious Weed Control Board office for specific information on location, time, and agenda.

**WSR 90-24-060**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed December 4, 1990, 3:19 p.m.]

Original Notice.  
 Title of Rule: Amendments to chapter 173-230 WAC, Certification of operators of wastewater treatment plants.



**Purpose:** To initiate fee increases which will comply with the limits of RCW 70.95B.090 (1) and (2), and to partially satisfy RCW 70.95B.095 which requires the Department of Ecology to set sufficient fees to recover costs of the certification program.

**Statutory Authority for Adoption:** Chapter 70.95B RCW.

**Statute Being Implemented:** RCW 70.95B.090 (1) and (2).

**Summary:** This proposed rule will assist the Department of Ecology in meeting the legislative mandate of self-sufficiency for the wastewater certification program.

**Reasons Supporting Proposal:** This proposed rule will be the Department of Ecology's initial step towards complying with RCW 70.95B.095 by January 1, 1992. This proposal is in compliance with RCW 70.95B.090 (1) and (2).

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Katherine Scott, Prudential Building, PV-11, 438-7043.

**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 proposed rule will increase certification program fees so that the Department of Ecology can comply with the limits of RCW 70.95B.090 (1) and (2) and as a result, Ecology can commence its efforts towards self-sufficiency as required by RCW 70.95B.095. The proposed rule changes will result in the following fee increases: Examination and reciprocity application fee will be raised to \$50.00 and annual certificate renewals will be raised to \$30.00. The fee increases resulting from the rule change may be met with opposition from some wastewater operators and their employers. Some operators may elect not to renew their certificates.

**Proposal Changes the Following Existing Rules:** WAC 173-230-090(1) fee change from \$20.00 to \$50.00 and fee change from \$40.00 to \$50.00; 173-230-090(2) fee change from \$20.00 to \$50.00; and 173-230-090(4) fee change from \$10.00 to \$30.00.

## SMALL BUSINESS ECONOMIC IMPACT STATEMENT

### CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT PLANTS CHAPTER 173-230 WAC

#### INTRODUCTION

The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than twenty percent of all industry or more than ten percent of any one industry, be reviewed and altered to minimize their impact on small business. This review is reported in this Small Business Economic Impact Statement. The Regulatory Fairness Act requires that a Small Business Economic Impact Statement (SBEIS) "include a brief description of the reporting, record keeping, and other compliance requirements of the rule, and the kinds of professional services" needed to comply

with those requirements. It also must "analyze, based on existing data, the costs of compliance for businesses required to comply with the provisions of (the) rule...including costs of equipment, supplies, labor, and increased administrative costs." The cost of compliance for small and large businesses are to be compared. A small business is defined as a corporation, partnership, sole proprietorship, or other legal entity which has the purpose of making a profit, which is independently owned and operated from all other businesses, and which has fifty or fewer employees.

#### THE CURRENT OPERATOR CERTIFICATION RULE AND ITS AMENDMENTS

Chapter 70.95B RCW, Domestic waste treatment plants—Certification and regulation of operators, requires that the operator in responsible charge at a wastewater treatment plant be certified. For the purposes of this law, "wastewater treatment plant" is defined as "a facility used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial or industrial origin." This definition does not include industrial wastewater treatment plants. Chapter 173-230 WAC establishes the operator certification program, imposes fees for certification, and classifies treatment plants. Under the current rule, the fee for certification by examination is \$20; the fee for certification by reciprocity is \$40; and the annual certification renewal fee is \$10. The amendments to the rule will increase the fee for certification by examination from \$20 to \$50. The fee for certification by reciprocity will be increased from \$40 to \$50. The annual certification renewal fee will be increased from \$10 to \$30.

#### REQUIREMENTS OF THE AMENDED RULE

The amendments to the certification rule only increase the certification fees. The fee increases do not alter any of the other compliance requirements of the rule. They do not add to the professional services needed to comply with the rule.

#### ECONOMIC ANALYSIS

The Regulatory Fairness Act's SBEIS requirement, and consequently this analysis, is only concerned with the private sector of the economy. Most certified operators work at publicly-owned treatment plants. The impact of the operator certification fees on publicly-owned plants will be examined in the economic impact analysis which will be written for this rule amendment rather than in this SBEIS. Legally, the treatment plan operator is responsible for paying his/her certification fees. However, many employers pay the fees of their employees. Economically, the incidence of the fee is either on the operator or on his/her employer. Only operators at wastewater treatment plants are required to be certified. Operators at industrial treatment plants are not required to be certified. Therefore, the operator certification program chiefly applies to operators of treatment plants owned by public entities, such as cities, counties, and sewer districts since these are the plants in the state that treat domestic wastewater. Businesses primarily own industrial treatment plants. The following is a list of the

types of private, for-profit businesses that have certified operators: 1) Several hotels and two restaurants are required to have certified operators. These businesses generate and process domestic waste and, therefore, are required to have certified operators. These are for-profit, private businesses; 2) Approximately 15 mobile home parks and housing developments are required to have certified operators. These businesses generate and process domestic waste and, therefore, are required to have certified operators. Sometimes these are profit-seeking businesses (the mobile home parks); sometimes they are not (the homeowners' associations); 3) Some businesses have two treatment plants: One for their industrial wastewater and one for their domestic wastewater. Several pulp mills and aluminum smelters are in this situation. These businesses wastewater discharge permits require the treatment plant that treats the domestic wastewater to have a certified operator; 4) Some private companies contract with municipally-owned sewer utilities to operate the utility's wastewater treatment plant. The companies' employees must be certified. These companies are private, profit-seeking businesses; and 5) Several pulp mills have certified operators at their industrial treatment plants. One industrial chemical cleaner has had certified operators for its industrial plant. These industrial treatment plants are not required by the operator certification law to have certified operators because they do not treat domestic waste. An examination of this list demonstrates that few private, for-profit businesses are required to employ certified operators. Thus, few businesses or their operators are required to pay certification fees. Probably only in the pulp and paper and aluminum industries do the operator certification rule amendments affect more than ten percent of the businesses in the industry. There is little doubt that certification fees have a proportionately higher impact on small business: Sales per plant vary far more than the amount of fees per plant. The average sales of a pulp mill or textile mill can easily be 1,000 times the average sales of a restaurant, while the certification fees of the employees at the larger business would be at most 5 to 10 times the fees at the smaller business. Therefore, as measured by cost per dollar of sales, the operator certification fees have a proportionally higher burden on small businesses than they do on large businesses. It should be noted that the certified operators at industrial treatment plants are voluntarily certified. Certification of industrial operators is not legally required. Because these operators' certification is voluntary, the operator certification fees impose no burden on these operators or their employers. They could avoid paying fees by simply not applying for certification.

**MITIGATION**

Ecology has decided that despite the proportionately higher impact of operator certification fees on small businesses, it will not mitigate this impact. The fees' impact will not be mitigated for the following reasons: The fees are low. The annual impact of the fees is small; few small businesses are required to employ certified operators and, thus, pay fees; the administrative cost—to both Ecology and the business—of verifying that a business

was small in order to grant it a fee reduction would be large in relation to the fee; and legally the operator, not the business that employs him/her, is responsible for paying the fee.

Hearing Locations: Lynnwood, January 8, 1991, Spokane, January 15, 1991, Yakima, January 16, 1991, and Lacey, January 17, 1991, at 7:00 p.m.

Submit Written Comments to: Katherine Scott, Coordinator, Wastewater Certification Program, Mailstop PV-11, Olympia, Washington 98504, by January 31, 1991.

Date of Intended Adoption: May 7, 1991.

December 4, 1990  
 Fred Olson  
 Deputy Director

**AMENDATORY SECTION** (Amending Order 87-36, filed 10/23/87)

WAC 173-230-090 FEES. (1) Except for applications for certificates under WAC 173-230-050 (2)(a), applications for certification by examination will be accepted for processing only when accompanied by a fee of ~~((twenty))~~ fifty dollars. Applications for certification by reciprocity will be accepted for processing only when accompanied by a fee of ~~((forty))~~ fifty dollars.

(2) Except as provided under WAC 173-230-070(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of ~~((twenty))~~ fifty dollars.

(3) In the event an application for certification is denied, the department may reimburse up to half the fee amount provided the department receives a written request for reimbursement within thirty days after the letter of denial is mailed.

(4) Applications for certificate renewals will be accepted for processing only when accompanied by a renewal fee of ~~((ten))~~ thirty dollars for each year of renewal.

(5) All receipts hereunder shall be paid into the state general fund.

**WSR 90-24-061**  
**NOTICE OF PUBLIC MEETINGS**  
**MARINE EMPLOYEES' COMMISSION**  
 [Memorandum—December 3, 1990]

The following is a schedule of the 1991 regular meetings of the Marine Employees' Commission, as adopted by the commission on November 30, 1990:

Date	Location
January 25	Olympia
February 22	Olympia
March 22	Olympia
April 26	Olympia
May 24	Seattle
June 21	Seattle
July 26	Seattle
August 23	Seattle
September 27	Seattle
October 25	Seattle
November 22	Seattle
December 20	Seattle

All meetings begin at 10:00 a.m. on the day scheduled. Meetings in January, February, March, and April will be held at the offices of the Marine Employees' Commission, Evergreen Plaza Building, 711 Capitol Way South, Main Floor, Southwest Quadrant, Olympia.

Meetings scheduled in Seattle are customarily held at the Port Commission Conference Room, Third Floor, Pier 66, Seattle. In the event the conference room is unavailable, meetings are held at the "Spike" Eikum Conference Room, Pier 52, Washington State Ferries Terminal, Seattle. Locations for meetings held in Seattle can be obtained by writing to the commission at the address listed below or by calling (206) 586-6354 or scan 321-6354.

Meeting sites are barrier free to the greatest extent feasible. Braille or taped agenda items for the visually impaired, and interpreters for those with hearing impairment will be provided if requested with adequate notice. Such requests should be made at least ten working days in advance of the scheduled meeting date, and should be addressed to:

Janis Lien, Administrative Assistant  
Marine Employees' Commission  
Main Floor, S.W. Quadrant  
Evergreen Plaza Building, FJ-11  
Olympia, Washington 98504

**WSR 90-24-062**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF HEALTH  
(Board of Physical Therapy)**

[Memorandum—November 30, 1990]

The following future meeting dates have been scheduled for the Washington State Board of Physical Therapy for the year 1991:

January 22, 1991  
March 26-27, 1991  
May 28, 1991  
July 22-23, 1991  
September 24, 1991  
November 19, 1991

Feel free to contact Carol Neva, program manager at (206) 753-3132.

**WSR 90-24-063**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF HEALTH  
(Occupational Therapy Practice Board)**

[Memorandum—November 30, 1990]

The following future meeting dates have been scheduled for the Washington State Occupational Therapy Practice Board for the year 1991:

January 4, 1991  
April 5, 1991  
August 2, 1991  
October 4, 1991

Feel free to contact Carol Neva, program manager, at (206) 753-3132.

**WSR 90-24-064  
EMERGENCY RULES  
DEPARTMENT OF ECOLOGY**

[Filed December 4, 1990, 3:57 p.m.]

Date of Adoption: December 4, 1990.

Purpose: Classify those forest practices subject to environmental review of SEPA and SEPA rules.

Citation of Existing Rules Affected by this Order: Amending WAC 173-202-020.

Statutory Authority for Adoption: RCW 90.48.420, 76.09.040, and 34.05.350.

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: Existing WAC 222-16-050(1) adopted by reference in WAC 173-202-020 was invalidated by court order *Snohomish County and Washington Environmental Council v. DNR, et al.*, Snohomish County Case No. 89-2-06923-5.

Effective Date of Rule: Immediately.

December 4, 1990

Frederick A. Olson

Deputy Director

**AMENDATORY SECTION (Amending Order 88-19, filed 10/27/88)**

**WAC 173-202-020 CERTAIN WAC SECTIONS ADOPTED BY REFERENCE.** *The following sections of the Washington Administrative Code ((as now promulgated)) existing on November 16, 1990, are hereby adopted by reference as part of this chapter in all respects as though the sections were set forth herein in full:*

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

WAC 222-12-010—Authority.

WAC 222-12-040—Alternate plans.

WAC 222-12-045—Adaptive management.

WAC 222-12-070—Enforcement policy.

WAC 222-12-090—Forest practices board manual.

WAC 222-16-010—General definitions.

WAC 222-16-020—Water categories.

WAC 222-16-030—Water typing system.

WAC 222-16-045—Watershed screening and analysis.

WAC 222-16-050—Classes of forest practices.

WAC 222-24-010—Policy.

WAC 222-24-020 (2), (3), (4)—Road location.

WAC 222-24-025 (5), (6), (7), (8), (9)—Road design.

WAC 222-24-030 (2), (4), (5), (6), (8), (9), (10)—Road construction.

WAC 222-24-035(1)—Landing location and construction.

WAC 222-24-040 (1), (2), (3), (4)—Water crossing structures.

WAC 222-24-050—Road maintenance.

WAC 222-24-060 (1), (2), (3), (6)—Rock quarries, gravel pits, borrow pits, and spoil disposal areas.

WAC 222-30-010—Policy—Timber harvesting.

WAC 222-30-020 (2), (3)(c), (3)(e), (4), (5), (6), (7)—Harvest unit planning and design.

WAC 222-30-030—Stream bank integrity.

WAC 222-30-040—Temperature control.

WAC 222-30-050 (1), (2), (3), (4)—Felling and bucking.

WAC 222-30-060 (1), (2), (3), (4)(c)—Cable yarding.

WAC 222-30-070 (1), (2), (4), (6), (7), (8)—Tractor and wheeled skidding systems.

WAC 222-30-080 (1), (2)—Landing cleanup.

WAC 222-30-100 (1)(c), (4), (5)—Slash disposal.

WAC 222-34-040—Site preparation and rehabilitation.

WAC 222-38-010—Policy—Forest chemicals.

WAC 222-38-020—Handling, storage, application.

### WSR 90-24-065

#### NOTICE OF PUBLIC MEETINGS COMMISSION ON HISPANIC AFFAIRS

[Memorandum—December 3, 1990]

#### THE COMMISSION ON HISPANIC AFFAIRS 1991 MEETING SCHEDULE

January 12	Olympia
March 9	Walla Walla
June 8	Everett
July 20	Okanogan
September 14	Yakima Valley
November 16	Federal Way

The commission meetings are all day and discuss legislative events, community concerns, and other issues which are of importance to the Hispanic community.

Should you need any further information, please do not hesitate to contact our office at (206) 753-3159.

### WSR 90-24-066

#### PERMANENT RULES STATE BOARD OF EDUCATION

[Filed December 5, 1990, 10:43 a.m.]

Date of Adoption: November 30, 1990.

Purpose: To establish rules for an annual teacher educator award.

Statutory Authority for Adoption: RCW 28A.625.360.

Pursuant to notice filed as WSR 90-21-157 on October 24, 1990.

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

December 3, 1990  
Dr. Monica Schmidt  
Executive Director  
Secretary

#### Chapter 180-97 WAC EXCELLENCE IN TEACHER PREPARATION AWARD

#### NEW SECTION

WAC 180-97-003 **AUTHORITY.** The authority for this chapter is Title 28A RCW which authorizes the state board of education to adopt rules relating to the administration of a Washington award for excellence in education for higher education teacher educators.

#### NEW SECTION

WAC 180-97-005 **PURPOSE.** The purpose of this chapter is to set forth policies, selection criteria, and administrative procedures for establishing an annual Washington award for excellence in education for higher education teacher educators.

#### NEW SECTION

WAC 180-97-010 **DEFINITION—TEACHER EDUCATOR.** As used in this chapter, the term "teacher educator" means: A person employed by a college or university with a state board of education approved teacher preparation program who serves as a faculty member or administrator in the approved teacher education program.

#### NEW SECTION

WAC 180-97-015 **DEFINITION—PROFESSIONAL EDUCATION ADVISORY BOARD.** As used in this chapter, the term "professional education advisory board" means: One of the professional education advisory boards approved by the state board of education as defined in WAC 180-78-075 (Professional education advisory board for teacher preparation programs).

#### NEW SECTION

WAC 180-97-020 **DEFINITION—EDUCATIONAL GRANT.** As used in this chapter, the term "educational grant" means an amount not exceeding two thousand five hundred dollars for a professional education advisory board which shall be awarded by the state board of education upon receipt of a grant application identifying the educational purpose for which the grant will be used, submitted pursuant to WAC 180-97-100. The professional education advisory board shall use the educational grant funds to enhance the recipient's competencies.

#### NEW SECTION

WAC 180-97-040 **SELECTION OF RECIPIENTS—NOMINATION.** Any teacher professional education advisory board may nominate a higher education teacher education faculty member on the form provided by the superintendent of public instruction for that purpose. The nomination form and information about the awards program shall be disseminated to all teacher professional education advisory boards and to each of the deans and directors of education at colleges and universities with state board of education approved teacher education programs.

#### NEW SECTION

WAC 180-97-050 **SELECTION OF RECIPIENTS—NECESSARY INFORMATION.** The nomination application form shall include at a minimum:

- (1) The name of the person nominated.
- (2) The name of the professional education advisory board associated with that faculty member's program.

(3) The college or university name and address where the person is employed.

(4) Evidence related to the nominee's involvement in implementing teacher preparation program innovative developments.

(5) Efforts the nominee has made to assist in communicating with legislators, common school teachers, and administrators and others about the nominee's teacher preparation program.

#### NEW SECTION

**WAC 180-97-060 SELECTION OF RECIPIENTS—REVIEW COMMITTEE.** Recipients shall be selected as follows:

A committee composed of eight members of the professional education advisory committee shall be appointed by the chairperson of the professional education advisory committee as defined in WAC 180-78-015. Committee membership shall include:

- (1) Two teachers.
- (2) Two school administrators.
- (3) Two higher education representatives.
- (4) Two persons from the other groups represented on the professional education advisory committee.

Provided, no person who represents a higher education teacher education institution from which a nomination has been received or is a member of that college or university's professional education advisory committee shall be allowed to vote on that individual's nomination.

#### NEW SECTION

**WAC 180-97-070 SELECTION CRITERIA.** The following criteria shall be considered by the selection committee in determining the person who shall receive the Washington award for excellence in teacher preparation:

- (1) Communication with legislators, common school teachers, and administrators about the nominee's teacher preparation program.
- (2) Implementation of innovation developments by the nominee's teacher preparation program.
- (3) Leadership among professional colleagues and with students or the community.
- (4) Contributions to the field such as education related curriculum, research, and/or field services activities.
- (5) Excellence in teaching.
- (6) Publication and dissemination of information about educational programs and practices.

#### NEW SECTION

**WAC 180-97-080 AWARD FOR THE TEACHER EDUCATOR.** The award for excellence in teacher preparation shall include: A certificate presented by the governor, the president of the state board of education, and the superintendent of public instruction at a public ceremony.

#### NEW SECTION

**WAC 180-97-090 AWARD FOR THE PROFESSIONAL EDUCATION ADVISORY BOARD.** The

award for the professional education advisory board shall include: A grant which shall not exceed two thousand five hundred dollars to the professional education advisory board of the institution from which the teacher educator is selected.

#### NEW SECTION

**WAC 180-97-100 APPLICATION—PROFESSIONAL EDUCATION ADVISORY BOARD.** The professional education advisory board for the institution from which the teacher educator has been selected to receive an award shall be eligible to apply for an educational grant. The superintendent of public instruction shall award the grant after the state board of education has approved the grant application as long as the written grant application is submitted to the state board within one year after the award is received by the teacher educator. The grant application shall identify the educational purpose toward which the grant shall be used.

#### **WSR 90-24-067**

##### **PERMANENT RULES**

#### **STATE BOARD OF EDUCATION**

[Filed December 5, 1990, 10:47 a.m.]

Date of Adoption: November 30, 1990.

Purpose: To extend date due to legislative extension of the program.

Citation of Existing Rules Affected by this Order: Amending WAC 180-115-105.

Statutory Authority for Adoption: RCW 28A.410.150.

Pursuant to notice filed as WSR 90-21-158 on October 24, 1990.

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

December 3, 1990

Dr. Monica Schmidt  
Executive Director  
Secretary

**AMENDATORY SECTION** (Amending WSR 89-22-012, filed 10/20/89, effective 11/20/89)

**WAC 180-115-105 TIMELINE FOR PROJECTS.** The state funds for this project must be expended by (~~December 31, 1990~~) June 30, 1991.

#### **WSR 90-24-068**

##### **PERMANENT RULES**

#### **STATE BOARD OF EDUCATION**

[Filed December 5, 1990, 10:51 a.m.]

Date of Adoption: November 30, 1990.

Purpose: To amend and repeal obsolete references for funding priority system and to establish funding process during a period of priority project approvals.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-26-055; and amending WAC 180-26-057, 180-26-060, 180-27-058 and 180-27-059.

Statutory Authority for Adoption: RCW 28A.525.020.

Pursuant to notice filed as WSR 90-21-163 on October 24, 1990.

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

December 3, 1990

Dr. Monica Schmidt  
Executive Director  
Secretary

AMENDATORY SECTION (Amending Order 1-86, filed 2/4/86)

WAC 180-26-057 STATE BOARD OF EDUCATION PROJECT COMMITMENT AT PRELIMINARY FUNDED STATUS. When preliminary funding status for a project is requested and granted pursuant to WAC 180-26-050 (~~and/or 180-26-055~~), the state board of education commitment is limited to the eligibility of the project for state assistance, the eligible square footage, the maximum area cost allowance and the priority standing of the project as determined pursuant to the state building assistance rules in effect at the time such preliminary funding status is granted. This commitment is effective only for the initial one-year period set forth at WAC 180-26-060. The state board of education otherwise reserves the right to amend and/or repeal any rule(s) respecting state assistance in school building construction. Such rule changes may be made regardless of the negative and/or positive impact of such changes upon the eligibility of any project and/or the extent of eligibility of any project for state assistance.

AMENDATORY SECTION (Amending Order 24-85, filed 11/27/85)

WAC 180-26-060 LOSS OF PRELIMINARY FUNDING STATUS. All districts granted preliminary funding status for a project pursuant to WAC 180-26-050 (~~or 180-26-055(2)~~) shall request approval to bid such project pursuant to WAC 180-29-107 within one year of receiving preliminary funding status or shall have such status withdrawn. A district with a project so withdrawn may reapply pursuant to WAC 180-26-050 or 180-26-055(2) for such status.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-26-055 PRELIMINARY FUNDING STATUS TO CERTAIN PROJECTS.

NEW SECTION

WAC 180-27-05605 ADDITIONAL FUNDING DURING A PERIOD OF A PRIORITY APPROVAL PROCESS. Notwithstanding the provisions of WAC 180-27-056, if within any state fiscal year, that is the second year of a biennium, there is funding authority and revenue in excess of what is required for the priority list established pursuant to WAC 180-27-056, then there shall be a subsequent priority list established on March 1 of the same state fiscal year for the purpose of

funding only those projects for which preliminary funded status had been granted prior to July 1 of that state fiscal year. The priority order shall be as per WAC 180-27-058.

NEW SECTION

WAC 180-27-05607 FUNDING FOR SPECIFICALLY APPROPRIATED PROJECTS DURING A PERIOD OF A PRIORITY APPROVAL PROCESS. Notwithstanding the provisions of WAC 180-27-056, if the State Capital Appropriations Act for any biennium makes a special, specific appropriation for a particular project or priority category, such projects, or projects within the priority category, shall be exempt from the time lines established by WAC 180-27-056 and may receive final approval pursuant to WAC 180-29-107 at any time, provided that the requirements of chapter 180-29 WAC have been complied with.

AMENDATORY SECTION (Amending WSR 90-04-031, filed 1/30/90, effective 3/2/90)

WAC 180-27-058 STATE ASSISTANCE—PRIORITIES. The priority system for the funding of school construction projects during a priority approval process imposed by order of the state board of education shall be as follows:

(1) Priority one: New construction projects in districts with unhoused students other than those in priority two. Projects within this priority shall be ranked as follows: The project with the highest percentage of unhoused students in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest—i.e., projected enrollment times authorized space allocation as calculated pursuant to WAC 180-27-035 divided by capacity of existing buildings as calculated pursuant to WAC 180-27-050(1). In the event two or more districts possess an equal percentage of unhoused students, the district with the greatest number of unhoused students shall be ranked the highest.

(2) Priority two: New construction projects in districts with unhoused students due to the need to replace a building. In the event the district is precluded from educating students in a facility due to bona fide condemnation procedures, such related space requirement shall be treated as unhoused students in priority one. Projects with this priority shall be ranked as follows: The project with the highest percentage of unhoused students in the district by grade level on the date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more districts possess an equal percentage of unhoused students, the district with the greatest number of unhoused students shall be ranked the highest.

(3) Priority three: All projects with secured local capital funding and authority to proceed pursuant to WAC 180-25-040 as of September 30, 1985, which are not included in priority one or two pursuant to this section. Projects within this priority shall be ranked pursuant to the priority system in effect as of September 30, 1985: PROVIDED, That the authority to proceed pursuant to WAC 180-25-040 and the priority three ranking of any

such project shall lapse and be null and void as of July 2, 1991, unless approval to open bids for the project has been granted pursuant to WAC 180-29-107 prior to that date.

(4) Priority four: New construction of vocational-technical institutes and interdistrict cooperative vocational skill center facilities. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest. Funding allocations for this priority shall not exceed ten percent of the available funds remaining after funding eligible projects in priorities one and two or for one vocational-technical institute or interdistrict skill center project, whichever is greater.

(5) Priority five: Modernization projects in districts with no housed students and not funded under priority three. Projects within this priority shall be ranked as follows: The project with the highest percentage of projected student occupancy shall be ranked the highest—i.e., projected enrollment times authorized space allocation as calculated pursuant to WAC 180-27-035 divided by capacity of existing buildings as calculated pursuant to WAC 180-27-050(1). In the event two or more projects possess an equal percentage, the highest ranking shall be given to the project with the earliest date of project approval pursuant to WAC 180-25-040. For the purpose of ranking within this subsection vocational technical institute and interdistrict cooperative facilities other than interdistrict transportation cooperatives shall be considered as independent school district projects: **PROVIDED**, That under no circumstances should this priority receive less than sixty percent of funds available for priorities four and five.

(6) Priority six: New construction of interdistrict cooperative facilities which are not included in priority three, four, or seven. The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

(7) Priority seven: Interdistrict transportation cooperatives. Projects within this priority shall be ranked as follows: The project with the earliest date of project approval pursuant to WAC 180-25-040 shall be ranked the highest. In the event two or more projects possess the same project approval date, the project with the earliest date of application received in the office of superintendent of public instruction shall be ranked the highest.

**AMENDATORY SECTION** (Amending Order 25-85, filed 11/27/85)

WAC 180-27-059 APPLICATION OF PRIORITY SYSTEM TO PROJECTS WITH AND WITHOUT PRELIMINARY FUNDING STATUS. All projects with preliminary funding status pursuant to WAC

180-26-050 (~~and 180-26-055~~) shall be approved pursuant to WAC 180-29-107 prior to projects without such status.

**WSR 90-24-069**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Examining Board of Psychology)**  
 [Filed December 5, 1990, 3:01 p.m.]

Original Notice.

Title of Rule: New sections WAC 308-122-501 Continuing education—Purpose and scope; 308-122-504 Staggered effective periods for new continuing education rules, WAC 308-122-563 through 308-122-583; 308-122-513 Continuing education—Categories of creditable activities; 308-122-563 Definition of acceptable documentation and proof of CPE; 308-122-568 Continuing education—Special considerations; 308-122-573 Continuing education—Enforcement; 308-122-578 Continuing education—Exemptions; and 308-122-583 Continuing education—Program or course approval; amending sections WAC 308-122-200 Psychologists—Education prerequisite to licensing; 308-122-360 Certificates of qualification; 308-122-515 Continuing education requirements; 308-122-520 Definition of categories of creditable CPE; 308-122-660 Welfare of the consumer; and 308-122-670 Professional relationships; and repealing sections WAC 308-122-380 Certificates of qualification—Educational requirements; 308-122-390 Certificates of qualification—Experience and training requirements; 308-122-400 Certificates of qualification—Psychological functions; 308-122-410 Certificates of qualification—Written examination; 308-122-420 Certificates of qualification—Oral examination; and 308-122-500 Continuing education—Purpose and scope.

Purpose: To amend rules so as not to restrict trade or offering of services.

Statutory Authority for Adoption: RCW 18.83.090 and 18.83.050.

Summary: These rules are being added, amended or repealed to reflect current licensure requirements for psychologists.

Reasons Supporting Proposal: To update requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Terry Jocen West, 1300 Quince Street, Olympia 98504, 753-3095.

Name of Proponent: Washington State Examining Board of Psychology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Certificate of qualification rules are being amended and repealed because the board will no longer be granting certificates. Candidates can now be certified or registered as a counselor instead. Continuing education rules are being added and amended for clarity. Amending rule to define an alternate method of meeting the

residency requirement. Currently, candidates whose program does not include a residency are ineligible for licensure.

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: Sea-Tac Hilton, 17620 Pacific Highway South, Seattle, WA, on January 11, 1991, at 9:00 a.m.

Submit Written Comments to: Terry Joen West, Program Manager, Department of Health, P.O. Box 1099, Olympia, Washington 98507-1099, by January 10, 1991.

Date of Intended Adoption: January 11, 1991.

November 10, 1990

Nicholas Wiltz, Ph.D.

Chair, Examining Board of Psychology

#### NEW SECTION

WAC 308-122-501 CONTINUING EDUCATION—PURPOSE AND SCOPE. The ultimate aim of continuing education is to ensure the highest quality of professional work. Continuing psychology education consists of educational activities designed to review existing concepts and techniques and to convey information and knowledge about advances in psychology as applied to the work settings. The objectives are to improve and increase the ability of the psychologist to deliver the highest possible quality of psychological work and to keep the professional psychologist abreast of current developments in a rapidly changing field. All psychologists, licensed pursuant to chapter 18.83 RCW, and holders of certificates of qualification issued pursuant to RCW 18.83.105, will be required to meet the continuing education requirements set forth in these rules as a prerequisite to license renewal.

#### NEW SECTION

WAC 308-122-504 STAGGERED EFFECTIVE PERIODS FOR NEW CONTINUING EDUCATION RULES, WAC 308-122-563 THROUGH 308-122-583. (1) WAC 308-122-505 through 308-122-545 applies to those licensees who are required to submit affidavits of compliance with their 1990, 1991, or 1992 renewal of licenses for the continuing psychological education as attested to on those affidavits.

(2) For those licensees who have submitted or are required to submit an affidavit of compliance pursuant to WAC 308-122-545 in 1990, WAC 308-122-565 through 308-122-583 shall apply for the submission of proof of continuing psychological education with the licensees' 1993 renewals of licenses instead of WAC 308-122-505 through 308-122-545.

(3) For those licensees who are required to submit an affidavit of compliance pursuant to WAC 308-122-545 in 1991, WAC 308-122-565 through 308-122-583 shall apply for the submission of proof of continuing psychological education with the licensees' 1994 renewals of licenses instead of WAC 308-122-505 through 308-122-545.

(4) For those licensees who are required to submit an affidavit of compliance pursuant to WAC 308-122-545 in 1992, WAC 308-122-565 through 308-122-583 shall apply for the submission of proof of continuing psychological education with the licensees' 1995 renewals of licenses instead of WAC 308-122-505 through 308-122-545.

#### NEW SECTION

WAC 308-122-513 CONTINUING EDUCATION—CATEGORIES OF CREDITABLE ACTIVITIES. The following are categories of creditable CPE activities approved by the board:

(1) Category I - Educational activities: Formal, didactic classes and/or workshops.

(2) Category II - All other educational related activities as defined by the board.

#### AMENDATORY SECTION (Amending Order PL 276, filed 11/16/77)

WAC 308-122-515 CONTINUING EDUCATION REQUIREMENTS. (1) The Washington state board of psychology (hereafter referred to as the board) requires a minimum of one hundred fifty hours of continuing psychological education (hereafter referred to as CPE) every three years.

(2) One clock hour of instruction and/or training shall equal one credit hour for the purpose of satisfying the one hundred fifty hour CPE requirement.

~~((2))~~ (3) A minimum of ~~((30))~~ sixty hours must be earned in Category I ~~((and it is further required that a minimum of 25 credit hours be earned in each of 2 other categories))~~; all one hundred fifty hours may be earned in Category I.

~~((3))~~ (4) A maximum of ninety ~~((credit))~~ hours may be earned in Category I ~~((A maximum of seventy-five credit hours may be earned in Category II. A maximum of forty-five credit hours may be earned in each of Categories III, IV, and V))~~ II; there is no minimum required for this category.

~~((4))~~ The maximum credit hours allowed in each category and the minimum number of three categories required in the above have as their purpose encouraging a reasonable broad and rounded scope of CPE, while at the same time enabling specialized areas of interest to be pursued more extensively than other areas.)

(5) ~~((Any reported))~~ Credit hours ~~((that are))~~ in excess of the requirements set forth ~~((; will not serve to credit or off-set the required))~~ cannot be credited to CPE requirements for any succeeding three year cycle.

(6) ~~((Professionals offering CPE courses must meet the training and the full qualifications of their respective professions. For example, a psychologist should either be licensed or have a core of basic psychological courses, in residency, culminated in a Ph.D. or equivalent degree; a psychiatrist should have an MD, appropriate psychiatric residency; a social worker should have appropriate educational qualifications and be eligible for membership in ACSW. All professionals shall have demonstrated an expertise in the areas in which they are instructing.~~

~~((7))~~ Audited courses are acceptable if evidence of completion is recorded on a transcript or a validating letter from the instructor is available at the time of CPE review.) A minimum of four hours credit in ethics must be included in the sixty hours required in Category I. Areas to be covered, depending on the licensee's primary area(s) of function are practice, consultation, research, teaching, and/or supervision.

~~((7))~~ Faculty providing CPE offerings shall meet the training and the full qualifications of their respective professions. All faculty shall have demonstrated an expertise in the areas in which they are instructing.

#### AMENDATORY SECTION (Amending Order PL 276, filed 11/16/77)

WAC 308-122-520 DEFINITIONS OF CATEGORIES OF CREDITABLE CPE. (1) ~~((Category I—Educational activities. A maximum of ninety credit hours may be earned in this category, a minimum of 30 hours must be earned.))~~ All CPE activities shall be directly relevant to maintaining or increasing professional or scientific competence in psychology. Courses or workshops primarily designed to increase practice income or office efficiency, while valuable to the licensee, are specifically noneligible for CPE credit. Recognized ~~((as appropriate under this category are))~~ activities for Category I shall include:

(a) Courses, seminars, workshops and post-doctoral institutes offered by educational institutions chartered by a state and recognized (accredited) by a regional association of schools, colleges and universities ~~((and which offer))~~ as providing graduate level course(s) offerings. ~~((Attendance shall be in the home state in which the institution is accredited/chartered. Exceptions may be made for courses offered by educational institutions chartered/accredited in contiguous states or provinces to Washington.))~~ Such educational activities shall be recorded on an official transcript or certificate of completion (see WAC 308-122-563).

(b) Courses (including correspondence courses), seminars, workshops and post-doctoral institutes sponsored by the American Psychological Association, the National Academy of Professional Psychologists, ~~((the American Psychological Association.))~~ regional or state psychological associations ~~((the Washington State Psychological Association and its divisions, and other states' psychological associations~~



which have CPE programs or requirements, agencies with American Psychological Association approved internship programs)) or their subchapters, psychology internship training centers and other ((nationally)) professionally or scientifically recognized behavioral science organizations (e.g., courses, workshops etc. offered by NASW, NTL, APGA and AGPA. Simple attendance at professional association conventions or meetings is not creditable under Category I (see Category V).

Note: All activities in this and all other categories, must be directly relevant to maintaining or increasing professional competence in psychology.

(2) ~~Category II—Educational activities. A maximum of seventy-five credit hours may be earned in this category. Creditable CPE activities include:~~

~~(a) Courses (including correspondence courses), practical, seminars, experiential or didactic workshops offered by institutions or organizations not meeting requirements of Category I.~~

~~(b) Obtaining consultative training from a licensed professional or institute (other than that which is required in one's employment).~~

~~(c) Organized forms of CPE which include in-service and in-house seminars, lectures, professional journal and book study groups, as well as privately organized regularly scheduled seminars.~~

~~(3) Category III—Teaching, supervision, and training of psychologists, psychology students or allied services. A maximum of 45 credit hours may be earned in this category. Creditable CPE activities include instruction and/or supervision of psychologists, psychology students, institutional staff, or other professionals or students from an institution with a formal teaching or training program, if the institution has approved the instruction and/or supervision:~~

~~(a) CPE credit for a specific course taught can be given one time only (usually the first time it is taught, unless there is substantial revision). The number of hours credited is based on the number of class contact hours, up to a maximum of 30 hours.~~

~~(b) CPE credit for supervision may be earned, up to a maximum of 30 hours.~~

~~(4) Category IV—Books, papers, publications, and exhibits. A maximum of 45 credit hours may be earned in this category with specific credit hour allowances listed as follows: Credit may be earned only during the three year period in which the presentation or publication was made or published:~~

~~(a) Twenty-five credit hours may be claimed for each publication and for each chapter of a book that is authored and published. Publications must be in a scientific or professional psychological, or allied field journal. Editing is not acceptable for credit in any category.~~

~~(b) Ten credit hours may be claimed for each scientific or professional paper or program presentation given at a meeting and for each exhibit shown. All must be presented at a meeting of psychological or allied professional disciplines and must be of scientific or professional nature. Credit may be claimed only once for presentation of the same materials or program and should be claimed as of the date of presentation or publication. Presentations to lay audiences are not credited under this or any other CPE category.~~

~~(5) Category V—Self-programmed, nonsupervised and creative activities. A maximum of 45 credit hours may be earned in this category. Credit may be earned only for activities pursued during the three year period prior to the date of current relicensure application. All activities in this category must be primarily psychological in nature and closely related to maintaining and increasing psychological competence. Activities which increase personal scope such as golfing, sailing, potter, cooking, etc., are not acceptable for CPE credit in this, or any other category. Personal therapy is also not acceptable.~~

~~Examples of acceptable Category V activities include:~~

~~(a) Self-instruction—Credit hours may be earned for reading of scientific, professional and clinical journals, books and professional/scientific tapes.~~

~~(b) Attendance at or participation in professional meetings or conventions of national, regional or state psychological associations or other behavioral science conventions—A maximum of 5 CPE credit hours can be earned for attendance at each convention or meeting, up to a maximum total of 15 hours in any one year and 45 hours in 3 years;) such as, but not limited to, National Training Laboratories, National Association of Social Workers, Department of Veterans' Affairs, Regional Medical Education Centers, Western Psychological Association, Northwest Family Training Institute, Seattle Institute for Psychoanalytic Training.~~

~~(2) Recognized activities of Category II shall include:~~

~~(a) Obtaining consultative training from a licensed professional or institute (other than supervision which is routinely required in one's employment).~~

~~(b) CPE which includes in-service and in-house seminars, case conferences, lectures, professional journal and book study groups, as well as noninstitutionally organized regularly scheduled similar activities.~~

~~(c) Teaching a specific course to psychology and other allied health students may be counted the first time it is taught. One classroom hour equals one CPE hour. The course may be counted only once.~~

~~(d) Supervising psychologists, psychology students, institutional staff, or other professionals or students from an institution with a formal teaching or training program, if the institution has approved the supervision, shall qualify for CPE on an hourly basis. Privately arranged supervision shall meet the professionally accepted standards of supervision.~~

~~(e) Writing and having accepted for publication articles and/or chapters for books. Such publications must appear in a scientific, psychological, or allied professional journal or book. Twenty-five hours may be earned for each such article or chapter. Editing the work of others is not acceptable for CPE credit.~~

~~(f) Presentation of a scientific or professional paper or program at a professional/scientific meeting of psychologists or allied professionals. Ten hours of CPE credit may be claimed only once for the same materials or program regardless of how often presented.~~

~~(g) Attendance at or participation in professional meetings or conventions of national, regional, or state psychological associations or other professionally recognized behavioral science conventions. A maximum of five hours may be claimed for each convention or professional meeting.~~

~~(h) Courses or workshops offered by accredited colleges or universities not offering graduate courses in psychology.~~

#### NEW SECTION

WAC 308-122-568 CONTINUING EDUCATION—SPECIAL CONSIDERATIONS. (1) The board will accept evidence of diplomate award by the American Board of Examiners in Professional Psychology (ABPP) in lieu of one hundred fifty hours of CPE for that three year period in which the diplomate was awarded.

(2) Credit hours may be earned for other specialty board, education awards, or diploma certifications if and when such are established.

(3) Psychologists or psychological associates licensed in Washington state who wish to retain their Washington license, but are working and living in another state, United States territory or country, may submit evidence of their CPE activities pursued outside of Washington state directly to the board for evaluation and partial or total approval based on conformity to the board's CPE requirements.

#### NEW SECTION

WAC 308-122-573 CONTINUING EDUCATION—ENFORCEMENT. (1) Affidavit of compliance: Every third year, in conjunction with the application for renewal of license, a licensee shall submit an affidavit of compliance with the requirement of one hundred fifty hours of CPE on a form supplied by the board. Failure to submit such affidavit at licensure renewal time, or submission of the affidavit in such manner that CPE compliance cannot be determined by the board will result in denial of renewal of license. Subsequent renewal will be based on the decision of the board after compliance has been determined to be adequate.

(2) Audit: A percentage, which shall be determined by the board, of all licensees' affidavits submitted in conjunction with license renewal applications shall be regularly audited for supporting documentation by the board. Upon audit, it is the sole responsibility of the licensee to submit copies of the appropriate and acceptable documentation of completed CPE activities to the board. Failure to comply with the audit documentation request or failure to supply acceptable documentation within sixty days of the date of the audit request (in the absence of justification acceptable to the board) shall result in disciplinary action which shall remain in place until compliance is deemed acceptable by the board.

(3) Failure to meet the CPE requirements within each three-year cycle shall result in disciplinary action by the board. The licensee so disciplined may petition the board for a hearing. License reinstatement shall be based on decision of the board.

NEW SECTION

WAC 308-122-578 CONTINUING EDUCATION--EXEMPTIONS. In the event a licensee fails to meet requirements, because of illness, retirement (with no further provision of psychological services to consumers), failure to renew, or other extenuating circumstances, each case will be considered by the board on an individual basis. When circumstances justify it, the board may grant a time extension. The board may, in its discretion, limit in part or in whole the provision of psychological services to the consumers until the CPE requirements are met. In the case of retirement or illness, the board may grant indefinite waiver of CPE as a requirement for relicensure, provided an affidavit is received indicating the psychologist is not providing psychological services to consumers. If such illness or retirement status is changed or consumer psychological services are resumed, it is incumbent upon the licensee to immediately notify the board and to resume meeting CPE requirements for relicensure. CPE credit hours will be prorated for the portion of that three year period involving resumption of such services.

NEW SECTION

WAC 308-122-583 CONTINUING EDUCATION--PROGRAM OR COURSE APPROVAL. (1) The board will accept CPE that meets the requirements of this chapter. The board relies upon each individual licensee's integrity and the integrity of CPE providers to comply with the intent and spirit of the CPE requirements.

(2) CPE program sponsors or institutes should not apply for, nor expect to receive, prior or current board approval for CPE status or category.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-122-420 CERTIFICATES OF QUALIFICATION--ORAL EXAMINATION.

AMENDATORY SECTION (Amending Order PM 722, filed 4/15/88)

WAC 308-122-200 PSYCHOLOGISTS--EDUCATION PRE-REQUISITE TO LICENSING. To meet the education requirement of RCW 18.83.070, an applicant shall possess a doctoral degree from an institution of higher education accredited in the region in which the doctoral program is offered at the time the applicant's degree was awarded. In that doctoral program, at least forty semester hours, or sixty quarter-hours, of graduate courses shall have been passed successfully, and can be clearly identified by title and course content as being part of a psychology program. One of the standards for issuance of said degree shall have been the submission of an original dissertation which was psychological in nature. Endorsement by the program administrator shall be requested and considered.

An integrated program of graduate study in psychology shall be defined as follows:

(1) The following defines the organizational structure of the program:

(a) The program shall be clearly identified and labeled as a psychology program. Pertinent catalogues and brochures shall show intent to educate and train psychologists.

(b) The psychology program shall stand as a recognized, coherent, entity within the institution.

(c) There shall be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.

(d) There shall be an organized sequence of study planned by those responsible for the program to provide an appropriate, integrated experience covering the field of psychology.

(e) There shall be an identifiable psychology faculty and a psychologist administratively responsible for the program.

(f) There shall be an identified body of students selected on the basis of high ability and appropriate educational preparation.

(2) The following defines the academic program:

(a) The curriculum shall encompass a minimum of three academic years of full-time graduate study or their equivalent. The doctoral program shall involve at least one continuous year of full-time residency at the institution which grants the degree. A minimum of seven hundred fifty hours of student-faculty contact involving face-to-face individual or group educational meetings shall be considered in lieu of

one year residency. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least seventy-five percent of the time, be fully documented by the institution and the applicant, and relate substantially to the program components specified. The applicant shall clearly have had instruction in: History and systems, research design and methodology, statistics and psychometrics. The program shall require each student to complete three or more semester hours (five or more quarter-hours) of core study in each of the following content areas:

(i) Biological bases of behavior (physiological psychology, comparative psychology, neurobases, sensation and perception, biological bases of development);

(ii) Cognitive-affective bases of behavior (learning, thinking, motivation, emotion, cognitive development);

(iii) Social bases of behavior (social psychology, organizational theory, community psychology, social development);

(iv) Individual differences (personality theory, psychopathology); and

(v) Scientific and professional ethics.

(b) The program shall include practicum, internship, field or laboratory experience appropriate to the area of psychology that is the student's major emphasis.

(3) If the major emphasis is in clinical, counseling, school or other applied area, the program shall include coordinated practicum and internship experience.

(a) Practicum experience shall total at least two semesters (three quarters) and consist of a total of at least 300 hours of direct experience and 100 hours of supervision.

(b) The practica shall be followed by an organized internship. Predoctoral internship programs accredited by the American Psychological Association shall be accepted by the board as meeting this requirement. Otherwise, an organized internship shall be as follows:

(i) The internship shall be designed to provide a planned, programmed sequence of training experiences, the primary focus of which is to assure breadth and quality of training.

(ii) The internship setting shall have a clearly designated psychologist who is responsible for the integrity and quality of the training program and who is licensed/certified by the state/provincial board of psychology examiners.

(iii) The internship setting shall have two or more psychologists available as supervisors, at least one of whom is licensed/certified as a psychologist.

(iv) Supervision shall be provided by the person who is responsible for the cases being supervised. At least seventy-five percent of the supervision shall be provided by a psychologist(s).

(v) At least twenty-five percent of the intern's time shall be spent in direct client contact (minimum 375 hours) providing assessment and intervention services.

(vi) There shall be a minimum of 2 hours per week of regularly scheduled, formal, face-to-face individual supervision with the specific intent of dealing with the direct psychological services rendered by the intern. There shall also be a minimum of 2 hours of other learning activities such as: Case conferences, seminars on applied issues, co-therapy with a staff person including discussion, group supervision.

(vii) Supervision/training relating to ethics shall be an ongoing aspect of the internship program.

(viii) Trainees shall have titles such as "intern," "resident," "fellow," or other designation of trainee status.

(ix) The internship setting shall have a written statement or brochure describing the goals and content of the internship, stating clear expectations and quality of trainees' work, and made available to prospective interns.

(x) The internship experience shall consist of at least 1500 hours and shall be completed within twenty-four months.

(4) Applicants for licensure who obtained degrees from foreign universities shall first submit, at their own expense, their credentials to an independent, private professional organization approved by the board to establish equivalency of training required by this section.

AMENDATORY SECTION (Amending Order PM 862, filed 9/19/89, effective 10/20/89)

WAC 308-122-360 CERTIFICATES OF QUALIFICATION. ((Procedures by which the Washington state board of psychologist examiners approves certificates of qualification are primarily based upon RCW 18.83.105 that states: "The board may issue certificates of qualification with appropriate title to applicants who meet all the licensing

~~requirements except the possession of the degree of doctor of philosophy or its equivalent in psychology from an accredited educational institution.<sup>a</sup> Procedures and rules established by the board are as follows:)) Certificates of qualification shall not be granted. Those holding certificates of qualification as of July 1, 1990, shall continue to be in conformance with WAC 308-122-370, 308-122-430, and 308-122-440.~~

#### NEW SECTION

WAC 308-122-563 **DEFINITION OF ACCEPTABLE DOCUMENTATION AND PROOF OF CPE.** Licensees are responsible for acquiring and maintaining all acceptable documentation of their CPE activities.

Acceptable documentation for Category I CPE shall include transcripts, letters from course instructors, or certificate of completion or other formal certification. In all cases other than transcripts, the documentation must show the participant's name, the activity title, number of CPE credit hours, date(s) of activity, faculty's name(s) and degree and the signature of verifying individual (program sponsor).

#### AMENDATORY SECTION (Amending Order PL 522, filed 3/5/85)

WAC 308-122-660 **WELFARE OF THE CONSUMER.** Psychologists respect the integrity and protect the welfare of the people and groups with whom they work. When conflicts of interest arise between clients and psychologists' employing institutions, psychologists clarify the nature and direction of their loyalties and responsibilities and keep all parties informed of their commitments. Psychologists must inform consumers as to the purpose and nature of an evaluation, treatment, educational, or training procedure, and they freely acknowledge that clients, students, or participants in research have freedom of choice with regard to participation.

(1) Psychologists are continually cognizant of their own needs and of their potentially influential position vis-a-vis persons such as clients, students, and subordinates. They avoid exploiting the trust and dependency of such persons. Psychologists make every effort to avoid dual relationships that could impair their professional judgment or increase the risk of exploitation. Examples of such dual relationships include, but are not limited to, research with and treatment of employees, students, supervisees, close friends, or relatives. Sexual intimacies with clients are unethical.

(2) When a psychologist agrees to provide services to a client at the request of a third party, the psychologist assumes the responsibility of clarifying the nature of the relationships to all parties concerned.

(3) Where the demands of an organization require psychologists to violate this code of ethics, psychologists clarify the nature of the conflict between the demands and these principles. They inform all parties of psychologists' ethical responsibilities and take appropriate action.

(4) Psychologists make advance financial arrangements that safeguard the best interests of and are clearly understood by their clients. ~~((They neither give nor receive any remuneration for referring clients for professional services.))~~ When a client is referred, the psychologist fully informs the client of all financial and other arrangements.

(5) Psychologists terminate a clinical or consulting relationship when it is reasonably clear that the consumer is not benefiting from it. They offer to help the consumer locate alternative sources of assistance.

(6) Psychologists do not offer psychological services entirely by mail. They do not use or utilize mechanical devices alone in the interpretation of test results.

(7) Psychologists do not use untrained personnel for provision of psychological services.

#### AMENDATORY SECTION (Amending Order PL 578, filed 2/5/86)

WAC 308-122-670 **PROFESSIONAL RELATIONSHIPS.** Psychologists act with due regard for the needs, special competencies, and obligations of their colleagues in psychology and other professions. They respect the prerogatives and obligations of the institutions or organizations with which these other colleagues are associated.

(1) Psychologists understand the areas of competence of related professions. They make full use of all the professional, technical, and administrative resources that serve the best interests of consumers. The absence of formal relationships with other professional workers does not relieve psychologists of the responsibility of securing for their clients the best possible professional service, nor does it relieve them of

the obligation to exercise foresight, diligence, and tact in obtaining the complementary or alternative assistance needed by clients.

(2) Psychologists know and take into account the traditions and practices of other professional groups with whom they work and cooperate fully with such groups. ~~((If a person is receiving similar services from another professional, psychologists do not offer their own services directly to such a person.))~~ If a psychologist is contacted by a person who is already receiving similar services from another professional, the psychologist carefully considers that professional relationship and proceed with caution and sensitivity to the therapeutic issues as well as the client's welfare. The psychologist discusses these issues with the client so as to minimize the risk of confusion and conflict.

(3) Psychologists who employ or supervise other professionals or professionals in training accept the obligation to facilitate the further professional development of these individuals. They provide appropriate working conditions, timely evaluations, constructive consultation, and experience opportunities.

(4) Psychologists do not exploit their professional relationships with clients, supervisees, students, employees, or research participants sexually or otherwise. Sexual harassment is defined as deliberate or repeated comments, gestures, or physical contacts of a sexual nature that are unwanted by the recipient or that create for the recipient an intimidating, hostile, or offensive environment.

(5) In conducting research in institutions or organizations, psychologists secure appropriate authorization to conduct such research. They are aware of their obligations to future research workers and ensure that host institutions receive adequate information about the research and proper acknowledgment of their contributions.

(6) Publication credit is assigned to those who have contributed to a publication in proportion to their professional contributions. Major contributions of a professional character made by several persons to a common project are recognized by joint authorship, with the individual who made the principal contribution listed first. Minor contributions of a professional character and extensive clerical or similar nonprofessional assistance may be acknowledged in footnotes or in an introductory statement. Acknowledgement through specific citations is made for unpublished as well as published material that has directly influenced the research or writing. Psychologists who compile and edit material of others for publication, publish the material in the name of the originating group, if appropriate, with their own name appearing as chairperson or editor. All contributors are to be acknowledged and named.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 308-122-380 **CERTIFICATES OF QUALIFICATION—EDUCATIONAL REQUIREMENTS.**

WAC 308-122-390 **CERTIFICATES OF QUALIFICATION—EXPERIENCE AND TRAINING REQUIREMENTS.**

WAC 308-122-400 **CERTIFICATES OF QUALIFICATION—PSYCHOLOGICAL FUNCTIONS.**

WAC 308-122-410 **CERTIFICATES OF QUALIFICATION—WRITTEN EXAMINATION.**

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-122-500 **CONTINUING EDUCATION—PURPOSE AND SCOPE.**

**WSR 90-24-070**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(State Board of Health)**  
 [Filed December 5, 1990, 3:05 p.m.]

Original Notice.

Title of Rule: Chapter 246-205 WAC Contractor certification for decontamination of illegal drug manufacturing or storage sites.

Purpose: This chapter will establish department standards and procedures for the certification of contractors and their employees authorized to perform decontamination of illegal drug manufacturing or storage sites.

Statutory Authority for Adoption: RCW 64.44.060.

Statute Being Implemented: Chapter 64.44 RCW.

Summary: The Department of Health shall certify contractors; establish performance standards; train or test or approve courses to train or test contractors and/or their workers; develop decontamination guidelines and methods for testing of groundwater, soil, surface water and septic tanks; and provide technical assistance to local health departments.

Reasons Supporting Proposal: Some properties are being contaminated by hazardous chemicals used in unsafe or illegal ways in the manufacture of illegal drugs. Innocent members of the public may be harmed by the residue left by these chemicals when the properties are subsequently rented or sold without having been decontaminated.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Milo Straus, Building 4, Airdustrial Park, 586-9120.

Name of Proponent: Department of Health and State Board of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The 1990 legislature passed House Bill 2906, an act relating to properties contaminated by illegal drug manufacturing, which has been codified into chapter 64.44 RCW. The law requires the Department of Health and the State Board of Health to implement the provisions of the law through rule adoption. Chapter 246-205 WAC established performance standards and guidelines for certification of contractors and their employees involved in decontamination of illegal drug labs and storage sites. Upon adoption, a contractor may not perform decontamination, demolition or disposal work unless issued a certificate by the Department of Health. The rule will also have an effect on all persons involved with the decontamination of these properties to include local health officers, property owners and law enforcement agencies, all of whom will now be required to utilize department certified contractors for decontamination.

Proposal does not change existing rules.

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

Hearing Location: The Evergreen State College, 2700 Evergreen Parkway, Northwest, Olympia, WA 98505-0002, on January 9, 1991, at 9:00 a.m.

Submit Written Comments to: Milo Straus, Department of Health, Building 4, Airdustrial Park, Mailstop LD-11, Tumwater, Washington, by January 7, 1991.

Date of Intended Adoption: January 9, 1991.

November 30, 1990

Sylvia Beck

Executive Director

Board of Health

and Frank Hickey

for Kristine Gebbie

Secretary

Department of Health

Chapter 246-205 WAC  
CONTRACTOR CERTIFICATION FOR DECONTAMINATION  
OF ILLEGAL DRUG  
MANUFACTURING OR STORAGE SITES.

NEW SECTION

WAC 246-205-001 PURPOSE. (1) The purpose of this chapter is to establish department standards and procedures for the certification of contractors and their employees authorized to perform decontamination of illegal drug manufacturing or storage sites. This chapter is adopted jointly by the state board of health and the department of health to implement RCW 64.44.060.

(2) Chapter 246-205 WAC applies:

- (a) When an illegal drug manufacturing or storage site is identified; and
- (b) To persons involved with the decontamination of illegal drug manufacturing or storage sites including, but not limited to:
- (i) The department;
  - (ii) Local health officers;
  - (iii) Authorized contractors and their employees;
  - (iv) Property owners;
  - (v) Law enforcement agencies.

NEW SECTION

WAC 246-205-010 DEFINITIONS. For the purposes of this chapter, the following words and phrases shall have the following meanings unless the content clearly indicates otherwise.

- (1) "Authorized contractor" means any person or persons:
  - (a) Registered under chapter 18.27 RCW; and
  - (b) Certified by the department to decontaminate, demolish, or dispose of contaminated property as required by chapter 64.44 RCW and this chapter.
- (2) "Basic course" means a training course which has been approved by the department for workers and supervisors who perform or supervise decontamination on illegal drug manufacturing or storage sites.
- (3) "Certificate" means a department issued written approval under this chapter.
- (4) "Certified" means a person who has department issued written approval under this chapter.
- (5) "Contaminated" or "contamination" means property that:
  - (a) Has been exposed to vapors or residues associated with the processing of various hazardous chemicals; and
  - (b) Is unfit for human use or habitation due to immediate or long-term hazards.
- (6) "Decontamination" means the process of reducing levels of known contaminants to the lowest practical level using currently available methods and processes.
- (7) "Department" means the Washington state department of health.
- (8) "Disposal of contaminated property" means the disposition of contaminated property under the provisions of chapter 70.105 RCW.
- (9) "Environmental service contract" means a person or persons registered by the United States Environmental Protection Agency (EPA) to transport hazardous wastes to a permitted transfer, treatment, storage, or disposal facility under the provisions of Title 40 Code of Federal Regulations, Parts 260 to 268, and chapter 173-303 WAC.
- (10) "Hazardous chemicals" means the following substances used to manufacture illegal drugs:
  - (a) Hazardous substances as defined under RCW 70.105D.020; and
  - (b) Precursor substances as defined under RCW 69.43.010 which the state board of health, in consultation with the state board of pharmacy, has determined present an immediate or potential long-term health hazard to humans.

(11) "Illegal drug manufacturing or storage site" means any property where the manufacture or storage of controlled substances occurred or there are reasonable grounds to believe it occurred in violation of chapter 69.41 or 69.52 RCW.

(12) "Inspection of property" means an on-site visit by a local health officer or authorized representative for the purpose of determining contamination associated with illegal drug manufacturing or the storage of hazardous chemicals.

(13) "List of contaminated properties" means a list of properties contaminated by illegal drug manufacturing or the storage of hazardous chemicals.

(14) "Local department" means the jurisdictional local health department or district.

(15) "Local health officer" means a health officer or authorized representative as defined under chapters 70.05, 70.08, and 70.46 RCW.

(16) "Owner of record" means person or persons with a lawful right of possession of the dwelling, building, vehicle, vessel, or premises by reason of obtaining it by purchase, exchange, gift, lease, inheritance, or legal action.

(17) "Person" means an individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or other entity.

(18) "Personal protective equipment" means equipment required for hazardous waste operations and emergency response as defined under the provisions of chapter 296-62 WAC (Part P).

(19) "Posting a notice" means attaching a written or printed announcement conspicuously on property which has been determined to be contaminated by illegal drug manufacturing or the storage of hazardous chemicals as required under RCW 64.44.020.

(20) "Property" means any site, structure, or part of a structure involved in the illegal manufacture of drugs or storage of hazardous chemicals including but not limited to:

- (a) Single-family residences;
- (b) Units or multiplexes;
- (c) Condominiums;
- (d) Apartment buildings;
- (e) Motels and hotels;
- (f) Boats;
- (g) Motor vehicles;
- (h) Trailers;
- (i) Manufactured housing;
- (j) Any ship, booth, or garden; or
- (k) Any site, structure, or part of a structure that may have been contaminated by previous use.

(21) "Refresher course" means a department approved biennial training course for decontamination workers and supervisors. An approved refresher course:

- (a) Reviews the subjects taught in the initial training course; and
- (b) Includes updated information on emerging decontamination technology.

(22) "Storage site" means any property that has been used for the storage of hazardous chemicals.

(23) "Subcontractor" means a person hired by an authorized contractor for the purpose of providing on-site services.

(24) "Supervisor" means a person employed by an authorized contractor who is on site during the decontamination of an illegal drug manufacturing or storage site and who is responsible for the activities performed.

(25) "Worker" means a person employed by an authorized contractor who performs decontamination of an illegal drug manufacturing or storage site.

#### NEW SECTION

WAC 246-205-020 AUTHORIZED CONTRACTOR SERVICES. (1) Persons performing or causing to be performed any decontamination, demolition, or disposal of contaminated property shall use the services of an authorized contractor.

(2) Persons advertising or offering to undertake or perform any work necessary to decontaminate properties found to be unfit for use, shall first comply with these rules and secure a certificate from the department under RCW 64.44.060 and this chapter.

#### NEW SECTION

WAC 246-205-030 COURSES FOR TRAINING WORKERS AND SUPERVISORS. The department shall:

(1) Train, test, or approve courses to train and test the authorized contractor's workers and supervisors on the essential elements in assessing and decontaminating property used as an illegal drug manufacturing or storage site;

(2) Require a biennial refresher course.

#### NEW SECTION

WAC 246-205-040 TRAINING COURSE APPROVAL. (1) Persons having department approval may sponsor basic and refresher worker and supervisor training courses.

(2) Training course approval shall be contingent on department evaluation of:

(a) The breadth of knowledge and experience required to properly train workers or supervisors;

(b) Adequacy and accuracy of content; and

(c) Training techniques.

(3) Department approved training courses shall provide at a minimum, information on:

(a) Rules and regulations:

(i) RCW 69.50.505 and 69.50.511;

(ii) Federal Occupational Health and Safety Act and Washington Industrial Safety and Health Act requirements.

(b) Chemical terminology and classifications:

(i) Definitions, physical and chemical properties, class characteristics and hazards, special cases;

(ii) Equipment such as heating mantle, condenser, glassware;

(iii) Concepts such as acid, base, and pH;

(iv) Solvents;

(v) Metals and salts;

(vi) Corrosives;

(vii) Precursor substances;

(viii) By-products and contaminants;

(ix) Poisons such as cyanide and phosphine.

(c) Surface properties of chemicals:

(i) Absorption;

(ii) Adsorption;

(iii) Chemical bonding;

(iv) Specific chemicals such as 1-phenyl-2-propanone and phenylacetic acid.

(d) Illegal drug laboratories:

(i) Laboratory types including:

(A) Methamphetamine/Amphetamine;

(B) Hallucinogens;

(C) Others such as cocaine and opiates.

(ii) Chemicals;

(iii) Equipment;

(iv) An overview of synthetic processes used; and

(v) Booby traps.

(e) Health effects:

(i) General;

(A) Effects of exposure to classes of chemicals;

(B) Use of literature such as Material Safety Data Sheet and Chemical Hazards Handbook.

(ii) Toxicology;

(A) Routes of exposure; and

(B) Exposure limits such as time weighted averages and threshold limit value.

(iii) Symptomatology; and

(iv) First aid.

(f) Incompatibility of chemicals related to clean-up;

(i) General concepts such as heat generation and poisonous gas formation; and

(ii) Specific hazards such as lithium, aluminum hydride and water, phosphorous and air.

(g) Decontamination:

(i) Structures and vehicles including cars and boats, covering:

(A) Different techniques and required equipment;

(B) Applications of specific clean-up techniques using hypothetical case examples and correlating site status with appropriate techniques; and

(C) Decision making about and prioritization of techniques based upon case-specific information.

(ii) Contents, specifically removal vs. cleaning; and

(iii) Personal decontamination of crew members prior to leaving a decontamination site.

(h) Handling of contaminated materials;

State/federal requirements for dealing with hazardous chemicals specific to:

- (i) Disposal;
- (ii) Transportation; and
- (iii) Storage.
- (j) Reporting requirements.
- (k) Site characterization which shall be required for supervisors only:
  - How to acquire and review existing site specific information including:
    - (i) Source of data from health department, property owner, law enforcement, or ecology department;
    - (ii) Site walk-through and assessment;
    - (iii) Sampling before and after cleanup including:
      - (A) Who;
      - (B) When;
      - (C) What;
      - (D) How; and
      - (E) Where.
  - (l) Recordkeeping and reporting which shall be required for supervisors only:
    - (i) Initial site assessment;
    - (ii) Obtaining necessary information;
    - (iii) Initial site testing;
    - (iv) Workplan including:
      - (A) Scope;
      - (B) Content; and
      - (C) Format.
    - (v) Final site testing;
    - (vi) Report completion;
    - (vii) Other responsibilities of authorized contractors;
    - (viii) Penalties.
- (4) Sponsors of basic and refresher training courses proposed for department approval shall submit:
  - (a) Course location and fees;
  - (b) Copies of course handouts;
  - (c) A detailed description of course content and the amount of time allotted to each major topic;
  - (d) A description of teaching methods to be utilized and a list of all audio-visual materials;
  - (e) A list of all personnel involved in course preparation and presentation and a description of their qualifications;
  - (f) When specifically requested by the department, copies of all audio-visual materials proposed for utilization; and
  - (g) A list of two hundred questions for development of an examination.
- (5) Sponsors seeking initial and renewal department approval of training courses shall:
  - (a) Apply on forms provided by the department;
  - (b) Submit to the department completed application with the required fee as specified under WAC 246-205-990;
  - (c) Ensure initial course approval applications are received by the department sixty or more days before the requested approval date; and
  - (d) Ensure training course renewal applications are received by the department thirty or more days before expiration of the current approval.
- (6) The department shall:
  - (a) Approve basic and refresher training courses;
  - (b) Issue the course sponsor an approval valid for two years from the date of issuance;
  - (c) Require additional subjects to be taught to update information on new technology and determine the amount of time to be allotted to adequately cover these subjects;
  - (d) Provide a detailed outline of subject matter developed by the department to the sponsor for required incorporation into the training course.
- (7) The course sponsor shall provide the department with a list of the names, addresses, and Social Security numbers of all persons completing a basic or refresher training course ten days or less after a course is completed.
- (8) The course sponsor shall:
  - (a) Notify the department in writing thirty or more days before a training course is scheduled to begin; and
  - (b) Include the date, time, and address of the locations where training will be conducted; and
  - (c) Obtain department approval in advance for any changes to a training course.

(9) A department representative may, at the department's discretion, attend a training course as an observer to verify the course sponsor conducts the training course in accordance with the program approved by the department.

(10) Course sponsors conducting training outside the state of Washington shall:

- (a) Reimburse the department at current state of Washington per diem and travel allowance rates for travel expenses associated with department observance of the training courses; and
- (b) Submit reimbursement to the department within thirty days of receipt of the billing notice.
- (11) The training course sponsor shall limit each class to a maximum of thirty participants.
- (12) The department may terminate the training course approval if in the department's judgment the sponsor fails to:
  - (a) Maintain the course content and quality as initially approved;
  - (b) Make changes to a course as required by the department.

#### NEW SECTION

WAC 246-205-050 WORKER AND SUPERVISOR CERTIFICATION. (1) Applicants seeking an initial certificate as a decontamination worker shall submit to the department:

- (a) A completed application on a form provided by the department;
- (b) A fee as prescribed in WAC 246-205-990; and
- (c) Evidence of successful completion of:
  - (i) Eighty or more hours of hazardous material training satisfying the requirements of WAC 296-62-3040; and
  - (ii) A department sponsored or approved decontamination worker training course.
- (2) Applicants seeking an initial certificate as a decontamination supervisor shall submit to the department:
  - (a) Evidence of a valid and current Washington state decontamination worker certificate;
  - (b) Evidence of forty or more hours of experience in illegal drug manufacturing or storage site decontamination projects;
  - (c) A completed application on a form provided by the department;
  - (d) A fee as prescribed in WAC 246-205-990; and
  - (e) Evidence of successful completion of a department sponsored or approved decontamination supervisor training course.
- (3) Applicants for department certification shall:
  - (a) Ensure the completed application is received by the department sixty or less days after the completion of the course; or
  - (b) Pass an examination administered by the department with a score of seventy percent or more.
- (4) Persons shall supervise and perform decontamination work only following issuance of the certificate, valid for two years from the date of issuance.
- (5) Persons shall make certificates available for inspection at all times during an illegal drug manufacturing or storage site decontamination project.
- (6) The department may deny, suspend, or revoke a person's certificate as described under WAC 246-205-110.

#### NEW SECTION

WAC 246-205-060 WORKER AND SUPERVISOR CERTIFICATE RENEWAL. (1) Certified workers and supervisors seeking a renewal certificate shall submit to the department:

- (a) A completed application for certificate renewal on a form provided by the department;
- (b) A fee as prescribed in WAC 246-205-990;
- (c) Evidence of successful completion of a department sponsored or approved refresher training course. Applicants shall take refresher training prior to expiration of a current certificate but no earlier than sixty days before expiration of the current certificate. Refresher training shall include:
  - (i) A thorough review of the subjects required under WAC 246-205-030;
  - (ii) Update of information on state-of-the-art procedures and equipment;
  - (iii) Review of regulatory changes and interpretation; and
  - (iv) Other subjects if required by the department to update information on new technology and procedures.
- (2) The completed renewal application shall be received by the department at least fifteen days prior to expiration of the current certificate.

(3) Workers whose certificates have been expired for more than six months shall retake the entire basic course. Supervisors whose certificates have been expired for more than six months shall retake the entire basic supervisor's course.

#### NEW SECTION

**WAC 246-205-070 AUTHORIZED CONTRACTOR CERTIFICATION.** (1) A contractor may perform decontamination, demolition, or disposal work at an illegal drug manufacturing or storage site only after the department issues the contractor a certificate.

(2) The department shall not require companies and persons providing only sample collection, transportation, and testing services for drug laboratory decontamination contractors to be certified or trained under this chapter.

(3) Applicants for department certification as an authorized contractor, shall submit to the department:

(a) Evidence of being licensed, bonded, and insured as a general contractor under the provisions of chapter 18.27 RCW.

(b) Evidence of successful completion of specialized training for each employee who will do work on an illegal drug manufacturing or storage site;

(c) Documentation that the contractor has at least one department certified supervisor;

(d) A completed application on a form provided by the department; and

(e) A fee as prescribed in WAC 246-205-990.

#### NEW SECTION

**WAC 246-205-080 RECIPROCITY.** (1) The department may provide reciprocal certification for contractors, supervisors, and workers trained and certified in another state if standards and training are substantially equivalent to those of this chapter.

(2) Applicants for reciprocity shall submit to the department:

(a) A completed application on a form provided by the department;

(b) Documentation of specialized training for illegal drug manufacturing or storage site decontamination;

(c) Evidence of successful completion of training required by Federal Occupational Safety and Health Act, and Washington Industrial Safety and Health Act regulations, WAC 296-62-3040 and 29 Code of Federal Regulations 1910.120; and

(d) A fee as prescribed in WAC 246-205-990.

(3) After reviewing the application, the department may issue the applicant a certificate or require:

(a) Additional information;

(b) A refresher course; or

(c) A department-administered examination.

#### NEW SECTION

**WAC 246-205-090 ON-SITE SUPERVISION.** (1) During site assessment, testing, and decontamination activities at illegal drug manufacturing or storage sites, a contractor employed supervisor meeting the qualifications required in this chapter shall be on site and responsible for the activities performed.

(2) The contractor employed supervisor shall, while on site, make available for inspection, department provided certification attesting to the supervisor's training and credentials.

#### NEW SECTION

**WAC 246-205-100 PERFORMANCE STANDARDS.** Authorized contractors and their employees working at a decontamination site shall, at a minimum, meet the following performance standards:

(1) File a workplan with and obtain approval of the local health department;

(2) Perform work in accordance with the approved workplan;

(3) Perform work meeting the requirements of state and local building codes;

(4) Comply with applicable Federal Occupational Safety and Health Act and Washington Industrial Safety and Health Act regulations and requirements;

(5) Comply with the requirements of chapter 70.105 RCW and chapter 173-303 WAC;

(6) Comply with the requirements of applicable department of ecology and Environmental Protection Agency regulations;

(7) Comply with applicable contractor regulations;

(8) Notify the state and local jurisdictional health department of all work performed within ten days after completion of the project;

(9) Perform all decontamination work only with department certified workers and supervisors; and

(10) Comply with all other applicable laws and regulations.

#### NEW SECTION

**WAC 246-205-110 DENIAL, SUSPENSION, REVOCATION OF CERTIFICATION, AND CIVIL PENALTIES.** (1) The department shall deny an initial, renewal, or reciprocal illegal drug manufacturing or storage site decontamination worker, supervisor, or contractor certificate if the applicant fails to meet the requirements of this chapter.

(2) The department may take disciplinary action against a worker, supervisor, or contractor if the following occurs:

(a) Failure to comply with the requirements of chapter 64.44 RCW to include the performance standards or any rule adopted under chapter 64.44 RCW and this chapter;

(b) Failure of a worker or supervisor to make certificates available for inspection on site; or

(c) Committing fraud or misrepresentation in:

(i) Applying for certification;

(ii) Seeking approval of a workplan; or

(iii) Documenting completion of the work to the local health department.

(3) The department may take disciplinary action against a decontamination worker, supervisor, or contractor including, but not limited to, denial, suspension, or revocation of certification.

(4) The department may impose against a contractor a civil penalty not to exceed five hundred dollars, for each violation in addition to or in lieu of certification denial, suspension, or revocation pursuant to this rule. Each day the violation continues shall be considered a separate violation.

(5) Adjudicative proceedings are governed by chapter 34.05 RCW, the Administrative Procedure Act, chapter 246-08 WAC, and this chapter.

#### NEW SECTION

**WAC 246-205-120 AUTHORIZED CONTRACTOR CERTIFICATION LIST.** The department shall maintain a list of authorized illegal drug manufacturing or storage site decontamination contractors. The department's authorized contractor list shall be made available to local health officials and other appropriate agencies semi-annually, and to the public upon request.

#### NEW SECTION

**WAC 246-205-990 FEES.** (1) The department shall charge fees for issuance and renewal of certificates. The department shall set the fees by rule.

(2) The fees shall cover the cost of issuing certificates, filing papers and notices, and administering this chapter. The costs shall include reproduction, travel, per diem, and administrative and legal support costs.

(3) Fees are nonrefundable and shall be in the form of check or money order made payable to the department.

(4) The department shall require payment of the following fees upon receipt of application:

(a) Twenty-five dollars shall be assessed for each initial, renewal, or reciprocal worker certificate application.

(b) Twenty-five dollars shall be assessed for each initial, renewal, or reciprocal supervisor certificate application.

(c) Five hundred dollars shall be assessed for each initial, renewal, or reciprocal authorized contractor certificate application. The applicant's certificate shall expire annually on the expiration date of the contractor's license issued under the provisions of chapter 18.27 RCW.

(d) Two hundred dollars shall be assessed for each initial application and fifty dollars shall be assessed for each renewal application for illegal drug manufacturing or storage site decontamination training course approval.

**WSR 90-24-071**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(State Board of Health)**  
 [Filed December 5, 1990, 3:09 p.m.]

**Original Notice.**

Title of Rule: Public water system rules and regulations, chapter 248-54 WAC, Volatile organic chemicals.

Purpose: These revisions are in accordance with 1986 amendments to the Federal Safe Drinking Water Act, PL 99-339.

Statutory Authority for Adoption: Chapter 43.20 RCW.

Summary: These rules add volatile organic chemical monitoring requirements, MCLS, and follow-up requirements for Group A public water systems.

Reasons Supporting Proposal: Adoption of this rule is required under the Federal Safe Drinking Water Act.

Name of Agency Personnel Responsible for Drafting: Jane Ceraso, Building 3, Airdustrial Park, Tumwater, Mailstop LD-11, 234-6542 scan; Implementation: William Leichty, Building 3, Airdustrial Park, Mailstop LD-11, 234-5953 scan; and Enforcement: Ronni Kinneen, Building 3, Airdustrial Park, Mailstop LD-11, 321-1096 scan.

Name of Proponent: Department of Health, Division of Drinking Water, governmental.

Rule is necessary because of federal law, PL 99-339.

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements Federal Safe Drinking Water Act requirements by requiring Group A public water systems to monitor for volatile organic chemical (VOCS). In addition, it establishes drinking water standards (MCLS) and follow-up requirements for VOCS.

Purveyors will be required to: Submit samples for VOCS and, if VOCS are detected, take measures to protect public health, and to notify customers of monitoring results.

Proposal does not change existing rules.

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

Hearing Location: New Market Skills Center, 7299 New Market Street, Tumwater, WA 98502, on February 13, 1991, at 9:00 a.m.

Submit Written Comments to: Alan Rowe, Mailstop LD-11, Building 3, Airdustrial Park, by February 12, 1991.

Date of Intended Adoption: February 13, 1991.

December 13, 1990

Sylvia Beck

Executive Director

State Board of Health

**AMENDATORY SECTION** (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-015 DEFINITIONS. (1) Abbreviations:

(a) kPa - kilo pascal (SI units of pressure)((:));

(b) m - meter((:));

(c) MCL - maximum contaminant level((:));

(d) mg/L - milligrams per liter((:));

(e) MID - maximum instantaneous demand((:));

(f) mL - milliliter((:));

(g) mm - millimeter((:));

(h) MPN - most probable number of coliform bacteria per 100 mL((:));

(i) NTNC - nontransient noncommunity((:));

(j) NTU - nephelometric turbidity unit((:));

(k) pCi/L - picocuries per liter((:));

(l) psi - pounds per square inch((:));

(m) SAL - state advisory level;

(n) SOC - synthetic organic chemical;

(o) THM - trihalomethane;

(p) TNC - transient noncommunity((:));

(q) ug/L - micrograms per liter((:));

(r) umhos/cm - micromhos per centimeter((:));

(s) VOC - volatile organic chemical; and

(t) WFI - water facilities inventory and report form((:));

(2) "Acute" means posing an immediate risk to human health.

(3) "Composite sample" means a sample created in a certified laboratory by mixing equal parts of water from up to five different sources.

(4) "Confirmation" means to demonstrate the results of a sample to be precise by analyzing a repeat sample. Confirmation occurs when analysis results fall within plus or minus thirty percent of the original sample.

(5) "Contaminant" means (~~any~~) a substance present in drinking water which may adversely affect the health of the consumer (~~and~~) or the aesthetic qualities of the water.

((+)) (6) "Cross-connection" means (~~any~~) a physical arrangement connecting a public water system, directly or indirectly, with anything other than another potable water system, and capable of contaminating the public water system.

((+)) (7) "Department" means the Washington state department of health.

((+)) (8) "Disinfection" means the use of chlorine or other agent or process (~~-approved by~~) the department approves for (~~the purpose of~~) killing or inactivating microbiological organisms, including pathogenic and indicator organisms.

((+)) (9) "Distribution system" means that portion of a public water supply system which stores, transmits, pumps, and distributes water to consumers.

((+)) (10) "Duplicate (verification) sample" means a second sample collected at the same time and location as the first sample and used for verification.

((+)) (11) "Fire flow" means the rate of water flow needed to fight fires (~~as defined by applicable codes~~) under WAC 248-57-500 or adopted city, town, or county standards.

((+)) (12) "Guideline" means a department document (~~intended to assist~~) assisting the purveyor in meeting a rule requirement (~~of a rule~~).

((+)) (13) "Health officer" means the health officer of the city, county, city-county health department or district, or an authorized representative.

((+)) (14) "Hydraulic analysis" means the study of the water system network (~~-to evaluate~~) evaluating water flows within the distribution system under worst case conditions((:)) such as, maximum hourly flow plus fire flow, when required, or maximum instantaneous demand (MID), when fire flow is not required. Hydraulic analysis includes consideration of all factors affecting system energy losses.

((+)) (15) "Maximum contaminant level (MCL)" means the maximum permissible level of a contaminant in water (~~delivered~~) the purveyor delivers to any (~~user of a~~) public water system (~~as~~) user, measured at the locations identified (~~in~~) under WAC 248-54-165, Table 4.

((+)) (16) "Maximum contaminant level violation" means a confirmed measurement above the MCL and for a duration of time, where applicable, as outlined under WAC 248-54-175.

((+)) (17) "Maximum instantaneous demand (MID)" means the maximum rate of water use, excluding fire flow, (~~experienced~~) which has occurred or is expected to occur within a defined service area at (~~any~~) an instant in time.

((+)) (18) "Potable" means water suitable for drinking by the public.

((+)) (19) "Primary standards" means standards based on chronic or acute human health effects.

((+)) (20) "Protected ground water source" means a ground water source (~~shown~~) the purveyor shows to the (~~satisfaction of the department to be~~) department's satisfaction as protected from (~~any~~) potential sources of contamination on the basis of hydrogeologic data and/or satisfactory water quality history.



~~((18))~~ (21) "Public water system" ~~((refer to))~~ is defined and referenced under WAC 248-54-006~~((1))~~.

~~((19))~~ (22) "Purchase source" means water a purveyor purchases from a public water system not under the control of the purveyor for distribution to the purveyor's customers.

(23) "Purveyor" means ~~((any))~~ an agency or subdivision of the state or ~~((any))~~ a municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or ~~((any))~~ other entity ~~((that owns or operates))~~ owning or operating a public water system. ~~((It))~~ Purveyor also means the authorized agent~~((s))~~ of ~~((any))~~ such entities.

~~((20))~~ (24) "Regularly" means four hours or more per day for four days or more per week.

~~((21))~~ (25) "Repeat (confirmation) sample" means a sample collected a second time at the same location for confirmation of original analysis results.

(26) "Resident" means an individual living in a dwelling unit served by a public water system.

~~((22))~~ (27) "Seasonal source" means a public water system source used on a regular basis, but not in use more than three consecutive months within a twelve-month period.

(28) "Secondary standards" means standards based on factors other than health effects.

~~((23))~~ (29) "Service" means a connection to a public water system designed to serve a single family residence, dwelling unit, or equivalent use. ~~((If the facility has))~~ When the connection is a group home or barracks-type accommodation~~((s))~~, three persons ~~((with))~~ shall be ~~((considered))~~ equivalent to one service.

~~((24))~~ (30) "Standard methods" means the most recently published edition of the book, titled "Standard Methods for the Examination of Water and Wastewater," jointly published by the American Public Health Association, American Water Works Association (AWWA), and Water Pollution Control Federation. This book is available through public libraries or may be ordered from AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235.

~~((25))~~ (31) "State advisory level (SAL)" means a department-established value for a chemical without an existing MCL. The SAL represents a level which when exceeded, indicates the need for further assessment to determine if the chemical is an actual or potential threat to human health.

(32) "Synthetic organic chemical (SOC)" means a manufactured carbon-based chemical.

(33) "Trihalomethane (THM)" means one of a family of organic compounds, named as derivatives of methane, where three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. Trihalomethanes may occur when chlorine, a halogen, is added to water.

(34) "Verification" means to demonstrate the results of a sample to be precise by analyzing a duplicate sample. Verification occurs when analysis results fall within plus or minus thirty percent of the original sample.

(35) "Volatile organic chemical (VOC)" means a manufactured carbon-based chemical that vaporizes quickly at standard pressure and temperature.

(36) "Water facilities inventory form~~((A))~~ (WFI)" means the department form ~~((which summarizes))~~ summarizing each public water system's characteristics.

~~((26))~~ (37) "Well field" means a group of wells ~~((owned and/))~~ one purveyor owns or ~~((controlled by one purveyor))~~ controls which:

(a) Draw from the same aquifer or aquifers as determined by comparable inorganic chemical analysis; and

(b) Discharge water through a common pipe and the common pipe shall allow for collection of a single sample before the first distribution system connection.

#### AMENDATORY SECTION (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-097 SOURCE APPROVAL. (1) No new, previously unapproved sources, or modification of existing sources shall be used as a public water supply without department approval. A party seeking approval shall provide the department ~~((the following))~~:

(a) A copy of the water right permit, if required, obtained from the department of ecology for the source, quantity, type, and place of use;

(b) A hydrogeologic assessment of the proposed source along with a general description of the watershed, spring, and/or aquifer recharge area affecting the quantity or quality of flow. Seasonal variation shall also be included;

(c) For unfiltered surface water, the watershed control program identified under WAC 248-54-225;

(d) Upstream water uses affecting either water quality or quantity;

(e) A map showing the project location and vicinity;

(f) A map depicting topography, distances to the surface water intake, well or spring from existing property lines, buildings, potential sources of contamination, ditches, drainage patterns, and any other natural or man-made features affecting the quality or quantity of water;

(g) The dimensions and location of the sanitary control area ~~((as set forth))~~ under WAC 248-54-125;

(h) Copies of the recorded legal documents for the sanitary control area ~~((necessary to protect the source of supply))~~ under WAC 248-54-125;

(i) A copy of the on-site inspection approval made by the department or local health department representative;

(j) A copy of the water well report;

(k) ~~((Necessary))~~ Required construction documents;

(l) Well source development data ~~((to establish))~~ establishing the capacity of the source. Data shall include static water level, yield, the amount of drawdown, recovery rate~~((:))~~ and duration of pumping. Interference between existing sources and the source being tested ~~((must))~~ shall also be shown. The source shall be pump tested at no less than the maximum design rate to determine whether the well and aquifer are capable of supplying water at the rate desired and to provide information necessary to determine the proper pump settings in the well~~((, the source shall be pump tested at no less than the maximum design rate))~~. A department guideline on pump testing is available to assist purveyors;

(m) ~~((The results of))~~ An initial analysis result of ~~((the))~~ raw water quality, including as a minimum a bacteriological ~~((and))~~, complete inorganic chemical and physical analysis ~~((from each source))~~ and a VOC analysis. When source water quality is subject to variation, the department may require additional monitoring ~~((may be required by the department to define))~~ defining the range of variation. If the source being approved is for a community system, a radionuclide analysis shall also be required;

(n) Detailed information regarding ~~((all))~~ aspects of water quality addressed under WAC 248-54-175. If treatment is planned, refer to WAC 248-54-155(2); and

(o) Other department-required information ~~((as may be required by the department))~~. Before initiating source development or modification, the purveyor ~~((should))~~ shall contact the department ~~((in order))~~ to identify any such additional information.

(2) The department shall issue a written approval when:

(a) The purveyor submits the necessary information ~~((is submitted))~~; and

(b) The developed source provides water complying with chapter 248-54 WAC.

#### AMENDATORY SECTION (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-165 MONITORING REQUIREMENTS. (1) General.

(a) The purveyor shall be responsible for satisfying ~~((all))~~ requirements of this section. The monitoring requirements in this section are minimums. The department may require additional monitoring ~~((may be required by the department))~~:

(i) When system water quality exceeds an MCL; or

(ii) When source contamination is suspected; or

(iii) Under other circumstances as identified in a departmental order.

(b) Purveyor's samples required under this section shall be collected, transported, and analyzed according to department-approved methods ~~((approved by the department))~~. The ~~((analysis shall be done by the))~~ state public health laboratory or ~~((by any other))~~ another department-certified laboratory ~~((certified by the department for))~~ shall perform the analyses ~~((to be performed))~~, except turbidity as required under WAC 248-54-165(4) may be tested by water utility or health department personnel.

(c) When one public water system receives water from another public water system, the receiving system is only required to take bacteriological samples ~~((per))~~ as described under WAC 248-54-165(2) and trihalomethane samples as ~~((appropriate per))~~ described under WAC 248-54-165(5).

Subject to revision as appropriate, the department may reduce the monitoring requirement of the receiving system provided the receiving system:

- (i) Has ~~((had))~~ a good water quality history;
- (ii) ~~((is operated))~~ Operates in a satisfactory manner consistent with ~~((these))~~ regulations under this chapter;
- (iii) Is included in the supplying system's regular monitoring schedule; and
- (iv) Is included in the service and population totals for the supplying system.

Periodic reviews of the system's sampling record may be made to determine if continued reduction is appropriate.

(d) Special purpose samples, such as check samples or samples taken to determine if disinfection following pipe repair has been sufficient, shall not count toward fulfillment of ~~((these))~~ the monitoring requirements of this chapter.

(e) ~~((All))~~ Monitoring requirements in subsections (2) ~~((through))~~, (3), (4), (5), (6), (7), and (8) of this section apply equally to systems serving resident or nonresident populations unless otherwise stated.

(2) Bacteriological.

(a) Drinking water samples shall be collected for bacteriological analysis from representative points in the distribution system at regular time intervals.

(b) The frequency for monitoring drinking water shall be determined according to the following:

(i) For community systems, the minimum number of routine samples to be analyzed is shown in Table 2:

(ii) For NTNC and TNC systems, the minimum number of routine samples to be analyzed is shown in Table 3. In the case where an activity lasts for one week or less, sampling frequency shall be as directed by the department;

(iii) For Group A water systems serving both a resident and a non-resident population, the minimum number of routine samples to be analyzed may vary from month to month. The number of samples required each month will be the higher number of samples from Table 2 and Table 3; and

(iv) For Group B water systems, the minimum number of routine samples is one every twelve months.

(c) When disinfection is practiced, the purveyor shall collect untreated (raw) water samples from each source for bacteriological analysis of total coliform in addition to the number of treated samples required. The frequency of monitoring untreated water shall be determined according to the following:

(i) For protected ground water sources, one sample every three months shall be analyzed;

(ii) For unprotected ground water sources, the number of samples analyzed shall be twenty percent of the distribution samples required each month, and in no case less than one every three months;

(iii) For surface sources with treatment including coagulation, filtration, and disinfection or other treatment process, the number of samples analyzed shall be ten percent of the distribution samples required each month, and in no case less than one every three months; and

(iv) For surface sources without coagulation and filtration treatment, the number of samples analyzed shall be twenty percent of the distribution samples required each month, and in no case less than one every three months.

TABLE 2

MINIMUM ROUTINE BACTERIOLOGICAL SAMPLING REQUIREMENTS FOR COMMUNITY SYSTEMS BASED ON THE NUMBER OF RESIDENTS

Number of Residents* Served	Minimum No. of Samples Per Month	Number of Residents Served	Minimum No. of Samples Per Month
Less than 251	1**	37,001 - 41,000	45
251 - 1,000	1	41,001 - 46,000	50
1,001 - 2,500	2	46,001 - 50,000	55
2,501 - 3,300	3	50,001 - 54,000	60
3,301 - 4,100	4	54,001 - 59,000	65
4,101 - 4,900	5	59,001 - 64,000	70
4,901 - 5,800	6	64,001 - 70,000	75
5,801 - 6,700	7	70,001 - 76,000	80
6,701 - 7,600	8	76,001 - 83,000	85
7,601 - 8,500	9	83,001 - 90,000	90
8,501 - 9,400	10	90,001 - 96,000	95
9,401 - 10,300	11	96,001 - 111,000	100
10,301 - 11,100	12	111,001 - 130,000	110
11,101 - 12,000	13	130,001 - 160,000	120
12,001 - 12,900	14	160,001 - 190,000	130
12,901 - 13,700	15	190,001 - 220,000	140
13,701 - 14,600	16	220,001 - 250,000	150
14,601 - 15,500	17	250,001 - 290,000	160
15,501 - 16,300	18	290,001 - 320,000	170
16,301 - 17,200	19	320,001 - 360,000	180
17,201 - 18,100	20	360,001 - 410,000	190
18,101 - 18,900	21	410,001 - 450,000	200
18,901 - 19,800	22	450,001 - 500,000	210
19,801 - 20,700	23	500,001 - 550,000	220
20,701 - 21,500	24	550,001 - 600,000	230
21,501 - 22,300	25	600,001 - 660,000	240
22,301 - 23,200	26	660,001 - 720,000	250
23,201 - 24,000	27	720,001 - 780,000	260
24,001 - 24,900	28	780,001 - 840,000	270
24,901 - 25,000	29	840,001 - 910,000	280
25,001 - 28,000	30	910,001 - 970,000	290
28,001 - 33,000	35	970,001 - 1,050,000	300
33,001 - 37,000	40	1,050,001 - 1,140,000	310

\*Does not include population of utilities wholesaled to, except as provided under WAC 248-54-165 (1)(c)

\*\*May be reduced by the department to no less than one every three months for systems with protected ground water sources.

TABLE 3

MINIMUM ROUTINE BACTERIOLOGICAL SAMPLING REQUIREMENTS FOR NTNC AND TNC SYSTEMS BASED ON NONRESIDENT POPULATIONS

Maximum Day Population Served in Any One Month	Minimum Number Samples That Month
Less than 25	1 every 12 months
25 - 299	1 every 3 months
300 - 999	1*
1,000 - 2,499	2
2,500 - 3,499	3
3,500 - 4,999	4
5,000 - 9,999	6
10,000 - 14,999	8
15,000 - 19,999	10
20,000 - 29,999	12
30,000 - 39,999	14
40,000 - 49,999	16
50,000 - 74,999	20
75,000 - 99,999	25
100,000 or more	30

\*May be reduced by the department to one every three months for systems with protected ground water sources.

(3) Inorganic chemical and physical.

(a) The purveyor's complete inorganic chemical and physical analysis shall consist((s)) of the primary and secondary chemical and physical standards.

(i) Primary chemical and physical standards ((=)) are arsenic, barium, cadmium, chromium, fluoride, lead, mercury, nitrate (as N), selenium, silver, sodium, and turbidity.

(ii) Secondary chemical and physical standards ((=)) are chloride, color, copper, hardness, iron, manganese, specific conductivity, sulfate\*, total dissolved solids\*, and zinc.

\*Required only when specific conductivity exceeds seven hundred micromhos/centimeter.

(b) Purveyor samples taken for inorganic chemical analyses shall be collected at the source ((prior to any)) before treatment.

(c) The frequency for a purveyor's monitoring shall be according to ((the following)):

(i) Purveyors of community systems shall have one complete analysis from each surface water source every twelve months((-));

(ii) Purveyors of community systems shall have one complete analysis from each ground water source or well field every thirty-six months((-);

(iii) Purveyors of NTNC, TNC, and Group B systems shall have one initial complete analysis from each source or well field. The department may waive or reduce the minimum requirement for the initial complete analysis ((may be waived or reduced by the department)) if available information shows, to the department's satisfaction ((of the department)), that the aquifer provides water of satisfactory inorganic chemical quality((-); and

(iv) After the initial complete analysis, NTNC, TNC, and Group B systems shall have one nitrate sample analyzed from each source or well field every thirty-six months.

(d) When the purveyor provides treatment ((is provided)) for one or more inorganic chemical or physical contaminants, samples shall be taken for the specific contaminant or contaminants before and after treatment. The department shall determine the frequency ((shall be determined by the department)) of sampling.

(4) Turbidity.

(a) Purveyors of Group A water systems with surface water sources shall monitor turbidity at least once a day.

(b) The purveyor shall monitor turbidity ((shall be monitored)) at or before the entry point to the distribution system and where needed for treatment process control.

(c) The department shall determine monitoring requirements for Group B water systems ((shall be determined by the department)).

(d) The purveyor shall ensure that turbidimeters ((shall be)) are designed to meet the criteria listed under standard methods, and ((shall be)) that turbidimeters are properly operated, maintained, and calibrated at all times, based on the manufacturer's recommendations.

(5) Trihalomethanes.

(a) Purveyors of community systems serving a population of ((10,000)) ten thousand or more and providing water treated with chlorine or other halogenated disinfectant shall monitor as follows:

(i) Ground water sources. The purveyor shall collect one sample from each treated spring, well, or well field every twelve months. This sample shall be taken at the source before treatment or at the extreme end of the distribution system. The sample shall be analyzed for maximum total trihalomethane potential (MTTP); or

(ii) Surface water sources. The purveyor shall collect four samples per treated source every three months. The samples shall be taken within a twenty-four-hour period. The purveyor shall take one of the samples ((collected shall be taken)) from the extreme end of the distribution system and three samples ((collected shall be taken)) from representative locations in the distribution system. The samples shall be analyzed for total trihalomethanes (TTHM), the sum of trichloromethane, bromodichloromethane, dibromochloromethane, and tribromomethane. After one year of monitoring, the department may reduce the monitoring frequency to one sample every three months per treatment plant if the TTHM levels are less than 0.10 mg/L. The purveyor shall take the sample ((shall be taken)) at the extreme end of the distribution system; or

(iii) Purchased surface water sources. The purveyor shall collect one water sample per each purchased surface source every three months. The sample shall be taken at the extreme end of the distribution system and analyzed for TTHM.

(b) Purveyors of community systems shall monitor for TTHM when serving a population less than ten thousand and providing surface water treated with chlorine or other halogenated disinfectant ((shall monitor for TTHM)). The purveyor shall collect one water sample per treated source every three months for one year. The sample shall be taken at the extreme end of the distribution system and analyzed for TTHM. After the first year, the purveyor shall monitor surface water sources ((shall be monitored)) every thirty-six months.

(c) Purveyors of community systems shall monitor for TTHM when serving less than ten thousand people ((that purchase)) and purchasing surface water treated with chlorine or other halogenated disinfectant or ((add)) adding a halogenated disinfectant after ((purchasing, shall monitor for TTHM)) purchase. The purveyor shall collect one water sample every three months at the extreme end of the distribution system or at a department-acceptable location ((acceptable to the department)). The sample shall be analyzed for TTHM. After the first year, ((monitoring shall be)) the purveyor shall monitor every thirty-six months.

(6) Pesticides.

Purveyors of community systems with surface water sources shall monitor for pesticides for which MCLs are established every thirty-six months. The purveyor shall collect the water sample ((shall be collected)) during the time of year ((designated by)) the department designates as the time when pesticide contamination is most likely to occur.

(7) Radionuclides.

(a) The purveyor's monitoring requirements for gross alpha particle activity, radium-226 and radium-228 ((are)) shall be:

(i) Community systems shall monitor once every forty-eight months. Compliance shall be based on the analysis of an annual composite of four consecutive quarterly samples or the average of the analyses of four samples obtained at quarterly intervals((-);

(ii) The purveyor may omit analysis for radium-226 and radium-228 ((may be omitted)) if the gross alpha particle activity is less than five pCi/L((-); and

(iii) If the results of the initial analysis are less than half of the established MCL, the department may allow compliance with the monitoring requirements ((to be)) based on analysis of a single sample collected every forty-eight months.

(b) The purveyor's monitoring requirements for man-made radioactivity shall be:

(i) Purveyors of community systems using surface water sources and serving more than one hundred thousand persons and other department-designated water systems ((designated by the department)) shall monitor for man-made radioactivity (beta particle and photon) every forty-eight months. Compliance shall be based on the analysis of a composite of four consecutive quarterly samples or the analysis of four quarterly samples((-); and

(ii) Purveyors of any water system, as directed by the department, downstream from a nuclear facility shall monitor once every three months for gross beta and iodine-131, and monitor once every twelve months for strontium-90 and tritium. The department may allow the substitution of environmental surveillance data taken in conjunction

with a nuclear facility for direct monitoring of man-made radioactivity ((after a determination)) if the department determines that such data is applicable to a particular public water system.

(8) Volatile organic chemicals (VOCs).

(a) Prior to January 1, 1992, purveyors of COMMUNITY and NTNC systems shall monitor each source for all chemicals listed in Table 4. If a source is treated, VOC samples shall be collected after treatment. The department shall contact the purveyor to schedule sample collection. Purveyors shall submit VOC samples to a certified lab for analysis within ninety days of contact by the department.

TABLE 4

LIST 1: VOLATILE ORGANIC CHEMICALS (VOCs) WITH MCLs

- Trichloroethylene
- Carbon Tetrachloride
- Vinyl Chloride<sup>1</sup>
- 1,2-Dichloroethane
- Benzene
- para-Dichlorobenzene
- 1,1-Dichloroethylene
- 1,1,1-Trichloroethane

<sup>1</sup> Purveyors shall monitor for vinyl chloride if their source sampling has verified one or more of the following:

- Trichloroethylene;
- 1,2-Dichloroethane;
- 1,1-Dichloroethylene;
- 1,1,1-Trichloroethane;
- Chloroethane;
- trans-1,2-Dichloroethylene;
- cis-1,2-Dichloroethylene;
- 1,1-Dichloroethane;
- 1,1,2-Trichloroethane;
- 1,1,1,2-Tetrachloroethane;
- 1,1,2,2-Tetrachloroethane; or
- Tetrachloroethylene.

LIST 2: VOCs WITHOUT MCLs

Bromobenzene	p-Xylene
Bromomethane	O-Xylene
Chlorobenzene	m-Xylene
Chloroethane	Bromochloromethane
Chloromethane	n-Butylbenzene
o-Chlorotoluene	Dichlorodifluoromethane
p-Chlorotoluene	Fluorotrichloromethane
Dibromomethane	Hexachlorobutadiene
m-Dichlorobenzene	Isopropylbenzene
o-Dichlorobenzene	p-Isopropyltoluene
trans-1,2-Dichloroethylene	Naphthalene
cis-1,2-Dichloroethylene	n-Propylbenzene
Dichloromethane	Sec-butylbenzene
1,1-Dichloroethane	Tert-butylbenzene
1,1-Dichloropropene	1,2,3-Trichlorobenzene
1,2-Dichloropropane	1,2,4-Trichlorobenzene
1,3-Dichloropropane	1,2,4-Trimethylbenzene
1,3-Dichloropropene	1,3,5-Trimethylbenzene
2,2-Dichloropropane	Trihalomethanes:
Ethylbenzene	Bromodichloromethane
Styrene	Dibromochloromethane
1,1,2-Trichloroethane	Tribromomethane
1,1,1,2-Tetrachloroethane	Trichloromethane
1,1,2,2-Tetrachloroethane	
Tetrachloroethylene	
1,2,3-Trichloropropane	
Toluene	

LIST 3: VOCs WITHOUT MCLs WHICH ARE REQUIRED FOR SELECTED SOURCES

Ethylene dibromide (EDB)	1,2-Dibromo-3-Chloropropane (DBCP)
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(b) During the first twelve months of VOC monitoring, purveyors shall sample surface water and ground water sources once every three months or as directed by the department. If no VOCs (exclusive of THMs) are detected in the first sample from a ground water source, the purveyor shall sample that source once more during that twelve-month period.

(c) If no VOCs (exclusive of THMs) are verified after the initial twelve months of monitoring, purveyors of COMMUNITY and NTNC water systems shall monitor each source at least once every thirty-six months.

(d) Purveyors may ask the certified lab to composite samples representing as many as five individual sources. If VOCs (exclusive of THMs) are detected in a composite sample, the lab shall analyze the duplicate sample for each source in the composite at the purveyor's expense. If duplicate samples are not available, the purveyor shall repeat sample each individual source within fourteen days of contact by the department. Analysis of all VOC samples shall occur within fourteen days of collection. The following restrictions shall apply to compositing of samples:

- (i) Samples shall not be composited in the field;
- (ii) Multiple source samples, such as samples representing well fields, shall not be composited;
- (iii) Ground water sources shall not be composited with surface water sources; and
- (iv) The following shall not be composited:
  - (A) Seasonal sources;
  - (B) Sources treated for the presence of synthetic organic chemicals; and

(C) Sources with synthetic organic chemicals, exclusive of THMs, detected within the last five years.

(e) Purveyors with emergency and seasonal sources shall monitor the sources when the sources are in use.

(f) If five or fewer separate sources are combined through a common pipe before entering the distribution system, and before a domestic service, the department may consider those sources as one for the purpose of sampling. The purveyor shall collect the distribution samples as directed by the department. If VOCs, exclusive of THMs, are detected, the department shall require repeat samples from each individual source.

(g) The department may require the purveyor to repeat sample for confirmation of results.

(h) The department shall not require purveyors of COMMUNITY systems serving less than two hundred fifty people and NTNC systems to monitor for the List 2 VOCs after purveyors complete the first twelve months of VOC monitoring for both List 1 and List 2 VOCs, provided no VOCs, exclusive of THMs, are detected and no changes have occurred indicating a need to take additional samples.

(i) Purveyors of COMMUNITY and NTNC systems shall monitor for List 3 VOCs if the department determines their sources are located in an area where the chemicals may have been applied, manufactured, or stored. The department shall notify purveyors of COMMUNITY and NTNC systems if this requirement applies.

(j) When water is purchased from another system, the department shall not require the purveyor of the purchasing system to monitor that source for VOCs. However, the department's requirement may still apply for a purveyor to monitor for trihalomethanes under subsection (5) of this section.

(k) Only samples analyzed after January 1, 1988, by a laboratory certified for VOC analysis of drinking water may be used to meet the requirements of this subsection.

(9) Other substances.

On the basis of public health concerns, ((monitoring of)) the department may require the purveyor to monitor for additional substances ((may be required by the department)).

TABLE ((4)) §

MONITORING LOCATION	
Sample Type	Sample Location
Bacteriological	From representative points in distribution system.
Complete Inorganic Chemical and Physical	From a sample point as close to the source as possible.
Nitrate	From a sample point as close to the source as possible.
Turbidity - Surface Water	From a location at or before the entry point to the distribution system.
Trihalomethanes - Surface Water	From representative points in the distribution system.
- Ground Water	From the source ((prior to)) before treatment.

Sample Type	Sample Location
Pesticides - Surface Water	From the source.
Radionuclides	From the source.
VOCs	After treatment, if any, at entry points to distribution systems.
Other Substances	As directed by the department.

Substance	Secondary MCLs (mg/L)
Chloride (Cl)	250.0
Copper (Cu)	1.0
Fluoride (F)	2.0
Iron (Fe)	0.3
Manganese (Mn)	0.05
Sulfate (SO <sub>4</sub> )	250.0
Zinc (Zn)	5.0

**AMENDATORY SECTION** (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-175 MAXIMUM CONTAMINANT LEVELS (MCLS). (1) The purveyor shall be responsible for complying with the standards of water quality identified in this section.

If ~~(any)~~ a substance exceeds its maximum contaminant level (MCL), the purveyor shall take follow-up action as ~~((outlined))~~ described under WAC 248-54-185.

(2) ~~((fn))~~ When enforcing the standards ~~((set out in))~~ described under this section, the department shall ~~((seek to))~~ enforce compliance with the primary standards as its first priority.

(3) Bacteriological.  
(a) Standards under subsection (3) of this section shall be considered primary standards.

(b) If any coliform bacteria are present in any sample, follow-up action as described under WAC 248-54-185(2) shall be taken.

(c) The MCL for coliform bacteria is as follows:  
(i) When the membrane filter test is used, the number of coliform bacteria shall not be greater than:

(A) One per one hundred milliliters as the average of all samples tested each month; or

(B) Four per one hundred milliliters in two or more samples when less than twenty samples are tested each month; or

(C) Four per one hundred milliliters in more than five percent of the samples when twenty or more samples are tested each month.

(ii) When the five-tube MPN method is used, coliform bacteria shall not be present in:

(A) More than ten percent of the tubes tested each month; or

(B) Three or more tubes in two or more samples when less than twenty samples are tested each month; or

(C) Three or more tubes in more than five percent of the samples when twenty or more samples are tested each month.

(iii) The department may allow systems required to take less than four samples each month to base compliance with this section on the samples taken during the three-month period consisting of the month in question and the previous two months.

(iv) Special purpose samples, such as those taken to determine if disinfection following pipe repair or replacement has been sufficient, or check samples shall not be used to determine compliance with the MCL.

(v) Samples with unsuitable test results, i.e., confluent growth, TNTC (too numerous to count), excess debris, etc., will not qualify as routine samples and will not count toward fulfillment of the monitoring requirement.

(4) Inorganic chemical and physical.  
The primary and secondary MCLs are ~~((as))~~ listed in Table ~~((5))~~ 6 and ~~((6))~~ 7:

TABLE ((5)) 6

INORGANIC CHEMICAL CHARACTERISTICS

Substance	Primary MCLs (mg/L)
Arsenic (As)	0.05
Barium (Ba)	1.0
Cadmium (Cd)	0.01
Chromium (Cr)	0.05
Fluoride (F)	4.0
Lead (Pb)	0.05
Mercury (Hg)	0.002
Nitrate (as N)	10.0
Selenium (Se)	0.01
Silver (Ag)	0.05
Sodium (Na)	*

Note: Although ~~((there))~~ the department has not ~~((been an MCL))~~ established an MCL for sodium, there is enough public health significance connected with sodium levels to require inclusion in inorganic chemical and physical monitoring.

TABLE ((6)) 7

PHYSICAL CHARACTERISTICS

Substance	Primary MCL
Turbidity	1 NTU

  

Substance	Secondary MCLs
Color	15 Color Units
Hardness	None established
Specific Conductivity	700 umhos/cm
Total Dissolved Solids (TDS)	500 mg/L

(5) Turbidity.  
(a) The department shall consider standards under subsection (5) of this section ~~((shall be considered))~~ primary standards.

(b) The MCLs for turbidity are ~~((as follows))~~:

(i) One NTU, based on a monthly average of the maximum daily turbidity, where the maximum daily turbidity is defined as the average of the:

(A) ~~((The average of the))~~ Highest two hourly readings over a twenty-four hour period when continuous monitoring is used; or

(B) ~~((The average of the))~~ Daily grab samples taken within one hour when daily monitoring is used.

The ~~((limit may be increased))~~ department may increase the MCL to five NTUs if the purveyor can show the source is within a controlled watershed and the source meets ~~((and))~~ the requirements under WAC 248-54-125 and 248-54-225.

(ii) Five NTUs based on an average of the maximum daily turbidity for two consecutive days.

(6) Trihalomethanes.  
(a) The department shall consider standards under subsection (6) of this section ~~((shall be considered))~~ primary standards.

(b) The MCL for total trihalomethanes (TTHM) is 0.10 mg/L. The concentrations of each of the trihalomethane compounds (trichloromethane, dibromochloromethane, bromodichloromethane, and tribromomethane) are added together to determine the TTHM level.

(c) There is no MCL for maximum total trihalomethane potential (MTTP). ~~((fn))~~ When the MTTP value exceeds 0.10 mg/L, the purveyor shall follow up as ~~((outlined))~~ described under WAC 248-54-185(5).

(7) Pesticides.  
(a) The department shall consider standards under subsection (7) of this section ~~((shall be considered))~~ primary standards.

(b) The MCLs for pesticides are ~~((as follows))~~:

Substance	MCL (mg/L)
Endrin	0.0002 <del>((mg/L))</del>
Lindane	0.004 <del>((mg/L))</del>
Methoxychlor	0.1 <del>((mg/L))</del>
Toxaphene	0.005 <del>((mg/L))</del>

(ii) Chlorophenoxys:

Substance	MCL (mg/L)
2, 4-D	0.1 ((mg/L))
2, 4, 5-TP Silvex	0.01 ((mg/L))

(8) Radionuclides.

(a) The department shall consider standards under subsection (8) of this section (~~shall be considered~~) primary standards.

(b) The MCLs for radium-226, radium-228, and gross alpha particle radioactivity are (~~as follows~~):

Substance	MCL (pCi/L)
Radium-226	3 ((pCi/L))
Combined Radium-226 and Radium-228	5 ((pCi/L))
Gross alpha particle activity (excluding uranium)	15 ((pCi/L))

(c) The MCL for beta particle and photon radioactivity from man-made radionuclides is (~~that~~): The average annual concentration shall not produce an annual dose equivalent to the total body or any internal organ greater than four millirem/year.

The department shall assume compliance with the four millirem/year dose limitation (~~may be assumed~~) if the average annual concentration for gross beta activity, tritium, and strontium-90 are less than 50 pCi/L, 20,000 pCi/L, and 8 pCi/L respectively (~~provided that if~~). When both (~~radionuclides~~) tritium and strontium-90 are present, the sum of their annual dose equivalents to bone marrow shall not exceed four millirem/year.

(9) Volatile organic chemicals.

(a) The department shall consider standards under this subsection primary standards.

(b) The VOCs with MCLs are:

Substance	MCL (mg/L)
Benzene	.005
Carbon Tetrachloride	.005
1,2-Dichloroethane	.005
Trichloroethylene	.005
para-Dichlorobenzene	.075
1,1-Dichloroethylene	.007
1,1,1-Trichloroethane	.200
Vinyl Chloride	.002

(c) The department shall determine compliance with this subsection based on the running annual average of results for each sample location. The purveyor is in violation of an MCL when:

(i) The running annual average for one location is greater than the MCL (sum of all sample results in one year divided by four > MCL); or

(ii) Any one sample result causes the running annual average to exceed the MCL.

(10) The state board of health shall determine maximum contaminant levels (~~allowable~~) for any additional substances (~~monitored shall be determined by the state board of health~~).

AMENDATORY SECTION (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-185 FOLLOW-UP ACTION. (1) General.

(a) If water quality exceeds any MCLs listed (~~in~~) under WAC 248-54-175, the purveyor shall notify the department and take follow-up action as described in this section.

(b) When a primary MCL violation occurs, the purveyor shall:

(i) Notify the department within forty-eight hours;

(ii) Notify the public according to (~~the~~) procedures outlined under WAC 248-54-187;

(iii) Determine the cause of the contamination; and

(iv) Take corrective action as required by the department.

(c) When a secondary MCL violation occurs, the purveyor shall notify the department and take corrective action as directed by the department.

(2) Bacteriological.

(a) When coliform bacteria are present in any sample analyzed by the membrane filter method, the purveyor shall take action as follows:

(i) When the sample result is one through four per one hundred milliliters, the sample is unsatisfactory and an additional drinking water sample shall be taken to confirm the presence of coliform bacteria; or

(ii) When the sample result is greater than four per one hundred milliliters, the sample is unsatisfactory and nonconforming. The purveyor shall take action to determine and correct the cause of the contamination. Daily check samples shall continue to be collected until at least two consecutive daily check samples show less than one coliform per one hundred milliliters.

(b) When coliform bacteria are present in any sample analyzed by the five-tube MPN method, the purveyor shall take action as follows:

(i) When the sample result is one or two tubes positive, the sample is unsatisfactory and an additional drinking water sample shall be taken to confirm the presence of contamination; or

(ii) When the sample result is three or more tubes positive, the sample is unsatisfactory and nonconforming. The purveyor shall take action to determine and correct the cause of the contamination. Daily check samples shall continue to be collected until at least two consecutive daily check samples show no coliform bacteria are present.

(c) All additional samples required by this section shall be collected from the same location where the unsatisfactory or unsuitable sample was taken, except as specified by the department.

(d) All additional samples shall be submitted for analyses as soon as possible after the unsatisfactory or unsuitable results are known.

(e) When the presence of coliform bacteria in water has been confirmed by check samples, the purveyor shall notify the department within forty-eight hours.

(f) When the sample result is marked unsuitable, an additional drinking water sample shall then be submitted for analysis for each unsuitable result immediately upon notification of the unsuitable result. The additional sample shall be analyzed by the MPN testing method.

(g) The location where the daily check samples were taken to fulfill the requirements of this section shall not be eliminated from future sampling without the department's approval.

(3) Inorganic chemical and physical. When an initial analysis of (~~any~~) a substance exceeds the MCL, the purveyor shall (~~take the following action~~):

(a) For nitrate, immediately take one additional sample from the same sampling point. If the average of the two samples exceeds the MCL, a violation is confirmed; or

(b) For all other inorganic chemical and physical substances, (~~within thirty days take~~) collect three additional samples from the same sample point within thirty days. If the average of all four samples exceeds the MCL, a violation is confirmed.

(4) Turbidity. When the turbidity exceeds the (~~maximum allowable limit~~) MCL identified under WAC 248-54-175 for longer than one hour monitored continuously, the purveyor shall report to the department within forty-eight hours. When the results of a manual turbidity analysis exceeds the (~~maximum allowable limit~~) MCL, the purveyor shall collect another sample (~~shall be collected~~) within one hour. When the repeat sample confirms the (~~maximum allowable limit has been~~) MCL is exceeded, the purveyor shall notify the department.

(5) Trihalomethanes. When the average of all samples taken during any twelve-month period exceeds the MCL for total trihalomethanes, the violation is confirmed and the purveyor shall take corrective action as required by the department. (~~If~~) When the maximum trihalomethane potential (MTTP) result is equal to or greater than 0.10 mg/L and the result is confirmed by a (~~check~~) repeat sample, the (~~system~~) purveyor shall monitor according to WAC 248-54-165(5) for one year or more.

(6) Volatile organic chemicals (VOCs). The purveyor shall be responsible for the following follow-up actions:

(a) After the purveyor's receipt of the first VOC analysis results from the laboratory, the purveyor shall provide notice to persons served by the system as described under WAC 248-54-187(5).

(b) When a List I VOC is verified at a concentration above the detection limit, the purveyor shall, at a minimum:

(i) Sample the source once every three months for at least three years; and

(ii) Make analysis results available to consumers within three months of receipt from the laboratory as described under WAC 248-54-187(5).

(c) When a List 1 VOC is verified at a concentration greater than a MCL, and the level will not cause the running annual average to exceed the MCL, the purveyor shall repeat sample the source as soon as possible. If a concentration greater than an MCL is confirmed, the purveyor shall:

(i) Notify the department within seven days of receipt of the repeat sample analysis results.

(ii) Provide consumer information per WAC 248-54-187 (5)(b).

(iii) Submit documentation to the department describing the water system's strategy for gathering and analyzing additional data and identify plans for keeping the public informed.

(iv) Sample the source a minimum of once every three months for at least three years.

(d) When the running annual average of a List 1 VOC is greater than an MCL, or one sample analysis result causes the annual average to exceed an MCL, the purveyor shall:

(i) Notify the department within seven days of receipt of analysis results.

(ii) Notify the public as described under WAC 248-54-187, including mandatory health effects language.

(iii) Submit an action plan to the department for approval addressing follow-up activities, including corrective action. The purveyor shall submit the action plan within four months of receipt of department notice that the annual average exceeds the MCL. The purveyor's action plan shall, at a minimum, contain a:

(A) Tabulation of VOC sample analysis results, including the location where VOCs were detected;

(B) Description of monitoring plans for system sources;

(C) Strategy for informing the public of monitoring results and investigations; and

(D) Description of short and long-term plans to minimize exposure and/or eliminate the source of contamination.

(iv) Implement the action plan within one year of the department's approval. The department may require the purveyor's earlier compliance if necessary to eliminate an immediate health threat or may require a revision of the action plan based upon additional sample results. The department may extend the purveyor's period of compliance when the department determines:

(A) Substantial construction is required; and

(B) Evidence presented at the department's public hearing shows the extension does not pose an immediate threat to public health.

If the department grants the purveyor an extension, the purveyor shall issue a notice identifying the MCL exceeded and the amount by which the repeat sample analysis results exceeded the MCL. The purveyor shall include the notice in all bills mailed to affected customers until the department determines that the purveyor complies with the MCL.

(v) Sample the source a minimum of once every three months for at least three years.

(e) When a List 2 or List 3 VOC is verified at a concentration above the detection limit, the purveyor shall:

(i) Submit the sample analysis results to the department within seven days of receipt from the laboratory; and

(ii) Sample the source a minimum of once every three months for one year and then annually thereafter during the three-month period when the highest previous measurement occurred.

(f) If the department determines that a List 2 or List 3 VOC is verified at a level greater than a state advisory level (SAL), the department shall notify the purveyor in writing. The purveyor shall repeat sample the source as soon as possible after initial department notice that a SAL has been exceeded. The purveyor shall submit the analysis results to the department within seven days of receipt from the laboratory. If any repeat sample confirms that a SAL has been exceeded, the purveyor shall:

(i) Provide consumer information per WAC 248-54-187 (5)(b);

(ii) Sample the source a minimum of once every three months for at least three years; and

(iii) Submit documentation to the department listing VOC analysis results, describing the water systems' strategy for gathering and analyzing additional data, and identifying plans for keeping the public informed. The purveyor shall submit this information to the department

within six months of the date of the first notice from the department that a SAL has been exceeded.

(g) The department may reduce the purveyor's monitoring requirement for a source detecting a List 1 VOC if, after three years of quarterly monitoring, all analysis results are less than the MCL. The purveyor's reduced monitoring frequency shall be no less than one sample per year.

(h) The department may reduce the purveyor's monitoring requirement for a source detecting a List 2 or List 3 VOC if the source has been monitored annually for at least three years, and all analysis results are less than the SAL.

(i) In establishing SAL's for List 2 and List 3 VOCs, the department shall consider the information and methodology in the department document titled "Procedures And References For Determination Of State Advisory Levels For Drinking Water Contaminants" available from the department upon request.

(j) When List 1, List 2 (exclusive of THMs), or List 3 VOCs are verified in well fields, the purveyor shall repeat sample individual wells within the well field.

(k) When the sum of all trihalomethanes detected exceeds 0.100 mg/L, the purveyor shall sample within three months for total trihalomethanes as required under WAC 248-54-165(5).

(l) The department may collect samples from a water system or may require that specified quality assurance techniques be used to collect samples.

(7) The department shall determine the purveyor's follow-up action ((shall be determined by the department when the MCL for any additional substance is exceeded)) when a substance not included in these regulations is detected.

**AMENDATORY SECTION** (Amending Order 336, filed 10/10/89, effective 11/10/89)

WAC 248-54-187 PUBLIC NOTIFICATION. (1) Responsibility. The purveyor of a Group A water system shall notify the water system users ((and the department)) when the following ((violations)) occurs within the Group A system:

(a) A primary MCL violation as described under WAC 248-54-175;

(b) ((Failure)) Failing to comply with a:

(i) Prescribed treatment technique;

(ii) Monitoring requirement under WAC 248-54-165; ((and)) or

(iii) Testing procedure.

(c) Operating under a variance or exemption; ((and)) or

(d) ((Failure)) Failing to meet a variance or exemption schedule.

The department may also require the purveyor of a Group B water system to notify users when ((violations)) any of the conditions listed in (a) through (d) of this subsection occur within the Group B system.

(2) Content. Notices shall provide:

(a) A clear, concise, and simple explanation of the violation;

(b) Discussion of ((any)) potential adverse health effects and ((what)) any segments of the population ((is)) that may be at higher risk;

(c) Mandatory health effects information ((where)) required under WAC 248-54-187(4);

(d) A list of steps the purveyor ((took)) has taken or is planning to take to ((correct the violation)) remedy the situation;

(e) A list of steps the consumer should take ((until the violation is corrected)), including advice on seeking an alternative water supply if necessary; and

(f) The purveyor's name and phone number.

The purveyor may provide additional information ((may be provided by the purveyor)) to further explain the ((violation)) situation.

(3) Distribution.

(a) Purveyors of COMMUNITY systems in violation of a primary MCL, treatment technique or variance or exemption schedule shall provide:

(i) Newspaper notice to water system users within fourteen days of violation;

(ii) Direct mail notice or hand delivery to all permanent residences served by the system within forty-five days of the violation. The department may waive the purveyor's mail or hand delivery if the violation is corrected within forty-five days;

(iii) Notice to radio and television stations serving the area within seventy-two hours of violation of a nitrate MCL or other acute violation as determined by the department; and

(iv) Repeat mail or hand delivery every three months until the violation is corrected.

(b) Purveyors of COMMUNITY systems ((in violation of a monitoring requirement, testing procedure, or operating under a variance or exemption schedule)) shall provide newspaper notice to water system users within three months of the ((violation or)) following:

- (i) Violation of a monitoring requirement or testing procedure; or
- (ii) Granting of a variance or exemption.

~~((The systems))~~ Purveyors shall also provide repeat notice by mail or hand delivery to all permanent residences served by the system every three months until the ((violation)) situation is corrected or for as long as the variance or exemption remains in effect.

(c) Purveyors of NTNC and TNC systems in violation of a primary MCL, treatment technique, variance, or exemption schedule shall post a notice within fourteen days of the violation. ((The notice shall remain posted while the violation exists.)) If the violation is acute, the department shall require posting ((shall be required)) within seventy-two hours.

(d) Purveyors of NTNC and TNC systems ((in violation of a monitoring requirement, testing procedure, or operating under a variance or exemption schedule)) shall post a notice within three months of the ((violation or)):

- (i) Violation of a monitoring requirement or testing procedure; or
- (ii) Granting of a variance or exemption.

(e) Where there is mention of a newspaper notice in this section, ((posting may be substituted in the absence of a newspaper of general circulation)) the purveyor may substitute a community or homeowner's association newsletter or similar periodical publication if the newsletter reaches affected consumers within the specified time.

(f) The purveyor may substitute a posted notice in the absence of a newspaper of general circulation or homeowner's association newsletter or similar periodical publication.

~~((f))~~ (g) The purveyor shall place posted notices ((shall be placed)) in conspicuous locations and ((presented)) present the notices in a manner making ((the posted notices)) them easy to read. Notices shall remain posted until the violation is corrected or for as long as the variance or exemption remains in effect. When appropriate, notices shall be multi-lingual.

~~((g))~~ Notice to new billing units.)) (h) The purveyor of a community water system shall give a copy of the most recent public notice ((for an outstanding violation)) to all new billing units or new hookups before or at the time water service begins.

~~((h))~~ (i) The purveyor shall provide the department with a copy of a public notification at the time the purveyor notifies the public.

(4) Mandatory language.

(a) The purveyor shall provide specific health effects language in the notice when a violation occurs involving a:

- (i) Primary VOC MCL; or
- (ii) Secondary fluoride MCL.

(b) Required specific language is contained in the department guideline titled "health effects language for drinking water public notification."

(5) VOCs.

(a) Availability of results. After receipt of the first analysis results, the purveyor of a COMMUNITY or NTNC water system shall notify persons served by the system of the availability of the results and shall supply the name and telephone number of a contact person.

(i) The purveyor shall initiate notification within three months of the purveyors receipt of the first VOC analysis results. This notification is only required one time.

(ii) Notification shall occur by:

(A) Inclusion in the first set of water bills issued after receipt of the results;

(B) Newspaper notice which shall run at least one day each month for three consecutive months;

(C) Direct mail;

(D) Posting if NTNC system; or

(E) Any other method approved by the department.

(iii) Within three months of receipt of analysis results, purveyors selling water to other public water systems shall provide copies of the analysis results to the purchasing system.

(iv) Within thirty days of receipt of analysis results, purveyors purchasing water shall make results available to their customers. The purveyor's notification shall occur by the method outlined under (a)(i) of this subsection.

(b) Consumer information.

(i) The purveyor shall provide consumer information within twenty-one days of receipt of confirmation sample results when:

(A) A List 1 VOC is confirmed at a concentration greater than a MCL, and the level will not cause the running annual average to exceed the MCL; or

(B) The department determines that a List 2 or List 3 VOC is confirmed at a level greater than a SAL.

(ii) Consumer information shall include:

(A) Name and level of VOC detected;

(B) Location where the VOC was detected;

(C) Any health effects that the VOC could cause at its present concentration;

(D) Plans for follow-up activities; and

(E) Phone number to call for further information.

(iii) Consumer information shall be distributed by any of the following methods:

(A) Notice placed in the major newspaper in the affected area;

(B) Direct mail to customers;

(C) Posting if NTNC system; or

(D) Any other method approved by the department.

(6) Fluoride.

~~((a))~~ When a secondary MCL violation occurs, the purveyor of a COMMUNITY water system shall send notice to:

~~((b))~~ (a) The department annually;

~~((c))~~ Consumers served by the system)) (b) Water system users annually; and

~~((d))~~ (c) New billing units added while the violation exists.

~~((e))~~ The notice shall include specific mandatory language available in a department guideline titled Health Effects Language For Drinking Water Public Notification.

~~((f))~~ (7) When circumstances dictate the purveyor give a broader ((and/or)) or more immediate notice ((be given)) to protect public health, the department may require the purveyor's notification by whatever means necessary.

~~((g))~~ When a substance does not exceed an MCL, but is measured at a department-determined level of health significance, the department may require the purveyor to notify the water system users.

~~((h))~~ (8) When the state board of health grants a public water system ((is granted)) a waiver ((by the state board of health)), the purveyor shall notify customers and new billing units or new hookups before water service begins. The purveyor shall provide a notice ((shall be provided)) annually ((with)) and send a copy ((going)) to the department.

~~((i))~~ (9) The department may give notice to the water system users as required by this section on behalf of the water purveyor. However, the purveyor remains responsible for ensuring the department's requirements are met.

## WSR 90-24-072

### PROPOSED RULES

### DEPARTMENT OF HEALTH

#### (Board of Nursing)

[Filed December 5, 1990, 3:12 p.m.]

Original Notice.

Title of Rule: See Recodification Section below.

Purpose: A housekeeping action to transfer rules to Title 246 WAC.

Statutory Authority for Adoption: Chapters 18.88, 18.52A, and 18.52B RCW.

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: Patricia Brown, 1300 Quince Street, Olympia, WA 98504, 753-5613.

Name of Proponent: Board of Nursing, 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 Locations: Wyndam Gardens, 18118 Pacific Highway South, Seattle, WA 98188, on January 11, 1991, at 1:30 p.m., and Ramada Inn, Spokane International Airport, Spokane, WA 99219, on January 29, 1991, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, EY-16, Olympia, WA 98504, by January 9, 1991.

Date of Intended Adoption: January 29, 1991.

December 3, 1990  
Patricia O. Brown, RN, MSN  
Acting Executive Secretary

308-120-550	as	246-839-550
308-120-555	as	246-839-555
308-120-560	as	246-839-560
308-120-565	as	246-839-565
308-120-570	as	246-839-570
308-120-575	as	246-839-575

STANDARDS OF PRACTICE

308-120-700	as	246-839-700
308-120-710	as	246-839-710
308-120-720	as	246-839-720
308-120-730	as	246-839-730
308-120-740	as	246-839-740

SUBSTANCE ABUSE MONITORING PROGRAM

308-120-750	as	246-839-750
308-120-760	as	246-839-760
308-120-770	as	246-839-770
308-120-780	as	246-839-780

SCOPE OF PRACTICE

308-120-800	as	246-839-800
308-120-270	as	246-839-810
308-120-620	as	246-839-820
308-120-810	as	246-839-830

FEEs

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-839 WAC:

Chapter 246-839 WAC  
Registered nurses

308-120-100	as	246-839-010
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LICENSURE, RENEWAL, AND INACTIVE STATUS

308-120-170	as	246-839-020
308-120-161	as	246-839-030
308-120-162	as	246-839-040
308-120-163	as	246-839-050
308-120-164	as	246-839-060
308-120-165	as	246-839-070
308-120-166	as	246-839-080
308-120-168	as	246-839-090
308-120-610	as	246-839-100
308-120-180	as	246-839-110
308-120-185	as	246-839-120
308-120-186	as	246-839-130

ADVANCED PRACTICE

308-120-300	as	246-839-300
308-120-305	as	246-839-310
308-120-315	as	246-839-320
308-120-325	as	246-839-330
308-120-335	as	246-839-340
308-120-338	as	246-839-350
308-120-345	as	246-839-360
308-120-360	as	246-839-370
308-120-400	as	246-839-400
308-120-410	as	246-839-410
308-120-420	as	246-839-420
308-120-430	as	246-839-430
308-120-440	as	246-839-440
308-120-450	as	246-839-450

NURSING EDUCATION

308-120-505	as	246-839-505
308-120-506	as	246-839-506
308-120-525	as	246-839-525
308-120-530	as	246-839-530
308-120-535	as	246-839-535
308-120-540	as	246-839-540
308-120-545	as	246-839-545

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-841 WAC:

Chapter 246-841 WAC  
Nursing assistants

308-173-210	as	246-841-400
308-173-220	as	246-841-410
308-173-230	as	246-841-420
308-173-240	as	246-841-430
308-173-245	as	246-841-440
308-173-250	as	246-841-450
308-173-255	as	246-841-460
308-173-260	as	246-841-470
308-173-265	as	246-841-480
308-173-270	as	246-841-490
308-173-275	as	246-841-500
308-173-280	as	246-841-510

RECODIFICATION SECTION

The following sections are being recodified as chapter 246-842 WAC:

Chapter 246-842 WAC  
Nursing assistants--Addendum for nursing homes

308-121-110	as	246-842-100
308-121-120	as	246-842-110
308-121-130	as	246-842-120
308-121-140	as	246-842-130
308-121-145	as	246-842-140
308-121-150	as	246-842-150
308-121-155	as	246-842-160
308-121-160	as	246-842-170
308-121-165	as	246-842-180
308-121-170	as	246-842-190
308-121-175	as	246-842-200
308-121-180	as	246-842-210

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-120-365 CRN RECOGNITION AT EFFECTIVE DATE.

**WSR 90-24-073**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Nursing)**

[Filed December 5, 1990, 3:13 p.m.]

**Original Notice.**

Title of Rule: WAC 308-120-168 and 308-120-610  
 (3)(a), AIDS education requirements.

Purpose: Eliminates the 90 day extension previously granted to registered nurses, for obtaining AIDS education upon interstate endorsement. Amended by Emergency Rule October 30, 1990.

Statutory Authority for Adoption: RCW 18.88.080, 18.130.175 and 70.24.270.

Summary: The rule that is amended allowed incoming nurses to be licensed while obtaining the AIDS education statutorily mandated for health care professionals. The change requires the education prior to licensure.

Reasons Supporting Proposal: There is now ready availability of correspondence courses, as well as videotaped courses to allow the timely meeting of the education requirement. Failure to comply with the 90 day extension, while in effect, led to significant discipline case load.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patricia O. Brown, 1300 Quince, Olympia 98504, 753-2686.

Name of Proponent: Washington State Board of Nursing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: AIDS education is required of all health care professional licensed in Washington state. Upon enactment of this requirement in 1988, the Board of Nursing provided for 90 days for nurses licensed by interstate endorsement to obtain this education after licensure. This rule eliminates the extension, and requires the education to be obtained before licensure. In that interstate endorsement requires 3-5 weeks to process, it is anticipated that nurses will obtain their AIDS education during that time. If a course is not available on site, there are correspondence courses that meet the requirement.

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: Wyndham Garden Hotel, 18118 Pacific Highway South, Seattle, WA 98188, on January 11, 1991, at 1:30 p.m. and Ramada Inn, Spokane International Airport, Spokane, WA 99219, on January 29, 1991, at 10:00 a.m.

Submit Written Comments to: Washington State Board of Nursing, Department of Health, 1300 Quince, EY-27, Olympia 98504, by February 1, 1991.

Date of Intended Adoption: February 22, 1991.

December 4, 1990  
 Patricia O. Brown, RN, MSN  
 Interim Executive Secretary

AMENDATORY SECTION (Amending Order PM 846, filed 6/1/89)

WAC 308-120-168 LICENSURE BY INTERSTATE ENDORSEMENT. (1) A license to practice as a registered nurse in Washington may be issued without examination provided the applicant meets all of the following requirements:

(a) The applicant has graduated and holds a degree/diploma from a state board approved school of nursing preparing candidates for licensure as a registered nurse provided such nursing program is equivalent to the minimum nursing educational standards prevailing for state board approved schools of nursing in Washington at the time of the applicant's graduation.

(i) Applicants who were licensed prior to January 1, 1953, shall have scored at least 75% on the state board examination in the state of original licensure.

(ii) Applicants licensed after January 1, 1953, but before June 1, 1982, shall have passed the state board test pool examination for registered nurse licensure with a minimum standard score of 350 in each test.

(iii) Applicants licensed after July 1, 1982, shall have passed with a minimum standard score of 1600 for the total examination.

(b) The applicant holds a valid current license to practice as a registered nurse in another state or territory.

(c) The applicant complies with the education requirements of WAC 308-120-610 (~~however, upon written application an applicant who is otherwise qualified for licensure, may be licensed and have up to ninety days from the date of the issuance of such license to comply with, and submit certification of, the minimum training and education requirements of WAC 308-120-610~~).

(d) The application shall be completed and notarized, the fee must be filed with the application. The fee is not refundable. A notarized copy of a valid current license shall be filed with the application.

(e) Verification of licensure by examination shall be obtained from the state or territory of original licensure. Any fee for verification required by the state or territory of original license shall be paid by the applicant.

(2) Applicants from countries outside the United States who were granted a license in another United States jurisdiction or territory prior to December 31, 1971, and who were not required to pass the state board test pool examination shall meet the following requirements:

(a) The nursing education program shall meet the minimum approved standards prevailing for schools of nursing in Washington at the time of the applicant's graduation.

(b) The applicant holds a valid current license to practice as a registered nurse in another United States jurisdiction or territory.

(c) The applicant shall submit to the board:

(i) A complete notarized application. The nonrefundable fee must be filed with the application.

(ii) Verification of original licensure obtained in the United States jurisdiction or territory.

(iii) Notarized copies of educational preparation and licensure by examination submitted directly from the country of original licensure or from the state board or territory of original United States licensure.

(iv) Verification of current nursing practice for three years prior to application for Washington licensure.

(v) Evidence to show compliance with the education requirements of WAC 308-120-610.

(d) The applicant shall meet all requirements of chapter 18.88 RCW and regulations of the board.

AMENDATORY SECTION (Amending Order PM 795, filed 11/9/88)

WAC 308-120-610 AIDS EDUCATION AND TRAINING. (1) Acceptable education and training. Effective January 1, 1989, the board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training shall be a minimum of seven hours and shall include, but is not limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(2) Implementation. Effective January 1, 1989, the requirement for licensure application, renewal, or reinstatement of any license on lapsed, inactive, or disciplinary status shall include completion of AIDS education and training. All persons affected by this section shall

show evidence of completion of an education and training program, which meets the requirements of subsection (1) of this section.

(3) Documentation. The licensee shall:

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

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

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

**WSR 90-24-074**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Nursing)**

[Filed December 5, 1991, 3:15 p.m.]

**Original Notice.**

**Title of Rule:** WAC 308-120-100, 308-120-820 through 308-120-880, and 308-120-565 Nurse technician (student nurse employed in giving help, assistance and support of service of registered nursing).

**Purpose:** To redefine who qualifies for the status nurse technician, scope of function of individuals employed in that role, and responsibilities of the employer and supervising RN. Also requires nursing education programs to advise students of the rules.

**Statutory Authority for Adoption:** RCW 18.88.080 and 18.88.285.

**Statute Being Implemented:** RCW 18.88.280.

**Summary:** Sets forth definition of nursing aide, as "nurse technician"; describes the purpose of this role; restricts use of nomenclature; sets criteria to be met for persons using that titling and functioning in that role; defines responsibilities of the registered nurse supervising, and of the employer and education program.

**Reasons Supporting Proposal:** Nurse technicians, co-workers, and employers currently do not have clear guidance for use of the role. Clarity, as well as limitations to protect the public, is needed.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Patricia O. Brown, 1300 Quince, Olympia 98504, 753-2686.

**Name of Proponent:** Washington State Board of Nursing, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** The rule is intended to further define exact functioning of individuals who are currently enrolled in Washington state nursing education programs and employed as nurse technicians. The purpose is also to designate responsibilities of registered nurses supervising nurse technicians and health care facilities who employ them. Limitations on functioning, which are necessary for the protection of the public are also specified. The anticipated effect is better protection of health care consumers and clearer guidance for registered nurses and nursing students.

**Proposal Changes the Following Existing Rules:** Changes definition of "nursing aide" in WAC 308-120-100(10), and adds responsibility to nursing education

programs to inform students of regulations (WAC 308-120-565).

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

**Hearing Locations:** Wyndam Garden Hotel, 18118 Pacific Highway South, Seattle, WA 98188, on January 11, 1991, at 1:30 p.m. and Ramada Inn, Spokane International Airport, Spokane, WA 99219, on January 29, 1991, at 10:00 a.m.

**Submit Written Comments to:** Washington State Board of Nursing, Department of Health, 1300 Quince, EY-27, Olympia 98504, by February 1, 1991.

**Date of Intended Adoption:** February 22, 1991.

November 28, 1990

Patricia O. Brown, RN, MSN  
Interim Executive Secretary

**AMENDATORY SECTION** (Amending Order PM 795, filed 11/9/88)

WAC 308-120-100 **DEFINITIONS.** (1) "Board" means the Washington state board of nursing.

(2) "School" means an educational unit charged with the responsibility of preparing persons to practice as registered nurses. Three types of basic schools of nursing are distinguished by the certificate awarded to the graduate. Schools of nursing within colleges and universities award the associate degree or baccalaureate degree. Schools of nursing sponsored by a hospital award a diploma.

(3) "Provisional approval" of schools of nursing is the approval given a new school of nursing based on its proposed program prior to the admission of its first class.

(4) "Full approval" of a school of nursing is the approval given a school of nursing that meets the requirements of the law and the rules and regulations of the board.

(5) "Conditional approval" of a school of nursing is the approval given a school of nursing that has failed to meet the requirements of the law and the rules and regulations of the board, and it specifies conditions that must be met within a designated time to rectify the failure.

(6) An "unapproved school of nursing" is a school of nursing that has been removed from the list of approved schools for failure to meet the requirements of the law and the rules and regulations of the board or a school that has never been approved by the board.

(7) "Extended learning sites" refers to any area external to the parent organization selected by faculty for student learning experiences.

(8) "Faculty" means persons who are responsible for the educational program of the school of nursing and who hold faculty appointment in the school.

(9) "Nursing student" is a person currently enrolled in an approved school of nursing.

(10) The phrase "nursing aide" ((as that phrase is)) used in RCW 18.88.280(3) ((the Professional Nurse Practice Act) is a nursing student who is) shall mean a "nurse technician." "Nurse technician" is a nursing student currently enrolled in a Washington state board of nursing approved nursing education program and employed for the purpose of giving help, assistance and support in the performance of those services which constitute the practice of registered nursing. The nursing student shall use the title "nurse technician" while employed.

((a) "Direction and supervision" = the nursing aide may function only under the "direction and supervision" of the licensed registered nurse. She/he may never function as an independent practitioner or in a supervisory capacity, such as, e.g., head nurse, charge nurse, supervisor, administrator, or private duty nurse. She/he shall not perform duties or functions beyond her/his educational nursing preparation, as determined by the school in which she/he is enrolled. Supervision and direction shall include, but not be limited to, the following:

(i) A delegation of duties with regard to each individual patient, which duties shall be consistent with and shall not be greater than the abilities of the nursing aide, as indicated by her/his level of education at preparation;

(ii) An awareness of the activity of the nursing aide as it occurs; and

(iii) A continuing evaluation of the performance of the nursing aide, and reassignment consistent therewith.

(b) "Responsibilities = employer and nursing aide".

(i) ~~Employer. It is the responsibility of the employer of such a nursing aide to obtain evidence of the aide's preparation from the school of nursing in which this student is enrolled.~~

(ii) ~~Nursing aide. It is the responsibility of the nursing aide to accept only those assignments which are within the limits of her/his preparation as specified by her/his school of nursing.~~

(11) "Registered nurse" as used in these rules shall mean a nurse as defined by RCW 18.88.170.

(12) "Nurse administrator" is an individual who meets the qualifications contained in WAC 308-120-555 and who has been designated as the person primarily responsible for the direction of the program in nursing. Titles for this position may include, among others, dean, director, coordinator or chairperson.

(13) "Definition of terms appearing in RCW 18.88.280" - the terms "direction and supervision," "auxiliary services," and "minor nursing services" are defined as follows:

(a) "Minor nursing services." The techniques and procedures used by the nursing profession are extremely difficult to categorize as major or minor nursing services. The important factor with which this law is concerned is the determination of which nursing person and at what level of preparation that person may perform said technique or procedure in relation to the condition of a given patient, and this kind of determination rests with the registered nurse.

(b) "Auxiliary services" are all those nursing services provided to patients by persons other than the registered nurse, the licensed practical nurse and the nursing student.

(c) "Direction and supervision" shall include, but not be limited to the following:

(i) Delegation of duties with regard to each individual patient, which duties shall be consistent with and shall not be greater than the abilities of the auxiliary personnel, as indicated by their level of education preparation.

(ii) An awareness of the activity of auxiliary personnel.

(iii) A continuing evaluation of the performance of the auxiliary personnel.

(iv) It is the responsibility of the auxiliary person to accept only those assignments which are within the limits of his or her preparation.

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

(15) "Office on AIDS" means a section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

#### AMENDATORY SECTION (Amending Order PM 751, filed 7/28/88)

WAC 308-120-565 STUDENTS IN APPROVED NURSING EDUCATION PROGRAMS. (1) The approved nursing education program shall:

(a) Provide in writing policies and procedures for selection, admission, progression, graduation, withdrawal, and dismissal ((shall be consistent with the policies of the governing institution, and shall be available in written form)). These policies shall be consistent with the policies of the governing institution. Where necessary, policies specific to nursing students may be adopted if justified by the nature and purposes of the nursing program.

((2) Students who seek admission by transfer from another approved nursing education program, or readmission for completion of the program, shall meet the equivalent of the program's current standards required of those regularly enrolled.

(3) A system of student records shall be maintained.

(4) A statement of student rights and responsibilities shall be available in written form.) (b) Maintain a system of student records.

(c) Provide a written statement of student rights and responsibilities.

(d) Require that students who seek admission by transfer from another approved nursing education program, or readmission for completion of the program, shall meet the equivalent of the program's current standards.

(2) The nursing education program shall provide the student with information on the legal definition and parameters of the nurse technician role, as in WAC 308-120-100(10) and 308-120-820. Such information shall be provided prior to the time of completion of the first clinical course and shall clearly advise the student of their responsibilities, should they choose to be employed as a nurse technician.

#### NEW SECTION

WAC 308-120-820 NURSE TECHNICIAN. The purpose of the role of nurse technician is to provide opportunity for student nurses to gain work experience within the limits of their education, but not limited to the scope of functions of nursing assistant - certified.

(1) The nurse technician is as defined in WAC 308-120-100(10).

(2) The nurse technician shall have knowledge and understanding of the laws and rules regulating the nurse technician and shall function within the legal scope of nursing practice.

(3) The nurse technician shall be responsible and accountable for practicing within the scope and guidelines of policies defined by the employing agency.

(4) The nurse technician shall not be employed by a temporary agency.

#### NEW SECTION

WAC 308-120-830 USE OF NOMENCLATURE. (1) Any person who meets the qualifications under WAC 308-120-100(10) and 308-120-840 shall use the title nurse technician and this title shall not be abbreviated.

(2) No other person shall assume such title.

#### NEW SECTION

WAC 308-120-840 NURSE TECHNICIAN CRITERIA. To be eligible for employment as a nurse technician a student must meet the following criteria:

(1) Satisfactory completion of at least one academic term (quarter or semester) of a nursing program approved by Washington state board of nursing (ADN or BSN). The term must have included a clinical component.

(2) Currently enrolled in a Washington state board of nursing program will be considered to include:

All periods of regularly planned educational programs and all school scheduled vacations and holidays.

(3) The period of time of notification to the board of completion of nursing education, following graduation and application for examination, not to exceed thirty days from the date of graduation.

(4) Current enrollment will not be construed to include:

(a) Students enrolled in nursing programs in other states.

(b) Leaves of absence or withdrawal, temporary or permanent, from the nursing educational program.

(c) Students enrolled in nursing department classes who are solely enrolled in academic nonnursing supporting course-work, whether or not those courses are required for the nursing degree.

(d) Students who are awaiting the opportunity to reenroll in nursing courses.

#### NEW SECTION

WAC 308-120-850 FUNCTIONS OF THE NURSE TECHNICIAN. The nurse technician:

(1) Shall function only under the supervision of the licensed registered nurse.

(2) May gather information about patients and administer care to patients.

(3) Shall not be responsible for performing the ongoing assessment, planning, implementation, and evaluation of the care of patients.

(4) Shall never function as an independent practitioner, as a team leader, charge nurse, or in a supervisory capacity.

(5) May administer oral, IM, and subcutaneous medications only under the direct observation of the supervising registered nurse.

(a) There shall be written documentation from the nursing education program attesting to the nurse technician's preparation in the procedures of medication administration.

(b) The nurse technician may not administer chemotherapy, blood, and blood products, intravenous medications, scheduled drugs, nor carry out procedures on central lines.

#### NEW SECTION

WAC 308-120-860 FUNCTIONS OF THE REGISTERED NURSE SUPERVISING THE NURSE TECHNICIAN. The licensed registered nurse:

(1) Is accountable at all times for the client's safety and well-being.

(2) Is responsible at all times for the nursing process as delineated in WAC 308-120-700 and this responsibility cannot be delegated.

(3) Shall maintain at all times an awareness of the care activities of the nurse technician and of the current assessment of the patient.

(4) Shall be available at all times to the nurse technician and shall be physically present within the health care facility.

**NEW SECTION**

**WAC 308-120-870 RESPONSIBILITIES OF THE EMPLOYING FACILITY.** The employer of the nurse technician shall:

(1) Verify the nurse technician's enrollment in a Washington state board of nursing approved nursing education program.

(2) Verify satisfactory completion of each academic term (semester or quarter) within two weeks of completion date.

(3) Obtain written documentation from the approved nursing education program of the nurse technician's current level of education preparation and his/her knowledge and skills.

(4) Assign the nurse technician to perform only to the level identified in subsection (3) of this section.

(5) Identify the student nurse as a "nurse technician."

**NEW SECTION**

**WAC 308-120-880 RESPONSIBILITIES OF THE NURSE ADMINISTRATOR.** The nursing administrator or designee shall:

(1) Ensure that the nurse technician has been thoroughly oriented to the facility.

(2) Ensure that WAC 308-120-870 (3), (4), and (5) are accomplished prior to patient care assignments.

(3) Observe, evaluate, and document the skill level of the nurse technician in the administration of oral, IM, and subcutaneous medication and nursing care skills.

(4) Convey in writing to all facility departments the scope within which the nurse technician may practice.

(5) Provide the supervising licensed registered nurse a written job description for the nurse technician.

**WSR 90-24-075  
PROPOSED RULES  
DEPARTMENT OF HEALTH  
(Dental Disciplinary Board)  
[Filed December 5, 1990, 3:17 p.m.]**

Original Notice.

Title of Rule: WAC 246-816-075 Nondiscrimination.

Purpose: To establish professional standards which would prohibit discrimination in the treatment of dental patients.

Statutory Authority for Adoption: RCW 18.32.640, 18.130.050(12), and 18.130.040 (3)(b)(iii).

Statute Being Implemented: RCW 18.130.050(12).

Summary: The proposed rule characterizes an unprofessional conduct discriminatory act in the treatment setting.

Reasons Supporting Proposal: The Dental Disciplinary Board seeks to prevent discrimination in the treatment of dental patients, therefore it is necessary to adopt a rule addressing the standard of professional conduct.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Mayo, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, (206) 753-2461.

Name of Proponent: Dental Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule will clarify what the standards of professional conduct are with respect to refusing to

treat a patient. The Dental Disciplinary Board intends to prevent or eliminate discrimination against dental patients on the basis of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap.

Proposal does not change existing rules.

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

Hearing Location: West Coast Sea-Tac Hotel, Cascade Room, 18220 Pacific Highway South, Seattle, WA 98188, (206) 246-5535, on January 11, 1991, at 9:00 a.m.

Submit Written Comments to: Linda McCue, 1300 S.E. Quince Street, EY-26, Olympia, WA 98504, by January 18, 1991.

Date of Intended Adoption: January 11, 1991.

December 3, 1990

Judy Mayo

Program Administrator

**NEW SECTION**

**WAC 246-816-075 NON-DISCRIMINATION.** It shall be unprofessional conduct for any dentist or other individual licensed pursuant to the laws of Washington to engage in any activity being performed in the premises under the supervision or control of a licensed dentist, to refuse to treat, unnecessarily refer, or otherwise discriminate in any way against any person on the basis of race, creed, color, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical handicap.

**WSR 90-24-076  
PROPOSED RULES  
HIGHER EDUCATION  
COORDINATING BOARD  
[Filed December 5, 1990, 3:54 p.m.]**

Original Notice.

Title of Rule: American Indian endowed scholarship program.

Purpose: Adoption of rules to establish the American Indian endowed scholarship program.

Statutory Authority for Adoption: Chapter 287, Laws of 1990.

Statute Being Implemented: Chapter 287, Laws of 1990.

Summary: A program to create an educational opportunity for American Indians who might not be able otherwise to attend and graduate from higher education institutions in the state of Washington.

Reasons Supporting Proposal: Implementation of the American Indian endowed scholarship program.

Name of Agency Personnel Responsible for Drafting and Implementation: John Klacik, 917 Lakeridge Way, Olympia, WA, (206) 586-1405; and Enforcement: Ann Daley and Shirley Ort, 917 Lakeridge Way, Olympia, WA, (206) 586-1405.

Name of Proponent: Higher Education Coordinating Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal does not change existing rules.

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

Hearing Location: Higher Education Coordinating Board, 917 Lakeridge Way, GV-11, Olympia, WA 98504, on January 10, 1991, at 9:30 a.m.

Submit Written Comments to: Ann Daley, Executive Director, address as above, by January 10, 1991.

Date of Intended Adoption: January 16, 1991.

December 5, 1990  
Ann Daley  
Executive Director

STATE OF WASHINGTON

AMERICAN INDIAN ENDOWED SCHOLARSHIP PROGRAM  
Chapter 287, Laws of 1990

WAC 250-76

WAC 250-76-010	Purpose
WAC 250-76-020	Program Definitions
WAC 250-76-030	Eligibility Criteria
WAC 250-76-040	Selection Criteria
WAC 250-76-050	Administration
WAC 250-76-060	Management of Funds

NEW SECTION

WAC 250-76-010 PURPOSE. American Indians are the most under-represented ethnic minority group in higher education. The purpose of this program is to create an educational opportunity for American Indians who might not be able otherwise to attend and graduate from higher education institutions in the state of Washington.

NEW SECTION

WAC 250-76-020 PROGRAM DEFINITIONS. (1) "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.

(2) "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.

(3) "American Indian" shall mean any person of Indian or Alaska Native descent who is an enrolled member of any of those tribes listed or eligible to be listed in the federal register pursuant to 25 CFR 83.6 as recognized by and receiving services from the Bureau of Indian Affairs or who has one-quarter degree or more Indian blood and is a descendant of an enrolled member and any person not a member of one of the listed or eligible to be listed tribes who possesses at least one-half degree of Indian blood.

(4) "Eligible student" or "student" means an American Indian student who meets the eligibility criteria as defined in WAC 250-76-030(1).

(5) "Full-time undergraduate student" is defined as a student who is enrolled for twelve (12) quarter credits or the equivalent.

(6) "Full-time graduate student" is defined as one who is enrolled in at least the minimum credit course load required by the institution for disbursing financial aid to full-time graduate students.

(7) "Private cash donation," "private donation," or "donation" means moneys from non-state sources that include, but are not limited to, federal moneys, tribal moneys, and assessments by commodity commissions authorized to conduct research activities, including but not limited to, research studies authorized under RCW 15.66.030 and 15.65.040.

NEW SECTION

WAC 250-76-030 ELIGIBILITY CRITERIA. (1) Student Eligibility. In order to be eligible to receive a scholarship under this program, the student must:

- (a) Be a financially needy student, as defined in RCW 28B.10.802;
- (b) Be a resident student, as defined by RCW 28B.15.012(2);
- (c) Be enrolled as a full-time student at an institution of higher education;
- (d) Promise to use his or her education to benefit other American Indians; and
- (e) 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.

NEW SECTION

WAC 250-76-040 SELECTION CRITERIA. (1) Program Advisory Committee. The board will establish an advisory committee to assist in program design and to advise the board on matters of program administration including, but not limited to, application procedures, selection criteria, fund raising, and program publicity. The committee shall be comprised of persons involved in helping American Indian students to obtain a higher education. Membership of the committee may include, but is not limited to, representatives of: Indian tribes, urban Indians, the governor's office of Indian affairs, the Washington state Indian education association, and institutions of higher education.

(2) Selection Committee. The board will establish a screening committee to assist the board in selecting the students to receive American Indian endowed scholarships. The committee shall be composed of representatives of the same groups as the advisory committee described in WAC 250-76-040(1) of these rules.

(3) Selection of Recipients. The board, in consultation with the advisory committee, may annually consider and revise the criteria for selecting recipients. At the minimum, assuming program eligibility criteria are met, priority in selection shall be given to students in upper-division or graduate programs who are majoring in program areas in which expertise is needed by the state's American Indians. Additionally, priority shall be given to enrolled members of Washington tribes.

NEW SECTION

WAC 250-76-050 ADMINISTRATION. (1) Administering Agency. The higher education coordinating board shall administer the American Indian endowed scholarship program. The board shall have the following administrative responsibilities:

- (a) Publicize the program;
- (b) Adopt necessary program guidelines;
- (c) Accept and deposit donations into the endowment fund;
- (d) Request and accept from the state treasurer moneys earned by the trust fund and the endowment fund for the disbursement of American Indian endowed scholarship awards;
- (e) Solicit and accept grants and donations from public and private sources for the program;
- (f) Name scholarships in honor of those American Indians from Washington who have acted as role models; and
- (g) Select students to receive American Indian endowed scholarship awards, with the assistance of the selection committee created by WAC 250-76-040(2).

(2) Responsibility for Soliciting Contributions. The American Indian community will have primary responsibility for solicitation of contributions. The Higher Education Coordinating Board will work in support of individual tribes who are soliciting contributions.

NEW SECTION

WAC 250-76-060 MANAGEMENT OF FUNDS. (1) American Indian endowed scholarship trust fund. Funds appropriated by the legislature for the American Indian endowed scholarship trust fund shall be deposited into the fund and invested by the state treasurer. All earnings of investments of balances of the trust fund shall be credited to the trust fund.

(a) At the request of the higher education coordinating board, when conditions outlined in WAC 250-76-060 (4)(a) have been met, the state treasurer shall deposit state matching moneys in the trust fund, including accumulated earnings, into the American Indian scholarship endowment fund.

(2) American Indian scholarship endowment fund. The American Indian scholarship endowment fund shall be administered by the state treasurer. Moneys received from the higher education coordinating board, private donations, state matching moneys, and funds received from any other source may be deposited into the endowment fund. All moneys deposited in the endowment fund shall be invested by the state treasurer, and all earnings of investments of balances of the endowment fund shall be credited to the endowment fund.

(a) At the request of the higher education coordinating board, when conditions outlined in WAC 250-76-060 (4)(a), (b), and (c) have been met, the state treasurer shall release earnings from the endowment fund to the board for scholarships.

(b) Donated monies may not be refunded, or otherwise returned, to the contributor after they have been deposited to the endowment fund.

(c) A donation may not be accepted if such acceptance conditions the awarding of scholarships from the endowment.

(3) Scholarships shall be disbursed from the investment earnings of the trust fund and the endowment fund. The principal of the trust and endowment funds shall not be invaded.

(4) The higher education coordinating board may award scholarships to eligible students from the moneys earned by the American Indian endowed trust fund and the American Indian scholarship endowment fund as administered by the state treasurer, or from funds appropriated to the board for this purpose, or from any private donations, or from any other funds given to the board for this program. However, no scholarships shall be awarded until:

(a) The board has matched the initial appropriated state funds deposited in the American Indian endowed scholarship trust fund (\$250,000) with an equal amount of private cash donations deposited in the American Indian scholarship endowment fund;

(b) The state treasurer has deposited the state matching moneys in the American Indian endowed scholarship trust fund, including accumulated earnings, into the American Indian scholarship endowment fund; and

(c) Sufficient earnings from the combined trust and endowment funds have accumulated.

(5) Scholarship Amounts. (a) The amount of the scholarship for an undergraduate student shall be determined by the higher education coordinating board in consultation with the advisory committee, not to exceed the student's demonstrated financial need.

(b) The amount of the scholarship for a graduate student shall be determined by the higher education coordinating board in consultation with the advisory committee, not to exceed:

(i) the student's demonstrated financial need, or

(ii) the stipend of a teaching assistant, including tuition, at the University of Washington, whichever is higher.

(c) In calculating a student's need, the board shall consider the student's costs for tuition, fees, books, supplies, transportation, room, board, personal expenses, and child care.

(d) Scholarship awards may not exceed the amount received by a student attending a state research university.

(e) Monetary awards made from this endowment may not replace any other state or federal student financial aid grant which would otherwise be made available to the student. If the recipient of this award is also a recipient of other student aid, it is the intent of this program that the institution presume that the endowment award be used to fill an unmet financial need or replace loans.

(6) Term of scholarship award. (a) A student is eligible to receive a scholarship for a maximum of five years. In order to receive the scholarship award beyond the first year, the student must continue to meet eligibility criteria as defined in WAC 250-76-020(3) and 250-76-030 of these rules. The following additional criteria may be employed by the board in determining renewal of a student's scholarship award:

(i) Amount of earnings by the American Indian endowed scholarship trust fund and the American Indian scholarship endowment fund as administered by the state treasurer.

(7) Number of scholarships awarded. The maximum number of scholarships awarded or renewed each year shall be limited by the amount of earnings received by the board from the American Indian endowed scholarship trust fund and the American Indian scholarship endowment fund as administered by the state treasurer. Priority of funding shall be given to those students eligible to renew their scholarship award.

**WSR 90-24-077**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
 [Order 479—Filed December 5, 1990, 4:01 p.m.]

Date of Adoption: December 5, 1990.

Purpose: To extend the closure of migratory waterfowl season in Skagit County within the described disaster area to enable emergency service personnel to conduct operations.

Statutory Authority for Adoption: RCW 77.12.040.

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: Skagit County has been declared a disaster area due to flooding. Search and rescue operations are being hampered by unnecessary boat traffic and water disturbance and by the discharge of firearms in the area around the mouth of the Skagit River. This emergency situation has continued longer than the original official estimate and an extension of the closure through the remainder of the waterfowl hunting season is now necessary. This closure is required to enable emergency service personnel to conduct critical operations.

Effective Date of Rule: Immediately.

December 5, 1990

Curt Smith

Director

for John C. McGlenn

Chair

**NEW SECTION**

**WAC 232-28-41405 1990-91 UPLAND GAME BIRD AND MIGRATORY WATERFOWL SEASONS — FIR ISLAND AND SOUTH FORK DELTA PORTION OF SKAGIT COUNTY DISASTER AREA** *Notwithstanding the provisions of WAC 232-28-414, effective December 6, 1990 to December 30, 1990 (both dates inclusive), it is unlawful to hunt migratory waterfowl in that portion of Skagit County described as follows: Starting at the junction of the North and South Forks of the Skagit River, then downstream along the eastern dike of the South Fork of the Skagit River to the Snohomish County Line, then west along the Skagit/Snohomish County Line to the Skagit/Island County Line, then northwest along the Skagit/Island County Line to a point due west of the mouth of the North Fork of the Skagit River, then east to the mouth of the North Fork of the Skagit River, then northeast up the west dike of the North Fork of the Skagit River to the point of beginning.*

**WSR 90-24-078**  
**PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
 [Filed December 5, 1990; 4:06 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-61813 Washington game fish seasons and catch limits—Snake River.

Purpose: To reduce the harvest of Oregon and Idaho hatchery steelhead that pass through Washington fisheries on the upper Snake River.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: Reduce the steelhead bag limit on the Snake River from Lower Granite Dam to the Washington/Oregon border to one per day, one in possession, and four for the season effective November 19, 1990, to March 31, 1991. Also allows anglers to continue fishing on a catch and release basis after attaining the catch limits.

Reasons Supporting Proposal: Both Idaho and Oregon have requested that the Washington Department of Wildlife restrict bag limits on the Snake River above Lower Granite Dam to protect depressed hatchery broodstocks returning to Pahsimeroi and Sawtooth hatcheries in Idaho and Wallawa/Big Canyon hatchery complex on the Grande Ronde. Oregon and Idaho have enacted similar regulations on the Snake River. Idaho predicts only 1,248 steelhead will return to Pahsimeroi and Sawtooth hatcheries which will be 46 percent of their broodstock needs (2,700 fish). Oregon estimates they will be 800 fish short of their goal for Wallawa/Big Canyon hatcheries.

Name of Agency Personnel Responsible for Drafting and Implementation: Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule will restrict steelhead bag limits on the Snake River from Lower Granite Dam to the Washington/Oregon border to allow for greater steelhead escapement to Oregon and Idaho hatcheries. It is estimated that this rule will result in approximately 160 fish returning to hatcheries of concern in Oregon and Idaho. The sport catch by Washington anglers in this area will be reduced by no more than 36 percent, and recreation opportunity will still be available to all anglers on a catch and release basis after attaining the catch limits.

Proposal does not change existing rules.

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

Hearing Location: North Thurston School District, Administrative Center Board Room, 305 College Street N.E., Lacey, WA 98506, on January 11, 1991, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by January 2, 1991.

Date of Intended Adoption: January 11, 1991.

December 5, 1990

Lee S. Smith

Administrative Regulations Officer

**NEW SECTION**

WAC 232-28-61813 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - SNAKE RIVER. Notwithstanding the provisions of WAC 232-28-618 and WAC 232-12-618, the following regulations apply to the game fish season, catch and possession limits for the Snake River, from Lower Granite Dam upstream to the Oregon state line, effective November 19, 1990 through March 31, 1991, both dates inclusive. This amends the corresponding information on pages nine and eleven of the 1990-91 Washington Game Fish Regulations, pamphlet edition.

SNAKE RIVER, from Lower Granite Dam upstream to the Oregon state line: Nov. 19, 1990-Mar. 31, 1991 season. TROUT - catch limit - 6 over 10", no more than 1 over 20", with no more than 1 over 20" in possession. Each angler may retain 4 steelhead over 20" from this area for the time period of Nov. 19, 1990 through Mar. 31, 1991. Upon attainment of daily catch limit of 1 steelhead over 20" and/or the season limit of 4 steelhead over 20", angling may continue on a catch and release basis only.

The regulations for the area of the Snake River not described above remain in effect and unchanged, as they appear on page eleven of the 1990-91 Washington Game Fish Regulations, pamphlet edition.

**WSR 90-24-079**  
**PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
 [Filed December 5, 1990, 4:11 p.m.]

Original Notice.

Title of Rule: Adopting WAC 232-28-61815 Washington game fish seasons and catch limits—Cedar and Sammamish Rivers, Lake Washington, Lake Sammamish, Salmon Bay and Lake Washington Ship Canal (also known as Lake Union Ship Canal).

Purpose: To implement wild steelhead release regulations, and close waters to the taking of steelhead.

Statutory Authority for Adoption: RCW 77.12.040.

Statute Being Implemented: RCW 77.12.040.

Summary: Implements wild steelhead release regulations, effective 12:01 a.m., December 8, 1990, to 11:59 p.m., February 28, 1991, on the Cedar and Sammamish Rivers, Salmon Bay, Lake Washington, Lake Sammamish, and Lake Washington Ship Canal (also known as the Lake Union Ship Canal). Closes the following waters to the taking of steelhead, effective 12:01 a.m., March 1, 1991, to 11:59 p.m. March 31, 1991: Cedar and Sammamish Rivers and Salmon Bay (only that portion as follows: From the east end of the north wing wall of the Chittenden Locks to a line approximately 175' seaward of, and parallel to the railroad bridge, and which runs through the wooden tower structure near the south shore). Closes the following waters to the taking of steelhead, effective 12:01 a.m., March 1, 1991, to 11:59 p.m., May 31, 1991: Lake Washington, Lake Sammamish, Salmon Bay (only that portion as follows: All waters from the Chittenden Locks (in Ballard) upstream (east) to the Fremont Bridge), and



Lake Washington Ship Canal (also known as the Lake Union Ship Canal).

**Reasons Supporting Proposal:** The 1990-91 Lake Washington wild steelhead runsize is predicted to be approximately 2,350 fish. Sea lions will kill an estimated 1,050 wild steelhead leaving only 1,308 [1,300] fish for the tribal and nontribal fisheries and for escapement. Since the runsize after sea lion predation is only 82 percent of the escapement goal of 1,600, harvest of wild steelhead must be restricted.

**Name of Agency Personnel Responsible for Drafting and Implementation:** Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and **Enforcement:** Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

**Name of Proponent:** Washington Wildlife Commission, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** This rule will restrict nontreaty harvest in the Lake Washington system to hatchery steelhead only and close certain sections of the system to the taking of steelhead. It will result in a lower sport catch of steelhead but it will increase the escapement of this depressed wild steelhead stock.

Proposal does not change existing rules.

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

**Hearing Location:** North Thurston School District, Administrative Center Board Room, 305 College Street N.E., Lacey, WA 98506, on January 11, 1991, at 8:00 a.m.

**Submit Written Comments to:** Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by January 2, 1991.

**Date of Intended Adoption:** January 11, 1991.

December 5, 1990

Lee S. Smith

Administrative Regulations Officer

#### NEW SECTION

WAC 232-28-61815 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS - CEDAR AND SAMMAMISH RIVERS, LAKE WASHINGTON, LAKE SAMMAMISH, SALMON BAY AND LAKE WASHINGTON SHIP CANAL (ALSO KNOWN AS LAKE UNION SHIP CANAL). Notwithstanding the provisions of WAC 232-28-618 on the Cedar and Sammamish Rivers, and in Lakes Washington and Sammamish, Salmon Bay, and Lake Washington Ship Canal (also known as Lake Union Ship Canal), only steelhead with missing adipose or ventral fins may be possessed (it is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral, or adipose fin) as follows:

Effective 12:01 AM December 8, 1990 to 11:59 PM February 28, 1991:

Cedar and Sammamish Rivers;

Salmon Bay;

Lake Washington;

Lake Sammamish; and

Lake Washington Ship Canal (also known as the Lake Union Ship Canal).

Also notwithstanding the provisions of WAC 232-28-618, the following waters are CLOSED to the taking of steelhead:

Effective 12:01 AM March 1, 1991 to 11:59 PM March 31, 1991:

Cedar and Sammamish Rivers; and Salmon Bay (only that portion as follows: from the east end of the north wing wall of the Chittenden Locks to a line approximately 175' seaward of, and parallel to the

railroad bridge, and which runs through the wooden tower structure near the south shore).

Also notwithstanding the provisions of WAC 232-28-618, the following waters are CLOSED to the taking of steelhead:

Effective 12:01 AM March 1, 1991 to 11:59 PM May 31, 1991:

Lake Washington;

Lake Sammamish;

Salmon Bay (only that portion as follows: all waters from the Chittenden Locks (in Ballard) upstream (east) to the Fremont Bridge);

Lake Washington Ship Canal (also known as the Lake Union Ship Canal).

This amends and supercedes certain provisions of the corresponding information shown in the 1990-91 Washington Game Fish Regulations pamphlet edition for these waters. All other provisions of WAC 232-28-618 relating to the above waters remain in effect.

**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.

#### WSR 90-24-080

#### PROPOSED RULES

#### DEPARTMENT OF WILDLIFE

[Filed December 5, 1990, 4:14 p.m.]

Original Notice.

**Title of Rule:** Adopting WAC 232-12-017 Deleterious exotic wildlife.

**Purpose:** To amend the deleterious exotic wildlife regulation to add several species.

**Statutory Authority for Adoption:** RCW 77.12.020.

**Statute Being Implemented:** RCW 77.12.020.

**Summary:** Adds several fish, bird, and mammal species considered dangerous to wildlife or the environment of the state of Washington; also adds provisions to accommodate scientific research and display of exotic species by zoos or aquariums which are accredited members of the American Association of Zoological Parks and Aquariums (AAZPA); the amendment also establishes criteria for retention of existing species already in captivity.

**Reasons Supporting Proposal:** Species are proposed as deleterious exotic wildlife because they present potential danger to the wildlife or environment of the state of Washington. Specifically, they meet one or more of the following criteria: Predatory upon existing species of fish or other wildlife; potential to transmit disease or parasites to existing fish or other wildlife; potential to compete directly with existing fish or other wildlife for food or specific habitat requirements; potential to degrade the habitat of existing fish or other wildlife; or potential to interbreed with existing fish or other wildlife.

**Name of Agency Personnel Responsible for Drafting and Implementation:** Patricia Doyle, AD, Fisheries Management Division, Olympia, (206) 753-5713; and **Enforcement:** Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

**Name of Proponent:** Washington Wildlife Commission, governmental.

**Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters:** To become effective January 18, 1991.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These regulation changes are to provide protection for wildlife and the environment of the state of Washington from several species of fish and other animals identified as dangerous by classifying these species as deleterious exotic wildlife. While providing protective measures against importing, holding, possessing, propagating, selling, transferring, or releasing these specimens, the amendment also accommodates scientific research, display by zoos or aquariums, and persons who at present are legally holding exotic wildlife specimens in captivity.

Proposal Changes the Following Existing Rules: See Summary and Explanation of Rules, its Purpose, and Anticipated Effects above.

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

Hearing Location: North Thurston School District, Administrative Center Board Room, 305 College Street N.E., Lacey, WA 98506, on January 11, 1991, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by January 2, 1991.

Date of Intended Adoption: January 11, 1991.

December 5, 1990

Lee S. Smith

Administrative Regulations Officer

AMENDATORY SECTION (Amending Order 434, filed 5/1/90)

WAC 232-12-017 DELETERIOUS EXOTIC WILDLIFE. Deleterious exotic wildlife includes:

- (1) Fish  
 (a) ~~((+))~~ ~~((Walking catfish, Clarias batrachus))~~ In the family Claridae, (walking catfish) all members of the family.  
~~((2) Mongoose, all forms of the genus Herpeter)~~  
~~((3))~~ (b) In the family Cyprinidae, (Diploid Grass carp.) Ctenopharyngodon idella  
 (c) In the family Amiidae, (bowfin mudfish or grinnel) Amia calva  
 (d) In the family Characidae, the piranha (also pirameba, caribe, pira, piraya, chupita, rodoleira, palometa), all species of the genera Serrasalmus, Rooseveltiella and Pygocentrus  
 (e) In the family Cyprinidae, the rudd (Scardinius erythrophthalmus) and Ide [silver orfe or golden orfe (Leuciscus idus)]  
 (f) In the family Lepiosteidae, the gar-pikes  
 (g) In the family Channidae, the snakeheads (China fish) and all forms of the genus Channa (Ophicephalus)  
 (2) Amphibians  
~~((4))~~ (a) In the family Pipidae, the African clawed frog((:)) (Xenopus laevis)  
 (3) Birds  
 (a) In the family Anatidae, the mute swan Cygnus olor  
 (4) Mammals  
 (a) In the family Viverridae, the mongoose (all members of the genus Herpestes  
~~((5))~~ (b) In the family Suidae, the wild boar (Sus scrofa and all wild hybrids) ((involving the species Sus scrofa))  
~~((6))~~ (c) In the family Tayassuidae, the collared peccary (javelina)((:)) (Tayassu tajacu) ((Dicotyles tajacu))  
 (d) In the family Bovidae, all members and hybrids of the following genera - Rupicapra (Chamois); Hemitragus (Tahr); Capra (goats, ibexes except domestic goat Capra hircus); Ammotragus (Barbary Sheep or Aoudad); and Ovis (only mouflon species - Ovis musimon)  
 (e) In the family Cervidae, the european red deer (Cervus elaphus) and all hybrids with North American elk  
 (5) It is unlawful to import ~~((or))~~ into the state, hold, possess, propagate, sell, transfer, or release live specimens of deleterious exotic wildlife except ~~((for purposes of scientific research as authorized by the director))~~ as provided under (6) or (7) below.

(6) Scientific research or display: The director may authorize a person to import into the state, hold, or possess live specimens of deleterious exotic wildlife for scientific research or for display by zoos or aquariums who are accredited institutional members of the American Association of Zoological Parks and Aquariums (AAZPA) provided: (a) the specimens are confined to a secure facility, (b) the specimens will not be transferred to any other location, (c) the specimens will be euthanized and all parts incinerated at the end of the project, and (d) the person will keep such records on the specimens and make such reports as the director may require.

(7) Retention of Existing Specimens in Captivity: A person holding exotic wildlife specimens in captivity which are classified by the Wildlife Commission as deleterious exotic wildlife may retain the specimens he/she lawfully possesses prior to January 18, 1991 provided: (a) the person reports to the director in writing by January 18, 1992 the number and location of the specimens, (b) the specimens are confined to a secure facility at the location reported, and (c) the specimens are not propagated, sold, transferred, or released.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 90-24-081**

**PROPOSED RULES**

**DEPARTMENT OF WILDLIFE**

[Filed December 5, 1990, 4:15 p.m.]

**Original Notice.**

Title of Rule: Adopting WAC 232-28-225 1991, 1992, and 1993 General opening dates for deer, elk and upland birds.

Purpose: To establish general hunting season opening dates for deer, elk, and upland birds.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: See Purpose above.

Reasons Supporting Proposal: To enable hunters to plan vacation schedules and to improve agency efficiency by consolidating opening dates for a three year period.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule establishes general hunting season opening dates for deer, elk and upland birds during 1991, 1992, 1993. This will enable hunters to plan vacations and will improve agency efficiency. It is expected that hunters will appreciate the advanced notification so they can submit vacation requests earlier.

Proposal does not change existing rules.

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

Impact of proposed rule change: Resource – none; financial – none.

Hearing Location: North Thurston School District, Administrative Center Board Room, 305 College Street N.E., Lacey, WA 98506, on January 11, 1991, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by January 2, 1991.

Date of Intended Adoption: January 11, 1991.  
 December 5, 1990  
 Lee S. Smith  
 Administrative Regulations Officer

**NEW SECTION**

WAC 232-28-225 1991, 1992, AND 1993 GENERAL OPENING DATES FOR DEER, ELK, AND UPLAND BIRDS

DEER			
Year	Hunting method	Season	Date
1991	Modern Firearm	1991 Early Buck	Sept. 15 (Sunday)
		1991 General Buck	Oct. 12 (Saturday)
	Archery	1991 Early Deer	Sept. 14 (Saturday)
		1991 Late Deer	Nov. 27 (Wednesday)
	Muzzleloader	1991 Early Deer	Sept. 28 (Saturday)
		1991 Late Deer	Nov. 27 (Wednesday)
1992	Modern Firearm	1992 Early Buck	Sept. 15 (Tuesday)
		1992 General Buck	Oct. 17 (Saturday)
	Archery	1992 Early Deer	Sept. 19 (Saturday)
		1992 Late Deer	Nov. 25 (Wednesday)
	Muzzleloader	1992 Early Deer	Oct. 3 (Saturday)
		1992 Late Deer	Nov. 25 (Wednesday)
1993	Modern Firearm	1993 Early Buck	Sept. 15 (Wednesday)
		1993 General Buck	Oct. 16 (Saturday)
	Archery	1993 Early Deer	Sept. 18 (Saturday)
		1993 Late Deer	Nov. 24 (Wednesday)
	Muzzleloader	1993 Early Deer	Oct. 2 (Saturday)
		1993 Late Deer	Nov. 24 (Wednesday)

ELK			
Year	Hunting Method	Season	Date
1991	Modern Firearm	1991 Blue Mountains	
		Early	Oct. 30 (Wednesday)
		Late	Nov. 2 (Saturday)
		1991 Colockum	
		Early	Oct. 23 (Wednesday)
		Late	Oct. 26 (Saturday)
	Archery	1991 Yakima	
		Early	Nov. 5 (Tuesday)
		Late	Nov. 8 (Friday)
		1991 Western Washington	
		Early	Nov. 6 (Wednesday)
		Late	Nov. 9 (Saturday)
	Muzzleloader	1991 (All Tag Areas)	
		Early Elk	Sept. 28 (Saturday)
		Late Elk	Nov. 27 (Wednesday)
		1991 (All Tag Areas)	
		Early Elk	Oct. 5 (Saturday)
		Late Elk	Nov. 27 (Wednesday)
1992	Modern Firearm	1992 Blue Mountains	
		Early	Oct. 28 (Wednesday)
		Late	Oct. 31 (Saturday)
		1992 Colockum	
		Early	Oct. 28 (Wednesday)
		Late	Oct. 31 (Saturday)
	Archery	1992 Yakima	
		Early	Nov. 5 (Thursday)
		Late	Nov. 8 (Sunday)
		1992 Western Washington	
		Early	Nov. 4 (Wednesday)
		Late	Nov. 7 (Saturday)

Year	Hunting method	Season	Date
1993	Archery	1992 (All Tag Areas)	
		Early Elk	Oct. 3 (Saturday)
		Late Elk	Nov. 25 (Wednesday)
	Muzzleloader	1992 (All Tag Areas)	
		Early Elk	Oct. 10 (Saturday)
		Late Elk	Nov. 25 (Wednesday)
	Modern Firearm	1993 Blue Mountains	
		Early	Oct. 27 (Wednesday)
		Late	Oct. 30 (Saturday)
		1993 Colockum	
		Early	Oct. 27 (Wednesday)
		Late	Oct. 30 (Saturday)
Archery	1993 Yakima		
	Early	Nov. 5 (Friday)	
	Late	Nov. 8 (Monday)	
Muzzleloader	1993 Western Washington		
	Early	Nov. 3 (Wednesday)	
	Late	Nov. 6 (Saturday)	
Archery	1993 (All Tag Areas)		
	Early Elk	Oct. 2 (Saturday)	
	Late Elk	Nov. 24 (Wednesday)	
Muzzleloader	1993 (All Tag Areas)		
	Early Elk	Oct. 9 (Saturday)	
	Late Elk	Nov. 24 (Wednesday)	

**BLUE, RUFFED, AND SPRUCE GROUSE**

YEAR	DATE
1991	Sept. 1 (Sunday)
1992	Sept. 1 (Tuesday)
1993	Sept. 1 (Wednesday)

**RING-NECKED PHEASANT, QUAIL, CHUKAR, AND HUNGARIAN PARTRIDGE**

YEAR	DATE
1991	Oct. 12 (Saturday)
1992	Oct. 17 (Saturday)
1993	Oct. 16 (Saturday)

**WSR 90-24-082  
 PROPOSED RULES  
 DEPARTMENT OF WILDLIFE  
 [Filed December 5, 1990, 4:16 p.m.]**

**Original Notice.**

Title of Rule: Adopting WAC 232-28-714 1991 Spring turkey seasons and repealing WAC 232-28-713 1990 Wild turkey seasons.

Purpose: To establish 1991 Wild turkey seasons.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Statute Being Implemented: RCW 77.12.040 and 77.04.055.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting and Implementation: Tom Juelson, AD, Wildlife Management Division, Olympia, (206) 753-5728; and Enforcement: Dan Wyckoff, AD, Wildlife Enforcement Division, Olympia, (206) 753-5740.

Name of Proponent: Washington Wildlife Commission, governmental.

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

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

Proposal does not change existing rules.

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

Impact of rule: Resource: Individual birds will be taken. These birds are surplus to the expansion of the population. Remaining birds benefit from hunter interactions because the activity discourages domestication and they remain wild. This is particularly important with newly introduced species such as wild turkeys; financial: None.

Hearing Location: North Thurston School District, Administrative Center Board Room, 305 College Street N.E., Lacey, WA 98506, on January 11, 1991, at 8:00 a.m.

Submit Written Comments to: Lee S. Smith, 600 Capitol Way North, Olympia, WA 98501-1091, by January 2, 1991.

Date of Intended Adoption: January 11, 1991.

December 5, 1990

Lee S. Smith

Administrative Regulations Officer

#### NEW SECTION

WAC 232-28-714 1991 SPRING TURKEY SEASONS  
Gobblers and Turkeys with Visible Beards Only.

REGULAR SEASON (Merriam's and Rio Grande Subspecies):

April 17, 1991 through May 12, 1991 in Asotin, Columbia, Garfield, Kittitas, Klickitat, Lincoln, Skamania, Stevens, and Yakima counties, that part of Chelan County within the following described area: beginning at Kittitas-Chelan County line; then north on S.R. 97 to Wenatchee and the Columbia River; then south along the Columbia River to the Kittitas County line, and that part of Okanogan County north and west of S.R. 97.

PERMIT SEASON (Eastern Subspecies):

April 17, 1991 through May 12, 1991 in that part of Grays Harbor, Lewis, Pacific, and Thurston counties within the following described area; beginning at the intersection of State Highway 6 and Interstate Highway 5; then north on Interstate Highway 5 to State Highway 101; then northwest on State Highway 101 to State Highway 8; then west on State Highway 8 to State Highway 107; then southwest on State Highway 107 to State Highway 101; then south on State Highway 101 to State Highway 6; then east on State Highway 6 to Butz Road; then north on Butz Road to Mill Creek Road; then east on Mill Creek Road to Elk Creek Road; then southeast on Elk Creek Road to State Highway 6; then east on State Highway 6 to Interstate Highway 5 and point of beginning.

PERMITS AVAILABLE: 125

SPECIAL WILD TURKEY PERMIT SEASON APPLICATIONS

(Turkey may be killed by permit holder only)

Applications shall be on a standard 3-1/2" X 5" postcard obtained from the United States Post Office and shall include the following information: "Wild Turkey Permit Application": applicant's full name; complete address including zip code; phone number (including area code) if available; applicant's date of birth; valid hunting license number; and 1991 wild turkey tag number. A maximum of two persons can apply per card (partnership application).

Applications not containing the above information or not on the specified postcard will be disqualified from the permit drawing. All applications must be received no later than 5:00 p.m., March 15, 1991 at the Department of Wildlife Headquarters (600 Capitol Way N., Olympia, WA 98501-1091) or at any Department of Wildlife regional office.

WHO MAY APPLY

Anyone with a valid 1991 Washington hunting license and 1991 wild turkey tag may submit one (only) special permit application for wild turkey during 1991.

WILD TURKEY PERMIT DRAWINGS

Permit drawings will be conducted at the Washington Department of Wildlife Headquarters, 600 Capitol Way N., Olympia. The Department will mail written notification to all successful applicants no later than April 5, 1991.

OFFICIAL HUNTING HOURS/BAG LIMITS:

Bag and Possession Limit: One wild turkey per calendar year (January 1, 1991 to December 31, 1991).

Hunting Hours: One-half hour before sunrise to sunset.

SPECIAL REGULATIONS:

1. Wild turkey season is open for shotgun and bow-and-arrow hunting only.
2. A wild turkey transport tag is required for hunting wild turkey.
3. Each successful hunter must complete and return a game harvest report card to the Department of Wildlife within 10 days after taking a turkey.
4. It is unlawful to use dogs to hunt wild turkeys.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-713 1990 WILD TURKEY SEASONS

#### **WSR 90-24-083**

#### **PROPOSED RULES**

#### **ENERGY FACILITY SITE EVALUATION COUNCIL**

[Filed December 5, 1990, 4:19 p.m.]

#### Original Notice.

Title of Rule: WAC 463-06-010 Organization of this title; 463-10-010 Definitions; 463-14-030 Public hearings policy; 463-14-080 EFSEC deliberative process; 463-18-020 Governing procedure; 463-26-120 Initial determination subject to review; 463-26-130 Public information meeting; 463-28-060 Request for preemption—Adjudicative proceeding; 463-28-080 Preemption—Failure to justify; 463-38-041 Notice, provisions; 463-38-042 Public hearings; 463-38-063 Appeal; 463-39-130 Regulatory actions; 463-39-150 Variance; 463-43-060 Effect of expedited processing; 463-47-060 Additional timing considerations; 463-50-030 Principles governing selection of independent consultants; 463-54-070 Enforcement actions; and 463-58-030 Fees for regular application processing.

Purpose: All rules with exception of WAC 463-54-070 bring Title 463 WAC into conformance with the Administrative Procedure Act; WAC 463-54-070 consolidates and clarifies council enforcement actions; and WAC 463-58-030 provides authority to hire application processing staff.

Statutory Authority for Adoption: RCW 80.50.040.

Statute Being Implemented: Chapters 34.05 and 80.50 RCW.

Summary: Many of the council's rules contained language rendered archaic by changes to chapter 34.05 RCW. These changes update the language to be in accordance with chapter 34.05 RCW. Other changes are proposed for the efficiency of operations.

Reasons Supporting Proposal: To conform terminology to chapter 34.05 RCW, and to revise WAC 463-54-

070 to improve the council's ability to bring enforcement action for the protection of the public.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jason Zeller, 809 Legion Way, Olympia, WA, 956-2047.

Name of Proponent: Energy Facility Site Evaluation Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The proposed action has no budget impact except for previously budgeted staff time and cost of printing the council's revised rule book.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See previous information.

Proposal Changes the Following Existing Rules: The amendments to all WACs in this notice primarily revise terminology to reflect that used in the new Administrative Procedure Act, chapter 34.05 RCW, and to provide for efficiency of council operations.

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

Hearing Location: Hearing Room, 4224 6th Avenue, Rowsix, Building #1, Lacey, WA, on January 14, 1991, at 2:30 p.m.

Submit Written Comments to: Jason Zeller by January 11, 1991.

Date of Intended Adoption: January 14, 1991.

December 5, 1990

John H. Keith  
Assistant Attorney General  
Legal Advisor

#### AMENDATORY SECTION (Amending Order 103, filed 11/4/76)

WAC 463-06-010 ORGANIZATION OF THIS TITLE. This title (Title 463 WAC) contains the regulations by which the energy facility site evaluation council (hereafter, the council) functions under state and federal law.

Chapter 463-06 WAC contains general informational provisions relating to agency operation and public records handling which are required by the state Administrative Procedure Act and state laws relating to public records.

Chapter 463-10 WAC contains definitions of terms used throughout this title.

Chapter 463-14 WAC sets forth a number of significant policy and interpretive provisions relating to the scope and application of chapter 80.50 RCW and these rules.

Chapter 463-18 WAC deals with procedures for the conduct of business at regular and special council meetings.

Chapter 463-22 WAC sets forth procedures to be followed when a request for a potential site study is submitted under RCW 80.50.175.

Chapter 463-26 WAC sets forth procedures governing the public hearings referred to in RCW 80.50.090 (1), (2), and (4).

Chapter 463-30 WAC contains procedural provisions governing (~~contested case hearings~~) adjudicative proceedings held pursuant to RCW 80.50.090(3).

Chapter 463-34 WAC outlines procedures for rule making and for obtaining declaratory (~~rules~~) orders from the council.

Chapter 463-38 WAC contains procedure and guidelines relating to issuance of permits to discharge pollutants into Washington waters pursuant to federal law.

Chapter 463-42 WAC embodies council procedures and guidelines governing preparation of applications for energy facility site certification.

Chapter 463-46 WAC contains guidelines relating to information which may have to be included in an application for site certification pursuant to the State Environmental Policy Act.

Chapter 463-50 WAC defines guidelines for the use of independent consultants pursuant to RCW 80.50.070 and 80.50.175.

Chapter 463-54 WAC sets forth procedures and guidelines for performance of surveillance monitoring by the council pursuant to RCW 80.50.040(11).

#### AMENDATORY SECTION (Amending Order 104, filed 11/4/76)

WAC 463-10-010 DEFINITIONS. Except where otherwise indicated in the following chapters, the following terms have the meaning shown:

(1) "Council" refers to the energy facility site evaluation council created pursuant to chapter 80.50 RCW and, where appropriate, to the staff of the council.

(2) "Applicant" means the person or entity making application for a certification or permit covered by this title.

(3) (~~"Contested case"~~) "Adjudicative proceeding" means a proceeding conducted pursuant to RCW 80.50.090(3) and the state Administrative Procedure Act.

#### AMENDATORY SECTION (Amending Order 104, filed 11/4/76)

WAC 463-14-030 PUBLIC HEARINGS POLICY. RCW 80.50.090 requires a minimum of two public hearings concerning each site for which certification is sought. The first of these is the local public hearing described in RCW 80.50.090 (1) and (2) where the council is obligated to determine whether or not the proposed use of the site is consistent and in compliance with county or regional land use plans or zoning ordinances at the time of application. However, in order to foster general public comment on the proposed site, the council will allow general public comment at such local public hearings, wherever possible. The council must also conduct a second public hearing as (~~a contested case~~) an adjudicative proceeding under chapter (~~34.04~~) 34.05 RCW. Although all persons desirous of participating may not be accorded "party" status in this proceeding, upon compliance with reasonable procedures, any person desiring to be heard shall be allowed to speak in favor of or in opposition to the proposed facility after the close of the evidentiary hearing but prior to preparation of any recommendation to the governor. The council views the provisions of RCW 80.50.090(4) as authorizing it to conduct additional public hearings of either the "local public hearing" or ("~~contested case~~") adjudicative proceeding" variety.

#### AMENDATORY SECTION (Amending Order 81-4, filed 9/30/81)

WAC 463-14-080 EFSEC DELIBERATIVE PROCESS. RCW 80.50.100 requires the council to report to the governor its recommendation as to the approval or rejection of an application for certification. In order for the council to develop such a recommendation it shall utilize a deliberative process for analysis and evaluation of an application to determine compliance with the intent and purpose of chapter 463-42 WAC. The council will contract for an independent consultant study of the application. An environmental impact statement also will be adopted.

The council during the deliberative process will conduct an extensive public hearing as (~~a contested case~~) an adjudicative proceeding for the presentation of evidence on the application. The council will conduct sessions for the taking of public testimony concerning the proposed project. The council will evaluate public comments received as part of the environmental review. The council throughout all of the deliberative process will consider any laws or ordinances, rules or regulations which may be preempted by certification. The council in open session, when fully satisfied that all issues have been adequately discussed will consider and by majority decision will act on the question of approval or rejection of an application.

#### AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-020 GOVERNING PROCEDURE. Council business at regular and special meetings is conducted according to Roberts Rules of Order except as suspended by majority vote. To the extent that any (~~contested case~~) adjudicative proceeding is dealt with at regular or special meeting of the council, it is to be governed by the procedures set forth in chapters 463-30 and 463-38 WAC.

#### AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-120 INITIAL DETERMINATION SUBJECT TO REVIEW. At the time that the determination on zoning or land

use planning is made, the council shall explain that this determination may be reopened later during the course of (~~a contested case hearing~~) the adjudicative proceeding by the parties to that proceeding when good cause is shown.

**AMENDATORY SECTION** (Amending Order 109, filed 11/16/76)

**WAC 463-26-130 PUBLIC INFORMATION MEETING.** The council shall conduct at least one public information meeting concerning each application. At this meeting, the council will present the general procedure to be followed in processing the application including a tentative sequence of council actions, the rights and methods of participation by local government in the process, and the means and opportunities for the general public to participate.

The applicant shall make a presentation of the proposed project utilizing appropriate exhibits. The presentation shall include: A general description of the project and the proposed site; reasons why the proposed site or location was selected; and a summary of anticipated environmental, social, and economic impacts.

The general public will be afforded an opportunity to present written or oral comments relating to the proposed project. The comments will not be part of the (~~contested case~~) adjudicative proceeding record.

The informational meeting will be held in the general proximity of the proposed project. Whenever feasible it will be held in conjunction with the land use or zoning hearing as a separate and independent order of business.

**AMENDATORY SECTION** (Amending Order 83-2, filed 3/31/83)

**WAC 463-28-060 REQUEST FOR PREEMPTION—(~~CONTESTED CASE~~) ADJUDICATIVE PROCEEDING.** Should an applicant elect to continue processing the application and file a request with the council for state preemption, the council will schedule (~~a contested case~~) an adjudicative proceeding hearing on the application as specified under chapter 463-30 WAC. The council shall determine during the (~~contested case~~) adjudicative proceeding whether to recommend to the governor that the state should preempt the local land use plans or zoning ordinances for a site or portions of a site for the energy facility proposed by the applicant. The factors to be evidenced under this issue are those set forth in WAC 463-28-040. The determination of preemption shall be by council order, and shall be included in its recommendation to the governor pursuant to RCW 80.50.100.

**AMENDATORY SECTION** (Amending Order 78-3, filed 6/23/78)

**WAC 463-28-080 PREEMPTION—FAILURE TO JUSTIFY.** During the (~~contested case hearing~~) adjudicative proceeding, if the council determines that the applicant has failed to justify the request for state preemption, the council shall do so by issuance of an order accompanied by findings of fact and conclusions of law. Concurrent with the issuance of its order, the council shall report to the governor its recommendation for rejection of certification of the energy facility proposed by the applicant.

**AMENDATORY SECTION** (Amending Order 114, filed 2/4/77)

**WAC 463-38-041 NOTICE, PROVISIONS.** (1) Notices shall be circulated within the geographical areas of the proposed discharge, and shall be published in a local or daily newspaper of general circulation; such circulation may include any or all of the following:

(a) Posting in the post office and public places of the municipality nearest the premises of the applicant in which the effluent source is located;

(b) Posting at or near the entrance of the applicant's principal place of business and in nearby places.

(2) Any persons may, within thirty days following the date of the public notice, submit their written views on the tentative determinations with respect to the NPDES application. All written comments submitted during the 30 day comment period shall be retained by the council and considered in their final determination with respect to the NPDES applications. The period for comments may be extended at the discretion of the council.

(3) The contents of public notice of application for NPDES permits shall include at least the following:

(a) Name, address and telephone number of agency issuing the public notice;

(b) Name and address of applicant;

(c) Brief description of applicant's activities or operations which result in the discharge described in the NPDES application (e.g., thermal electric power generating facility stationary or floating);

(d) Name of waterway to which each discharge is made and a short description of the location of each discharge on the waterway, indicating whether such discharge is new, a modification, or an existing discharge;

(e) A statement of the tentative determination to issue or deny an NPDES permit for the discharge described in the NPDES application;

(f) A brief description of the procedures for the formulation of final determinations, including the 30 day comment period required by paragraph (2) of this section and any other means set forth in WAC 463-38-034 (1)(c).

(g) Address and telephone number of state or interstate agency premises at which interested persons may obtain further information, request a copy of the draft permit prepared pursuant to WAC 463-38-033(2), request a copy of the fact sheet described in WAC 463-38-034 and inspect and copy NPDES forms and related documents at a reasonable charge.

(4) Public and agency notice will be given as set forth below:

(a) Notice shall be mailed to any person or group carried on the mailing list identified in WAC 463-38-034(2). The name of any person or group shall be added upon written request to a mailing list for distributing copies of notices for all NPDES applications within the state or within a certain geographical area.

(b) At the time of issuance of public notice pursuant to WAC 463-38-041 a fact sheet will be sent to:

(i) Any other state whose waters may be affected by the issuance of the NPDES permit and to any interstate agency having water quality control authority over waters which may be affected by the issuance of a permit and, upon request, providing such state and interstate agencies with a copy of the NPDES application and a copy of the proposed permit prepared pursuant to WAC 463-38-033(2). Each affected state and interstate agency shall be afforded an opportunity to submit written recommendations to the council and to the regional administrator, which shall be duly considered by the council in accordance with the policies, provisions and regulations of the act, chapter 80.50 RCW et seq., and chapter (~~34.04~~) 34.05 RCW et seq.

(ii) The district engineer of the Army Corps of Engineers for NPDES applications for discharges (other than minor discharges) into navigable waters.

(iii) Any other federal, state or local agency or any affected county upon request and shall provide such agencies an opportunity to respond, comment or request a public hearing pursuant to WAC 463-38-042. Such agencies shall include at least the following:

(a) The agency responsible for the preparation of an approved plan pursuant to section 208(b) of the act;

(b) DOE; and

(c) Appropriate public health agencies, including those represented on the council.

**AMENDATORY SECTION** (Amending Order 114, filed 2/4/77)

**WAC 463-38-042 PUBLIC HEARINGS.** (1) Any applicant affected state, affected interstate agency, affected county, any interested agency, person or group of persons, or the regional administrator may request of or petition the council for a public hearing to be held with respect to an NPDES application. Any such request or petition for public hearing shall be filed within thirty days after the giving of public notice pursuant to WAC 463-38-041. Said request or petition shall indicate the interest of the party filing such request and the reasons why it is thought that a hearing is warranted.

(2) A public hearing shall be held if there is a significant public interest (including the filing of request(s) or petition(s) for such hearing) in holding such a hearing. Instances of doubt should be resolved by the council in favor of holding the hearing.

(3) Any hearings brought pursuant to this section shall be held in the geographical area of the proposed discharge or other appropriate area, in the discretion of the council, and may, as appropriate, consider related groups of permit applications.

(4) Any public hearings held hereunder will be conducted in accordance with provisions of RCW 80.50.090, chapter (~~34.04~~) 34.05 RCW et seq., and regulations promulgated thereunder.

(5) Public notice of any hearing held pursuant to WAC 463-38-042 (1) through (4) shall be circulated at least as widely as was the notice of the NPDES application and shall include at least the following:

(a) Notice shall be published in at least one newspaper of general circulation within the geographical area of the discharge;

(b) Notice shall be sent to all persons and government agencies which received a copy of the notice or the fact sheet for the NPDES application;

(c) Notice shall be mailed to any person or group upon request; and

(d) Notice shall be effected pursuant to subparagraphs (a) and (c) of this paragraph at least [thirty] days in advance of the hearing. The council may give notice of a public hearing concurrent with public notice given pursuant to WAC 463-38-041.

(6) The contents of public notice of any hearing held pursuant to WAC 463-38-042 (1) through (4) shall include at least the following notice which meets the requirements of this section:

(a) Name, address and phone number of the council;

(b) Name and address of each applicant whose application will be considered at the hearing;

(c) Name of waterway to which each discharge is made and short description of the location of each discharge on the waterway;

(d) A brief reference to the public notice issued for each NPDES application, including identification number and date of issuance (where applicable);

(e) Information regarding the time and location for the hearing;

(f) The purpose of the hearing;

(g) A short and plain statement of the matters asserted;

(h) Address and phone number of premises at which interested persons may obtain further information, request a copy of each draft NPDES permit prepared pursuant to WAC 463-38-033(2) above, request a copy of each fact sheet prepared pursuant to WAC 463-38-034, and inspect a copy NPDES forms and related documents; and

(i) A brief description of the nature of the hearing, including the rules and procedures to be followed.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 114, filed 2/4/77)

WAC 463-38-063 APPEAL. (1) The approval, rejection, or modification of an NPDES permit shall be subject to judicial review pursuant to the provisions of chapter (~~34.04~~) 34.05 RCW.

(2) No appeal shall be taken under paragraph (1) until such time as the council makes its recommendations to the governor pursuant to RCW 80.50.100(2).

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 463-39-130 REGULATORY ACTIONS.

#### AMENDATORY SECTION (Amending Order 79-1, filed 8/6/79)

WAC 463-39-150 VARIANCE. (1) Any person who owns or is in control of a plant, building, structure, establishment, process, or equipment may apply to the council for a variance from provisions of this chapter governing the quality, nature, duration, or extent of discharges of air contaminants. The application shall be accompanied by such information and data as the council may require. The council may grant such variance, but only after public hearing or due notice if it finds that:

(a) The emissions occurring or proposed do not endanger public health or safety; and

(b) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(2) No variance shall be granted pursuant to this section until the council has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(3) Any variance or renewal thereof shall be granted within the requirements of subsection (1) of this section and for time periods and under conditions consistent with the reasons therefor, and within the following limitations:

(a) If the variance is granted on the ground that there is no practicable means known or available to the adequate prevention, abatement or control of the pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available, and subject to the taking of any substitute or alternate measures that the council may prescribe.

(b) If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will require the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the council is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

(c) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in subdivisions (a) and (b) of this subsection, it shall be for not more than one year.

(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the council on account of the variance, no renewal thereof shall be granted unless following a public hearing on the complaint on due notice the council finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the council shall give public notice of such application in accordance with its rules and regulations.

(5) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the council. However, any applicant adversely affected by the denial or terms and conditions of the granting of an application for a variance or renewal of a variance by the council may obtain judicial review thereof under the provisions of chapter (~~34.04~~) 34.05 RCW as now or hereafter amended.

(6) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW 70.94.415 to any person or his property.

(7) An application for a variance, or for the renewal thereof, submitted to the council pursuant to this section shall be approved or disapproved by the council within sixty-five days of receipt unless the applicant and the council agree to a continuance.

(8) No variance or renewal shall be construed to set aside or delay any requirements of the federal clean air act except with the approval and written concurrence of the federal environmental protection agency.

#### AMENDATORY SECTION (Amending Order 78-2, filed 4/26/78)

WAC 463-43-060 EFFECT OF EXPEDITED PROCESSING. For an application granted expedited processing under WAC 463-43-050 the council shall not:

(1) Conduct any further review of an application by an independent consultant, and

(2) Hold (~~a contested case~~) an adjudicative proceeding hearing under chapter (~~34.04~~) 34.05 RCW.

#### AMENDATORY SECTION (Amending Order 84-2, filed 9/14/84)

WAC 463-47-060 ADDITIONAL TIMING CONSIDERATIONS. (1) The council will determine when it receives an application whether the proposal is an "action" and, if so, whether it is "categorically exempt" from SEPA. If the proposal is an action and is not exempt, the council will request the applicant to complete an environmental checklist. A checklist is not needed if the council and applicant agree an EIS is required, SEPA compliance has been completed, SEPA compliance has been initiated by another agency, or a checklist is included with the application. The applicant should also complete an environmental checklist if the council is unsure whether the proposal is exempt.

(2) The council when it receives an application and environmental checklist will determine whether the council or another agency is SEPA lead agency (see WAC 197-11-050 and 197-11-922 through 197-11-940) within five working days. If the council is not the lead agency, the council shall send the completed environmental checklist, a copy of the permit application, to the lead agency, and an explanation of the determination to the identified lead agency.

(3) The council may initiate (~~a contested case~~) an adjudicative proceeding hearing required by RCW 80.50.100 prior to completion of the draft EIS. The council shall initiate and conclude (~~a contested case~~) an adjudicative proceeding hearing required by RCW 80.50.100 prior to issuance of the final EIS.

AMENDATORY SECTION (Amending Order 110, filed 11/16/76)

WAC 463-50-030 PRINCIPLES GOVERNING SELECTION OF INDEPENDENT CONSULTANTS. Each consultant selected to perform independent consulting services shall have demonstrated its qualifications on the basis of experience and competence in specific, or closely associated, areas for which consulting services are desired. A consultant shall not be hired or retained by the council if upon examination by the council, a significant conflict of interest is found with regard to the applicant or other parties involved or potentially involved in the ~~((contested case))~~ adjudicative proceeding(s).

AMENDATORY SECTION (Amending Order 81-3, filed 5/13/81)

WAC 463-54-070 ~~((EMERGENCY ACTION BY CHAIRMAN))~~ ENFORCEMENT ACTIONS. ~~((The chairman of the council or his designee is authorized and shall take action to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the release of pollutants from facilities sited under chapter 80.50 RCW including as appropriate:~~

~~(a) The issuance of an order to immediately terminate an endangerment or an endangering release and the suspension of the NPDES or other permit issued by the council;~~

~~(b) The notification of the departments of emergency services and social and health services and other appropriate agencies, as necessary, that protective measures are required immediately to safeguard the health or welfare of persons so endangered;~~

~~(c) The reference of matters to the attorney general for appropriate enforcement action for violations of site certification agreements and NPDES or other permits issued by the council;~~

~~(2) The chairman's action will be confirmed or modified by the council within seventy-two hours of execution at a special or regular meeting of the council, whichever will occur the earliest:)) (1) General. The council establishes four types of enforcement action in order to provide the council with a range of responses to apparent violations of a site certification agreement or the laws and rules enforced by the council. The range allows the chair or the council to choose an approach which it determines, in its discretion, to be best suited in light of the apparent seriousness of an apparent violation, the potential danger to humans or the environment, the willingness and ability of the violator to make required corrections, and the speed with which corrective action should be taken.~~

(2) Emergency action by chair.

(a) Emergency action is appropriate when the chair or chair's designee believes that the nature of an apparent violation requires action to swiftly to allow for deliberation and decision by the full council or that action is required pending the completion of other enforcement action.

(b) The chair of the council or the chair's designee is authorized to take immediate action to halt or eliminate any imminent or actual substantial danger to health or welfare of persons or the environment resulting from violation of law or of terms of the site certification agreement, including the release of pollutants from facilities sited under chapter 80.50 RCW. The chair may:

(i) Order the immediate termination of an endangerment or an endangering release and the immediate suspension of an NPDES or other permit issued by the council, or order the immediate commencement of corrective action;

(ii) Notify appropriate agencies that protective measures are required immediately to safeguard public health and safety;

(iii) Request the prosecuting attorney of an affected county or the attorney general to take immediate enforcement action for violations of certification agreements or permits pursuant to RCW 80.50.150(6).

(c) The council shall consider any emergency action at a regular or special meeting as soon as practical after the action is taken. It may adopt, rescind, or modify emergency action and may take other enforcement action as specified in this rule. The council retains jurisdiction to maintain or modify emergency action until the circumstances requiring the action are cured to the council's satisfaction or until other enforcement actions supersede the emergency action, whichever first occurs.

(d) If feasible, the council shall allow the subject of emergency action to present its views prior to adopting, affirming, or modifying the action.

(2) Notice of incident and request for assurance of compliance.

(a) A notice of incident is appropriate when the council believes that a violation has occurred; that it is being corrected quickly and effectively by the violator; that the violation caused no substantial danger to

humans or the environment; and that a penalty assessment does not appear to be appropriate in light of the seriousness of the violation or as an incentive to secure future compliance.

(b) Whenever the council has probable cause to believe that any term or condition of a certificate agreement or permit has been violated, the council may serve a notice of incident and request for assurance of compliance upon the certificate holder. Within thirty days after service of the notice, the certificate holder shall provide the council with a report of the incident and assurance of compliance, including appropriate measures to preclude a recurrence of the incident. The council shall review the assurance of compliance. It may close out the matter by resolution or take such further action as it believes to be necessary.

(3) Notice of violation.

(a) A notice of violation is appropriate when the council believes: That a violation has occurred; that a violation is not being timely or effectively corrected; that a violation may cause a substantial risk of harm to humans or the environment; or that a penalty may be appropriate as an incentive to future compliance.

(b) Whenever the council has probable cause to believe that a violation of any term or condition of a certificate agreement or permit has occurred, the council may serve upon the certificate holder a notice of violation and may include the assessment of a penalty pursuant to RCW 80.50.150(5). The notice shall specify the provisions of law or rule or the certificate agreement or permit which are alleged to have been violated and shall include a requirement that corrective action be taken.

(c) Review procedure. The certificate holder named in a notice of violation may appeal the notice to the council and it may seek remission or mitigation of any penalty.

(i) A request for mitigation or remission of a penalty must be filed within fifteen days after service of the notice of violation. A decision upon a request for remission or mitigation of a penalty is an administrative decision which the council may make in its discretion.

(ii) An appeal of a notice of violation must be filed within thirty days after service of the notice of violation. The appeal is an application for an adjudicative proceeding under RCW 34.05.410. It must be in writing, timely filed in the offices of the council, and state the basis of the contention and exactly what change or remedy is sought from the council. Unless the application is denied or settled, the council shall conduct an adjudicative proceeding upon the challenge pursuant to chapter 34.05 RCW.

(iii) Any penalty imposed in a notice of violation shall be due and payable thirty days after the following: Service of the notice of violation, if no review is sought; service of the council's decision upon remission or mitigation, if no appeal is made; or service of the council's final order on review of an appeal of a notice of violation. If the penalty is not paid when due, the council shall request the attorney general to commence an action in the name of the state to recover the penalty pursuant to RCW 80.50.150.

(4) Air pollution episodes. The council may enter such orders as authorized by chapter 80.50 RCW regarding air pollution episodes, as set forth in WAC 463-39-130.

(5) Judicial enforcement.

(a) Judicial enforcement is available through chapter 80.50 RCW. It is appropriate when the council believes that judicial action may be of substantial assistance in securing present or future compliance or resolution of the underlying problem.

(i) The council may request the attorney general or the prosecuting attorney of any county affected by a violation to commence civil proceedings to enforce the provisions of chapter 80.50 RCW, pursuant to RCW 80.50.150(6).

(ii) The council may request the prosecuting attorney of any county affected by a violation to commence criminal proceedings to enforce the provisions of chapter 80.50 RCW, pursuant to RCW 80.50.150(6).

(b) The council may also secure judicial enforcement of its rules or orders pursuant to RCW 34.05.578.

AMENDATORY SECTION (Amending Order 78-2, filed 4/26/78)

WAC 463-58-030 FEES FOR REGULAR APPLICATION PROCESSING. Pursuant to RCW 80.50.071 each applicant for energy facility site certification shall at the time of application submission deposit twenty thousand dollars for costs related to processing of the application. Such processing costs shall consist of those determined by the council to be reasonable and necessary including:

(1) A hearing examiner(s) who may be retained by the council for the duration of the application processing period or for such portion of the processing period as the council may consider necessary,



(2) A court reporter(s) for the recording and preparation of transcripts of ~~((the contested case))~~ an adjudicative proceeding hearing, council meetings or public sessions which the council shall consider necessary,

(3) Additional staff salaries ~~((consisting of at least one application processing officer placed))~~ for those persons employed on the council staff for the duration of the application processing period ~~((=provided that the council may in the interest of efficiency and effectiveness assign one application processing officer to more than one application)),~~ and

(4) Such overhead and support costs including wages and employee benefits, goods and services, travel expenses within the state and miscellaneous expenses as arise directly from application processing.

#### WSR 90-24-084

##### PROPOSED RULES

#### DEPARTMENT OF ECOLOGY

[Order 90-59—Filed December 5, 1990, 4:23 p.m.]

Continuance of WSR 90-23-105.

Title of Rule: WAC 173-19-360.

Purpose: To provide notice that time of hearing has been changed from 7:00 p.m. to 2:00 p.m. and that the date of intended adoption has been changed from January 22, 1991, to February 5, 1991.

Hearing Location: Commissioners' Meeting Room, Courthouse Annex, 125 Rhodes Street, Friday Harbor, WA, on January 3, 1990 [1991], at 2:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology Shorelands and CZM Program, Mailstop PV-11, Olympia, WA 98504, by December 26, 1990.

Date of Intended Adoption: February 5, 1990 [1991].

December 5, 1990

Fred Olson

Deputy Director

#### WSR 90-24-085

##### RULES COORDINATOR

#### DEPARTMENT OF HEALTH

[Filed December 5, 1990, 4:31 p.m.]

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 Veterinary 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  
Department of Health

#### WSR 90-24-086

##### PROPOSED RULES

#### DEPARTMENT OF REVENUE

[Filed December 5, 1990, 4:45 p.m.]

Original Notice.

Title of Rule: The Open Space Act, amending WAC 458-30-262, Agricultural land valuation—Interest rate—Property tax component.

Purpose: To adjust the interest rate and property tax component for assessment year 1991.

Statutory Authority for Adoption: RCW 84.08.010 and 84.08.070.

Statute Being Implemented: Chapter 84.34 RCW.

Summary: To implement the new interest rate and property tax component for assessment year 1991.

Reasons Supporting Proposal: The rates have changed.

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, 586-7150; and Enforcement: Will Rice, 6004 Capitol Boulevard, Tumwater, 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: This is a change to implement a new interest rate and property tax component for assessment year 1991.

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 this rule 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 January 9, 1991, 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 January 9, 1991.

Date of Intended Adoption: January 16, 1991.

December 5, 1990

Joseph D. Simmonds

Property Tax

Program Manager

**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 1991, 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 10.65 percent; and
- (2) The property tax component for each county is:

(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%
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%))		

COUNTY	PERCENT	COUNTY	PERCENT
Adams	1.38	Lewis	1.27
Asotin	1.54	Lincoln	1.48
Benton	1.51	Mason	1.28
Chelan	1.38	Okanogan	1.43
Clallam	1.28	Pacific	1.46
Clark	1.39	Pend Oreille	1.18
Columbia	1.45	Pierce	1.59
Cowlitz	1.21	San Juan	0.96
Douglas	1.42	Skagit	1.29
Ferry	1.02	Skamania	0.95
Franklin	1.64	Snohomish	1.37
Garfield	1.57	Spokane	1.56
Grant	1.42	Stevens	1.12
Grays Harbor	1.45	Thurston	1.59
Island	1.06	Wahkiakum	1.16
Jefferson	1.15	Walla Walla	1.38
King	1.41	Whatcom	1.31
Kitsap	1.30	Whitman	1.56
Kittitas	1.17	Yakima	1.38
Klickitat	1.42		

**WSR 90-24-087**

**PERMANENT RULES  
DEPARTMENT OF REVENUE**

[Filed December 5, 1990, 4:46 p.m.]

Date of Adoption: December 5, 1990.

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.

Pursuant to notice filed as WSR 90-20-130 on October 3, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 458-30-200(14) – Added: "But is otherwise an integral part of a farming operation," ... Reason for change: To ensure that even though parcels of land might be separated, both parcels must be part of

a farming operation. WAC 458-30-200(21) – Deleted: "and other incidental use land" and added "and upon which trees are grown and cut for the use of the owner. Such land area" ... Reason for change: To make the definition of farm woodlot more explicit. WAC 458-30-200(27) – Added: "an" amount "equal to twenty percent of the additional tax". Reason for change: To clarify the method of computing the penalty. WAC 458-30-210 (2)(d)(iv) – Added: "in connection with commercial agricultural purposes". Reason for change: To ensure that the "homesite" is used in connection with commercial purposes in order to qualify for the land area requirement. WAC 458-30-290(2) – Added: "on the amount determined under subsection (1) of this section" ... and "; starting" Reason for change: To clarify the proper method for computing interest. WAC 458-30-295(5) – Changed the procedure used for notifying owners regarding data requests. Reason for change: To simplify and reduce the costs of the procedure, while continuing to ensure that the owner is treated fairly. WAC 458-30-300 (1)(b) – Added: "on the amount determined under (a) of this subsection" ... Reason for change: To coincide with the change found in WAC 458-30-290(2) above. WAC 458-30-300 (3)(c) – Deleted: "An inheritance is not a transfer under the provisions of chapter 84.34 RCW." Reason for change: To clarify the rule and comply with the statute. WAC 458-30-300 (3)(g) – Deleted: "and penalty". Reason for change: To comply with the statute.

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

December 5, 1990  
Joseph D. Simmonds  
Property Tax  
Program Manager

**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.

~~((13))~~ "Conjunction" means a parcel of land on which appurtenances may be located, such parcel may be separate from or contiguous with farm and agricultural land and which does not qualify for classification by itself, but is an integral part in such use of the land for commercial agricultural purposes in association with the land.)

(14) "Contiguous" means land that adjoins other land when such lands are held by the same ownership. If such a parcel of land is divided by a public road, railroad, public right of way, or waterway, but is otherwise an integral part of a farming operation, 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" 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)) and upon which trees are grown and cut for the use of the owner. Such land area 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))~~ an amount equal to twenty percent of the additional tax that is added to ((the additional)) said 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.

~~((33))~~ (34) "Transfer" means ((a change of ownership)) the conveyance of the ownership of a parcel of land without an exchange of valuable consideration.

~~((34))~~ (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 for 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 for 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 for 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 land ~~((s))~~ also includes:

(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, including such appurtenances 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 as a homesite in connection with commercial agricultural purposes 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~~

~~((f))~~ 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( <del>(%)</del> )	Lewis	1.25( <del>(%)</del> )
Asotin	1.50( <del>(%)</del> )	Lincoln	1.45( <del>(%)</del> )
Benton	1.55( <del>(%)</del> )	Mason	1.25( <del>(%)</del> )
Chelan	1.26( <del>(%)</del> )	Okanogan	1.38( <del>(%)</del> )
Clallam	1.25( <del>(%)</del> )	Pacific	1.44( <del>(%)</del> )
Clark	1.35( <del>(%)</del> )	Pend Oreille	1.24( <del>(%)</del> )
Columbia	1.38( <del>(%)</del> )	Pierce	1.59( <del>(%)</del> )
Cowlitz	1.20( <del>(%)</del> )	San Juan	0.95( <del>(%)</del> )
Douglas	1.38( <del>(%)</del> )	Skagit	1.27( <del>(%)</del> )
Ferry	0.95( <del>(%)</del> )	Skamania	0.96( <del>(%)</del> )
Franklin	1.64( <del>(%)</del> )	Snohomish	1.31( <del>(%)</del> )
Garfield	1.82( <del>(%)</del> )	Spokane	1.55( <del>(%)</del> )
Grant	1.40( <del>(%)</del> )	Stevens	1.10( <del>(%)</del> )
Grays Harbor	1.43( <del>(%)</del> )	Thurston	1.64( <del>(%)</del> )
Island	0.98( <del>(%)</del> )	Wahkiakum	1.21( <del>(%)</del> )
Jefferson	1.10( <del>(%)</del> )	Walla Walla	1.34( <del>(%)</del> )
King	1.38( <del>(%)</del> )	Whatcom	1.34( <del>(%)</del> )
Kitsap	1.30( <del>(%)</del> )	Whitman	1.61( <del>(%)</del> )
Kittitas	1.15( <del>(%)</del> )	Yakima	1.38( <del>(%)</del> )
Klickitat	1.32( <del>(%)</del> )		

**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 on the amount determined under subsection (1) of this section at the statutory rate specified in RCW 84.56.020 charged on delinquent property taxes; starting from May 1 of the year the tax ~~((would))~~ could 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 first class mail. Any response shall be made in writing no later than sixty calendar days following the date the request was mailed by the assessor. If the owner does not respond within that time period, the assessor shall send the owner a second request for information which shall be sent by certified mail, return receipt requested. This second request shall inform the owner that failure to respond in writing within thirty calendar days of the date of mailing may result in removal of classification. If the owner fails to

respond, 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 shall be made in writing 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 ~~((land 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 on the amount determined under (a) of this subsection at the statutory rate specified in RCW 84.56.020 charged on delinquent property taxes ~~((specified in RCW 84.56.020));~~ starting from May 1 of the year the tax ~~((would))~~ could have been paid without ~~((penalty))~~ interest 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 said classification 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))~~ classification 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 property 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:

<del>((Year))</del> YEAR	<del>(%)</del> PERCENT	<del>(Year)</del> YEAR	<del>(%)</del> PERCENT	<del>(Year)</del> YEAR	<del>(%)</del> 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 90-24-088**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Filed December 5, 1990, 4:47 p.m.]

**Original Notice.**

Title of Rule: Amending chapter 388-15 WAC, Social services for families.

Purpose: Define "available" and "property owned." Clarify definition of "resources." Clarify rules for grandparented clients.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Same as Purpose above.

Reasons Supporting Proposal: This rule is necessary to determine eligibility for chore services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Fran Wilson, Aging and Adult Services, 459-2538.

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, WA, on January 22, 1991, 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 January 22, 1991.

Date of Intended Adoption: February 5, 1991.

December 5, 1990

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Order 3041, filed 7/13/90)

WAC 388-15-208 **DEFINITIONS.** (1) "Applicant" means a person applying for chore services.

(2) "Attendant care" means the service provided to a grandparented client needing full-time care because the client:

(a) Requires personal care task assistance that cannot be scheduled, e.g., toileting, ambulation, transfer, positioning, some medication assistance; or

(b) Needs protective supervision because of confusion, forgetfulness, or lack of judgment. Protective supervision does not include responsibilities a legal guardian should assume.

(3) "Available" means accessible for use and conversion into money or its equivalent without significant depreciation in the value of the property.

(4) "Chore services" means services in performing personal care and related household assistance tasks as provided in the department's medical assistance state plan provision addressing personal care.

~~((4))~~ (5) "Client" means a person receiving chore services.

~~((5))~~ (6) "Companionship" means being with a person in the client's own home for the purpose of preventing loneliness or to accompany the client outside the home for other than basic errands, medical appointments, or laundry.

~~((6))~~ (7) "Contracted program" means that method of hourly chore service delivery where the contractor is responsible for recruiting, supervising, training, and paying the chore services provider.

~~((7))~~ (8) "Grandparented client" means a person approved for hourly household tasks or family care services before December 14, 1987, or a person approved for attendant care services before April 1, 1988 provided the person was receiving the same services as of June 30, 1989.

~~((8))~~ (9) "Hourly care" means the service provided to clients needing assistance with scheduled household or personal care tasks.

~~((9))~~ (10) "Household assistance" means assistance with travel to medical services, essential shopping, laundry, housework, or wood supply as defined under WAC 388-15-820.

~~((10))~~ (11) "Individual provider program" means a method of chore service delivery where the client employs and supervises the chore services provider. Payment is made to the client who, in turn, pays the provider.

~~((11))~~ (12) "Interim assessment" means the department's assessment form used to determine the amount and type of chore services to be provided.

~~((12))~~ (13) "Own home" means the client's present or intended place of residence, whether in a building the client rents or owns or in the home of another person.

~~((+3))~~ (14) "Personal care" means assistance with personal hygiene, dressing, bathing, eating, toileting, ambulation, transfer, positioning, self-medication, body care, or meal preparation. The tasks are defined under WAC 388-15-820.

~~((+4))~~ (15) "Property owned ~~((or available))~~" means property over which the applicant ~~((or))~~ or client has a legal ~~((right of control))~~ interest.

~~((+5))~~ (16) "Relative" means a client's spouse, father, mother, son, or daughter.

~~((+6))~~ (17) "Resources" means real or personal property owned by or available to an applicant or a client which the department may apply ~~((toward meeting the applicant/client's requirements))~~, either directly or ~~((by))~~ after conversion into money or its equivalent toward meeting the client's financial participation for services.

~~((+7))~~ (18) "Service authorization ceiling chart" means the chart indicating the maximum number of hours the department may authorize for a client's score.

~~((+8))~~ (19) "Shared living arrangement" means a situation where two or more adults share expenses and reside together in one of the adult's residences with common facilities, such as living, cooking, and eating areas.

**AMENDATORY SECTION** (Amending Order 3041, filed 7/13/90, effective 8/13/90)

WAC 388-15-209 ELIGIBILITY. The department shall consider the following eligibility criteria when determining an applicant/client's eligibility for chore services:

- (1) Service eligibility:
  - (a) Eighteen years of age and over;
  - (b) At risk of placement in a long-term care facility as evidenced by the need for assistance with one or more personal care tasks listed in WAC 388-15-208(13); and
  - (c) Not eligible for Medicaid personal care or community options program entry system (COPES) services.
- (2) Financial eligibility, meets the financial and resource eligibility requirements established by the department;
- (3) Resource eligibility:
  - (a) Has resources at or below ten thousand dollars for a one-person family or fifteen thousand dollars for a two-person family. Allow another one thousand dollars for each additional family member;
  - (b) Resources considered. The department shall consider the following resources when available to the applicant or client in determining the value of an applicant's or client's resources:
    - (i) Checking accounts;
    - (ii) Savings accounts;
    - (iii) Certificates of deposit;
    - (iv) Money markets;
    - (v) Negotiable stocks and bonds;
    - (vi) Latest assessed value of lots or property not attached to residence;
    - (vii) Market value of a boat or boats, recreational vehicle or vehicles, or excess automobiles;
    - (viii) Liquid assets: Such as cash, gold, silver, and other items of an investment and negotiable nature; and
    - (ix) Resources received in transfer or assignment from a spouse under WAC 388-92-043(5) are available to the applicant/client as a single-person household and subject to WAC 388-15-209 (2) and (3)(a) and (b).
  - (c) Resources excluded. The department shall not consider the following resources, regardless of value, in determining the value of a client's or applicant's resources:
    - (i) A home and lot normal for the community where the client or applicant resides;
    - (ii) Used and useful household furnishings, personal clothing, and one automobile per client;
    - (iii) Personal property of great sentimental value;
    - (iv) Real or personal property used by the applicant or client to earn income or for rehabilitation;
    - (v) One cemetery plot for each member of the family unit;
    - (vi) Cash surrender value of life insurance; or
    - (vii) Payments received as restitution payments under the Civil Liberties Act of 1988 and the Aleutian and Pribiloff Island Restitution Act, P.L. 100-383.
  - (4) Adult protective services. Adult protective service clients at risk of being placed in a long-term care facility shall be eligible to receive chore services without regard to income or resources if these services are an integral but subordinate part of the adult protective services

plan. These services shall be provided only until the situation necessitating the services has stabilized and are limited to a maximum of ninety days during any twelve-month period; and

(5) Volunteer chore services. An applicant for chore services shall be referred to the volunteer chore service program when the applicant:

- (a) Does not meet the eligibility criteria for chore services;
- (b) Is eligible for five hours or less per month of chore services;
- (c) Is eligible for a reduced level of chore services because income exceeds thirty percent of the state median income; or
- (d) Needs help with tasks that are not available in the chore services program.

**AMENDATORY SECTION** (Amending Order 3041, filed 7/13/90, effective 8/13/90)

WAC 388-15-212 SERVICE DETERMINATION~~((S))~~. (1) Assessment.

(a) The purpose of assessment is to determine the applicant/client's need for chore services and the authorized hours of service.

(b) Department staff shall perform the assessment.

(c) The department shall perform a separate assessment for each adult applying for chore services.

(d) The department shall document the assessment on a prescribed form.

(e) When administering the assessment, department staff shall take into account the applicant/client's:

- (i) Risk of long-term care facility placement;
- (ii) Ability to perform personal care and related household tasks;
- (iii) Living situation; and
- (iv) Availability of alternative resources providing needed assistance, including family, neighbors, friends, community programs, and volunteers.

(f) The department shall consider the chore services client the secondary client in households where community options program entry system (COPES) services or Medicaid personal care services are also authorized.

(2) Scoring.

(a) For each task listed on the assessment form, the department staff shall determine the level of assistance:

- (i) The applicant/client requires;
- (ii) Available through alternative resources; and
- (iii) Needed from the chore services program.

(b) The applicant/client's assistance needed from the chore services program is the difference between assistance required and assistance available through alternative resources. This represents the applicant/client's unmet need.

(c) The level of the applicant/client's assistance required is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = The applicant/client is able to perform this task without help;

(ii) M = The applicant/client requires a minimal amount of assistance to perform this task;

(iii) S = The applicant/client requires a substantial amount of assistance to perform this task;

(iv) T = The applicant/client requires total assistance to perform this task.

(d) The level of assistance available is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = Alternative resources are not available for assistance;

(ii) M = Alternative resources are available for minimal assistance;

(iii) S = Alternative resources are available for substantial assistance; or

(iv) T = Alternative resources are available for total assistance.

(e) The level of unmet need is indicated by entering one of the following codes for each task listed on the assessment form:

(i) O = No unmet need; the applicant/client can perform this task without help or all assistance required is available from alternative resources;

(ii) M = Minimal unmet need; the applicant/client cannot perform this task without help and needs a minimal amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources;

(iii) S = Substantial unmet need; the applicant/client cannot perform this task without help and needs a substantial amount of assistance from the chore services program in addition to assistance, if any, available from alternative resources; or

(iv) T = Total unmet need; the applicant/client is totally unable to perform this task and no assistance from alternative resources is available. The total need of the applicant/client shall be met through the chore services program.

(f) Points are awarded for each task based on the level of unmet need. The number of points allowable for each task are listed below:

TASK	O	M	S	T
Eating				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
Toileting	0	5	10	15
Ambulation	0	4	7	10
Transfer	0	1	3	5
Positioning	0	1	3	5
Body care	0	5	10	15
Personal hygiene	0	1	3	5
Dressing	0	4	7	10
Bathing	0	4	7	10
Self-medication	0	2	4	6
Travel to medical services	0	1	2	3
Essential shopping				
With client	0	5	10	15
or				
For client	0	1	3	5
Meal preparation				
Breakfast	0	4	7	10
Light meal	0	4	7	10
Main meal	0	5	10	15
Laundry				
Facilities in home	0	1	2	3
or				
Facilities out of home	0	3	5	7
Housework	0	1	2	3
Wood supply	0	3	5	7

(g) The points awarded for each task are added together to obtain the total score for the applicant/client.

(3) Ceiling hour computation.

(a) Convert the total score into maximum allowable hours per month (ceiling hours) which may be authorized.

(b) Use the service authorization ceiling chart to convert the score to ceiling hours per month:

SCORE	CEILING HOURS	SCORE	CEILING HOURS	SCORE	CEILING HOURS
1-4	5	60-64	44	120-124	83
5-9	8	65-69	47	125-129	87
10-14	11	70-74	51	130-134	90
15-19	14	75-79	54	135-139	93
20-24	18	80-84	57	140-144	97
25-29	21	85-89	60	145-149	100
30-34	24	90-94	64	150-154	103
35-39	28	95-99	67	155-159	106
40-44	31	100-104	70	160-164	110
45-49	34	105-109	74	165-169	113
50-54	37	110-114	77	170 and	
55-59	((5+)) 41	115-119	80	Above	116

(4) Authorization when no reduction in hours.

(a) The department may authorize the number of ceiling hours allowable for the applicant/client's score when the applicant/client has a gross income, adjusted for family size, at or below thirty percent of the state median income.

(b) The department may authorize fewer than the allowable ceiling hours when appropriate to the applicant/client's individual circumstances.

(c) The department shall inform all applicant/clients of their right to request the department to authorize more than the allowable ceiling hours based on the applicant/client's score. The department shall grant a waiver to authorize additional hours up to the maximum of one hundred sixteen hours per month when:

(i) Circumstances of a demonstrated duration, frequency, or severity require additional chore services hours to assure the client's health or safety;

(ii) Needed additional hours are specific and clearly measurable; and

(iii) Available funds are provided under WAC 388-15-214.

(d) The department shall approve or deny requests for a waiver to exceed ceiling hours within thirty days.

(e) When a request for a waiver is denied, the department shall send the applicant/client a notice of the right to contest the department's decision under chapter 388-08 WAC.

(5) Authorization when hours are reduced.

(a) An applicant/client with a gross income, adjusted for family size, over thirty percent of the state median income, shall receive fewer than the number of ceiling hours allowable for the applicant/client's score(;;).

(b) The department shall determine the amount of reduction to allowable ceiling hours by:

(i) Deducting one hour for each percentage point when the applicant/client's income exceeds thirty percent of the state median income; and

(ii) Deducting an additional hour for each percentage point when the applicant/client's income exceeds fifty percent of the state median income.

(c) The reduction computed under subsection (5)(b) of this section shall be subtracted from the allowable ceiling hours to obtain the maximum number of hours per month the applicant/client may be authorized.

(6) Meal allowance—IPP hourly services only. When providing meals for the chore services provider is an extra client cost, the department may authorize a payment to partially reimburse the client for the meal cost. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service.

(7) Relative providers. The department may authorize a relative to provide chore services only when the relative:

(a) Gives up paid employment of thirty hours or more per week, to give the service;

(b) Needs to take paid employment of thirty hours or more per week to meet financial needs; or

(c) Is financially eligible to receive general assistance to meet their own need.

The above criteria apply to relatives providing service to clients, including grandparented clients, in either the contracted program or the individual provider hourly program.

(8) Reassessment.

(a) The department shall reassess the eligibility of all chore service clients, except grandparented clients, at least every eighteen months or more often when deemed necessary because of a change in the client's condition or situation.

(b) The department shall continue, deny, or alter services to correspond with the client's present chore services need. The department shall notify the client of the right to contest denial or reduction of services.

(c) The eligibility rules as described under WAC 388-15-209 apply to reassessment of all clients except grandparented clients.

(d) The department shall terminate chore services for an hourly personal care client when a reassessment shows the client now needs assistance with household tasks only. This rule shall not pertain to grandparented clients receiving household tasks only.

**AMENDATORY SECTION** (Amending Order 3041, filed 7/13/90, effective 8/13/90)

WAC 388-15-215 PROGRAM LIMITATIONS. (1) The department shall not authorize chore services for:

- (a) Teaching and companionship;
- (b) Child care for working parents;
- (c) Providing nursing care; or
- (d) Developing social, behavioral, recreational, communication, or other types of skills.

(2) The department shall not provide chore services to a resident of a:

- (a) Group home;
- (b) Licensed boarding home;
- (c) Congregate care facility;
- (d) Nursing care facility;
- (e) Hospital;

- (f) Institution;
- (g) Adult family home; or
- (h) Child foster home.

Shared living arrangements are not considered group homes.

(3) Chore services shall be provided only in the client's home or surrounding property except for essential shopping, travel to medical services, and laundry when there are no laundry facilities in the client's home.

~~((4) The department shall not pay for chore services for hourly care clients when the clients are not residing at home, for example, because of hospitalization. In an emergency, however, the department may pay for limited services to enable the client to return home.))~~

**AMENDATORY SECTION** (Amending Order 3041, filed 7/13/90, effective 8/13/90)

WAC 388-15-216 GRANDPARENTED CLIENTS. (1) Continuing eligibility for hourly care chore service clients:

(a) The department may continue providing hourly chore services for clients receiving assistance with household tasks only before December 14, 1987, provided the clients were receiving the same services as of June 30, 1989~~((and))~~.

(b) The department shall perform periodic reviews to determine continuing need and eligibility according to the rules in effect before December 14, 1987:

(i) ~~If a review indicates a ((household tasks only client needs assistance with personal care, Medicaid personal care may be authorized if eligible for Medicaid funding.)) grandparented hourly care client is eligible for COPEs or Medicaid personal care, the department shall terminate chore services and authorize COPEs or Medicaid personal care;~~

~~((ii) If the client is not eligible for COPEs or Medicaid personal care, ((chore services shall be authorized according to the eligibility requirements for a new client)) and continues to need hourly care chore services, the client shall continue as a grandparented client;~~

~~((iii)) ((iii)) If more or less household task services are required, the department shall authorize services ((may be authorized)) accordingly.~~

(2) Continuing eligibility for attendant care for adults.

(a) The department may continue providing chore services to clients receiving attendant care before April 1, 1988, provided the clients were receiving the same services as of June 30, 1989.

(b) The department shall ~~((make))~~ perform periodic reviews to determine continuing need and eligibility according to the rules in effect before April 1, 1988:

~~((i)) ((i)) If a review indicates an attendant care client is eligible for COPEs or Medicaid personal care, the department shall terminate chore services and authorize COPEs or Medicaid personal care;~~

~~((ii) If the client is not eligible for COPEs or Medicaid personal care, the department shall authorize attendant care for a client who:~~

~~((A))~~ Continues to need assistance with such unscheduled tasks as toileting, ambulation, and transfer or ~~((who))~~ needs protective supervision;

~~((ii))~~ Attendant care protective supervision shall be authorized for ~~clients who~~ (B) May hurt ~~((themselves))~~ self, others, or damage property if left alone, or ~~((are))~~ is confused and may wander, or become easily disoriented~~((;))~~;

(iii) The amount of service authorized shall be based on the total number of hours per day the chore services provider must be with the client. The chore services provider performs necessary household or personal care tasks during the authorized attendant care hours;

(iv) The client shall provide verification of the need for attendant care by producing a statement from the client's physician.

(c) The department shall pay a daily rate for attendant care for adults. The rate shall not exceed the lesser of the following:

- (i) A maximum of twenty-four dollars and fifty cents per day; or
- (ii) The amount determined by the following table:

DAILY RATE DETERMINATION

HOURS OF SERVICE PER DAY	PAYMENT PER DAY
21 - 24	up to \$ 24.50
16 - 20	up to \$ 22.50
12 - 15	up to \$ 20.50
8 - 11	up to \$ 17.50

HOURS OF SERVICE PER DAY	PAYMENT PER DAY
4 - 7	up to \$ 12.50
1 - 3	up to \$ 8.50

The department shall add up to five dollars per day for each additional client in the household; and

(iii) The department shall reduce the amount of payment by the individual provider program hourly rate when the client's income exceeds thirty percent of the state median income.

(d) The department shall not increase the payment in effect on June 30, 1989~~((;))~~ except for a department-approved vendor rate increase; and

(e) The department shall not pay for services when the client is not in the home, for example, because of hospitalization; except, up to seven days during the service month may be provided to enable the client to return home.

(3) Continuing eligibility for hourly family care services.

(a) Clients receiving hourly family care services before April 1, 1988, may continue to be eligible to receive services provided they were receiving the same services as of June 30, 1989.

(b) The department shall make periodic reviews to determine continuing need and eligibility according to the rules in effect before April 1, 1988. Families may receive services when the client is the normal caretaker of the children, and:

- (i) Is in the home but unable to physically care for the children; or
- (ii) Is in the home and physically unable to perform the necessary household tasks; or
- (iii) Is temporarily out of the home, as defined by the department; and

(iv) The division of children and family services confirms all possible resources have been explored and no one can or will provide the necessary care.

(c) The chore services provider may not act as a parent substitute or make major decisions affecting the children.

(d) For families to receive services, the total family income shall be at or below the department-established financial eligibility requirement. Minor children shall not be financially eligible in their own right. The minor children are part of the family unit.

(e) Determination of need for hourly care takes into consideration the ages, number and level of responsibility of the children and presence of a spouse. Allowable family care activities are:

- (i) Family housework. The need for additional help cleaning the residence because of the presence of children;
- (ii) Family tasks. The child's need for travel to medical services, laundry services, meal preparation, essential shopping, bathing and dressing, or other allowable tasks;
- (iii) Supervision of children. The need for physical supervision of the children when the client is:

- (A) In the home, but unable to provide supervision; or
- (B) Temporarily out of the home.

(f) Points are awarded for family care activities as follows:

- (i) O = 0;
- (ii) M = 14;
- (iii) S = 27; and
- (iv) T = 40.

Enter the points awarded on the bottom of the assessment form and add to the client's total score.

~~((5))~~ (4) Board and room meal allowances. When providing board and room or meals for the chore services provider is an extra cost to the client, the department may authorize a payment to partially reimburse the client for this expense. The department shall not reimburse the costs for a spouse provider. The payment shall not exceed the department-established amount and shall be prorated by days of service. No client shall be authorized for both a board and room allowance and a meal allowance.

~~((6))~~ (5) Ninety-day rule. Grandparented clients terminated from chore services because of transfer to another program may be re-authorized for chore services when the:

- (a) Transfer was in effect for less than ninety days; and
- (b) Client becomes ineligible for the program the client is transferred to or the program the client is transferred to does not meet the client's needs.

~~((7))~~ (6) Priority levels. Priority levels for grandparented clients are:

- (a) Level A: Client needs help with one of the following personal care tasks:

- (i) Eating;
  - (ii) Body care;
  - (iii) Bed transfer;
  - (iv) Wheelchair transfer; or
  - (v) Toileting.
- (b) Level B: Client needs help with four or more other personal care tasks as described under WAC 388-15-208(13);
- (c) Level C: Client needs help with one to three other personal care tasks;
- (d) Level D: Client needs help with all five household tasks:
- (i) Travel to medical services;
  - (ii) Essential shopping;
  - (iii) Laundry;
  - (iv) Housework; and
  - (v) Wood supply.
- (e) Level E: Client needs help with three or four household tasks; and
- (f) Level F: Client needs help with one or two household tasks.

**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 90-24-089**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 [Order 3108—Filed December 5, 1990, 4:50 p.m.]

Date of Adoption: December 5, 1990.

Purpose: To implement changes required by Ninth District Court Order (Cervantez vs. Sullivan); include instruction from Program Operations Manual System.

Citation of Existing Rules Affected by this Order: Amending WAC 388-95-335.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 90-21-148 on October 24, 1990.

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

December 5, 1990

Rosemary Carr

Acting Director

Administrative Services

**NEW SECTION**

**WAC 388-92-034 AVAILABILITY OF INCOME.** (1) The department shall consider client checks received in advance of the month the checks are normally received as income in the month of normal receipt.

(2) The department shall consider electronically transferred client funds available as income in the month of normal receipt, regardless of whether the banking institution posted the funds to the client's bank account before or after the month the funds are payable. Such payments become subject to counting as a resource in the month following the month of normal receipt.

(3) The department shall exclude as unearned income the unearned income amounts withheld due to garnishment pursuant to a court, administrative, or agency order.

(4) The department shall include as earned income the earned income amounts withheld due to garnishment.

**AMENDATORY SECTION** (Amending Order 2898, filed 11/17/89, effective 12/18/89)

**WAC 388-95-335 AVAILABILITY OF INCOME.** (1) Income is defined under WAC 388-92-005 for a supplemental security income (SSI)-related applicant or recipient and under WAC 388-22-030 for an aid to families with dependent children (AFDC)-related applicant or recipient.

(2) The methodology and standards for determining and evaluating income ((is)) are defined under WAC 388-95-320 and 388-95-340.

(3) After September 30, 1989, the department shall consider the following income, less veteran's aid and attendance allowance, available to an institutionalized person when determining income eligibility unless the criteria in subsection (4) of this section is met:

(a) Income the institutionalized spouse receives in the institutionalized spouse's name;

(b) Income paid on behalf of the institutionalized spouse, but received in the name of the institutionalized spouse's representative;

(c) One-half of the income the community and institutionalized spouses receive in both names; and

(d) Income in a trust as provided by the trust.

(4) After September 30, 1989, the department shall consider the following income as available to an institutionalized person when:

(a) Both spouses are institutionalized; or

(b) The income in subsection (3) of this section, plus recurring medical costs is above the private rate of the facility; and

(c) The use of the income, in this subdivision, less veteran's aid and attendance allowance shall cause the institutionalized person's income, plus recurring ((medical)) medical costs, to be under the private rate of the facility. The department shall:

(i) Use community property law in determining ownership of income for purposes of Medicaid eligibility;

(ii) Presume all income received after marriage by either husband or wife or both to be community income;

(iii) Divide the total of the community income, received by the husband and the wife, by two with one-half of the total assigned to each person as their income; and

(iv) Consider if the community income received in the name of the nonapplicant spouse exceeds the community income received in the name of the applicant spouse, the applicant's interest in that excess ((is)) shall be unavailable to the applicant.

(5) The department shall consider income the community spouse receives in the community spouse's name as not available to the institutionalized spouse.

(6) An agreement between spouses transferring or assigning rights to future income from one spouse to the other is invalid in determining eligibility for medical assistance or the limited casualty program for the medically needy.

(7) The department recognizes income produced by transferred or assigned resources as the separate income of the transferee.

(8) If an institutionalized spouse establishes the unavailability of income by a preponderance of evidence through a fair hearing, subsection (3) of this section shall not apply.

(9) See WAC 388-92-035 for treatment of advance dated checks, electronically transferred funds and garnished income.

**WSR 90-24-090**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Order R-332, Docket No. UT-900733--Filed December 5, 1990,  
4:51 p.m.]

In the matter of adopting WAC 480-120-142 and amending WAC 480-121-040, relating to alternate operator services.

This action is taken pursuant to Notice No. WSR 90-19-120 filed with the code reviser on September 19, 1990. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and chapter 80.36 RCW and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 90-19-120 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, October 31, 1990, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to October 19, 1990, and orally at 9:00 a.m., Wednesday, October 31, 1990, in the commission's hearing room above noted. At the October 31, 1990, meeting the commission considered the rule change proposal and oral comments were submitted by Michael Dotten on behalf of Fone America, Inc.; Edward Shaw on behalf of US WEST Communications; and Jim Lazar as an individual. Written comments were received from: R. Terry Lynch for The Park Lane Motel, Suites & R.V.; A. M. Vendettuoli for Patricia's Enterprise; Terry Vann for Washington Independent Telephone Association; Michael Dotten for Fone America, Inc.; Charles Adams, Assistant Attorney General, Public Counsel; Fred Logan for GTE Northwest Incorporated; Mark Roellig for US WEST Communications; and William Eagles for AT&T.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-142 should be adopted and WAC 480-121-040 should be amended to read as

set forth in Appendix A shown below and by this reference made a part hereof. Compared to the rules noticed, the rules as adopted identify the specific statutory and rule provisions setting the standards for minimum service levels, and acknowledge federal implications of a state termination of registration. WAC 480-120-142 and 480-121-040 as adopted and amended will deny alternate operator services (AOS) registration with the commission if the services and charges of the AOS are not consistent with the public convenience and advantage, forbid AOS operations while registration is suspended, and set forth enforcement options.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-120-142 and 480-121-040 as set forth in Appendix A, be adopted and amended as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this fifth day of December, 1990.

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

**APPENDIX "A"**

**NEW SECTION**

**WAC 480-120-142 ALTERNATE OPERATOR SERVICES—ENFORCEMENT.** Alternate operator service companies are subject to all pertinent provisions of law. Minimum service levels include compliance with the following provisions: chapter 80.36 RCW sections .080, .090, .100, .110, .120, .130, .140, .145, .150, .160, .170, .180, .183, .186, .190, .200, .220, .225, .230, .240, .250, .260, .350, .510, .520, .522, .524, and .530; and chapter 480-120 WAC sections -011, -016, -026, -031, -032, -036, -041, -046, -051, -056, -057, -061, -081, -086, -106, 116, -121, -126, -131, -136, -138, and -141.

(a) Suspension. The commission may suspend the registration of any company providing alternate operator services if it fails to meet minimum service levels or fails to provide disclosure to consumers of protection available under chapter 80.36 RCW.

(i) Suspension may be ordered following notice and opportunity for hearing as provided in RCW 80.04.110 and the procedural rules of the commission.

(ii) It shall be a further violation of rule for any AOS company to operate while its registration is suspended.

(iii) Except as required by federal law, no local exchange company may provide service, other than basic business service not subject to resale, to any AOS company whose registration is suspended.

(b) Penalty. The commission may assess a penalty as provided in RCW 80.36.522 and RCW 80.36.524, upon any company providing alternate operator services if the company fails to meet minimum service levels or fails to provide disclosure to consumers of protection available under chapter 80.36 RCW.

(c) Alternatives. The commission may take any other action regarding a provider of alternate operator services as authorized by law.

**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 R-237, filed 9/19/85)

**WAC 480-121-040 GRANT OR DENIAL OF REGISTRATION.** As a condition to registration, with or without hearing, an applicant must clearly show that:

(1) Applicant possesses adequate financial resources to provide the proposed service;

(2) Applicant possesses adequate technical competence to provide the proposed service; and

(3) Applicant has procured and will maintain:

(2) A performance bond satisfactory to the commission sufficient to cover any customer advances or deposits; or

(b) Provision has been made for deposit of customer advances or deposits in a federally insured interest bearing trust account maintained by applicant solely for customer advances or deposits, in a bank, savings and loan association, mutual savings bank, or licensed escrow agent located in Washington, with access to such funds only for the purpose of applying an amount to a delinquent bill in accordance with commission deposit rules, or for the purpose of refunding advances or deposits to customers. In any order granting certification, the commission may require either bond or trust account or escrow as a condition.

Such application may be granted without hearing upon a determination by the commission that the application is consistent with the public interest, and that applicant meets financial and technical requirements, and has provided adequately for the protection of customer advances or deposits, or the application may be set for hearing in accordance with notice issued by the commission. If, upon hearing, the commission finds that registration is not consistent with the public interest, or that the applicant is not financially or technical able to provide the contemplated service or that customer advances or deposits cannot be adequately protected, it will deny the application.

The commission may deny an application for registration submitted by a company providing alternate operator services if, after hearing, the commission finds that the alternate operator services offered by the company or the charges for those services are not for the public convenience and advantage.

**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 90-24-091**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Order R-333, Docket No. TG-2315—Filed December 5, 1990, 4:56 p.m.]

In the matter of adopting WAC 480-70-600, 480-70-610, 480-70-620, 480-70-630, and 480-70-640, relating to bidding for residential recycling authority.

This action is taken pursuant to Notice No. WSR 90-20-117 filed with the code reviser on October 2, 1990. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and 81.77.150 and is intended administratively to implement RCW 81.77.150.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 90-20-117 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 28, 1990, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 19, 1990, and orally at 9:00 a.m., Wednesday, November 28, 1990, in the commission's hearing room above noted. At the November 28, 1990, meeting the commission considered the rule change proposal. Written comments had been received from J. P. Jones for Washington Waste Management Association; Joy St.Germain for Department of Ecology; Rodney G. Hansen for King County Solid Waste Division; and Gregory D. Wright for Washington State Recycling Association.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-70-600, 480-70-610, 480-70-620, 480-70-630, and 480-70-640 should be adopted to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-70-600, 480-70-610, 480-70-620, 480-70-630, and 480-70-640 as adopted will implement RCW 81.77.150, which calls for the commission to adopt rules awarding recycling authority from residences through a competitive bidding process.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-70-600, 480-70-610, 480-70-620, 480-70-630, and 480-70-640 as set forth in Appendix A, be adopted as rules of the Washington Utilities and Transportation

Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this thirtieth day of November, 1990.

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

#### 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.

## 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 #
4-04-010	REP P	90-21-095	4-20-010	REP-P	90-21-095	16-96-110	REP	90-23-089
4-04-020	REP P	90-21-095	4-20-020	REP-P	90-21-095	16-96-120	REP-P	90-20-139
4-04-030	REP P	90-21-095	4-20-030	REP-P	90-21-095	16-96-120	REP	90-23-089
4-04-050	REP P	90-21-095	4-20-045	REP-P	90-21-095	16-96-130	REP-P	90-20-139
4-04-060	REP P	90-21-095	4-20-100	REP-P	90-21-095	16-96-130	REP	90-23-089
4-04-070	REP P	90-21-095	4-20-110	REP-P	90-21-095	16-144-090	NEW	90-14-076
4-04-180	REP P	90-21-095	4-20-120	REP-P	90-21-095	16-144-100	NEW	90-14-076
4-04-190	REP P	90-21-095	4-20-130	REP-P	90-21-095	16-144-110	NEW	90-14-076
4-04-200	REP P	90-21-095	4-20-140	REP-P	90-21-095	16-144-120	NEW	90-14-076
4-04-210	REP P	90-21-095	4-20-150	REP-P	90-21-095	16-144-130	NEW	90-14-076
4-04-220	REP P	90-21-095	4-20-200	REP-P	90-21-095	16-144-140	NEW	90-14-076
4-04-230	REP P	90-21-095	4-24-100	REP-P	90-21-094	16-148-010	AMD	90-14-075
4-04-250	REP P	90-21-095	4-24-130	REP-P	90-21-094	16-148-020	AMD	90-14-075
4-04-260	REP P	90-21-095	4-24-131	AMD-P	90-21-094	16-148-030	AMD	90-14-075
4-04-280	REP P	90-21-095	16-22-040	AMD-P	90-07-065	16-158-010	NEW-P	90-08-090
4-04-290	REP P	90-21-095	16-22-040	AMD	90-10-046	16-158-010	NEW	90-12-097
4-04-300	REP P	90-21-095	16-80-005	NEW-E	90-17-131	16-158-020	NEW-P	90-08-090
4-04-310	REP P	90-21-095	16-80-005	PREP	90-23-013	16-158-020	NEW	90-12-097
4-12-010	REP P	90-21-095	16-80-007	PREP	90-23-013	16-158-030	NEW-P	90-08-090
4-12-020	REP P	90-21-095	16-80-010	NEW-E	90-17-131	16-158-030	NEW	90-12-097
4-12-030	REP P	90-21-095	16-80-010	PREP	90-23-013	16-158-040	NEW-P	90-08-090
4-12-040	REP P	90-21-095	16-80-015	NEW-E	90-17-131	16-158-040	NEW	90-12-097
4-12-060	REP P	90-21-095	16-80-015	PREP	90-23-013	16-158-050	NEW-P	90-08-090
4-12-070	REP P	90-21-095	16-80-020	NEW-E	90-17-131	16-158-050	NEW	90-12-097
4-12-080	REP P	90-21-095	16-80-020	PREP	90-23-013	16-158-060	NEW P	90-08-090
4-12-090	REP P	90-21-095	16-80-025	NEW-E	90-17-131	16-158-060	NEW	90-12-097
4-12-110	REP P	90-21-095	16-80-025	PREP	90-23-013	16-158-070	NEW-P	90-08-090
4-12-170	REP P	90-21-095	16-80-030	NEW-E	90-17-131	16-158-070	NEW	90-12-097
4-12-180	REP P	90-21-095	16-80-030	PREP	90-23-013	16-158-080	NEW P	90-08-090
4-12-190	REP P	90-21-095	16-80-035	NEW-E	90-17-131	16-158-080	NEW	90-12-097
4-16-300	REP P	90-21-095	16-80-035	PREP	90-23-013	16-158-090	NEW P	90-08-090
4-16-310	REP P	90-21-095	16-80-040	NEW-E	90-17-131	16-158-090	NEW	90-12-097
4-16-320	REP P	90-21-095	16-80-040	PREP	90-23-013	16-158-100	NEW P	90-08-090
4-16-325	REP P	90-21-095	16-80-045	NEW-E	90-17-131	16-158-100	NEW	90-12-097
4-16-330	REP P	90-21-095	16-80-045	PREP	90-23-013	16-158-110	NEW-P	90-08-090
4-16-335	REP P	90-21-095	16-80-047	PREP	90-23-013	16-158-110	NEW	90-12-097
4-16-340	REP P	90-21-095	16-80-050	NEW-E	90-17-131	16-158-120	NEW P	90-08-090
4-16-345	REP P	90-21-095	16-80-050	PREP	90-23-013	16-158-120	NEW	90-12-097
4-16-350	REP P	90-21-095	16-86	AMD-E	90-05-049	16-158-130	NEW P	90-08-090
4-16-355	REP P	90-21-095	16-86	AMD-P	90-07-066	16-158-130	NEW	90-12-097
4-16-360	REP P	90-21-095	16-86	AMD	90-10-045	16-158-140	NEW-P	90-08-090
4-16-370	REP P	90-21-095	16-86-005	AMD-E	90-05-049	16-158-140	NEW	90-12-097
4-16-375	REP P	90-21-095	16-86-005	AMD-P	90-07-066	16-200-695	AMD-P	90-20-143
4-16-380	REP P	90-21-095	16-86-005	AMD	90-10-045	16-200-705	AMD-P	90-20-143
4-16-385	REP P	90-21-095	16-86-093	NEW-E	90-05-049	16-200-708	NEW-P	90-20-143
4-16-390	REP P	90-21-095	16-86-093	NEW-P	90-07-066	16-200-742	NEW P	90-20-143
4-16-395	REP P	90-21-095	16-86-093	NEW	90-10-045	16-228-164	AMD-E	90-08-017
4-16-400	REP P	90-21-095	16-96-100	REP-P	90-20-139	16-228-164	RESCIND	90-13-019
4-16-405	REP P	90-21-095	16-96-100	REP	90-23-089	16-228-164	AMD-E	90-13-020
4-16-410	REP P	90-21-095	16-96-110	REP-P	90-20-139	16-228-190	AMD-C	90-06-014

**Table of WAC Sections Affected**

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
16-228-190	AMD	90-11-024	16-316-165	AMD	90-12-098	16-350-050	AMD P	90-19-032
16-228-190	AMD E	90-17-066	16-316-285	AMD-P	90-03-090	16-350-050	AMD	90-23-006
16-228-190	AMD-P	90-19-117	16-316-285	AMD-W	90-06-105	16-350-060	AMD P	90-19-032
16-228-190	AMD	90-22-022	16-316-290	AMD-P	90-03-090	16-350-060	AMD	90-23-006
16-228-700	NEW C	90-06-012	16-316-290	AMD W	90-06-105	16-350-065	AMD P	90-19-032
16-228-700	NEW-W	90-07-042	16-316-370	AMD-P	90-09-064	16-350-065	AMD	90-23-006
16-228-705	NEW-C	90-06-012	16-316-370	AMD	90-12-098	16-350-075	NEW P	90-19-032
16-228-705	NEW W	90-07-042	16-316-474	AMD-P	90-09-064	16-350-075	NEW	90-23-006
16-228-710	NEW C	90-06-012	16-316-474	AMD	90-12-098	16-400-010	AMD E	90-03-034
16-228-710	NEW W	90-07-042	16-316-525	AMD-P	90-09-064	16-400-010	AMD P	90-05-065
16-228-715	NEW C	90-06-012	16-316-525	AMD	90-12-098	16-400-010	AMD	90-09-031
16-228-715	NEW W	90-07-042	16-316-620	AMD-P	90-09-064	16-400-100	AMD E	90-03-034
16-228-720	NEW C	90-06-012	16-316-620	AMD	90-12-098	16-400-100	AMD P	90-05-065
16-228-720	NEW W	90-07-042	16-316-622	AMD-P	90-09-064	16-400-100	AMD	90-09-031
16-230	AMD-C	90-08-062	16-316-622	AMD	90-12-098	16-400-210	AMD E	90-03-034
16-230-615	AMD E	90-08-017	16-316-715	AMD P	90-09-064	16-400-210	AMD P	90-05-065
16-230-615	RESCIND	90-13-019	16-316-715	AMD	90-12-098	16-400-210	AMD	90-09-031
16-230-615	AMD E	90-13-020	16-316-724	AMD P	90-09-064	16-403-142	AMD W	90-03-036
16-230-805	REP P	90-04-109	16-316-724	AMD	90-12-098	16-403-142	AMD P	90-05-066
16-230-805	REP E	90-09-011	16-316-800	AMD P	90-09-064	16-403-142	AMD P	90-05-067
16-230-805	REP W	90-11-025	16-316-800	AMD	90-12-098	16-403-142	AMD	90-09-032
16-230-805	REP P	90-11-125	16-316-815	AMD P	90-09-064	16-403-142	AMD W	90-11-009
16-230-805	REP	90-14-034	16-316-815	AMD	90-12-098	16-403-155	AMD W	90-03-036
16-230-825	AMD E	90-09-011	16-316-820	AMD P	90-09-064	16-403-155	AMD P	90-05-066
16-230-825	AMD P	90-11-125	16-316-820	AMD	90-12-098	16-403-155	AMD P	90-10-086
16-230-825	AMD	90-14-034	16-317-040	AMD	90-04-003	16-403-155	AMD W	90-11-009
16-230-835	AMD P	90-04-109	16-317-050	AMD	90-04-003	16-403-155	AMD	90-13-078
16-230-835	AMD E	90-09-011	16-317-060	AMD	90-04-003	16-403-190	AMD E	90-03-035
16-230-835	AMD W	90-11-025	16-317-090	REP	90-04-003	16-403-190	AMD W	90-03-036
16-230-835	AMD P	90-11-125	16-318-040	AMD	90-03-026	16-403-190	AMD P	90-05-066
16-230-835	AMD	90-14-034	16-318-065	NEW	90-03-026	16-403-190	AMD P	90-05-067
16-230-839	NEW P	90-04-109	16-318-200	NEW	90-03-026	16-403-190	AMD	90-09-032
16-230-839	NEW-W	90-11-025	16-318-205	NEW	90-03-026	16-403-190	AMD W	90-11-009
16-230-840	REP P	90-04-109	16-318-210	NEW	90-03-026	16-403-220	AMD W	90-03-036
16-230-840	REP W	90-11-025	16-318-215	NEW	90-03-026	16-403-220	AMD P	90-05-066
16-230-845	AMD P	90-04-109	16-318-220	NEW	90-03-026	16-403-220	AMD W	90-11-009
16-230-845	AMD E	90-09-011	16-318-225	NEW	90-03-026	16-403-280	AMD W	90-03-036
16-230-845	AMD W	90-11-025	16-318-230	NEW	90-03-026	16-403-280	AMD P	90-05-066
16-230-845	AMD P	90-11-125	16-318-235	NEW	90-03-026	16-403-280	AMD W	90-11-009
16-230-845	AMD	90-14-034	16-318-240	NEW	90-03-026	16-462-060	NEW P	90-06-050
16-230-850	REP P	90-04-109	16-318-300	NEW	90-03-026	16-462-060	NEW	90-10-043
16-230-850	AMD E	90-09-011	16-318-305	NEW	90-03-026	16-470-100	AMD P	90-20-112
16-230-850	REP W	90-11-025	16-318-310	NEW	90-03-026	16-470-100	AMD	90-24-034
16-230-850	AMD P	90-11-125	16-318-315	NEW	90-03-026	16-470-200	REP P	90-16-073
16-230-850	AMD	90-14-034	16-318-320	NEW	90-03-026	16-470-200	REP	90-20-001
16-230-855	AMD P	90-04-109	16-318-325	NEW	90-03-026	16-470-210	REP P	90-16-073
16-230-855	AMD E	90-09-011	16-318-330	NEW	90-03-026	16-470-210	REP	90-20-001
16-230-855	AMD W	90-11-025	16-318-335	NEW	90-03-026	16-470-220	REP P	90-16-073
16-230-855	AMD P	90-11-125	16-318-340	NEW	90-03-026	16-470-220	REP	90-20-001
16-230-855	AMD	90-14-034	16-318-345	NEW	90-03-026	16-470-230	REP P	90-16-073
16-230-859	NEW P	90-04-109	16-318-350	NEW	90-03-026	16-470-230	REP	90-20-001
16-230-859	NEW W	90-11-025	16-318-355	NEW	90-03-026	16-470-240	REP P	90-16-073
16-230-860	REP P	90-04-109	16-318-360	NEW	90-03-026	16-470-240	REP	90-20-001
16-230-860	AMD E	90-09-011	16-318-365	NEW	90-03-026	16-470-700	NEW P	90-11-100
16-230-860	REP W	90-11-025	16-318-370	NEW	90-03-026	16-470-700	NEW E	90-13-010
16-230-860	AMD P	90-11-125	16-318-375	NEW	90-03-026	16-470-700	NEW	90-15-042
16-230-860	AMD	90-14-034	16-318-380	NEW	90-03-026	16-470-705	NEW P	90-11-100
16-230-861	NEW P	90-04-109	16-318-385	NEW	90-03-026	16-470-705	NEW E	90-13-010
16-230-861	NEW E	90-09-011	16-318-390	NEW	90-03-026	16-470-705	NEW	90-15-042
16-230-861	NEW W	90-11-025	16-318-395	NEW	90-03-026	16-470-710	NEW P	90-11-100
16-230-861	NEW P	90-11-125	16-318-400	NEW	90-03-026	16-470-710	NEW E	90-13-010
16-230-861	NEW	90-14-034	16-318-405	NEW	90-03-026	16-470-710	NEW	90-15-042
16-230-862	NEW P	90-04-109	16-318-410	NEW	90-03-026	16-470-715	NEW P	90-11-100
16-230-862	NEW W	90-11-025	16-318-415	NEW	90-03-026	16-470-715	NEW E	90-13-010
16-230-863	NEW P	90-04-109	16-318-420	NEW	90-03-026	16-470-715	NEW	90-15-042
16-230-863	NEW W	90-11-025	16-350-015	AMD P	90-19-032	16-470-720	NEW P	90-11-100
16-230-865	AMD P	90-11-125	16-350-015	AMD	90-23-006	16-470-720	NEW E	90-13-010
16-230-865	AMD	90-14-034	16-350-025	AMD P	90-19-032	16-470-720	NEW	90-15-042
16-300-020	AMD P	90-09-064	16-350-025	AMD	90-23-006	16-471-010	NEW E	90-21-070
16-300-020	AMD	90-12-098	16-350-030	AMD P	90-19-032	16-471-010	NEW P	90-23-056
16-304-040	AMD P	90-09-064	16-350-030	AMD	90-23-006	16-471-015	NEW E	90-21-070
16-304-040	AMD	90-12-098	16-350-032	AMD P	90-19-032	16-471-015	NEW P	90-23-056
16-304-110	AMD P	90-09-064	16-350-032	AMD	90-23-006	16-471-020	NEW E	90-21-070
16-304-110	AMD	90-12-098	16-350-035	AMD P	90-19-032	16-471-020	NEW P	90-23-056
16-304-130	AMD P	90-09-064	16-350-035	AMD	90-23-006	16-471-030	NEW E	90-21-070
16-304-130	AMD	90-12-098	16-350-045	AMD P	90-19-032	16-471-030	NEW P	90-23-056
16-316-165	AMD P	90-09-064	16-350-045	AMD	90-23-006	16-471-040	NEW E	90-21-070

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-471-040	NEW-P	90-23-056	16-620-090	REP	90-23-087	16-752-170	AMD	90-20-002
16-471-050	NEW-E	90-21-070	16-620-100	AMD-P	90-20-137	16-752-200	REP-P	90-16-074
16-471-050	NEW-P	90-23-056	16-620-100	AMD	90-23-087	16-752-200	REP	90-20-002
16-471-060	NEW-E	90-21-070	16-620-110	REP-P	90-20-137	16-752-201	REP-P	90-16-074
16-471-060	NEW-P	90-23-056	16-620-110	REP	90-23-087	16-752-201	REP	90-20-002
16-471-070	NEW-E	90-21-070	16-620-115	REP-P	90-20-137	16-752-202	REP-P	90-16-074
16-471-070	NEW-P	90-23-056	16-620-115	REP	90-23-087	16-752-202	REP	90-20-002
16-471-080	NEW-E	90-21-070	16-620-200	REP-P	90-20-137	16-752-203	REP-P	90-16-074
16-471-080	NEW-P	90-23-056	16-620-200	REP	90-23-087	16-752-203	REP	90-20-002
16-488-025	AMD-P	90-09-056	16-620-220	REP-P	90-20-137	16-752-204	REP-P	90-16-074
16-488-025	AMD	90-12-123	16-620-220	REP	90-23-087	16-752-204	REP	90-20-002
16-494-001	AMD-P	90-03-090	16-620-230	AMD-P	90-20-137	16-752-300	RE-AD-E	90-21-079
16-494-001	AMD-W	90-06-105	16-620-230	AMD	90-23-087	16-752-300	AMD-P	90-23-057
16-494-010	AMD-P	90-03-090	16-620-270	AMD-P	90-20-137	16-752-305	RE-AD-E	90-21-079
16-494-010	AMD-W	90-06-105	16-620-270	AMD	90-23-087	16-752-305	AMD-P	90-23-057
16-514-070	AMD-P	90-18-079	16-620-280	AMD-P	90-20-137	16-752-310	RE-AD-E	90-21-079
16-514-070	AMD	90-24-016	16-620-280	AMD	90-23-087	16-752-310	RE-AD-P	90-23-057
16-516-040	AMD	90-09-068	16-620-320	REP-P	90-20-137	16-752-315	RE-AD-E	90-21-079
16-530-110	NEW-P	90-21-140	16-620-320	REP	90-23-087	16-752-315	AMD-P	90-23-057
16-530-120	NEW-P	90-21-140	16-620-330	REP-P	90-20-137	16-752-320	RE-AD-E	90-21-079
16-550-010	AMD-P	90-17-098	16-620-330	REP	90-23-087	16-752-320	RE-AD-P	90-23-057
16-550-040	AMD-P	90-17-098	16-620-340	AMD-P	90-20-137	16-752-325	REP-E	90-21-079
16-555-010	AMD-P	90-05-059	16-620-340	AMD	90-23-087	16-752-325	REP-P	90-23-057
16-555-010	AMD	90-11-001	16-620-370	REP-P	90-20-137	16-752-330	RE-AD-E	90-21-079
16-555-040	AMD-P	90-05-059	16-620-370	REP	90-23-087	16-752-330	RE-AD-P	90-23-057
16-555-040	AMD-W	90-11-026	16-620-380	NEW-P	90-20-137	16-752-400	NEW-P	90-11-089
16-557-010	NEW-W	90-05-068	16-620-380	NEW	90-23-087	16-752-400	NEW	90-15-062
16-557-010	NEW-W	90-13-073	16-622-001	NEW	90-08-069	16-752-405	NEW-P	90-11-089
16-557-020	NEW-W	90-05-068	16-622-005	NEW	90-08-069	16-752-405	NEW	90-15-062
16-557-020	NEW-W	90-13-073	16-622-010	NEW	90-08-069	16-752-410	NEW-P	90-11-089
16-557-030	NEW-W	90-05-068	16-622-015	NEW	90-08-069	16-752-410	NEW	90-15-062
16-557-030	NEW-W	90-13-073	16-622-020	NEW	90-08-069	16-752-415	NEW-P	90-11-089
16-557-040	NEW-W	90-05-068	16-622-025	NEW	90-08-069	16-752-415	NEW	90-15-062
16-557-040	NEW-W	90-13-073	16-622-030	NEW	90-08-069	16-752-420	NEW-P	90-11-089
16-557-041	NEW-W	90-05-068	16-622-035	NEW	90-08-069	16-752-420	NEW	90-15-062
16-557-041	NEW-W	90-13-073	16-622-040	NEW	90-08-069	44-10-090	AMD-E	90-11-033
16-557-050	NEW-W	90-05-068	16-622-045	NEW	90-08-069	44-10-090	AMD-P	90-11-034
16-557-050	NEW-W	90-13-073	16-622-050	NEW	90-08-069	44-10-090	AMD	90-19-024
16-557-060	NEW-W	90-05-068	16-622-055	NEW	90-08-069	44-10-160	AMD-P	90-11-034
16-557-060	NEW-W	90-13-073	16-622-900	NEW	90-08-069	44-10-160	AMD	90-19-024
16-557-070	NEW-W	90-05-068	16-675-010	NEW-P	90-20-136	44-10-200	AMD-P	90-11-034
16-557-070	NEW-W	90-13-073	16-675-010	NEW	90-24-004	44-10-200	AMD	90-19-024
16-557-080	NEW-W	90-05-068	16-675-020	NEW-P	90-20-136	44-10-215	REP-P	90-11-034
16-557-080	NEW-W	90-13-073	16-675-020	NEW	90-24-004	44-10-215	REP	90-19-024
16-570-040	AMD-P	90-03-071	16-675-030	NEW-P	90-20-136	44-10-235	NEW-P	90-11-034
16-570-040	AMD	90-07-013	16-675-030	NEW	90-24-004	44-10-235	NEW	90-19-024
16-575-010	NEW-P	90-17-099	16-675-040	NEW-P	90-20-136	44-10-300	AMD-P	90-22-089
16-575-010	NEW-P	90-18-080	16-675-040	NEW	90-24-004	44-10-310	AMD-P	90-22-089
16-575-010	NEW-W	90-19-023	16-694-001	AMD-P	90-20-135	50-12-040	REP-P	90-09-090
16-575-010	NEW	90-23-042	16-694-001	AMD	90-24-003	50-12-040	REP	90-12-008
16-575-020	NEW-P	90-17-099	16-750-003	AMD-P	90-21-097	50-12-045	NEW-P	90-09-090
16-575-020	NEW-P	90-18-080	16-750-005	AMD-P	90-21-097	50-12-045	NEW	90-12-008
16-575-020	NEW-W	90-19-023	16-750-011	AMD-P	90-21-097	50-12-310	NEW	90-10-074
16-575-020	NEW	90-23-042	16-750-015	AMD-P	90-21-097	50-12-320	NEW	90-10-074
16-605-001	REP-P	90-20-138	16-752-001	AMD-P	90-16-074	50-12-330	NEW	90-10-074
16-605-001	REP	90-23-088	16-752-001	AMD	90-20-002	50-12-340	NEW	90-10-074
16-605-010	REP-P	90-20-138	16-752-115	AMD-P	90-16-074	50-12-350	NEW	90-10-074
16-605-010	REP	90-23-088	16-752-115	AMD	90-20-002	50-12-360	NEW	90-10-074
16-605-020	REP-P	90-20-138	16-752-125	AMD-P	90-16-074	50-12-370	NEW	90-10-074
16-605-020	REP	90-23-088	16-752-125	AMD	90-20-002	50-36-090	AMD-P	90-03-105
16-605-030	REP-P	90-20-138	16-752-130	AMD-P	90-16-074	50-36-090	AMD	90-07-011
16-605-030	REP	90-23-088	16-752-130	AMD	90-20-002	50-44-010	AMD-P	90-09-091
16-605-040	REP-P	90-20-138	16-752-135	AMD-P	90-16-074	50-44-010	AMD	90-12-007
16-605-040	REP	90-23-088	16-752-135	AMD	90-20-002	50-44-020	AMD-P	90-09-091
16-620-010	AMD-P	90-20-137	16-752-140	AMD-P	90-16-074	50-44-020	AMD	90-12-007
16-620-010	AMD	90-23-087	16-752-140	AMD	90-20-002	50-44-030	AMD-P	90-09-091
16-620-020	AMD-P	90-20-137	16-752-145	AMD-P	90-16-074	50-44-030	AMD	90-12-007
16-620-020	AMD	90-23-087	16-752-145	AMD	90-20-002	50-44-050	NEW-P	90-09-091
16-620-040	REP-P	90-20-137	16-752-146	NEW-P	90-16-074	50-44-050	NEW	90-12-007
16-620-040	REP	90-23-087	16-752-146	NEW	90-20-002	51-04-010	AMD	90-02-108
16-620-050	REP-P	90-20-137	16-752-147	NEW-P	90-16-074	51-04-015	NEW	90-02-108
16-620-050	REP	90-23-087	16-752-147	NEW	90-20-002	51-04-018	NEW	90-02-108
16-620-060	REP-P	90-20-137	16-752-155	AMD-P	90-16-074	51-04-020	AMD	90-02-108
16-620-060	REP	90-23-087	16-752-155	AMD	90-20-002	51-04-025	NEW	90-02-108
16-620-070	REP-P	90-20-137	16-752-165	AMD-P	90-16-074	51-04-030	NEW	90-02-108
16-620-070	REP	90-23-087	16-752-165	AMD	90-20-002	51-04-035	NEW	90-02-108
16-620-090	REP-P	90-20-137	16-752-170	AMD-P	90-16-074	51-04-037	NEW	90-02-108

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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
51-06-110	REP	90-02-108	51-13-103	NEW-P	90-17-149	67-25-570	AMD	90-11-047
51-06-120	AMD	90-02-108	51-13-104	NEW-P	90-17-149	72-100-001	NEW-P	90-10-101
51-08-010	AMD	90-02-108	51-13-105	NEW-P	90-17-149	72-100-001	NEW	90-16-003
51-10	AMD	90-02-110	51-13-106	NEW-P	90-17-149	72-108-010	NEW-P	90-10-102
51-11-0100	NEW-P	90-17-150	51-13-107	NEW-P	90-17-149	72-108-010	NEW	90-16-004
51-11-0101	NEW-P	90-17-150	51-13-108	NEW-P	90-17-149	72-108-020	NEW-P	90-10-102
51-11-0102	NEW-P	90-17-150	51-13-200	NEW-P	90-17-149	72-108-020	NEW	90-16-004
51-11-0103	NEW-P	90-17-150	51-13-201	NEW-P	90-17-149	72-108-030	NEW-P	90-10-102
51-11-0104	NEW-P	90-17-150	51-13-202	NEW-P	90-17-149	72-108-030	NEW	90-16-004
51-11-0105	NEW-P	90-17-150	51-13-300	NEW-P	90-17-149	72-108-040	NEW-P	90-10-102
51-11-0106	NEW-P	90-17-150	51-13-301	NEW-P	90-17-149	72-108-040	NEW	90-16-004
51-11-0107	NEW-P	90-17-150	51-13-302	NEW-P	90-17-149	72-108-060	NEW-P	90-10-102
51-11-0108	NEW-P	90-17-150	51-13-303	NEW-P	90-17-149	72-108-060	NEW	90-16-004
51-11-0109	NEW-P	90-17-150	51-13-304	NEW-P	90-17-149	72-108-070	NEW-P	90-10-102
51-11-0200	NEW-P	90-17-150	51-13-400	NEW-P	90-17-149	72-108-070	NEW	90-16-004
51-11-0201	NEW-P	90-17-150	51-13-401	NEW-P	90-17-149	72-108-080	NEW-P	90-10-102
51-11-0300	NEW-P	90-17-150	51-13-402	NEW-P	90-17-149	72-108-080	NEW	90-16-004
51-11-0301	NEW-P	90-17-150	51-13-500	NEW-P	90-17-149	72-108-090	NEW-P	90-10-102
51-11-0302	NEW-P	90-17-150	51-13-501	NEW-P	90-17-149	72-108-090	NEW	90-16-004
51-11-0303	NEW-P	90-17-150	51-13-503	NEW-P	90-17-149	72-108-100	NEW-P	90-10-102
51-11-0400	NEW-P	90-17-150	51-16-030	AMD	90-02-110	72-108-100	NEW	90-16-004
51-11-0401	NEW-P	90-17-150	51-16-030	AMD-P	90-17-153	72-120-010	NEW-P	90-10-103
51-11-0402	NEW-P	90-17-150	51-16-050	AMD	90-02-110	72-120-010	NEW	90-16-005
51-11-0500	NEW-P	90-17-150	51-16-080	AMD-P	90-07-083	72-120-015	NEW-P	90-10-103
51-11-0501	NEW-P	90-17-150	51-16-080	AMD	90-13-033	72-120-015	NEW	90-16-005
51-11-0502	NEW-P	90-17-150	51-16-090	REP-P	90-07-083	72-120-100	NEW-P	90-10-103
51-11-0503	NEW-P	90-17-150	51-16-090	REP	90-13-033	72-120-100	NEW	90-16-005
51-11-0504	NEW-P	90-17-150	51-18-010	NEW	90-02-110	72-120-200	NEW-P	90-10-103
51-11-0505	NEW-P	90-17-150	51-18-020	NEW	90-02-110	72-120-200	NEW	90-16-005
51-11-0600	NEW-P	90-17-150	51-18-030	NEW	90-02-110	72-120-205	NEW-P	90-10-103
51-11-0601	NEW-P	90-17-150	51-18-040	NEW	90-02-110	72-120-205	NEW	90-16-005
51-11-0602	NEW-P	90-17-150	51-18-050	NEW	90-02-110	72-120-210	NEW-P	90-10-103
51-11-0603	NEW-P	90-17-150	51-19-100	NEW-P	90-17-152	72-120-210	NEW	90-16-005
51-11-0604	NEW-P	90-17-150	51-19-110	NEW-P	90-17-152	72-120-220	NEW-P	90-10-103
51-11-0605	NEW-P	90-17-150	51-19-120	NEW-P	90-17-152	72-120-220	NEW	90-16-005
51-11-0606	NEW-P	90-17-150	51-19-130	NEW-P	90-17-152	72-120-225	NEW-P	90-10-103
51-11-0607	NEW-P	90-17-150	51-19-140	NEW-P	90-17-152	72-120-225	NEW	90-16-005
51-11-0608	NEW-P	90-17-150	51-19-150	NEW-P	90-17-152	72-120-230	NEW-P	90-10-103
51-11-0700	NEW-P	90-17-150	51-19-160	NEW-P	90-17-152	72-120-230	NEW	90-16-005
51-11-0701	NEW-P	90-17-150	51-19-170	NEW-P	90-17-152	72-120-234	NEW-P	90-10-103
51-11-0800	NEW-P	90-17-150	51-19-180	NEW-P	90-17-152	72-120-234	NEW	90-16-005
51-11-0900	NEW-P	90-17-150	51-19-190	NEW-P	90-17-152	72-120-236	NEW-P	90-10-103
51-11-1000	NEW-P	90-17-150	51-19-200	NEW-P	90-17-152	72-120-236	NEW	90-16-005
51-11-1001	NEW-P	90-17-150	51-19-210	NEW-P	90-17-152	72-130-010	NEW-P	90-10-104
51-11-1002	NEW-P	90-17-150	51-19-220	NEW-P	90-17-152	72-130-010	NEW	90-16-006
51-11-1003	NEW-P	90-17-150	51-19-230	NEW-P	90-17-152	72-130-020	NEW-P	90-10-104
51-11-1004	NEW-P	90-17-150	51-19-240	NEW-P	90-17-152	72-130-020	NEW	90-16-006
51-11-1005	NEW-P	90-17-150	51-19-250	NEW-P	90-17-152	72-130-030	NEW-P	90-10-104
51-11-1006	NEW-P	90-17-150	51-19-260	NEW-P	90-17-152	72-130-030	NEW	90-16-006
51-11-1007	NEW-P	90-17-150	51-19-270	NEW-P	90-17-152	72-130-035	NEW-P	90-10-104
51-11-1008	NEW-P	90-17-150	51-19-280	NEW-P	90-17-152	72-130-035	NEW	90-16-006
51-11-1009	NEW-P	90-17-150	51-19-300	NEW-P	90-17-152	72-130-040	NEW-P	90-10-104
51-11-1010	NEW-P	90-17-150	51-19-400	NEW-P	90-17-152	72-130-040	NEW	90-16-006
51-12-201	AMD-P	90-05-064	51-19-410	NEW-P	90-17-152	72-130-050	NEW-P	90-10-104
51-12-201	AMD-C	90-11-020	51-19-420	NEW-P	90-17-152	72-130-050	NEW	90-16-006
51-12-201	AMD-W	90-13-040	51-19-430	NEW-P	90-17-152	72-140-010	NEW-P	90-10-105
51-12-202	AMD-P	90-05-064	51-19-440	NEW-P	90-17-152	72-140-010	NEW	90-16-007
51-12-202	AMD-C	90-11-020	51-19-450	NEW-P	90-17-152	72-140-020	NEW-P	90-10-105
51-12-202	AMD-W	90-13-040	51-19-460	NEW-P	90-17-152	72-140-020	NEW	90-16-007
51-12-204	AMD-P	90-05-064	51-19-470	NEW-P	90-17-152	72-140-030	NEW-P	90-10-105
51-12-204	AMD-C	90-11-020	51-19-500	NEW-P	90-17-152	72-140-030	NEW	90-16-007
51-12-204	AMD-W	90-13-040	51-19-510	NEW-P	90-17-152	72-140-040	NEW-P	90-10-105
51-12-220	AMD	90-02-110	51-19-600	NEW-P	90-17-152	72-140-040	NEW	90-16-007

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
72-140 050	NEW P 90 10 105	72 276 070	NEW P 90 10-107	113-12-160	REP-P 90-04-029
72-140 050	NEW 90 16 007	72 276 070	NEW 90 16-009	113-12-160	REP 90-08-035
72-140 060	NEW P 90 10 105	72 276 080	NEW P 90 10-107	113 12-161	REP-P 90-04-029
72-140 060	NEW 90 16 007	72 276 080	NEW 90 16-009	113-12-161	REP 90-08-035
72-140-070	NEW P 90 10 105	72 276 090	NEW P 90 10-107	113-12-165	DECOD-P 90-21-116
72-140 070	NEW 90 16 007	72 276 090	NEW 90 16-009	113-12-170	DECOD-P 90-21-116
72-140 080	NEW P 90 10 105	72 276 100	NEW P 90 10-107	113 12-175	DECOD-P 90-21-116
72-140 080	NEW 90 16 007	72 276 100	NEW 90 16 009	113-12-180	DECOD-P 90-21-116
72-171 001	NEW P 90 10 106	72 276 110	NEW P 90 10-107	113-12-190	DECOD-P 90-21-116
72-171 001	NEW 90 16 008	72 276 110	NEW 90 16 009	113-12-195	DECOD-P 90-21-116
72-171 010	NEW P 90 10 106	72 276 120	NEW P 90 10-107	113-12-197	DECOD-P 90-21-116
72-171 010	NEW 90 16 008	72 276 120	NEW 90 16-009	113 12-200	AMD-P 90-04-029
72-171 015	NEW P 90 10 106	72 276 130	NEW P 90 10 107	113-12-200	AMD-C 90-08-036
72-171 015	NEW 90 16 008	72 276 130	NEW 90 16-009	113 12-200	AMD 90-16-009
72-171 016	NEW P 90 10 106	72 276 140	NEW P 90 10-107	113-12-200	DECOD-P 90-21-116
72-171 016	NEW 90 16 008	72 276 140	NEW 90 16 009	113 12-210	DECOD-P 90-21-116
72-171-100	NEW P 90 10 106	72 280 010	NEW P 90 10-108	113-12-220	DECOD-P 90-21-116
72-171 100	NEW 90 16 008	72 280 010	NEW 90 16 010	113-12-230	DECOD-P 90-21-116
72-171 110	NEW P 90 10 106	72 280 011	NEW P 90 10 108	113 12-300	DECOD-P 90-21-116
72 171-110	NEW 90 16 008	72 280 011	NEW 90 16 010	113-12-310	DECOD-P 90-21-116
72-171 120	NEW P 90 10 106	72 280 015	NEW P 90 10 108	113 12-320	DECOD-P 90-21-116
72-171 120	NEW 90 16 008	72 280 015	NEW 90 16 010	113-12-330	DECOD-P 90-21-116
72 171 130	NEW P 90 10 106	72 280 020	NEW P 90 10 108	113-12-340	DECOD-P 90-21-116
72-171 130	NEW 90 16 008	72 280 020	NEW 90 16 010	113-12-350	DECOD-P 90-21-116
72-171 140	NEW P 90 10 106	72 280 025	NEW P 90 10 108	114 12 011	DECOD-P 90-21-117
72-171 140	NEW 90 16 008	72 280 025	NEW 90 16 010	114-12 021	DECOD-P 90-21-117
72-171 150	NEW P 90 10 106	72 280 030	NEW P 90 10 108	114-12 031	DECOD-P 90-21-117
72-171 150	NEW 90 16 008	72 280 030	NEW 90 16 010	114-12 041	DECOD-P 90-21-117
72-171 200	NEW P 90 10 106	72 280 040	NEW P 90 10 108	114 12 115	DECOD-P 90-21 117
72 171 200	NEW 90 16 008	72 280 040	NEW 90 16 010	114 12-126	DECOD-P 90-21-117
72-171 210	NEW P 90 10 106	72 280 050	NEW P 90 10-108	114-12-132	DECOD-P 90-21-117
72 171 210	NEW 90 16 008	72 280 050	NEW 90 16 010	114 12-136	AMD 90-04-094
72-171 220	NEW P 90 10 106	72 280 055	NEW P 90 10 108	114 12 136	DECOD-P 90 22 094
72-171 220	NEW 90 16 008	72 280 055	NEW 90 16 010	114 12-150	DECOD-P 90-21-117
72 171 230	NEW P 90 10 106	72 280 060	NEW P 90 10 108	114 12 155	AMD-P 90-11-045
72 171 230	NEW 90 16 008	72 280 060	NEW 90 16 010	114 12 155	DECOD-P 90-21-117
72 171 240	NEW P 90 10 106	72 280 070	NEW P 90 10 108	114 12 155	AMD 90-22-036
72-171 240	NEW 90 16 008	72 280 070	NEW 90 16 010	114-12-164	DECOD-P 90-21-117
72 171 400	NEW P 90 10 106	72 325 010	NEW P 90 10 109	114 12 170	DECOD-P 90-21-117
72 171 400	NEW 90 16 008	72 325 010	NEW 90 16 011	114 12-180	DECOD-P 90-21-117
72 171 410	NEW P 90 10 106	82 30 010	NEW 90 12 009	114 12 190	AMD-P 90-11-045
72 171 410	NEW 90 16 008	82 30 020	NEW 90 12 009	114 12-190	DECOD-P 90-21-117
72 171 420	NEW P 90 10 106	82 30 030	NEW 90 12 009	114 12-190	AMD 90-22-036
72 171 420	NEW 90 16 008	82 30 040	NEW 90 12 009	114 12-200	DECOD P 90-21-117
72-171 430	NEW P 90 10 106	82 30 050	NEW 90 12 009	130 10 010	NEW-P 90 19-027
72 171 430	NEW 90 16 008	82 30 060	NEW 90 12 009	130 10-010	NEW 90-22-065
72 171 500	NEW P 90 10 106	82 50 021	AMD P 90 14 077	130 10 020	NEW P 90 19 027
72 171 500	NEW 90 16 008	82 50 021	AMD 90 17 017	130 10-020	NEW 90-22-065
72 171 510	NEW P 90 10 106	98 14 200	NEW P 90 13 105	130 10 030	NEW-P 90-19-027
72 171 510	NEW 90 16 008	98 14 200	NEW 90 17 073	130 10 030	NEW 90 22 065
72 171 600	NEW P 90 10 106	113 10 010	DECOD P 90 21 116	130 10 040	NEW P 90-19-027
72 171 600	NEW 90 16 008	113 10 020	DECOD P 90 21 116	130 10 040	NEW 90 22-065
72 171 610	NEW P 90 10 106	113 10 030	DECOD P 90 21 116	130 10 050	NEW P 90-19-027
72 171 610	NEW 90 16 008	113 10 040	DECOD P 90 21 116	130 10 050	NEW 90 22 065
72 171 620	NEW P 90 10 106	113 10 050	DECOD P 90 21 116	130 10 060	NEW P 90-19-027
72 171 620	NEW 90 16 008	113 10 060	DECOD P 90 21 116	130 10 060	NEW 90 22-065
72 171 630	NEW P 90 10 106	113 10 070	DECOD P 90 21 116	130 10 065	NEW P 90-19-027
72 171 630	NEW 90 16 008	113 10 090	DECOD P 90 21 116	130 10 065	NEW 90-22-065
72 171 640	NEW P 90 10 106	113 10 100	DECOD P 90 21 116	130 10 070	NEW P 90 19 027
72 171 640	NEW 90 16 008	113 10 110	DECOD P 90 21 116	130 10 070	NEW 90-22-065
72 171 650	NEW P 90 10 106	113 12 010	DECOD P 90 21 116	130 10 075	NEW P 90 19-027
72 171 650	NEW C 90 17 079	113 12 075	DECOD P 90 21 116	130 10 075	NEW 90 22 065
72 171 650	NEW 90 23 055	113 12 080	DECOD P 90 21 116	130 10 080	NEW P 90-19 027
72 171 700	NEW P 90 17 078	113 12 085	DECOD P 90 21 116	130 10 080	NEW 90-22-065
72 171 700	NEW 90 23 054	113 12 087	DECOD P 90 21 116	130 10 085	NEW P 90 19-027
72 276 010	NEW P 90 10 107	113 12 101	PRIP 90 20 052	130 10 085	NEW 90-22-065
72 276 010	NEW 90 16 009	113 12 101	DECOD P 90 21 116	130 10 090	NEW P 90-19-027
72 276 020	NEW P 90 10 107	113 12 103	DECOD P 90 21 116	130 10 090	NEW 90-22-065
72 276 020	NEW 90 16 009	113 12 104	NEW P 90 09 077	130 10 091	NEW P 90-19-027
72 276 030	NEW P 90 10 107	113 12 104	NEW P 90 14 130	130 10 091	NEW 90 22-065
72 276 030	NEW 90 16 009	113 12 104	DECOD P 90 21 116	130 10 095	NEW P 90-19-027
72 276 040	NEW P 90 10 107	113 12 104	NEW 90 22 037	130 10 095	NEW 90 22-065
72 276 040	NEW 90 16 009	113 12 115	DECOD P 90 21 116	130 10 100	NEW P 90 19 027
72 276 050	NEW P 90 10 107	113 12 120	DECOD P 90 21 116	130 10 100	NEW 90 22 065
72 276 050	NEW 90 16 009	113 12 130	REP P 90 04 029	130 14 010	NEW P 90 12 110
72 276 060	NEW P 90 10 107	113 12 130	RI P 90 08 035	130 14 010	NEW 90 17 054
72 276 060	NEW 90 16 009	113 12 150	DECOD P 90 21 116	130 14 020	NEW P 90 12-110

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
130-14-020	NEW	90 17 054	132D 108 020	NEW	90 05 045	132H 108 010	REP E	90-03-079
130-14-030	NEW P	90 12 110	132D 108 030	NEW	90 05 045	132H 108 010	REP	90 09-066
130-14-030	NEW	90 17 054	132D 108 040	NEW	90 05 045	132H 108 020	REP P	90 03 077
130-14-040	NEW P	90 12 110	132D 108 050	NEW	90 05 045	132H 108 020	REP E	90 03 079
130-14-040	NEW	90 17 054	132D 108 060	NEW	90 05 045	132H 108 020	REP	90 09 066
130-14-050	NEW P	90 12 110	132D 108 070	NEW	90 05 045	132H 108 030	REP-P	90 03 077
130-14-050	NEW	90 17 054	132D 108 080	NEW	90 05 045	132H 108 030	REP E	90 03 079
130-14-060	NEW P	90 12 110	132D 108 090	NEW	90 05 045	132H 108 030	REP	90 09 066
130-14-060	NEW	90 17 054	132D 130 010	NEW	90 05 045	132H 108 040	REP P	90 03 077
130-14-070	NEW P	90 12 110	132D 130 020	NEW	90 05 045	132H 108 040	REP E	90 03 079
130-14-070	NEW	90 17 054	132D 130 030	NEW	90 05 045	132H 108 040	REP	90 09 066
131-08-010	REP P	90 19 077	132D 130 035	NEW	90 05 045	132H 108 040	REP P	90 03 077
131-08-010	REP	90 22 032	132D 130 040	NEW	90 05 045	132H 108 050	REP E	90 03 079
131-12-010	AMD P	90 16 067	132D 130 045	NEW	90 05 045	132H 108 050	REP	90 09 066
131-12-010	AMD	90 20 009	132D 130 050	NEW	90 05 045	132H 108 060	REP P	90 03 077
131-12-020	AMD P	90 16 067	132D 130 055	NEW	90 05 045	132H 108 060	REP E	90 03 079
131-12-020	AMD	90 20 009	132D 130 060	NEW	90 05 045	132H 108 060	REP	90 09 066
131-12-070	REP P	90 16 067	132D 130 070	NEW	90 05 045	132H 108 070	REP P	90 03 077
131-12-070	REP	90 20 009	132D 130 075	NEW	90 05 045	132H 108 070	REP E	90 03 079
131-16-055	NEW E	90 04 066	132D 130 080	NEW	90 05 045	132H 108 070	REP	90-09-066
131-16-400	AMD-P	90 16 068	132D 130 085	NEW	90 05 045	132H 108 080	REP P	90 03 077
131-16-400	AMD	90 20 009	132D 130 090	NEW	90 05 045	132H 108 080	REP E	90 03 079
131-16-450	NEW E	90 15 004	132D 130 095	NEW	90 05 045	132H 108 080	REP	90-09-066
131-16-450	NEW-P	90 16 068	132D 130 100	NEW	90 05 045	132H 108 090	REP P	90-03-077
131-16-450	NEW	90 20 009	132D 133 020	NEW	90 05 045	132H 108 090	REP E	90 03 079
131-16-500	NEW E	90 09 069	132D 400 010	NEW	90 05 045	132H 108 090	REP	90 09-066
131-16-500	NEW-P	90 13 095	132D 400 020	NEW	90 05 045	132H 108 100	REP P	90-03-077
131-16-500	NEW E	90 15 003	132D 400 030	NEW	90 05 045	132H 108 100	REP E	90-03-079
131-16-500	NEW	90 20 009	132D 400-040	NEW	90 05 045	132H 108 100	REP	90 09-066
131-28-026	AMD P	90 16 069	132E 108 010	NEW P	90 03 012	132H 108 110	REP P	90 03 077
131-28-026	AMD	90 20 009	132E 108 010	NEW	90 09 006	132H 108 110	REP E	90-03-079
131-28-090	AMD P	90 16 069	132E 108 020	NEW P	90 03 012	132H 108 110	REP	90 09-066
131-28-090	AMD	90 20 009	132E 108 020	NEW	90 09 006	132H 108 120	REP P	90 03 077
131-32-050	NEW E	90 19 083	132E 108 030	NEW P	90 03-012	132H 108 120	REP E	90-03-079
132B-400-010	NEW-P	90 18 082	132E 108 030	NEW	90 09 006	132H 108 120	REP	90 09-066
132B-400-010	NEW W	90 22 029	132E 108 040	NEW P	90 03-012	132H 108 130	REP P	90 03 077
132B-400-020	NEW P	90 18 082	132E 108 040	NEW	90 09 006	132H 108 130	REP E	90 03 079
132B-400-020	NEW W	90 22 029	132E 108 050	NEW P	90 03 012	132H 108 130	REP	90 09-066
132B-400-030	NEW P	90 18 082	132E 108 050	NEW	90 09 006	132H 108 140	REP P	90 03 077
132B-400-030	NEW W	90 22 029	132E 108 060	NEW P	90 03 012	132H 108 140	REP E	90 03 079
132B-400-040	NEW-P	90 18 082	132E 108 060	NEW	90 09 006	132H 108 140	REP	90 09 066
132B-400-040	NEW-W	90 22 029	132E 108-070	NEW P	90 03 012	132H 108 150	REP P	90 03 077
132B-400-050	NEW P	90 18 082	132E 108 070	NEW	90 09 006	132H 108 150	REP E	90 03 079
132B-400-050	NEW W	90 22 029	132E 108 080	NEW P	90 03 012	132H 108 150	REP	90 09 066
132B-400-060	NEW P	90 18 082	132E 108 080	NEW	90 09 006	132H 108 160	REP P	90 03 077
132B-400-060	NEW W	90 22 029	132E 133 020	NEW P	90 03 019	132H 108 160	REP E	90 03 079
132B-400-070	NEW-P	90 18 082	132E 133 020	NEW	90 09 049	132H 108 160	REP	90 09 066
132B-400-070	NEW-W	90 22 029	132E 400 010	NEW P	90 03 021	132H 108 170	REP P	90 03 077
132B-400-080	NEW P	90 18 082	132E 400 010	NEW	90 09 005	132H 108 170	REP E	90 03 079
132B-400-080	NEW-W	90 22 029	132E 400 020	NEW P	90 03 021	132H 108 170	REP	90 09 066
132B-400-090	NEW P	90 18 082	132E 400-020	NEW	90 09 005	132H 108 180	REP P	90-03-077
132B-400-090	NEW-W	90 22 029	132E 400 030	NEW P	90 03-021	132H 108 180	REP E	90 03-079
132B-400-100	NEW P	90 18 082	132E 400-030	NEW	90 09 005	132H 108 180	REP	90 09 066
132B-400-100	NEW-W	90 22 029	132E 400-040	NEW P	90 03-021	132H 108 190	REP P	90 03 077
132B-400-110	NEW P	90 18 082	132E 400-040	NEW	90 09-005	132H 108 190	REP E	90-03-079
132B-400-110	NEW-W	90 22 029	132G 108-010	NEW-P	90 10-049	132H 108 190	REP	90 09 066
132B-400-120	NEW-P	90-18-082	132G 108 010	NEW	90 13 051	132H 108-200	REP P	90 03-077
132B-400-120	NEW-W	90 22 029	132G 108-020	NEW P	90 10 049	132H 108 200	REP E	90-03-079
132B-400-130	NEW P	90-18-082	132G 108-020	NEW	90 13 051	132H 108 200	REP	90 09-066
132B-400-130	NEW-W	90 22-029	132G 108 030	NEW P	90 10-049	132H 108 210	REP P	90-03-077
132B-400-140	NEW P	90 18 082	132G 108-030	NEW	90 13-051	132H 108-210	REP E	90-03-079
132B-400-140	NEW-W	90 22 029	132G 108-040	NEW P	90 10-049	132H 108 210	REP	90 09 066
132B-400-150	NEW P	90 18 082	132G 108-040	NEW	90 13 051	132H 108 220	REP P	90 03 077
132B-400-150	NEW W	90 22 029	132G 108-050	NEW P	90 10-049	132H 108 220	REP E	90 03-079
132B-400-160	NEW P	90 18 082	132G 108-050	NEW	90-13-051	132H 108 220	REP	90-09-066
132B-400-160	NEW-W	90 22 029	132G 108-060	NEW P	90 10 049	132H 108 230	REP P	90 03-077
132B-400-170	NEW-P	90 18 082	132G 108-060	NEW	90 13-051	132H 108 230	REP E	90-03-079
132B-400-170	NEW-W	90 22-029	132G 108-070	NEW P	90 10-049	132H 108 230	REP	90-09-066
132B-400-180	NEW P	90 18 082	132G 108-070	NEW	90 13-051	132H 108 240	REP P	90-03-077
132B-400-180	NEW-W	90 22 029	132G 108 080	NEW P	90 10-049	132H 108 240	REP E	90-03-079
132B-400-190	NEW P	90 18 082	132G 108-080	NEW	90 13 051	132H 108 240	REP	90-09-066
132B-400-190	NEW-W	90 22 029	132G 133 020	NEW P	90 10 050	132H 108-250	REP P	90-03-077
132B-400-200	NEW-P	90 18 082	132G 133-020	NEW	90-13-050	132H 108 250	REP E	90 03-079
132B-400-200	NEW W	90 22 029	132H 108-005	REP P	90 03 077	132H 108 250	REP	90-09-066
132B-400-210	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-W	90 22 029	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

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132H-108-270	REP-P	90-03-077	132J-108-110	NEW-P	90-12-012	132L-30-130	REP	90-17-060
132H-108-270	REP E	90-03-079	132J-108-110	NEW-W	90-12-108	132L-30-140	REP-P	90-14-111
132H-108-270	REP	90-09-066	132J-108-120	NEW-P	90-12-012	132L-30-140	REP	90-17-060
132H-108-280	REP-P	90-03-077	132J-108-120	NEW-W	90-12-108	132L-30-150	REP-P	90-14-111
132H-108-280	REP E	90-03-079	132J-108-130	NEW-P	90-12-012	132L-30-150	REP	90-17-060
132H-108-280	REP	90-09-066	132J-108-130	NEW-W	90-12-108	132L-30-160	REP-P	90-14-111
132H-108-290	REP P	90-03-077	132J-108-140	NEW-P	90-12-012	132L-30-160	REP	90-17-060
132H-108-290	REP E	90-03-079	132J-108-140	NEW-W	90-12-108	132L-30-170	REP-P	90-14-111
132H-108-290	REP	90-09-066	132J-108-150	NEW-P	90-12-012	132L-30-170	REP	90-17-060
132H-108-300	REP P	90-03-077	132J-108-150	NEW-W	90-12-108	132L-30-180	REP-P	90-14-111
132H-108-300	REP E	90-03-079	132J-108-160	NEW-P	90-12-012	132L-30-180	REP	90-17-060
132H-108-300	REP	90-09-066	132J-108-160	NEW-W	90-12-108	132L-30-190	REP-P	90-14-111
132H-108-310	REP P	90-03-077	132J-108-170	NEW-P	90-12-012	132L-30-190	REP	90-17-060
132H-108-310	REP E	90-03-079	132J-108-170	NEW-W	90-12-108	132L-30-200	REP-P	90-14-111
132H-108-310	REP	90-09-066	132J-108-180	NEW-P	90-12-012	132L-30-200	REP	90-17-060
132H-108-320	REP P	90-03-077	132J-108-180	NEW-W	90-12-108	132L-30-210	REP-P	90-14-111
132H-108-320	REP E	90-03-079	132J-108-180	NEW-P	90-12-109	132L-30-210	REP	90-17-060
132H-108-320	REP	90-09-066	132J-108-180	NEW	90-22-067	132L-30-220	REP-P	90-14-111
132H-108-330	REP P	90-03-077	132K-16-120	NEW-E	90-19-115	132L-30-220	REP	90-17-060
132H-108-330	REP E	90-03-079	132K-16-130	NEW-E	90-19-115	132L-30-230	REP-P	90-14-111
132H-108-330	REP	90-09-066	132K-16-140	NEW-E	90-19-115	132L-30-230	REP	90-17-060
132H-108-410	NEW-P	90-03-077	132K-16-150	NEW-E	90-19-115	132L-30-240	REP-P	90-14-111
132H-108-410	NEW E	90-03-079	132K-16-160	NEW-E	90-19-115	132L-30-240	REP	90-17-060
132H-108-410	NEW	90-09-066	132K-16-170	NEW-E	90-19-115	132L-30-250	REP-P	90-14-111
132H-108-420	NEW-P	90-03-077	132K-16-180	NEW-E	90-19-115	132L-30-250	REP	90-17-060
132H-108-420	NEW-E	90-03-079	132K-16-190	NEW-E	90-19-115	132L-30-260	REP-P	90-14-111
132H-108-420	NEW	90-09-066	132K-16-200	NEW-E	90-19-115	132L-30-260	REP	90-17-060
132H-108-430	NEW P	90-03-077	132K-16-210	NEW-E	90-19-115	132L-30-270	REP-P	90-14-111
132H-108-430	NEW-E	90-03-079	132K-16-220	NEW-E	90-19-115	132L-30-270	REP	90-17-060
132H-108-430	NEW	90-09-066	132K-16-230	NEW-E	90-19-115	132L-30-280	REP-P	90-14-111
132H-108-440	NEW-P	90-03-077	132K-16-240	NEW-E	90-19-115	132L-30-280	REP	90-17-060
132H-108-440	NEW E	90-03-079	132K-16-250	NEW-E	90-19-115	132L-30-290	REP-P	90-14-111
132H-108-440	NEW	90-09-066	132K-16-260	NEW-E	90-19-115	132L-30-290	REP	90-17-060
132H-108-450	NEW-P	90-03-077	132K-16-270	NEW-E	90-19-115	132L-32-300	REP-P	90-14-111
132H-108-450	NEW-E	90-03-079	132K-16-280	NEW-E	90-19-115	132L-30-300	REP	90-17-060
132H-108-450	NEW	90-09-066	132K-16-290	NEW-E	90-19-115	132L-108-010	NEW-E	90-03-074
132H-108-460	NEW P	90-03-077	132K-16-300	NEW-E	90-19-115	132L-108-010	NEW	90-05-005
132H-108-460	NEW-E	90-03-079	132K-16-310	NEW-E	90-19-115	132L-108-020	NEW-E	90-03-074
132H-108-460	NEW	90-09-066	132K-16-320	NEW-E	90-19-115	132L-108-020	NEW	90-05-005
132H-108-470	NEW-P	90-03-077	132K-16-330	NEW-E	90-19-115	132L-108-030	NEW-E	90-03-074
132H-108-470	NEW-E	90-03-079	132K-16-340	NEW-E	90-19-115	132L-108-030	NEW	90-05-005
132H-108-470	NEW	90-09-066	132K-16-350	NEW-E	90-19-115	132L-108-040	NEW-E	90-03-074
132H-108-480	NEW P	90-03-077	132K-16-360	NEW-E	90-19-115	132L-108-040	NEW	90-05-005
132H-108-480	NEW-E	90-03-079	132K-16-370	NEW-E	90-19-115	132L-108-050	NEW-E	90-03-074
132H-108-480	NEW	90-09-066	132K-16-380	NEW-E	90-19-115	132L-108-050	NEW	90-05-005
132H-200-040	NEW-P	90-03-076	132K-16-390	NEW-E	90-19-115	132L-108-060	NEW-E	90-03-074
132H-200-040	NEW-E	90-03-080	132K-16-400	NEW-E	90-19-115	132L-108-060	NEW	90-05-005
132H-200-040	NEW	90-09-065	132K-16-410	NEW-E	90-19-115	132L-108-070	NEW-E	90-03-074
132H-400-005	NEW-P	90-03-078	132K-16-420	NEW-E	90-19-115	132L-108-070	NEW	90-05-005
132H-400-005	NEW-E	90-03-081	132K-16-430	NEW-E	90-19-115	132L-108-080	NEW-E	90-03-074
132H-400-005	NEW	90-09-067	132K-16-440	NEW-E	90-19-115	132L-108-080	NEW	90-05-005
132H-400-010	NEW-P	90-03-078	132L-20-090	REP	90-05-004	132L-117-010	NEW-P	90-14-111
132H-400-010	NEW-E	90-03-081	132L-30-010	REP-P	90-14-111	132L-117-010	NEW	90-17-060
132H-400-010	NEW	90-09-067	132L-30-010	REP	90-17-060	132L-117-020	NEW-P	90-14-111
132H-400-020	NEW-P	90-03-078	132L-30-020	REP-P	90-14-111	132L-117-020	NEW	90-17-060
132H-400-020	NEW-E	90-03-081	132L-30-020	REP	90-17-060	132L-117-030	NEW-P	90-14-111
132H-400-020	NEW	90-09-067	132L-30-030	REP-P	90-14-111	132L-117-030	NEW	90-17-060
132H-400-030	NEW-P	90-03-078	132L-30-030	REP	90-17-060	132L-117-040	NEW-P	90-14-111
132H-400-030	NEW-E	90-03-081	132L-30-040	REP-P	90-14-111	132L-117-040	NEW	90-17-060
132H-400-030	NEW	90-09-067	132L-30-040	REP	90-17-060	132L-117-050	NEW-P	90-14-111
132H-400-040	NEW-P	90-03-078	132L-30-050	REP-P	90-14-111	132L-117-050	NEW	90-17-060
132H-400-040	NEW-E	90-03-081	132L-30-050	REP	90-17-060	132L-117-060	NEW-P	90-14-111
132H-400-040	NEW	90-09-067	132L-30-060	REP-P	90-14-111	132L-117-060	NEW	90-17-060
132J-108-010	NEW-P	90-12-109	132L-30-060	REP	90-17-060	132L-117-070	NEW-P	90-14-111
132J-108-010	NEW	90-22-067	132L-30-070	REP-P	90-14-111	132L-117-070	NEW	90-17-060
132J-108-020	NEW-P	90-12-109	132L-30-070	REP	90-17-060	132L-117-080	NEW-P	90-14-111
132J-108-020	NEW	90-22-067	132L-30-080	REP-P	90-14-111	132L-117-080	NEW	90-17-060
132J-108-030	NEW-P	90-12-109	132L-30-080	REP	90-17-060	132L-117-090	NEW-P	90-14-111
132J-108-030	NEW	90-22-067	132L-30-090	REP-P	90-14-111	132L-117-090	NEW	90-17-060
132J-108-040	NEW-P	90-12-109	132L-30-090	REP	90-17-060	132L-117-100	NEW-P	90-14-111
132J-108-040	NEW	90-22-067	132L-30-100	REP-P	90-14-111	132L-117-100	NEW	90-17-060
132J-108-050	NEW-P	90-12-109	132L-30-100	REP	90-17-060	132L-117-110	NEW-P	90-14-111
132J-108-050	NEW	90-22-067	132L-30-110	REP-P	90-14-111	132L-117-110	NEW	90-17-060
132J-108-060	NEW-P	90-12-109	132L-30-110	REP	90-17-060	132L-117-120	NEW-P	90-14-111
132J-108-060	NEW	90-22-067	132L-30-120	REP-P	90-14-111	132L-117-120	NEW	90-17-060
132J-108-070	NEW-P	90-12-109	132L-30-120	REP	90-17-060	132L-117-130	NEW-P	90-14-111
132J-108-070	NEW	90-22-067	132L-30-130	REP-P	90-14-111	132L-117-130	NEW	90-17-060



Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132L-117-140	NEW P	90-14-111	132Q-01-005	REP-C	90-18-010	132Q-09-320	REP-P	90-14-120
132L-117-140	NEW	90-17-060	132Q-01-005	REP	90-21-013	132Q-09-320	REP	90-21-019
132L-117-150	NEW-P	90-14-111	132Q-01-006	NEW-P	90-14-115	132Q-09-330	REP-P	90-14-120
132L-117-150	NEW	90-17-060	132Q-01-006	NEW-C	90-18-011	132Q-09-330	REP	90-21-019
132L-117-160	NEW-P	90-14-111	132Q-01-006	NEW	90-21-014	132Q-09-340	REP-P	90-14-120
132L-117-160	NEW	90-17-060	132Q-04-055	REP-P	90-14-116	132Q-09-340	REP	90-21-019
132L-117-170	NEW-P	90-14-111	132Q-04-055	REP-C	90-18-012	132Q-09-350	REP-P	90-14-120
132L-117-170	NEW	90-17-060	132Q-04-055	REP	90-21-015	132Q-09-350	REP	90-21-019
132L-117-180	NEW-P	90-14-111	132Q-04-200	AMD-P	90-14-117	132Q-09-360	REP-P	90-14-120
132L-117-180	NEW	90-17-060	132Q-04-200	AMD-C	90-18-013	132Q-09-360	REP	90-21-019
132L-117-190	NEW P	90-14-111	132Q-04-200	AMD	90-21-016	132Q-09-400	REP-P	90-14-120
132L-117-190	NEW	90-17-060	132Q-04-210	AMD-P	90-14-117	132Q-09-400	REP	90-21-019
132L-117-200	NEW-P	90-14-111	132Q-04-210	AMD-C	90-18-013	132Q-09-410	REP-P	90-14-120
132L-117-200	NEW	90-17-060	132Q-04-210	AMD	90-21-016	132Q-09-410	REP	90-21-019
132L-117-210	NEW-P	90-14-111	132Q-04-220	AMD-P	90-14-117	132Q-09-420	REP-P	90-14-120
132L-117-210	NEW	90-17-060	132Q-04-220	AMD-C	90-18-013	132Q-09-420	REP	90-21-019
132L-117-220	NEW-P	90-14-111	132Q-04-220	AMD	90-21-016	132Q-09-430	REP-P	90-14-120
132L-117-220	NEW	90-17-060	132Q-04-230	AMD-P	90-14-117	132Q-09-430	REP	90-21-019
132L-117-230	NEW-P	90-14-111	132Q-04-230	AMD-C	90-18-013	132Q-09-440	REP-P	90-14-120
132L-117-230	NEW	90-17-060	132Q-04-230	AMD	90-21-016	132Q-09-440	REP	90-21-019
132L-117-240	NEW-P	90-14-111	132Q-04-240	AMD-P	90-14-117	132Q-09-450	REP-P	90-14-120
132L-117-240	NEW	90-17-060	132Q-04-240	AMD-C	90-18-013	132Q-09-450	REP	90-21-019
132L-117-250	NEW-P	90-14-111	132Q-04-240	AMD	90-21-016	132Q-09-460	REP-P	90-14-120
132L-117-250	NEW	90-17-060	132Q-05-060	AMD-P	90-14-118	132Q-09-460	REP	90-21-019
132L-117-260	NEW-P	90-14-111	132Q-05-060	AMD-C	90-18-014	132Q-09-470	REP-P	90-14-120
132L-117-260	NEW	90-17-060	132Q-05-060	AMD	90-21-017	132Q-09-470	REP	90-21-019
132L-117-270	NEW-P	90-14-111	132Q-05-080	AMD-P	90-14-118	132Q-09-480	REP-P	90-14-120
132L-117-270	NEW	90-17-060	132Q-05-080	AMD-C	90-18-014	132Q-09-480	REP	90-21-019
132L-117-280	NEW-P	90-14-111	132Q-05-080	AMD	90-21-017	132Q-16-045	AMD-P	90-14-121
132L-117-280	NEW	90-17-060	132Q-06-020	AMD-P	90-14-119	132Q-16-045	AMD-C	90-18-017
132L-117-290	NEW-P	90-14-111	132Q-06-020	AMD-C	90-18-015	132Q-16-045	AMD	90-21-020
132L-117-290	NEW	90-17-060	132Q-06-020	AMD	90-21-018	132Q-20-110	AMD-P	90-14-122
132L-117-300	NEW-P	90-14-111	132Q-06-025	AMD-P	90-14-119	132Q-20-110	AMD-C	90-18-018
132L-117-300	NEW	90-17-060	132Q-06-025	AMD-C	90-18-015	132Q-20-110	AMD	90-21-021
132L-133-020	NEW-E	90-03-074	132Q-06-025	AMD	90-21-018	132Q-94-010	AMD-P	90-14-123
132L-133-020	NEW	90-05-005	132Q-06-030	AMD-P	90-14-119	132Q-94-010	AMD-C	90-18-019
132L-280-010	NEW	90-05-004	132Q-06-030	AMD-C	90-18-015	132Q-94-010	AMD	90-21-022
132L-280-015	NEW	90-05-004	132Q-06-030	AMD	90-21-018	132Q-94-150	NEW-P	90-14-124
132L-280-020	NEW	90-05-004	132Q-09	REP-C	90-18-016	132Q-94-150	NEW-C	90-18-020
132L-280-030	NEW	90-05-004	132Q-09-001	REP-P	90-14-120	132Q-94-150	NEW	90-21-023
132L-280-040	NEW	90-05-004	132Q-09-001	REP	90-21-019	132S-01-010	NEW-P	90-03-082
132L-280-050	NEW	90-05-004	132Q-09-005	REP-P	90-14-120	132S-01-010	NEW	90-07-006
132L-280-060	NEW	90-05-004	132Q-09-005	REP	90-21-019	132S-01-020	NEW-P	90-03-082
132L-280-070	NEW	90-05-004	132Q-09-010	REP-P	90-14-120	132S-01-020	NEW	90-07-006
132L-280-080	NEW	90-05-004	132Q-09-010	REP	90-21-019	132S-01-030	NEW-P	90-03-082
132L-280-090	NEW	90-05-004	132Q-09-080	REP-P	90-14-120	132S-01-030	NEW	90-07-006
132L-280-100	NEW	90-05-004	132Q-09-080	REP	90-21-019	132S-01-040	NEW-P	90-03-082
132L-280-110	NEW	90-05-004	132Q-09-090	REP-P	90-14-120	132S-01-040	NEW	90-07-006
132L-280-120	NEW	90-05-004	132Q-09-090	REP	90-21-019	132S-01-050	NEW-P	90-03-082
132L-400-010	NEW-E	90-03-073	132Q-09-100	REP-P	90-14-120	132S-01-050	NEW	90-07-006
132L-400-010	NEW	90-05-009	132Q-09-100	REP	90-21-019	132S-01-060	NEW-P	90-03-082
132L-400-020	NEW	90-05-009	132Q-09-110	REP-P	90-14-120	132S-01-060	NEW	90-07-006
132L-400-030	NEW	90-05-009	132Q-09-110	REP	90-21-019	132S-01-070	NEW-P	90-03-082
132L-400-040	NEW	90-05-009	132Q-09-120	REP-P	90-14-120	132S-01-070	NEW	90-07-006
132N-400-010	NEW-P	90-04-079	132Q-09-120	REP	90-21-019	132S-01-080	NEW-P	90-03-082
132N-400-010	NEW-C	90-10-026	132Q-09-130	REP-P	90-14-120	132S-01-080	NEW	90-07-006
132N-400-010	NEW-W	90-17-101	132Q-09-130	REP	90-21-019	132S-01-090	NEW-P	90-03-082
132N-400-010	NEW-P	90-18-034	132Q-09-140	REP-P	90-14-120	132S-01-090	NEW	90-07-006
132N-400-010	NEW	90-22-049	132Q-09-140	REP	90-21-019	132S-05-010	NEW-P	90-03-082
132N-400-020	NEW-P	90-04-079	132Q-09-230	REP-P	90-14-120	132S-05-010	NEW	90-07-006
132N-400-020	NEW-C	90-10-026	132Q-09-230	REP	90-21-019	132S-05-015	NEW-P	90-03-082
132N-400-020	NEW-W	90-17-101	132Q-09-240	REP-P	90-14-120	132S-05-015	NEW	90-07-006
132N-400-020	NEW-P	90-18-034	132Q-09-240	REP	90-21-019	132S-05-020	NEW-P	90-03-082
132N-400-020	NEW	90-22-049	132Q-09-250	REP-P	90-14-120	132S-05-020	NEW	90-07-006
132N-400-030	NEW-P	90-04-079	132Q-09-250	REP	90-21-019	132S-30-037	NEW-P	90-03-082
132N-400-030	NEW-C	90-10-026	132Q-09-260	REP-P	90-14-120	132S-30-037	NEW	90-07-006
132N-400-030	NEW-W	90-17-101	132Q-09-260	REP	90-21-019	132S-40-130	NEW-P	90-03-082
132N-400-030	NEW-P	90-18-034	132Q-09-270	REP-P	90-14-120	132S-40-130	NEW	90-07-006
132N-400-030	NEW	90-22-049	132Q-09-270	REP	90-21-019	132S-40-135	NEW-P	90-03-082
132N-400-040	NEW-P	90-04-079	132Q-09-280	REP-P	90-14-120	132S-40-135	NEW	90-07-006
132N-400-040	NEW-C	90-10-026	132Q-09-280	REP	90-21-019	132S-40-140	NEW-P	90-03-082
132N-400-040	NEW-W	90-17-101	132Q-09-290	REP-P	90-14-120	132S-40-140	NEW	90-07-006
132N-400-040	NEW-P	90-18-034	132Q-09-290	REP	90-21-019	132S-40-145	NEW-P	90-03-082
132N-400-040	NEW	90-22-049	132Q-09-300	REP-P	90-14-120	132S-40-145	NEW	90-07-006
132P-136-040	AMD-P	90-07-058	132Q-09-300	REP	90-21-019	132S-40-150	NEW-P	90-03-082
132P-136-040	AMD	90-11-077	132Q-09-310	REP-P	90-14-120	132S-40-150	NEW	90-07-006
132Q-01-005	REP-P	90-14-114	132Q-09-310	REP	90-21-019	132S-40-155	NEW-P	90-03-082

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132S-40-155	NEW	90 07 006	136 04-090	AMD	90-07-072	136-40-124	REP	90-22-081
132T-104-010	REP	90 03 065	136 04-100	AMD	90-07-072	136-40-128	REP-C	90-13-001
132T-104-020	REP	90 03 065	136 10-010	AMD	90-07-073	136-40-128	REP	90-22-081
132T-104-030	REP	90 03 065	136 10-020	AMD	90-07-073	136-40-132	REP-C	90-13-001
132T-104-040	REP	90 03 065	136 10-030	AMD	90-07-073	136-40-132	REP	90-22-081
132T-104-060	REP	90 03 065	136 10-040	AMD	90-07-073	136-40-136	REP-C	90-13-001
132T-104-070	REP	90 03 065	136 10-050	AMD	90-07-073	136-40-136	REP	90-22-081
132T-104-080	REP	90 03 065	136 10-060	AMD	90-07-073	136-40-140	REP-C	90-13-001
132T-104-090	REP	90 03 065	136 12 010	AMD	90-07-074	136-40-140	REP	90-22-081
132T-104-100	REP	90 03 065	136 12 020	AMD	90-07-074	136-40-200	REP-C	90-13-001
132T-104-110	REP	90 03 065	136 12 030	AMD	90-07-074	136-40-200	REP	90-22-081
132T-104-120	REP	90 03 065	136 12 060	AMD	90-07-074	136-40-204	REP-C	90-13-001
132T-104-121	REP	90 03 065	136 12 070	AMD	90-07-074	136-40-204	REP	90-22-081
132T-104-130	REP	90 03 065	136 12 080	AMD	90-07-074	136 40-208	REP-C	90-13-001
132T-104-200	REP	90 03 065	136 14 010	AMD	90-07-075	136-40-208	REP	90-22-081
132T-104-210	REP	90 03 065	136 14 020	AMD	90-07-075	136-40-212	REP-C	90-13-001
132T-104-240	REP	90 03 065	136 14 030	AMD	90-07-075	136-40-212	REP	90-22-081
132T-104-250	REP	90 03 065	136 14-040	AMD	90-07-075	136-40-300	REP-C	90-13-001
132T-104-260	REP	90 03 065	136 14-050	AMD	90-07-075	136-40-300	REP	90-22-081
132T-104-265	REP	90 03 065	136 14-060	AMD	90-07-075	136-40-304	REP-C	90-13-001
132T-104-270	REP	90 03 065	136 16-010	AMD	90-07-076	136-40-304	REP	90-22-081
132T-104-280	REP	90 03 065	136 16-018	AMD	90-07-076	136-40-308	REP-C	90-13-001
132U-03-010	NEW	90 05-043	136 16-022	AMD	90-07-076	136-40-308	REP	90-22-081
132U-03-020	NEW	90 05 043	136 16 042	AMD	90-07-076	136-40-312	REP-C	90-13-001
132U-03-030	NEW	90 05 043	136 16-050	AMD	90-07-076	136-40-312	REP	90-22-081
132U-108-010	NEW	90 05-043	136 20-010	AMD-P	90-13-003	136-40-316	REP-C	90-13-001
132U-108-020	NEW	90 05 043	136 20-010	AMD	90-17-075	136-40-316	REP	90-22-081
132U-108-021	NEW	90 05 043	136-20-020	AMD-P	90-13-003	136-40-320	REP-C	90-13-001
132U-108-030	NEW	90 05 043	136 20-020	AMD	90-17-075	136-40-320	REP	90-22-081
132U-116-030	AMD	90 05 043	136 20-030	AMD-P	90-13-003	136-40-324	REP-C	90-13-001
132U-400-010	NEW	90 05 043	136 20-030	AMD	90-17-075	136-40-324	REP	90-22-081
132V-400-010	NEW P	90 03 094	136-20-040	AMD-P	90-13-003	136-40-400	REP-C	90-13-001
132V-400-010	NEW	90 07 038	136-20-040	AMD	90-17-075	136-40-400	REP	90-22-081
132V-400-020	NEW P	90 03 094	136-20-060	AMD-P	90-13-003	136-40-404	REP-C	90-13-001
132V-400-020	NEW	90 07 038	136 20 060	AMD	90-17-075	136-40-404	REP	90-22-081
132V-400-030	NEW P	90 03 094	136-28-010	AMD-P	90-13-002	136-40-408	REP-C	90-13-001
132V-400-030	NEW	90 07 038	136 28-010	AMD	90-17-076	136-40-408	REP	90-22-081
132V-400-040	NEW P	90 03-094	136 28 020	AMD-P	90-13-002	136-40-412	REP-C	90-13-001
132V-400-040	NEW	90 07-038	136 28 020	AMD	90-17-076	136-40-412	REP	90-22-081
132X-60-160	NEW P	90 10-041	136 28-030	AMD-P	90-13-002	136-40-416	REP-C	90-13-001
132X-60-160	NEW	90 13 064	136 28-030	AMD	90-17-076	136-40-416	REP	90-22-081
132X-60-170	NEW P	90 10 041	136-36-010	REP	90-07-077	136-40-500	REP-C	90-13-001
132X-60-170	NEW	90 13 064	136 36-020	REP	90-07-077	136-40-500	REP	90-22-081
132X-60-180	NEW P	90 10-041	136 36 030	REP	90-07-077	136-40-504	REP-C	90-13-001
132X-60-180	NEW	90 13 064	136 36-040	REP	90-07-077	136-40-504	REP	90-22-081
132X-60-190	NEW P	90 10-041	136 40	AMD-C	90-17-074	136-40-508	REP-C	90-13-001
132X-60-190	NEW W	90 23 032	136-40-010	AMD-C	90-13-001	136-40-508	REP	90-22-081
132Y-108-010	NEW P	90 02 062	136 40 010	AMD	90-22-081	136-40-512	REP-C	90-13-001
132Y-108-010	NEW	90 08-022	136 40 020	AMD-C	90-13-001	136-40-512	REP	90-22-081
132Y-108-020	NEW P	90 02 062	136 40-020	AMD	90-22-081	136-40-600	REP-C	90-13-001
132Y-108-020	NEW	90 08 022	136 40-030	AMD-C	90-13-001	136-40-600	REP	90-22-081
132Y-108-030	NEW-P	90 02 062	136 40-030	AMD	90-22-081	136-40-604	REP-C	90-13-001
132Y-108-030	NEW	90 08 022	136-40-040	AMD-C	90-13-001	136-40-604	REP	90-22-081
132Y-108-040	NEW-P	90 02 062	136-40-040	AMD	90-22-081	136-40-608	REP-C	90-13-001
132Y-108-040	NEW	90 08 022	136-40-044	REP-C	90-13-001	136-40-608	REP	90-22-081
132Y-108-050	NEW-P	90-02 062	136-40-044	REP	90-22-081	136-40-612	REP-C	90-13-001
132Y-108-050	NEW	90 08-022	136 40-048	REP-C	90-13-001	136-40-612	REP	90-22-081
132Y-108-060	NEW-P	90 02 062	136 40-048	REP	90-22-081	136-40-616	REP-C	90-13-001
132Y-108-060	NEW	90-08-022	136-40-050	NEW-C	90-13-001	136-40-616	REP	90-22-081
132Y-108-070	NEW P	90 02-062	136 40-050	NEW	90-22-081	136-40-620	REP-C	90-13-001
132Y-108-070	NEW	90 08 022	136-40-052	REP-C	90-13-001	136-40-620	REP	90-22-081
132Y-108-080	NEW-P	90 02 062	136-40-052	REP	90-22-081	136-40-624	REP-C	90-13-001
132Y-108-080	NEW	90 08 022	136-40-060	NEW-C	90-13-001	136-40-624	REP	90-22-081
132Y-133-020	NEW P	90 02 063	136-40-060	NEW	90-22-081	136-40-700	REP-C	90-13-001
132Y-133-020	NEW	90-08-022A	136-40-100	REP-C	90-13-001	136-40-700	REP	90-22-081
132Y-400-010	NEW P	90 24 025	136 40 100	REP	90-22-081	136-40-704	REP-C	90-13-001
132Y-400-020	NEW-P	90 24-025	136-40-104	REP-C	90-13-001	136-40-704	REP	90-22-081
132Y-400-030	NEW-P	90 24-025	136-40-104	REP	90-22-081	136-40-708	REP-C	90-13-001
132Y-400-040	NEW P	90-24 025	136-40-108	REP-C	90-13-001	136-40-708	REP	90-22-081
136-01-010	AMD	90-07 071	136-40-108	REP	90-22-081	136-40-712	REP-C	90-13-001
136-01-030	AMD	90-07 071	136-40-112	REP-C	90-13-001	136-40-712	REP	90-22-081
136-01-040	REP	90-07-071	136 40-112	REP	90-22-081	136-40-800	REP-C	90-13-001
136-04-020	AMD	90-07 072	136-40-116	REP-C	90-13-001	136-40-800	REP	90-22-081
136-04-030	AMD	90 07 072	136-40-116	REP	90-22-081	136-40-804	REP-C	90-13-001
136-04-040	AMD	90 07-072	136-40-120	REP-C	90-13-001	136-40-804	REP	90-22-081
136-04-060	AMD	90 07 072	136-40-120	REP	90-22-081	136-40-808	REP-C	90-13-001
136-04-080	AMD	90-07-072	136-40-124	REP-C	90-13-001	136-40-808	REP	90-22-081

### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
136-40-812	REP C	90 13 001	136-325-020	NEW	90-22-082	148-130-020	NEW	90-16-014
136-40-812	REP	90 22 081	136-325-030	NEW-P	90-17-124	148-130-030	NEW-P	90-10-112
136-130-030	AMD-E	90 16 025	136-330-030	NEW	90-22-082	148-130-030	NEW	90-16-014
136-130-030	AMD P	90 17 093	136-330-010	NEW-E	90-11-113	148-130-035	NEW-P	90-10-112
136-130-030	AMD	90 22-083	136-330-010	NEW-P	90-17-124	148-130-035	NEW	90-16-014
136-130-040	AMD-E	90 16 025	136-330-010	NEW	90-22-082	148-130-040	NEW-P	90-10-112
136-130-040	AMD-P	90 17 093	136-330-020	NEW-E	90-11-113	148-130-040	NEW	90-16-014
136-130-040	AMD	90 22-083	136-330-020	NEW P	90-17-124	148-130-050	NEW-P	90-10-112
136-130-050	AMD E	90 16 025	136-330-020	NEW	90-22-082	148-130-050	NEW	90-16-014
136-130-050	AMD P	90 17-093	136-330-030	NEW-P	90-17-124	148-140-010	NEW-P	90-10-113
136-130-050	AMD	90 22 083	136-330-030	NEW	90-22-082	148-140-010	NEW	90-16-015
136-130-060	AMD-E	90 16 025	136-330-040	NEW-P	90-17-124	148-140-020	NEW-P	90-10-113
136-130-060	AMD-P	90 17 093	136-330-040	NEW	90-22-082	148-140-020	NEW	90-16-015
136-130-060	AMD	90 22 083	136-340-010	NEW-E	90-11-113	148-140-030	NEW-P	90-10-113
136-130-070	AMD-E	90 16 025	136-340-010	NEW-P	90-17-124	148-140-030	NEW	90-16-015
136-130-070	AMD-P	90 17 093	136-340-010	NEW	90-22-082	148-140-040	NEW-P	90-10-113
136-130-070	AMD	90 22-083	136-340-020	NEW-E	90-11-113	148-140-040	NEW	90-16-015
136-160-050	AMD P	90 17 093	136-340-020	NEW-P	90-17-124	148-140-050	NEW-P	90-10-113
136-160-050	AMD	90 22 083	136-340-020	NEW	90-22-082	148-140-050	NEW	90-16-015
136-160-060	AMD-E	90 16 025	136-340-030	NEW-E	90-11-113	148-140-060	NEW-P	90-10-113
136-160-060	AMD-P	90-17-093	136-340-030	NEW-P	90-17-124	148-140-060	NEW	90-16-015
136-160-060	AMD	90 22 083	136-340-030	NEW	90-22-082	148-140-070	NEW-P	90-10-113
136-220-020	AMD E	90-16-025	136-340-040	NEW-E	90-11-113	148-140-070	NEW	90-16-015
136-220-020	AMD-P	90-17-093	136-340-040	NEW-P	90-17-124	148-140-080	NEW-P	90-10-113
136-220-020	AMD	90-22-083	136-340-040	NEW	90-22-082	148-140-080	NEW	90-16-015
136-220-030	AMD E	90-16-025	136-340-050	NEW-E	90-11-113	148-171-001	NEW-P	90-10-114
136-220-030	AMD-P	90-17-093	136-340-050	NEW-P	90-17-124	148-171-001	NEW	90-16-016
136-220-030	AMD	90 22 083	136-340-050	NEW	90-22-082	148-171-010	NEW-P	90-10-114
136-300-010	NEW-E	90-11-113	136-350-010	NEW-E	90-11-113	148-171-010	NEW	90-16-016
136-300-010	NEW P	90 17 124	136-350-010	NEW-P	90-17-124	148-171-015	NEW-P	90-10-114
136-300-010	NEW	90 22 082	136-350-010	NEW	90-22-082	148-171-015	NEW	90-16-016
136-300-020	NEW E	90 11 113	136-350-020	NEW-E	90-11-113	148-171-100	NEW-P	90-10-114
136-300-020	NEW-P	90 17 124	136-350-020	NEW-P	90-17-124	148-171-100	NEW	90-16-016
136-300-020	NEW	90 22-082	136-350-020	NEW	90-22-082	148-171-110	NEW-P	90-10-114
136-300-030	NEW-E	90 11 113	137-12A-010	AMD-E	90-16-046	148-171-110	NEW	90-16-016
136-300-030	NEW P	90-17-124	137-12A-010	AMD-P	90-21-130	148-171-120	NEW-P	90-10-114
136-300-030	NEW	90-22-082	137-12A-020	AMD-E	90-16-046	148-171-120	NEW	90-16-016
136-300-040	NEW-E	90 11-113	137-12A-020	AMD-P	90-21-130	148-171-130	NEW-P	90-10-114
136-300-040	NEW-P	90 17-124	137-12A-030	AMD-E	90-16-046	148-171-130	NEW	90-16-016
136-300-040	NEW	90 22-082	137-12A-030	AMD-P	90-21-130	148-171-140	NEW-P	90-10-114
136-310-010	NEW-E	90-11-113	137-12A-050	AMD-E	90-16-046	148-171-140	NEW	90-16-016
136-310-010	NEW-P	90 17 124	137-12A-050	AMD-P	90-21-130	148-171-150	NEW-P	90-10-114
136-310-010	NEW	90 22 082	137-12A-060	AMD-E	90-16-046	148-171-150	NEW	90-16-016
136-310-020	NEW-E	90 11-113	137-12A-060	AMD-P	90-21-130	148-171-200	NEW-P	90-10-114
136-310-020	NEW-P	90 17-124	137-12A-070	AMD-E	90-16-046	148-171-200	NEW	90-16-016
136-310-020	NEW	90 22-082	137-12A-070	AMD-P	90-21-130	148-171-210	NEW-P	90-10-114
136-310-030	NEW-E	90 11 113	137-12A-090	AMD-E	90-16-046	148-171-210	NEW	90-16-016
136-310-030	NEW-P	90 17-124	137-12A-090	AMD-P	90-21-130	148-171-220	NEW-P	90-10-114
136-310-030	NEW	90 22-082	139 05 230	AMD-P	90-21-011	148-171-220	NEW	90-16-016
136-310-040	NEW-E	90-11-113	139-05-925	NEW-P	90-03-085	148-171-230	NEW-P	90-10-114
136-310-040	NEW-P	90 17 124	139-05-925	NEW	90-07-012	148-171-230	NEW	90-16-016
136-310-040	NEW	90-22-082	139-05-930	NEW-P	90-21-010	148-171-240	NEW-P	90-10-114
136-310-050	NEW-E	90 11 113	139-10-212	NEW-P	90-21-012	148-171-240	NEW	90-16-016
136-310-050	NEW-P	90-17-124	139-10-215	NEW-P	90-21-009	148-171-240	NEW-P	90-10-114
136-310-050	NEW	90 22 082	148-100-001	NEW-P	90-10-110	148-171-400	NEW	90-16-016
136-320-010	NEW-E	90-11-113	148-100-001	NEW	90-16-012	148-171-410	NEW-P	90-10-114
136-320-010	NEW-P	90-17-124	148-108-010	NEW-P	90-10-111	148-171-410	NEW	90-16-016
136-320-010	NEW	90-22-082	148-108-010	NEW	90-16-013	148-171-420	NEW-P	90-10-114
136-320-020	NEW-E	90-11-113	148-108-020	NEW-P	90-10-111	148-171-420	NEW	90-16-016
136-320-020	NEW-P	90-17-124	148-108-020	NEW	90-16-013	148-171-430	NEW-P	90-10-114
136-320-020	NEW	90 22 082	148-108-030	NEW-P	90-10-111	148-171-430	NEW	90-16-016
136-320-030	NEW-E	90-11-113	148-108-030	NEW	90-16-013	148-171-500	NEW-P	90-10-114
136-320-030	NEW P	90 17-124	148-108-040	NEW-P	90-10-111	148-171-500	NEW	90-16-016
136-320-030	NEW	90-22-082	148-108-040	NEW	90-16-013	148-171-510	NEW-P	90-10-114
136-320-040	NEW-P	90-17-124	148-108-060	NEW-P	90-10-111	148-171-510	NEW	90-16-016
136-320-040	NEW	90-22-082	148-108-060	NEW	90-16-013	148-171-600	NEW-P	90-10-114
136-320-050	NEW-P	90-17-124	148-108-070	NEW-P	90-10-111	148-171-600	NEW	90-16-016
136-320-050	NEW	90-22-082	148-108-070	NEW	90-16-013	148-171-610	NEW-P	90-10-114
136-320-060	NEW-P	90-17-124	148-108-080	NEW-P	90-10-111	148-171-610	NEW	90-16-016
136-320-060	NEW	90-22-082	148-108-080	NEW	90-16-013	148-171-620	NEW-P	90-10-114
136-320-070	NEW-P	90-17-124	148-108-090	NEW-P	90-10-111	148-171-620	NEW	90-16-016
136-320-070	NEW	90-22-082	148-108-090	NEW	90-16-013	148-171-630	NEW-P	90-10-114
136-320-080	NEW-P	90-17-124	148-108-100	NEW-P	90-10-111	148-171-630	NEW	90-16-016
136-320-080	NEW	90 22 082	148-108-100	NEW	90-16-013	148-171-640	NEW-P	90-10-114
136-325-010	NEW-P	90-17-124	148-130-010	NEW-P	90-10-112	148-171-640	NEW	90-16-016
136-325-010	NEW	90-22 082	148-130-010	NEW	90-16-014	148-171-650	NEW-P	90-10-114
136-325-020	NEW-P	90-17-124	148-130-020	NEW-P	90-10-112	148-171-650	NEW	90-16-016

### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
148-171-700	NEW	P 90 17 077	154-12-086	AMD	90-05-078	173-16-064	NEW-P	90-16-040
148-171-700	NEW	90 23 053	154-12-087	AMD-P	90-02-086	173-18-090	AMD-C	90-02-107
148-276-010	NEW-P	90 10 115	154-12-090	AMD-P	90-05-078	173-18-090	AMD	90-06-068
148-276-010	NEW	90 16 017	154-12-090	AMD	90-02-086	173-18-090	AMD-E	90-06-069
148-276-020	NEW-P	90 10 115	154-12-107	AMD	90-05-078	173-18-200	AMD-C	90-02-107
148-276-020	NEW	90 16 017	154-12-107	REP-P	90-02-086	173-18-200	AMD	90-06-068
148-276-030	NEW-P	90 10 115	154-12-110	REP	90-05-078	173-18-200	AMD-E	90-06-069
148-276-030	NEW	90 16 017	154-12-110	AMD-P	90-02-086	173-19-1104	AMD	90-02-105
148-276-040	NEW-P	90 10 115	154-12-110	AMD	90-05-078	173-19-120	AMD-P	90-13-091
148-276-040	NEW	90 16 017	154-24-010	AMD-P	90-02-086	173-19-220	AMD-P	90-03-112
148-276-050	NEW-P	90 10 115	154-24-010	AMD	90-05-078	173-19-220	AMD-C	90-07-061
148-276-050	NEW	90 16 017	154-32-010	AMD-P	90-02-086	173-19-220	AMD-C	90-08-122
148-276-060	NEW-P	90 10 115	154-32-010	AMD	90-05-078	173-19-220	AMD	90-11-072
148-276-060	NEW	90 16 017	154-32-020	AMD-P	90-02-086	173-19-220	AMD	90-13-079
148-276-070	NEW-P	90 10 115	154-32-020	AMD	90-05-078	173-19-230	AMD-P	90-20-097
148-276-070	NEW	90 16 017	154-40	AMD-P	90-02-086	173-19-240	RE-AD	90-07-027
148-276-080	NEW-P	90 10 115	154-40	AMD	90-05-078	173-19-2401	RE-AD	90-07-027
148-276-080	NEW	90 16 017	154-40-010	AMD-P	90-02-086	173-19-250	AMD-P	90-20-098
148-276-090	NEW-P	90 10 115	154-40-010	AMD	90-05-078	173-19-250	AMD-S	90-21-105
148-276-090	NEW	90 16 017	154-44-010	AMD-P	90-02-086	173-19-2505	AMD	90-06-067
148-276-100	NEW-P	90 10 115	154-44-010	AMD	90-05-078	173-19-2510	AMD-P	90-13-092
148-276-100	NEW	90 16 017	154-64-050	AMD-P	90-02-086	173-19-2510	AMD	90-20-108
148-276-110	NEW-P	90 10 115	154-64-050	AMD	90-05-078	173-19-2512	AMD	90-06-106
148-276-110	NEW	90 16 017	154-110-030	AMD-P	90-20-045	173-19-2514	AMD-P	90-20-099
148-276-120	NEW-P	90 10 115	154-110-030	AMD	90-23-021	173-19-2517	AMD-P	90-09-097
148-276-120	NEW	90 16 017	154-120-015	AMD-P	90-20-045	173-19-2517	AMD	90-14-090
148-276-130	NEW-P	90 10 115	154-120-015	AMD	90-23-021	173-19-2517	AMD	90-02-101
148-276-130	NEW	90 16 017	154-120-020	AMD-P	90-20-045	173-19-2519	AMD-P	90-23-106
148-276-140	NEW-P	90 10 115	154-120-020	AMD	90-23-021	173-19-2520	AMD-P	90-05-074
148-276-140	NEW	90 16 017	154-120-055	AMD-P	90-20-045	173-19-2520	AMD	90-17-127
148-280-010	NEW-P	90 10 116	154-120-055	AMD	90-23-021	173-19-2521	AMD-P	90-15-059
148-280-010	NEW	90 16 018	154-130-010	AMD-P	90-20-045	173-19-2521	AMD	90-20-111
148-280-011	NEW-P	90 10 116	154-130-010	AMD	90-23-021	173-19-280	AMD-P	90-09-096
148-280-011	NEW	90 16 018	154-130-020	AMD-P	90-20-045	173-19-280	AMD	90-14-091
148-280-015	NEW-P	90 10 116	154-130-020	AMD	90-23-021	173-19-3203	AMD-P	90-21-107
148-280-015	NEW	90 16 018	154-130-030	AMD-P	90-20-045	173-19-3205	AMD-P	90-21-108
148-280-020	NEW-P	90 10 116	154-130-030	AMD	90-23-021	173-19-3208	AMD-P	90-21-106
148-280-020	NEW	90 16 018	154-140-010	AMD-P	90-20-045	173-19-3209	AMD-P	90-22-110
148-280-025	NEW-P	90 10 116	154-140-010	AMD	90-23-021	173-19-3209	AMD-C	90-23-103
148-280-025	NEW	90 16 018	154-140-030	AMD-P	90-20-045	173-19-3210	AMD-P	90-22-111
148-280-030	NEW-P	90 10 116	154-140-030	AMD	90-23-021	173-19-3210	AMD-P	90-22-111
148-280-030	NEW	90 16 018	154-150-010	AMD-P	90-20-045	173-19-3211	AMD-C	90-23-104
148-280-040	NEW-P	90 10 116	154-150-010	AMD	90-23-021	173-19-3514	AMD-P	90-03-110
148-280-040	NEW	90 16 018	154-150-020	AMD-P	90-20-045	173-19-3514	AMD-C	90-08-122
148-280-050	NEW-P	90 10 116	154-150-020	AMD	90-23-021	173-19-3514	AMD	90-11-072
148-280-050	NEW	90 16 018	154-200-020	AMD-P	90-20-045	173-19-360	AMD-P	90-03-111
148-280-055	NEW-P	90 10 116	154-200-020	AMD	90-23-021	173-19-360	AMD-C	90-06-024
148-280-055	NEW	90 16 018	162-08-091	REP-P	90-13-086	173-19-360	RE-AD	90-07-026
148-280-060	NEW-P	90 10 116	162-08-091	REP-W	90-15-024	173-19-360	AMD-C	90-08-122
148-280-060	NEW	90 16 018	162-08-098	AMD-P	90-13-086	173-19-360	AMD	90-11-072
148-280-070	NEW-P	90 10 116	162-08-098	AMD-W	90-15-024	173-19-360	AMD	90-13-089
148-280-070	NEW	90 16 018	162-08-099	AMD-P	90-13-086	173-19-360	AMD-P	90-23-105
148-325-010	NEW-P	90 10 117	162-08-099	AMD-W	90-15-024	173-19-360	AMD-C	90-24-084
148-325-010	NEW	90 16 020	162-08-106	AMD-P	90-13-086	173-19-3601	AMD-P	90-05-075
154-04-035	REP-P	90-02-086	162-08-106	AMD-W	90-15-024	173-19-3601	AMD-C	90-08-122
154-04-035	REP	90-05-078	173-03-010	AMD-E	90-14-041	173-19-3601	AMD	90-11-072
154-04-041	NEW-P	90-02-086	173-03-010	AMD-P	90-16-084	173-19-390	RE-AD	90-07-025
154-04-041	NEW	90-05-078	173-03-010	AMD	90-21-119	173-19-3910	RE-AD	90-07-028
154-04-110	REP-P	90-02-086	173-03-020	AMD-E	90-14-041	173-19-3910	AMD-P	90-15-058
154-04-110	REP	90-05-078	173-03-020	AMD-P	90-16-084	173-19-3910	AMD	90-23-048
154-08-050	AMD-P	90-02-086	173-03-020	AMD	90-21-119	173-19-420	AMD-C	90-05-077
154-08-050	AMD	90-05-078	173-03-030	AMD-E	90-14-041	173-19-420	AMD-C	90-08-122
154-12-010	AMD-P	90-02-086	173-03-030	AMD-P	90-16-084	173-19-420	AMD	90-11-072
154-12-010	AMD	90-05-078	173-03-030	AMD	90-21-119	173-19-4201	AMD-P	90-05-076
154-12-015	AMD-P	90-02-086	173-03-050	AMD-E	90-14-041	173-19-4201	AMD-C	90-08-122
154-12-015	AMD	90-05-078	173-03-050	AMD-P	90-16-084	173-19-4201	AMD	90-11-072
154-12-030	AMD-P	90-02-086	173-03-050	AMD	90-21-119	173-19-4202	AMD-P	90-05-076
154-12-030	AMD	90-05-078	173-03-060	AMD-E	90-14-041	173-19-4202	AMD-C	90-08-122
154-12-050	AMD-P	90-02-086	173-03-060	AMD-P	90-16-084	173-19-4203	AMD	90-11-072
154-12-050	AMD	90-05-078	173-03-070	AMD	90-21-119	173-19-4203	AMD-P	90-05-076
154-12-070	AMD-P	90-02-086	173-03-070	AMD-E	90-14-041	173-19-4203	AMD-C	90-08-122
154-12-070	AMD	90-05-078	173-03-070	AMD-P	90-16-084	173-19-4204	AMD	90-11-072
154-12-080	AMD-P	90-02-086	173-03-070	AMD	90-21-119	173-19-4204	AMD-P	90-05-076
154-12-080	AMD	90-05-078	173-03-100	AMD-E	90-14-041	173-19-4204	AMD-C	90-08-122
154-12-085	AMD-P	90-02-086	173-03-100	AMD-P	90-16-084	173-19-4205	AMD	90-11-072
154-12-085	AMD	90-05-078	173-03-100	AMD	90-21-119	173-19-4205	AMD-P	90-05-076
154-12-086	AMD-P	90-02-086	173-06-030	RE-AD	90-07-014	173-19-4205	AMD-C	90-08-122
							AMD	90-11-072

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-19-4205	AMD P 90 15-057	173-142-050	REP-P 90-11-059	173-166-100	NEW-W 90-15-052
173-19-4205	AMD 90 20 110	173-142-050	REP 90-21-089	173-166-100	NEW-P 90-20-100
173-19-4206	AMD-P 90 05 076	173-142-070	REP-P 90-11-059	173-166-110	NEW-P 90-20-100
173-19-4206	AMD-C 90 08 122	173-142-070	REP 90-21-089	173-166-110	NEW-W 90-15-052
173-19-4206	AMD 90 11-072	173-142-080	REP-P 90-11-059	173-166-110	NEW-P 90-20-100
173-19-450	AMD-P 90 13 090	173-142-080	REP 90-21-089	173-166-120	NEW-P 90-02-096
173-19-450	AMD 90 20 107	173-142-090	REP-P 90-11-059	173-166-120	NEW-W 90-15-052
173-19-4507	AMD 90-07-063	173-142-090	REP 90-21-089	173-166-120	NEW-P 90-20-100
173-32-010	AMD P 90 11-122	173-142-100	REP-P 90-11-059	173-166-130	NEW-P 90-02-096
173-32-010	AMD 90 18-064	173-142-100	REP 90-21-089	173-166-130	NEW-W 90-15-052
173-32-020	AMD P 90 11 122	173-142-110	REP-P 90-11-059	173-166-130	NEW-P 90-20-100
173-32-020	AMD 90 18 064	173-142-110	REP 90-21-089	173-166-140	NEW-P 90-20-100
173-32-030	AMD-P 90 11 122	173-158	AMD-P 90-11-059	173-170-010	NEW-P 90-13-104
173-32-030	AMD 90 18 064	173-158	AMD 90-21-089	173-170-010	NEW 90-20-109
173-32-040	AMD-P 90-11-122	173-158-010	AMD-P 90-11-059	173-170-020	NEW-P 90-13-104
173-32-040	AMD 90-18-064	173-158-010	AMD 90-21-089	173-170-020	NEW 90-20-109
173-50-010	RE-AD 90-07-017	173-158-020	AMD-P 90-11-059	173-170-030	NEW-P 90-13-104
173-50-020	RE-AD 90 07 017	173-158-020	AMD 90-21-089	173-170-030	NEW 90-20-109
173-50-030	RE-AD 90-07-017	173-158-030	RE-AD 90-06-059	173-170-040	NEW-P 90-13-104
173-50-040	RE-AD 90-07-017	173-158-030	AMD-P 90-11-059	173-170-040	NEW 90-20-109
173-50-040	AMD-P 90-12-086	173-158-030	AMD 90-21-089	173-170-050	NEW-P 90-13-104
173-50-040	AMD 90-21-090	173-158-040	AMD-P 90-11-059	173-170-050	NEW 90-20-109
173-50-050	RE-AD 90-07-017	173-158-040	AMD 90-21-089	173-170-060	NEW-P 90-13-104
173-50-050	AMD-P 90 12 086	173-158-045	NEW-P 90-11-059	173-170-060	NEW 90-20-109
173-50-050	AMD 90-21-090	173-158-045	NEW 90-21-089	173-170-070	NEW-P 90-13-104
173-50-060	RE-AD 90-07-017	173-158-060	RE-AD 90-06-059	173-170-070	NEW 90-20-109
173-50-060	AMD-P 90-12-086	173-158-060	REP-P 90-11-059	173-170-080	NEW-P 90-13-104
173-50-060	AMD 90 21 090	173-158-060	REP 90-21-089	173-170-080	NEW 90-20-109
173-50-070	RE-AD 90-07-017	173-158-064	NEW-P 90-11-059	173-170-090	NEW-P 90-13-104
173-50-070	AMD-P 90-12-086	173-158-064	NEW 90-21-089	173-170-090	NEW 90-20-109
173-50-070	AMD 90-21-090	173-158-070	AMD-P 90-11-059	173-170-100	NEW-P 90-13-104
173-50-080	RE-AD 90 07 017	173-158-070	AMD 90-21-089	173-170-100	NEW 90-20-109
173-50-080	AMD-P 90-12-086	173-158-084	NEW-P 90-11-059	173-170-110	NEW-P 90-13-104
173-50-080	AMD 90-21-090	173-158-084	NEW 90-21-089	173-170-110	NEW 90-20-109
173-50-090	RE-AD 90-07-017	173-158-086	NEW-P 90-11-059	173-170-120	NEW-P 90-13-104
173-50-090	AMD-P 90-12-086	173-158-086	NEW 90-21-089	173-170-120	NEW 90-20-109
173-50-090	AMD 90-21-090	173-158-100	REP-P 90-11-059	173-200-010	NEW-P 90-11-074
173-50-100	RE-AD 90-07-017	173-158-100	REP 90-21-089	173-200-010	NEW 90-22-023
173-50-100	AMD-P 90 12-086	173-158-110	REP-P 90-11-059	173-200-020	NEW-P 90-11-074
173-50-100	AMD 90-21-090	173-158-110	REP 90-21-089	173-200-020	NEW 90-22-023
173-50-110	RE-AD 90-07-017	173-158-120	AMD-P 90-11-059	173-200-030	NEW-P 90-11-074
173-50-110	AMD-P 90-12-086	173-158-120	AMD 90-21-089	173-200-030	NEW 90-22-023
173-50-110	AMD 90 21 090	173-160-215	RE-AD 90-07-016	173-200-040	NEW-P 90-11-074
173-50-120	RE-AD 90-07-017	173-166	AMD-P 90-02-096	173-200-040	NEW 90-22-023
173-50-120	AMD-P 90-12-086	173-166	AMD-C 90-05-048	173-200-050	NEW-P 90-11-074
173-50-120	AMD 90 21-090	173-166	AMD-C 90-06-010	173-200-050	NEW 90-22-023
173-50-130	RE-AD 90-07-017	173-166	AMD-C 90-08-080	173-200-060	NEW-P 90-11-074
173-50-130	AMD-P 90-12-086	173-166	AMD-W 90-15-052	173-200-060	NEW 90-22-023
173-50-130	AMD 90 21-090	173-166	AMD-P 90-20-100	173-200-070	NEW-P 90-11-074
173-50-140	RE-AD 90-07-017	173-166-010	AMD-P 90-02-096	173-200-070	NEW 90-22-023
173-50-140	AMD-P 90-12-086	173-166-010	AMD-W 90-15-052	173-200-080	NEW-P 90-11-074
173-50-140	AMD 90-21-090	173-166-010	AMD-P 90-20-100	173-200-080	NEW 90-22-023
173-50-150	RE-AD 90 07 017	173-166-020	AMD-P 90-02-096	173-200-090	NEW-P 90-11-074
173-50-150	AMD-P 90-12-086	173-166-020	AMD-W 90-15-052	173-200-090	NEW 90-22-023
173-50-150	AMD 90-21-090	173-166-020	AMD-P 90-20-100	173-200-100	NEW-P 90-11-074
173-50-160	RE-AD 90-07-017	173-166-030	AMD-P 90-02-096	173-200-100	NEW 90-22-023
173-50-170	RE-AD 90-07-017	173-166-030	AMD-W 90-15-052	173-201	PREP 90-18-067
173-50-180	RE-AD 90-07-017	173-166-030	AMD-P 90-20-100	173-202-020	AMD-E 90-24-064
173-50-190	RE-AD 90-07-017	173-166-040	AMD-P 90-02-096	173-204-100	NEW-P 90-19-084
173-50-190	AMD-P 90-12-086	173-166-040	AMD-W 90-15-052	173-204-110	NEW-P 90-19-084
173-50-190	AMD 90 21-090	173-166-040	AMD-P 90-20-100	173-204-120	NEW-P 90-19-084
173-50-200	RE-AD 90-07-017	173-166-050	AMD-P 90-02-096	173-204-130	NEW-P 90-19-084
173-50-200	AMD-P 90-12-086	173-166-050	AMD-W 90-15-052	173-204-200	NEW-P 90-19-084
173-50-200	AMD 90 21-090	173-166-050	AMD-P 90-20-100	173-204-300	NEW-P 90-19-084
173-50-210	RE-AD 90-07-017	173-166-060	AMD-P 90-02-096	173-204-310	NEW-P 90-19-084
173-50-210	AMD-P 90-12-086	173-166-060	AMD-W 90-15-052	173-204-315	NEW-P 90-19-084
173-50-210	AMD 90-21-090	173-166-060	AMD-P 90-20-100	173-204-320	NEW-P 90-19-084
173-50-220	NEW-P 90-12-086	173-166-070	AMD-P 90-02-096	173-204-330	NEW-P 90-19-084
173-50-220	NEW 90-21-090	173-166-070	AMD-W 90-15-052	173-204-340	NEW-P 90-19-084
173-142-010	REP-P 90-11-059	173-166-070	AMD-P 90-20-100	173-204-350	NEW-P 90-19-084
173-142-010	REP 90-21-089	173-166-080	NEW-P 90-02-096	173-204-400	NEW-P 90-19-084
173-142-020	REP-P 90-11-059	173-166-080	NEW-W 90-15-052	173-204-410	NEW-P 90-19-084
173-142-020	REP 90-21-089	173-166-080	NEW-P 90-20-100	173-204-415	NEW-P 90-19-084
173-142-030	REP-P 90-11-059	173-166-090	NEW-P 90-02-096	173-204-420	NEW-P 90-19-084
173-142-030	REP 90-21-089	173-166-090	NEW-W 90-15-052	173-204-500	NEW-P 90-19-084
173-142-040	REP-P 90-11-059	173-166-090	NEW-P 90-20-100	173-204-510	NEW-P 90-19-084
173-142-040	REP 90-21-089	173-166-100	NEW-P 90-02-096	173-204-520	NEW-P 90-19-084

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-204-530	NEW P 90 19 084	173-303-281	AMD 90-20-016	173-305-220	NEW-P 90-22-086
173-204-540	NEW P 90-19 084	173-303-282	NEW-P 90-10-085	173-305-230	NEW-P 90-22-086
173-204-550	NEW-P 90-19 084	173-303-282	NEW 90-20-016	173-305-240	NEW-P 90-22-086
173-204-560	NEW P 90 19 084	173-303-320	AMD-P 90-20-101	173-306-010	NEW-P 90-02-088
173-204-570	NEW-P 90 19-084	173-303-355	NEW-P 90-10-085	173-306-010	NEW 90-10-047
173-204-580	NEW-P 90-19 084	173-303-355	NEW 90-20-016	173-306-050	NEW-P 90-02-088
173-204-590	NEW-P 90 19 084	173-303-360	AMD-P 90-20-101	173-306-050	NEW 90-10-047
173-204-600	NEW P 90 19-084	173-303-380	AMD-P 90-20-101	173-306-100	NEW-P 90-02-088
173-204-610	NEW P 90 19 084	173-303-390	AMD-P 90-20-101	173-306-100	NEW 90-10-047
173-204-620	NEW P 90 19-084	173-303-400	AMD-P 90-20-101	173-306-150	NEW-P 90-02-088
173-216-125	NEW P 90 12 086	173-303-420	REP-P 90-10-085	173-306-150	NEW 90-10-047
173-216-125	NEW 90 21 090	173-303-420	REP 90-20-016	173-306-200	NEW-P 90-02-088
173-220-210	AMD-P 90 12 086	173-303-500	AMD-P 90-20-101	173-306-200	NEW 90-10-047
173-220-210	AMD 90 21 090	173-303-510	AMD-P 90-20-101	173-306-300	NEW-P 90-02-088
173-221A-010	NEW-P 90 06 071	173-303-515	AMD-P 90-20-101	173-306-300	NEW 90-10-047
173-221A-010	NEW 90 14 078	173-303-520	AMD-P 90-20-101	173-306-310	NEW-P 90-02-088
173-221A-020	NEW-P 90 06-071	173-303-525	AMD-P 90-20-101	173-306-310	NEW 90-10-047
173-221A-020	NEW 90 14 078	173-303-550	AMD-P 90-20-101	173-306-320	NEW-P 90-02-088
173-221A-030	NEW-P 90-06 071	173-303-560	AMD-P 90-20-101	173-306-320	NEW 90-10-047
173-221A-030	NEW 90 14 078	173-303-600	AMD-P 90-20-101	173-306-330	NEW-P 90-02-088
173-221A-100	NEW-P 90 06 071	173-303-610	AMD-P 90-20-101	173-306-330	NEW 90-10-047
173-221A-100	NEW 90-14 078	173-303-620	AMD-P 90-20-101	173-306-340	NEW-P 90-02-088
173-221A-150	NEW-P 90-06-071	173-303-630	AMD-P 90-20-101	173-306-340	NEW 90-10-047
173-221A-150	NEW 90-14-078	173-303-645	AMD-P 90-20-101	173-306-345	NEW-P 90-02-088
173-224-015	RE AD 90-07 015	173-303-650	RE-AD-P 90-20-101	173-306-345	NEW 90-10-047
173-224-020	RE-AD 90-07-015	173-303-680	NEW-P 90-20-101	173-306-350	NEW-P 90-02-088
173-224-030	RE-AD 90-07-015	173-303-800	AMD-P 90-20-101	173-306-350	NEW 90-10-047
173-224-040	RE AD 90 07 015	173-303-802	AMD-P 90-20-101	173-306-400	NEW-P 90-02-088
173-224-050	RE AD 90 07 015	173-303-805	AMD-P 90-20-101	173-306-400	NEW 90-10-047
173-224-060	RE AD 90-07-015	173-303-806	AMD-P 90-10-085	173-306-405	NEW-P 90-02-088
173-224-070	RE-AD 90-07 015	173-303-806	AMD 90-20-016	173-306-405	NEW 90-10-047
173-224-080	RE AD 90 07 015	173-303-806	AMD-P 90-20-101	173-306-410	NEW-P 90-02-088
173-224-090	RE AD 90-07 015	173-303-807	AMD-P 90-20-101	173-306-410	NEW 90-10-047
173-224-100	RE AD 90 07-015	173-303-808	AMD-P 90-20-101	173-306-440	NEW-P 90-02-088
173-224-110	RE AD 90-07 015	173-303-810	AMD-P 90-20-101	173-306-440	NEW 90-10-047
173-224-120	RE AD 90-07 015	173-303-830	AMD-P 90-20-101	173-306-450	NEW-P 90-02-088
173-230-090	AMD P 90 24 060	173-303-9903	AMD-P 90-20-101	173-306-450	NEW 90-10-047
173-300-010	NEW-P 90 17-125	173-303-9904	AMD-P 90-20-101	173-306-470	NEW-P 90-02-088
173-300-020	NEW-P 90 17-125	173-303-9906	AMD-P 90-20-101	173-306-470	NEW 90-10-047
173-300-030	NEW-P 90 17-125	173-303-9907	AMD-P 90-20-101	173-306-480	NEW-P 90-02-088
173-300-040	NEW-P 90-17-125	173-305-010	AMD-E 90-15-025	173-306-480	NEW 90-10-047
173-300-050	NEW-P 90-17 125	173-305-010	REP-E 90-20-054	173-306-490	NEW-P 90-02-088
173-300-060	NEW P 90 17 125	173-305-010	AMD-P 90-22-086	173-306-490	NEW 90-10-047
173-300-070	NEW-P 90 17-125	173-305-01001	NEW-E 90-20-044	173-306-495	NEW-P 90-02-088
173-300-080	NEW-P 90-17 125	173-305-015	AMD-E 90-15-025	173-306-495	NEW 90-10-047
173-300-090	NEW-P 90-17-125	173-305-015	REP-E 90-20-054	173-306-500	NEW-P 90-02-088
173-300-100	NEW-P 90-17 125	173-305-015	AMD-P 90-22-086	173-306-500	NEW 90-10-047
173-300-110	NEW-P 90 17 125	173-305-01501	NEW-E 90-20-044	173-306-900	NEW-P 90-02-088
173-300-120	NEW-P 90 17-125	173-305-020	AMD-E 90-15-025	173-306-900	NEW 90-10-047
173-300-130	NEW-P 90 17 125	173-305-020	REP-E 90-20-054	173-306-9901	NEW-P 90-02-088
173-300-140	NEW P 90 17 125	173-305-020	AMD-P 90-22-086	173-306-9901	NEW 90-10-047
173-300-150	NEW-P 90-17-125	173-305-02001	NEW-E 90-20-044	173-307-010	NEW-P 90-22-085
173-300-160	NEW-P 90 17 125	173-305-030	AMD-E 90-15-025	173-307-015	NEW-P 90-22-085
173-300-170	NEW-P 90-17-125	173-305-030	REP-E 90-20-054	173-307-020	NEW-P 90-22-085
173-300-180	NEW P 90-17 125	173-305-030	AMD-P 90-22-086	173-307-030	NEW-P 90-22-085
173-303	PREP 90-06-002	173-305-03001	NEW-E 90-20-044	173-307-040	NEW-P 90-22-085
173-303-016	AMD-P 90-20-101	173-305-040	AMD-E 90-15-025	173-307-050	NEW-P 90-22-085
173-303-017	AMD-P 90-20-101	173-305-040	REP-E 90-20-054	173-307-060	NEW-P 90-22-085
173-303-040	AMD P 90-20-101	173-305-040	AMD-P 90-22-086	173-307-070	NEW-P 90-22-085
173-303-045	AMD-P 90-20-101	173-305-04001	NEW-E 90-20-044	173-307-080	NEW-P 90-22-085
173-303-070	AMD P 90 20 101	173-305-050	AMD-E 90-15-025	173-307-090	NEW-P 90-22-085
173-303-071	AMD-P 90-20-101	173-305-050	REP-E 90-20-054	173-307-100	NEW-P 90-22-085
173-303-072	AMD-P 90-20-101	173-305-050	AMD-P 90-22-086	173-307-110	NEW-P 90-22-085
173-303-081	AMD-P 90-20-101	173-305-05001	NEW-E 90-20-044	173-307-120	NEW-P 90-22-085
173-303-084	AMD-P 90-20-101	173-305-060	AMD-E 90-15-025	173-307-130	NEW-P 90-22-085
173-303-090	AMD-P 90-20-101	173-305-060	REP-E 90-20-054	173-307-140	NEW-P 90-22-085
173-303-103	AMD-P 90-20-101	173-305-06001	NEW-E 90-20-044	173-309-010	AMD-P 90-11-122
173-303-110	AMD-P 90-20-101	173-305-070	AMD-E 90-15-025	173-309-010	AMD 90-18-064
173-303-120	AMD-P 90-20-101	173-305-070	REP-E 90-20-054	173-309-020	AMD-P 90-11-122
173-303-145	AMD-P 90-20-101	173-305-07001	NEW-E 90-20-044	173-309-020	AMD 90-18-064
173-303-160	AMD-P 90-20-101	173-305-080	AMD-E 90-15-025	173-309-030	AMD-P 90-11-122
173-303-200	AMD-P 90-20-101	173-305-080	REP-E 90-20-054	173-309-030	AMD 90-18-064
173-303-201	AMD-P 90-20-101	173-305-090	AMD-E 90-15-025	173-309-040	AMD-P 90-11-122
173-303-210	AMD-P 90 20-101	173-305-090	REP-E 90-20-054	173-309-040	AMD 90-18-064
173-303-220	AMD-P 90-20-101	173-305-110	NEW-P 90-22-086	173-309-050	AMD-P 90-11-122
173-303-230	AMD-P 90-20 101	173-305-120	NEW-P 90-22-086	173-309-050	AMD 90-18-064
173-303-281	AMD-P 90-10-085	173-305-210	NEW-P 90-22-086	173-309-060	AMD-P 90-11-122

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-309-060	AMD	90 18 064	173-336-030	REP-P	90-02-098	173-340-350	NEW	90-08-086
173-309-070	AMD P	90 11 122	173-336-030	REP	90-08-120	173-340-350	AMD-P	90-15-066
173-309-070	AMD	90 18 064	173-338-010	REP-W	90-02-097	173-340-360	NEW-W	90-02-097
173-309-080	AMD P	90 11-122	173-338-010	REP-P	90-02-098	173-340-360	NEW-P	90-02-098
173-309-080	AMD	90 18-064	173-338-010	REP	90-08-120	173-340-360	NEW	90-08-086
173-309-090	AMD-P	90 11 122	173-338-020	REP-W	90-02-097	173-340-360	AMD-P	90-15-066
173-309-090	AMD	90 18-064	173-338-020	REP-P	90-02-098	173-340-400	NEW-W	90-02-097
173-311-010	NEW P	90 12-094	173 338-020	REP	90-08-120	173-340-400	NEW-P	90-02-098
173-311-010	NEW	90 18-066	173-338-030	REP-W	90-02-097	173-340-400	NEW	90-08-086
173-311-020	NEW P	90 12-094	173-338-030	REP-P	90-02-098	173-340-410	NEW-W	90-02-097
173-311-020	NEW	90 18 066	173-338-030	REP	90-08-120	173-340-410	NEW-P	90-02-098
173-311-030	NEW-P	90 12 094	173-338-040	REP-W	90-02-097	173-340-410	NEW	90-08-086
173-311-030	NEW	90 18 066	173 338-040	REP-P	90-02-098	173-340-420	NEW-W	90-02-097
173-311-040	NEW-P	90 12 094	173-338-040	REP	90-08-120	173-340-420	NEW-P	90-02-098
173-311-040	NEW	90 18 066	173-338-050	REP-W	90-02-097	173-340-420	NEW	90-08-086
173-311-050	NEW-P	90 12 094	173-338-050	REP-P	90-02-098	173-340-420	AMD-P	90-15-066
173-311-050	NEW	90 18-066	173 338-050	REP	90-08-120	173-340-430	NEW-W	90-02-097
173-312-010	AMD P	90 11 122	173 340	AMD-W	90-02-097	173-340-430	NEW-P	90-02-098
173-312-010	AMD	90-18-064	173 340	AMD-P	90-02-098	173-340-430	NEW	90-08-086
173-312-020	AMD P	90 11 122	173 340	AMD	90-08-086	173-340-430	AMD-P	90-15-066
173-312-020	AMD	90 18 064	173 340-010	REP-W	90-02-097	173-340-440	NEW-P	90-15-066
173-312-030	AMD-P	90-11-122	173 340-010	REP-P	90-02-098	173-340-450	NEW-P	90-15-066
173-312-030	AMD	90 18 064	173 340-010	REP	90-08-086	173-340-500	NEW-W	90-02-097
173-312-040	AMD-P	90 11 122	173 340-020	REP W	90-02-097	173-340-500	NEW-P	90-02-098
173-312-040	AMD	90 18 064	173 340-020	REP-P	90-02-098	173-340-500	NEW	90-08-086
173-312-050	AMD P	90 11-122	173-340-020	REP	90-08-086	173-340-510	NEW-W	90-02-097
173-312-050	AMD	90 18 064	173 340-030	REP-W	90-02-097	173-340-510	NEW-P	90-02-098
173-315-010	AMD	90 10 058	173-340-030	REP-P	90-02-098	173-340-510	NEW	90-08-086
173-315-040	AMD	90 10 058	173-340-030	REP	90-08-086	173-340-520	NEW-W	90-02-097
173-315-050	AMD	90 10 058	173-340-040	REP-W	90-02-097	173-340-520	NEW-P	90-02-098
173-315-060	AMD P	90 12 094	173 340-040	REP-P	90-02-098	173-340-520	NEW	90-08-086
173-315-060	AMD	90 18 066	173-340-040	REP	90-08-086	173-340-530	NEW-W	90-02-097
173-319-010	NEW-P	90 16 089	173 340-050	REP-W	90-02-097	173-340-530	NEW-P	90 02-098
173-319-010	NEW	90 22 084	173 340-050	REP-P	90-02-098	173-340-530	NEW	90-08-086
173-319-020	NEW-P	90 16 089	173 340-050	REP	90-08-086	173-340-540	NEW-W	90-02-097
173-319-020	NEW	90 22 084	173 340-100	NEW-W	90-02-097	173-340-540	NEW-P	90-02-098
173-319-030	NEW P	90 16 089	173 340-100	NEW-P	90-02-098	173-340-540	NEW	90-08-086
173-319-030	NEW	90 22-084	173 340-100	NEW	90-08 086	173-340-550	NEW-W	90-02-097
173-319-040	NEW P	90 16-089	173 340 110	NEW-W	90-02-097	173-340-550	NEW-P	90-02-098
173-319-040	NEW	90 22 084	173 340 110	NEW-P	90-02-098	173-340-550	NEW	90-08-086
173-319-050	NEW-P	90 16 089	173 340-110	NEW	90-08-086	173-340-560	NEW-W	90 02-097
173-319-050	NEW	90-22-084	173-340-120	NEW-W	90-02-097	173-340-560	NEW-P	90-02-098
173-319-060	NEW P	90 16-089	173 340-120	NEW-P	90-02-098	173-340-560	NEW	90-08-086
173-319-060	NEW	90 22 084	173 340 120	NEW	90-08-086	173-340-600	NEW-W	90-02-097
173-321-040	AMD-P	90 11 123	173 340-120	AMD-P	90-15-066	173-340-600	NEW-P	90-02-098
173-321-040	AMD	90 18 065	173 340 130	NEW W	90-02-097	173-340-600	NEW	90-08-086
173-321-050	AMD-P	90 11 123	173 340-130	NEW-P	90-02-098	173-340-610	NEW W	90-02-097
173-321-050	AMD	90 18 065	173 340-130	NEW	90-08-086	173-340-610	NEW-P	90-02-098
173-322-010	NEW	90 10 057	173 340-140	NEW-W	90-02-097	173-340-610	NEW	90-08-086
173-322-020	NEW	90 10 057	173 340 140	NEW-P	90-02-098	173-340-700	NEW-W	90 02-097
173-322-030	NEW	90 10 057	173 340-140	NEW	90-08-086	173-340-700	NEW-P	90-02-098
173-322-040	NEW	90 10 057	173 340 200	NEW W	90-02-097	173 340-700	NEW	90-08-086
173-322-050	NEW	90 10 057	173 340 200	NEW-P	90-02-098	173-340-700	AMD P	90-15-066
173-322-060	NEW	90 10 057	173 340 200	NEW	90-08-086	173-340-705	NEW P	90 15 066
173-322-070	NEW	90 10 057	173 340-200	AMD-P	90-15-066	173-340-710	NEW-P	90-15-066
173-322-080	NEW	90 10 057	173 340 210	NEW-W	90-02-097	173-340-720	NEW P	90 15-066
173-322-090	NEW	90 10 057	173 340 210	NEW P	90-02-098	173-340-730	NEW-P	90-15-066
173-322-100	NEW	90 10 057	173 340 210	NEW	90-08 086	173-340-740	NEW-P	90-15-066
173-322-110	NEW	90 10 057	173 340 210	AMD P	90-15-066	173-340-745	NEW-P	90-15-066
173-322-120	NEW	90 10 057	173 340 300	NEW W	90-02-097	173-340-750	AMD P	90-15-066
173-331-010	NEW P	90 16 095	173 340 300	NEW P	90-02-098	173-340-760	AMD P	90-15-066
173-331-100	NEW P	90 16 095	173 340 300	NEW	90-08-086	173 340 800	NEW W	90 02 097
173-331-200	NEW P	90 16 095	173 340 300	AMD P	90-15-066	173-340-800	NEW-P	90-02-098
173-331-210	NEW P	90 16 095	173 340 310	NEW W	90-02-097	173-340-800	NEW	90-08-086
173-331-220	NEW P	90 16 095	173 340 310	NEW P	90-02-098	173-340-810	NEW W	90-02-097
173-331-300	NEW P	90 16 095	173 340 310	NEW	90-08-086	173-340-810	NEW-P	90-02-098
173-331-400	NEW P	90 16 095	173 340 320	NEW W	90-02-097	173-340-810	NEW	90-08-086
173-331-410	NEW P	90 16 095	173 340 320	NEW P	90-02-098	173-340-820	NEW-W	90-02-097
173-331-500	NEW P	90 16 095	173 340 320	NEW	90-08-086	173 340-820	NEW-P	90-02-098
173-331-600	NEW P	90 16 095	173 340 330	NEW-W	90-02-097	173 340-820	NEW	90-08-086
173-336-010	REP W	90 02 097	173 340 330	NEW P	90-02-098	173-340-830	NEW-W	90-02-097
173-336-010	REP P	90 02 098	173 340 330	NEW	90-08 086	173-340-830	NEW-P	90-02-098
173-336-010	REP	90 08 120	173 340 340	NEW-W	90-02-097	173-340-830	NEW	90 08-086
173-336-020	REP W	90 02 097	173 340 340	NEW P	90-02-098	173-340-830	AMD P	90-15-066
173-336-020	REP P	90 02 098	173 340 340	NEW	90-08-086	173-340-840	NEW W	90-02-097
173-336 020	REP	90 08 120	173 340 350	NEW W	90 02-097	173-340-840	NEW-P	90-02-098
173-336-030	REP W	90 02 097	173 340 350	NEW P	90-02 098	173-340-840	NEW	90 08-086

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-340-850	NEW W	90-02-097	173-360-365	NEW-P	90-15-060	173-360-499	NEW-P	90-15-060
173-340-850	NEW-P	90-02-098	173-360-365	NEW	90-24-017	173-360-499	NEW	90-24-017
173-340-850	NEW	90-08-086	173-360-370	NEW-P	90-15-060	173-360-500	NEW-P	90-15-060
173-340-860	NEW-W	90-02-097	173-360-370	NEW	90-24-017	173-360-500	NEW	90-24-017
173-340-860	NEW-P	90-02-098	173-360-372	NEW-P	90-15-060	173-360-510	NEW-P	90-15-060
173-340-860	NEW	90-08-086	173-360-372	NEW	90-24-017	173-360-510	NEW	90-24-017
173-340-870	NEW-W	90-02-097	173-360-375	NEW-P	90-15-060	173-360-520	NEW-P	90-15-060
173-340-870	NEW-P	90-02-098	173-360-375	NEW	90-24-017	173-360-520	NEW	90-24-017
173-340-870	NEW	90-08-086	173-360-380	NEW-P	90-15-060	173-360-530	NEW-P	90-15-060
173-340-880	NEW-W	90-02-097	173-360-380	NEW	90-24-017	173-360-530	NEW	90-24-017
173-340-880	NEW-P	90-02-098	173-360-385	NEW-P	90-15-060	173-360-600	NEW-E	90-14-031
173-340-880	NEW	90-08-086	173-360-385	NEW	90-24-017	173-360-600	NEW-P	90-15-060
173-340-890	NEW-W	90-02-097	173-360-390	NEW-P	90-15-060	173-360-600	NEW-E	90-22-007
173-340-890	NEW-P	90-02-098	173-360-390	NEW	90-24-017	173-360-600	NEW	90-24-017
173-340-890	NEW	90-08-086	173-360-395	NEW-P	90-15-060	173-360-610	NEW-E	90-14-031
173-342-010	NEW	90-03-020	173-360-395	NEW	90-24-017	173-360-610	NEW-P	90-15-060
173-342-020	NEW	90-03-020	173-360-398	NEW-P	90-15-060	173-360-610	NEW-E	90-22-007
173-342-030	NEW	90-03-020	173-360-398	NEW	90-24-017	173-360-610	NEW	90-24-017
173-342-040	NEW	90-03-020	173-360-399	NEW-P	90-15-060	173-360-620	NEW-E	90-14-031
173-342-050	NEW	90-03-020	173-360-399	NEW	90-24-017	173-360-620	NEW-P	90-15-060
173-360	NEW-S	90-17-065	173-360-400	NEW-P	90-15-060	173-360-620	NEW-E	90-22-007
173-360-100	NEW-P	90-15-060	173-360-400	NEW	90-24-017	173-360-630	NEW-E	90-14-031
173-360-100	NEW	90-24-017	173-360-403	NEW-P	90-15-060	173-360-630	NEW-P	90-15-060
173-360-105	NEW-P	90-15-060	173-360-403	NEW	90-24-017	173-360-630	NEW-E	90-22-007
173-360-105	NEW	90-24-017	173-360-406	NEW-P	90-15-060	173-360-630	NEW	90-24-017
173-360-110	NEW-P	90-15-060	173-360-406	NEW	90-24-017	173-360-640	NEW-E	90-14-031
173-360-110	NEW	90-24-017	173-360-410	NEW-P	90-15-060	173-360-640	NEW-P	90-15-060
173-360-120	NEW-P	90-15-060	173-360-410	NEW	90-24-017	173-360-640	NEW-E	90-22-007
173-360-120	NEW	90-24-017	173-360-413	NEW-P	90-15-060	173-360-640	NEW	90-24-017
173-360-130	NEW-P	90-15-060	173-360-413	NEW	90-24-017	173-360-650	NEW-E	90-14-031
173-360-130	NEW	90-24-017	173-360-416	NEW-P	90-15-060	173-360-650	NEW-P	90-15-060
173-360-140	NEW-P	90-15-060	173-360-416	NEW	90-24-017	173-360-650	NEW-E	90-22-007
173-360-140	NEW	90-24-017	173-360-420	NEW	90-24-017	173-360-650	NEW	90-24-017
173-360-150	NEW-P	90-15-060	173-360-423	NEW-P	90-15-060	173-360-655	NEW-E	90-14-031
173-360-150	NEW	90-24-017	173-360-423	NEW	90-24-017	173-360-655	NEW-P	90-15-060
173-360-160	NEW-P	90-15-060	173-360-426	NEW-P	90-15-060	173-360-655	NEW-E	90-22-007
173-360-160	NEW	90-24-017	173-360-426	NEW	90-24-017	173-360-655	NEW	90-24-017
173-360-170	NEW-P	90-15-060	173-360-433	NEW-P	90-15-060	173-360-660	NEW-E	90-14-031
173-360-170	NEW	90-24-017	173-360-433	NEW	90-24-017	173-360-660	NEW-P	90-15-060
173-360-180	NEW-P	90-15-060	173-360-436	NEW-P	90-15-060	173-360-660	NEW-E	90-22-007
173-360-180	NEW	90-24-017	173-360-436	NEW	90-24-017	173-360-660	NEW	90-24-017
173-360-190	NEW-P	90-15-060	173-360-440	NEW-P	90-15-060	173-360-670	NEW-E	90-14-031
173-360-190	NEW	90-24-017	173-360-440	NEW	90-24-017	173-360-670	NEW-P	90-15-060
173-360-200	NEW-P	90-15-060	173-360-443	NEW-P	90-15-060	173-360-670	NEW-E	90-22-007
173-360-200	NEW	90-24-017	173-360-443	NEW	90-24-017	173-360-670	NEW	90-24-017
173-360-210	NEW-P	90-15-060	173-360-446	NEW-P	90-15-060	173-360-680	NEW-E	90-14-031
173-360-210	NEW	90-24-017	173-360-446	NEW	90-24-017	173-360-680	NEW-P	90-15-060
173-360-220	NEW-P	90-15-060	173-360-450	NEW-P	90-15-060	173-360-680	NEW-E	90-22-007
173-360-230	NEW-P	90-15-060	173-360-450	NEW	90-24-017	173-360-680	NEW	90-24-017
173-360-300	NEW-P	90-15-060	173-360-453	NEW-P	90-15-060	173-360-690	NEW	90-24-017
173-360-300	NEW	90-24-017	173-360-456	NEW-P	90-15-060	173-400-010	AMD-P	90-05-052
173-360-305	NEW-P	90-15-060	173-360-456	NEW	90-24-017	173-400-010	AMD-S	90-17-126
173-360-305	NEW	90-24-017	173-360-456	NEW-P	90-15-060	173-400-020	AMD-P	90-05-052
173-360-310	NEW-P	90-15-060	173-360-460	NEW-P	90-15-060	173-400-020	AMD-S	90-17-126
173-360-310	NEW	90-24-017	173-360-460	NEW	90-24-017	173-400-030	AMD-P	90-05-052
173-360-315	NEW-P	90-15-060	173-360-463	NEW-P	90-15-060	173-400-030	AMD-S	90-17-126
173-360-315	NEW	90-24-017	173-360-463	NEW	90-24-017	173-400-040	AMD-P	90-05-052
173-360-320	NEW-P	90-15-060	173-360-466	NEW-P	90-15-060	173-400-040	AMD-S	90-17-126
173-360-320	NEW	90-24-017	173-360-466	NEW	90-24-017	173-400-050	AMD-P	90-05-052
173-360-323	NEW-P	90-15-060	173-360-470	NEW-P	90-15-060	173-400-050	AMD-S	90-17-126
173-360-323	NEW	90-24-017	173-360-470	NEW	90-24-017	173-400-060	AMD-P	90-05-052
173-360-325	NEW-P	90-15-060	173-360-473	NEW-P	90-15-060	173-400-060	AMD-S	90-17-126
173-360-325	NEW	90-24-017	173-360-473	NEW	90-24-017	173-400-070	AMD-P	90-05-052
173-360-330	NEW-P	90-15-060	173-360-476	NEW-P	90-15-060	173-400-070	AMD-S	90-17-126
173-360-330	NEW	90-24-017	173-360-476	NEW	90-24-017	173-400-075	AMD-P	90-05-052
173-360-335	NEW-P	90-15-060	173-360-480	NEW-P	90-15-060	173-400-075	AMD-S	90-17-126
173-360-335	NEW	90-24-017	173-360-480	NEW	90-24-017	173-400-100	AMD-P	90-05-052
173-360-340	NEW-P	90-15-060	173-360-483	NEW-P	90-15-060	173-400-100	AMD-S	90-17-126
173-360-340	NEW	90-24-017	173-360-483	NEW	90-24-017	173-400-105	AMD-P	90-05-052
173-360-345	NEW-P	90-15-060	173-360-486	NEW-P	90-15-060	173-400-105	AMD-S	90-17-126
173-360-345	NEW	90-24-017	173-360-486	NEW	90-24-017	173-400-110	AMD-P	90-05-052
173-360-350	NEW-P	90-15-060	173-360-490	NEW-P	90-15-060	173-400-110	AMD-S	90-17-126
173-360-350	NEW	90-24-017	173-360-490	NEW	90-24-017	173-400-115	AMD-P	90-05-052
173-360-355	NEW-P	90-15-060	173-360-493	NEW-P	90-15-060	173-400-115	AMD-S	90-17-126
173-360-355	NEW	90-24-017	173-360-493	NEW	90-24-017	173-400-120	AMD-P	90-05-052
173-360-360	NEW-P	90-15-060	173-360-496	NEW-P	90-15-060	173-400-120	AMD-S	90-17-126
173-360-360	NEW	90-24-017	173-360-496	NEW	90-24-017	173-400-131	NEW-P	90-05-052











Table of WAC Sections Affected

Table with 6 columns: WAC #, WSR #, WAC #, WSR #, WAC #, WSR #. Lists WAC and WSR numbers for various categories (NEW, REP-E, REP-P, AMD, AMD-P, NEW-P, AMD-E, NEW-E, AMD-E, NEW-E).









Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
232-16-710	NEW W	90 17-129	232-28-61815	NEW-E	90-24-038	244-12-070	NEW-P	90-22-090
232-16-720	NEW P	90-13-099	232-28-61815	NEW-P	90-24-079	244-12-070	NEW-W	90-24-013
232-16-720	NEW	90-19-096	232-28-61816	NEW-E	90-24-037	244-12-080	NEW-P	90-22-090
232-28-022	NEW P	90-04-100	232-28-712	REP	90-03-083	244-12-080	NEW-W	90-24-013
232-28-022	NEW	90 13-049	232-28-713	NEW	90-03-083	244-12-090	NEW-P	90-22-090
232-28-022	AMD-P	90-17-146	232-28-713	REP-P	90-24-082	244-12-090	NEW-W	90-24-013
232-28-022	AMD	90-21-104	232-28-714	NEW-P	90-24-082	246-03-001	NEW-P	90-22-093
232-28-215	REP P	90 13-100	232-28-811	REP-P	90-04-105	246-03-010	NEW-P	90-22-093
232-28-218	REP P	90 04-100	232-28-811	REP	90-11-064	246-03-020	NEW-P	90-22-093
232-28-218	REP	90 14-110	232-28-812	NEW-P	90-04-105	246-03-030	NEW-P	90-22-093
232-28-21810	REP P	90 15-074	232-28-812	NEW	90-11-064	246-03-040	NEW-P	90-22-093
232-28-21810	REP	90-19-099	232-28-81201	NEW-E	90-17-108	246-03-050	NEW-P	90-22-093
232-28-219	NEW-P	90-06-093	236-48-002	AMD-P	90-20-141	246-03-060	NEW-P	90-22-093
232-28-219	NEW	90 13-044	236-48-003	AMD-P	90-20-141	246-03-070	NEW-P	90-22-093
232-28-220	NEW-P	90-06-094	236-48-004	AMD-P	90-20-141	246-03-080	NEW-P	90-22-093
232-28-220	NEW	90-13-045	236-48-005	AMD-P	90-20-141	246-03-090	NEW-P	90-22-093
232-28-22001	NEW-P	90-15-073	236-48-009	AMD-P	90-20-141	246-03-100	NEW-P	90-22-093
232-28-22001	NEW W	90 17-128	236-48-012	AMD-P	90-20-141	246-03-110	NEW-P	90-22-093
232-28-221	NEW-P	90-06-095	236-48-013	AMD-P	90-20-141	246-03-120	NEW-P	90-22-093
232-28-221	NEW	90-13-046	236-48-021	AMD-P	90-20-141	246-03-130	NEW-P	90-22-093
232-28-222	NEW-P	90-06-096	236-48-023	AMD-P	90-20-141	246-03-140	NEW-P	90-22-093
232-28-222	NEW	90-13-047	236-48-035	AMD-P	90-20-141	246-03-150	NEW-P	90-22-093
232-28-223	NEW P	90-06-097	236-48-036	AMD-P	90-20-141	246-03-160	NEW-P	90-22-093
232-28-223	NEW	90-13-048	236-48-052	AMD-P	90-20-141	246-05-020	RECOD-P	90-22-010
232-28-224	NEW-P	90-13-100	236-48-061	AMD-P	90-20-141	246-08-001	RECOD-P	90-22-094
232-28-225	NEW-P	90-24-081	236-48-071	AMD-P	90-20-141	246-08-020	RECOD-P	90-22-094
232-28-413	REP-P	90-13-101	236-48-079	AMD-P	90-20-141	246-08-030	RECOD-P	90-22-094
232-28-413	REP	90 17-095	236-48-081	AMD-P	90-20-141	246-08-040	RECOD-P	90-22-094
232-28-414	NEW-P	90-12-101	236-48-082	AMD-P	90-20-141	246-08-050	RECOD-P	90-22-094
232-28-414	NEW-W	90-13-096	236-48-083	AMD-P	90-20-141	246-08-060	RECOD-P	90-22-094
232-28-414	NEW-P	90-13-101	236-48-084	AMD-P	90-20-141	246-08-070	RECOD-P	90-22-094
232-28-414	NEW	90 17-095	236-48-093	AMD-P	90-20-141	246-08-080	RECOD-P	90-22-094
232-28-41401	NEW-E	90-16-037	236-48-094	AMD-P	90-20-141	246-08-090	RECOD-P	90-22-094
232-28-41402	NEW-E	90-17-109	236-48-095	AMD-P	90-20-141	246-08-100	RECOD-P	90-22-094
232-28-41402	NEW-P	90-17-145	236-48-096	AMD-P	90-20-141	246-08-110	RECOD-P	90-22-094
232-28-41402	NEW	90 22-060	236-48-098	AMD-P	90-20-141	246-08-120	RECOD-P	90-22-094
232-28-41403	NEW-E	90-23-019	236-48-099	AMD-P	90-20-141	246-08-130	RECOD-P	90-22-094
232-28-41404	NEW-E	90-23-102	236-48-101	AMD-P	90-20-141	246-08-140	RECOD-P	90-22-094
232-28-41405	NEW-E	90 24-077	236-48-121	AMD-P	90-20-141	246-08-150	RECOD-P	90-22-094
232-28-511	REP-P	90-13-102	236-48-123	AMD-P	90-20-141	246-08-160	RECOD-P	90-22-094
232-28-511	REP	90-19-098	236-48-124	AMD-P	90-20-141	246-08-170	RECOD-P	90-22-094
232-28-512	NEW-P	90-13-102	236-48-131	AMD-P	90-20-141	246-08-180	RECOD-P	90-22-094
232-28-512	NEW	90 19-098	236-48-132	AMD-P	90-20-141	246-08-190	RECOD-P	90-22-094
232-28-61728	NEW	90-02-070	236-48-141	AMD-P	90-20-141	246-08-200	RECOD-P	90-22-094
232-28-61729	NEW	90-02-071	236-48-151	AMD-P	90-20-141	246-08-210	RECOD-P	90-22-094
232-28-61730	NEW-E	90-03-072	236-48-152	AMD-P	90-20-141	246-08-320	RECOD-P	90-22-094
232-28-61731	NEW-E	90-08-066	236-48-153	AMD-P	90-20-141	246-08-330	RECOD-P	90-22-094
232-28-61802	NEW-E	90-02-067	236-48-165	AMD-P	90-20-141	246-08-340	RECOD-P	90-22-094
232-28-61802	NEW-P	90 04-101	236-48-166	AMD-P	90-20-141	246-08-350	RECOD-P	90-22-094
232-28-61802	NEW	90-08-064	236-48-167	AMD-P	90-20-141	246-08-360	RECOD-P	90-22-094
232-28-61803	NEW-E	90-02-068	236-48-198	AMD-P	90-11-011	246-08-370	RECOD-P	90-22-094
232-28-61803	NEW-P	90-04-102	236-48-198	AMD	90-16-075	246-08-380	RECOD-P	90-22-094
232-28-61803	NEW	90-08-065	236-48-198	AMD-P	90-20-141	246-08-520	RECOD-P	90-22-094
232-28-61804	NEW-E	90-02-069	236-48-210	AMD-P	90-20-141	246-08-560	RECOD-P	90-22-094
232-28-61804	NEW-P	90-04-103	236-49-030	AMD-P	90-20-142	246-09-060	NEW-P	90-04-030
232-28-61804	NEW	90-08-067	236-49-020	AMD-P	90-20-142	246-09-060	NEW	90-08-003
232-28-61805	NEW-E	90-02-066	236-49-030	AMD-P	90-20-142	246-09-060	DECOD-P	90-22-094
232-28-61805	NEW-P	90-04-104	236-49-040	AMD-P	90-20-142	246-52-001	RECOD-P	90-22-010
232-28-61805	NEW	90-08-063	240-15-005	NEW	90-22-105	246-52-010	RECOD-P	90-22-010
232-28-61806	NEW-P	90-06-086	240-15-010	NEW	90-22-105	246-52-015	RECOD-P	90-22-010
232-28-61806	NEW-E	90-09-052	240-15-015	NEW	90-22-105	246-52-020	RECOD-P	90-22-010
232-28-61806	NEW-W	90-19-082	240-15-020	NEW	90-22-105	246-52-030	RECOD-P	90-22-010
232-28-61807	NEW-P	90-06-087	240-15-025	NEW	90-22-105	246-52-040	RECOD-P	90-22-010
232-28-61807	NEW	90-10-069	240-15-030	NEW	90-22-105	246-52-050	RECOD-P	90-22-010
232-28-61808	NEW-P	90-13-103	240-15-035	NEW	90-22-105	246-52-060	RECOD-P	90-22-010
232-28-61808	NEW	90-17-033	244-12-010	NEW-P	90-22-090	246-52-070	RECOD-P	90-22-010
232-28-61809	NEW-P	90-14-106	244-12-010	NEW-W	90-24-013	246-52-080	RECOD-P	90-22-010
232-28-61809	NEW-S	90-15-072	244-12-020	NEW-P	90-22-090	246-58-001	RECOD-P	90-22-010
232-28-61809	NEW	90-22-058	244-12-020	NEW-W	90-24-013	246-58-010	RECOD-P	90-22-010
232-28-61810	NEW-P	90-14-107	244-12-030	NEW-P	90-22-090	246-58-020	RECOD-P	90-22-010
232-28-61810	NEW	90-21-111	244-12-030	NEW-W	90-24-013	246-58-030	RECOD-P	90-22-010
232-28-61811	NEW-P	90-14-107	244-12-040	NEW-P	90-22-090	246-58-040	RECOD-P	90-22-010
232-28-61812	NEW-P	90-16-110	244-12-040	NEW-W	90-24-013	246-58-050	RECOD-P	90-22-010
232-28-61812	NEW	90-19-017	244-12-050	NEW-P	90-22-090	246-58-060	RECOD-P	90-22-010
232-28-61813	NEW-E	90-23-017	244-12-050	NEW-W	90-24-013	246-58-070	RECOD-P	90-22-010
232-28-61813	NEW-P	90-24-078	244-12-060	NEW-P	90-22-090	246-58-080	RECOD-P	90-22-010
232-28-61814	NEW-E	90-23-018	244-12-060	NEW-W	90-24-013	246-58-090	RECOD-P	90-22-010

























### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
246-975-180	RECOD-P 90 22-094	248-08-250	REP 90-06-018	248-08-720	REP 90-06-018
246-975-190	RECOD-P 90-22-094	248-08-260	REP 90-06-018	248-08-725	REP 90-06-018
246-975-200	RECOD-P 90-22-094	248-08-270	REP 90-06-018	248-08-730	REP 90-06-018
246-975-210	RECOD-P 90-22-094	248-08-280	REP 90-06-018	248-08-735	REP 90-06-018
246-975-220	RECOD-P 90-22-094	248-08-290	REP 90-06-018	248-08-740	REP 90-06-018
246-975-230	RECOD-P 90-22-094	248-08-300	REP 90-06-018	248-08-750	REP 90-06-018
246-975-240	RECOD-P 90-22-094	248-08-310	REP 90-06-018	248-08-755	REP 90-06-018
246-975-250	RECOD-P 90-22-094	248-08-320	REP 90-06-018	248-08-760	REP 90-06-018
246-975-260	RECOD-P 90-22-094	248-08-330	REP 90-06-018	248-08-765	REP 90-06-018
246-975-270	RECOD-P 90-22-094	248-08-340	REP 90-06-018	248-08-770	REP 90-06-018
246-975-280	RECOD-P 90-22-094	248-08-350	REP 90-06-018	248-08-775	REP 90-06-018
246-975-290	RECOD-P 90-22-094	248-08-360	REP 90-06-018	248-08-780	REP 90-06-018
246-975-300	RECOD-P 90-22-094	248-08-370	REP 90-06-018	248-08-785	REP 90-06-018
246-975-310	RECOD-P 90-22-094	248-08-380	REP 90-06-018	248-08-790	REP 90-06-018
246-975-320	RECOD-P 90-22-094	248-08-390	REP 90-06-018	248-08-800	REP 90-06-018
246-975-330	RECOD-P 90-22-094	248-08-400	REP 90-06-018	248-08-805	REP 90-06-018
246-975-340	RECOD-P 90-22-094	248-08-410	AMD 90-06-018	248-08-810	REP 90-06-018
246-975-350	RECOD-P 90 22 094	248-08-410	DECOD-P 90-22-094	248-08-815	REP 90-06-018
246-975-360	RECOD-P 90-22-094	248-08-413	NEW 90-06-018	248-08-820	REP 90-06-018
246-975-990	RECOD-P 90-22-094	248-08-413	DECOD-P 90-22-094	248-08-825	REP 90-06-018
246-977-001	RECOD-P 90-22-094	248-08-420	REP 90-06-018	248-08-830	REP 90-06-018
246-977-010	RECOD-P 90-22-094	248-08-425	NEW 90-06-018	248-08-835	REP 90-06-018
246-977-020	RECOD-P 90-22-094	248-08-425	DECOD-P 90-22-094	248-08-840	REP 90-06-018
246-977-030	RECOD-P 90-22-094	248-08-428	NEW 90-06-018	248-08-845	REP 90-06-018
246-977-040	RECOD-P 90-22-094	248-08-428	DECOD-P 90-22-094	248-10-010	DECOD-P 90-22-094
246-977-050	RECOD-P 90-22-094	248-08-430	REP 90-06-018	248-14-001	AMD-P 90-13-031
246-977-060	RECOD-P 90-22-094	248-08-431	NEW 90-06-018	248-14-001	AMD 90-17-123
246-977-070	RECOD-P 90-22-094	248-08-431	DECOD-P 90-22-094	248-14-070	AMD-C 90-04-015
246-977-080	RECOD-P 90-22-094	248-08-434	NEW 90-06-018	248-14-070	AMD 90-04-071
246-977-090	RECOD-P 90 22 094	248-08-434	DECOD-P 90-22-094	248-14-080	AMD-P 90-13-031
246-977-100	RECOD-P 90 22 094	248-08-437	NEW 90-06-018	248-14-080	AMD 90-17-123
246-977-110	RECOD-P 90 22 094	248-08-437	DECOD-P 90-22-094	248-14-240	AMD-P 90-13-031
248-06-001	REP-P 90-22-101	248-08-440	AMD 90-06-018	248-14-240	AMD 90-17-123
248-06-010	REP-P 90-22-101	248-08-440	DECOD-P 90-22-094	248-14-249	NEW-P 90-13-031
248-06-020	REP-P 90-22-101	248-08-446	NEW 90-06-018	248-14-249	NEW 90-17-123
248-06-040	REP-P 90 22 101	248-08-446	DECOD-P 90-22-094	248-15-010	DECOD-P 90-22-094
248-06-174	REP-P 90 22 101	248-08-449	NEW 90-06-018	248-15-020	DECOD-P 90-22-094
248-06-180	REP-P 90 22-101	248-08-449	DECOD-P 90-22-094	248-15-025	DECOD-P 90-22-094
248-06-203	REP-P 90 22-101	248-08-450	REP 90-06-018	248-15-030	DECOD-P 90-22-094
248-06-305	REP-P 90 22-101	248-08-452	NEW 90-06-018	248-15-040	DECOD-P 90-22-094
248-06-340	REP-P 90-22-101	248-08-452	DECOD-P 90-22-094	248-15-050	DECOD-P 90-22-094
248-06-385	AMD 90-06-019	248-08-460	REP 90-06-018	248-15-060	DECOD-P 90-22-094
248-06-385	REP-P 90 22 101	248-08-461	NEW 90-06-018	248-15-070	DECOD-P 90-22-094
248-06-410	REP-P 90 22-101	248-08-461	DECOD-P 90-22-094	248-15-080	DECOD-P 90-22-094
248-06-460	REP-P 90-22-101	248-08-464	NEW 90-06-018	248-15-091	DECOD-P 90-22-094
248-06-470	REP-P 90 22-101	248-08-464	DECOD-P 90-22-094	248-15-100	DECOD-P 90-22-094
248-06-480	REP-P 90-22-101	248-08-470	AMD 90-06-018	248-15-110	AMD 90-06-019
248-06-510	REP-P 90-22-101	248-08-470	DECOD-P 90-22-094	248-15-110	DECOD-P 90-22-094
248-06-815	REP-P 90 22 101	248-08-480	REP 90-06-018	248-16-001	DECOD-P 90-22-094
248-06-831	REP-P 90 22 101	248-08-490	REP 90-06-018	248-16-031	AMD 90-06-019
248-06-835	REP-P 90 22 101	248-08-500	REP 90-06-018	248-16-031	DECOD-P 90-22-094
248-08-001	REP 90 06 018	248-08-510	REP 90-06-018	248-16-033	DECOD-P 90-22-094
248-08-010	REP 90 06 018	248-08-515	NEW 90-06-018	248-16-036	DECOD-P 90-22-094
248-08-020	REP 90 06 018	248-08-515	DECOD-P 90-22-094	248-16-046	DECOD-P 90-22-094
248-08-030	REP 90 06 018	248-08-520	REP 90-06-018	248-16-048	DECOD-P 90-22-094
248-08-040	REP 90-06-018	248-08-525	NEW 90-06-018	248-16-057	DECOD-P 90-22-094
248-08-050	REP 90 06 018	248-08-525	DECOD-P 90-22-094	248-16-060	DECOD-P 90-22-094
248-08-060	REP 90 06 018	248-08-530	REP 90-06-018	248-16-070	DECOD-P 90-22-094
248-08-070	REP 90 06 018	248-08-535	NEW 90-06-018	248-16-080	DECOD-P 90-22-094
248-08-075	REP 90 06-018	248-08-535	DECOD-P 90-22-094	248-16-090	DECOD-P 90-22-094
248-08-080	REP 90 06 018	248-08-540	REP 90-06-018	248-16-105	DECOD-P 90-22-094
248-08-090	REP 90 06 018	248-08-545	NEW 90-06-018	248-16-110	DECOD-P 90-22-094
248-08-100	REP 90 06 018	248-08-545	DECOD-P 90-22-094	248-16-115	DECOD-P 90-22-094
248-08-110	REP 90 06 018	248-08-550	REP 90-06-018	248-16-121	DECOD-P 90-22-094
248-08-120	REP 90 06 018	248-08-560	REP 90-06-018	248-16-131	DECOD-P 90-22-094
248-08-130	REP 90 06 018	248-08-565	NEW 90-06-018	248-16-141	DECOD-P 90-22-094
248-08-140	REP 90 06 018	248-08-565	DECOD-P 90-22-094	248-16-150	DECOD-P 90-22-094
248-08-150	REP 90 06 018	248-08-570	REP 90-06-018	248-16-160	DECOD-P 90-22-094
248-08-160	REP 90 06 018	248-08-575	NEW 90-06-018	248-16-170	DECOD-P 90-22-094
248-08-170	REP 90-06-018	248-08-575	DECOD-P 90-22-094	248-16-180	DECOD-P 90-22-094
248-08-180	REP 90 06 018	248-08-580	REP 90-06-018	248-16-190	DECOD-P 90-22-094
248-08-190	REP 90 06-018	248-08-590	REP 90-06-018	248-16-202	DECOD-P 90-22-094
248-08-200	REP 90 06 018	248-08-596	DECOD-P 90-22-094	248-16-213	DECOD-P 90-22-094
248-08-210	REP 90 06 018	248-08-700	REP 90-06-018	248-16-215	DECOD-P 90-22-094
248-08-220	REP 90 06 018	248-08-705	REP 90-06-018	248-16-216	DECOD-P 90-22-094
248-08-230	REP 90 06 018	248-08-710	REP 90-06-018	248-16-222	DECOD-P 90-22-094
248-08-240	REP 90 06 018	248-08-715	REP 90-06-018	248-16-223	DECOD-P 90-22-094

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-16-226	DECOD P 90-22-094	248-18-040	DECOD-P 90-22-094	248-18-534	AMD 90-12-014
248-16-229	DECOD P 90-22-094	248-18-040	AMD 90-24-044	248-18-534	REP-P 90-19-051
248-16-230	DECOD-P 90-22-094	248-18-055	DECOD-P 90-22-094	248-18-534	DECOD-P 90-22-094
248-16-235	DECOD P 90-22-094	248-18-060	DECOD-P 90-22-094	248-18-534	REP 90-23-012
248-16-300	DECOD-P 90-22-094	248-18-070	DECOD-P 90-22-094	248-18-536	NEW-P 90-19-051
248-16-900	DECOD-P 90-22-094	248-18-080	DECOD-P 90-22-094	248-18-536	NEW 90-23-012
248-16-999	DECOD-P 90-22-094	248-18-090	DECOD-P 90-22-094	248-18-541	DECOD-P 90-22-094
248-17-010	DECOD-P 90-22-094	248-18-100	DECOD-P 90-22-094	248-18-555	AMD-P 90-08-099
248-17-020	DECOD-P 90-22-094	248-18-110	DECOD-P 90-22-094	248-18-555	AMD 90-12-014
248-17-030	DECOD-P 90-22-094	248-18-120	DECOD-P 90-22-094	248-18-555	REP-P 90-20-035
248-17-040	DECOD P 90-22-094	248-18-130	DECOD-P 90-22-094	248-18-555	DECOD-P 90-22-094
248-17-050	DECOD-P 90-22-094	248-18-135	DECOD-P 90-22-094	248-18-555	REP 90-24-044
248-17-060	AMD 90-06-019	248-18-140	DECOD-P 90-22-094	248-18-556	NEW-P 90-20-035
248-17-060	DECOD-P 90-22-094	248-18-150	DECOD-P 90-22-094	248-18-560	AMD-P 90-08-099
248-17-070	DECOD-P 90-22-094	248-18-155	DECOD-P 90-22-094	248-18-560	AMD 90-12-014
248-17-080	DECOD-P 90-22-094	248-18-160	DECOD-P 90-22-094	248-18-560	DECOD-P 90-22-094
248-17-090	DECOD-P 90-22-094	248-18-170	DECOD-P 90-22-094	248-18-565	AMD-P 90-08-099
248-17-100	DECOD P 90-22-094	248-18-180	DECOD-P 90-22-094	248-18-565	AMD 90-12-014
248-17-110	DECOD P 90-22-094	248-18-190	DECOD-P 90-22-094	248-18-565	DECOD-P 90-22-094
248-17-120	DECOD P 90-22-094	248-18-202	DECOD-P 90-22-094	248-18-568	AMD-P 90-08-099
248-17-130	DECOD-P 90-22-094	248-18-216	DECOD-P 90-22-094	248-18-568	AMD 90-12-014
248-17-135	DECOD P 90-22-094	248-18-221	AMD-P 90-08-099	248-18-568	DECOD-P 90-22-094
248-17-140	DECOD P 90-22-094	248-18-221	AMD 90-12-014	248-18-601	DECOD-P 90-22-094
248-17-150	DECOD P 90-22-094	248-18-221	DECOD-P 90-22-094	248-18-606	DECOD-P 90-22-094
248-17-160	AMD-P 90-21-143	248-18-224	DECOD-P 90-22-094	248-18-608	DECOD-P 90-22-094
248-17-160	DECOD P 90-22-094	248-18-225	REP-P 90-20-035	248-18-610	DECOD-P 90-22-094
248-17-170	DECOD P 90-22-094	248-18-225	DECOD-P 90-22-094	248-18-616	DECOD-P 90-22-094
248-17-180	AMD P 90-21-143	248-18-225	REP 90-24-044	248-18-625	DECOD-P 90-22-094
248-17-180	DECOD P 90-22-094	248-18-226	NEW-P 90-20-035	248-18-640	AMD-P 90-08-099
248-17-190	DECOD P 90-22-094	248-18-228	NEW-P 90-20-035	248-18-640	AMD 90-12-014
248-17-200	AMD P 90-21-143	248-18-230	REP-P 90-20-035	248-18-640	DECOD-P 90-22-094
248-17-200	DECOD P 90-22-094	248-18-230	DECOD-P 90-22-094	248-18-645	AMD-P 90-08-099
248-17-211	AMD-P 90-21-143	248-18-230	REP 90-24-044	248-18-645	AMD 90-12-014
248-17-211	DECOD P 90-22-094	248-18-231	NEW-P 90-20-035	248-18-645	DECOD-P 90-22-094
248-17-212	AMD-P 90-21-143	248-18-235	DECOD-P 90-22-094	248-18-650	AMD-P 90-08-099
248-17-212	DECOD P 90-22-094	248-18-240	AMD-P 90-19-051	248-18-650	AMD 90-12-014
248-17-213	AMD P 90-14-042	248-18-240	DECOD-P 90-22-094	248-18-650	DECOD-P 90-22-094
248-17-213	AMD-E 90-14-044	248-18-240	AMD 90-23-012	248-18-656	DECOD-P 90-22-094
248-17-213	DECOD P 90-22-094	248-18-245	AMD-P 90-08-099	248-18-660	AMD-P 90-08-099
248-17-214	AMD P 90-21-143	248-18-245	AMD 90-12-014	248-18-660	AMD 90-12-014
248-17-214	DECOD P 90-22-094	248-18-245	REP-P 90-20-035	248-18-660	DECOD-P 90-22-094
248-17-215	AMD-P 90-21-143	248-18-245	REP 90-24-044	248-18-662	DECOD-P 90-22-094
248-17-215	DECOD P 90-22-094	248-18-245	DECOD-P 90-22-094	248-18-663	DECOD-P 90-22-094
248-17-216	DECOD P 90-22-094	248-18-251	DECOD-P 90-22-094	248-18-665	AMD-P 90-08-099
248-17-220	DECOD P 90-22-094	248-18-253	DECOD-P 90-22-094	248-18-665	AMD 90-12-014
248-17-230	AMD 90-06-019	248-18-256	DECOD-P 90-22-094	248-18-665	DECOD-P 90-22-094
248-17-230	DECOD P 90-22-094	248-18-260	DECOD-P 90-22-094	248-18-670	DECOD-P 90-22-094
248-17-240	DECOD P 90-22-094	248-18-270	DECOD-P 90-22-094	248-18-675	AMD-P 90-08-099
248-17-250	DECOD P 90-22-094	248-18-280	DECOD-P 90-22-094	248-18-675	AMD 90-12-014
248-17-255	DECOD P 90-22-094	248-18-285	DECOD-P 90-22-094	248-18-675	DECOD-P 90-22-094
248-17-260	DECOD P 90-22-094	248-18-290	DECOD-P 90-22-094	248-18-680	AMD-P 90-08-099
248-17-261	DECOD P 90-22-094	248-18-300	DECOD-P 90-22-094	248-18-680	AMD 90-12-014
248-17-265	DECOD P 90-22-094	248-18-311	DECOD-P 90-22-094	248-18-680	DECOD-P 90-22-094
248-17-270	DECOD P 90-22-094	248-18-312	DECOD-P 90-22-094	248-18-685	AMD-P 90-08-099
248-17-275	DECOD P 90-22-094	248-18-315	DECOD-P 90-22-094	248-18-685	AMD 90-12-014
248-18-001	AMD P 90-20-035	248-18-321	DECOD-P 90-22-094	248-18-685	DECOD-P 90-22-094
248-18-001	DECOD P 90-22-094	248-18-331	DECOD-P 90-22-094	248-18-690	AMD-P 90-08-099
248-18-001	AMD 90-24-044	248-18-335	DECOD-P 90-22-094	248-18-690	AMD 90-12-014
248-18-010	AMD P 90-08-099	248-18-336	DECOD-P 90-22-094	248-18-690	DECOD-P 90-22-094
248-18-010	AMD 90-12-014	248-18-440	DECOD-P 90-22-094	248-18-695	AMD-P 90-08-099
248-18-010	DECOD P 90-22-094	248-18-445	DECOD-P 90-22-094	248-18-695	AMD 90-12-014
248-18-015	AMD 90-06-019	248-18-500	DECOD-P 90-22-094	248-18-695	DECOD-P 90-22-094
248-18-015	DECOD P 90-22-094	248-18-510	AMD P 90-08-099	248-18-700	DECOD-P 90-22-094
248-18-017	DECOD P 90-22-094	248-18-510	AMD 90-12-014	248-18-705	AMD-P 90-08-099
248-18-018	AMD P 90-08-099	248-18-510	DECOD-P 90-22-094	248-18-705	AMD 90-12-014
248-18-018	AMD 90-12-014	248-18-515	DECOD-P 90-22-094	248-18-705	DECOD-P 90-22-094
248-18-018	DECOD P 90-22-094	248-18-520	AMD P 90-08-099	248-18-711	DECOD-P 90-22-094
248-18-020	AMD P 90-08-099	248-18-520	AMD 90-12-014	248-18-719	AMD-P 90-08-099
248-18-020	AMD 90-12-014	248-18-520	DECOD P 90-22-094	248-18-719	AMD 90-12-014
248-18-020	DECOD P 90-22-094	248-18-525	AMD P 90-08-099	248-18-719	DECOD P 90-22-094
248-18-025	DECOD P 90-22-094	248-18-525	AMD 90-12-014	248-18-731	NEW-P 90-20-035
248-18-031	DECOD P 90-22-094	248-18-525	DECOD-P 90-22-094	248-18-820	NEW-P 90-20-035
248-18-033	DECOD P 90-22-094	248-18-530	AMD P 90-08-099	248-18-999	DECOD P 90-22-094
248-18-035	AMD P 90-20-035	248-18-530	AMD 90-12-014	248-18-99902	AMD-P 90-08-099
248-18-035	DECOD P 90-22-094	248-18-530	DECOD-P 90-22-094	248-18-99902	AMD 90-12-014
248-18-035	AMD 90-24-044	248-18-532	DECOD P 90-22-094	248-18-99902	DECOD P 90-22-094
248-18-040	AMD P 90-20-035	248-18-534	AMD P 90-08-099	248-18-99910	DECOD P 90-22-094

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-19-210	DECOD P 90 22-094	248-19-820	NEW-P 90-08-105	248-26-050	DECOD-P 90-22-094
248-19-220	AMD 90 02-093	248-19-820	NEW-W 90-21-075	248-26-060	DECOD-P 90-22-094
248-19-220	AMD-P 90-14-127	248-19-840	NEW-P 90-08-105	248-26-070	DECOD-P 90-22-094
248-19-220	AMD 90-17-086	248-19-840	NEW 90-12-072	248-26-080	DECOD-P 90-22-094
248-19-220	DECOD-P 90-22-094	248-19-840	DECOD-P 90-22-094	248-26-090	DECOD-P 90-22-094
248-19-231	AMD-P 90-14-126	248-19-860	NEW-P 90-08-105	248-26-100	DECOD-P 90-22-094
248-19-231	AMD 90-21-028	248-19-860	NEW 90-12-072	248-27-005	DECOD-P 90-22-094
248-19-231	DECOD P 90-22-094	248-19-860	DECOD-P 90-22-094	248-27-015	DECOD-P 90-22-094
248-19-235	NEW P 90-14-126	248-19-880	NEW-P 90-08-103	248-27-025	AMD 90-06-019
248-19-235	NEW 90-21-028	248-19-880	NEW-W 90-10-083	248-27-025	DECOD-P 90-22-094
248-19-240	DECOD P 90-22-094	248-19-882	NEW-P 90-08-103	248-27-035	AMD 90-06-019
248-19-250	DECOD P 90-22-094	248-19-882	NEW-W 90-10-083	248-27-035	DECOD-P 90-22-094
248-19-260	DECOD P 90-22-094	248-19-884	NEW-P 90-08-103	248-27-045	AMD 90-06-019
248-19-270	DECOD P 90-22-094	248-19-884	NEW-W 90-10-083	248-27-045	DECOD-P 90-22-094
248-19-280	DECOD-P 90-22-094	248-19-886	NEW-P 90-08-103	248-27-055	AMD 90-06-019
248-19-295	DECOD-P 90-22-094	248-19-886	NEW-W 90-10-083	248-27-055	DECOD-P 90-22-094
248-19-300	DECOD-P 90-22-094	248-21-001	DECOD-P 90-22-094	248-27-065	DECOD-P 90-22-094
248-19-310	DECOD-P 90-22-094	248-21-002	DECOD-P 90-22-094	248-27-077	DECOD-P 90-22-094
248-19-320	DECOD-P 90-22-094	248-21-005	AMD 90-05-038	248-27-085	DECOD-P 90-22-094
248-19-326	DECOD-P 90-22-094	248-21-005	DECOD-P 90-22-094	248-27-095	DECOD-P 90-22-094
248-19-327	DECOD-P 90-22-094	248-21-010	DECOD-P 90-22-094	248-27-105	DECOD-P 90-22-094
248-19-328	DECOD-P 90-22-094	248-21-015	DECOD-P 90-22-094	248-27-115	DECOD-P 90-22-094
248-19-330	DECOD-P 90-22-094	248-21-017	DECOD-P 90-22-094	248-27-125	DECOD-P 90-22-094
248-19-340	DECOD-P 90-22-094	248-21-020	DECOD-P 90-22-094	248-27-135	DECOD-P 90-22-094
248-19-350	DECOD-P 90-22-094	248-21-025	DECOD-P 90-22-094	248-27-145	DECOD-P 90-22-094
248-19-360	DECOD-P 90-22-094	248-21-030	DECOD-P 90-22-094	248-27-155	DECOD-P 90-22-094
248-19-370	DECOD-P 90-22-094	248-21-035	DECOD-P 90-22-094	248-27-165	DECOD-P 90-22-094
248-19-373	REP-P 90-08-105	248-21-040	DECOD-P 90-22-094	248-27-175	DECOD-P 90-22-094
248-19-373	REP 90-12-072	248-21-045	DECOD-P 90-22-094	248-27-185	DECOD-P 90-22-094
248-19-375	REP-P 90-08-105	248-21-050	DECOD-P 90-22-094	248-29-001	DECOD-P 90-22-094
248-19-375	REP 90-12-072	248-21-055	DECOD-P 90-22-094	248-29-010	DECOD-P 90-22-094
248-19-380	DECOD-P 90-22-094	248-22-001	DECOD-P 90-22-094	248-29-020	AMD 90-06-019
248-19-390	DECOD-P 90-22-094	248-22-005	AMD 90-06-019	248-29-020	DECOD-P 90-22-094
248-19-400	DECOD-P 90-22-094	248-22-005	DECOD-P 90-22-094	248-29-030	DECOD-P 90-22-094
248-19-403	REP-P 90-08-105	248-22-011	DECOD-P 90-22-094	248-29-040	DECOD-P 90-22-094
248-19-403	REP 90-12-072	248-22-016	DECOD-P 90-22-094	248-29-045	DECOD-P 90-22-094
248-19-405	DECOD-P 90-22-094	248-22-017	DECOD-P 90-22-094	248-29-050	DECOD-P 90-22-094
248-19-410	DECOD-P 90-22-094	248-22-021	DECOD-P 90-22-094	248-29-060	DECOD-P 90-22-094
248-19-415	DECOD-P 90-22-094	248-22-026	DECOD-P 90-22-094	248-29-070	DECOD-P 90-22-094
248-19-420	DECOD-P 90-22-094	248-22-031	DECOD-P 90-22-094	248-29-080	DECOD-P 90-22-094
248-19-430	DECOD-P 90-22-094	248-22-036	DECOD-P 90-22-094	248-29-090	DECOD-P 90-22-094
248-19-440	DECOD-P 90-22-094	248-22-041	DECOD-P 90-22-094	248-30-070	DECOD-P 90-22-010
248-19-450	DECOD-P 90-22-094	248-22-046	DECOD-P 90-22-094	248-30-080	DECOD-P 90-22-010
248-19-460	DECOD-P 90-22-094	248-22-051	DECOD-P 90-22-094	248-30-090	DECOD-P 90-22-010
248-19-470	DECOD-P 90-22-094	248-23-001	DECOD-P 90-22-094	248-30-100	DECOD-P 90-22-010
248-19-475	DECOD-P 90-22-094	248-23-010	AMD 90-06-019	248-30-110	DECOD-P 90-22-010
248-19-480	AMD 90-06-019	248-23-010	DECOD-P 90-22-094	248-30-115	DECOD-P 90-22-010
248-19-480	DECOD-P 90-22-094	248-23-020	DECOD-P 90-22-094	248-30-120	DECOD-P 90-22-010
248-19-490	DECOD-P 90-22-094	248-23-025	DECOD-P 90-22-094	248-30-130	DECOD-P 90-22-010
248-19-500	DECOD-P 90-22-094	248-23-030	DECOD-P 90-22-094	248-31-005	DECOD-P 90-22-094
248-19-600	NEW-P 90-10-022	248-23-040	DECOD-P 90-22-094	248-31-015	DECOD-P 90-22-094
248-19-600	NEW 90-13-116	248-23-050	DECOD-P 90-22-094	248-31-025	AMD 90-06-019
248-19-600	DECOD-P 90-22-094	248-23-060	DECOD-P 90-22-094	248-31-025	DECOD-P 90-22-094
248-19-601	NEW-P 90-12-096	248-23-070	DECOD-P 90-22-094	248-31-035	AMD 90-06-019
248-19-601	NEW 90-16-058	248-25-001	DECOD-P 90-22-094	248-31-035	DECOD-P 90-22-094
248-19-601	DECOD-P 90-22-094	248-25-002	DECOD-P 90-22-094	248-31-045	AMD 90-06-019
248-19-700	NEW-P 90-12-096	248-25-010	AMD 90-06-019	248-31-045	DECOD-P 90-22-094
248-19-700	NEW 90-16-058	248-25-010	DECOD-P 90-22-094	248-31-055	AMD 90-06-019
248-19-700	DECOD-P 90-22-094	248-25-015	DECOD-P 90-22-094	248-31-055	DECOD-P 90-22-094
248-19-701	NEW-P 90-12-096	248-25-020	DECOD-P 90-22-094	248-31-065	DECOD-P 90-22-094
248-19-701	NEW 90-16-058	248-25-025	DECOD-P 90-22-094	248-31-077	DECOD-P 90-22-094
248-19-701	DECOD-P 90-22-094	248-25-030	DECOD-P 90-22-094	248-31-085	DECOD-P 90-22-094
248-19-800	NEW P 90-08-102	248-25-035	DECOD-P 90-22-094	248-31-095	DECOD-P 90-22-094
248-19-800	NEW 90-12-071	248-25-040	DECOD-P 90-22-094	248-31-105	DECOD-P 90-22-094
248-19-800	DECOD-P 90-22-094	248-25-045	DECOD-P 90-22-094	248-31-115	DECOD-P 90-22-094
248-19-805	NEW-P 90-08-102	248-25-050	DECOD-P 90-22-094	248-31-125	DECOD-P 90-22-094
248-19-805	NEW 90-12-071	248-25-060	DECOD-P 90-22-094	248-31-135	DECOD-P 90-22-094
248-19-805	DECOD-P 90-22-094	248-25-070	DECOD-P 90-22-094	248-31-155	DECOD-P 90-22-094
248-19-806	NEW-P 90-08-102	248-25-100	DECOD-P 90-22-094	248-31-165	DECOD-P 90-22-094
248-19-806	NEW 90-12-071	248-25-120	DECOD-P 90-22-094	248-31-175	DECOD-P 90-22-094
248-19-806	DECOD-P 90-22-094	248-26-001	DECOD-P 90-22-094	248-31-185	DECOD-P 90-22-094
248-19-810	NEW-P 90-08-105	248-26-010	DECOD-P 90-22-094	248-33-020	DECOD-P 90-22-094
248-19-810	NEW 90-12-072	248-26-020	AMD 90-06-019	248-33-040	AMD 90-05-038
248-19-810	DECOD-P 90-22-094	248-26-020	DECOD-P 90-22-094	248-33-040	DECOD-P 90-22-094
248-19-811	NEW-P 90-08-105	248-26-030	DECOD-P 90-22-094	248-33-060	REP 90-05-038
248-19-811	NEW 90-12-072	248-26-035	DECOD-P 90-22-094	248-33-080	REP 90-05-038
248-19-811	DECOD-P 90-22-094	248-26-040	DECOD-P 90-22-094	248-33-090	DECOD-P 90-22-094

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-33-100	DECOD-P 90-22-094	248-46-100	REP-P 90-22-101	248-55-040	DECOD-P 90-22-094
248-36-005	DECOD-P 90-22-094	248-46-110	REP-P 90-22-101	248-55-050	DECOD-P 90-22-094
248-36-015	DECOD-P 90-22-094	248-46-120	REP-P 90-22-101	248-55-060	DECOD-P 90-22-094
248-36-025	AMD 90-06-019	248-46-130	REP-P 90-22-101	248-55-070	DECOD-P 90-22-094
248-36-025	DECOD-P 90-22-094	248-46-140	REP-P 90-22-101	248-55-080	DECOD-P 90-22-094
248-36-035	AMD 90-06-019	248-46-200	REP-P 90-22-101	248-55-090	DECOD-P 90-22-094
248-36-035	DECOD-P 90-22-094	248-46-999	REP-P 90-22-101	248-55-110	DECOD-P 90-22-094
248-36-045	AMD 90-06-019	248-50-010	DECOD-P 90-22-010	248-55-120	DECOD-P 90-22-094
248-36-045	DECOD-P 90-22-094	248-50-020	DECOD-P 90-22-010	248-55-130	DECOD-P 90-22-094
248-36-055	AMD 90-06-019	248-50-030	DECOD-P 90-22-010	248-55-210	DECOD-P 90-22-094
248-36-055	DECOD-P 90-22-094	248-50-060	DECOD-P 90-22-010	248-55-220	AMD 90-06-019
248-36-065	DECOD-P 90-22-094	248-50-070	DECOD-P 90-22-010	248-55-220	DECOD-P 90-22-094
248-36-077	DECOD-P 90-22-094	248-50-080	DECOD-P 90-22-010	248-55-230	REP 90-06-019
248-36-085	DECOD-P 90-22-094	248-50-090	DECOD-P 90-22-010	248-55-235	NEW 90-06-019
248-36-095	DECOD-P 90-22-094	248-50-100	DECOD-P 90-22-010	248-55-235	DECOD-P 90-22-094
248-36-105	DECOD-P 90-22-094	248-50-110	DECOD-P 90-22-010	248-55-240	AMD 90-06-019
248-36-115	DECOD-P 90-22-094	248-50-120	DECOD-P 90-22-010	248-55-240	DECOD-P 90-22-094
248-36-125	DECOD-P 90-22-094	248-50-130	DECOD-P 90-22-010	248-55-250	REP 90-06-019
248-36-135	DECOD-P 90-22-094	248-50-140	DECOD-P 90-22-010	248-55-260	REP 90-06-019
248-36-165	DECOD-P 90-22-094	248-50-150	DECOD-P 90-22-010	248-56-100	DECOD-P 90-22-094
248-38-001	NEW-P 90-14-128	248-50-160	DECOD-P 90-22-010	248-56-200	DECOD-P 90-22-094
248-38-001	NEW 90-20-017	248-50-170	DECOD-P 90-22-010	248-56-300	DECOD-P 90-22-094
248-38-001	DECOD-P 90-22-094	248-50-180	DECOD-P 90-22-010	248-56-310	DECOD-P 90-22-094
248-38-010	NEW-P 90-14-128	248-50-200	DECOD-P 90-22-010	248-56-400	DECOD-P 90-22-094
248-38-010	NEW 90-20-017	248-50-210	DECOD-P 90-22-010	248-56-500	DECOD-P 90-22-094
248-38-010	DECOD-P 90-22-094	248-52-001	DECOD-P 90-22-010	248-56-510	DECOD-P 90-22-094
248-38-020	NEW-P 90-14-128	248-52-005	DECOD-P 90-22-010	248-56-600	DECOD-P 90-22-094
248-38-020	NEW 90-20-017	248-52-010	DECOD-P 90-22-010	248-56-610	DECOD-P 90-22-094
248-38-020	DECOD-P 90-22-094	248-52-020	DECOD-P 90-22-010	248-56-620	DECOD-P 90-22-094
248-38-030	NEW-P 90-14-128	248-52-030	DECOD-P 90-22-010	248-56-630	DECOD-P 90-22-094
248-38-030	NEW 90-20-017	248-52-040	DECOD-P 90-22-010	248-56-640	DECOD-P 90-22-094
248-38-030	DECOD-P 90-22-094	248-52-050	DECOD-P 90-22-010	248-56-700	DECOD-P 90-22-094
248-38-040	NEW-P 90-14-128	248-52-060	DECOD-P 90-22-010	248-56-710	DECOD-P 90-22-094
248-38-040	NEW 90-20-017	248-52-070	DECOD-P 90-22-010	248-56-720	DECOD-P 90-22-094
248-38-040	DECOD-P 90-22-094	248-52-080	DECOD-P 90-22-010	248-56-730	DECOD-P 90-22-094
248-38-050	NEW-P 90-14-128	248-54-005	DECOD-P 90-22-010	248-56-740	DECOD-P 90-22-094
248-38-050	NEW 90-20-017	248-54-006	DECOD-P 90-22-010	248-56-750	DECOD-P 90-22-094
248-38-050	DECOD-P 90-22-094	248-54-015	DECOD-P 90-22-010	248-56-760	DECOD-P 90-22-094
248-38-060	NEW-P 90-14-128	248-54-015	AMD-P 90-24-071	248-56-800	DECOD-P 90-22-094
248-38-060	NEW 90-20-017	248-54-025	DECOD-P 90-22-010	248-56-810	DECOD-P 90-22-094
248-38-060	DECOD-P 90-22-094	248-54-035	DECOD-P 90-22-010	248-56-900	DECOD-P 90-22-094
248-38-070	NEW-P 90-14-128	248-54-045	DECOD-P 90-22-010	248-57-010	DECOD-P 90-22-094
248-38-070	NEW 90-20-017	248-54-045	DECOD-P 90-22-010	248-57-100	DECOD-P 90-22-094
248-38-070	DECOD-P 90-22-094	248-54-055	DECOD-P 90-22-010	248-57-200	DECOD-P 90-22-094
248-38-080	NEW-P 90-14-128	248-54-065	DECOD-P 90-22-010	248-57-300	DECOD-P 90-22-094
248-38-080	NEW 90-20-017	248-54-086	DECOD-P 90-22-010	248-57-400	DECOD-P 90-22-094
248-38-080	DECOD-P 90-22-094	248-54-096	DECOD-P 90-22-010	248-57-500	DECOD-P 90-22-094
248-38-090	NEW-P 90-14-128	248-54-097	DECOD-P 90-22-010	248-57-600	DECOD-P 90-22-094
248-38-090	NEW 90-20-017	248-54-097	AMD-P 90-24-071	248-57-700	DECOD-P 90-22-094
248-38-090	DECOD-P 90-22-094	248-54-098	DECOD-P 90-22-010	248-57-800	DECOD-P 90-22-094
248-38-100	NEW-P 90-14-128	248-54-105	DECOD-P 90-22-010	248-57-900	DECOD-P 90-22-094
248-38-100	NEW 90-20-017	248-54-125	DECOD-P 90-22-010	248-57-990	DECOD-P 90-22-094
248-38-100	DECOD-P 90-22-094	248-54-131	DECOD-P 90-22-010	248-58-001	DECOD-P 90-22-010
248-38-110	NEW-P 90-14-128	248-54-135	DECOD-P 90-22-010	248-58-005	DECOD-P 90-22-010
248-38-110	NEW 90-20-017	248-54-145	DECOD-P 90-22-010	248-58-010	DECOD-P 90-22-010
248-38-110	DECOD-P 90-22-094	248-54-155	DECOD-P 90-22-010	248-58-020	DECOD-P 90-22-010
248-38-120	NEW-P 90-14-128	248-54-165	DECOD-P 90-22-010	248-58-030	DECOD-P 90-22-010
248-38-120	NEW 90-20-017	248-54-165	AMD-P 90-24-071	248-58-040	DECOD-P 90-22-010
248-38-120	DECOD-P 90-22-094	248-54-175	DECOD-P 90-22-010	248-58-050	DECOD-P 90-22-010
248-40-010	DECOD-P 90-22-094	248-54-175	AMD-P 90-24-071	248-58-060	DECOD-P 90-22-010
248-40-020	DECOD-P 90-22-094	248-54-185	DECOD-P 90-22-010	248-58-070	DECOD-P 90-22-010
248-40-030	DECOD-P 90-22-094	248-54-185	AMD-P 90-24-071	248-58-080	DECOD-P 90-22-010
248-40-040	DECOD-P 90-22-010	248-54-187	DECOD-P 90-22-010	248-58-085	NEW 90-06-049
248-40-050	DECOD-P 90-22-010	248-54-187	AMD-P 90-24-071	248-58-085	DECOD-P 90-22-010
248-40-060	DECOD-P 90-22-010	248-54-194	DECOD-P 90-22-010	248-58-090	DECOD-P 90-22-010
248-40-080	DECOD-P 90-22-094	248-54-196	DECOD-P 90-22-010	248-58-500	DECOD-P 90-22-010
248-40-999	DECOD-P 90-22-010	248-54-201	DECOD-P 90-22-010	248-58-900	DECOD-P 90-22-010
248-46-001	REP-P 90-22-101	248-54-205	DECOD-P 90-22-010	248-59-005	DECOD-P 90-22-094
248-46-010	REP-P 90-22-101	248-54-215	DECOD-P 90-22-010	248-59-010	DECOD-P 90-22-094
248-46-020	REP-P 90-22-101	248-54-225	DECOD-P 90-22-010	248-59-020	DECOD-P 90-22-094
248-46-030	REP-P 90-22-101	248-54-235	DECOD-P 90-22-010	248-59-030	AMD 90-06-019
248-46-040	REP-P 90-22-101	248-54-245	DECOD-P 90-22-010	248-59-030	DECOD-P 90-22-094
248-46-050	REP-P 90-22-101	248-54-265	DECOD-P 90-22-010	248-59-040	REP 90-06-019
248-46-060	REP-P 90-22-101	248-54-285	DECOD-P 90-22-010	248-59-050	REP 90-06-019
248-46-070	REP-P 90-22-101	248-54-291	DECOD-P 90-22-010	248-59-060	REP 90-06-019
248-46-080	REP-P 90-22-101	248-55-010	DECOD-P 90-22-094	248-59-070	REP 90-06-019
248-46-090	REP-P 90-22-101	248-55-020	DECOD-P 90-22-094	248-59-080	REP 90-06-019
		248-55-030	DECOD-P 90-22-094		





Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-98-045	DECOD P 90 22 010	248-100-086	AMD 90-10-036	248-106-010	NEW 90-02-094
248-98-050	AMD P 90 02 072	248-100-086	DECOD-P 90-22-010	248-106-010	DECOD-P 90-22-010
248-98-050	AMD 90 07 010	248-100-091	DECOD-P 90-22-010	248-106-020	NEW 90-02-094
248-98-050	DECOD P 90 22 010	248-100-166	DECOD-P 90-22-010	248-106-020	DECOD-P 90-22-010
248-98-060	AMD P 90 02 072	248 100 171	DECOD-P 90-22-010	248-106-030	NEW-P 90-08-104
248-98-060	AMD 90 07 010	248 100 176	DECOD-P 90-22-010	248-106-030	NEW-C 90-21-055
248-98-060	DECOD P 90 22 010	248 100 181	DECOD-P 90-22-010	248-112-010	DECOD-P 90-22-010
248-98-070	DECOD P 90 22 010	248 100 186	DECOD-P 90-22-010	248-112-020	DECOD-P 90-22-010
248-98-080	AMD P 90 02 072	248 100 191	DECOD-P 90-22-010	248-112-030	DECOD-P 90-22-010
248-98-080	AMD 90 07 010	248 100 196	DECOD-P 90-22-010	248-112-040	DECOD-P 90-22-010
248-98-080	DECOD P 90 22 010	248 100 201	DECOD-P 90-22-010	248-112-050	DECOD-P 90-22-010
248-98-085	NEW P 90 02 072	248 100 206	DECOD-P 90-22-010	248-112-060	DECOD-P 90-22-010
248-98-085	NEW 90 07 010	248 100 207	DECOD-P 90-22-010	248-118-010	DECOD-P 90-22-094
248-98-085	DECOD P 90 22 010	248 100 208	DECOD-P 90-22-010	248-118-020	DECOD-P 90-22-094
248-98-090	AMD P 90 02 072	248 100 209	DECOD-P 90-22-010	248-118-021	DECOD-P 90-22-094
248-98-090	AMD 90 07 010	248 100 211	DECOD-P 90-22-010	248-118-022	DECOD-P 90-22-094
248-98-090	DECOD P 90 22 010	248 100 216	DECOD-P 90-22-010	248-118-030	DECOD-P 90-22-094
248-98-095	NEW P 90 02 072	248 100 217	NEW-P 90-06-063	248-118-040	DECOD-P 90-22-094
248-98-095	NEW 90 07 010	248 100 217	NEW 90-10-036	248-118-050	DECOD-P 90-22-094
248-98-095	DECOD P 90 22 010	248 100 217	DECOD-P 90-22-010	248-118-060	DECOD-P 90-22-094
248-98-098	NEW P 90 02 072	248 100 221	DECOD-P 90-22-010	248-118-061	DECOD-P 90-22-094
248-98-098	NEW 90 07 010	248 100 226	DECOD-P 90-22-010	248-118-070	DECOD-P 90-22-094
248-98-098	DECOD P 90 22 010	248 100 231	DECOD-P 90-22-010	248-118-080	DECOD-P 90-22-094
248-98-100	AMD P 90 02 072	248 100 236	DECOD-P 90-22-010	248-118-090	DECOD-P 90-22-094
248-98-100	AMD 90 07 010	248-100-241	DECOD-P 90-22-010	248-118-100	DECOD-P 90-22-094
248-98-100	DECOD P 90 22 010	248-101-010	REP-P 90-16-098	248-118-110	DECOD-P 90-22-094
248-98-102	NEW P 90 02 072	248-101-010	REP-W 90-18-083	248-124-010	DECOD-P 90-22-010
248-98-102	NEW 90 07 010	248-101-010	REP-P 90-18-085	248-124-015	DECOD-P 90-22-010
248-98-102	DECOD P 90 22 010	248-101-010	REP 90-21-056	248-124-160	DECOD-P 90-22-094
248-98-104	NEW P 90 02 072	248-101-011	NEW-P 90-16-098	248-128-001	REP-P 90-22-101
248-98-104	NEW 90 07 010	248-101-011	NEW-W 90-18-083	248-132-010	DECOD-P 90-22-010
248-98-104	DECOD P 90 22 010	248-101-011	NEW-P 90-18-085	248-132-020	DECOD-P 90-22-010
248-98-110	AMD P 90 02 072	248-101-011	NEW 90-21-056	248-132-030	DECOD-P 90-22-010
248-98-110	AMD 90 07 010	248-101-011	DECOD-P 90-22-010	248-132-040	DECOD-P 90-22-010
248-98-110	DECOD P 90 22 010	248 101-020	AMD-E 90-11-038	248-132-050	DECOD-P 90-22-010
248-98-120	AMD P 90 02 072	248-101-020	REP-P 90-16-098	248-132-060	DECOD-P 90-22-010
248-98-120	AMD 90 07 010	248-101-020	AMD-E 90-18-074	248-132-070	DECOD-P 90-22-010
248-98-120	DECOD P 90 22 010	248 101-020	REP-W 90-18-083	248-132-080	DECOD-P 90-22-010
248-98-130	NEW P 90 02 072	248-101-020	REP-P 90-18-085	248-132-090	DECOD-P 90-22-010
248-98-130	NEW 90 07 010	248 101-020	REP 90-21-056	248-132-100	DECOD-P 90-22-010
248-98-130	DECOD P 90 22 010	248 101-021	NEW-P 90-16-098	248-132-110	DECOD-P 90-22-010
248-98-135	NEW P 90 02 072	248-101-021	NEW-W 90-18-083	248-132-120	DECOD-P 90-22-010
248-98-135	NEW 90 07 010	248-101-021	NEW-P 90-18-085	248-132-130	DECOD-P 90-22-010
248-98-135	DECOD P 90 22 010	248-101-021	NEW 90-21-056	248-132-140	DECOD-P 90-22-010
248-98-998	NEW-P 90 02 072	248-101-021	DECOD-P 90-22-010	248-132-150	DECOD-P 90-22-010
248-98-998	NEW 90 07 010	248-101-220	NEW-E 90-11-038	248-132-160	DECOD-P 90-22-010
248-98-998	DECOD P 90 22 010	248-101-220	REP-P 90-16-098	248-132-170	DECOD-P 90-22-010
248-98-999	REP P 90 02 072	248 101-220	NEW-E 90-18-074	248-132-180	DECOD-P 90-22-010
248-98-999	REP 90 07 010	248-101-220	REP-W 90-18-083	248-132-190	DECOD-P 90-22-010
248-99-010	DECOD P 90 22 094	248 101-220	REP-P 90-18-085	248-132-200	DECOD-P 90-22-010
248-99-020	DECOD P 90 22 094	248-101-220	REP 90-21-056	248-140-010	DECOD-P 90-22-094
248-99-030	DECOD P 90 22 094	248-101-221	NEW-P 90-16-098	248-140-140	DECOD-P 90-22-094
248-99-040	DECOD P 90 22 094	248-101-221	NEW-W 90-18-083	248-140-150	DECOD-P 90-22-094
248-99-050	DECOD P 90 22 094	248-101-221	NEW-P 90-18-085	248-140-160	DECOD-P 90-22-094
248-99-060	DECOD P 90 22 094	248-101-221	NEW 90-21-056	248-140-170	DECOD-P 90-22-094
248-99-070	DECOD P 90 22 094	248-101-221	DECOD-P 90-22-010	248-140-180	DECOD-P 90-22-094
248-99-080	DECOD-P 90 22-094	248-103	AMD-P 90-18-075	248-140-190	DECOD-P 90-22-094
248-99-090	DECOD P 90 22 094	248-103-001	DECOD-P 90-22-010	248-140-200	AMD 90-05-038
248-99-100	DECOD P 90 22 094	248-103-010	AMD-P 90-18-075	248-140-200	DECOD-P 90-22-094
248-100-006	DECOD P 90 22-010	248-103-010	DECOD-P 90-22-010	248-140-210	DECOD-P 90-22-094
248-100-011	DECOD P 90 22 010	248-103-020	AMD-P 90-18-075	248-140-215	DECOD-P 90-22-094
248-100-016	AMD-P 90-02-095	248-103-020	DECOD-P 90-22-010	248-140-220	DECOD-P 90-22-094
248-100-016	AMD 90 07 033	248-103-030	DECOD-P 90-22-010	248-140-230	DECOD-P 90-22-094
248-100-016	DECOD P 90 22 010	248-103-040	NEW-P 90-18-075	248-144-010	DECOD-P 90-22-010
248-100-021	AMD-P 90-06-063	248-104-110	REP-P 90-22-093	248-144-020	DECOD-P 90-22-010
248-100-021	AMD 90-10-036	248-105-010	DECOD-P 90-22-010	248-144-031	AMD 90-06-049
248-100-021	DECOD-P 90 22-010	248-105-020	DECOD-P 90-22-010	248-144-031	DECOD-P 90-22-010
248-100-026	DECOD-P 90 22-010	248-105-030	DECOD-P 90-22-010	248-144-041	DECOD-P 90-22-010
248-100-031	DECOD P 90 22 010	248-105-040	DECOD-P 90-22-010	248-144-051	DECOD-P 90-22-010
248-100-036	DECOD P 90-22 010	248-105-050	DECOD-P 90-22-010	248-144-061	DECOD-P 90-22-010
248-100-041	DECOD P 90 22 010	248-105-060	DECOD-P 90-22-010	248-144-071	DECOD-P 90-22-010
248-100-046	DECOD-P 90-22-010	248-105-070	DECOD-P 90-22-010	248-144-081	DECOD-P 90-22-010
248-100-071	DECOD P 90-22 010	248-105-080	DECOD-P 90-22-010	248-144-091	DECOD-P 90-22-010
248-100-072	DECOD P 90 22 010	248-105-090	DECOD-P 90-22-010	248-144-101	DECOD-P 90-22-010
248-100-076	DECOD-P 90 22-010	248-105-100	DECOD-P 90-22-010	248-144-111	DECOD-P 90-22-010
248-100-081	DECOD P 90 22 010	248-106-001	NEW 90-02-094	248-144-121	DECOD-P 90-22-010
248-100-086	AMD-P 90-06-063	248-106-001	DECOD-P 90-22-010	248-144-131	DECOD-P 90-22-010

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-144-141	DECOD P 90 22 010	248-170-300	NEW 90-04-082	250-69-090	NEW 90-09-003
248-144-151	DECOD P 90 22 010	248-170-300	DECOD-P 90-22-094	250-69-100	NEW-P 90-04-068
248-144-161	DECOD P 90-22 010	248-170-320	NEW 90-04-082	250-69-100	NEW 90-09-003
248-144-171	DECOD P 90 22 010	248-170-320	DECOD-P 90-22-094	250-69-110	NEW-P 90-04-068
248-144-181	DECOD P 90 22-010	248-180-010	NEW 90-03-052	250-69-110	NEW 90-09-003
248-144-191	DECOD P 90-22 010	248-180-010	DECOD-P 90-22-094	250-70	NEW-C 90-14-029
248-144-201	DECOD P 90-22 010	248-180-020	NEW 90-03-052	250-70-010	NEW-P 90-11-130
248-144-211	DECOD P 90 22-010	248-180-020	DECOD-P 90-22-094	250-70-010	NEW 90-16-023
248-144-250	DECOD P 90 22 010	248-318-240	NEW 90-24-044	250-70-020	NEW-P 90-11-130
248-148-010	DECOD P 90 22-010	248-318-250	NEW 90-24-044	250-70-020	NEW 90-16-023
248-148-021	DECOD P 90 22 010	248-318-260	NEW 90-24-044	250-70-030	NEW-P 90-11-130
248-148-031	DECOD P 90-22 010	248-318-740	NEW 90-24-044	250-70-030	NEW 90-16-023
248-148-035	DECOD P 90 22 010	248-318-860	NEW 90-24-044	250-70-040	NEW-P 90-11-130
248-148-091	DECOD P 90-22 010	248-318-870	NEW 90-24-044	250-70-040	NEW 90-16-023
248-148-101	DECOD P 90-22 010	248-320-340	NEW 90-06-018	250-70-050	NEW-P 90-11-130
248-148-121	DECOD P 90 22 010	248-320-340	DECOD-P 90-22-094	250-70-050	NEW 90-16-023
248-148-123	DECOD-P 90 22 010	248-320-350	NEW 90-06-018	250-70-060	NEW-P 90-11-130
248-148-131	DECOD P 90 22 010	248-320-350	DECOD-P 90-22-094	250-70-060	NEW 90-16-023
248-148-150	DECOD-P 90 22 010	248-320-360	NEW 90-06-018	250-70-070	NEW-P 90-11-130
248-150-010	DECOD P 90-22 010	248-320-360	DECOD-P 90-22-094	250-70-070	NEW 90-16-023
248-150-020	DECOD-P 90-22 010	248-320-370	NEW 90-06-018	250-70-080	NEW-P 90-11-130
248-150-030	DECOD-P 90-22-010	248-320-370	DECOD-P 90-22-094	250-70-080	NEW 90-16-023
248-150-040	DECOD-P 90-22 010	248-320-400	NEW 90-06-018	250-70-090	NEW-P 90-11-130
248-150-050	DECOD-P 90-22 010	248-320-400	DECOD-P 90-22-094	250-70-090	NEW 90-16-023
248-150-060	DECOD-P 90-22-010	248-320-410	NEW 90-06-018	250-70-100	NEW-P 90-11-130
248-150-070	DECOD-P 90 22-010	248-320-410	DECOD-P 90-22-094	250-70-100	NEW 90-16-023
248-150-080	DECOD P 90-22 010	248-320-500	NEW 90-06-018	250-71-010	NEW-E 90-10-002
248-156-010	DECOD P 90-22 094	248-320-500	DECOD-P 90-22-094	250-71-010	NEW-P 90-11-108
248-156-020	REP P 90-22-093	248-366-001	RECOD-P 90-22-010	250-71-010	NEW 90-24-023
248-156-030	DECOD P 90 22 094	248-366-010	RECOD-P 90-22-010	250-71-010	NEW-E 90-24-024
248-160-010	DECOD P 90 22-010	248-366-020	RECOD-P 90-22-010	250-71-015	NEW-E 90-10-002
248-160-020	DECOD P 90 22 010	248-366-030	RECOD-P 90-22-010	250-71-015	NEW-P 90-11-108
248-160-030	DECOD-P 90-22-010	248-366-040	RECOD-P 90-22-010	250-71-015	NEW 90-24-023
248-160-040	DECOD-P 90-22-010	248-366-050	RECOD-P 90-22-010	250-71-015	NEW-E 90-24-024
248-164-001	DECOD-P 90-22-010	248-366-060	RECOD-P 90-22-010	250-71-020	NEW-E 90-10-002
248-164-010	DECOD P 90-22 010	248-366-070	RECOD-P 90-22-010	250-71-020	NEW-P 90-11-108
248-164-020	DECOD P 90-22 010	248-366-080	RECOD-P 90-22-010	250-71-020	NEW 90-24-023
248-164-030	DECOD-P 90 22-010	248-366-090	RECOD-P 90-22-010	250-71-020	NEW-E 90-24-024
248-164-040	DECOD-P 90 22-010	248-366-100	RECOD-P 90-22-010	250-71-025	NEW-E 90-10-002
248-164-050	DECOD-P 90-22-010	248-366-110	RECOD-P 90-22-010	250-71-025	NEW-P 90-11-108
248-164-060	DECOD P 90-22 010	248-366-120	RECOD-P 90-22-010	250-71-025	NEW 90-24-023
248-168-010	AMD-P 90-11-063	248-366-130	RECOD-P 90-22-010	250-71-025	NEW-E 90-24-024
248-168-010	AMD 90 17 087	248-366-140	RECOD-P 90-22-010	250-71-030	NEW-E 90-10-002
248-168-010	DECOD-P 90 22-094	248-366-150	RECOD-P 90-22-010	250-71-030	NEW-P 90-11-108
248-168-015	NEW-P 90-11-063	248-554-030	AMD-C 90-04-016	250-71-030	NEW 90-24-023
248-168-015	NEW 90 17-087	248-554-030	AMD 90-04-072	250-71-030	NEW-E 90-24-024
248-168-015	DECOD P 90-22 094	248-990-990	DECOD-P 90-22-010	250-71-035	NEW-E 90-10-002
248-168-020	AMD-P 90-11-063	250 14-010	NEW-E 90-16-032	250-71-035	NEW-P 90-11-108
248-168-020	AMD 90 17-087	250-14-010	NEW-P 90-16-055	250-71-035	NEW 90-24-023
248-168-020	DECOD P 90-22 094	250-14-010	NEW 90-20-013	250-71-035	NEW-E 90-24-024
248-168-030	AMD-P 90 11 063	250-14-010	NEW-E 90-20-014	250-71-040	NEW-E 90-10-002
248-168-030	AMD 90-17 087	250-20-001	AMD 90-04-067	250-71-040	NEW-P 90-11-108
248-168-030	DECOD-P 90-22 094	250-20-011	AMD 90-04-067	250-71-040	NEW 90-24-023
248-168-040	AMD-P 90-11-063	250-20-015	AMD 90-04-067	250-71-040	NEW-E 90-24-024
248-168-040	AMD 90 17 087	250-20-021	AMD 90-04-067	250-71-045	NEW-E 90-10-002
248-168-040	DECOD-P 90-22-094	250-20-031	AMD 90-04-067	250-71-045	NEW-P 90-11-108
248-168-050	AMD-P 90-11-063	250-20-037	NEW 90-04-067	250-71-045	NEW 90-24-023
248-168-050	AMD 90-17-087	250-20-041	AMD 90-04-067	250-71-045	NEW-E 90-24-024
248-168-050	DECOD-P 90-22-094	250-20-051	AMD 90-04-067	250-71-050	NEW-E 90-10-002
248-168-060	AMD-P 90-11-063	250-20-071	AMD 90-04-067	250-71-050	NEW-P 90-11-108
248-168-060	AMD 90 17 087	250-69-010	NEW-P 90-04-068	250-71-050	NEW 90-24-023
248-168-060	DECOD-P 90-22-094	250-69-010	NEW 90-09-003	250-71-050	NEW-E 90-24-024
248-168-070	NEW-P 90-11 063	250-69-020	NEW-P 90-04-068	250-71-055	NEW-E 90-10-002
248-168-070	NEW 90 17 087	250-69-020	NEW 90-09-003	250-71-055	NEW-P 90-11-108
248-168-070	DECOD-P 90-22-094	250-69-030	NEW-P 90-04-068	250-71-055	NEW 90-24-023
248-170-001	NEW 90-04-082	250-69-030	NEW 90-09-003	250-71-055	NEW-E 90-24-024
248-170-001	DECOD-P 90-22-094	250-69-040	NEW-P 90-04-068	250-71-060	NEW-E 90-10-002
248-170-020	NEW 90-04-082	250-69-040	NEW 90-09-003	250-71-060	NEW-P 90-11-108
248-170-020	DECOD-P 90-22-094	250-69-050	NEW-P 90-04-068	250-71-060	NEW 90-24-023
248-170-100	NEW 90-04-082	250-69-050	NEW 90-09-003	250-71-060	NEW-E 90-24-024
248-170-100	DECOD-P 90 22 094	250-69-060	NEW-P 90-04-068	250-71-065	NEW-E 90-10-002
248-170-130	NEW 90-04-082	250-69-060	NEW 90-09-003	250-71-065	NEW-P 90-11-108
248-170-130	DECOD-P 90-22-094	250-69-070	NEW-P 90-04-068	250-71-065	NEW 90-24-023
248-170-160	NEW 90-04-082	250-69-070	NEW 90-09-003	250-71-065	NEW-E 90-24-024
248-170-160	DECOD-P 90 22-094	250-69-080	NEW-P 90-04-068	250-71-070	NEW-E 90-10-002
248-170-200	NEW 90-04-082	250-69-080	NEW 90-09-003	250-71-070	NEW-P 90-11-108
248-170-200	DECOD-P 90-22-094	250-69-090	NEW-P 90-04-068	250-71-070	NEW 90-24-023

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
250-71-070	NEW-E	90-24-024	251-09-085	NEW-W	90-06-082	261-14-020	AMD-P	90-22-109
250-71-075	NEW-E	90-10-002	251-09-090	AMD-C	90-06-083	261-14-025	NEW-P	90-22-109
250-71-075	NEW-P	90-11-108	251-09-090	AMD	90-10-044	261-14-026	NEW-P	90-22-109
250-71-075	NEW	90-24-023	251-09-092	NEW-C	90-06-083	261-14-027	NEW-P	90-22-109
250-71-075	NEW-E	90-24-024	251-09-092	NEW	90-10-044	261-14-028	NEW-P	90-22-109
250-72-010	NEW-P	90-12-093	251-09-094	NEW-C	90-06-083	261-14-029	NEW-P	90-22-109
250-72-010	NEW	90-16-030	251-09-094	NEW	90-10-044	261-14-030	DECOD-P	90-22-094
250-72-015	NEW-P	90-12-093	251-12-073	AMD-P	90-09-076	261-14-030	AMD-P	90-22-109
250-72-015	NEW	90-16-030	251-12-073	AMD	90-14-018	261-14-040	DECOD-P	90-22-094
250-72-020	NEW-P	90-12-093	251-12-085	AMD-P	90-09-074	261-14-040	AMD-P	90-22-109
250-72-020	NEW	90-16-030	251-12-085	AMD	90-13-017	261-14-050	DECOD-P	90-22-094
250-72-025	NEW-P	90-12-093	251-12-099	NEW-P	90-09-074	261-14-050	REP-P	90-22-109
250-72-025	NEW	90-16-030	251-12-099	NEW	90-13-017	261-14-090	DECOD-P	90-22-094
250-72-030	NEW-P	90-12-093	251-18-185	REP-E	90-13-016	261-14-090	AMD-P	90-22-109
250-72-030	NEW	90-16-030	251-18-185	REP-P	90-13-121	261-20-010	DECOD-P	90-22-094
250-72-035	NEW-P	90-12-093	251-18-185	REP	90-17-037	261-20-020	DECOD-P	90-22-094
250-72-035	NEW	90-16-030	251-18-240	AMD-E	90-13-016	261-20-030	DECOD-P	90-22-094
250-72-040	NEW-P	90-12-093	251-18-240	AMD-P	90-13-121	261-20-040	DECOD-P	90-22-094
250-72-040	NEW	90-16-030	251-18-240	AMD	90-17-037	261-20-045	DECOD-P	90-22-094
250-72-045	NEW-P	90-12-093	251-18-270	REP-E	90-13-016	261-20-050	DECOD-P	90-22-094
250-72-045	NEW	90-16-030	251-18-270	REP-P	90-13-121	261-20-054	DECOD-P	90-22-094
250-73-010	NEW-P	90-12-092	251-18-270	REP	90-17-037	261-20-057	DECOD-P	90-22-094
250-73-010	NEW	90-16-029	251-18-280	AMD-E	90-13-016	261-20-060	DECOD-P	90-22-094
250-73-015	NEW-P	90-12-092	251-18-280	AMD-P	90-13-121	261-20-070	DECOD-P	90-22-094
250-73-015	NEW	90-16-029	251-18-280	AMD	90-17-037	261-20-074	DECOD-P	90-22-094
250-73-020	NEW-P	90-12-092	251-19-155	NEW-P	90-21-137	261-20-080	DECOD-P	90-22-094
250-73-020	NEW	90-16-029	251-19-156	NEW-P	90-21-137	261-20-090	DECOD-P	90-22-094
250-73-025	NEW-P	90-12-092	251-19-157	NEW-P	90-21-137	261-40-010	REP-P	90-22-093
250-73-025	NEW	90-16-029	251-22-165	AMD-P	90-09-075	261-40-015	REP-P	90-22-093
250-73-030	NEW-P	90-12-092	251-22-165	AMD	90-14-018	261-40-020	REP-P	90-22-093
250-73-030	NEW	90-16-029	251-24-030	AMD-P	90-21-137	261-40-030	REP-P	90-22-093
250-73-035	NEW-P	90-12-092	260-36-190	NEW-E	90-09-010	261-40-100	REP-P	90-22-093
250-73-035	NEW	90-16-029	260-36-190	NEW-P	90-14-023	261-40-105	REP-P	90-22-093
250-73-040	NEW-P	90-12-092	260-36-200	NEW-E	90-09-010	261-40-110	REP-P	90-22-093
250-73-040	NEW	90-16-029	260-36-200	NEW-P	90-14-023	261-40-115	REP-P	90-22-093
250-73-045	NEW-P	90-12-092	260-40-280	AMD-P	90-14-101	261-40-120	REP-P	90-22-093
250-73-045	NEW	90-16-029	260-40-280	AMD	90-19-001	261-40-125	REP-P	90-22-093
250-74-010	NEW-P	90-16-082	260-48-327	AMD-W	90-13-072	261-40-130	REP-P	90-22-093
250-74-010	NEW	90-20-011	260-48-327	AMD-P	90-14-100	261-40-135	REP-P	90-22-093
250-74-020	NEW-P	90-16-082	260-48-327	AMD	90-19-002	261-40-140	REP-P	90-22-093
250-74-020	NEW	90-20-011	260-60-060	AMD-P	90-14-067	261-40-145	REP-P	90-22-093
250-74-030	NEW-P	90-16-082	261-02-010	REP-P	90-22-093	261-40-150	REP-P	90-22-093
250-74-030	NEW	90-20-011	261-02-020	REP-P	90-22-093	261-40-160	REP-P	90-22-093
250-74-040	NEW-P	90-16-082	261-02-030	REP-P	90-22-093	261-40-170	REP-P	90-22-093
250-74-040	NEW	90-20-011	261-02-040	REP-P	90-22-093	261-40-190	REP-P	90-22-093
250-74-050	NEW-P	90-16-082	261-02-050	REP-P	90-22-093	261-40-200	REP-P	90-22-093
250-74-050	NEW	90-20-011	261-02-060	REP-P	90-22-093	261-40-201	REP-P	90-22-093
250-74-060	NEW-P	90-16-082	261-06-010	DECOD-P	90-22-094	261-40-202	REP-P	90-22-093
250-74-060	NEW	90-20-011	261-06-020	DECOD-P	90-22-094	261-40-203	REP-P	90-22-093
250-75-010	NEW-P	90-16-093	261-06-030	DECOD-P	90-22-094	261-40-205	REP-P	90-22-093
250-75-010	NEW	90-20-012	261-06-040	DECOD-P	90-22-094	261-40-210	REP-P	90-22-093
250-75-020	NEW-P	90-16-093	261-06-050	DECOD-P	90-22-094	261-40-215	REP-P	90-22-093
250-75-020	NEW	90-20-012	261-06-060	DECOD-P	90-22-094	261-40-220	REP-P	90-22-093
250-75-030	NEW-P	90-16-093	261-06-070	DECOD-P	90-22-094	261-40-225	REP-P	90-22-093
250-75-030	NEW	90-20-012	261-06-080	DECOD-P	90-22-094	261-40-230	REP-P	90-22-093
250-75-040	NEW-P	90-16-093	261-06-090	DECOD-P	90-22-094	261-40-240	REP-P	90-22-093
250-75-040	NEW	90-20-012	261-06-100	DECOD-P	90-22-094	261-40-250	REP-P	90-22-093
250-75-050	NEW-P	90-16-093	261-06-110	DECOD-P	90-22-094	261-40-300	REP-P	90-22-093
250-75-050	NEW	90-20-012	261-10-010	DECOD-P	90-22-094	261-40-305	REP-P	90-22-093
250-75-060	NEW-P	90-16-093	261-10-020	DECOD-P	90-22-094	261-40-310	REP-P	90-22-093
250-75-060	NEW	90-20-012	261-10-030	DECOD-P	90-22-094	261-40-315	REP-P	90-22-093
250-75-070	NEW-P	90-16-093	261-10-040	DECOD-P	90-22-094	261-40-400	REP-P	90-22-093
250-75-070	NEW	90-20-012	261-10-050	DECOD-P	90-22-094	261-40-405	REP-P	90-22-093
250-75-080	NEW-P	90-16-093	261-10-060	DECOD-P	90-22-094	261-40-410	REP-P	90-22-093
250-75-080	NEW	90-20-012	261-10-080	DECOD-P	90-22-094	261-40-430	REP-P	90-22-093
250-76-010	NEW-P	90-24-076	261-12-010	DECOD-P	90-22-094	261-40-435	REP-P	90-22-093
250-76-020	NEW-P	90-24-076	261-12-020	DECOD-P	90-22-094	261-40-450	REP-P	90-22-093
250-76-030	NEW-P	90-24-076	261-12-040	DECOD-P	90-22-094	261-40-460	REP-P	90-22-093
250-76-040	NEW-P	90-24-076	261-12-050	DECOD-P	90-22-094	261-40-470	REP-P	90-22-093
250-76-050	NEW-P	90-24-076	261-12-055	DECOD-P	90-22-094	261-40-475	REP-P	90-22-093
250-76-060	NEW-P	90-24-076	261-12-060	DECOD-P	90-22-094	261-40-480	REP-P	90-22-093
251-01-180	AMD-P	90-09-075	261-12-070	DECOD-P	90-22-094	261-40-485	REP-P	90-22-093
251-01-180	AMD	90-14-018	261-12-080	DECOD-P	90-22-094	261-40-490	REP-P	90-22-093
251-04-040	AMD	90-06-023	261-12-090	DECOD-P	90-22-094	261-50-010	DECOD-P	90-22-094
251-04-040	AMD-E	90-13-015	261-14-010	DECOD-P	90-22-094	261-50-020	DECOD-P	90-22-094
251-04-040	AMD-P	90-13-120	261-14-010	AMD-P	90-22-109	261-50-030	DECOD-P	90-22-094
251-04-040	AMD	90-17-037	261-14-020	DECOD-P	90-22-094	261-50-035	DECOD-P	90-22-094

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
261-50-040	DECOD-P 90-22-094	275-56-095	AMD-C 90-04-019	275-56-505	NEW 90-03-113
261-50-050	DECOD P 90-22-094	275-56-095	AMD-W 90-04-069	275-56-515	NEW 90-03-113
261-50-060	DECOD-P 90-22-094	275-56-100	AMD 90-03-113	275-110-050	AMD-P 90-13-113
261-50-065	DECOD P 90-22-094	275-56-105	AMD 90-03-113	275-110-050	AMD 90-16-086
261-50-070	DECOD-P 90-22-094	275-56-110	AMD 90-03-113	275-110-060	AMD-P 90-13-113
261-50-075	DECOD-P 90-22-094	275-56-115	AMD 90-03-113	275-110-060	AMD 90-16-086
261-50-090	DECOD-P 90-22-094	275-56-120	REP 90-03-113	275-110-070	AMD-P 90-13-113
275-16-030	AMD P 90-14-045	275-56-125	REP 90-03-113	275-110-070	AMD 90-16-086
275-16-030	AMD E 90-14-057	275-56-130	REP 90-03-113	275-110-080	AMD-P 90-13-113
275-16-030	AMD-C 90-17-111	275-56-135	AMD 90-03-113	275-110-080	AMD 90-16-086
275-16-030	AMD 90-18-004	275-56-140	REP 90-03-113	275-155-005	NEW-P 90-14-046
275-16-055	AMD-C 90-04-019	275-56-145	REP 90-03-113	275-155-005	NEW-E 90-14-059
275-16-055	AMD 90-04-075	275-56-150	AMD 90-03-113	275-155-005	NEW 90-17-120
275-16-055	AMD-E 90-17-135	275-56-155	REP 90-03-113	275-155-010	NEW-P 90-14-046
275-16-055	AMD-P 90-17-137	275-56-160	REP 90-03-113	275-155-010	NEW-E 90-14-059
275-16-055	AMD 90-21-030	275-56-165	REP 90-03-113	275-155-010	NEW 90-17-120
275-16-105	AMD-E 90-20-068	275-56-170	AMD 90-03-113	275-155-020	NEW-P 90-14-046
275-16-105	AMD P 90-20-069	275-56-175	AMD 90-03-113	275-155-020	NEW-E 90-14-059
275-16-105	AMD 90-23-071	275-56-180	AMD 90-03-113	275-155-020	NEW 90-17-120
275-19-050	AMD C 90-04-017	275-56-185	AMD 90-03-113	275-155-030	NEW-P 90-14-046
275-19-050	AMD 90-04-073	275-56-190	REP 90-03-113	275-155-030	NEW-E 90-14-059
275-20-080	AMD-C 90-04-018	275-56-195	AMD 90-03-113	275-155-030	NEW 90-17-120
275-20-080	AMD 90-04-074	275-56-200	AMD 90-03-113	275-155-040	NEW-P 90-14-046
275-20-080	AMD-E 90-17-135	275-56-205	AMD 90-03-113	275-155-040	NEW-E 90-14-059
275-20-080	AMD-P 90-17-137	275-56-210	AMD 90-03-113	275-155-040	NEW 90-17-120
275-20-080	AMD 90-21-030	275-56-215	AMD 90-03-113	275-155-050	NEW-P 90-14-046
275-26-022	AMD-C 90-04-018	275-56-220	AMD 90-03-113	275-155-050	NEW-E 90-14-059
275-26-022	AMD 90-04-074	275-56-225	AMD 90-03-113	275-155-050	NEW 90-17-120
275-27-500	AMD-C 90-04-018	275-56-230	AMD 90-03-113	275-155-060	NEW-P 90-14-046
275-27-500	AMD 90-04-074	275-56-235	AMD 90-03-113	275-155-060	NEW-E 90-14-059
275-30-020	AMD-P 90-19-018	275-56-240	AMD 90-03-113	275-155-060	NEW 90-17-120
275-30-020	AMD-E 90-19-019	275-56-245	AMD 90-03-113	284-02-020	AMD-P 90-14-104
275-30-020	AMD 90-22-072	275-56-250	REP 90-03-113	284-02-020	AMD 90-17-058
275-30-060	AMD-P 90-19-018	275-56-255	REP 90-03-113	284-03-060	AMD-P 90-15-022
275-30-060	AMD-E 90-19-019	275-56-260	AMD 90-03-113	284-03-060	AMD 90-18-037
275-30-060	AMD 90-22-072	275-56-265	REP 90-03-113	284-12-010	REP 90-04-060
275-30-070	AMD-P 90-19-018	275-56-270	REP 90-03-113	284-12-030	REP 90-04-060
275-30-070	AMD-E 90-19-019	275-56-275	AMD 90-03-113	284-12-040	REP 90-04-060
275-30-070	AMD 90-22-072	275-56-280	REP 90-03-113	284-12-080	AMD 90-04-042
275-36-310	AMD-C 90-04-018	275-56-285	AMD 90-03-113	284-17-121	NEW 90-04-060
275-36-310	AMD 90-04-074	275-56-290	AMD 90-03-113	284-17-122	NEW 90-04-060
275-38-770	AMD-E 90-11-005	275-56-295	AMD 90-03-113	284-17-123	NEW 90-04-060
275-38-770	AMD-P 90-11-007	275-56-300	AMD 90-03-113	284-17-600	NEW-P 90-19-109
275-38-770	AMD 90-15-017	275-56-305	AMD 90-03-113	284-17-600	NEW 90-22-039
275-38-860	AMD-E 90-11-005	275-56-310	REP 90-03-113	284-24	AMD-C 90-24-043
275-38-860	AMD-P 90-11-007	275-56-315	REP 90-03-113	284-24-015	AMD-P 90-10-056
275-38-860	AMD 90-15-017	275-56-320	REP 90-03-113	284-24-015	AMD 90-13-041
275-38-906	AMD-E 90-11-005	275-56-325	REP 90-03-113	284-24-055	NEW-P 90-10-056
275-38-906	AMD-P 90-11-007	275-56-330	REP 90-03-113	284-24-055	NEW 90-13-041
275-38-906	AMD 90-15-017	275-56-335	AMD 90-03-113	284-24-060	AMD-P 90-10-056
275-38-960	AMD-C 90-04-018	275-56-340	AMD 90-03-113	284-24-060	AMD 90-13-041
275-38-960	AMD 90-04-074	275-56-345	REP 90-03-113	284-24-065	NEW-P 90-21-136
275-56-005	AMD 90-03-113	275-56-350	REP 90-03-113	284-24-100	AMD-P 90-10-056
275-56-010	AMD 90-03-113	275-56-355	AMD 90-03-113	284-24-100	AMD 90-13-041
275-56-015	AMD 90-03-113	275-56-360	REP 90-03-113	284-30-600	AMD-P 90-23-079
275-56-016	NEW 90-03-113	275-56-365	AMD 90-03-113	284-30-610	NEW-P 90-23-079
275-56-017	NEW 90-03-113	275-56-370	REP 90-03-113	284-30-800	AMD-P 90-17-059
275-56-020	AMD 90-03-113	275-56-375	REP 90-03-113	284-30-800	AMD 90-20-104
275-56-025	AMD 90-03-113	275-56-380	REP 90-03-113	284-49-010	NEW-E 90-12-095
275-56-030	REP 90-03-113	275-56-385	AMD 90-03-113	284-49-010	NEW-P 90-16-087
275-56-035	AMD 90-03-113	275-56-390	REP 90-03-113	284-49-010	NEW 90-18-076
275-56-040	AMD 90-03-113	275-56-395	REP 90-03-113	284-49-020	NEW-E 90-12-095
275-56-042	NEW 90-03-113	275-56-400	AMD 90-03-113	284-49-020	NEW-P 90-16-087
275-56-043	NEW 90-03-113	275-56-405	REP 90-03-113	284-49-020	NEW 90-18-076
275-56-050	AMD 90-03-113	275-56-410	REP 90-03-113	284-49-050	NEW-E 90-12-095
275-56-055	AMD 90-03-113	275-56-415	REP 90-03-113	284-49-050	NEW-P 90-16-087
275-56-060	AMD 90-03-113	275-56-420	REP 90-03-113	284-49-050	NEW 90-18-076
275-56-065	AMD 90-03-113	275-56-425	AMD 90-03-113	284-49-100	NEW-E 90-12-095
275-56-070	AMD 90-03-113	275-56-430	REP 90-03-113	284-49-100	NEW-P 90-16-087
275-56-075	AMD 90-03-113	275-56-435	REP 90-03-113	284-49-100	NEW 90-18-076
275-56-080	AMD 90-03-113	275-56-440	REP 90-03-113	284-49-115	NEW-E 90-12-095
275-56-085	AMD 90-03-113	275-56-445	AMD 90-03-113	284-49-115	NEW-P 90-16-087
275-56-087	NEW 90-03-113	275-56-450	REP 90-03-113	284-49-115	NEW 90-18-076
275-56-088	NEW 90-03-113	275-56-465	NEW 90-03-113	284-49-300	NEW-E 90-12-095
275-56-089	NEW 90-03-113	275-56-475	NEW 90-03-113	284-49-300	NEW-P 90-16-087
275-56-090	AMD 90-03-113	275-56-485	NEW 90-03-113	284-49-300	NEW 90-18-076
275-56-095	AMD 90-03-113	275-56-495	NEW 90-03-113	284-49-330	NEW-E 90-12-095

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
284-49-330	NEW P	90-16-087	284-55-190	REP-P	90-04-089	292-08-020	NEW-P	90-03-095
284-49-330	NEW	90-18-076	284-55-190	REP-W	90-17-100	292-08-020	NEW-E	90-08-077
284-49-500	NEW-E	90-12-095	284-55-205	REP-P	90-04-089	292-08-020	NEW	90-10-059
284-49-500	NEW-P	90-16-087	284-55-205	REP-W	90-17-100	292-08-030	NEW-P	90-03-095
284-49-500	NEW	90-18-076	284-55-210	REP-P	90-04-089	292-08-030	NEW-E	90-08-077
284-49-510	NEW-E	90-12-095	284-55-210	REP-W	90-17-100	292-08-030	NEW	90-10-059
284-49-510	NEW-P	90-16-087	284-66-010	NEW-P	90-04-089	292-08-040	NEW-P	90-03-095
284-49-510	NEW	90-18-076	284-66-010	NEW	90-07-059	292-08-040	NEW-E	90-08-077
284-49-520	NEW E	90-12-095	284-66-020	NEW-P	90-04-089	292-08-040	NEW	90-10-059
284-49-520	NEW P	90-16-087	284-66-020	NEW	90-07-059	292-08-050	NEW-P	90-03-095
284-49-520	NEW	90-18-076	284-66-030	NEW-P	90-04-089	292-08-050	NEW-E	90-08-077
284-49-900	NEW-E	90-12-095	284-66-030	NEW	90-07-059	292-08-050	NEW	90-10-059
284-49-900	NEW P	90-16-087	284-66-040	NEW-P	90-04-089	292-12-010	NEW-P	90-03-095
284-49-900	NEW	90-18-076	284-66-040	NEW	90-07-059	292-12-010	NEW-E	90-08-077
284-49-999	NEW-E	90-12-095	284-66-050	NEW-P	90-04-089	292-12-010	NEW	90-10-059
284-49-999	NEW-P	90-16-087	284-66-050	NEW	90-07-059	292-12-010	NEW-P	90-03-095
284-49-999	NEW	90-18-076	284-66-060	NEW-P	90-04-089	292-12-020	NEW-E	90-08-077
284-55-010	REP-P	90-04-089	284-66-060	NEW	90-07-059	292-12-020	NEW	90-10-059
284-55-010	AMD-P	90-13-085	284-66-070	NEW-P	90-04-089	292-12-030	NEW-P	90-03-095
284-55-010	AMD	90-17-038	284-66-070	NEW	90-07-059	292-12-030	NEW-E	90-08-077
284-55-010	REP W	90-17-100	284-66-080	NEW-P	90-04-089	292-12-030	NEW	90-10-059
284-55-020	REP P	90-04-089	284-66-080	NEW	90-07-059	292-12-040	NEW-P	90-03-095
284-55-020	AMD P	90-13-085	284-66-090	NEW-P	90-04-089	292-12-040	NEW-E	90-08-077
284-55-020	AMD	90-17-038	284-66-090	NEW	90-07-059	292-12-040	NEW	90-10-059
284-55-020	REP W	90-17-100	284-66-100	NEW-P	90-04-089	292-12-050	NEW-P	90-03-095
284-55-030	REP P	90-04-089	284-66-100	NEW	90-07-059	292-12-050	NEW-E	90-08-077
284-55-030	AMD-P	90-13-085	284-66-110	NEW-P	90-04-089	292-12-050	NEW	90-10-059
284-55-030	AMD	90-17-038	284-66-110	NEW	90-07-059	292-12-060	NEW-P	90-03-095
284-55-030	REP W	90-17-100	284-66-120	NEW-P	90-04-089	292-12-060	NEW-E	90-08-077
284-55-035	REP-P	90-04-089	284-66-120	NEW	90-07-059	292-12-060	NEW	90-10-059
284-55-035	REP-W	90-17-100	284-66-130	NEW-P	90-04-089	292-12-070	NEW-P	90-03-095
284-55-040	REP-P	90-04-089	284-66-130	NEW	90-07-059	292-12-070	NEW-E	90-08-077
284-55-040	REP-W	90-17-100	284-66-140	NEW-P	90-04-089	292-12-070	NEW	90-10-059
284-55-045	REP-P	90-04-089	284-66-140	NEW	90-07-059	292-12-080	NEW-P	90-03-095
284-55-045	REP-W	90-17-100	284-66-150	NEW-P	90-04-089	292-12-080	NEW-E	90-08-077
284-55-050	REP P	90-04-089	284-66-150	NEW	90-07-059	292-12-080	NEW	90-10-059
284-55-050	REP W	90-17-100	284-66-160	NEW-P	90-04-089	292-12-090	NEW-P	90-03-095
284-55-060	REP P	90-04-089	284-66-160	NEW	90-07-059	292-12-090	NEW-E	90-08-077
284-55-060	REP W	90-17-100	284-66-170	NEW-P	90-04-089	292-12-090	NEW	90-10-059
284-55-065	REP-P	90-04-089	284-66-170	NEW	90-07-059	292-12-110	NEW-P	90-03-095
284-55-065	REP-W	90-17-100	284-66-180	NEW-P	90-04-089	292-12-110	NEW-E	90-08-077
284-55-067	REP-P	90-04-089	284-66-180	NEW	90-07-059	292-12-110	NEW	90-10-059
284-55-067	REP W	90-17-100	284-66-190	NEW-P	90-04-089	292-12-120	NEW-P	90-03-095
284-55-070	REP P	90-04-089	284-66-190	NEW	90-07-059	292-12-120	NEW-E	90-08-077
284-55-070	REP W	90-17-100	284-66-200	NEW-P	90-04-089	292-12-120	NEW	90-10-059
284-55-080	REP P	90-04-089	284-66-200	NEW	90-07-059	292-12-130	NEW-P	90-03-095
284-55-080	REP-W	90-17-100	284-66-210	NEW-P	90-04-089	292-12-130	NEW-E	90-08-077
284-55-090	REP-P	90-04-089	284-66-210	NEW	90-07-059	292-12-130	NEW	90-10-059
284-55-090	REP W	90-17-100	284-66-220	NEW-P	90-04-089	292-12-140	NEW-P	90-03-095
284-55-095	REP-P	90-04-089	284-66-220	NEW	90-07-059	292-12-140	NEW-E	90-08-077
284-55-095	REP-W	90-17-100	284-66-230	NEW-P	90-04-089	292-12-140	NEW	90-10-059
284-55-115	REP P	90-04-089	284-66-230	NEW	90-07-059	292-12-150	NEW-P	90-03-095
284-55-115	REP W	90-17-100	284-66-240	NEW-P	90-04-089	292-12-150	NEW-E	90-08-077
284-55-120	REP P	90-04-089	284-66-240	NEW	90-07-059	292-12-150	NEW	90-10-059
284-55-120	REP W	90-17-100	284-66-250	NEW-P	90-04-089	292-12-160	NEW-P	90-03-095
284-55-125	REP-P	90-04-089	284-66-250	NEW	90-07-059	292-12-160	NEW-E	90-08-077
284-55-125	REP-W	90-17-100	284-66-260	NEW-P	90-04-089	292-12-160	NEW	90-10-059
284-55-150	REP-P	90-04-089	284-66-260	NEW	90-07-059	292-12-170	NEW-P	90-03-095
284-55-150	REP-W	90-17-100	284-66-270	NEW-P	90-04-089	292-12-170	NEW-E	90-08-077
284-55-155	REP P	90-04-089	284-66-270	NEW	90-07-059	292-12-170	NEW	90-10-059
284-55-155	REP W	90-17-100	284-66-300	NEW-P	90-04-089	292-12-180	NEW-P	90-03-095
284-55-160	REP-P	90-04-089	284-66-300	NEW	90-07-059	292-12-180	NEW-E	90-08-077
284-55-160	REP-W	90-17-100	284-66-310	NEW-P	90-04-089	292-12-180	NEW	90-10-059
284-55-165	REP-P	90-04-089	284-66-310	NEW	90-07-059	296-04-001	AMD-P	90-06-103
284-55-165	REP-W	90-17-100	284-66-320	NEW-P	90-04-089	296-04-001	AMD-S	90-07-084
284-55-172	REP-P	90-04-089	284-66-320	NEW	90-07-059	296-04-001	AMD-C	90-16-019
284-55-172	REP-P	90-13-085	284-66-330	NEW-P	90-04-089	296-04-001	AMD-S	90-17-052
284-55-172	REP	90-17-038	284-66-330	NEW	90-07-059	296-04-001	AMD	90-21-118
284-55-172	REP-W	90-17-100	284-66-340	NEW-P	90-04-089	296-04-040	AMD	90-10-021
284-55-177	REP-P	90-04-089	284-66-340	NEW	90-07-059	296-04-042	NEW-P	90-06-104
284-55-177	REP-P	90-13-085	284-66-350	NEW-P	90-04-089	296-04-042	NEW-S	90-07-085
284-55-177	REP	90-17-038	284-66-350	NEW	90-07-059	296-04-042	NEW	90-16-031
284-55-177	REP-W	90-17-100	284-66-400	NEW-P	90-04-089	296-04-160	AMD-P	90-06-103
284-55-180	REP-P	90-04-089	284-66-400	NEW	90-07-059	296-04-160	AMD-S	90-07-084
284-55-180	REP-W	90-17-100	292-08-010	NEW-P	90-03-095	296-04-160	AMD-C	90-16-019
284-55-185	REP-P	90-04-089	292-08-010	NEW-E	90-08-077	296-04-160	AMD-S	90-17-052
284-55-185	REP-W	90-17-100	292-08-010	NEW	90-10-059	296-04-160	AMD	90-21-118

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #	
296-04-270	AMD	90 10-020	296-17-57602	AMD	90-13-018	
296-04-340	AMD	90 10-019	296-17-590	AMD-P	90-08-092	
296-04-350	AMD	90 10-019	296-17-590	AMD-C	90-11-099	
296-04-370	AMD	90 10-019	296-17-590	AMD	90-13-018	
296-06-010	AMD-P	90 02-089	296-17-592	AMD-P	90-08-092	
296-06-010	AMD	90-07-004	296-17-592	AMD-C	90-11-099	
296-06-020	AMD-P	90 02-089	296-17-592	AMD	90-13-018	
296-06-020	AMD	90 07-004	296-17-59202	NEW-P	90-08-092	
296-06-030	AMD-P	90 02-089	296-17-59202	NEW-C	90-11-099	
296-06-030	AMD	90 07-004	296-17-59202	NEW	90-13-018	
296-06-040	AMD-P	90-02-089	296-17-631	AMD-P	90-08-092	
296-06-040	AMD	90 07-004	296-17-631	AMD-C	90-11-099	
296-06-080	AMD-P	90 02-089	296 17-631	AMD	90-13-018	
296-06-080	AMD	90 07-004	296-17-634	AMD-P	90-08-092	
296-06-090	AMD-P	90 02-089	296-17-634	AMD-C	90-11-099	
296-06-090	AMD	90 07-004	296-17-634	AMD	90-13-018	
296-06-100	AMD-P	90-02-089	296-17-679	AMD-P	90-08-092	
296-06-100	AMD	90 07-004	296-17-679	AMD-C	90-11-099	
296-06-110	AMD-P	90-02-089	296-17-679	AMD	90-13-018	
296-06-110	AMD	90-07-004	296-17-679	AMD-P	90-16-103	
296-06-120	AMD-P	90 02-089	296-17-850	AMD	90-20-092	
296-06-120	AMD	90 07-004	296-17-855	AMD-P	90-20-119	
296-06-130	AMD-P	90 02-089	296-17-855	AMD	90-24-042	
296-06-130	AMD	90 07-004	296-17-870	AMD-P	90-08-092	
296-06-140	AMD-P	90 02-089	296-17-870	AMD-C	90-11-099	
296-06-140	AMD	90 07-004	296-17-870	AMD	90-13-018	
296-06-150	AMD-P	90 02-089	296-17-873	AMD-P	90-16-103	
296-06-150	AMD	90 07-004	296-17-873	AMD	90-20-092	
296-06-170	AMD-P	90 02-089	296-17-87301	AMD-P	90-16-103	
296-06-170	AMD	90-07-004	296-17-87301	AMD	90-20-092	
296-06-990	REP-P	90-02-089	296-17-87304	NEW-P	90-16-103	
296-06-990	REP	90 07-004	296-17-87304	NEW	90-20-092	
296-06-99001	REP-P	90 02-089	296-17-87305	AMD-P	90-16-103	
296-06-99001	REP	90 07-004	296-17-87305	AMD	90-20-092	
296-14-010	AMD-P	90 13-112	296-17-87306	AMD-P	90-16-103	
296-14-010	AMD-C	90-18-050	296-17-87306	AMD	90-20-092	
296-14-010	AMD	90-19-028	296-17-87307	REP-P	90-16-103	
296-14-400	AMD	90 04-007	296-17-87307	REP	90-20-092	
296-14-400	AMD-P	90 13-112	296-17-87308	AMD-P	90-08-092	
296-14-400	AMD-C	90 18-051	296-17-87308	AMD-C	90-11-099	
296-14-400	AMD-C	90 20-118	296-17-87308	AMD	90-13-018	
296-14-400	AMD	90 22-054	296-17-87308	REP-P	90-16-103	
296-14-410	NEW-P	90 13-112	296-17-87308	REP	90-20-092	
296-14-410	NEW-C	90 18-050	296-17-875	AMD-P	90-20-119	
296-14-410	NEW	90 19-028	296-17-875	AMD	90-24-042	
296-14-420	NEW-P	90 13-112	296-17-880	AMD-P	90-20-119	
296-14-420	NEW-C	90 18-050	296-17-880	AMD	90-24-042	
296-14-420	NEW	90 19-028	296-17-885	AMD-P	90-08-092	
296-14-970	NEW-E	90 12-105	296-17-885	AMD-C	90-11-099	
296-14-970	NEW-P	90 12-103	296-17-885	AMD	90-13-018	
296-14-970	NEW	90 18-002	296-17-885	AMD-P	90-20-119	
296-15-020	AMD-P	90 09-071	296-17-885	AMD	90-24-042	
296-15-020	AMD	90 14-036	296-17-890	AMD-P	90-20-119	
296-15-030	AMD-P	90 19-092	296-17-890	AMD	90-24-042	
296-15-030	AMD	90 24-039	296-17-895	AMD-P	90-08-092	
296-15-070	AMD-P	90 09-072	296-17-895	AMD-C	90-11-099	
296-15-070	AMD	90 14-009	296-17-895	AMD	90-13-018	
296-17-350	AMD-P	90 08-092	296-17-895	AMD-P	90-20-119	
296-17-350	AMD-C	90 11-099	296-17-895	AMD	90-24-042	
296-17-350	AMD	90 13-018	296-17-896	NEW-P	90-21-160	
296-17-45002	AMD-P	90 08-092	296-17-896	NEW	90-24-041	
296-17-45002	AMD-C	90 11-099	296-17-916	AMD-P	90-19-093	
296-17-45002	AMD	90 13-018	296-17-916	AMD	90-24-040	
296-17-45003	AMD-P	90 08-092	296-17-91601	AMD-P	90-19-093	
296-17-45003	AMD-C	90 11-099	296-17-91601	AMD	90-24-040	
296-17-45003	AMD	90 13-018	296-17-919	AMD-P	90-20-119	
296-17-50904	AMD-P	90 08-092	296-17-919	AMD	90-24-042	
296-17-50904	AMD-C	90 11-099	296-18A-440	AMD-P	90-09-072	
296-17-50904	AMD	90 13-018	296-18A-440	AMD	90-14-009	
296-17-519	AMD-P	90 08-092	296-18A-450	AMD-P	90-09-072	
296-17-519	AMD-C	90 11-099	296-18A-450	AMD	90-14-009	
296-17-519	AMD	90 13-018	296-18A-480	AMD-P	90-09-072	
296-17-532	AMD-P	90 08-092	296-18A-480	AMD	90-14-009	
296-17-532	AMD-C	90 11-099	296-18A-500	AMD-P	90-09-072	
296-17-532	AMD	90 13-018	296-18A-500	AMD	90-14-009	
296-17-57602	AMD-P	90 08-092	296-18A-510	AMD-P	90-09-072	
296-17-57602	AMD-C	90 11-099	296-18A-510	AMD	90-14-009	
				296-18A-515	NEW-P	90-09-072
				296-18A-515	NEW	90-14-009
				296-18A-520	AMD-P	90-09-072
				296-18A-520	AMD	90-14-009
				296-20-010	AMD	90-04-057
				296-20-01002	AMD	90-04-057
				296-20-01002	AMD-P	90-09-072
				296-20-01002	AMD	90-14-009
				296-20-015	AMD	90-04-057
				296-20-02001	AMD	90-04-057
				296-20-02010	AMD	90-04-057
				296-20-022	AMD	90-04-057
				296-20-024	AMD	90-04-057
				296-20-03001	AMD	90-04-057
				296-20-045	AMD	90-04-057
				296-20-075	AMD	90-04-057
				296-20-097	AMD-P	90-13-112
				296-20-097	AMD-C	90-18-051
				296-20-097	AMD-C	90-20-118
				296-20-097	AMD	90-22-054
				296-20-1103	AMD-P	90-09-072
				296-20-1103	AMD-W	90-14-035
				296-20-124	AMD	90-04-007
				296-20-135	AMD-P	90-21-159
				296-20-680	AMD	90-04-007
				296-21-013	AMD-P	90-13-111
				296-22-053	AMD-P	90-13-111
				296-22-082	AMD-P	90-13-111
				296-22-205	AMD-P	90-13-111
				296-23-07907	AMD-P	90-13-111
				296-23-900	AMD-P	90-13-111
				296-23-900	AMD	90-18-028
				296-23-910	AMD-P	90-13-111
				296-23-910	AMD	90-18-028
				296-23A-115	AMD-P	90-21-159
				296-23A-150	AMD	90-04-057
				296-23A-170	AMD	90-04-057
				296-23A-340	AMD-P	90-13-111
				296-24-020	AMD	90-03-029
				296-24-020	AMD-P	90-20-121
				296-24-065	AMD-P	90-20-121
				296-24-07501	AMD-W	90-11-041
				296-24-07801	AMD-W	90-11-041
				296-24-084	AMD-P	90-20-121
				296-24-086	AMD-W	90-11-041
				296-24-102	NEW	90-03-029
				296-24-10203	NEW	90-03-029
				296-24-110	NEW-P	90-15-065
				296-24-110	NEW	90-20-091
				296-24-11001	NEW-P	90-15-065
				296-24-11001	NEW	90-20-091
				296-24-11003	NEW-P	90-15-065
				296-24-11003	NEW	90-20-091
				296-24-11005	NEW-P	90-15-065
				296-24-11005	NEW	90-20-091
				296-24-11007	NEW-P	90-15-065
				296-24-11007	NEW	90-20-091
				296-24-11009	NEW-P	90-15-065
				296-24-11009	NEW	90-20-091
				296-24-11011	NEW-P	90-15-065
				296-24-11011	NEW	90-20-091
				296-24-11013	NEW-P	90-15-065
				296-24-11013	NEW	90-20-091
				296-24-11015	NEW-P	90-15-065
				296-24-11015	NEW	90-20-091
				296-24-11017	NEW-P	90-15-065
				296-24-11017	NEW	90-20-091
				296-24-119	NEW-P	90-15-065
				296-24-119	NEW	90-20-091
				296-24-12009	AMD	90-03-029
				296-24-150	AMD-P	90-20-121
				296-24-15001	AMD	90-03-029
				296-24-15001	AMD-P	90-20-121
				296-24-15003	AMD-P	90-20-121
				296-24-16507	AMD	90-03-029
				296-24-16515	AMD	90-03-029
				296-24-16517	AMD	90-03-029

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-24-16531	AMD-P	90-20-121	296-46-150	AMD	90-19-015
296-24-19505	AMD-P	90-20-121	296-46-160	REP-P	90-14-102
296-24-19509	AMD-P	90-20-121	296-46-160	REP	90-19-015
296-24-200	AMD-P	90-20-121	296-46-200	REP-P	90-14-102
296-24-20503	AMD	90-03-029	296-46-200	REP	90-19-015
296-24-20700	AMD-P	90-03-093	296-46-21008	NEW-P	90-14-102
296-24-20700	AMD	90-09-026	296-46-21008	NEW	90-19-015
296-24-23023	AMD-P	90-20-121	296-46-21052	NEW-P	90-14-102
296-24-23027	AMD-P	90-20-121	296-46-21052	NEW	90-19-015
296-24-233	AMD-P	90-20-121	296-46-220	AMD-P	90-14-102
296-24-23303	NEW-P	90-20-121	296-46-220	AMD	90-19-015
296-24-23533	NEW-P	90-20-121	296-46-23001	NEW-P	90-14-102
296-24-450	AMD-P	90-20-121	296-46-23001	NEW	90-19-015
296-24-550	AMD	90-03-029	296-46-23028	NEW-P	90-14-102
296-24-58513	AMD	90-03-029	296-46-23028	NEW	90-19-015
296-24-68203	AMD-P	90-20-121	296-46-23040	NEW-P	90-14-102
296-24-75009	AMD	90-03-029	296-46-23040	NEW	90-19-015
296-24-75009	AMD-P	90-20-121	296-46-23062	NEW-P	90-14-102
296-24-75011	AMD-P	90-20-121	296-46-23062	NEW	90-19-015
296-24-76503	AMD	90-03-029	296-46-240	REP-P	90-14-102
296-24-76555	NEW-P	90-20-121	296-46-240	REP	90-19-015
296-24-78007	AMD	90-03-029	296-46-30001	NEW-P	90-14-102
296-24-81003	AMD	90-03-029	296-46-30001	NEW	90-19-015
296-24-81005	AMD	90-03-029	296-46-316	AMD-P	90-14-102
296-24-82503	AMD	90-03-029	296-46-316	AMD	90-19-015
296-24-870	AMD-P	90-03-093	296-46-324	NEW-P	90-14-102
296-24-870	AMD	90-09-026	296-46-324	NEW	90-19-015
296-24-87001	AMD-P	90-03-093	296-46-336	NEW-P	90-14-102
296-24-87001	AMD	90-09-026	296-46-336	NEW	90-19-015
296-24-87003	REP-P	90-03-093	296-46-350	REP-P	90-14-102
296-24-87003	REP	90-09-026	296-46-350	REP	90-19-015
296-24-87005	REP-P	90-03-093	296-46-360	AMD-P	90-14-102
296-24-87005	REP	90-09-026	296-46-360	AMD	90-19-015
296-24-87007	REP-P	90-03-093	296-46-420	REP-P	90-14-102
296-24-87007	REP	90-09-026	296-46-420	REP	90-19-015
296-24-87009	AMD-P	90-03-093	296-46-42401	NEW-P	90-14-102
296-24-87009	AMD	90-09-026	296-46-42401	NEW-W	90-19-014
296-24-87011	NEW-P	90-03-093	296-46-45001	NEW-P	90-14-102
296-24-87011	NEW	90-09-026	296-46-45001	NEW	90-19-015
296-24-87013	NEW-P	90-03-093	296-46-495	AMD-P	90-14-102
296-24-87013	NEW	90-09-026	296-46-495	AMD	90-19-015
296-24-87015	NEW-P	90-03-093	296-46-514	AMD-P	90-14-102
296-24-87015	NEW	90-09-026	296-46-514	AMD	90-19-015
296-24-87017	NEW-P	90-03-093	296-46-517	NEW-P	90-14-102
296-24-87017	NEW	90-09-026	296-46-517	NEW	90-19-015
296-24-87019	NEW-P	90-03-093	296-46-55001	NEW-P	90-14-102
296-24-87019	NEW	90-09-026	296-46-55001	NEW	90-19-015
296-24-87031	NEW-P	90-03-093	296-46-600	AMD-P	90-14-102
296-24-87031	NEW	90-09-026	296-46-600	AMD	90-19-015
296-24-87033	NEW-P	90-03-093	296-46-670	NEW-P	90-14-102
296-24-87033	NEW	90-09-026	296-46-670	NEW-W	90-19-014
296-24-87035	NEW-P	90-03-093	296-46-700	NEW-P	90-14-102
296-24-87035	NEW	90-09-026	296-46-700	NEW	90-19-015
296-24-87035	AMD-P	90-20-121	296-46-725	NEW-P	90-14-102
296-24-87037	NEW-P	90-03-093	296-46-725	NEW	90-19-015
296-24-87037	NEW	90-09-026	296-46-770	NEW-P	90-14-102
296-24-95611	AMD-P	90-20-121	296-46-770	NEW	90-19-015
296-30-190	NEW-P	90-20-120	296-46-910	AMD-P	90-12-104
296-36-145	AMD-P	90-12-106	296-46-910	AMD	90-17-041
296-36-145	AMD	90-17-051	296-46-915	AMD-P	90-12-104
296-36-170	AMD-P	90-12-106	296-46-915	AMD	90-17-041
296-36-170	AMD	90-17-051	296-52-417	AMD	90-03-029
296-36-175	AMD-P	90-12-106	296-52-417	AMD-P	90-20-121
296-36-175	AMD	90-17-051	296-52-419	AMD	90-03-029
296-36-180	AMD-P	90-12-106	296-52-461	AMD	90-03-029
296-36-180	AMD	90-17-051	296-52-465	AMD-P	90-20-121
296-36-210	AMD-P	90-12-106	296-52-473	REP	90-03-029
296-36-210	AMD	90-17-051	296-52-477	AMD	90-03-029
296-46-090	NEW-P	90-14-102	296-52-481	AMD	90-03-029
296-46-090	NEW	90-19-015	296-52-489	AMD-P	90-20-121
296-46-110	AMD-P	90-14-102	296-52-493	AMD-P	90-20-121
296-46-110	AMD	90-19-015	296-52-497	AMD-P	90-20-121
296-46-130	AMD-P	90-14-102	296-52-509	AMD	90-03-029
296-46-130	AMD	90-19-015	296-52-510	NEW	90-03-029
296-46-140	AMD-P	90-14-102	296-54-569	AMD-P	90-03-093
296-46-140	AMD	90-19-015	296-54-569	AMD	90-09-026
296-46-150	AMD-P	90-14-102	296-62-07007	REP-P	90-03-093
			296-62-07007	REP	90-09-026
			296-62-07107	AMD-P	90-03-093
			296-62-07107	AMD	90-09-026
			296-62-07314	AMD	90-03-029
			296-62-07314	AMD-P	90-20-121
			296-62-07329	AMD-P	90-20-121
			296-62-07354	NEW-P	90-15-065
			296-62-07354	NEW	90-20-091
			296-62-07507	AMD	90-03-029
			296-62-07515	AMD	90-03-029
			296-62-07517	AMD-P	90-03-093
			296-62-07517	AMD	90-09-026
			296-62-07521	AMD	90-03-029
			296-62-07521	AMD-P	90-12-106
			296-62-07521	AMD	90-17-051
			296-62-07531	AMD-P	90-03-093
			296-62-07531	AMD	90-17-051
			296-62-07531	AMD-P	90-20-121
			296-62-07531	AMD	90-09-026
			296-62-07540	AMD	90-03-029
			296-62-07544	AMD	90-03-029
			296-62-07713	AMD-P	90-12-106
			296-62-07713	AMD	90-17-051
			296-62-07715	AMD-P	90-20-121
			296-62-07719	AMD-P	90-20-121
			296-62-07721	AMD-P	90-20-121
			296-62-07725	AMD-P	90-20-121
			296-62-07731	AMD-P	90-20-121
			296-62-07733	AMD-P	90-20-121
			296-62-07755	NEW-P	90-20-121
			296-62-300	AMD-P	90-15-065
			296-62-300	AMD	90-20-091
			296-62-3020	AMD-P	90-15-065
			296-62-3020	AMD	90-20-091
			296-62-3040	AMD-P	90-15-065
			296-62-3040	AMD	90-20-091
			296-62-3050	AMD-P	90-15-065
			296-62-3050	AMD	90-20-091
			296-62-3060	AMD-P	90-15-065
			296-62-3060	AMD	90-20-091
			296-62-3070	AMD-P	90-15-065
			296-62-3070	AMD	90-20-091
			296-62-3110	AMD-P	90-03-093
			296-62-3110	AMD	90-09-026
			296-62-3110	AMD-P	90-15-065
			296-62-3110	AMD	90-20-091
			296-62-3112	AMD-P	90-15-065
			296-62-3112	AMD	90-20-091
			296-62-3140	AMD-P	90-15-065
			296-62-3140	AMD	90-20-091
			296-62-3160	AMD-P	90-15-065
			296-62-3160	AMD	90-20-091
			296-62-3170	AMD-P	90-15-065
			296-62-3170	AMD	90-20-091
			296-62-3180	AMD-P	90-15-065
			296-62-3190	AMD-P	90-15-065
			296-62-3190	AMD	90-20-091
			296-62-400	NEW-P	90-12-106
			296-62-400	NEW	90-17-051
			296-62-40001	NEW-P	90-12-106
			296-62-40001	NEW	90-17-051
			296-62-40003	NEW-P	90-12-106
			296-62-40003	NEW	90-17-051
			296-62-40005	NEW-P	90-12-106
			296-62-40005	NEW	90-17-051
			296-62-40007	NEW-P	90-12-106
			296-62-40007	NEW	90-17-051
			296-62-40009	NEW-P	90-12-106
			296-62-40009	NEW	90-17-051
			296-62-40011	NEW-P	90-12-106
			296-62-40011	NEW	90-17-051
			296-62-40013	NEW	90-17-051
			296-62-40015	NEW-P	90-12-106
			296-62-40015	NEW	90-17-051
			296-62-40017	NEW-P	90-12-106
			296-62-40017	NEW	90-17-051
			296-62-40019	NEW-P	90-12-106



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-62-40019	NEW	90-17-051	296-127-400	NEW-E	90-14-002	296-155-24501	NEW-P	90-20-121
296-62-40021	NEW-P	90-12-106	296-127-400	NEW	90-19-061	296-155-24503	NEW-P	90-20-121
296-62-40021	NEW	90-17-051	296-127-410	NEW-E	90-06-008	296-155-24505	NEW-P	90-20-121
296-62-40023	NEW-P	90-12-106	296-127-410	NEW-P	90-14-001	296-155-24510	NEW-P	90-20-121
296-62-40023	NEW	90-17-051	296-127-410	NEW-E	90-14-002	296-155-24515	NEW-P	90-20-121
296-62-40025	NEW-P	90-12-106	296-127-410	NEW	90-19-061	296-155-24520	NEW-P	90-20-121
296-62-40025	NEW	90-17-051	296-127-420	NEW-E	90-06-008	296-155-24521	NEW-P	90-20-121
296-62-40027	NEW-P	90-12-106	296-127-420	NEW-P	90-14-001	296-155-24525	NEW-P	90-20-121
296-62-40027	NEW	90-17-051	296-127-420	NEW-E	90-14-002	296-155-367	AMD-P	90-12-106
296-99-015	AMD	90-03-029	296-127-420	NEW	90-19-061	296-155-367	AMD	90-17-051
296-99-050	AMD	90-03-029	296-127-430	NEW-E	90-06-008	296-155-480	AMD-P	90-03-093
296-104-015	AMD-P	90-04-065	296-127-430	NEW-P	90-14-001	296-155-480	AMD	90-09-026
296-104-015	AMD	90-07-082	296-127-430	NEW-E	90-14-002	296-155-480	AMD-P	90-20-121
296-104-170	AMD-P	90-16-066	296-127-430	NEW	90-19-061	296-155-485	AMD	90-03-029
296-104-170	AMD	90-20-029	296-127-440	NEW-E	90-06-008	296-155-485	AMD-P	90-20-121
296-104-195	NEW	90-04-009	296-127-440	NEW-P	90-14-001	296-155-48529	AMD-P	90-20-121
296-104-200	AMD	90-04-009	296-127-440	NEW-E	90-14-002	296-155-48531	AMD-P	90-12-106
296-104-400	AMD-P	90-16-066	296-127-440	NEW	90-19-061	296-155-48531	AMD	90-17-051
296-104-400	AMD	90-20-029	296-127-450	NEW-E	90-06-008	296-155-48531	AMD-P	90-20-121
296-115-005	AMD-P	90-20-121	296-127-450	NEW-P	90-14-001	296-155-48533	AMD	90-03-029
296-115-010	AMD-P	90-20-121	296-127-450	NEW-E	90-14-002	296-155-48533	AMD-P	90-20-121
296-115-015	AMD-P	90-20-121	296-127-450	NEW	90-19-061	296-155-500	AMD-P	90-20-121
296-115-025	AMD-P	90-20-121	296-127-460	NEW-E	90-06-008	296-155-505	AMD	90-03-029
296-115-035	AMD-P	90-20-121	296-127-460	NEW-P	90-14-001	296-155-505	AMD-P	90-20-121
296-115-060	AMD-P	90-20-121	296-127-460	NEW-E	90-14-002	296-155-50501	REP-P	90-20-121
296-115-070	AMD-P	90-20-121	296-127-460	NEW	90-19-061	296-155-50503	AMD-P	90-20-121
296-115-100	AMD-P	90-20-121	296-127-470	NEW-E	90-06-008	296-155-525	AMD-P	90-20-121
296-116-075	AMD-P	90-10-060	296-127-470	NEW-P	90-14-001	296-155-530	AMD-P	90-20-121
296-116-075	AMD-C	90-13-076	296-127-470	NEW-E	90-14-002	296-155-580	REP-P	90-12-106
296-116-075	AMD	90-17-094	296-127-470	NEW	90-19-061	296-155-580	REP	90-17-051
296-116-080	AMD-P	90-19-086	296-127-990	NEW-P	90-23-101	296-155-620	AMD-P	90-20-121
296-116-080	AMD	90-23-080	296-131	AMD-C	90-08-093	296-155-625	AMD-P	90-20-121
296-116-115	NEW-P	90-19-085	296-131-001	AMD-P	90-07-078	296-155-650	AMD-P	90-20-121
296-116-115	NEW	90-23-081	296-131-001	AMD-C	90-12-069	296-155-655	AMD-P	90-20-121
296-116-120	AMD-C	90-08-094	296-131-001	AMD	90-14-038	296-155-657	NEW-P	90-20-121
296-116-120	AMD-W	90-09-016	296-131-005	NEW-P	90-07-078	296-155-66103	NEW-P	90-20-121
296-116-120	AMD-P	90-09-030	296-131-005	NEW-C	90-12-069	296-155-66105	NEW-P	90-20-121
296-116-120	AMD	90-13-065	296-131-005	NEW	90-14-038	296-155-66109	NEW-P	90-20-121
296-116-120	AMD-P	90-20-040	296-131-020	NEW-P	90-07-078	296-155-664	NEW-P	90-20-121
296-116-120	AMD	90-24-019	296-131-020	NEW-C	90-12-069	296-155-65505	REP-P	90-20-121
296-116-130	REP-P	90-08-076	296-131-020	NEW	90-14-037	296-155-660	REP-P	90-20-121
296-116-130	REP	90-13-077	296-131-100	NEW-P	90-07-078	296-155-66005	REP-P	90-20-121
296-116-185	AMD-P	90-03-096	296-131-100	NEW-C	90-12-069	296-155-665	REP-P	90-20-121
296-116-185	AMD	90-09-013	296-131-100	NEW	90-14-038	296-155-66501	REP-P	90-20-121
296-116-300	AMD-P	90-03-097	296-131-105	NEW-P	90-07-078	296-155-66502	REP-P	90-20-121
296-116-300	AMD	90-08-095	296-131-105	NEW-C	90-12-069	296-155-66503	REP-P	90-20-121
296-116-300	AMD-E	90-13-055	296-131-105	NEW	90-14-038	296-155-66504	REP-P	90-20-121
296-116-300	AMD-P	90-14-086	296-131-110	NEW-P	90-07-078	296-155-66505	REP-P	90-20-121
296-116-300	AMD-C	90-17-034	296-131-110	NEW-C	90-12-069	296-155-675	AMD	90-03-029
296-116-300	AMD-C	90-20-038	296-131-110	NEW	90-14-038	296-155-680	AMD	90-03-029
296-116-300	AMD-W	90-20-115	296-131-115	NEW-P	90-07-078	296-155-680	AMD-P	90-12-106
296-116-300	AMD	90-20-116	296-131-115	NEW-C	90-12-069	296-155-680	AMD	90-17-051
296-116-360	AMD-P	90-16-108	296-131-115	NEW	90-14-038	296-155-682	AMD-P	90-12-106
296-116-360	AMD	90-20-039	296-131-120	NEW-P	90-07-078	296-155-682	AMD	90-17-051
296-127	AMD-C	90-22-050	296-131-120	NEW-C	90-12-069	296-155-682	AMD-P	90-20-121
296-127-010	AMD-P	90-23-101	296-131-120	NEW	90-14-038	296-155-688	AMD-P	90-20-121
296-127-011	AMD-P	90-23-101	296-131-125	NEW-P	90-07-078	296-155-689	AMD-P	90-20-121
296-127-013	AMD-P	90-23-101	296-131-125	NEW-C	90-12-069	296-155-690	AMD	90-03-029
296-127-014	AMD-P	90-23-101	296-131-125	NEW	90-14-038	296-155-691	AMD-P	90-12-106
296-127-015	AMD-P	90-23-101	296-131-126	NEW-P	90-07-078	296-155-691	AMD	90-17-051
296-127-016	REP-E	90-08-061	296-131-126	NEW	90-14-038	296-155-692	REP	90-03-029
296-127-016	REP-P	90-23-101	296-131-130	NEW-P	90-07-078	296-155-694	AMD	90-03-029
296-127-017	AMD-P	90-23-101	296-131-130	NEW-C	90-12-069	296-155-697	AMD	90-03-029
296-127-018	NEW-P	90-23-101	296-131-130	NEW	90-14-038	296-155-697	AMD-P	90-12-106
296-127-019	AMD-P	90-23-101	296-131-135	NEW-P	90-07-078	296-155-697	AMD	90-17-051
296-127-020	AMD-P	90-23-101	296-131-135	NEW-C	90-12-069	296-155-700	AMD-P	90-20-121
296-127-025	AMD-P	90-23-101	296-131-135	NEW	90-14-038	296-155-705	AMD-P	90-20-121
296-127-040	AMD-E	90-09-047	296-131-140	NEW-P	90-07-078	296-155-720	AMD-P	90-20-121
296-127-040	AMD-P	90-17-039	296-131-140	NEW-C	90-12-069	296-155-725	AMD	90-03-029
296-127-040	AMD-E	90-17-040	296-131-140	NEW	90-14-038	296-155-730	AMD	90-03-029
296-127-040	AMD	90-24-053	296-155-200	AMD-W	90-11-041	296-155-950	AMD-P	90-20-121
296-127-045	AMD-E	90-09-047	296-155-225	AMD-P	90-03-093	296-305-015	AMD-P	90-12-106
296-127-045	AMD-P	90-17-039	296-155-225	AMD-W	90-17-021	296-305-015	AMD	90-17-051
296-127-045	AMD-E	90-17-040	296-155-225	REP-P	90-20-121	296-305-110	AMD-P	90-20-121
296-127-045	AMD	90-24-053	296-155-227	NEW-P	90-03-093	296-306	AMD-C	90-05-002
296-127-400	NEW-E	90-06-008	296-155-227	NEW-W	90-17-021	296-306-060	AMD-W	90-11-041
296-127-400	NEW-P	90-14-001	296-155-230	REP-P	90-20-121	296-306-400	NEW	90-11-023

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
296-306-40003	NEW	90-11-023	308-08-370	AMD-P	90-17-072	308-14-090	NEW	90-10-009
296-306-40005	NEW	90-11-023	308-08-370	AMD	90-21-086	308-14-100	NEW-P	90-05-058
296-350-030	AMD-P	90-03-093	308-08-380	AMD-P	90-17-072	308-14-100	NEW	90-10-009
296-350-030	AMD	90-09-026	308-08-380	AMD	90-21-086	308-14-110	NEW-P	90-05-058
296-401-175	AMD-P	90-12-104	308-08-390	AMD-P	90-17-072	308-14-110	NEW	90-10-009
296-401-175	AMD	90-17-041	308-08-390	AMD	90-21-086	308-14-130	NEW-P	90-14-096
308-08-005	AMD-E	90-17-026	308-08-400	AMD-P	90-17-072	308-14-130	NEW	90-20-008
308-08-005	AMD-P	90-17-072	308-08-400	AMD	90-21-086	308-14-135	NEW-P	90-14-096
308-08-005	AMD	90-21-086	308-08-410	REP-P	90-17-072	308-14-200	NEW-P	90-05-058
308-08-006	NEW-P	90-17-072	308-08-410	REP	90-21-086	308-14-200	NEW	90-10-009
308-08-006	NEW	90-21-086	308-08-415	NEW-P	90-17-072	308-20-107	AMD-P	90-03-018
308-08-010	REP P	90-17-072	308-08-415	NEW	90-21-086	308-20-107	AMD	90-07-030
308-08-010	REP	90-21-086	308-08-416	NEW-E	90-17-026	308-20-140	AMD-P	90-03-018
308-08-040	REP-P	90-17-072	308-08-416	NEW-P	90-17-072	308-20-140	AMD	90-07-030
308-08-040	REP	90-21-086	308-08-416	NEW	90-21-086	308-20-155	AMD-P	90-03-018
308-08-070	REP P	90-17-072	308-08-420	REP-P	90-17-072	308-20-155	AMD	90-07-030
308-08-070	REP	90-21-086	308-08-420	REP	90-21-086	308-20-210	AMD-P	90-03-018
308-08-080	REP E	90-17-026	308-08-430	REP-P	90-17-072	308-20-210	AMD	90-07-030
308-08-080	REP P	90-17-072	308-08-430	REP	90-21-086	308-25-010	REP-W	90-12-002
308-08-080	REP	90-21-086	308-08-440	REP-P	90-17-072	308-25-010	REP-P	90-19-066
308-08-085	NEW-E	90-17-026	308-08-440	REP	90-21-086	308-25-010	DECOD-P	90-22-094
308-08-085	NEW-P	90-17-072	308-08-440	REP-P	90-17-072	308-25-010	REP	90-23-011
308-08-085	NEW	90-21-086	308-08-450	REP	90-21-086	308-25-011	NEW-W	90-12-002
308-08-090	REP P	90-17-072	308-08-460	AMD-P	90-17-072	308-25-011	NEW-P	90-19-066
308-08-090	REP	90-21-086	308-08-460	AMD	90-21-086	308-25-011	NEW	90-23-011
308-08-100	REP P	90-17-072	308-08-470	REP-P	90-17-072	308-25-013	NEW-P	90-19-066
308-08-100	REP	90-21-086	308-08-470	REP	90-21-086	308-25-013	NEW	90-23-011
308-08-110	REP P	90-17-072	308-08-480	REP-P	90-17-072	308-25-015	AMD-W	90-12-002
308-08-110	REP	90-21-086	308-08-480	REP	90-21-086	308-25-015	AMD-P	90-19-066
308-08-120	REP P	90-17-072	308-08-490	REP-P	90-17-072	308-25-015	DECOD-P	90-22-094
308-08-120	REP	90-21-086	308-08-490	REP	90-21-086	308-25-015	AMD	90-23-011
308-08-130	REP P	90-17-072	308-08-500	REP-P	90-17-072	308-25-031	NEW-W	90-12-002
308-08-130	REP	90-21-086	308-08-500	REP	90-21-086	308-25-035	AMD-W	90-12-002
308-08-140	REP P	90-17-072	308-08-505	NEW-P	90-17-072	308-25-035	NEW-P	90-19-066
308-08-140	REP	90-21-086	308-08-505	NEW	90-21-086	308-25-035	DECOD-P	90-22-094
308-08-150	REP P	90-17-072	308-08-510	REP-P	90-17-072	308-25-035	AMD	90-23-011
308-08-150	REP	90-21-086	308-08-510	REP	90-21-086	308-25-037	NEW-P	90-09-062
308-08-160	REP P	90-17-072	308-08-520	REP-P	90-17-072	308-25-037	NEW	90-12-068
308-08-160	REP	90-21-086	308-08-520	REP	90-21-086	308-25-037	DECOD-P	90-22-094
308-08-170	REP P	90-17-072	308-08-530	REP-P	90-17-072	308-25-038	NEW-P	90-09-062
308-08-170	REP	90-21-086	308-08-530	REP	90-21-086	308-25-038	NEW	90-12-068
308-08-190	REP P	90-17-072	308-08-540	REP-P	90-17-072	308-25-038	DECOD-P	90-22-094
308-08-190	REP	90-21-086	308-08-540	REP	90-21-086	308-25-041	NEW-W	90-12-002
308-08-200	REP P	90-17-072	308-08-550	REP-P	90-17-072	308-25-041	NEW-P	90-19-066
308-08-200	REP	90-21-086	308-08-550	REP	90-21-086	308-25-041	NEW	90-23-011
308-08-210	AMD P	90-17-072	308-08-560	REP-P	90-17-072	308-25-045	NEW-W	90-12-002
308-08-210	AMD	90-21-086	308-08-560	REP	90-21-086	308-25-046	NEW-W	90-12-002
308-08-220	REP P	90-17-072	308-08-570	REP-P	90-17-072	308-25-047	NEW-W	90-12-002
308-08-220	REP	90-21-086	308-08-570	REP	90-21-086	308-25-050	DECOD-P	90-22-094
308-08-230	AMD P	90-17-072	308-08-580	REP-P	90-17-072	308-25-065	AMD	90-04-094
308-08-230	AMD	90-21-086	308-08-580	REP	90-21-086	308-25-065	DECOD-P	90-22-094
308-08-240	AMD P	90-17-072	308-08-590	REP-P	90-17-072	308-25-070	DECOD-P	90-22-094
308-08-240	AMD	90-21-086	308-08-590	REP	90-21-086	308-25-072	NEW P	90-19-066
308-08-250	REP P	90-17-072	308-08-610	AMD-P	90-17-072	308-25-072	NEW	90-23-011
308-08-250	REP	90-21-086	308-08-610	AMD	90-21-086	308-25-073	NEW P	90-19-066
308-08-260	AMD P	90-17-072	308-08-640	AMD-P	90-17-072	308-25-073	NEW	90-23-011
308-08-260	AMD	90-21-086	308-08-640	AMD	90-21-086	308-25-074	NEW P	90-19-066
308-08-270	AMD P	90-17-072	308-08-650	AMD-P	90-17-072	308-25-074	NEW	90-23-011
308-08-270	AMD	90-21-086	308-08-650	AMD	90-21-086	308-25-080	DECOD-P	90-22-094
308-08-280	AMD P	90-17-072	308-08-660	AMD-P	90-17-072	308-25-090	DECOD-P	90-22-094
308-08-280	AMD	90-21-086	308-08-660	AMD	90-21-086	308-25-100	DECOD-P	90-22-094
308-08-290	AMD P	90-17-072	308-11-030	AMD P	90-03-107	308-25-110	DECOD-P	90-22-094
308-08-290	AMD	90-21-086	308-11-030	AMD	90-06-052	308-25-120	DECOD-P	90-22-094
308-08-300	AMD P	90-17-072	308-12-031	AMD-P	90-06-066	308-25-130	DECOD-P	90-22-094
308-08-300	AMD	90-21-086	308-12-031	AMD	90-11-062	308-25-140	DECOD-P	90-22-094
308-08-310	AMD P	90-17-072	308-12-320	PREP	90-05-041	308-25-150	DECOD-P	90-22-094
308-08-310	AMD	90-21-086	308-12-320	AMD P	90-13-059	308-25-160	DECOD-P	90-22-094
308-08-320	AMD P	90-17-072	308-12-320	AMD	90-17-097	308-25-170	DECOD-P	90-22-094
308-08-320	AMD	90-21-086	308-12-326	AMD	90-03-032	308-25-180	NEW P	90-19-066
308-08-330	AMD P	90-17-072	308-13-150	AMD	90-03-031	308-25-180	NEW	90-23-011
308-08-330	AMD	90-21-086	308-13-150	AMD-P	90-11-061	308-25-290	NEW P	90-10-037
308-08-340	AMD P	90-17-072	308-13-150	AMD	90-15-039	308-25-290	NEW	90-16-099
308-08-340	AMD	90-21-086	308-14-080	NEW P	90-05-058	308-25-300	DECOD P	90-21-129
308-08-350	AMD P	90-17-072	308-14-080	NEW	90-10-009	308-25-310	DECOD-P	90-22-094
308-08-350	AMD	90-21-086	308-14-085	NEW P	90-14-096	308-25-310	NEW P	90-10-037
308-08-360	REP P	90-17-072	308-14-085	NEW	90-20-008	308-25-310	NEW	90-16-099
308-08-360	REP	90-21-086	308-14-090	NEW P	90-05-058	308-25-310	DECOD P	90-21-129

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-25-320	NEW-P 90-10-037	308-31-270	NEW 90-12-013	308-39-140	DECOD-P 90-21-129
308-25-320	NEW 90-16-099	308-31-270	DECOD-P 90-23-010	308-39-150	NEW-P 90-06-065
308-25-320	DECOD-P 90-21-129	308-31-280	NEW-P 90-06-064	308-39-150	NEW-W 90-14-125
308-25-330	NEW-P 90-10-037	308-31-280	NEW 90-12-013	308-39-150	NEW-P 90-14-129
308-25-330	NEW 90-16-099	308-31-280	DECOD-P 90-23-010	308-39-150	NEW 90-18-041
308-25-330	DECOD-P 90-21-129	308-31-500	DECOD-P 90-23-010	308-39-150	DECOD-P 90-21-129
308-26-005	DECOD-P 90-22-094	308-31-510	DECOD-P 90-23-010	308-39-160	NEW-P 90-06-065
308-26-010	DECOD-P 90-22-094	308-31-520	DECOD-P 90-23-010	308-39-160	NEW-W 90-14-125
308-26-011	DECOD-P 90-22-094	308-31-530	DECOD-P 90-23-010	308-39-160	NEW-P 90-14-129
308-26-015	DECOD-P 90-22-094	308-31-540	DECOD-P 90-23-010	308-39-160	NEW 90-18-041
308-26-016	DECOD-P 90-22-094	308-31-550	DECOD-P 90-23-010	308-39-160	DECOD-P 90-21-129
308-26-017	DECOD-P 90-22-094	308-31-560	DECOD-P 90-23-010	308-39-170	NEW-P 90-06-065
308-26-025	DECOD-P 90-22-094	308-31-570	DECOD-P 90-23-010	308-39-170	NEW-W 90-14-125
308-26-045	DECOD-P 90-22-094	308-32-090	AMD-P 90-03-107	308-39-170	NEW-P 90-14-129
308-26-055	DECOD-P 90-22-094	308-32-090	AMD 90-06-052	308-39-170	NEW 90-18-041
308-26-065	DECOD-P 90-22-094	308-33-105	AMD-P 90-03-107	308-39-170	DECOD-P 90-21-129
308-26-075	DECOD-P 90-22-094	308-33-105	AMD 90-06-052	308-39-180	NEW-P 90-06-065
308-26-085	DECOD-P 90-22-094	308-34-110	DECOD-P 90-22-094	308-39-180	NEW-W 90-14-125
308-26-095	DECOD-P 90-22-094	308-34-120	DECOD-P 90-22-094	308-39-180	NEW-P 90-14-129
308-26-105	DECOD-P 90-22-094	308-34-130	DECOD-P 90-22-094	308-39-180	NEW 90-18-041
308-26-115	DECOD-P 90-22-094	308-34-140	DECOD-P 90-22-094	308-39-180	DECOD-P 90-21-129
308-26-125	DECOD-P 90-22-094	308-34-150	DECOD-P 90-22-094	308-39-190	NEW-P 90-06-065
308-26-135	DECOD-P 90-22-094	308-34-160	DECOD-P 90-22-094	308-39-190	NEW-W 90-14-125
308-26-200	DECOD-P 90-22-094	308-34-170	AMD 90-04-094	308-39-190	NEW-P 90-14-129
308-29-045	AMD-P 90-03-107	308-34-170	AMD-E 90-08-100	308-39-190	NEW 90-18-041
308-29-045	AMD 90-06-052	308-34-170	AMD-P 90-08-101	308-39-190	DECOD-P 90-21-129
308-30-030	AMD-P 90-03-107	308-34-170	AMD 90-13-084	308-39-200	NEW-P 90-06-065
308-30-030	AMD-W 90-17-024	308-34-170	DECOD-P 90-22-094	308-39-200	NEW-W 90-14-125
308-30-040	AMD-P 90-03-107	308-34-180	DECOD-P 90-22-094	308-39-200	NEW-P 90-14-129
308-30-040	AMD-W 90-17-024	308-34-190	DECOD-P 90-22-094	308-39-200	NEW 90-18-041
308-30-050	AMD-P 90-03-107	308-34-310	DECOD-P 90-22-094	308-39-200	DECOD-P 90-21-129
308-30-050	AMD-W 90-17-024	308-34-320	DECOD-P 90-22-094	308-39-210	NEW-P 90-06-065
308-30-060	AMD-P 90-03-107	308-34-330	DECOD-P 90-22-094	308-39-210	NEW-W 90-14-125
308-30-060	AMD-W 90-17-024	308-34-410	DECOD-P 90-22-094	308-39-210	NEW-P 90-14-129
308-30-070	AMD-P 90-03-107	308-34-420	DECOD-P 90-22-094	308-39-210	NEW 90-18-041
308-30-070	AMD-W 90-17-024	308-34-430	DECOD-P 90-22-094	308-39-210	DECOD-P 90-21-129
308-30-080	AMD-P 90-03-107	308-34-440	DECOD-P 90-22-094	308-39-220	NEW-P 90-06-101
308-30-080	AMD-W 90-17-024	308-34-450	DECOD-P 90-22-094	308-39-220	NEW 90-18-040
308-30-090	AMD-P 90-03-107	308-34-460	DECOD-P 90-22-094	308-39-220	DECOD-P 90-22-094
308-30-090	AMD-W 90-17-024	308-34-470	DECOD-P 90-22-094	308-40-010	DECOD-P 90-21-129
308-30-100	AMD-P 90-03-107	308-34-480	DECOD-P 90-22-094	308-40-020	DECOD-P 90-21-129
308-30-100	AMD 90-06-052	308-37-100	DECOD-P 90-21-129	308-40-040	DECOD-P 90-21-129
308-31-001	DECOD-P 90-23-010	308-37-110	DECOD-P 90-21-129	308-40-101	DECOD-P 90-21-114
308-31-010	DECOD-P 90-23-010	308-37-120	DECOD-P 90-21-129	308-40-102	DECOD-P 90-21-114
308-31-020	DECOD-P 90-23-010	308-37-130	DECOD-P 90-21-129	308-40-103	DECOD-P 90-21-114
308-31-025	DECOD-P 90-23-010	308-37-135	DECOD-P 90-21-129	308-40-104	DECOD-P 90-21-114
308-31-030	DECOD-P 90-23-010	308-37-140	DECOD-P 90-21-129	308-40-105	DECOD-P 90-21-114
308-31-040	DECOD-P 90-23-010	308-37-150	DECOD-P 90-21-129	308-40-106	DECOD-P 90-21-114
308-31-050	DECOD-P 90-23-010	308-37-160	DECOD-P 90-21-129	308-40-107	NEW-P 90-04-085
308-31-055	AMD-P 90-11-096	308-37-170	DECOD-P 90-21-129	308-40-107	NEW 90-08-011
308-31-055	AMD-E 90-11-097	308-37-180	DECOD-P 90-21-129	308-40-107	DECOD-P 90-21-114
308-31-055	AMD 90-16-057	308-37-190	DECOD-P 90-21-129	308-40-110	DECOD-P 90-21-114
308-31-055	DECOD-P 90-22-094	308-38-100	DECOD-P 90-21-129	308-40-115	NEW-P 90-07-067
308-31-057	DECOD-P 90-23-010	308-38-110	DECOD-P 90-21-129	308-40-115	NEW 90-11-083
308-31-060	DECOD-P 90-23-010	308-38-120	DECOD-P 90-21-129	308-40-115	DECOD-P 90-21-114
308-31-100	DECOD-P 90-23-010	308-38-130	DECOD-P 90-21-129	308-40-125	AMD-E 90-04-083
308-31-110	DECOD-P 90-23-010	308-38-140	DECOD-P 90-21-129	308-40-125	AMD 90-04-094
308-31-120	DECOD-P 90-23-010	308-38-150	DECOD-P 90-21-129	308-40-125	DECOD-P 90-22-094
308-31-210	NEW-P 90-06-064	308-38-160	DECOD-P 90-21-129	308-40-130	REP 90-05-039
308-31-210	NEW 90-12-013	308-39-100	AMD-P 90-06-065	308-40-135	NEW 90-05-039
308-31-210	DECOD-P 90-23-010	308-39-100	AMD 90-18-042	308-40-135	DECOD-P 90-21-114
308-31-220	NEW-P 90-06-064	308-39-100	DECOD-P 90-21-129	308-40-140	DECOD-P 90-21-114
308-31-220	NEW 90-12-013	308-39-110	AMD-P 90-06-065	308-40-150	NEW-P 90-07-068
308-31-220	DECOD-P 90-23-010	308-39-110	AMD 90-18-042	308-40-150	NEW-P 90-14-079
308-31-230	NEW-P 90-06-064	308-39-110	DECOD-P 90-21-129	308-40-150	NEW-W 90-14-081
308-31-230	NEW 90-12-013	308-39-120	REP-P 90-06-065	308-40-150	NEW 90-18-038
308-31-230	DECOD-P 90-23-010	308-39-120	REP-W 90-14-125	308-40-150	DECOD-P 90-21-114
308-31-240	NEW-P 90-06-064	308-39-120	REP-P 90-14-129	308-40-151	NEW-P 90-07-068
308-31-240	NEW 90-12-013	308-39-120	REP 90-18-041	308-40-151	NEW-P 90-14-079
308-31-240	DECOD-P 90-23-010	308-39-125	NEW-P 90-06-065	308-40-151	NEW-W 90-14-081
308-31-250	NEW-P 90-06-064	308-39-125	NEW 90-18-042	308-40-151	NEW 90-18-038
308-31-250	NEW 90-12-013	308-39-125	DECOD-P 90-21-129	308-40-151	DECOD-P 90-21-114
308-31-250	DECOD-P 90-23-010	308-39-130	NEW-P 90-06-065	308-40-152	NEW-P 90-07-068
308-31-260	NEW-P 90-06-064	308-39-130	NEW 90-18-042	308-40-152	NEW-P 90-14-079
308-31-260	NEW 90-12-013	308-39-130	DECOD-P 90-21-129	308-40-152	NEW-W 90-14-081
308-31-260	DECOD-P 90-23-010	308-39-140	NEW-P 90-06-065	308-40-152	NEW 90-18-038
308-31-270	NEW-P 90-06-064	308-39-140	NEW 90-18-042	308-40-152	DECOD-P 90-21-114

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-41-025	REP-P	90-14-043	308-49-162	NEW-P	90-14-098	308-53-085	AMD-P	90-08-106
308-41-025	REP	90-17-088	308-49-162	NEW	90-17-148	308-53-085	AMD	90-11-080
308-42-010	DECOD-P	90-20-133	308-49-164	NEW-P	90-14-098	308-53-085	DECOD-P	90-24-035
308-42-010	AMD-P	90-21-073	308-49-164	NEW	90-17-148	308-53-100	DECOD-P	90-24-035
308-42-015	NEW-P	90-21-073	308-49-168	NEW-P	90-14-098	308-53-110	DECOD-P	90-24-035
308-42-040	DECOD-P	90-20-133	308-49-168	NEW	90-17-148	308-53-120	DECOD-P	90-24-035
308-42-045	AMD-P	90-04-095	308-49-200	NEW-P	90-14-098	308-53-123	DECOD-P	90-24-035
308-42-045	AMD	90-16-070	308-49-200	NEW	90-17-148	308-53-125	DECOD-P	90-24-035
308-42-045	DECOD-P	90-20-133	308-50-295	AMD-W	90-03-069	308-53-135	DECOD-P	90-24-035
308-42-045	AMD-P	90-21-073	308-50-295	AMD-P	90-08-107	308-53-140	DECOD-P	90-24-035
308-42-060	AMD-P	90-04-095	308-50-295	AMD-C	90-21-048	308-53-145	DECOD-P	90-24-035
308-42-060	AMD	90-16-070	308-50-310	AMD-W	90-03-069	308-53-146	DECOD-P	90-24-035
308-42-060	DECOD-P	90-20-133	308-50-310	AMD-P	90-08-107	308-53-150	DECOD-P	90-24-035
308-42-060	AMD-P	90-21-073	308-50-310	AMD-C	90-21-048	308-53-151	DECOD-P	90-24-035
308-42-070	DECOD-P	90-20-133	308-50-440	AMD	90-04-094	308-53-155	DECOD-P	90-24-035
308-42-070	AMD-P	90-21-073	308-50-440	DECOD-P	90-22-094	308-53-165	DECOD-P	90-24-035
308-42-075	AMD-P	90-21-141	308-51-010	DECOD-P	90-20-134	308-53-170	DECOD-P	90-24-035
308-42-075	DECOD-P	90-22-094	308-51-021	DECOD-P	90-20-134	308-53-175	DECOD-P	90-24-035
308-42-090	DECOD-P	90-20-133	308-51-050	DECOD-P	90-20-134	308-53-180	DECOD-P	90-24-035
308-42-110	DECOD-P	90-20-133	308-51-100	DECOD-P	90-20-134	308-53-200	DECOD-P	90-24-035
308-42-120	DECOD-P	90-20-133	308-51-110	DECOD-P	90-20-134	308-53-205	DECOD-P	90-24-035
308-42-120	AMD-P	90-21-073	308-51-120	AMD-P	90-07-069	308-53-210	PREP	90-12-065
308-42-121	DECOD-P	90-20-133	308-51-120	AMD	90-13-005	308-53-210	DECOD-P	90-24-035
308-42-122	DECOD-P	90-20-133	308-51-120	DECOD-P	90-20-134	308-53-215	DECOD-P	90-24-035
308-42-123	DECOD-P	90-20-133	308-51-125	DECOD-P	90-20-134	308-53-220	DECOD-P	90-24-035
308-42-123	AMD-P	90-21-073	308-51-130	AMD-P	90-07-069	308-53-230	DECOD-P	90-24-035
308-42-125	DECOD-P	90-20-133	308-51-130	AMD	90-13-005	308-53-235	DECOD-P	90-24-035
308-42-130	DECOD-P	90-20-133	308-51-130	DECOD-P	90-20-134	308-53-240	DECOD-P	90-24-035
308-42-130	AMD-P	90-21-073	308-51-140	DECOD-P	90-20-134	308-53-245	DECOD-P	90-24-035
308-42-135	DECOD-P	90-20-133	308-51-210	DECOD-P	90-22-094	308-53-250	DECOD-P	90-24-035
308-42-135	AMD-P	90-21-073	308-51-220	DECOD-P	90-20-134	308-53-260	DECOD-P	90-24-035
308-42-136	DECOD-P	90-20-133	308-51-230	DECOD-P	90-20-134	308-53-265	PREP	90-12-065
308-42-136	AMD-P	90-21-073	308-51-230	DECOD-P	90-22-094	308-53-265	DECOD-P	90-24-035
308-42-140	DECOD-P	90-20-133	308-51-240	DECOD-P	90-20-134	308-53-270	DECOD-P	90-24-035
308-42-140	AMD-P	90-21-073	308-51-240	DECOD-P	90-22-094	308-53-275	DECOD-P	90-24-035
308-42-145	AMD-P	90-04-095	308-51-250	DECOD-P	90-20-134	308-53-280	DECOD-P	90-24-035
308-42-145	AMD-W	90-16-035	308-51-250	DECOD-P	90-22-094	308-53-320	DECOD-P	90-24-035
308-42-145	DECOD-P	90-20-133	308-51-260	DECOD-P	90-20-134	308-53-330	DECOD-P	90-24-035
308-42-145	AMD-P	90-21-073	308-51-260	DECOD-P	90-22-094	308-53-340	DECOD-P	90-24-035
308-42-150	DECOD-P	90-20-133	308-51-270	DECOD-P	90-20-134	308-53-350	DECOD-P	90-24-035
308-42-150	AMD-P	90-21-073	308-51-270	DECOD-P	90-22-094	308-53-400	DECOD-P	90-24-035
308-42-155	DECOD-P	90-20-133	308-51-280	DECOD-P	90-20-134	308-54-315	AMD	90-04-094
308-42-160	DECOD-P	90-20-133	308-51-280	DECOD-P	90-22-094	308-54-315	DECOD-P	90-22-094
308-42-210	DECOD-P	90-20-133	308-51-290	DECOD-P	90-20-134	308-55-025	DECOD-P	90-22-094
308-42-210	AMD-P	90-21-073	308-51-290	DECOD-P	90-22-094	308-55-035	DECOD-P	90-22-094
308-42-220	DECOD-P	90-20-133	308-51-300	DECOD-P	90-20-134	308-55-045	DECOD-P	90-22-094
308-42-230	DECOD-P	90-20-133	308-51-300	DECOD-P	90-22-094	308-55-055	DECOD-P	90-22-094
308-42-240	DECOD-P	90-20-133	308-51-310	DECOD-P	90-20-134	308-55-065	DECOD-P	90-22-094
308-42-250	DECOD-P	90-20-133	308-51-310	DECOD-P	90-22-094	308-55-075	DECOD-P	90-22-094
308-42-260	DECOD-P	90-20-133	308-51-320	DECOD-P	90-20-134	308-55-085	DECOD-P	90-22-094
308-42-270	DECOD-P	90-20-133	308-51A-010	DECOD-P	90-20-134	308-55-095	DECOD-P	90-22-094
308-42-280	DECOD-P	90-20-133	308-51A-020	DECOD-P	90-20-134	308-55-105	DECOD-P	90-22-094
308-48-165	REP-P	90-14-098	308-51A-030	DECOD-P	90-20-134	308-55-115	DECOD-P	90-22-094
308-48-165	REP	90-17-148	308-51A-040	DECOD-P	90-20-134	308-55-200	DECOD-P	90-22-094
308-48-520	REP-P	90-20-106	308-51A-050	DECOD-P	90-20-134	308-56A-090	NEW-P	90-14-069
308-48-540	AMD-P	90-20-106	308-51A-060	DECOD-P	90-20-134	308-56A-090	NEW-E	90-14-072
308-48-540	AMD	90-24-056	308-52-100	AMD	90-05-001	308-56A-090	NEW-P	90-22-073
308-48-560	AMD-P	90-20-106	308-52-260	AMD-E	90-12-113	308-56A-090	NEW-W	90-23-051
308-48-560	AMD	90-24-056	308-52-260	AMD-P	90-12-116	308-56A-150	AMD-P	90-23-091
308-48-580	REP-P	90-20-106	308-52-260	AMD	90-18-009	308-56A-420	AMD-P	90-06-022
308-48-590	AMD-P	90-20-106	308-52-590	AMD-E	90-04-093	308-56A-420	AMD	90-10-013
308-48-600	REP-P	90-20-106	308-52-590	AMD-E	90-06-100	308-56A-460	AMD-P	90-23-090
308-48-601	NEW-P	90-20-106	308-52-590	AMD-P	90-08-009	308-56A-500	NEW-P	90-06-015
308-48-610	NEW-P	90-20-106	308-52-590	AMD	90-18-039	308-56A-500	NEW-E	90-06-016
308-48-800	AMD-P	90-04-110	308-52-590	REP-P	90-22-093	308-56A-500	NEW	90-11-091
308-48-800	AMD	90-07-024	308-52-690	AMD-E	90-09-007	308-56A-505	NEW-P	90-06-015
308-48-800	AMD-P	90-20-129	308-52-690	AMD-E	90-11-044	308-56A-505	NEW-E	90-06-016
308-49-100	AMD-P	90-14-098	308-53-010	DECOD-P	90-24-035	308-56A-505	NEW	90-11-091
308-49-100	AMD	90-17-148	308-53-020	DECOD-P	90-22-094	308-56A-510	NEW-P	90-06-015
308-49-130	AMD-P	90-14-098	308-53-030	DECOD-P	90-24-035	308-56A-510	NEW-E	90-06-016
308-49-130	AMD	90-17-148	308-53-070	DECOD-P	90-24-035	308-56A-510	NEW	90-11-091
308-49-140	AMD-P	90-14-098	308-53-075	AMD-P	90-08-106	308-56A-515	NEW-P	90-06-015
308-49-140	AMD	90-17-148	308-53-075	AMD	90-11-080	308-56A-515	NEW-E	90-06-016
308-49-150	AMD-P	90-14-098	308-53-075	DECOD-P	90-24-035	308-56A-515	NEW	90-11-091
308-49-150	AMD	90-17-148	308-53-084	AMD-P	90-08-106	308-56A-520	NEW-P	90-06-015
308-49-160	REP-P	90-14-098	308-53-084	AMD	90-11-080	308-56A-520	NEW-E	90-06-016
308-49-160	REP	90-17-148	308-53-084	DECOD-P	90-24-035	308-56A-520	NEW	90-11-091

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-57-005	NEW-P	90-23-092	308-91-010	AMD	90-16-072	308-104-155	NEW-P	90-22-106
308-57-010	NEW-P	90-23-092	308-91-030	AMD-P	90-10-091	308-104-180	REP-P	90-22-106
308-57-020	NEW-P	90-23-092	308-91-030	AMD-W	90-13-057	308-108-100	NEW-P	90-22-106
308-57-030	NEW-P	90-23-092	308-91-030	AMD-P	90-13-058	308-115-050	DECOD-P	90-22-094
308-57-110	NEW-P	90-23-092	308-91-030	AMD	90-16-072	308-115-060	DECOD-P	90-22-094
308-57-120	NEW-P	90-23-092	308-91-040	AMD-P	90-10-091	308-115-065	DECOD-P	90-22-094
308-57-130	NEW-P	90-23-092	308-91-040	AMD-W	90-13-057	308-115-070	DECOD-P	90-22-094
308-57-140	NEW-P	90-23-092	308-91-040	AMD-P	90-13-058	308-115-080	DECOD-P	90-22-094
308-57-210	NEW-P	90-23-092	308-91-040	AMD	90-16-072	308-115-090	DECOD-P	90-22-094
308-57-220	NEW-P	90-23-092	308-91-050	AMD-P	90-10-091	308-115-100	DECOD-P	90-22-094
308-57-230	NEW-P	90-23-092	308-91-050	AMD-W	90-13-057	308-115-110	DECOD-P	90-22-094
308-57-240	NEW-P	90-23-092	308-91-050	AMD-P	90-13-058	308-115-120	DECOD-P	90-22-094
308-57-310	NEW-P	90-23-092	308-91-050	AMD	90-16-072	308-115-130	DECOD-P	90-22-094
308-57-320	NEW-P	90-23-092	308-91-060	AMD-P	90-10-091	308-115-140	DECOD-P	90-22-094
308-57-410	NEW-P	90-23-092	308-91-060	AMD-W	90-13-057	308-115-150	DECOD-P	90-22-094
308-57-420	NEW-P	90-23-092	308-91-060	AMD-P	90-13-058	308-115-160	DECOD-P	90-22-094
308-57-430	NEW-P	90-23-092	308-91-060	AMD	90-16-072	308-115-170	DECOD-P	90-22-094
308-57-440	NEW-P	90-23-092	308-91-070	AMD-P	90-10-091	308-115-180	DECOD-P	90-22-094
308-58-010	AMD-P	90-23-090	308-91-070	AMD-W	90-13-057	308-115-190	DECOD-P	90-22-094
308-58-020	AMD-P	90-23-090	308-91-070	AMD-P	90-13-058	308-115-200	DECOD-P	90-22-094
308-66-150	AMD-P	90-04-048	308-91-070	AMD	90-16-072	308-115-210	DECOD-P	90-22-094
308-66-150	AMD-C	90-12-089	308-91-080	AMD-P	90-10-091	308-115-220	DECOD-P	90-22-094
308-66-150	AMD	90-20-086	308-91-080	AMD-W	90-13-057	308-115-230	DECOD-P	90-22-094
308-66-152	NEW-P	90-04-048	308-91-080	AMD-P	90-13-058	308-115-240	DECOD-P	90-22-094
308-66-152	NEW-C	90-12-089	308-91-080	AMD	90-16-072	308-115-250	DECOD-P	90-22-094
308-66-152	NEW	90-20-086	308-91-090	AMD-P	90-10-091	308-115-260	DECOD-P	90-22-094
308-66-152	AMD-E	90-22-052	308-91-090	AMD-W	90-13-057	308-115-270	DECOD-P	90-22-094
308-66-152	AMD-P	90-23-095	308-91-090	AMD-P	90-13-058	308-115-280	DECOD-P	90-22-094
308-66-156	NEW-P	90-23-096	308-91-090	AMD	90-16-072	308-115-290	DECOD-P	90-22-094
308-66-180	AMD-P	90-18-027	308-91-160	REP-P	90-10-091	308-115-310	DECOD-P	90-22-094
308-66-180	AMD	90-24-054	308-91-160	REP-W	90-13-057	308-115-320	DECOD-P	90-22-094
308-66-190	AMD-P	90-06-022	308-91-160	REP-P	90-13-058	308-115-330	DECOD-P	90-22-094
308-66-190	AMD	90-24-054	308-91-160	REP	90-16-072	308-115-340	DECOD-P	90-22-094
308-66-190	AMD	90-10-013	308-93-010	AMD	90-08-018	308-115-350	DECOD-P	90-22-094
308-66-190	AMD-P	90-18-027	308-93-050	AMD	90-08-018	308-115-405	AMD	90-04-094
308-66-205	NEW-P	90-18-027	308-93-140	AMD	90-08-018	308-115-405	DECOD-P	90-22-094
308-66-205	NEW	90-24-054	308-93-660	NEW	90-08-018	308-115-500	DECOD-P	90-22-094
308-66-206	NEW-P	90-18-027	308-93-670	NEW-P	90-14-071	308-117-010	DECOD-P	90-21-084
308-66-206	NEW	90-24-054	308-93-670	NEW-E	90-14-074	308-117-020	DECOD-P	90-21-084
308-67-010	NEW	90-03-022	308-93-670	NEW-P	90-22-074	308-117-025	DECOD-P	90-21-084
308-72-509	NEW-P	90-08-116	308-93-670	NEW-W	90-23-051	308-117-030	DECOD-P	90-21-084
308-72-509	NEW	90-13-037	308-96A-046	AMD-P	90-23-090	308-117-040	DECOD-P	90-21-084
308-72-520	AMD-P	90-08-116	308-96A-056	AMD-P	90-23-090	308-117-050	DECOD-P	90-21-084
308-72-520	AMD	90-13-037	308-96A-070	AMD-P	90-23-090	308-117-060	DECOD-P	90-21-084
308-72-540	AMD-P	90-08-116	308-96A-073	NEW-P	90-23-090	308-117-070	DECOD-P	90-21-084
308-72-540	AMD	90-13-037	308-96A-074	NEW-P	90-23-090	308-117-080	DECOD-P	90-21-084
308-72-542	NEW-P	90-08-116	308-96A-075	AMD-P	90-23-090	308-117-090	DECOD-P	90-21-084
308-72-542	NEW	90-13-037	308-96A-105	AMD-P	90-14-070	308-117-095	DECOD-P	90-21-084
308-72-570	AMD-P	90-08-116	308-96A-105	AMD-E	90-14-073	308-117-100	DECOD-P	90-21-084
308-72-570	AMD	90-13-037	308-96A-105	AMD	90-20-140	308-117-105	DECOD-P	90-21-084
308-72-690	AMD-P	90-08-116	308-96A-106	NEW-P	90-14-070	308-117-110	DECOD-P	90-21-084
308-72-690	AMD	90-13-037	308-96A-106	NEW-E	90-14-073	308-117-120	DECOD-P	90-21-084
308-77-034	AMD-P	90-08-117	308-96A-106	NEW	90-20-140	308-117-130	DECOD-P	90-21-084
308-77-034	AMD	90-13-038	308-96A-120	AMD-P	90-14-070	308-117-140	DECOD-P	90-21-084
308-77-040	AMD-P	90-08-117	308-96A-120	AMD-E	90-14-073	308-117-150	DECOD-P	90-21-084
308-77-040	AMD	90-13-038	308-96A-120	AMD	90-20-140	308-117-160	DECOD-P	90-21-084
308-77-080	REP-P	90-20-127	308-96A-345	AMD-P	90-23-091	308-117-170	DECOD-P	90-21-084
308-77-100	AMD-P	90-20-127	308-96A-350	AMD-P	90-23-091	308-117-180	DECOD-P	90-21-084
308-77-120	AMD-P	90-08-117	308-96A-380	AMD-P	90-23-091	308-117-190	DECOD-P	90-21-084
308-77-120	AMD	90-13-038	308-96A-505	NEW-P	90-22-112	308-117-200	DECOD-P	90-21-084
308-77-125	NEW-E	90-08-060	308-96A-510	NEW-P	90-22-112	308-117-300	DECOD-P	90-21-084
308-77-125	NEW-P	90-08-119	308-96A-520	NEW-P	90-22-112	308-117-360	DECOD-P	90-21-084
308-77-125	NEW	90-13-036	308-96A-530	NEW-P	90-22-112	308-117-400	DECOD-P	90-21-084
308-77-165	NEW-P	90-08-117	308-96A-540	NEW-P	90-22-112	308-117-410	DECOD-P	90-21-084
308-77-165	NEW	90-13-038	308-96A-550	NEW-P	90-22-112	308-117-420	DECOD-P	90-21-084
308-77-250	AMD-P	90-20-089	308-96A-560	NEW-P	90-22-112	308-117-460	DECOD-P	90-21-084
308-78-010	AMD-P	90-08-118	308-100-010	AMD-P	90-14-039	308-117-470	DECOD-P	90-21-084
308-78-010	AMD	90-13-039	308-100-010	AMD	90-17-028	308-117-480	DECOD-P	90-21-084
308-78-030	AMD-P	90-08-118	308-100-210	NEW-P	90-14-039	308-117-500	AMD	90-04-094
308-78-030	AMD	90-13-039	308-100-210	NEW	90-17-028	308-117-500	DECOD-P	90-22-094
308-78-040	AMD-P	90-08-118	308-104-014	NEW-P	90-22-106	308-120-100	DECOD-P	90-24-072
308-78-040	AMD	90-13-039	308-104-045	REP-P	90-22-106	308-120-100	AMD-P	90-24-074
308-78-070	AMD-P	90-08-118	308-104-047	NEW-P	90-22-106	308-120-161	DECOD-P	90-24-072
308-78-070	AMD	90-13-039	308-104-050	AMD-P	90-14-039	308-120-162	DECOD-P	90-24-072
308-91-010	AMD-P	90-10-091	308-104-050	AMD	90-17-028	308-120-163	DECOD-P	90-24-072
308-91-010	AMD-W	90-13-057	308-104-145	NEW-P	90-14-039	308-120-164	DECOD-P	90-24-072
308-91-010	AMD-P	90-13-058	308-104-145	NEW	90-17-028	308-120-165	AMD	90-04-059

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-120-165	DECOD-P 90-24-072	308-121-110	NEW-C 90-12-115	308-122-440	DECOD-P 90-23-022
308-120-166	DECOD-P 90-24-072	308-121-110	NEW 90-17-042	308-122-450	DECOD-P 90-23-022
308-120-168	DECOD-P 90-24-072	308-121-110	DECOD-P 90-24-072	308-122-500	AMD-E 90-05-016
308-120-168	AMD-P 90-24-073	308-121-120	NEW-P 90-10-084	308-122-500	AMD-P 90-05-040
308-120-170	DECOD-P 90-24-072	308-121-120	NEW-C 90-12-115	308-122-500	AMD-W 90-10-100
308-120-168	AMD-E 90-22-020	308-121-120	NEW 90-17-042	308-122-500	AMD-W 90-18-069
308-120-180	DECOD-P 90-24-072	308-121-120	DECOD-P 90-24-072	308-122-500	DECOD-P 90-23-022
308-120-185	DECOD-P 90-24-072	308-121-130	NEW-P 90-10-084	308-122-500	REP-P 90-24-069
308-120-186	DECOD-P 90-24-072	308-121-130	NEW-C 90-12-115	308-122-501	NEW-P 90-24-069
308-120-270	DECOD-P 90-24-072	308-121-130	NEW 90-17-042	308-122-503	REP 90-05-015
308-120-275	AMD 90-04-094	308-121-130	DECOD-P 90-24-072	308-122-503	REP-E 90-05-017
308-120-275	DECOD-P 90-22-094	308-121-140	NEW-P 90-10-084	308-122-504	NEW-P 90-24-069
308-120-300	DECOD-P 90-24-072	308-121-140	NEW-C 90-12-115	308-122-505	DECOD-P 90-23-022
308-120-305	DECOD-P 90-24-072	308-121-140	NEW 90-17-042	308-122-510	DECOD-P 90-23-022
308-120-315	DECOD-P 90-24-072	308-121-140	DECOD-P 90-24-072	308-122-513	NEW-P 90-24-069
308-120-325	DECOD-P 90-24-072	308-121-145	NEW-P 90-10-084	308-122-515	DECOD-P 90-23-022
308-120-335	DECOD-P 90-24-072	308-121-145	NEW-C 90-12-115	308-122-515	AMD-P 90-24-069
308-120-338	DECOD-P 90-24-072	308-121-145	NEW 90-17-042	308-122-520	DECOD-P 90-23-022
308-120-345	DECOD-P 90-24-072	308-121-145	DECOD-P 90-24-072	308-122-520	AMD-P 90-24-069
308-120-360	DECOD-P 90-24-072	308-121-150	NEW-P 90-10-084	308-122-525	DECOD-P 90-23-022
308-120-365	REP-P 90-24-072	308-121-150	NEW-C 90-12-115	308-122-530	DECOD-P 90-23-022
308-120-400	DECOD-P 90-24-072	308-121-150	NEW 90-17-042	308-122-535	DECOD-P 90-23-022
308-120-410	DECOD-P 90-24-072	308-121-150	DECOD-P 90-24-072	308-122-540	DECOD-P 90-23-022
308-120-420	DECOD-P 90-24-072	308-121-155	NEW-P 90-10-084	308-122-545	DECOD-P 90-23-022
308-120-430	DECOD-P 90-24-072	308-121-155	NEW-C 90-12-115	308-122-550	REP 90-05-015
308-120-440	DECOD-P 90-24-072	308-121-155	NEW 90-17-042	308-122-550	REP-E 90-05-017
308-120-450	DECOD-P 90-24-072	308-121-155	DECOD-P 90-24-072	308-122-555	REP 90-05-015
308-120-505	DECOD-P 90-24-072	308-121-160	NEW-P 90-10-084	308-122-555	REP-E 90-05-017
308-120-506	DECOD-P 90-24-072	308-121-160	NEW-C 90-12-115	308-122-560	REP 90-05-015
308-120-525	DECOD-P 90-24-072	308-121-160	NEW 90-17-042	308-122-560	REP-E 90-05-017
308-120-530	DECOD-P 90-24-072	308-121-160	DECOD-P 90-24-072	308-122-563	NEW-P 90-24-069
308-120-535	DECOD-P 90-24-072	308-121-165	NEW-P 90-10-084	308-122-565	REP 90-05-015
308-120-540	DECOD-P 90-24-072	308-121-165	NEW-C 90-12-115	308-122-565	REP-E 90-05-017
308-120-545	DECOD-P 90-24-072	308-121-165	NEW 90-17-042	308-122-568	NEW-P 90-24-069
308-120-550	DECOD-P 90-24-072	308-121-165	DECOD-P 90-24-072	308-122-570	REP 90-05-015
308-120-555	DECOD-P 90-24-072	308-121-170	NEW-P 90-10-084	308-122-570	REP-E 90-05-017
308-120-560	DECOD-P 90-24-072	308-121-170	NEW-C 90-12-115	308-122-573	NEW-P 90-24-069
308-120-565	DECOD-P 90-24-072	308-121-170	NEW 90-17-042	308-122-575	REP 90-05-015
308-120-565	AMD-P 90-24-074	308-121-170	DECOD-P 90-24-072	308-122-575	REP-E 90-05-017
308-120-570	DECOD-P 90-24-072	308-121-175	NEW-P 90-10-084	308-122-578	NEW-P 90-24-069
308-120-575	DECOD-P 90-24-072	308-121-175	NEW-C 90-12-115	308-122-580	REP 90-05-015
308-120-610	AMD-E 90-22-020	308-121-175	NEW 90-17-042	308-122-580	REP-E 90-05-017
308-120-610	DECOD-P 90-24-072	308-121-175	DECOD-P 90-24-072	308-122-583	NEW-P 90-24-069
308-120-610	AMD-P 90-24-073	308-121-180	NEW-P 90-10-084	308-122-600	DECOD-P 90-23-022
308-120-620	NEW 90-04-059	308-121-180	NEW-C 90-12-115	308-122-610	DECOD-P 90-23-022
308-120-620	DECOD-P 90-24-072	308-121-180	NEW 90-17-042	308-122-620	DECOD-P 90-23-022
308-120-700	DECOD-P 90-24-072	308-121-180	DECOD-P 90-24-072	308-122-630	DECOD-P 90-23-022
308-120-710	DECOD-P 90-24-072	308-122-001	DECOD-P 90-23-022	308-122-640	DECOD-P 90-23-022
308-120-720	DECOD-P 90-24-072	308-122-005	DECOD-P 90-23-022	308-122-650	DECOD-P 90-23-022
308-120-730	DECOD-P 90-24-072	308-122-006	DECOD-P 90-23-022	308-122-660	DECOD-P 90-23-022
308-120-740	DECOD-P 90-24-072	308-122-060	DECOD-P 90-23-022	308-122-660	AMD-P 90-24-069
308-120-750	DECOD-P 90-24-072	308-122-200	DECOD-P 90-23-022	308-122-670	DECOD-P 90-23-022
308-120-760	DECOD-P 90-24-072	308-122-200	AMD-P 90-24-069	308-122-670	AMD-P 90-24-069
308-120-770	DECOD-P 90-24-072	308-122-211	DECOD-P 90-23-022	308-122-680	DECOD-P 90-23-022
308-120-780	DECOD-P 90-24-072	308-122-215	DECOD-P 90-23-022	308-122-690	DECOD-P 90-23-022
308-120-800	DECOD-P 90-24-072	308-122-220	DECOD-P 90-23-022	308-122-695	DECOD-P 90-23-022
308-120-810	DECOD-P 90-24-072	308-122-225	DECOD-P 90-23-022	308-122-700	DECOD-P 90-23-022
308-120-820	NEW-P 90-24-074	308-122-230	DECOD-P 90-23-022	308-122-710	DECOD-P 90-23-022
308-120-830	NEW-P 90-24-074	308-122-235	DECOD-P 90-23-022	308-122-720	DECOD-P 90-23-022
308-120-840	NEW-P 90-24-074	308-122-275	AMD 90-04-094	308-124-005	AMD-P 90-20-051
308-120-850	NEW-P 90-24-074	308-122-275	DECOD-P 90-22-094	308-124-005	AMD 90-23-039
308-120-860	NEW-P 90-24-074	308-122-280	DECOD-P 90-23-022	308-124-007	AMD-P 90-20-051
308-120-870	NEW-P 90-24-074	308-122-350	DECOD-P 90-23-022	308-124-007	AMD 90-23-039
308-120-880	NEW-P 90-24-074	308-122-360	DECOD-P 90-23-022	308-124-021	AMD-P 90-20-051
308-121-030	REP-P 90-12-117	308-122-360	AMD-P 90-24-069	308-124-021	AMD 90-23-039
308-121-030	REP 90-17-043	308-122-370	DECOD-P 90-23-022	308-124A-200	AMD-P 90-20-051
308-121-040	REP-P 90-12-117	308-122-380	DECOD-P 90-23-022	308-124A-200	AMD 90-23-039
308-121-040	REP 90-17-043	308-122-380	REP-P 90-24-069	308-124A-420	AMD-P 90-20-051
308-121-050	REP-P 90-12-117	308-122-390	DECOD-P 90-23-022	308-124A-420	AMD 90-23-039
308-121-050	REP 90-17-043	308-122-390	REP-P 90-24-069	308-124A-450	AMD-P 90-20-051
308-121-055	REP-P 90-12-117	308-122-400	DECOD-P 90-23-022	308-124A-450	AMD 90-23-039
308-121-055	REP 90-17-043	308-122-400	REP-P 90-24-069	308-124A-460	AMD-P 90-20-051
308-121-060	REP-P 90-12-117	308-122-410	DECOD-P 90-23-022	308-124A-460	AMD 90-23-039
308-121-060	REP 90-17-043	308-122-410	REP-P 90-24-069	308-124B-120	AMD-P 90-20-051
308-121-070	REP-P 90-12-117	308-122-420	DECOD-P 90-23-022	308-124B-120	AMD 90-23-039
308-121-070	REP 90-17-043	308-122-420	REP-P 90-24-069	308-124C-010	AMD-P 90-20-051
308-121-110	NEW-P 90-10-084	308-122-430	DECOD-P 90-23-022	308-124C-010	AMD 90-23-039

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #	
308-124C-020	AMD	P	90-10-075	308-124H-062	NEW-P	90-02-102	308-124J-010	NEW-P	90-02-102
308-124C-020	AMD-W		90-11-008	308-124H-062	NEW-C	90-05-072	308-124J-020	NEW-P	90-02-102
308-124C-020	AMD-P		90-11-098	308-124H-062	NEW	90-10-010	308-124J-030	NEW-P	90-02-102
308-124C-020	AMD-P		90-20-051	308-124H-065	REP-P	90-02-102	308-124J-040	NEW-P	90-02-102
308-124C-020	AMD		90-23-039	308-124H-065	REP-C	90-05-072	308-124J-050	NEW-P	90-02-102
308-124C-020	AMD-W		90-24-058	308-124H-065	REP	90-10-010	308-124J-060	NEW-P	90-02-102
308-124D-050	AMD-P		90-20-051	308-124H-070	REP-P	90-02-102	308-124J-070	NEW-P	90-02-102
308-124D-050	AMD		90-23-039	308-124H-070	REP-C	90-05-072	308-124J-080	NEW-P	90-02-102
308-124E-013	AMD-P		90-20-051	308-124H-070	REP	90-10-010	308-125-010	NEW-P	90-17-147
308-124E-013	AMD		90-23-039	308-124H-210	NEW-C	90-05-072	308-125-010	NEW-S	90-23-094
308-124E-014	AMD-P		90-02-103	308-124H-210	NEW	90-10-010	308-125-020	NEW-P	90-17-147
308-124E-014	AMD-C		90-05-073	308-124H-220	NEW-C	90-05-072	308-125-020	NEW-S	90-23-094
308-124E-014	AMD		90-09-014	308-124H-220	NEW	90-10-010	308-125-030	NEW-P	90-17-147
308-124H	AMD-P		90-02-102	308-124H-220	AMD-P	90-20-051	308-125-030	NEW-S	90-23-094
308-124H	AMD-C		90-05-072	308-124H-220	AMD	90-23-039	308-125-040	NEW-P	90-17-147
308-124H	AMD		90-10-010	308-124H-230	NEW-C	90-05-072	308-125-040	NEW-S	90-23-094
308-124H	AMD-P		90-20-051	308-124H-230	NEW	90-10-010	308-125-050	NEW-P	90-17-147
308-124H	AMD		90-23-039	308-124H-240	NEW-C	90-05-072	308-125-050	NEW-S	90-23-094
308-124H-011	NEW-P		90-02-102	308-124H-240	NEW	90-10-010	308-125-060	NEW-P	90-17-147
308-124H-011	NEW-C		90-05-072	308-124H-250	NEW-C	90-05-072	308-125-060	NEW-S	90-23-094
308-124H-011	NEW		90-10-010	308-124H-250	NEW	90-10-010	308-125-070	NEW-P	90-17-147
308-124H-020	REP-P		90-02-102	308-124H-260	NEW-C	90-05-072	308-125-070	NEW-S	90-23-094
308-124H-020	REP-C		90-05-072	308-124H-260	NEW	90-10-010	308-125-080	NEW-P	90-17-147
308-124H-020	REP		90-10-010	308-124H-260	AMD-P	90-20-051	308-125-080	NEW-S	90-23-094
308-124H-021	NEW-P		90-02-102	308-124H-260	AMD	90-23-039	308-125-090	NEW-P	90-17-147
308-124H-021	NEW-C		90-05-072	308-124H-270	NEW-C	90-05-072	308-125-090	NEW-S	90-23-094
308-124H-021	NEW		90-10-010	308-124H-270	NEW	90-10-010	308-125-100	NEW-P	90-17-147
308-124H-021	AMD-P		90-20-051	308-124H-280	NEW-C	90-05-072	308-125-100	NEW-S	90-23-094
308-124H-021	AMD		90-23-039	308-124H-280	NEW	90-10-010	308-125-110	NEW-P	90-17-147
308-124H-025	NEW-P		90-02-102	308-124H-290	NEW-C	90-05-072	308-125-110	NEW-S	90-23-094
308-124H-025	NEW-C		90-05-072	308-124H-290	NEW	90-10-010	308-125-120	NEW-P	90-17-147
308-124H-025	NEW		90-10-010	308-124H-300	NEW-C	90-05-072	308-125-120	NEW-S	90-23-094
308-124H-030	REP-P		90-02-102	308-124H-300	NEW	90-10-010	308-125-130	NEW-P	90-17-147
308-124H-030	REP-C		90-05-072	308-124H-310	NEW-C	90-05-072	308-125-130	NEW-S	90-23-094
308-124H-030	REP		90-10-010	308-124H-310	NEW	90-10-010	308-125-140	NEW-P	90-17-147
308-124H-033	REP-P		90-02-102	308-124H-310	NEW-C	90-05-072	308-125-140	NEW-S	90-23-094
308-124H-033	REP-C		90-05-072	308-124H-320	NEW	90-10-010	308-125-150	NEW-P	90-17-147
308-124H-033	REP		90-10-010	308-124H-320	NEW	90-10-010	308-125-150	NEW-S	90-23-094
308-124H-035	AMD-P		90-02-102	308-124H-330	NEW-C	90-05-072	308-125-160	NEW-P	90-17-147
308-124H-035	AMD-C		90-05-072	308-124H-330	NEW	90-10-010	308-125-160	NEW-S	90-23-094
308-124H-035	AMD		90-10-010	308-124H-340	NEW-C	90-05-072	308-125-170	NEW-P	90-17-147
308-124H-036	AMD-P		90-02-102	308-124H-510	NEW-C	90-05-072	308-125-170	NEW-S	90-23-094
308-124H-036	AMD-C		90-05-072	308-124H-510	NEW	90-10-010	308-125-180	NEW-P	90-17-147
308-124H-036	AMD		90-10-010	308-124H-520	NEW-C	90-05-072	308-125-180	NEW-S	90-23-094
308-124H-037	AMD-P		90-02-102	308-124H-520	NEW	90-10-010	308-125-190	NEW-P	90-17-147
308-124H-037	AMD-C		90-05-072	308-124H-520	AMD-P	90-20-051	308-125-190	NEW-S	90-23-094
308-124H-037	AMD		90-10-010	308-124H-520	AMD	90-23-039	308-125-200	NEW-P	90-17-147
308-124H-038	REP-P		90-02-102	308-124H-530	NEW-C	90-05-072	308-125-200	NEW-S	90-23-094
308-124H-038	REP-C		90-05-072	308-124H-530	NEW	90-10-010	308-125-210	NEW-P	90-17-147
308-124H-038	REP		90-10-010	308-124H-530	NEW-C	90-05-072	308-125-210	NEW-S	90-23-094
308-124H-040	REP-P		90-02-102	308-124H-540	NEW	90-10-010	308-127-010	REP-P	90-04-088
308-124H-040	REP-C		90-05-072	308-124H-540	NEW-C	90-05-072	308-127-010	REP	90-07-023
308-124H-040	REP		90-10-010	308-124H-550	NEW	90-10-010	308-127-020	REP-P	90-04-088
308-124H-041	NEW-P		90-02-102	308-124H-550	NEW	90-10-010	308-127-020	REP	90-07-023
308-124H-041	NEW-C		90-05-072	308-124H-560	NEW-C	90-05-072	308-127-030	REP-P	90-04-088
308-124H-041	NEW		90-10-010	308-124H-560	NEW	90-10-010	308-127-030	REP	90-07-023
308-124H-043	REP-P		90-02-102	308-124H-570	NEW-C	90-05-072	308-127-035	NEW-P	90-04-088
308-124H-043	REP-C		90-05-072	308-124H-570	NEW	90-10-010	308-127-035	NEW	90-07-023
308-124H-043	REP		90-10-010	308-124H-580	NEW-C	90-05-072	308-127-040	AMD-P	90-04-088
308-124H-045	REP-P		90-02-102	308-124H-580	NEW	90-10-010	308-127-040	AMD	90-07-023
308-124H-045	REP-C		90-05-072	308-124H-800	NEW-P	90-10-075	308-127-100	REP-P	90-04-088
308-124H-045	REP		90-10-010	308-124H-800	NEW-W	90-11-008	308-127-100	REP	90-07-023
308-124H-050	REP-P		90-02-102	308-124H-800	NEW-P	90-11-098	308-127-105	NEW-P	90-04-088
308-124H-050	REP-C		90-05-072	308-124H-800	NEW-W	90-24-058	308-127-105	NEW-S	90-23-094
308-124H-050	REP		90-10-010	308-124I-010	NEW-P	90-02-102	308-127-110	AMD-P	90-04-088
308-124H-051	NEW-P		90-02-102	308-124I-020	NEW-P	90-02-102	308-127-110	AMD	90-07-023
308-124H-051	NEW-C		90-05-072	308-124I-030	NEW-P	90-02-102	308-127-120	AMD-P	90-04-088
308-124H-051	NEW		90-10-010	308-124I-040	NEW-P	90-02-102	308-127-120	AMD	90-07-023
308-124H-055	REP-P		90-02-102	308-124I-050	NEW-P	90-02-102	308-127-130	AMD-P	90-04-088
308-124H-055	REP-C		90-05-072	308-124I-060	NEW-P	90-02-102	308-127-130	AMD	90-07-023
308-124H-055	REP		90-10-010	308-124I-070	NEW-P	90-02-102	308-127-140	AMD-P	90-04-088
308-124H-060	REP-P		90-02-102	308-124I-080	NEW-P	90-02-102	308-127-140	AMD	90-07-023
308-124H-060	REP-C		90-05-072	308-124I-090	NEW-P	90-02-102	308-127-155	REP-P	90-04-088
308-124H-060	REP		90-10-010	308-124I-100	NEW-P	90-02-102	308-127-155	REP	90-07-023
308-124H-061	NEW-P		90-02-102	308-124I-110	NEW-P	90-02-102	308-127-160	NEW-P	90-04-088
308-124H-061	NEW-C		90-05-072	308-124I-120	NEW-P	90-02-102	308-127-160	NEW	90-07-023
308-124H-061	NEW		90-10-010	308-124I-130	NEW-P	90-02-102	308-127-200	AMD-P	90-04-088
308-124H-061	NEW		90-10-010	308-124I-140	NEW-P	90-02-102			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-127-200	AMD	90-07-023	308-138A-050	DECOD-P	90-21-072	308-154-080	DECOD-P	90-21-115
308-127-210	AMD-P	90-04-088	308-138A-050	DECOD	90-24-055	308-154-085	DECOD-P	90-21-115
308-127-210	AMD	90-07-023	308-138A-060	DECOD-P	90-21-072	308-156	DECOD-C	90-22-012
308-127-220	REP-P	90-04-088	308-138A-060	DECOD	90-24-055	308-156-010	DECOD-P	90-21-115
308-127-220	REP	90-07-023	308-138A-070	DECOD-P	90-21-072	308-156-020	DECOD-P	90-21-115
308-127-225	NEW-P	90-04-088	308-138A-070	DECOD	90-24-055	308-156-030	DECOD-P	90-21-115
308-127-225	NEW	90-07-023	308-138A-080	DECOD-P	90-21-072	308-156-045	DECOD-P	90-21-115
308-127-300	AMD-P	90-04-088	308-138A-080	DECOD	90-24-055	308-156-050	DECOD-P	90-21-115
308-127-300	AMD	90-07-023	308-138A-090	DECOD-P	90-21-072	308-156-055	DECOD-P	90-21-115
308-128B-060	REP	90-03-098	308-138B-090	DECOD	90-24-055	308-156-060	DECOD-P	90-21-115
308-128B-080	AMD	90-03-099	308-138B-100	DECOD-P	90-21-072	308-156-070	DECOD-P	90-21-115
308-130-320	DECOD-P	90-22-094	308-138B-100	DECOD	90-24-055	308-156-075	DECOD-P	90-21-115
308-130-330	DECOD-P	90-22-094	308-138B-105	DECOD-P	90-21-072	308-156-080	DECOD-P	90-21-115
308-130-340	DECOD-P	90-22-094	308-138B-105	DECOD	90-24-055	308-156-090	DECOD-P	90-21-115
308-130-350	DECOD-P	90-22-094	308-138B-110	DECOD-P	90-21-072	308-156-100	DECOD-P	90-21-115
308-130-360	DECOD-P	90-22-094	308-138B-110	DECOD	90-24-055	308-156-200	DECOD-P	90-21-115
308-130-370	DECOD-P	90-22-094	308-138B-130	DECOD-P	90-21-072	308-157-010	RECOD-P	90-21-115
308-130-380	DECOD-P	90-22-094	308-138B-130	DECOD	90-24-055	308-158-010	NEW-P	90-16-097
308-130-390	DECOD-P	90-22-094	308-138B-140	DECOD-P	90-21-072	308-158-010	NEW	90-21-029
308-130-400	DECOD-P	90-22-094	308-138B-140	DECOD	90-24-055	308-158-020	NEW-P	90-16-097
308-130-410	DECOD-P	90-22-094	308-138B-150	DECOD-P	90-21-072	308-158-020	NEW	90-21-029
308-138-055	DECOD-P	90-21-072	308-138B-150	DECOD	90-24-055	308-158-030	NEW-P	90-16-097
308-138-055	DECOD	90-24-055	308-138B-160	DECOD-P	90-21-072	308-158-030	NEW	90-21-029
308-138-065	DECOD-P	90-21-072	308-138B-160	DECOD	90-24-055	308-158-040	NEW-P	90-16-097
308-138-065	DECOD	90-24-055	308-138B-165	DECOD-P	90-21-072	308-158-040	NEW	90-21-029
308-138-070	DECOD-P	90-21-072	308-138B-165	DECOD	90-24-055	308-171-001	AMD-P	90-04-096
308-138-070	DECOD	90-24-055	308-138B-170	DECOD-P	90-21-072	308-171-001	AMD	90-16-071
308-138-080	AMD	90-04-094	308-138B-170	DECOD	90-24-055	308-171-001	DECOD-P	90-23-008
308-138-080	DECOD-P	90-22-094	308-138B-180	DECOD-P	90-21-072	308-171-002	DECOD-P	90-23-008
308-138-180	DECOD-P	90-21-072	308-138B-180	DECOD	90-24-055	308-171-003	DECOD-P	90-23-008
308-138-180	DECOD	90-24-055	308-138B-190	DECOD-P	90-21-072	308-171-010	AMD-P	90-04-096
308-138-200	DECOD-P	90-21-072	308-138B-190	DECOD	90-24-055	308-171-010	AMD	90-16-071
308-138-200	DECOD	90-24-055	308-138B-200	DECOD-P	90-21-072	308-171-010	DECOD-P	90-23-008
308-138-210	DECOD-P	90-21-072	308-138B-200	DECOD	90-24-055	308-171-020	AMD-P	90-04-096
308-138-210	DECOD	90-24-055	308-150	DECOD-C	90-22-012	308-171-020	AMD	90-16-071
308-138-220	DECOD-P	90-21-072	308-150-005	DECOD-P	90-21-115	308-171-020	DECOD-P	90-23-008
308-138-220	DECOD	90-24-055	308-150-006	DECOD-P	90-21-115	308-171-040	DECOD-P	90-23-008
308-138-230	DECOD-P	90-21-072	308-150-007	DECOD-P	90-21-115	308-171-041	NEW-P	90-04-096
308-138-230	DECOD	90-24-055	308-150-008	DECOD-P	90-21-115	308-171-041	NEW-W	90-16-036
308-138-300	DECOD-P	90-21-072	308-150-009	DECOD-P	90-21-115	308-171-041	NEW-P	90-16-096
308-138-300	DECOD	90-24-055	308-150-011	DECOD-P	90-21-115	308-171-041	NEW	90-22-011
308-138-310	DECOD-P	90-21-072	308-150-013	DECOD-P	90-21-115	308-171-045	AMD-P	90-16-096
308-138-310	DECOD	90-24-055	308-150-014	DECOD-P	90-21-115	308-171-045	AMD	90-22-011
308-138-320	DECOD-P	90-21-072	308-150-030	DECOD-P	90-21-115	308-171-045	DECOD-P	90-23-008
308-138-320	DECOD	90-24-055	308-150-035	DECOD-P	90-21-115	308-171-100	DECOD-P	90-23-008
308-138-321	DECOD-P	90-21-072	308-150-045	DECOD-P	90-21-115	308-171-101	DECOD-P	90-23-008
308-138-321	DECOD	90-24-055	308-150-050	DECOD-P	90-21-115	308-171-102	DECOD-P	90-23-008
308-138-322	DECOD-P	90-21-072	308-150-055	DECOD-P	90-21-115	308-171-103	DECOD-P	90-23-008
308-138-322	DECOD	90-24-055	308-150-060	DECOD-P	90-21-115	308-171-104	DECOD-P	90-23-008
308-138-323	DECOD-P	90-21-072	308-150-061	DECOD-P	90-21-115	308-171-200	DECOD-P	90-23-008
308-138-323	DECOD	90-24-055	308-150-062	DECOD-P	90-21-115	308-171-201	DECOD-P	90-23-008
308-138-324	DECOD-P	90-21-072	308-150-070	DECOD-P	90-21-115	308-171-202	DECOD-P	90-23-008
308-138-324	DECOD	90-24-055	308-151	DECOD-C	90-22-012	308-171-300	DECOD-P	90-23-008
308-138-325	DECOD-P	90-21-072	308-151-050	DECOD-P	90-21-115	308-171-301	AMD-P	90-16-096
308-138-325	DECOD	90-24-055	308-151-060	DECOD-P	90-21-115	308-171-301	AMD	90-22-011
308-138-326	DECOD-P	90-21-072	308-151-070	DECOD-P	90-21-115	308-171-301	DECOD-P	90-23-008
308-138-326	DECOD	90-24-055	308-151-080	DECOD-P	90-21-115	308-171-302	DECOD-P	90-23-008
308-138-327	DECOD-P	90-21-072	308-151-090	DECOD-P	90-21-115	308-171-310	DECOD-P	90-22-094
308-138-327	DECOD	90-24-055	308-151-100	DECOD-P	90-21-115	308-171-320	AMD-P	90-16-096
308-138-328	DECOD-P	90-21-072	308-151-110	DECOD-P	90-21-115	308-171-320	AMD	90-22-011
308-138-328	DECOD	90-24-055	308-152-020	DECOD-P	90-22-094	308-171-320	DECOD-P	90-23-008
308-138-330	DECOD-P	90-21-072	308-152-030	AMD	90-04-094	308-171-330	DECOD-P	90-23-008
308-138-330	DECOD	90-24-055	308-152-030	AMD-P	90-08-009	308-173-010	DECOD-P	90-22-094
308-138-340	DECOD-P	90-21-072	308-152-030	AMD	90-18-039	308-173-020	DECOD-P	90-22-094
308-138-340	DECOD	90-24-055	308-152-030	REP-P	90-22-093	308-173-070	DECOD-P	90-22-094
308-138-350	DECOD-P	90-21-072	308-153	DECOD-C	90-22-012	308-173-080	DECOD-P	90-22-094
308-138-350	DECOD	90-24-055	308-153-010	DECOD-P	90-21-115	308-173-090	DECOD-P	90-22-094
308-138-360	DECOD-P	90-21-072	308-153-020	DECOD-P	90-21-115	308-173-100	DECOD-P	90-22-094
308-138-360	DECOD	90-24-055	308-153-030	DECOD-P	90-21-115	308-173-130	AMD	90-04-094
308-138A-020	DECOD-P	90-21-072	308-153-045	DECOD-P	90-21-115	308-173-130	DECOD-P	90-22-094
308-138A-020	DECOD	90-24-055	308-154	DECOD-C	90-22-012	308-173-210	NEW-P	90-10-084
308-138A-025	DECOD-P	90-21-072	308-154-010	DECOD-P	90-21-115	308-173-210	NEW-C	90-12-115
308-138A-025	DECOD	90-24-055	308-154-020	DECOD-P	90-21-115	308-173-210	NEW	90-20-018
308-138A-030	DECOD-P	90-21-072	308-154-030	DECOD-P	90-21-115	308-173-210	DECOD-P	90-24-072
308-138A-030	DECOD	90-24-055	308-154-040	DECOD-P	90-21-115	308-173-220	NEW-P	90-10-084
308-138A-040	DECOD-P	90-21-072	308-154-050	DECOD-P	90-21-115	308-173-220	NEW-C	90-12-115
308-138A-040	DECOD	90-24-055	308-154-060	DECOD-P	90-21-115	308-173-220	NEW	90-20-018





Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-230-140	DECOD-P 90 22-094	314-20-025	NEW-P 90-03-089	315-11-390	REP-P 90-21-002
308-230-200	DECOD-P 90-22-094	314-20-025	NEW-W 90-17-019	315-11-391	REP-P 90-21-002
308-250-010	DECOD-P 90-22-094	314-40-020	AMD-P 90-10-089	315-11-392	REP-P 90-21-002
308-250-020	DECOD-P 90 22 094	314-40-020	AMD 90-14-004	315-11-480	AMD 90-03-023
308-250-030	DECOD-P 90-22-094	314-52-015	AMD-P 90-21-038	315-11-490	AMD 90-03-023
308-250-040	DECOD-P 90-22 094	314-52-016	NEW-P 90-21-038	315-11-491	AMD 90-03-023
308-250-050	DECOD-P 90 22 094	314-60-040	AMD 90-02-109	315-11-530	NEW-P 90-03-109
308-300	AMD-E 90 14-021	315-04-132	AMD-P 90-07-086	315-11-530	NEW 90-06-060
308-300	AMD P 90 14-022	315 04-132	AMD 90-11-040	315-11-531	NEW-P 90-03-109
308-300	AMD 90 17-062	315-06-080	AMD-P 90-07-086	315-11-531	NEW 90-06-060
308-300-075	NEW E 90 14 021	315-06-080	AMD 90-11-040	315-11-532	NEW-P 90-03-109
308-300-075	NEW-P 90 14 022	315-06-120	AMD-P 90-23-086	315-11-532	NEW 90-06-060
308-300-075	NEW 90 17 062	315-08-010	NEW-P 90-07-086	315-11-540	NEW-P 90-03-109
308-310-010	AMD 90 04-094	315-08-010	NEW 90-11-040	315-11-540	NEW 90-06-060
308-310-010	DECOD-P 90 22 094	315-08-020	NEW-P 90-07-086	315-11-541	NEW-P 90-03-109
308-310-020	DECOD-P 90 22-094	315-08-020	NEW 90-11-040	315-11-541	NEW 90-06-060
308-310-030	DECOD P 90 22-094	315-08-030	NEW-P 90-07-086	315-11-542	NEW-P 90-03-109
308-310-040	DECOD P 90 22 094	315-08-030	NEW 90-11-040	315-11-542	NEW 90-06-060
308-320-010	NEW 90-02-060	315-08-040	NEW-P 90-07-086	315-11-550	NEW-P 90-07-086
308-320-010	NEW E 90 02-061	315-08-040	NEW 90-11-040	315-11-550	NEW 90-11-040
308-320-020	NEW 90 02 060	315-11-200	REP-P 90-21-002	315-11-551	NEW-P 90-07-086
308-320-020	NEW-E 90-02-061	315-11-201	REP-P 90-21-002	315-11-551	NEW 90-11-040
308-320-030	NEW 90-02-060	315-11-202	REP-P 90-21-002	315-11-552	NEW-P 90-07-086
308-320-030	NEW-E 90-02-061	315-11-210	REP-P 90-21-002	315-11-552	NEW 90-11-040
308-320-040	NEW 90-02-060	315-11-211	REP-P 90-21-002	315-11-560	NEW-P 90-11-127
308-320-040	NEW-E 90-02-061	315-11-212	REP-P 90-21-002	315-11-560	NEW 90-15-014
308-320-050	NEW 90-02-060	315-11-220	REP-P 90-21-002	315-11-561	NEW-P 90-11-127
308-320-050	NEW E 90-02-061	315-11-221	REP-P 90-21-002	315-11-561	NEW 90-15-014
308-320-060	NEW 90-02-060	315-11-222	REP-P 90-21-002	315-11-562	NEW-P 90-11-127
308-320-060	NEW E 90-02-061	315-11-230	REP-P 90-21-002	315-11-562	NEW 90-15-014
308-320-070	NEW 90-02-060	315-11-231	REP-P 90-21-002	315-11-570	NEW-P 90-11-127
308-320-070	NEW E 90 02-061	315-11-232	REP-P 90-21-002	315-11-570	NEW 90-15-014
308-320-080	NEW 90-02-060	315-11-240	REP-P 90-21-002	315-11-571	NEW-P 90-11-127
308-320-080	NEW E 90-02-061	315-11-241	REP-P 90-21-002	315-11-571	NEW 90-15-014
308-320-090	NEW 90 02-060	315-11-242	REP-P 90-21-002	315-11-571	AMD-P 90-16-094
308-320-090	NEW E 90-02-061	315-11-250	REP-P 90-21-002	315-11-571	AMD 90-19-048
308-320-100	NEW W 90-11-068	315-11-251	REP-P 90-21-002	315-11-572	NEW-P 90-11-127
308-400-042	AMD 90-04-050	315-11-252	REP-P 90-21-002	315-11-572	NEW 90-15-014
308-400-095	AMD 90-04-050	315-11-260	REP-P 90-21-002	315-11-580	NEW-P 90-16-094
308-420-010	NEW-P 90-20-126	315-11-261	REP-P 90-21-002	315-11-580	NEW 90-19-048
308-420-020	NEW-P 90-20-126	315-11-262	REP-P 90-21-002	315-11-581	NEW-P 90-16-094
308-420-030	NEW-P 90-20-126	315-11-270	REP-P 90-21-002	315-11-581	NEW 90-19-048
308-420-040	NEW P 90 20 126	315-11-271	REP-P 90-21-002	315-11-582	NEW-P 90-16-094
308-420-050	NEW-P 90 20-126	315-11-272	REP-P 90-21-002	315-11-582	NEW 90-19-048
308-420-060	NEW-P 90-20-126	315-11-280	REP-P 90-21-002	315-11-590	NEW-P 90-19-090
308-420-070	NEW-P 90-20-126	315-11-281	REP-P 90-21-002	315-11-590	NEW 90-22-088
308-420-080	NEW-P 90-20-126	315-11-282	REP-P 90-21-002	315-11-590	AMD-P 90-23-086
308-420-090	NEW-P 90-20-126	315-11-290	REP-P 90-21-002	315-11-591	NEW-P 90-19-090
308-420-100	NEW-P 90-20-126	315-11-291	REP-P 90-21-002	315-11-591	NEW 90-22-088
308-420-110	NEW-P 90-20-126	315-11-292	REP-P 90-21-002	315-11-591	AMD-P 90-23-086
308-420-120	NEW-P 90 20-126	315-11-300	REP-P 90-21-002	315-11-592	NEW-P 90-19-090
308-420-130	NEW-P 90-20-126	315-11-301	REP-P 90-21-002	315-11-592	NEW 90-22-088
308-420-140	NEW-P 90 20-126	315-11-302	REP-P 90-21-002	315-11-600	NEW-P 90-19-090
308-420-150	NEW-P 90-20-126	315-11-310	REP-P 90-21-002	315-11-600	NEW 90-22-088
308-420-160	NEW-P 90-20-126	315-11-311	REP-P 90-21-002	315-11-601	NEW-P 90-19-090
308-420-170	NEW-P 90-20-126	315-11-312	REP-P 90-21-002	315-11-601	NEW 90-22-088
308-420-180	NEW-P 90-20-126	315-11-320	REP-P 90-21-002	315-11-602	NEW-P 90-19-090
308-420-190	NEW-P 90-20-126	315-11-321	REP-P 90-21-002	315-11-602	NEW 90-22-088
308-420-200	NEW-P 90-20-126	315-11-322	REP-P 90-21-002	315-11-610	NEW-P 90-23-086
308-420-210	NEW-P 90-20-126	315-11-330	REP-P 90-21-002	315-11-611	NEW-P 90-23-086
308-420-220	NEW-P 90-20-126	315-11-331	REP-P 90-21-002	315-11-612	NEW-P 90-23-086
308-420-230	NEW-P 90-20-126	315-11-332	REP-P 90-21-002	315-12-140	REP-P 90-23-085
308-420-240	NEW-P 90-20-126	315-11-340	REP-P 90-21-002	315-12-145	NEW-P 90-23-086
314-12-020	AMD-P 90-20-041	315-11-341	REP-P 90-21-002	315-32-060	AMD-P 90-16-094
314-12-020	AMD 90-24-007	315-11-342	REP-P 90-21-002	315-32-060	AMD 90-19-048
314-12-033	AMD-P 90-20-043	315-11-350	REP-P 90-21-002	315-33-010	NEW-P 90-03-109
314-12-033	AMD 90-24-009	315-11-351	REP-P 90-21-002	315-33-010	NEW 90-06-060
314-12-070	AMD-P 90-20-042	315-11-352	REP-P 90-21-002	315-33-020	NEW-P 90-03-109
314-12-070	AMD 90-24-008	315-11-360	REP-P 90-21-002	315-33-020	NEW 90-06-060
314-12-135	NEW-P 90-10-088	315-11-361	REP-P 90-21-002	315-33-030	NEW-P 90-03-109
314-12-135	NEW 90-14-003	315-11-362	REP-P 90-21-002	315-33-030	NEW 90-06-060
314-12-175	AMD-P 90-10-087	315-11-370	REP-P 90-21-002	315-33-040	NEW-P 90-03-109
314-12-175	REP 90-14-012	315-11-371	REP-P 90-21-002	315-33-040	NEW 90-06-060
314-16-170	AMD-P 90-03-088	315-11-372	REP-P 90-21-002	315-33-050	NEW-P 90-03-109
314-16-170	AMD-W 90-17-018	315-11-380	REP-P 90-21-002	315-33-050	NEW 90-06-060
314-20-020	AMD-P 90-10-090	315-11-381	REP-P 90-21-002	315-33-060	NEW-P 90-03-109
314-20-020	AMD 90-18-008	315-11-382	REP-P 90-21-002	315-33-060	NEW 90-06-060

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
315-33-070	NEW P 90 03-109	316-85-060	NEW 90-06-046	320-12-020	DECOD-P 90-21-085
315-33-070	NEW 90-06-060	316-85-070	NEW-P 90-03-040	320-12-030	DECOD-P 90-21-085
315-34-010	NEW-P 90 16 094	316-85-070	NEW 90-06-046	320-12-040	DECOD-P 90-21-085
315-34-010	NEW 90-19-048	316-85-080	NEW-P 90-03-040	320-12-050	DECOD-P 90-21-085
315-34-020	NEW-P 90-16-094	316-85-080	NEW 90-06-046	320-12-060	DECOD-P 90-21-085
315-34-020	NEW 90-19-048	316 85-090	NEW-P 90-03-040	320-12-070	DECOD-P 90-21-085
315-34-030	NEW-P 90 16 094	316-85-090	NEW 90-06-046	320-12-080	DECOD-P 90-21-085
315-34-030	NEW 90-19-048	316-85 100	NEW-P 90-03-040	320-18-010	DECOD-P 90-21-085
315-34-040	NEW P 90 16-094	316 85-100	NEW 90-06-046	320-18-020	DECOD-P 90-21-085
315-34-040	NEW 90 19-048	318-04-010	NEW-P 90-22-103	320-18-030	DECOD-P 90-21-085
315-34-050	NEW P 90-16-094	318-04-020	NEW-P 90-22-103	320-20-010	DECOD-P 90-21-085
315-34-050	NEW 90 19 048	318-04-030	NEW-P 90-22-103	320-20-020	DECOD-P 90-21-085
315-34-060	NEW-P 90 16 094	318-04-040	NEW-P 90-22-103	320-20-030	DECOD-P 90-21-085
315-34-060	NEW 90-19-048	318-04-050	NEW-P 90-22-103	320-20-040	DECOD-P 90-21-085
316-55-001	AMD-P 90 03 039	318-04-060	NEW-P 90-22-103	320-20-050	DECOD-P 90-21-085
316-55-001	AMD 90-06-047	318-04-070	NEW-P 90-22-103	320-20-070	DECOD-P 90-21-085
316-55-001	NEW-P 90-03-039	318-04-080	NEW-P 90-22-103	320-20-080	DECOD-P 90-21-085
316-55-005	NEW 90 06-047	318-04-090	NEW-P 90-22-103	320-20-090	DECOD-P 90-21-085
316-55-010	AMD-P 90-03-039	320-08-001	DECOD-P 90-21-085	326-30-030	AMD 90-06-040
316-55-010	AMD 90-06-047	320-08-002	NEW-P 90-14-080	326-30-03902	NEW 90-06-041
316-55-020	AMD-P 90-03-039	320-08-002	NEW 90-20-049	326-30-03903	NEW-E 90-13-023
316-55-020	AMD 90-06-047	320-08-010	DECOD-P 90-21-085	326-30-03903	NEW-P 90-18-059
316-55-030	AMD-P 90-03-039	320-08-030	DECOD-P 90-21-085	326-30-03903	NEW-E 90-20-151
316-55-030	AMD 90-06-047	320-08-040	DECOD-P 90-21-085	326-30-03903	NEW 90-21-139
316-55-050	AMD-P 90-03-039	320-08-050	DECOD-P 90-21-085	332-24-700	NEW-P 90-12-015
316-55-050	AMD 90-06-047	320-08-055	DECOD-P 90-21-085	332-24-700	NEW 90-15-061
316-55-070	AMD-P 90-03-039	320-08-070	DECOD-P 90-21-085	332-26-010	NEW-E 90-15-012
316-55-070	AMD 90-06-047	320-08-080	DECOD-P 90-21-085	332-26-020	NEW-E 90-15-012
316-55-090	RE-AD-P 90-03-039	320-08-100	DECOD-P 90-21-085	332-26-030	NEW-E 90-15-012
316-55-090	RE-AD 90-06-047	320-08-110	DECOD-P 90-21-085	332-26-030	REP-E 90-17-015
316-55-110	AMD-P 90-03-039	320-08-120	DECOD-P 90-21-085	332-26-040	NEW-E 90-15-012
316-55-110	AMD 90-06-047	320-08-130	DECOD-P 90-21-085	332-26-050	NEW-E 90-15-012
316-55-120	NEW-P 90-03-039	320-08-140	DECOD-P 90-21-085	332-26-060	NEW-E 90-15-012
316-55-120	NEW 90-06-047	320-08-150	DECOD-P 90-21-085	332-26-080	NEW-E 90-17-015
316-55-130	RE-AD-P 90-03-039	320-08-160	DECOD-P 90-21-085	332-26-081	NEW-E 90-18-053
316-55-130	RE-AD 90-06-047	320-08-170	DECOD-P 90-21-085	332-30-166	AMD 90-02-085
316-55-150	RE-AD-P 90-03-039	320-08-180	DECOD-P 90-21-085	332-130-030	AMD-P 90-03-066
316-55-150	RE-AD 90-06-047	320-08-190	DECOD-P 90-21-085	332-130-030	AMD 90-06-028
316-55-160	AMD-P 90-03-039	320-08-200	DECOD-P 90-21-085	332-130-070	AMD-P 90-03-066
316-55-160	AMD 90-06-047	320-08-210	DECOD-P 90-21-085	332-130-070	AMD 90-06-028
316-55-170	RE-AD-P 90-03-039	320-08-220	DECOD-P 90-21-085	332-130-080	AMD-P 90-03-066
316-55-170	RE-AD 90-06-047	320-08-230	DECOD-P 90-21-085	332-130-080	AMD 90-06-028
316-55-500	AMD P 90 03-039	320-08-240	DECOD-P 90-21-085	332-130-090	AMD-P 90-03-066
316-55-500	AMD 90-06-047	320-08-250	DECOD-P 90-21-085	332-130-090	AMD 90-06-028
316-55-505	AMD-P 90-03-039	320-08-260	DECOD-P 90-21-085	352-12-020	AMD-P 90-04-108
316-55-505	AMD 90-06-047	320-08-270	DECOD-P 90-21-085	352-12-020	AMD 90-07-062
316-55-510	RE-AD P 90-03-039	320-08-280	DECOD-P 90-21-085	352-12-020	AMD-E 90-08-121
316-55-510	RE-AD 90-06-047	320-08-290	DECOD-P 90-21-085	352-12-030	AMD-P 90-04-108
316-55-515	AMD-P 90-03-039	320-08-300	DECOD-P 90-21-085	352-12-030	AMD 90-07-062
316-55-515	AMD 90-06-047	320-08-310	DECOD-P 90-21-085	352-12-030	AMD-E 90-08-121
316-55-517	NEW-P 90-03-039	320-08-320	DECOD-P 90-21-085	352-20-010	AMD-P 90-04-108
316-55-517	NEW 90-06-047	320-08-330	DECOD-P 90-21-085	352-20-010	AMD 90-07-062
316-55-520	REP-P 90-03-039	320-08-340	DECOD-P 90-21-085	352-20-010	AMD-E 90-08-121
316-55-520	REP 90-06-047	320-08-350	DECOD-P 90-21-085	352-20-050	AMD-P 90-04-108
316-55-525	AMD-P 90-03-039	320-08-360	DECOD-P 90-21-085	352-20-050	AMD 90-07-062
316-55-525	AMD 90-06-047	320-08-370	DECOD-P 90-21-085	352-20-050	AMD-E 90-08-121
316-55-600	RE-AD-P 90-03-039	320-08-380	DECOD-P 90-21-085	352-32-010	AMD-P 90-04-108
316-55-600	RE-AD 90-06-047	320-08-390	DECOD-P 90-21-085	352-32-010	AMD-W 90-07-064
316-55-700	NEW-P 90-03-039	320-08-400	DECOD-P 90-21-085	352-32-011	NEW-E 90-15-075
316-55-700	NEW 90-06-047	320-08-410	DECOD-P 90-21-085	352-32-011	NEW-P 90-16-105
316-55-710	NEW-P 90-03-039	320-08-420	DECOD-P 90-21-085	352-32-011	NEW 90-20-031
316-55-710	NEW 90-06-047	320-08-430	DECOD-P 90-21-085	352-32-045	AMD-P 90-04-108
316-55-730	NEW-P 90-03-039	320-08-440	DECOD-P 90-21-085	352-32-045	AMD 90-07-062
316-55-730	NEW 90-06-047	320-08-445	DECOD-P 90-21-085	352-32-045	AMD-E 90-08-121
316-85-001	NEW-P 90-03-040	320-08-450	DECOD-P 90-21-085	352-32-050	AMD-P 90-04-108
316-85-001	NEW 90-06-046	320-08-460	DECOD-P 90-21-085	352-32-050	AMD 90-07-062
316-85-010	NEW-P 90-03-040	320-08-470	DECOD-P 90-21-085	352-32-050	AMD-E 90-08-121
316-85-010	NEW 90-06-046	320-08-510	DECOD-P 90-21-085	352-32-235	AMD 90-04-025
316-85-020	NEW-P 90-03-040	320-08-520	DECOD-P 90-21-085	352-32-250	AMD-P 90-04-108
316-85-020	NEW 90-06-046	320-08-530	DECOD-P 90-21-085	352-32-250	AMD 90-07-062
316-85-030	NEW-P 90-03-040	320-08-540	DECOD-P 90-21-085	352-32-250	AMD-E 90-08-121
316-85-030	NEW 90-06-046	320-08-550	DECOD-P 90-21-085	352-32-25001	AMD-P 90-04-108
316-85-040	NEW-P 90-03-040	320-08-560	DECOD-P 90-21-085	352-32-25001	AMD 90-07-062
316-85-040	NEW 90-06-046	320-08-570	DECOD-P 90-21-085	352-32-25001	AMD-E 90-08-121
316-85-050	NEW-P 90-03-040	320-08-580	DECOD-P 90-21-085	352-32-25001	AMD-P 90-19-095
316-85-050	NEW 90-06-046	320-08-590	DECOD-P 90-21-085	352-32-25001	AMD 90-23-031
316-85-060	NEW-P 90-03-040	320-12-010	DECOD-P 90-21-085	352-32-251	AMD 90-04-024

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
352-32-252	AMD-P	90-04-108	352-37-140	NEW-E	90-06-006	352-66-110	NEW-P	90-04-107
352-32-252	AMD	90-07-062	352-37-140	NEW	90-07-050	352-66-110	NEW	90-07-051
352-32-252	AMD-E	90-08-121	352-37-150	NEW-P	90-04-106	352-66-120	NEW-P	90-04-107
352-32-270	AMD-P	90-06-108	352-37-150	NEW-E	90-06-006	352-66-120	NEW	90-07-051
352-32-270	AMD	90-10-023	352-37-150	NEW	90-07-050	352-75-010	NEW-P	90-06-110
352-36-010	REP-P	90-06-109	352-37-160	NEW-P	90-04-106	352-75-010	NEW	90-10-052
352-36-010	REP	90-10-024	352-37-160	NEW-E	90-06-006	352-75-020	NEW-P	90-06-110
352-36-020	REP-P	90-06-109	352-37-160	NEW	90-07-050	352-75-020	NEW	90-10-052
352-36-020	REP	90-10-024	352-37-170	NEW-P	90-04-106	352-75-030	NEW-P	90-06-110
352-36-025	REP-P	90-06-109	352-37-170	NEW-E	90-06-006	352-75-030	NEW	90-10-052
352-36-025	REP	90-10-024	352-37-170	NEW	90-07-050	352-75-040	NEW-P	90-06-110
352-36-030	REP-P	90-06-109	352-37-180	NEW-P	90-04-106	352-75-040	NEW	90-10-052
352-36-030	REP	90-10-024	352-37-180	NEW-E	90-06-006	352-75-050	NEW-P	90-06-110
352-36-040	REP-P	90-06-109	352-37-180	NEW	90-07-050	352-75-050	NEW	90-10-052
352-36-040	REP	90-10-024	352-37-190	NEW-P	90-04-106	352-75-060	NEW-P	90-06-110
352-36-050	REP-P	90-06-109	352-37-190	NEW-E	90-06-006	352-75-060	NEW	90-10-052
352-36-050	REP	90-10-024	352-37-190	NEW	90-07-050	352-75-070	NEW-P	90-06-110
352-36-060	REP-P	90-06-109	352-37-200	NEW-P	90-04-106	352-75-070	NEW	90-10-052
352-36-060	REP	90-10-024	352-37-200	NEW-E	90-06-006	352-75-080	NEW-P	90-06-110
352-36-070	REP-P	90-06-109	352-37-200	NEW	90-07-050	352-75-080	NEW	90-10-052
352-36-070	REP	90-10-024	352-37-210	NEW-P	90-04-106	352-75-090	NEW-P	90-06-110
352-36-080	REP-P	90-06-109	352-37-210	NEW-E	90-06-006	352-75-090	NEW	90-10-052
352-36-080	REP	90-10-024	352-37-210	NEW	90-07-050	356-05-063	NEW-P	90-11-112
352-36-090	REP-P	90-06-109	352-40-125	NEW-E	90-13-009	356-05-063	NEW-W	90-15-038
352-36-090	REP	90-10-024	352-40-125	NEW-P	90-16-106	356-05-210	AMD	90-03-044
352-36-100	REP-P	90-06-109	352-40-125	NEW	90-20-032	356-06-020	AMD-P	90-08-074
352-36-100	REP	90-10-024	352-40-127	NEW-E	90-13-009	356-06-020	AMD-E	90-12-026
352-36-110	REP-P	90-06-109	352-40-117	NEW-P	90-16-106	356-06-020	AMD	90-12-027
352-36-110	REP	90-10-024	352-40-127	NEW	90-20-032	356-06-040	AMD-P	90-20-148
352-36-115	REP-P	90-06-109	352-40-130	AMD-E	90-13-009	356-06-040	AMD-C	90-23-027
352-36-115	REP	90-10-024	352-40-130	AMD-P	90-16-106	356-06-055	AMD-P	90-08-074
352-36-120	REP-P	90-06-109	352-40-130	AMD	90-20-032	356-06-055	AMD-E	90-12-026
352-36-120	REP	90-10-024	352-40-140	AMD-E	90-13-009	356-06-055	AMD	90-12-027
352-36-130	REP-P	90-06-109	352-40-140	AMD-P	90-16-106	356-06-080	AMD-P	90-08-075
352-36-130	REP	90-10-024	352-40-140	AMD	90-20-032	356-06-080	AMD-E	90-12-021
352-36-140	REP-P	90-06-109	352-40-900	AMD-E	90-13-009	356-06-080	AMD	90-12-022
352-36-140	REP	90-10-024	352-40-900	AMD-P	90-16-106	356-07-030	AMD-C	90-03-048
352-37-010	NEW-P	90-04-106	352-40-900	AMD	90-20-032	356-07-030	AMD	90-07-056
352-37-010	NEW-E	90-06-006	352-64-020	AMD	90-04-064	356-07-055	NEW-P	90-22-076
352-37-010	NEW	90-07-050	352-64-030	AMD	90-04-064	356-07-060	AMD-P	90-22-076
352-37-020	NEW-P	90-04-106	352-64-040	AMD	90-04-064	356-10-050	AMD-P	90-20-149
352-37-020	NEW-E	90-06-006	352-64-050	AMD	90-04-064	356-10-050	AMD-C	90-23-028
352-37-020	NEW	90-07-050	352-64-060	AMD	90-04-064	356-14-067	NEW-E	90-19-042
352-37-030	NEW-P	90-04-106	352-64-070	AMD	90-04-064	356-14-067	NEW-P	90-20-150
352-37-030	NEW-E	90-06-006	352-64-080	AMD	90-04-064	356-14-067	NEW	90-23-030
352-37-030	NEW	90-07-050	352-65-010	NEW-P	90-09-070	356-14-140	AMD-P	90-18-086
352-37-040	NEW-P	90-04-106	352-65-010	NEW	90-13-008	356-14-140	AMD-E	90-19-042
352-37-040	NEW-E	90-06-006	352-65-020	NEW-P	90-09-070	356-14-140	AMD-P	90-20-150
352-37-040	NEW	90-07-050	352-65-020	NEW	90-13-008	356-14-140	AMD-W	90-21-135
352-37-050	NEW-P	90-04-106	352-65-030	NEW-P	90-09-070	356-14-140	AMD	90-23-030
352-37-050	NEW-E	90-06-006	352-65-030	NEW	90-13-008	356-14-240	AMD-P	90-03-102
352-37-050	NEW	90-07-050	352-65-040	NEW-P	90-09-070	356-14-240	AMD-C	90-07-054
352-37-060	NEW-P	90-04-106	352-65-040	NEW	90-13-008	356-14-240	AMD-C	90-10-015
352-37-060	NEW-E	90-06-006	352-65-050	NEW-P	90-09-070	356-14-240	AMD-W	90-11-043
352-37-060	NEW	90-07-050	352-65-050	NEW	90-13-008	356-14-240	AMD-C	90-12-017
352-37-070	NEW-P	90-04-106	352-65-060	NEW-P	90-09-070	356-14-240	AMD-W	90-13-066
352-37-070	NEW-E	90-06-006	352-65-060	NEW	90-13-008	356-15-020	AMD-P	90-16-049
352-37-070	NEW	90-07-050	352-66-010	NEW-P	90-04-107	356-15-020	AMD-C	90-19-043
352-37-080	NEW-P	90-04-106	352-66-010	NEW	90-07-051	356-15-020	AMD-W	90-21-135
352-37-080	NEW-E	90-06-006	352-66-020	NEW-P	90-04-107	356-15-060	AMD-P	90-03-102
352-37-080	NEW	90-07-050	352-66-020	NEW	90-07-051	356-15-060	AMD-C	90-07-054
352-37-090	NEW-P	90-04-106	352-66-030	NEW-P	90-04-107	356-15-060	AMD-C	90-10-015
352-37-090	NEW-E	90-06-006	352-66-030	NEW	90-07-051	356-15-060	AMD-C	90-12-017
352-37-090	NEW	90-07-050	352-66-040	NEW-P	90-04-107	356-15-060	AMD-W	90-13-066
352-37-100	NEW-P	90-04-106	352-66-040	NEW	90-07-051	356-15-080	AMD-P	90-22-075
352-37-100	NEW-E	90-06-006	352-66-050	NEW-P	90-04-107	356-15-100	AMD-P	90-11-112
352-37-100	NEW	90-07-050	352-66-050	NEW	90-07-051	356-15-100	AMD-E	90-15-036
352-37-110	NEW-P	90-04-106	352-66-060	NEW-P	90-04-107	356-15-100	AMD	90-15-037
352-37-110	NEW-E	90-06-006	352-66-060	NEW	90-07-051	356-15-125	AMD-P	90-03-102
352-37-110	NEW	90-07-050	352-66-070	NEW-P	90-04-107	356-15-125	AMD-C	90-07-054
352-37-120	NEW-P	90-04-106	352-66-070	NEW	90-07-051	356-15-125	AMD-C	90-10-015
352-37-120	NEW-E	90-06-006	352-66-080	NEW-P	90-04-107	356-15-125	AMD-C	90-12-017
352-37-120	NEW	90-07-050	352-66-080	NEW	90-07-051	356-15-125	AMD-W	90-13-066
352-37-130	NEW-P	90-04-106	352-66-090	NEW-P	90-04-107	356-15-130	AMD-P	90-10-039
352-37-130	NEW-E	90-06-006	352-66-090	NEW	90-07-051	356-15-130	AMD-E	90-11-042
352-37-130	NEW	90-07-050	352-66-100	NEW-P	90-04-107	356-15-130	AMD	90-13-068
352-37-140	NEW-P	90-04-106	352-66-100	NEW	90-07-051	356-15-130	AMD-E	90-19-042

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
356-15-130	AMD P 90 20-150	356-34-117	REP-C 90-07-053	356-37-140	NEW-P 90-03-101
356-15-130	AMD 90 23-030	356-34-117	REP-E 90-10-017	356-37-140	NEW 90-07-057
356-22-010	AMD-C 90-03-047	356-34-117	REP 90-10-018	356-37-150	NEW-P 90-03-101
356-22-010	AMD 90 05-029	356-34-118	REP-P 90-03-101	356-37-150	NEW 90-07-057
356-22-060	AMD-P 90-20-144	356-34-118	REP-C 90-07-053	356-42-055	AMD-P 90-03-104
356-22-060	AMD-C 90-23-023	356-34-118	REP-E 90-10-017	356-42-055	AMD 90-08-020
356-22-070	AMD-P 90-08-072	356-34-118	REP 90-10-018	356-42-056	NEW-P 90-03-103
356-22-070	AMD 90-12-020	356-34-119	REP-P 90-03-101	356-42-056	NEW-W 90-17-022
356-22-11001	REP C 90 03-047	356-34-119	REP-C 90-07-053	356-46-060	AMD-P 90-07-052
356-22-11001	REP 90 05-029	356-34-119	REP-E 90-10-017	356-46-060	AMD 90-12-018
356-22-111	NEW C 90 03-047	356-34-119	REP 90-10-018	356-46-135	NEW-P 90-08-071
356-22-111	NEW 90 05-029	356-34-130	REP-P 90-03-101	356-46-135	NEW-C 90-12-016
356-22-120	AMD-C 90 03-047	356-34-130	REP-C 90-07-053	356-46-135	NEW-C 90-13-067
356-22-120	AMD 90 05-029	356-34-130	REP-E 90-10-017	356-46-135	NEW-E 90-15-034
356-22-120	AMD-P 90 20-145	356-34-130	REP 90-10-018	356-46-135	NEW 90-15-035
356-22-120	AMD-C 90 23-024	356-34-140	REP-P 90-03-101	356-46-140	NEW-P 90-08-071
356-22-130	AMD-P 90 20-146	356-34-140	REP-C 90-07-053	356-46-140	NEW-C 90-12-016
356-22-130	AMD C 90 23-025	356-34-140	REP-E 90-10-017	356-46-140	NEW-C 90-13-067
356-22-140	AMD-P 90 20-147	356-34-140	REP 90-10-018	356-46-140	NEW-E 90-15-034
356-22-140	AMD-C 90 23-026	356-34-160	REP-P 90-03-101	356-46-140	NEW 90-15-035
356-22-230	AMD-P 90-20-148	356-34-160	REP-C 90-07-053	356-46-145	NEW-P 90-08-071
356-22-230	AMD-C 90-23-027	356-34-160	REP-E 90-10-017	356-46-145	NEW-C 90-12-016
356-26-040	AMD P 90-12-018	356-34-160	REP 90-10-018	356-46-145	NEW-C 90-13-067
356-26-040	AMD-C 90-15-033	356-34-170	REP-P 90-03-101	356-46-145	NEW-E 90-15-034
356-26-040	AMD-C 90-19-046	356-34-170	REP-C 90-07-053	356-46-145	NEW 90-15-035
356-26-040	AMD-C 90-21-132	356-34-170	REP-E 90-10-017	356-47-030	AMD-P 90-08-073
356-26-060	AMD-P 90-08-075	356-34-170	REP 90-10-018	356-47-030	AMD-E 90-12-023
356-26-060	AMD-E 90-12-021	356-34-180	REP-P 90-03-101	356-47-030	AMD 90-12-024
356-26-060	AMD 90-12-022	356-34-180	REP-C 90-07-053	356-47-090	AMD-P 90-08-070
356-26-060	AMD-P 90-16-050	356-34-180	REP-E 90-10-017	356-47-090	AMD 90-12-025
356-26-060	AMD-C 90-19-044	356-34-180	REP 90-10-018	360-08-005	DECOD-P 90-21-142
356-26-060	AMD C 90 21-133	356-34-190	REP-P 90-03-101	360-08-010	DECOD-P 90-21-142
356-26-060	AMD-C 90 23-029	356-34-190	REP-C 90-07-053	360-08-040	DECOD-P 90-21-142
356-30-135	NEW-P 90-16-050	356-34-190	REP-E 90-10-017	360-08-050	DECOD-P 90-21-142
356-30-135	NEW-C 90 19-044	356-34-190	REP 90-10-018	360-08-060	DECOD-P 90-21-142
356-30-135	NEW-C 90-21-133	356-34-200	REP-P 90-03-101	360-08-230	DECOD-P 90-21-142
356-30-135	NEW-C 90-23-029	356-34-200	REP-C 90-07-053	360-08-240	DECOD-P 90-21-142
356-30-145	AMD-C 90-03-045	356-34-200	REP-E 90-10-017	360-08-250	DECOD-P 90-21-142
356-30-145	AMD-C 90-05-027	356-34-200	REP 90-10-018	360-08-260	DECOD-P 90-21-142
356-30-145	AMD-C 90-07-055	356-34-210	REP-P 90-03-101	360-08-270	DECOD-P 90-21-142
356-30-145	AMD-C 90-10-016	356-34-210	REP-C 90-07-053	360-08-280	DECOD-P 90-21-142
356-30-145	AMD-W 90-11-043	356-34-210	REP-E 90-10-017	360-08-290	DECOD-P 90-21-142
356-30-180	AMD C 90 03-045	356-34-210	REP 90-10-018	360-08-300	DECOD-P 90-21-142
356-30-180	AMD-C 90-05-027	356-34-220	REP-P 90-03-101	360-08-310	DECOD-P 90-21-142
356-30-180	AMD-C 90-07-055	356-34-220	REP-C 90-07-053	360-08-320	DECOD-P 90-21-142
356-30-180	AMD-W 90-11-043	356-34-220	REP-E 90-10-017	360-08-330	DECOD-P 90-21-142
356-30-190	AMD-C 90-03-045	356-34-220	REP 90-10-018	360-08-340	DECOD-P 90-21-142
356-30-190	AMD-C 90-05-027	356-34-230	REP-P 90-03-101	360-08-350	DECOD-P 90-21-142
356-30-190	AMD-C 90-07-055	356-34-230	REP-C 90-07-053	360-08-360	DECOD-P 90-21-142
356-30-190	AMD-W 90-11-043	356-34-230	REP-E 90-10-017	360-08-370	DECOD-P 90-21-142
356-30-280	AMD-C 90-03-045	356-34-230	REP 90-10-018	360-08-380	DECOD-P 90-21-142
356-30-280	AMD-C 90-05-027	356-37-010	NEW-P 90-03-101	360-08-390	DECOD-P 90-21-142
356-30-280	AMD-C 90-07-055	356-37-010	NEW 90-07-057	360-08-400	DECOD-P 90-21-142
356-30-280	AMD-W 90-11-043	356-37-020	NEW-P 90-03-101	360-08-420	DECOD-P 90-21-142
356-30-320	AMD-C 90-03-045	356-37-020	NEW 90-07-057	360-08-520	DECOD-P 90-21-142
356-30-320	AMD 90-05-028	356-37-030	NEW-P 90-03-101	360-08-530	DECOD-P 90-21-142
356-30-320	AMD-P 90-12-019	356-37-030	NEW 90-07-057	360-08-540	DECOD-P 90-21-142
356-30-320	AMD-C 90-15-032	356-37-040	NEW-P 90-03-101	360-08-550	DECOD-P 90-21-142
356-30-320	AMD-C 90-19-045	356-37-040	NEW 90-07-057	360-08-560	DECOD-P 90-21-142
356-30-320	AMD-C 90-21-134	356-37-050	NEW-P 90-03-101	360-08-570	DECOD-P 90-21-142
356-34-010	AMD-P 90-16-050	356-37-050	NEW 90-07-057	360-08-580	DECOD-P 90-21-142
356-34-010	AMD-C 90-19-044	356-37-060	NEW-P 90-03-101	360-08-590	DECOD-P 90-21-142
356-34-010	AMD-C 90-21-133	356-37-060	NEW 90-07-057	360-10-010	DECOD-P 90-21-142
356-34-010	AMD-C 90-23-029	356-37-070	NEW-P 90-03-101	360-10-020	DECOD-P 90-21-142
356-34-110	REP-P 90-03-101	356-37-070	NEW 90-07-057	360-10-030	DECOD-P 90-21-142
356-34-110	REP-C 90-07-053	356-37-080	NEW-P 90-03-101	360-10-040	DECOD-P 90-21-142
356-34-110	REP-E 90-10-017	356-37-080	NEW 90-07-057	360-10-050	AMD-P 90-03-053
356-34-110	REP 90-10-018	356-37-090	NEW-P 90-03-101	360-10-050	AMD-W 90-11-069
356-34-113	REP-P 90-03-101	356-37-090	NEW 90-07-057	360-10-050	AMD 90-11-079
356-34-113	REP-C 90-07-053	356-37-100	NEW-P 90-03-101	360-10-050	DECOD-P 90-21-142
356-34-113	REP-E 90-10-017	356-37-100	NEW 90-07-057	360-10-060	DECOD-P 90-21-142
356-34-113	REP 90-10-018	356-37-110	NEW-P 90-03-101	360-10-080	DECOD-P 90-21-142
356-34-115	REP-P 90-03-101	356-37-110	NEW 90-07-057	360-11-010	DECOD-P 90-21-142
356-34-115	REP-C 90-07-053	356-37-120	NEW-P 90-03-101	360-11-020	DECOD-P 90-21-142
356-34-115	REP-E 90-10-017	356-37-120	NEW 90-07-057	360-11-023	DECOD-P 90-21-142
356-34-115	REP 90-10-018	356-37-130	NEW-P 90-03-101	360-11-027	DECOD-P 90-21-142
356-34-117	REP-P 90-03-101	356-37-130	NEW 90-07-057	360-11-030	DECOD-P 90-21-142



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-54-040	DECOD-P 90-21-142	371-08-144	AMD-P 90-14-097	374-40-010	NEW-P 90-15-066
360-54-050	DECOD-P 90-21-142	371-08-146	NEW-P 90-14-097	374-40-010	NEW 90-18-057
360-60-010	DECOD-P 90-21-142	371-08-147	NEW-P 90-14-097	374-40-020	NEW-P 90-15-066
360-60-020	DECOD-P 90-21-142	371-08-148	NEW-P 90-14-097	374-40-020	NEW 90-18-057
360-60-030	DECOD-P 90-21-142	371-08-155	AMD-P 90-14-097	374-40-030	NEW-P 90-15-066
360-60-040	DECOD-P 90-21-142	371-08-156	AMD-P 90-14-097	374-40-030	NEW 90-18-057
365-90-010	AMD-P 90-22-107	371-08-160	REP-P 90-14-097	374-40-040	NEW-P 90-15-066
365-90-020	AMD-P 90-22-107	371-08-162	NEW-P 90-14-097	374-40-040	NEW 90-18-057
365-90-030	REP-P 90-22-107	371-08-163	REP-P 90-14-097	374-40-050	NEW-P 90-15-066
365-90-040	AMD-P 90-22-107	371-08-165	AMD-P 90-14-097	374-40-050	NEW 90-18-057
365-90-050	REP-P 90-22-107	371-08-175	REP-P 90-14-097	374-50-010	NEW-E 90-24-045
365-90-070	AMD-P 90-22-107	371-08-180	AMD-P 90-14-097	374-50-020	NEW-E 90-24-045
365-90-080	AMD-P 90-22-107	371-08-183	AMD-P 90-14-097	374-50-030	NEW-E 90-24-045
365-90-090	AMD-P 90-22-107	371-08-184	NEW-P 90-14-097	374-50-040	NEW-E 90-24-045
365-110-020	AMD-P 90-03-017	371-08-186	AMD-P 90-14-097	374-50-050	NEW-E 90-24-045
365-110-020	AMD 90-09-008	371-08-187	AMD-P 90-14-097	374-50-060	NEW-E 90-24-045
365-110-030	REP-P 90-03-017	371-08-188	AMD-P 90-14-097	374-50-070	NEW-E 90-24-045
365-110-030	REP 90-09-008	371-08-189	AMD-P 90-14-097	374-50-080	NEW-E 90-24-045
365-110-035	AMD-P 90-03-017	371-08-190	REP-P 90-14-097	374-50-090	NEW-E 90-24-045
365-110-040	AMD 90-09-008	371-08-195	AMD-P 90-14-097	381	AMD 90-14-014
365-110-040	REP-P 90-03-017	371-08-196	AMD-P 90-14-097	388-08	AMD-C 90-12-041
365-110-040	REP 90-09-008	371-08-200	AMD-P 90-14-097	388-08-00201	REP-C 90-04-020
365-110-050	REP P 90-03-017	371-08-201	REP-P 90-14-097	388-08-00201	REP 90-04-076
365-110-050	REP 90-09-008	371-08-205	REP-P 90-14-097	388-08-00401	REP-C 90-04-020
365-110-060	REP P 90-03-017	371-08-210	REP-P 90-14-097	388-08-00401	REP 90-04-076
365-110-060	REP 90-09-008	371-08-215	AMD-P 90-14-097	388-08-006	REP-C 90-04-020
365-110-080	REP P 90-03-017	371-08-220	AMD-P 90-14-097	388-08-006	REP 90-04-076
365-110-080	REP 90-09-008	371-08-230	AMD-P 90-14-097	388-08-00601	REP-C 90-04-020
365-190-010	NEW-E 90-18-063	371-08-240	AMD-P 90-14-097	388-08-00601	REP 90-04-076
365-190-010	NEW P 90-21-161	371-08-245	REP-P 90-14-097	388-08-010	REP-C 90-04-020
365-190-020	NEW-E 90-18-063	371-12-010	REP-P 90-14-097	388-08-010	REP 90-04-076
365-190-020	NEW P 90-21-161	371-12-020	REP-P 90-14-097	388-08-405	REP-C 90-04-020
365-190-030	NEW-E 90-18-063	371-12-030	REP-P 90-14-097	388-08-405	REP 90-04-076
365-190-030	NEW P 90-21-161	371-12-040	REP-P 90-14-097	388-08-406	REP-C 90-04-020
365-190-040	NEW-E 90-18-063	371-12-050	REP-P 90-14-097	388-08-406	REP 90-04-076
365-190-040	NEW P 90-21-161	371-12-060	REP-P 90-14-097	388-08-409	REP-C 90-04-020
365-190-050	NEW-E 90-18-063	371-12-070	REP-P 90-14-097	388-08-409	REP 90-04-076
365-190-050	NEW P 90-21-161	371-12-080	REP-P 90-14-097	388-08-410	NEW-C 90-04-020
365-190-060	NEW-E 90-18-063	371-12-090	REP-P 90-14-097	388-08-410	NEW 90-04-076
365-190-060	NEW P 90-21-161	371-12-100	REP-P 90-14-097	388-08-410	AMD-P 90-09-095
365-190-070	NEW-E 90-18-063	371-12-110	REP-P 90-14-097	388-08-410	AMD-W 90-13-053
365-190-070	NEW P 90-21-161	371-12-120	REP-P 90-14-097	388-08-413	AMD-C 90-04-020
365-190-080	NEW-E 90-18-063	371-12-130	REP-P 90-14-097	388-08-413	AMD 90-04-076
365-190-080	NEW P 90-21-161	374-20-010	NEW-P 90-10-093	388-08-416	REP-C 90-04-020
371-08-001	NEW-P 90-14-097	374-20-010	NEW 90-14-019	388-08-416	REP 90-04-076
371-08-002	NEW-P 90-14-097	374-20-020	NEW-P 90-10-093	388-08-425	NEW-C 90-04-020
371-08-005	AMD-P 90-14-097	374-20-020	NEW 90-14-019	388-08-425	NEW 90-04-076
371-08-010	AMD-P 90-14-097	374-20-030	NEW-P 90-10-093	388-08-428	NEW-C 90-04-020
371-08-015	REP P 90-14-097	374-20-030	NEW 90-14-019	388-08-428	NEW 90-04-076
371-08-020	AMD-P 90-14-097	374-20-040	NEW-P 90-10-093	388-08-431	NEW-C 90-04-020
371-08-030	AMD P 90-14-097	374-20-040	NEW 90-14-019	388-08-431	NEW 90-04-076
371-08-031	REP P 90-14-097	374-20-050	NEW-P 90-10-093	388-08-434	NEW-C 90-04-020
371-08-032	AMD P 90-14-097	374-20-050	NEW 90-14-019	388-08-434	NEW 90-04-076
371-08-033	NEW-P 90-14-097	374-20-050	AMD-P 90-18-071	388-08-435	REP-C 90-04-020
371-08-035	AMD P 90-14-097	374-20-050	AMD 90-21-051	388-08-435	REP 90-04-076
371-08-040	AMD-P 90-14-097	374-20-060	NEW-P 90-10-093	388-08-437	NEW-C 90-04-020
371-08-045	REP P 90-14-097	374-20-060	NEW 90-14-019	388-08-437	NEW 90-04-076
371-08-065	AMD P 90-14-097	374-20-070	NEW-P 90-10-093	388-08-440	NEW-C 90-04-020
371-08-071	AMD P 90-14-097	374-20-070	NEW 90-14-019	388-08-440	NEW 90-04-076
371-08-075	AMD-P 90-14-097	374-20-080	NEW-P 90-10-093	388-08-446	NEW-C 90-04-020
371-08-080	AMD P 90-14-097	374-20-080	NEW 90-14-019	388-08-446	NEW 90-04-076
371-08-085	AMD P 90-14-097	374-20-090	NEW-P 90-10-093	388-08-449	NEW-C 90-04-020
371-08-095	REP P 90-14-097	374-20-090	NEW 90-14-019	388-08-449	NEW 90-04-076
371-08-100	AMD P 90-14-097	374-20-100	NEW-P 90-10-093	388-08-452	NEW-C 90-04-020
371-08-102	REP P 90-14-097	374-20-100	NEW 90-14-019	388-08-452	NEW 90-04-076
371-08-104	AMD-P 90-14-097	374-30-010	NEW-P 90-10-094	388-08-461	NEW-C 90-04-020
371-08-105	REP P 90-14-097	374-30-010	NEW 90-14-020	388-08-461	NEW 90-04-076
371-08-106	NEW-P 90-14-097	374-30-020	NEW-P 90-10-094	388-08-464	NEW-C 90-04-020
371-08-110	REP P 90-14-097	374-30-020	NEW 90-14-020	388-08-464	NEW 90-04-076
371-08-115	REP P 90-14-097	374-30-030	NEW-P 90-10-094	388-08-470	NEW-C 90-04-020
371-08-120	REP P 90-14-097	374-30-030	NEW 90-14-020	388-08-470	NEW 90-04-076
371-08-125	AMD-P 90-14-097	374-30-040	NEW-P 90-10-094	388-08-482	NEW-P 90-09-095
371-08-130	AMD-P 90-14-097	374-30-040	NEW 90-14-020	388-08-482	NEW-W 90-10-028
371-08-131	REP P 90-14-097	374-30-050	NEW-P 90-10-094	388-08-485	NEW-P 90-09-095
371-08-132	REP P 90-14-097	374-30-050	NEW 90-14-020	388-08-485	NEW-W 90-10-028
371-08-135	REP P 90-14-097	374-30-060	NEW-P 90-10-094	388-08-488	NEW-P 90-09-095
371-08-140	AMD P 90-14-097	374-30-060	NEW 90-14-020	388-08-488	NEW-W 90-10-028

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-08-491	NEW-P	90-09-095	388-13-050	AMD	90-04-077	388-15-880	AMD-E	90-02-079
388-08-491	NEW W	90 10-028	388-13-060	AMD-C	90-04-021	388-15-880	AMD-P	90-02-084
388-08-515	NEW-C	90-04-020	388-13-060	AMD	90-04-077	388-15-880	AMD	90-06-038
388-08-515	NEW	90-04-076	388-13-070	AMD-C	90-04-021	388-17-100	AMD-C	90-04-022
388-08-525	NEW-C	90-04-020	388-13-070	AMD	90-04-077	388-17-100	AMD	90-04-070
388-08-525	NEW	90-04-076	388-13-080	REP-C	90-04-021	388-17-500	AMD-C	90-04-022
388-08-535	NEW-C	90-04-020	388-13-080	REP	90-04-077	388-17-500	AMD	90-04-070
388-08-535	NEW	90-04-076	388-13-110	AMD-C	90-04-021	388-17-510	AMD-C	90-04-022
388-08-540	REP-C	90-04-020	388-13-110	AMD	90-04-077	388-17-510	AMD	90-04-070
388-08-540	REP	90-04-076	388-13-120	AMD-C	90-04-021	388-19-005	AMD-P	90-10-065
388-08-545	NEW C	90-04-020	388-13-120	AMD	90-04-077	388-19-005	AMD	90-12-112
388-08-545	NEW	90-04-076	388-14-200	AMD	90-05-022	388-19-005	DECOD-P	90-22-100
388-08-550	REP-C	90-04-020	388-14-260	AMD-C	90-04-021	388-19-015	AMD-P	90-10-065
388-08-550	REP	90-04-076	388-14-260	AMD	90-04-077	388-19-015	AMD	90-12-112
388-08-555	NEW-C	90-04-020	388-14-270	AMD-P	90-03-041	388-19-015	DECOD-P	90-22-100
388-08-555	NEW	90-04-076	388-14-270	AMD-E	90-03-042	388-19-020	AMD-P	90-10-065
388-08-560	REP-C	90-04-020	388-14-270	AMD-C	90-04-021	388-19-020	AMD	90-12-112
388-08-560	REP	90-04-076	388-14-270	AMD-W	90-04-069	388-19-020	DECOD-P	90-22-100
388-08-565	NEW-C	90-04-020	388-14-270	AMD-E	90-11-048	388-19-025	AMD-P	90-10-065
388-08-565	NEW	90-04-076	388-14-270	AMD	90-17-001	388-19-025	AMD	90-12-112
388-08-575	NEW-C	90-04-020	388-14-300	AMD-P	90-12-083	388-19-025	DECOD-P	90-22-100
388-08-575	NEW	90-04-076	388-14-300	AMD-E	90-12-085	388-19-030	AMD-P	90-10-065
388-08-580	REP-C	90-04-020	388-14-300	AMD	90-16-041	388-19-030	AMD	90-12-112
388-08-580	REP	90-04-076	388-14-302	REP-P	90-12-083	388-19-030	DECOD-P	90-22-100
388-08-590	REP-C	90-04-020	388-14-302	REP-E	90-12-085	388-19-035	AMD-P	90-10-065
388-08-590	REP	90-04-076	388-14-302	REP	90-16-041	388-19-035	AMD	90-12-112
388-09-010	REP-C	90-04-020	388-14-305	REP-P	90-12-083	388-19-035	DECOD-P	90-22-100
388-09-010	REP	90 05-020	388-14-305	REP-E	90-12-085	388-19-040	DECOD-P	90-22-100
388-09-020	REP-C	90-04-020	388-14-305	REP	90-16-041	388-19-045	AMD-P	90-10-065
388-09-020	REP	90 05-020	388-14-310	AMD-P	90-12-083	388-19-045	AMD	90-12-112
388-09-030	REP C	90-04-020	388-14-310	AMD-E	90-12-085	388-19-045	DECOD-P	90-22-100
388-09-030	REP	90-05-020	388-14-310	AMD	90-16-041	388-19-050	DECOD-P	90-22-100
388-09-040	REP-C	90-04-020	388-14-385	AMD-C	90-04-021	388-24	AMD-C	90-12-038
388-09-040	REP	90-05-020	388-14-385	AMD	90-04-077	388-24	AMD-C	90-13-042
388-11	AMD-C	90-19-101	388-14-390	AMD-C	90-04-021	388-24	AMD-C	90-15-056
388-11-011	AMD-P	90 15 010	388-14-390	AMD	90-04-077	388-24-050	AMD-P	90-09-079
388-11-011	AMD E	90-15-011	388-14-415	AMD-C	90-04-021	388-24-050	AMD-C	90-12-039
388-11-011	AMD	90-20-072	388-14-415	AMD	90-04-077	388-24-050	AMD-C	90-13-043
388-11-015	AMD-P	90-15-010	388-14-420	AMD-P	90-12-083	388-24-050	AMD-C	90-15-055
388-11-015	AMD-E	90-15-011	388-14-420	AMD-E	90-12-085	388-24-050	AMD-C	90-16-080
388-11-015	AMD	90-20-072	388-14-420	AMD	90-16-041	388-24-050	AMD-C	90-17-053
388-11-030	AMD-P	90-15-010	388-15-120	AMD-P	90-22-098	388-24-050	AMD-W	90-18-029
388-11-030	AMD E	90 15 011	388-15-207	AMD-P	90-11-124	388-24-070	AMD-P	90-09-054
388-11-030	AMD	90-20-072	388-15-207	AMD	90-15-029	388-24-070	AMD	90-16-081
388-11-100	AMD-C	90-04-021	388-15-208	AMD-P	90-11-124	388-24-074	AMD-P	90-09-054
388-11-100	AMD	90-04-077	388-15-208	AMD	90-15-029	388-24-074	AMD-E	90-09-055
388-11-105	REP C	90 04 021	388-15-208	AMD-P	90-24-088	388-24-074	AMD-P	90-15-054
388-11-105	REP	90-04-077	388-15-209	AMD-P	90-11-124	388-24-074	AMD-E	90-17-035
388-11-155	AMD-P	90-15-010	388-15-209	AMD	90-15-029	388-24-074	AMD-W	90-18-030
388-11-155	AMD-E	90 15 011	388-15-209	AMD-P	90-24-088	388-24-074	AMD-P	90-18-089
388-11-155	AMD	90 20 072	388-15-212	AMD-P	90-11-124	388-24-074	AMD	90-21-123
388-11-170	AMD-P	90 15 010	388-15-212	AMD	90-15-029	388-24-074	AMD-W	90-22-035
388-11-170	AMD-E	90 15 011	388-15-212	AMD-P	90-24-088	388-24-090	AMD-P	90-15-054
388-11-170	AMD	90 20 072	388-15-213	AMD-P	90-11-124	388-24-090	AMD-W	90-18-030
388-11-180	AMD C	90 04 021	388-15-213	AMD	90-15-029	388-24-090	AMD-P	90-18-089
388-11-180	AMD	90-04-077	388-15-214	AMD-P	90-11-124	388-24-090	AMD-E	90-18-093
388-11-185	REP C	90 04 021	388-15-214	AMD	90-15-029	388-24-090	AMD	90-21-123
388-11-185	REP	90 04 077	388-15-215	AMD-P	90-11-124	388-24-107	AMD-P	90-15-054
388-11-195	AMD P	90 15 010	388-15-215	AMD	90-15-029	388-24-107	AMD-W	90-18-030
388-11-195	AMD-E	90-15-011	388 15 215	AMD-P	90-24-088	388-24-107	AMD-P	90-18-089
388-11-195	AMD	90 20 072	388 15 216	AMD-P	90-11-124	388-24-107	AMD-E	90-18-093
388-11-200	AMD P	90 15 010	388-15-216	AMD	90-15-029	388-24-107	REP-E	90-20-055
388-11-200	AMD E	90 15 011	388-15-216	AMD-P	90-24-088	388-24-107	REP-P	90-20-057
388-11-200	AMD	90 20 072	388 15-217	AMD-P	90-11-124	388-24-111	AMD-P	90-09-054
388-11-205	AMD P	90 15 010	388 15-217	AMD	90-15-029	388-24-111	AMD	90-16-081
388-11-205	AMD-E	90 15 011	388-15-610	AMD-P	90-11-006	388-24-250	AMD-P	90-23-065
388-11-205	AMD	90 20-072	388 15-610	AMD	90-15-019	388-24-254	AMD-P	90-23-065
388-11-210	AMD-P	90 15 010	388-15-620	AMD-P	90-11-006	388-28-392	AMD-P	90-21-107
388-11-210	AMD E	90 15 011	388 15-620	AMD	90-15-019	388-28-480	AMD-P	90-14-047
388-11-210	AMD	90 20 072	388-15-630	AMD-P	90-11-006	388-28-480	AMD-E	90-14-062
388-11-215	AMD P	90 15 010	388-15-630	AMD	90-15-019	388-28-480	RESCIND	90-15-031
388-11-215	AMD-E	90-15-011	388 15 820	AMD-E	90-02-079	388-28-480	AMD-C	90-17-112
388-11-215	AMD	90 20 072	388-15-820	AMD-P	90-02-084	388-28-480	AMD	90-18-005
388-11-220	NFW P	90 15 010	388 15-820	AMD	90-06-038	388-28-480	AMD-P	90-21-144
388-11-220	NEW E	90 15 011	388 15 870	AMD-E	90-02-079	388-28-480	AMD-E	90-24-030
388-11-220	NEW	90 20 072	388 15-870	AMD-P	90-02-084	388-28-570	AMD-P	90-14-048
388-13-050	AMD-C	90 04 021	388-15-870	AMD	90-06-038	388-28-570	AMD	90-17-116



**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-28-575	AMD E	90-07-037	388-47-020	NEW-W	90-18-031	388-49-080	AMD-E	90-20-082
388-28-575	AMD P	90-07-081	388-47-020	NEW-E	90-20-055	388-49-080	AMD	90-23-072
388-28-575	AMD	90-11-003	388-47-020	NEW-P	90-20-057	388-49-110	AMD-P	90-20-077
388-29	AMD-C	90-05-024	388-47-030	NEW-P	90-15-030	388-49-110	AMD-E	90-20-078
388-29-001	AMD	90-06-035	388-47-030	NEW-W	90-18-031	388-49-110	AMD	90-23-073
388-29-100	AMD	90-06-035	388-47-030	NEW-E	90-20-055	388-49-180	AMD-P	90-09-086
388-29-100	AMD-P	90-11-081	388-47-030	NEW-P	90-20-057	388-49-180	AMD	90-12-058
388-29-100	AMD-E	90-11-082	388-47-040	NEW-P	90-15-030	388-49-190	AMD-P	90-10-066
388-29-100	AMD	90-15-018	388-47-040	NEW-W	90-18-031	388-49-190	AMD-W	90-11-014
388-29-100	AMD-E	90-17-136	388-47-050	NEW-E	90-20-055	388-49-190	AMD-P	90-11-016
388-29-100	AMD-P	90-17-139	388-47-050	NEW-P	90-20-057	388-49-190	AMD	90-14-064
388-29-100	AMD	90-21-031	388-47-070	NEW-E	90-20-055	388-49-400	AMD-P	90-20-083
388-29-100	AMD-P	90-23-064	388-47-070	NEW-P	90-20-057	388-49-400	AMD-E	90-20-084
388-29-110	AMD	90-06-035	388-47-100	NEW-P	90-15-030	388-49-400	AMD	90-23-075
388-29-110	AMD-P	90-23-064	388-47-100	NEW-W	90-18-031	388-49-410	AMD-E	90-07-036
388-29-112	AMD	90-06-035	388-47-100	NEW-E	90-20-055	388-49-410	AMD-P	90-07-079
388-29-112	AMD-P	90-23-064	388-47-100	NEW-P	90-20-057	388-49-410	AMD	90-11-004
388-29-160	AMD	90-06-035	388-47-105	NEW-E	90-20-055	388-49-420	AMD-P	90-20-083
388-29-160	AMD-P	90-23-064	388-47-105	NEW-P	90-20-057	388-49-420	AMD-E	90-20-084
388-29-200	AMD	90-06-035	388-47-107	NEW-E	90-20-055	388-49-420	AMD	90-23-075
388-29-220	AMD	90-06-035	388-47-107	NEW-P	90-20-057	388-49-470	AMD-P	90-08-041
388-29-220	AMD-P	90-23-064	388-47-110	NEW-P	90-15-030	388-49-470	AMD-E	90-08-058
388-29-230	AMD	90-06-035	388-47-110	NEW-W	90-18-031	388-49-470	AMD-W	90-11-013
388-29-230	AMD-P	90-23-064	388-47-110	NEW-E	90-20-055	388-49-470	AMD-P	90-12-005
388-29-260	REP	90-06-035	388-47-110	NEW-P	90-20-057	388-49-470	AMD-E	90-12-006
388-29-280	AMD	90-06-035	388-47-115	NEW-E	90-20-055	388-49-470	AMD	90-15-028
388-29-295	AMD	90-06-035	388-47-115	NEW-P	90-20-057	388-49-500	AMD-P	90-09-078
388-29-295	AMD-P	90-23-064	388-47-120	NEW-P	90-15-030	388-49-500	AMD	90-12-054
388-31	AMD-C	90-17-115	388-47-120	NEW-W	90-18-031	388-49-500	AMD-E	90-20-079
388-31-010	AMD P	90-14-049	388-47-120	NEW-E	90-20-055	388-49-500	AMD-P	90-20-080
388-31-010	AMD-E	90-14-060	388-47-120	NEW-P	90-20-057	388-49-500	AMD	90-23-074
388-31-010	AMD	90-18-007	388-47-125	NEW-P	90-15-030	388-49-510	AMD-E	90-20-079
388-31-015	AMD-P	90-14-049	388-47-125	NEW-W	90-18-031	388-49-510	AMD-P	90-20-080
388-31-015	AMD E	90-14-060	388-47-125	NEW-E	90-20-055	388-49-510	AMD	90-23-074
388-31-015	AMD	90-18-007	388-47-125	NEW-P	90-20-057	388-49-520	AMD-P	90-14-050
388-31-020	AMD P	90-14-049	388-47-127	NEW-E	90-20-055	388-49-520	AMD-E	90-14-065
388-31-020	AMD E	90-14-060	388-47-127	NEW-P	90-20-057	388-49-520	AMD	90-17-117
388-31-020	AMD	90-18-007	388-47-130	NEW-P	90-15-030	388-49-530	AMD-P	90-18-032
388-31-025	AMD-P	90-14-049	388-47-130	NEW-W	90-18-031	388-49-530	AMD-W	90-21-121
388-31-025	AMD-E	90-14-060	388-47-130	NEW-E	90-20-055	388-49-530	AMD-P	90-18-032
388-31-025	AMD	90-18-007	388-47-130	NEW-P	90-20-057	388-49-535	AMD-W	90-21-121
388-31-030	AMD-P	90-14-049	388-47-135	NEW-P	90-15-030	388-49-550	AMD-E	90-20-074
388-31-030	AMD E	90-14-060	388-47-135	NEW-W	90-18-031	388-49-550	AMD-P	90-20-085
388-31-030	AMD	90-18-007	388-47-135	NEW-E	90-20-055	388-49-550	AMD	90-23-077
388-31-035	AMD-P	90-14-049	388-47-135	NEW-P	90-20-057	388-49-560	RESCIND	90-03-008
388-31-035	AMD-E	90-14-060	388-47-140	NEW-P	90-15-030	388-49-560	AMD-C	90-03-050
388-31-035	AMD	90-18-007	388-47-140	NEW-W	90-18-031	388-49-560	AMD-C	90-06-030
388-33-135	AMD-P	90-13-114	388-47-140	NEW-E	90-20-055	388-49-560	AMD-E	90-11-015
388-33-135	AMD-E	90-13-115	388-47-140	NEW-P	90-20-057	388-49-560	AMD	90-12-084
388-33-135	AMD	90-16-085	388-47-200	NEW-P	90-15-030	388-49-590	AMD-P	90-07-080
388-33-376	AMD P	90-06-099	388-47-200	NEW-W	90-18-031	388-49-590	AMD	90-10-064
388-33-376	AMD	90-09-035	388-47-200	NEW-E	90-20-055	388-49-590	AMD-P	90-20-077
388-33-382	AMD P	90-06-099	388-47-200	NEW-P	90-20-057	388-49-590	AMD-E	90-20-078
388-33-382	AMD	90-09-035	388-47-210	NEW-P	90-15-030	388-49-590	AMD	90-23-073
388-37-030	AMD P	90-13-114	388-47-210	NEW-W	90-18-031	388-49-600	AMD-P	90-06-098
388-37-030	AMD E	90-13-115	388-47-210	NEW-E	90-20-055	388-49-600	AMD	90-09-036
388-37-030	AMD	90-16-085	388-47-210	NEW-P	90-20-057	388-51-010	NEW-P	90-15-030
388-40-010	AMD P	90-18-054	388-47-215	NEW-P	90-15-030	388-51-010	NEW-W	90-18-031
388-40-010	AMD	90-21-125	388-47-215	NEW-W	90-18-031	388-51-010	NEW-E	90-20-056
388-40-055	AMD P	90-18-054	388-47-215	NEW-E	90-20-055	388-51-010	NEW-P	90-20-058
388-40-055	AMD	90-21-125	388-47-215	NEW-P	90-20-057	388-51-020	NEW-P	90-15-030
388-40-090	AMD P	90-18-054	388-47-220	NEW-P	90-15-030	388-51-020	NEW-W	90-18-031
388-40-090	AMD	90-21-125	388-47-220	NEW-W	90-18-031	388-51-020	NEW-E	90-20-056
388-40-091	AMD P	90-18-054	388-47-220	NEW-E	90-20-055	388-51-020	NEW-P	90-20-058
388-40-091	AMD	90-21-125	388-47-220	NEW-P	90-20-057	388-51-040	NEW-P	90-15-030
388-40-100	AMD-P	90-18-054	388-47-300	NEW-P	90-15-030	388-51-040	NEW-W	90-18-031
388-40-100	AMD	90-21-125	388-47-300	NEW-W	90-18-031	388-51-040	NEW-E	90-20-056
388-42-150	AMD-E	90-05-021	388-47-300	NEW-E	90-20-055	388-51-040	NEW-P	90-20-058
388-42-150	AMD W	90-05-023	388-47-300	NEW-P	90-20-057	388-51-100	NEW-P	90-15-030
388-42-150	AMD-P	90-05-025	388-49-020	AMD-P	90-09-081	388-51-100	NEW-W	90-18-031
388-42-150	AMD	90-10-031	388-49-020	AMD	90-12-057	388-51-100	NEW-E	90-20-056
388-44-145	AMD-P	90-22-099	388-49-070	AMD-P	90-09-080	388-51-100	NEW-P	90-20-058
388-47-010	NEW-P	90-15-030	388-49-070	AMD	90-12-056	388-51-150	NEW-P	90-15-030
388-47-010	NEW W	90-18-031	388-49-080	AMD-E	90-09-089	388-51-150	NEW-W	90-18-031
388-47-010	NEW-E	90-20-055	388-49-080	AMD-P	90-09-083	388-51-150	NEW-E	90-20-056
388-47-010	NEW P	90-20-057	388-49-080	AMD	90-12-055	388-51-150	NEW-P	90-20-058
388-47-020	NEW-P	90-15-030	388-49-080	AMD-P	90-20-081	388-51-200	NEW-P	90-15-030

### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-51-200	NEW W	90-18-031	388-57-123	REP-E	90-20-055	388-76-200	AMD	90-03-051
388-51-200	NEW-E	90-20-056	388-57-123	REP-P	90-20-057	388-76-220	AMD	90-03-051
388-51-200	NEW-P	90-20-058	388-57-124	REP-P	90-15-030	388-76-240	AMD	90-03-051
388-51-300	NEW-P	90-03-100	388-57-124	REP-W	90-18-031	388-76-250	AMD	90-03-051
388-51-300	NEW	90-06-032	388-57-124	REP-E	90-20-055	388-76-260	AMD	90-03-051
388-55-010	AMD-P	90-21-044	388-57-124	REP-P	90-20-057	388-76-280	AMD	90-03-051
388-55-010	AMD-E	90-21-045	388-57-125	REP-P	90-15-030	388-76-290	AMD	90-03-051
388-57-011	REP-P	90-15-030	388-57-125	REP-W	90-18-031	388-76-290	AMD-P	90-20-131
388-57-011	REP-W	90-18-031	388-57-125	REP-E	90-20-055	388-76-290	AMD-C	90-23-066
388-57-011	REP-E	90-20-055	388-57-125	REP-P	90-20-057	388-76-290	AMD	90-24-028
388-57-011	REP-P	90-20-057	388-59	AMD-P	90-21-146	388-76-300	AMD	90-03-051
388-57-040	REP-P	90-15-030	388-59-010	AMD-P	90-21-146	388-76-310	AMD	90-03-051
388-57-040	REP-W	90-18-031	388-59-020	AMD-P	90-21-146	388-76-340	AMD	90-03-051
388-57-040	REP-E	90-20-055	388-59-030	AMD-P	90-21-146	388-76-350	AMD	90-03-051
388-57-040	REP-P	90-20-057	388-59-040	AMD-P	90-21-146	388-76-360	AMD	90-03-051
388-57-057	REP-P	90-15-030	388-59-045	AMD-P	90-21-146	388-76-370	AMD	90-03-051
388-57-057	REP-W	90-18-031	388-59-048	AMD-P	90-21-146	388-76-380	AMD	90-03-051
388-57-057	REP-E	90-20-055	388-59-050	AMD-P	90-21-146	388-76-390	AMD	90-03-051
388-57-057	REP-P	90-20-057	388-59-060	AMD-P	90-21-146	388-76-400	AMD	90-03-051
388-57-059	REP-P	90-15-030	388-59-070	AMD-P	90-21-146	388-76-410	AMD	90-03-051
388-57-059	REP-W	90-18-031	388-59-080	AMD-P	90-21-146	388-76-420	AMD	90-03-051
388-57-059	REP-E	90-20-055	388-59-090	AMD-P	90-21-146	388-76-430	AMD	90-03-051
388-57-059	REP-P	90-20-057	388-70-520	AMD-P	90-20-006	388-76-435	NEW	90-03-051
388-57-063	REP-P	90-15-030	388-70-520	AMD-E	90-20-007	388-76-440	AMD	90-03-051
388-57-063	REP-W	90-18-031	388-70-520	AMD	90-23-076	388-76-450	AMD	90-03-051
388-57-063	REP-E	90-20-055	388-70-530	AMD-P	90-20-006	388-76-460	AMD	90-03-051
388-57-063	REP-P	90-20-057	388-70-530	AMD-E	90-20-007	388-76-465	AMD	90-03-051
388-57-066	REP-P	90-15-030	388-70-530	AMD	90-23-076	388-76-475	NEW	90-03-051
388-57-066	REP-W	90-18-031	388-70-540	AMD-P	90-20-006	388-76-480	AMD	90-03-051
388-57-066	REP-E	90-20-055	388-70-540	AMD-E	90-20-007	388-76-490	AMD	90-03-051
388-57-066	REP-P	90-20-057	388-70-540	AMD	90-23-076	388-76-520	AMD	90-03-051
388-57-067	REP-P	90-15-030	388-70-550	AMD-P	90-20-006	388-76-530	AMD	90-03-051
388-57-067	REP-W	90-18-031	388-70-550	AMD-E	90-20-007	388-77	AMD-C	90-24-026
388-57-067	REP-E	90-20-055	388-70-550	AMD	90-23-076	388-77-005	AMD-E	90-09-088
388-57-067	REP-P	90-20-057	388-70-590	AMD-C	90-04-016	388-77-005	AMD-P	90-09-085
388-57-071	REP-P	90-15-030	388-70-590	AMD	90-04-072	388-77-005	AMD	90-12-059
388-57-071	REP-W	90-18-031	388-70-595	NEW-P	90-20-006	388-77-006	NEW-E	90-09-088
388-57-071	REP-E	90-20-055	388-70-595	NEW-E	90-20-007	388-77-006	NEW-P	90-09-085
388-57-071	REP-P	90-20-057	388-70-595	NEW	90-23-076	388-77-006	NEW	90-12-059
388-57-074	REP-P	90-15-030	388-73	AMD-C	90-19-102	388-77-010	AMD-P	90-21-149
388-57-074	REP-W	90-18-031	388-73-022	AMD-P	90-16-026	388-77-200	AMD-E	90-09-088
388-57-074	REP-E	90-20-055	388-73-022	AMD-E	90-16-027	388-77-200	AMD-P	90-09-085
388-57-074	REP-P	90-20-057	388-73-022	AMD	90-20-076	388-77-200	AMD	90-12-059
388-57-097	REP-P	90-15-030	388-73-030	AMD-P	90-16-026	388-77-230	REP-P	90-21-149
388-57-097	REP-W	90-18-031	388-73-030	AMD-E	90-16-027	388-77-256	NEW-E	90-09-088
388-57-097	REP-E	90-20-055	388-73-030	AMD	90-20-076	388-77-256	NEW-P	90-09-085
388-57-097	REP-P	90-20-057	388-73-036	AMD-C	90-04-016	388-77-256	NEW	90-12-059
388-57-100	REP-P	90-15-030	388-73-036	AMD	90-04-072	388-77-320	AMD-P	90-21-149
388-57-100	REP-W	90-18-031	388-73-036	AMD-P	90-16-026	388-77-500	AMD-P	90-21-149
388-57-100	REP-E	90-20-055	388-73-036	AMD-E	90-16-027	388-77-515	AMD-P	90-09-084
388-57-100	REP-P	90-20-057	388-73-036	AMD	90-20-076	388-77-515	AMD	90-12-042
388-57-105	REP-P	90-15-030	388-76-010	AMD	90-03-051	388-77-515	AMD-P	90-21-149
388-57-105	REP-W	90-18-031	388-76-020	AMD	90-03-051	388-77-520	AMD-P	90-21-149
388-57-105	REP-E	90-20-055	388-76-030	AMD	90-03-051	388-77-530	REP-P	90-21-149
388-57-105	REP-P	90-20-057	388-76-040	AMD	90-03-051	388-77-555	AMD-P	90-21-149
388-57-112	REP-P	90-15-030	388-76-045	NEW	90-03-051	388-77-600	AMD-P	90-21-149
388-57-112	REP-W	90-18-031	388-76-050	AMD	90-03-051	388-77-610	AMD-P	90-21-149
388-57-112	REP-E	90-20-055	388-76-060	AMD	90-03-051	388-77-615	AMD-P	90-21-149
388-57-112	REP-P	90-20-057	388-76-070	AMD	90-03-051	388-78	AMD-C	90-21-036
388-57-115	REP-P	90-15-030	388-76-085	NEW	90-03-051	388-78	AMD-C	90-21-122
388-57-115	REP-W	90-18-031	388-76-087	NEW	90-03-051	388-78-205	AMD-P	90-18-055
388-57-115	REP-E	90-20-055	388-76-090	AMD	90-03-051	388-78-210	AMD-P	90-18-055
388-57-115	REP-P	90-20-057	388-76-095	NEW-C	90-04-015	388-78-215	AMD-P	90-18-055
388-57-117	REP-P	90-15-030	388-76-095	NEW	90-04-071	388-78-220	AMD-P	90-18-055
388-57-117	REP-W	90-18-031	388-76-095	AMD-P	90-20-132	388-78-230	NEW-P	90-18-055
388-57-117	REP-E	90-20-055	388-76-095	AMD-C	90-23-067	388-78-240	NEW-P	90-18-055
388-57-117	REP-P	90-20-057	388-76-095	AMD	90-24-029	388-81-043	AMD-P	90-09-082
388-57-120	REP-P	90-15-030	388-76-100	AMD	90-03-051	388-81-043	AMD	90-12-063
388-57-120	REP-W	90-18-031	388-76-110	NEW	90-03-051	388-81-060	AMD-P	90-14-051
388-57-120	REP-E	90-20-055	388-76-130	AMD	90-03-051	388-81-060	AMD-E	90-14-061
388-57-120	REP-P	90-20-057	388-76-140	AMD	90-03-051	388-81-060	AMD-C	90-17-113
388-57-122	REP-P	90-15-030	388-76-155	NEW	90-03-051	388-81-060	AMD	90-18-006
388-57-122	REP-W	90-18-031	388-76-160	AMD	90-03-051	388-82-010	AMD	90-04-013
388-57-122	REP-E	90-20-055	388-76-170	AMD	90-03-051	388-82-115	AMD	90-06-033
388-57-122	REP-P	90-20-057	388-76-180	AMD	90-03-051	388-82-130	AMD-P	90-14-052
388-57-123	REP-P	90-15-030	388-76-185	NEW	90-03-051	388-82-130	AMD-E	90-14-053
388-57-123	REP-W	90-18-031	388-76-190	AMD	90-03-051	388-82-130	AMD	90-17-121

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-82-130	AMD-E	90-18-056	388-86-098	AMD-P	90-14-054	388-96-763	AMD	90-09-061
388-82-140	AMD-P	90-08-045	388-86-098	AMD	90-17-119	388-96-768	AMD-P	90-05-014
388-82-140	AMD-E	90-08-050	388-86-098	AMD	90-18-033	388-96-768	AMD	90-09-061
388-82-140	AMD	90-12-045	388-87-005	AMD-P	90-14-055	388-96-771	AMD-P	90-05-014
388-82-160	NEW-P	90-14-051	388-87-005	AMD-E	90-14-058	388-96-771	AMD	90-09-061
388-82-160	NEW-E	90-14-061	388-87-005	AMD-C	90-17-114	388-96-773	REP-P	90-05-014
388-82-160	NEW-C	90-17-113	388-87-005	AMD	90-18-092	388-96-773	REP	90-09-061
388-82-160	NEW	90-18-006	388-87-011	AMD-P	90-08-040	388-96-774	AMD-P	90-05-014
388-83-013	AMD	90-04-012	388-87-011	AMD-E	90-08-054	388-96-774	AMD	90-09-061
388-83-026	NEW-P	90-20-065	388-87-011	AMD	90-12-047	388-96-904	AMD-C	90-04-015
388-83-026	NEW-E	90-20-073	388-87-019	NEW-P	90-14-055	388-96-904	AMD	90-04-071
388-83-026	NEW	90-23-068	388-87-019	NEW-E	90-14-058	388-98-003	NEW-P	90-02-099
388-83-028	REP-P	90-08-048	388-87-019	NEW	90-17-122	388-98-003	NEW-E	90-02-100
388-83-028	REP-E	90-08-052	388-87-048	NEW-P	90-18-090	388-98-003	NEW	90-06-031
388-83-028	REP	90-12-060	388-87-048	NEW-E	90-18-094	388-98-810	NEW-P	90-08-108
388-83-029	NEW-P	90-08-048	388-87-048	NEW	90-21-124	388-98-810	NEW	90-12-048
388-83-029	NEW-E	90-08-052	388-87-060	AMD-P	90-08-040	388-99-010	AMD	90-04-033
388-83-029	NEW	90-12-060	388-87-060	AMD-E	90-08-054	388-99-010	AMD-P	90-21-145
388-83-032	AMD-P	90-08-044	388-87-060	AMD	90-12-047	388-99-010	AMD	90-24-027
388-83-032	AMD-E	90-08-056	388-87-115	AMD-E	90-20-066	388-99-020	AMD	90-06-034
388-83-032	AMD	90-12-052	388-87-115	AMD-P	90-20-067	388-99-030	AMD	90-04-034
388-83-032	AMD-P	90-21-145	388-87-115	AMD	90-23-070	388-99-030	AMD-E	90-04-035
388-83-032	AMD	90-24-027	388-92-015	AMD	90-06-036	388-100-010	AMD-P	90-08-038
388-83-033	AMD-P	90-08-047	388-92-034	NEW-P	90-21-148	388-100-010	AMD-E	90-08-049
388-83-033	AMD-E	90-08-051	388-92-034	NEW	90-24-089	388-100-010	AMD	90-12-053
388-83-033	AMD	90-12-043	388-92-040	AMD-P	90-21-081	388-100-010	AMD-P	90-21-145
388-83-033	AMD-P	90-21-145	388-92-040	AMD-E	90-21-082	388-100-010	AMD	90-24-027
388-83-033	AMD	90-24-027	388-95-320	AMD-E	90-09-040	388-150-005	NEW-P	90-18-091
388-83-130	AMD-P	90-08-048	388-95-320	AMD-P	90-09-041	388-150-005	NEW	90-23-078
388-83-130	AMD-E	90-08-052	388-95-320	AMD	90-12-062	388-150-010	NEW-P	90-18-091
388-83-130	AMD	90-12-060	388-95-335	AMD-P	90-21-148	388-150-010	NEW	90-23-078
388-83-200	AMD-P	90-08-046	388-95-335	AMD	90-24-089	388-150-020	NEW-P	90-18-091
388-83-200	AMD-E	90-08-057	388-95-337	AMD-W	90-06-029	388-150-020	NEW	90-23-078
388-83-200	AMD	90-12-050	388-95-337	AMD-P	90-08-043	388-150-040	NEW-P	90-18-091
388-83-210	AMD-P	90-08-046	388-95-337	AMD-E	90-08-059	388-150-040	NEW	90-23-078
388-83-210	AMD-E	90-08-057	388-95-337	AMD	90-12-049	388-150-050	NEW-P	90-18-091
388-83-210	AMD	90-12-050	388-95-360	AMD-W	90-06-029	388-150-050	NEW	90-23-078
388-83-220	NEW-P	90-14-053	388-95-360	AMD-P	90-08-043	388-150-060	NEW-P	90-18-091
388-83-220	NEW-E	90-14-063	388-95-360	AMD-E	90-08-059	388-150-060	NEW	90-23-078
388-83-220	NEW	90-17-118	388-95-360	AMD	90-12-049	388-150-070	NEW-P	90-18-091
388-85-105	AMD-P	90-08-039	388-95-400	AMD	90-06-037	388-150-070	NEW	90-23-078
388-85-105	AMD-E	90-08-053	388-96-010	AMD-P	90-05-014	388-150-080	NEW-P	90-18-091
388-85-105	AMD	90-12-044	388-96-010	AMD	90-09-061	388-150-080	NEW	90-23-078
388-86-005	AMD-P	90-08-109	388-96-204	AMD-P	90-05-014	388-150-090	NEW-P	90-18-091
388-86-005	AMD-E	90-08-110	388-96-204	AMD	90-09-061	388-150-090	NEW	90-23-078
388-86-005	AMD	90-12-051	388-96-366	AMD-P	90-17-138	388-150-100	NEW-P	90-18-091
388-86-005	AMD-P	90-14-055	388-96-366	AMD	90-20-075	388-150-100	NEW	90-23-078
388-86-005	AMD-E	90-14-058	388-96-369	AMD-P	90-17-138	388-150-110	NEW-P	90-18-091
388-86-005	AMD	90-17-122	388-96-369	AMD	90-20-075	388-150-110	NEW	90-23-078
388-86-00901	AMD	90-04-014	388-96-372	AMD-P	90-17-138	388-150-120	NEW-P	90-18-091
388-86-018	NEW-P	90-18-090	388-96-372	AMD	90-20-075	388-150-120	NEW	90-23-078
388-86-018	NEW-E	90-18-094	388-96-375	AMD-P	90-17-138	388-150-130	NEW-P	90-18-091
388-86-018	NEW	90-21-124	388-96-375	AMD	90-20-075	388-150-130	NEW	90-23-078
388-86-019	NEW-P	90-14-055	388-96-378	AMD-P	90-17-138	388-150-140	NEW-P	90-18-091
388-86-019	NEW-E	90-14-058	388-96-378	AMD	90-20-075	388-150-140	NEW	90-23-078
388-86-019	NEW	90-17-122	388-96-381	AMD-P	90-17-138	388-150-150	NEW-P	90-18-091
388-86-021	AMD-P	90-08-042	388-96-381	AMD	90-20-075	388-150-150	NEW	90-23-078
388-86-021	AMD	90-12-046	388-96-384	AMD-P	90-17-138	388-150-160	NEW-P	90-18-091
388-86-022	NEW-P	90-14-054	388-96-384	AMD	90-20-075	388-150-160	NEW	90-23-078
388-86-022	NEW	90-17-119	388-96-559	AMD-E	90-05-013	388-150-165	NEW-P	90-18-091
388-86-022	NEW	90-18-033	388-96-559	AMD-P	90-05-014	388-150-165	NEW	90-23-078
388-86-024	AMD-E	90-20-070	388-96-559	AMD	90-09-061	388-150-170	NEW-P	90-18-091
388-86-024	AMD-P	90-20-071	388-96-561	AMD-P	90-05-014	388-150-170	NEW	90-23-078
388-86-024	AMD	90-23-069	388-96-561	AMD	90-09-061	388-150-180	NEW-P	90-18-091
388-86-027	AMD-P	90-08-037	388-96-585	AMD-E	90-05-013	388-150-180	NEW	90-23-078
388-86-027	AMD-E	90-08-055	388-96-585	AMD-P	90-05-014	388-150-190	NEW-P	90-18-091
388-86-027	AMD	90-12-061	388-96-585	AMD	90-09-061	388-150-190	NEW	90-23-078
388-86-073	NEW-P	90-14-054	388-96-713	AMD-P	90-05-014	388-150-200	NEW-P	90-18-091
388-86-073	NEW	90-17-119	388-96-713	AMD	90-09-061	388-150-200	NEW	90-23-078
388-86-073	NEW	90-18-033	388-96-719	AMD-P	90-05-014	388-150-210	NEW-P	90-18-091
388-86-085	AMD-P	90-09-087	388-96-719	AMD	90-09-061	388-150-210	NEW	90-23-078
388-86-085	AMD-C	90-12-040	388-96-745	AMD-P	90-05-014	388-150-220	NEW-P	90-18-091
388-86-085	AMD-C	90-14-056	388-96-745	AMD	90-09-061	388-150-220	NEW	90-23-078
388-86-085	AMD	90-16-053	388-96-754	AMD-E	90-05-013	388-150-230	NEW-P	90-18-091
388-86-090	AMD-P	90-14-054	388-96-754	AMD-P	90-05-014	388-150-230	NEW	90-23-078
388-86-090	AMD	90-17-119	388-96-754	AMD	90-09-061	388-150-240	NEW-P	90-18-091
388-86-090	AMD	90-18-033	388-96-763	AMD-P	90-05-014	388-150-240	NEW	90-23-078

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
388-150-250	NEW-P	90-18-091	388-155-260	NEW-P	90-21-150
388-150-250	NEW	90-23-078	388-155-270	NEW-P	90-21-150
388-150-260	NEW-P	90-18-091	388-155-280	NEW-P	90-21-150
388-150-260	NEW	90-23-078	388-155-285	NEW-P	90-21-150
388-150-270	NEW-P	90-18-091	388-155-290	NEW-P	90-21-150
388-150-270	NEW	90-23-078	388-155-295	NEW-P	90-21-150
388-150-280	NEW-P	90-18-091	388-155-310	NEW-P	90-21-150
388-150-280	NEW	90-23-078	388-155-320	NEW-P	90-21-150
388-150-290	NEW-P	90-18-091	388-155-330	NEW-P	90-21-150
388-150-290	NEW	90-23-078	388-155-340	NEW-P	90-21-150
388-150-310	NEW-P	90-18-091	388-155-350	NEW-P	90-21-150
388-150-310	NEW	90-23-078	388-155-360	NEW-P	90-21-150
388-150-320	NEW-P	90-18-091	388-155-370	NEW-P	90-21-150
388-150-320	NEW	90-23-078	388-155-380	NEW-P	90-21-150
388-150-330	NEW-P	90-18-091	388-155-390	NEW-P	90-21-150
388-150-330	NEW	90-23-078	388-155-400	NEW-P	90-21-150
388-150-340	NEW-P	90-18-091	388-155-410	NEW-P	90-21-150
388-150-340	NEW	90-23-078	388-155-420	NEW-P	90-21-150
388-150-350	NEW-P	90-18-091	388-155-430	NEW-P	90-21-150
388-150-350	NEW	90-23-078	388-155-440	NEW-P	90-21-150
388-150-360	NEW-P	90-18-091	388-155-450	NEW-P	90-21-150
388-150-360	NEW	90-23-078	388-155-460	NEW-P	90-21-150
388-150-370	NEW-P	90-18-091	388-155-470	NEW-P	90-21-150
388-150-370	NEW	90-23-078	388-155-480	NEW-P	90-21-150
388-150-380	NEW-P	90-18-091	388-155-490	NEW-P	90-21-150
388-150-380	NEW	90-23-078	388-155-500	NEW-P	90-21-150
388-150-390	NEW-P	90-18-091	388-320	AMD-C	90-04-020
388-150-390	NEW	90-23-078	388-320	AMD	90-04-076
388-150-400	NEW-P	90-18-091	388-320-020	AMD-P	90-13-030
388-150-400	NEW	90-23-078	388-320-020	AMD	90-17-002
388-150-410	NEW-P	90-18-091	388-320-184	NEW-P	90-13-030
388-150-410	NEW	90-23-078	388-320-184	NEW	90-17-002
388-150-420	NEW-P	90-18-091	388-320-185	NEW-P	90-09-095
388-150-420	NEW	90-23-078	388-320-185	NEW-C	90-13-013
388-150-430	NEW-P	90-18-091	388-320-185	NEW	90-13-054
388-150-430	NEW	90-23-078	388-320-340	NEW-C	90-04-020
388-150-440	NEW P	90-18-091	388-320-340	NEW	90-04-076
388-150-440	NEW	90-23-078	388-320-350	NEW-C	90-04-020
388-150-450	NEW-P	90-18-091	388-320-350	NEW	90-04-076
388-150-450	NEW	90-23-078	388-320-360	NEW-C	90-04-020
388-150-460	NEW-P	90-18-091	388-320-360	NEW	90-04-076
388-150-460	NEW	90-23-078	388-320-370	NEW-C	90-04-020
388-150-470	NEW P	90-18-091	388-320-370	NEW	90-04-076
388-150-470	NEW	90-23-078	388-320-400	NEW-C	90-04-020
388-150-480	NEW-P	90-18-091	388-320-400	NEW	90-04-076
388-150-480	NEW	90-23-078	388-320-410	NEW-C	90-04-020
388-150-490	NEW-P	90-18-091	388-320-410	NEW	90-04-076
388-150-490	NEW	90-23-078	388-320-500	NEW-C	90-04-020
388-150-500	NEW-P	90-18-091	388-320-500	NEW	90-04-076
388-150-500	NEW	90-23-078	390-05-210	AMD-P	90-23-003
388-155	NEW C	90-22-071	390-12-050	AMD-P	90-12-091
388-155-005	NEW-P	90-21-150	390-12-050	AMD	90-16-083
388-155-010	NEW P	90-21-150	390-12-250	AMD-P	90-12-091
388-155-020	NEW-P	90-21-150	390-12-250	AMD	90-16-083
388-155-040	NEW P	90-21-150	390-12-255	AMD-P	90-12-091
388-155-050	NEW-P	90-21-150	390-12-255	AMD	90-16-083
388-155-060	NEW-P	90-21-150	390-16-033	AMD-P	90-12-091
388-155-070	NEW-P	90-21-150	390-16-033	AMD	90-16-083
388-155-080	NEW P	90-21-150	390-16-041	AMD-P	90-12-091
388-155-090	NEW P	90-21-150	390-16-041	AMD	90-16-083
388-155-100	NEW P	90-21-150	390-16-120	AMD-P	90-12-091
388-155-110	NEW-P	90-21-150	390-16-120	AMD	90-16-083
388-155-120	NEW P	90-21-150	390-16-125	AMD-P	90-12-091
388-155-130	NEW P	90-21-150	390-16-125	AMD	90-16-083
388-155-140	NEW P	90-21-150	390-16-155	AMD-P	90-12-091
388-155-150	NEW-P	90-21-150	390-16-155	AMD	90-16-083
388-155-160	NEW P	90-21-150	390-16-308	NEW-P	90-17-156
388-155-165	NEW-P	90-21-150	390-16-308	NEW	90-20-088
388-155-170	NEW P	90-21-150	390-16-308	AMD-P	90-23-001
388-155-180	NEW-P	90-21-150	390-16-310	NEW-P	90-17-156
388-155-190	NEW P	90-21-150	390-16-310	NEW	90-20-088
388-155-200	NEW-P	90-21-150	390-16-312	NEW-P	90-23-002
388-155-210	NEW-P	90-21-150	390-20-0101	AMD-P	90-23-107
388-155-220	NEW P	90-21-150	390-20-0101	AMD-E	90-23-108
388-155-230	NEW-P	90-21-150	390-20-020	AMD-P	90-17-155
388-155-240	NEW P	90-21-150	390-20-020	AMD	90-20-088
388-155-250	NEW-P	90-21-150	390-20-022	REP-P	90-12-091
390-20-022	REP	90-16-083	390-20-022	REP-P	90-12-091
390-20-110	AMD-P	90-17-155	390-20-110	AMD-C	90-20-087
390-20-110	AMD	90-22-018	390-20-110	AMD	90-22-018
390-20-111	NEW-E	90-12-004	390-20-111	NEW-E	90-12-004
390-20-111	NEW-P	90-12-091	390-20-111	NEW-P	90-12-091
390-20-111	NEW	90-16-083	390-20-111	NEW	90-16-083
390-20-125	AMD-E	90-12-077	390-20-125	AMD-E	90-12-077
390-20-125	AMD-P	90-12-091	390-20-125	AMD-P	90-12-091
390-20-125	AMD	90-16-083	390-20-125	AMD	90-16-083
390-37-063	AMD-P	90-12-091	390-37-063	AMD-P	90-12-091
390-37-063	AMD-W	90-17-081	390-37-063	AMD-W	90-17-081
390-37-100	AMD-P	90-12-091	390-37-100	AMD-P	90-12-091
390-37-100	AMD	90-16-083	390-37-100	AMD	90-16-083
390-37-210	AMD-P	90-12-091	390-37-210	AMD-P	90-12-091
390-37-210	AMD	90-16-083	390-37-210	AMD	90-16-083
391-08-001	AMD	90-06-070	391-08-001	AMD	90-06-070
391-08-003	RE-AD	90-06-070	391-08-003	RE-AD	90-06-070
391-08-007	RE-AD	90-06-070	391-08-007	RE-AD	90-06-070
391-08-010	RE-AD	90-06-070	391-08-010	RE-AD	90-06-070
391-08-020	RE-AD	90-06-070	391-08-020	RE-AD	90-06-070
391-08-030	RE-AD	90-06-070	391-08-030	RE-AD	90-06-070
391-08-040	RE-AD	90-06-070	391-08-040	RE-AD	90-06-070
391-08-100	RE-AD	90-06-070	391-08-100	RE-AD	90-06-070
391-08-110	REP	90-06-070	391-08-110	REP	90-06-070
391-08-120	AMD	90-06-070	391-08-120	AMD	90-06-070
391-08-160	REP	90-06-070	391-08-160	REP	90-06-070
391-08-180	AMD	90-06-070	391-08-180	AMD	90-06-070
391-08-200	REP	90-06-070	391-08-200	REP	90-06-070
391-08-210	REP	90-06-070	391-08-210	REP	90-06-070
391-08-230	RE-AD	90-06-070	391-08-230	RE-AD	90-06-070
391-08-300	AMD	90-06-070	391-08-300	AMD	90-06-070
391-08-310	AMD	90-06-070	391-08-310	AMD	90-06-070
391-08-315	NEW	90-06-070	391-08-315	NEW	90-06-070
391-08-500	REP	90-06-070	391-08-500	REP	90-06-070
391-08-510	REP	90-06-070	391-08-510	REP	90-06-070
391-08-600	REP	90-06-070	391-08-600	REP	90-06-070
391-08-610	RE-AD	90-06-070	391-08-610	RE-AD	90-06-070
391-08-630	AMD	90-06-070	391-08-630	AMD	90-06-070
391-08-800	RE-AD	90-06-070	391-08-800	RE-AD	90-06-070
391-08-810	RE-AD	90-06-070	391-08-810	RE-AD	90-06-070
391-08-820	AMD	90-06-070	391-08-820	AMD	90-06-070
391-08-900	REP	90-06-070	391-08-900	REP	90-06-070
391-08-910	REP	90-06-070	391-08-910	REP	90-06-070
391-08-920	REP	90-06-070	391-08-920	REP	90-06-070
391-08-930	REP	90-06-070	391-08-930	REP	90-06-070
391-25-001	AMD	90-06-072	391-25-001	AMD	90-06-072
391-25-002	RE-AD	90-06-072	391-25-002	RE-AD	90-06-072
391-25-010	RE-AD	90-06-072	391-25-010	RE-AD	90-06-072
391-25-012	RE-AD	90-06-072	391-25-012	RE-AD	90-06-072
391-25-030	RE-AD	90-06-072	391-25-030	RE-AD	90-06-072
391-25-050	RE-AD	90-06-072	391-25-050	RE-AD	90-06-072
391-25-070	RE-AD	90-06-072	391-25-070	RE-AD	90-06-072
391-25-090	RE-AD	90-06-072	391-25-090	RE-AD	90-06-072
391-25-092	RE-AD	90-06-072	391-25-092	RE-AD	90-06-072
391-25-110	RE-AD	90-06-072	391-25-110	RE-AD	90-06-072
391-25-130	RE-AD	90-06-072	391-25-130	RE-AD	90-06-072
391-25-140	RE-AD	90-06-072	391-25-140	RE-AD	90-06-072
391-25-150	RE-AD	90-06-072	391-25-150	RE-AD	90-06-072
391-25-170	RE-AD	90-06-072	391-25-170	RE-AD	90-06-072
391-25-190	RE-AD	90-06-072	391-25-190	RE-AD	90-06-072
391-25-210	RE-AD	90-06-072	391-25-210	RE-AD	90-06-072
391-25-220	NEW	90-06-072	391-25-220	NEW	90-06-072
391-25-230	RE-AD	90-06-072	391-25-230	RE-AD	90-06-072
391-25-250	RE-AD	90-06-072	391-25-250	RE-AD	90-06-072
391-25-252	RE-AD	90-06-072	391-25-252	RE-AD	90-06-072
391-25-253	RE-AD	90-06-072	391-25-253	RE-AD	90-06-072
391-25-270	RE-AD	90-06-072	391-25-270	RE-AD	90-06-072
391-25-290	RE-AD	90-06-072	391-25-290	RE-AD	90-06-072
391-25-299	RE-AD	90-06-072	391-25-299	RE-AD	90-06-072
391-25-310	RE-AD	90-06-072	391-25-310	RE-AD	90-06-072
391-25-350	AMD	90-06-072	391-25-350	AMD	90-06-072
391-25-370	RE-AD	90-06-072	391-25-370	RE-AD	90-06-072
391-25-390	RE-AD	90-06-072	391-25-390	RE-AD	90-06-072
391-25-391	RE-AD	90-06-072	391-25-391	RE-AD	90-06-072
391-25-410	RE-AD	90-06-072	391-25-410	RE-AD	90-06-072
391-25-412	RE-AD	90-06-072	391-25-412	RE-AD	90-06-072

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
391-25-413	RE-AD	90-06-072	391-95-310	RE-AD	90-06-075
391-25-430	RE-AD	90-06-072	392-100-060	AMD-P	90-07-043
391-25-450	RE-AD	90-06-072	392-100-060	AMD	90-11-027
391-25-470	RE-AD	90-06-072	392-101-015	NEW-P	90-22-026
391-25-490	RE-AD	90-06-072	392-103-005	AMD-P	90-11-128
391-25-510	RE-AD	90-06-072	392-103-005	AMD	90-16-002
391-25-530	RE-AD	90-06-072	392-103-010	AMD-P	90-11-128
391-25-531	RE-AD	90-06-072	392-103-010	AMD	90-16-002
391-25-550	RE-AD	90-06-072	392-105-030	AMD-P	90-19-072
391-25-570	RE-AD	90-06-072	392-105-030	AMD	90-22-044
391-25-590	RE-AD	90-06-072	392-109-037	AMD-P	90-11-128
391-25-610	RE-AD	90-06-072	392-109-037	AMD	90-16-002
391-25-630	RE-AD	90-06-072	392-109-043	AMD-P	90-11-128
391-25-650	RE-AD	90-06-072	392-109-043	AMD	90-16-002
391-25-670	RE-AD	90-06-072	392-109-065	AMD-P	90-11-128
391-35-001	AMD	90-06-073	392-109-065	AMD	90-16-002
391-35-002	RE-AD	90-06-073	392-109-072	AMD-P	90-11-128
391-35-010	RE-AD	90-06-073	392-109-072	AMD	90-16-002
391-35-020	RE-AD	90-06-073	392-109-117	AMD	90-04-043
391-35-030	RE-AD	90-06-073	392-109-120	AMD-P	90-11-128
391-35-050	RE-AD	90-06-073	392-109-120	AMD	90-16-002
391-35-070	RE-AD	90-06-073	392-120-001	AMD-P	90-11-128
391-35-080	NEW	90-06-073	392-120-001	AMD	90-16-002
391-35-090	RE-AD	90-06-073	392-120-005	AMD-P	90-05-035
391-35-099	RE-AD	90-06-073	392-120-005	AMD	90-09-038
391-35-110	RE-AD	90-06-073	392-120-010	AMD-P	90-05-035
391-35-130	RE-AD	90-06-073	392-120-010	AMD	90-09-038
391-35-170	AMD	90-06-073	392-120-015	AMD-P	90-05-035
391-35-190	RE-AD	90-06-073	392-120-015	AMD	90-09-038
391-35-210	RE-AD	90-06-073	392-120-020	AMD-P	90-05-035
391-35-230	RE-AD	90-06-073	392-120-020	AMD	90-09-038
391-35-250	RE-AD	90-06-073	392-120-025	AMD-P	90-05-035
391-45-001	AMD	90-06-074	392-120-025	AMD	90-09-038
391-45-002	RE-AD	90-06-074	392-120-030	NEW-P	90-05-035
391-45-010	RE-AD	90-06-074	392-120-030	NEW	90-09-038
391-45-019	RE-AD	90-06-074	392-120-035	NEW-P	90-05-035
391-45-030	RE-AD	90-06-074	392-120-035	NEW	90-09-038
391-45-050	RE-AD	90-06-074	392-120-040	NEW-P	90-05-035
391-45-070	RE-AD	90-06-074	392-120-040	NEW	90-09-038
391-45-090	RE-AD	90-06-074	392-120-045	NEW-P	90-05-035
391-45-110	RE-AD	90-06-074	392-120-045	NEW	90-09-038
391-45-130	RE-AD	90-06-074	392-120-050	NEW-P	90-05-035
391-45-170	AMD	90-06-074	392-120-050	NEW	90-09-038
391-45-190	RE-AD	90-06-074	392-120-055	NEW-P	90-05-035
391-45-210	RE-AD	90-06-074	392-120-055	NEW	90-09-038
391-45-230	RE-AD	90-06-074	392-120-060	NEW-P	90-05-035
391-45-250	RE-AD	90-06-074	392-120-060	NEW	90-09-038
391-45-260	AMD	90-06-074	392-120-065	NEW-P	90-05-035
391-45-270	AMD	90-06-074	392-120-065	NEW	90-09-038
391-45-290	RE-AD	90-06-074	392-120-070	NEW-P	90-05-035
391-45-310	RE-AD	90-06-074	392-120-070	NEW	90-09-038
391-45-330	RE-AD	90-06-074	392-121-001	AMD-P	90-11-128
391-45-350	RE-AD	90-06-074	392-121-001	AMD	90-16-002
391-45-370	RE-AD	90-06-074	392-121-107	AMD-P	90-11-128
391-45-390	RE-AD	90-06-074	392-121-107	AMD	90-16-002
391-45-410	RE-AD	90-06-074	392-121-108	AMD-P	90-11-128
391-45-430	RE-AD	90-06-074	392-121-108	AMD	90-16-002
391-45-431	RE-AD	90-06-074	392-121-108	AMD-P	90-22-024
391-45-550	RE-AD	90-06-074	392-121-133	AMD-P	90-22-024
391-45-552	RE-AD	90-06-074	392-121-136	AMD-P	90-22-024
391-95-001	AMD	90-06-075	392-121-161	AMD-P	90-11-128
391-95-010	RE-AD	90-06-075	392-121-161	AMD	90-16-002
391-95-030	RE-AD	90-06-075	392-121-182	AMD-P	90-22-024
391-95-050	RE-AD	90-06-075	392-121-257	AMD-P	90-11-128
391-95-070	RE-AD	90-06-075	392-121-257	AMD	90-16-002
391-95-090	RE-AD	90-06-075	392-121-260	AMD-P	90-10-095
391-95-110	RE-AD	90-06-075	392-121-260	AMD	90-13-088
391-95-130	RE-AD	90-06-075	392-121-261	NEW-P	90-10-095
391-95-150	RE-AD	90-06-075	392-121-261	NEW	90-13-088
391-95-170	AMD	90-06-075	392-121-265	AMD-P	90-22-025
391-95-190	RE-AD	90-06-075	392-121-268	AMD-P	90-22-025
391-95-230	AMD	90-06-075	392-121-269	NEW-P	90-22-025
391-95-250	RE-AD	90-06-075	392-121-270	AMD-P	90-10-095
391-95-260	RE-AD	90-06-075	392-121-270	AMD	90-13-088
391-95-270	RE-AD	90-06-075	392-121-270	AMD-P	90-22-025
391-95-280	RE-AD	90-06-075	392-121-272	AMD-P	90-22-025
391-95-290	RE-AD	90-06-075	392-121-280	AMD-P	90-22-025
392-121-295	AMD-P	90-22-025	392-121-295	AMD-P	90-11-128
392-121-297	REP-P	90-22-025	392-121-297	AMD-P	90-11-128
392-121-299	AMD-P	90-11-128	392-121-299	AMD	90-16-002
392-121-299	AMD-P	90-22-025	392-121-299	AMD-P	90-11-128
392-121-400	AMD-P	90-11-128	392-121-400	AMD-P	90-11-128
392-121-400	AMD	90-16-002	392-121-400	AMD	90-16-002
392-121-415	AMD-P	90-11-128	392-121-415	AMD	90-16-002
392-121-415	AMD	90-16-002	392-121-415	AMD-P	90-09-019
392-121-420	AMD-P	90-11-128	392-121-420	AMD-P	90-11-128
392-121-420	AMD-P	90-11-128	392-121-420	AMD	90-12-079
392-121-420	AMD	90-16-002	392-121-420	AMD	90-16-002
392-121-436	NEW-P	90-15-068	392-121-436	NEW-P	90-15-068
392-121-436	NEW	90-19-040	392-121-436	NEW	90-19-040
392-121-438	NEW-P	90-15-068	392-121-438	NEW	90-19-040
392-121-438	NEW	90-19-040	392-121-438	NEW	90-19-040
392-121-440	AMD-P	90-15-068	392-121-440	AMD-P	90-15-068
392-121-440	AMD	90-19-040	392-121-440	AMD	90-19-040
392-121-442	AMD-P	90-15-068	392-121-442	AMD-P	90-15-068
392-121-442	AMD	90-19-040	392-121-442	AMD	90-19-040
392-121-443	NEW-P	90-15-068	392-121-443	NEW-P	90-15-068
392-121-443	NEW	90-19-040	392-121-443	NEW	90-19-040
392-121-445	AMD-P	90-11-128	392-121-445	AMD-P	90-11-128
392-121-445	AMD	90-16-002	392-121-445	AMD	90-16-002
392-121-500	NEW-P	90-18-088	392-121-500	NEW-P	90-18-088
392-121-505	NEW-P	90-18-088	392-121-505	NEW-P	90-18-088
392-121-510	NEW-P	90-18-088	392-121-510	NEW-P	90-18-088
392-121-515	NEW-P	90-18-088	392-121-515	NEW-P	90-18-088
392-121-520	NEW-P	90-18-088	392-121-520	NEW-P	90-18-088
392-121-525	NEW-P	90-18-088	392-121-525	NEW-P	90-18-088
392-121-530	NEW-P	90-18-088	392-121-530	NEW-P	90-18-088
392-121-535	NEW-P	90-18-088	392-121-535	NEW-P	90-18-088
392-121-540	NEW-P	90-18-088	392-121-540	NEW-P	90-18-088
392-121-545	NEW-P	90-18-088	392-121-545	NEW-P	90-18-088
392-122-005	AMD-P	90-11-128	392-122-005	AMD-P	90-11-128
392-122-005	AMD	90-16-002	392-122-005	AMD	90-16-002
392-122-010	AMD-P	90-11-128	392-122-010	AMD-P	90-11-128
392-122-010	AMD	90-16-002	392-122-010	AMD	90-16-002
392-122-010	AMD-P	90-24-052	392-122-010	AMD-P	90-24-052
392-122-100	AMD-P	90-24-052	392-122-100	AMD-P	90-24-052
392-122-106	AMD-P	90-24-052	392-122-106	AMD-P	90-24-052
392-122-107	AMD-P	90-24-052	392-122-107	AMD-P	90-24-052
392-122-110	AMD-P	90-24-052	392-122-110	AMD-P	90-24-052
392-122-115	REP-P	90-24-052	392-122-115	REP-P	90-24-052
392-122-120	AMD-P	90-24-052	392-122-120	AMD-P	90-24-052
392-122-125	REP-P	90-24-052	392-122-125	REP-P	90-24-052
392-122-145	AMD-P	90-24-052	392-122-145	AMD-P	90-24-052
392-122-165	NEW-P	90-24-052	392-122-165	NEW-P	90-24-052
392-122-200	AMD-P	90-24-052	392-122-200	AMD-P	90-24-052
392-122-206	NEW-P	90-24-052	392-122-206	NEW-P	90-24-052
392-122-210	AMD-P	90-24-052	392-122-210	AMD-P	90-24-052
392-122-215	REP-P	90-24-052	392-122-215	REP-P	90-24-052
392-122-230	AMD-P	90-24-052	392-122-230	AMD-P	90-24-052
392-122-235	AMD-P	90-24-052	392-122-235	AMD-P	90-24-052
392-122-240	REP-P	90-24-052	392-122-240	REP-P	90-24-052
392-122-245	REP-P	90-24-052	392-122-245	REP-P	90-24-052
392-122-250	REP-P	90-24-052	392-122-250	REP-P	90-24-052
392-122-265	REP-P	90-24-052	392-122-265	REP-P	90-24-052
392-122-270	AMD-P	90-24-052	392-122-270	AMD-P	90-24-052
392-122-600	AMD-P	90-24-052	392-122-600	AMD-P	90-24-052
392-122-605	AMD-P	90-24-052	392-122-605	AMD-P	90-24-052
392-122-610	AMD-P	90-11-128	392-122-610	AMD-P	90-11-128
392-122-610	AMD	90-16-002	392-122-610	AMD	90-16-002
392-122-610	AMD-P	90-24-052	392-122-610	AMD-P	90-24-052
392-122-700	AMD-P	90-24-052	392-122-700	AMD-P	90-24-052
392-122-710	AMD-P	90-11-128	392-122-710	AMD-P	90-11-128
392-122-710	AMD	90-16-002	392-122-710	AMD	90-16-002
392-122-800	AMD-P	90-24-052	392-122-800	AMD-P	90-24-052
392-122-805	AMD-P	90-24-052	392-122-805	AMD-P	90-24-052
392-122-810	AMD-P	90-11-128	392-122-810	AMD-P	90-11-128
392-122-810	AMD	90-16-002	392-122-810	AMD	90-16-002
392-122-910	NEW-P	90-24-052	392-122-910	NEW-P	90-24-052
392-123-003	AMD-P	90-11-128	392-123-003	AMD-P	90-11-128
392-123-003	AMD	90-16-002	392-123-003	AMD	90-16-002
392-123-005	AMD-P	90-11-128	392-123-005	AMD-P	90-11-128
392-123-005	AMD	90-16-002	392-123-005	AMD	90-16-002

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-123-046	AMD-P	90-11-128	392-127-005	REP	90-12-078	392-129-005	AMD-P	90-11-128
392-123-046	AMD	90-16-002	392-127-006	NEW-P	90-09-020	392-129-005	AMD	90-16-002
392-123-070	AMD-P	90-11-128	392-127-006	NEW	90-12-078	392-129-015	AMD-P	90-11-128
392-123-070	AMD	90-16-002	392-127-010	REP-P	90-09-020	392-129-015	AMD	90-16-002
392-123-079	AMD-P	90-11-128	392-127-010	REP	90-12-078	392-129-040	AMD-P	90-15-069
392-123-079	AMD	90-16-002	392-127-011	NEW-P	90-09-020	392-129-040	AMD	90-19-039
392-123-135	AMD-P	90-11-128	392-127-011	NEW	90-12-078	392-132-010	AMD-P	90-11-128
392-123-135	AMD	90-16-002	392-127-015	NEW-P	90-09-020	392-132-010	AMD	90-16-002
392-123-165	AMD-P	90-11-128	392-127-015	NEW	90-12-078	392-134-002	AMD-P	90-11-128
392-123-165	AMD	90-16-002	392-127-020	NEW-P	90-09-020	392-134-002	AMD	90-16-002
392-123-170	AMD-P	90-11-128	392-127-020	NEW	90-12-078	392-134-005	AMD-P	90-11-128
392-123-170	AMD	90-16-002	392-127-025	NEW-P	90-09-020	392-134-005	AMD	90-16-002
392-123-175	AMD-P	90-11-128	392-127-025	NEW	90-12-078	392-134-030	AMD-P	90-11-128
392-123-175	AMD	90-16-002	392-127-030	NEW-P	90-09-020	392-134-030	AMD	90-16-002
392-123-180	AMD-P	90-11-128	392-127-030	NEW	90-12-078	392-135-005	AMD-P	90-11-128
392-123-180	AMD	90-16-002	392-127-035	NEW-P	90-09-020	392-135-005	AMD	90-16-002
392-125-003	AMD-P	90-11-128	392-127-035	NEW	90-12-078	392-135-030	AMD-P	90-11-128
392-125-003	AMD	90-16-002	392-127-040	NEW-P	90-09-020	392-135-030	AMD	90-16-002
392-125-005	AMD-P	90-11-128	392-127-040	NEW	90-12-078	392-135-035	AMD-P	90-11-128
392-125-005	AMD	90-16-002	392-127-045	NEW-P	90-09-020	392-135-035	AMD	90-16-002
392-125-036	AMD-P	90-11-128	392-127-045	NEW	90-12-078	392-136-003	AMD-P	90-11-128
392-125-036	AMD	90-16-002	392-127-050	NEW-P	90-09-020	392-136-003	AMD	90-16-002
392-125-080	AMD-P	90-11-128	392-127-050	NEW	90-12-078	392-136-005	AMD-P	90-11-128
392-125-080	AMD	90-16-002	392-127-055	NEW-P	90-09-020	392-136-005	AMD	90-16-002
392-126-004	NEW-P	90-12-122	392-127-055	NEW	90-12-078	392-136-025	NEW-P	90-12-029
392-126-004	NEW	90-17-110	392-127-060	NEW-P	90-09-020	392-136-025	NEW	90-16-043
392-126-006	NEW-P	90-12-122	392-127-060	NEW	90-12-078	392-137-001	AMD-P	90-11-128
392-126-006	NEW	90-17-110	392-127-065	NEW-P	90-09-020	392-137-001	REP-E	90-12-074
392-126-015	NEW-P	90-12-122	392-127-065	NEW	90-12-078	392-137-001	REP-P	90-15-070
392-126-015	NEW	90-17-110	392-127-070	NEW-P	90-09-020	392-137-001	REP	90-19-068
392-126-020	NEW-P	90-12-122	392-127-070	NEW	90-12-078	392-137-001	AMD	90-16-002
392-126-020	NEW	90-17-110	392-127-075	NEW-P	90-09-020	392-137-002	REP-E	90-12-074
392-126-025	NEW-P	90-12-122	392-127-075	NEW	90-12-078	392-137-002	REP-P	90-15-070
392-126-025	NEW	90-17-110	392-127-080	NEW-P	90-09-020	392-137-002	REP	90-19-068
392-126-030	NEW-P	90-12-122	392-127-080	NEW	90-12-078	392-137-003	AMD-P	90-11-128
392-126-030	NEW	90-17-110	392-127-085	NEW-P	90-09-020	392-137-003	REP-E	90-12-074
392-126-035	NEW-P	90-12-122	392-127-085	NEW	90-12-078	392-137-003	REP-P	90-15-070
392-126-035	NEW	90-17-110	392-127-090	NEW-P	90-09-020	392-137-003	AMD	90-16-002
392-126-040	NEW-P	90-12-122	392-127-090	NEW	90-12-078	392-137-003	REP	90-19-068
392-126-040	NEW	90-17-110	392-127-095	NEW-P	90-09-020	392-137-010	AMD	90-04-044
392-126-045	NEW-P	90-12-122	392-127-095	NEW	90-12-078	392-137-010	REP-E	90-12-074
392-126-045	NEW	90-17-110	392-127-101	NEW-P	90-09-020	392-137-010	REP-P	90-15-070
392-126-050	NEW-P	90-12-122	392-127-101	NEW	90-12-078	392-137-010	REP	90-19-068
392-126-050	NEW	90-17-110	392-127-106	NEW-P	90-09-020	392-137-015	REP-E	90-12-074
392-126-055	NEW-P	90-12-122	392-127-106	NEW	90-12-078	392-137-015	REP-P	90-15-070
392-126-055	NEW	90-17-110	392-127-111	NEW-P	90-09-020	392-137-015	REP	90-19-068
392-126-060	NEW-P	90-12-122	392-127-111	NEW	90-12-078	392-137-020	AMD-P	90-11-128
392-126-060	NEW	90-17-110	392-127-700	NEW-P	90-24-018	392-137-020	REP-E	90-12-074
392-126-065	NEW-P	90-12-122	392-127-703	NEW-P	90-24-018	392-137-020	REP-P	90-15-070
392-126-065	NEW	90-17-110	392-127-705	NEW-P	90-24-018	392-137-020	AMD	90-16-002
392-126-070	NEW-P	90-12-122	392-127-710	NEW-P	90-24-018	392-137-020	REP	90-19-068
392-126-070	NEW	90-17-110	392-127-715	NEW-P	90-24-018	392-137-025	REP-E	90-12-074
392-126-075	NEW-P	90-12-122	392-127-720	NEW-P	90-24-018	392-137-025	REP-P	90-15-070
392-126-075	NEW	90-17-110	392-127-725	NEW-P	90-24-018	392-137-025	REP	90-19-068
392-126-080	NEW-P	90-12-122	392-127-730	NEW-P	90-24-018	392-137-030	REP-E	90-12-074
392-126-080	NEW	90-17-110	392-127-735	NEW-P	90-24-018	392-137-030	REP-P	90-15-070
392-126-085	NEW-P	90-12-122	392-127-740	NEW-P	90-24-018	392-137-030	REP	90-19-068
392-126-085	NEW	90-17-110	392-127-745	NEW-P	90-24-018	392-137-035	REP-E	90-12-074
392-126-090	NEW-P	90-12-122	392-127-750	NEW-P	90-24-018	392-137-035	REP-P	90-15-070
392-126-090	NEW	90-17-110	392-127-755	NEW-P	90-24-018	392-137-035	REP	90-19-068
392-126-095	NEW-P	90-12-122	392-127-760	NEW-P	90-24-018	392-137-040	REP-E	90-12-074
392-126-095	NEW	90-17-110	392-127-765	NEW-P	90-24-018	392-137-040	REP-P	90-15-070
392-126-099	NEW-P	90-12-122	392-127-770	NEW-P	90-24-018	392-137-040	REP	90-19-068
392-126-099	NEW	90-17-110	392-127-775	NEW-P	90-24-018	392-137-045	REP-E	90-12-074
392-126-104	NEW-P	90-12-122	392-127-780	NEW-P	90-24-018	392-137-045	REP-P	90-15-070
392-126-104	NEW	90-17-110	392-127-785	NEW-P	90-24-018	392-137-045	REP	90-19-068
392-126-400	AMD-P	90-11-128	392-127-790	NEW-P	90-24-018	392-137-051	REP-E	90-12-074
392-126-400	AMD	90-16-002	392-127-795	NEW-P	90-24-018	392-137-051	REP-P	90-15-070
392-126-405	AMD-P	90-11-128	392-127-800	NEW-P	90-24-018	392-137-051	REP	90-19-068
392-126-405	AMD	90-16-002	392-127-805	NEW-P	90-24-018	392-137-055	REP-E	90-12-074
392-127	AMD-P	90-09-020	392-127-810	NEW-P	90-24-018	392-137-055	REP-P	90-15-070
392-127	AMD	90-12-078	392-127-815	NEW-P	90-24-018	392-137-055	REP	90-19-068
392-127-003	REP-P	90-09-020	392-127-820	NEW-P	90-24-018	392-137-060	REP-E	90-12-074
392-127-003	REP	90-12-078	392-127-825	NEW-P	90-24-018	392-137-060	REP-P	90-15-070
392-127-004	NEW-P	90-09-020	392-127-830	NEW-P	90-24-018	392-137-060	REP	90-19-068
392-127-004	NEW	90-12-078	392-129-003	AMD-P	90-11-128	392-137-065	REP-E	90-12-074
392-127-005	REP-P	90-09-020	392-129-003	AMD	90-16-002	392-137-065	REP-P	90-15-070

**Table of WAC Sections Affected**

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-137-065	REP	90-19-068	392-138-030	AMD-P	90-11-128	392-140-221	NEW-P	90-19-053
392-137-070	REP-E	90-12-074	392-138-030	AMD	90-16-002	392-140-221	NEW	90-23-044
392-137-070	REP-P	90-15-070	392-138-040	AMD-P	90-11-128	392-140-222	NEW-P	90-19-053
392-137-070	REP	90-19-068	392-138-040	AMD	90-16-002	392-140-222	NEW	90-23-044
392-137-100	NEW-E	90-12-074	392-138-065	AMD-P	90-11-128	392-140-223	NEW-P	90-19-053
392-137-100	NEW-P	90-15-070	392-138-065	AMD	90-16-002	392-140-223	NEW	90-23-044
392-137-100	NEW	90-19-068	392-138-100	AMD-P	90-11-128	392-140-224	NEW-P	90-19-053
392-137-105	NEW-E	90-12-074	392-138-100	AMD	90-16-002	392-140-224	NEW	90-23-044
392-137-105	NEW-P	90-15-070	392-139-001	AMD-P	90-11-128	392-140-224	NEW	90-23-100
392-137-105	NEW	90-19-068	392-139-001	AMD	90-16-002	392-140-225	NEW-P	90-19-053
392-137-110	NEW-E	90-12-074	392-139-005	AMD-P	90-11-128	392-140-225	NEW	90-23-044
392-137-110	NEW-P	90-15-070	392-139-005	AMD	90-16-002	392-140-225	NEW	90-23-100
392-137-110	NEW	90-19-068	392-139-115	AMD-P	90-11-128	392-140-226	NEW-P	90-19-053
392-137-115	NEW-E	90-12-074	392-139-115	AMD	90-16-002	392-140-226	NEW	90-23-044
392-137-115	NEW-P	90-15-070	392-139-120	AMD-P	90-11-128	392-140-226	NEW	90-23-100
392-137-115	NEW	90-19-068	392-139-120	AMD	90-16-002	392-140-230	NEW-P	90-19-053
392-137-120	NEW-E	90-12-074	392-139-122	AMD-P	90-11-128	392-140-230	NEW	90-23-044
392-137-120	NEW-P	90-15-070	392-139-122	AMD	90-16-002	392-140-231	NEW-P	90-19-053
392-137-120	NEW	90-19-068	392-139-126	AMD-P	90-11-128	392-140-231	NEW	90-23-044
392-137-125	NEW-E	90-12-074	392-139-126	AMD	90-16-002	392-140-232	NEW-P	90-19-053
392-137-125	NEW-P	90-15-070	392-139-128	AMD-P	90-11-128	392-140-232	NEW	90-23-044
392-137-125	NEW	90-19-068	392-139-128	AMD	90-16-002	392-140-233	NEW-P	90-19-053
392-137-130	NEW-E	90-12-074	392-139-132	AMD-P	90-11-128	392-140-233	NEW	90-23-044
392-137-130	NEW-P	90-15-070	392-139-132	AMD	90-16-002	392-140-234	NEW-P	90-19-053
392-137-130	NEW	90-19-068	392-139-134	AMD-P	90-11-128	392-140-234	NEW	90-23-044
392-137-135	NEW-E	90-12-074	392-139-134	AMD	90-16-002	392-140-234	NEW	90-23-100
392-137-135	NEW-P	90-15-070	392-139-205	AMD-P	90-11-128	392-140-250	NEW-P	90-19-070
392-137-135	NEW	90-19-068	392-139-205	AMD	90-16-002	392-140-250	NEW	90-23-043
392-137-140	NEW-E	90-12-074	392-139-215	AMD-P	90-11-128	392-140-251	NEW-P	90-19-070
392-137-140	NEW-P	90-15-070	392-139-215	AMD	90-16-002	392-140-251	NEW	90-23-043
392-137-140	NEW	90-19-068	392-139-230	AMD-P	90-11-128	392-140-252	NEW-P	90-19-070
392-137-145	NEW-E	90-12-074	392-139-230	AMD	90-16-002	392-140-252	NEW	90-23-043
392-137-145	NEW-P	90-15-070	392-139-235	AMD-P	90-11-128	392-140-253	NEW-P	90-19-070
392-137-145	NEW	90-19-068	392-139-235	AMD	90-16-002	392-140-253	NEW	90-23-043
392-137-150	NEW-E	90-12-074	392-139-330	AMD-P	90-11-128	392-140-254	NEW-P	90-19-070
392-137-150	NEW-P	90-15-070	392-139-330	AMD	90-16-002	392-140-254	NEW	90-23-043
392-137-150	NEW	90-19-068	392-139-340	AMD-P	90-11-128	392-140-255	NEW-P	90-19-070
392-137-155	NEW-E	90-12-074	392-139-340	AMD	90-16-002	392-140-255	NEW	90-23-043
392-137-155	NEW-P	90-15-070	392-139-900	AMD-P	90-09-021	392-140-256	NEW-P	90-19-070
392-137-155	NEW	90-19-068	392-139-900	AMD	90-12-080	392-140-256	NEW	90-23-043
392-137-160	NEW-E	90-12-074	392-139-905	NEW-P	90-09-021	392-140-257	NEW-P	90-19-070
392-137-160	NEW-P	90-15-070	392-139-905	NEW	90-12-080	392-140-257	NEW	90-23-043
392-137-160	NEW	90-19-068	392-140-001	AMD-P	90-11-128	392-140-258	NEW-P	90-19-070
392-137-190	NEW-E	90-12-074	392-140-001	AMD	90-16-002	392-140-258	NEW	90-23-043
392-137-190	NEW-P	90-15-070	392-140-075	AMD-P	90-11-128	392-140-259	NEW-P	90-19-070
392-137-190	NEW	90-19-068	392-140-075	AMD	90-16-002	392-140-259	NEW	90-23-043
392-137-195	NEW-E	90-12-074	392-140-079	AMD-P	90-11-128	392-140-265	NEW-P	90-19-070
392-137-195	NEW-P	90-15-070	392-140-079	AMD	90-16-002	392-140-265	NEW	90-23-043
392-137-195	NEW	90-19-068	392-140-175	AMD-P	90-18-087	392-140-266	NEW-P	90-19-070
392-137-200	NEW-E	90-12-074	392-140-175	AMD	90-22-027	392-140-266	NEW	90-23-043
392-137-200	NEW-P	90-15-070	392-140-181	AMD-P	90-18-087	392-140-267	NEW-P	90-19-070
392-137-200	NEW	90-19-068	392-140-181	AMD	90-22-027	392-140-267	NEW	90-23-043
392-137-205	NEW-E	90-12-074	392-140-182	AMD-P	90-18-087	392-140-300	AMD-P	90-11-128
392-137-205	NEW-P	90-15-070	392-140-182	AMD	90-22-027	392-140-300	AMD	90-16-002
392-137-205	NEW	90-19-068	392-140-183	AMD-P	90-18-087	392-140-301	AMD-P	90-11-128
392-137-220	NEW-E	90-12-074	392-140-183	AMD	90-22-027	392-140-301	AMD	90-16-002
392-137-220	NEW-P	90-15-070	392-140-184	REP-P	90-18-087	392-140-302	AMD-P	90-11-128
392-137-220	NEW	90-19-068	392-140-184	REP	90-22-027	392-140-302	AMD	90-16-002
392-137-225	NEW-E	90-12-074	392-140-185	AMD-P	90-18-087	392-140-336	NEW-P	90-09-022
392-137-225	NEW-P	90-15-070	392-140-185	AMD	90-22-027	392-140-336	NEW	90-12-081
392-137-225	NEW	90-19-068	392-140-186	AMD-P	90-18-087	392-140-337	NEW-P	90-09-022
392-137-230	NEW-E	90-12-074	392-140-186	AMD	90-22-027	392-140-337	NEW	90-12-081
392-137-230	NEW-P	90-15-070	392-140-190	NEW	90-06-007	392-140-338	NEW-P	90-09-022
392-137-230	NEW	90-19-068	392-140-191	NEW	90-06-007	392-140-338	NEW	90-12-081
392-137-235	NEW-E	90-12-074	392-140-192	NEW	90-06-007	392-140-340	NEW-P	90-22-041
392-137-235	NEW-P	90-15-070	392-140-193	NEW	90-06-007	392-140-341	NEW-P	90-22-041
392-137-235	NEW	90-19-068	392-140-194	NEW	90-06-007	392-140-342	NEW-P	90-22-041
392-137-240	NEW-E	90-12-074	392-140-195	NEW	90-06-007	392-140-343	NEW-P	90-22-041
392-137-240	NEW-P	90-15-070	392-140-196	NEW	90-06-007	392-140-345	NEW-P	90-22-041
392-137-240	NEW	90-19-068	392-140-197	NEW	90-06-007	392-140-346	NEW-P	90-22-041
392-137-245	NEW-E	90-12-074	392-140-198	NEW	90-06-007	392-140-347	NEW-P	90-22-041
392-137-245	NEW-P	90-15-070	392-140-199	NEW	90-06-007	392-140-348	NEW-P	90-22-041
392-137-245	NEW	90-19-068	392-140-200	NEW	90-06-007	392-140-349	NEW-P	90-22-041
392-138-003	AMD-P	90-11-128	392-140-201	NEW	90-06-007	392-140-350	NEW-P	90-22-041
392-138-003	AMD	90-16-002	392-140-202	NEW	90-06-007	392-140-351	NEW-P	90-22-041
392-138-005	AMD-P	90-11-128	392-140-220	NEW-P	90-19-053	392-140-352	NEW-P	90-22-041
392-138-005	AMD	90-16-002	392-140-220	NEW	90-23-044	392-140-353	NEW-P	90-22-041

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
392-140-354	NEW-P 90-22-041	392-140-422	NEW 90-11-028	392-162-047	AMD-P 90-11-128
392-140-355	NEW-P 90-22-041	392-140-423	NEW-P 90-07-045	392-162-047	AMD 90-16-002
392-140-356	NEW-P 90-22-041	392-140-423	NEW 90-11-028	392-163-100	AMD-P 90-11-128
392-140-357	NEW-P 90-22-041	392-141-105	AMD-P 90-11-128	392-163-100	AMD 90-16-002
392-140-358	NEW-P 90-22-041	392-141-105	AMD 90-16-002	392-164-100	AMD-P 90-11-128
392-140-359	NEW-P 90-22-041	392-141-115	AMD-P 90-11-128	392-164-100	AMD 90-16-002
392-140-360	NEW-P 90-22-041	392-141-115	AMD 90-16-002	392-164-225	AMD-P 90-11-128
392-140-361	NEW-P 90-22-041	392-141-180	AMD-P 90-11-128	392-164-225	AMD 90-16-002
392-140-362	NEW-P 90-22-041	392-141-180	AMD 90-16-002	392-165-100	AMD-P 90-11-128
392-140-363	NEW-P 90-22-041	392-141-185	AMD-P 90-11-128	392-165-100	AMD 90-16-002
392-140-364	NEW-P 90-22-041	392-141-185	AMD 90-16-002	392-166-115	AMD-P 90-11-128
392-140-365	NEW-P 90-22-041	392-141-195	AMD-P 90-11-128	392-166-115	AMD 90-16-002
392-140-366	NEW-P 90-22-041	392-141-195	AMD 90-16-002	392-168-105	AMD-P 90-11-128
392-140-367	NEW-P 90-22-041	392-142-005	AMD 90-02-077	392-168-105	AMD 90-16-002
392-140-368	NEW-P 90-22-041	392-142-010	AMD 90-02-077	392-168-125	AMD-P 90-07-044
392-140-369	NEW-P 90-22-041	392-142-015	REP 90-02-077	392-168-125	AMD 90-11-029
392-140-370	NEW-P 90-22-041	392-142-020	REP 90-02-077	392-168-125	AMD-E 90-20-113
392-140-371	NEW-P 90-22-041	392-142-025	REP 90-02-077	392-168-125	AMD-P 90-20-114
392-140-372	NEW-P 90-22-041	392-142-030	REP 90-02-077	392-168-125	AMD 90-23-062
392-140-373	NEW-P 90-22-041	392-142-035	REP 90-02-077	392-168-135	AMD-P 90-07-044
392-140-374	NEW-P 90-22-041	392-142-040	REP 90-02-077	392-168-135	AMD 90-11-029
392-140-375	NEW-P 90-22-041	392-142-045	REP 90-02-077	392-168-135	AMD-E 90-21-088
392-140-376	NEW-P 90-22-041	392-142-050	REP 90-02-077	392-168-140	AMD-P 90-07-044
392-140-377	NEW-P 90-22-041	392-142-055	REP 90-02-077	392-168-140	AMD 90-11-029
392-140-378	NEW-P 90-22-041	392-142-060	REP 90-02-077	392-168-160	AMD-P 90-07-044
392-140-379	NEW-P 90-22-041	392-142-065	REP 90-02-077	392-168-160	AMD 90-11-029
392-140-380	NEW-P 90-22-041	392-142-070	REP 90-02-077	392-168-170	AMD-P 90-07-044
392-140-381	NEW-P 90-22-041	392-142-075	NEW 90-02-077	392-168-170	AMD 90-11-029
392-140-390	NEW-P 90-22-041	392-142-080	NEW 90-02-077	392-170-005	AMD-P 90-11-128
392-140-391	NEW-P 90-22-041	392-142-085	NEW 90-02-077	392-170-005	AMD 90-16-002
392-140-392	NEW-P 90-22-041	392-142-090	NEW 90-02-077	392-171-295	AMD-P 90-11-128
392-140-393	NEW-P 90-22-041	392-142-095	NEW 90-02-077	392-171-295	AMD 90-16-002
392-140-400	NEW-P 90-07-045	392-142-100	NEW 90-02-077	392-171-300	AMD-P 90-11-128
392-140-400	NEW 90-11-028	392-142-105	NEW 90-02-077	392-171-300	AMD 90-16-002
392-140-401	NEW-P 90-07-045	392-142-110	NEW 90-02-077	392-171-310	AMD-P 90-11-039
392-140-401	NEW 90-11-028	392-142-115	NEW 90-02-077	392-171-310	AMD-P 90-11-128
392-140-402	NEW-P 90-07-045	392-142-120	NEW 90-02-077	392-171-310	AMD 90-16-002
392-140-402	NEW 90-11-028	392-142-125	NEW 90-02-077	392-171-310	AMD 90-16-045
392-140-403	NEW-P 90-07-045	392-142-130	NEW 90-02-077	392-171-315	AMD-P 90-11-039
392-140-403	NEW 90-11-028	392-142-135	NEW 90-02-077	392-171-315	AMD 90-16-045
392-140-404	NEW-P 90-07-045	392-142-140	NEW 90-02-077	392-171-322	NEW-P 90-11-039
392-140-404	NEW 90-11-028	392-142-145	NEW 90-02-077	392-171-322	NEW 90-16-045
392-140-405	NEW-P 90-07-045	392-142-150	NEW 90-02-077	392-171-361	AMD-P 90-11-128
392-140-405	NEW 90-11-028	392-142-155	NEW 90-02-077	392-171-361	AMD 90-16-002
392-140-406	NEW-P 90-07-045	392-142-160	NEW 90-02-077	392-171-371	AMD-P 90-11-039
392-140-406	NEW 90-11-028	392-142-165	NEW 90-02-077	392-171-371	AMD 90-16-045
392-140-407	NEW-P 90-07-045	392-142-170	NEW 90-02-077	392-171-371	AMD-E 90-20-062
392-140-407	NEW 90-11-028	392-142-175	NEW 90-02-077	392-171-456	AMD-E 90-16-091
392-140-408	NEW-P 90-07-045	392-142-180	NEW 90-02-077	392-171-456	AMD-P 90-21-031A
392-140-408	NEW 90-11-028	392-142-185	NEW 90-02-077	392-171-491	AMD-P 90-11-128
392-140-409	NEW-P 90-07-045	392-142-190	NEW 90-02-077	392-171-491	AMD 90-16-002
392-140-409	NEW 90-11-028	392-142-195	NEW 90-02-077	392-171-636	AMD-E 90-16-044
392-140-410	NEW-P 90-07-045	392-142-200	NEW 90-02-077	392-171-636	AMD-P 90-16-107
392-140-410	NEW 90-11-028	392-142-205	NEW 90-02-077	392-171-636	AMD 90-19-054
392-140-411	NEW-P 90-07-045	392-142-210	NEW 90-02-077	392-171-711	AMD-P 90-11-128
392-140-411	NEW 90-11-028	392-142-215	NEW 90-02-077	392-171-711	AMD 90-16-002
392-140-412	NEW-P 90-07-045	392-142-220	NEW 90-02-077	392-171-800	NEW-P 90-04-045
392-140-412	NEW 90-11-028	392-142-225	NEW 90-02-077	392-171-800	NEW 90-10-096
392-140-413	NEW-P 90-07-045	392-142-230	NEW 90-02-077	392-171-805	NEW-P 90-04-045
392-140-413	NEW 90-11-028	392-142-235	NEW 90-02-077	392-171-805	NEW 90-10-096
392-140-414	NEW-P 90-07-045	392-142-240	NEW 90-02-077	392-171-810	NEW-P 90-04-045
392-140-414	NEW 90-11-028	392-142-245	NEW 90-02-077	392-171-810	NEW 90-10-096
392-140-415	NEW-P 90-07-045	392-142-250	NEW 90-02-077	392-171-815	NEW-P 90-04-045
392-140-415	NEW 90-11-028	392-142-255	NEW 90-02-077	392-171-815	NEW 90-10-096
392-140-416	NEW-P 90-07-045	392-142-260	NEW 90-02-077	392-171-820	NEW-P 90-04-045
392-140-416	NEW 90-11-028	392-142-265	NEW 90-02-077	392-171-820	NEW 90-10-096
392-140-417	NEW-P 90-07-045	392-142-270	NEW 90-02-077	392-171-825	NEW-P 90-04-045
392-140-417	NEW 90-11-028	392-143-061	NEW-P 90-19-114	392-171-825	NEW 90-10-096
392-140-418	NEW-P 90-07-045	392-143-061	NEW 90-22-043	392-171-830	NEW-P 90-04-045
392-140-418	NEW 90-11-028	392-145-015	AMD-P 90-19-113	392-171-830	NEW 90-10-096
392-140-419	NEW-P 90-07-045	392-145-030	AMD-P 90-19-113	392-173-003	AMD-P 90-11-128
392-140-419	NEW 90-11-028	392-153-010	AMD-P 90-11-128	392-173-003	AMD 90-16-002
392-140-420	NEW-P 90-07-045	392-153-010	AMD 90-16-002	392-173-025	AMD-E 90-16-042
392-140-420	NEW 90-11-028	392-153-020	AMD-P 90-11-128	392-173-025	AMD-P 90-16-092
392-140-421	NEW-P 90-07-045	392-153-020	AMD 90-16-002	392-173-025	AMD 90-19-069
392-140-421	NEW 90-11-028	392-160-003	AMD-P 90-11-128	392-182-005	AMD-P 90-11-128
392-140-422	NEW-P 90-07-045	392-160-003	AMD 90-16-002	392-182-005	AMD 90-16-002



Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-182-010	AMD-P	90-11-128	392-193-055	AMD-P	90-11-128	392-315-130	AMD	90-16-002
392-182-010	AMD	90-16-002	392-193-055	AMD-P	90-13-087	400-04-040	AMD-P	90-13-106
392-183-005	NEW-P	90-05-036	392-193-055	AMD	90-16-002	400-04-040	AMD-E	90-13-107
392-183-010	NEW-P	90-05-036	392-193-055	AMD	90-20-015	400-04-040	AMD	90-17-063
392-183-015	NEW-P	90-05-036	392-195-003	AMD-P	90-11-128	400-06-020	AMD-P	90-13-106
392-183-020	NEW-P	90-05-036	392-195-003	AMD	90-16-002	400-06-020	AMD-E	90-13-107
392-183-025	NEW-P	90-05-036	392-196-005	AMD-P	90-11-128	400-06-020	AMD	90-17-063
392-183-030	NEW-P	90-05-036	392-196-005	AMD	90-16-002	400-06-030	AMD-P	90-13-106
392-183A-005	NEW	90-09-039	392-196-011	AMD-P	90-11-128	400-06-030	AMD-E	90-13-107
392-183A-010	NEW	90-09-039	392-196-011	AMD	90-16-002	400-06-030	AMD	90-17-063
392-183A-015	NEW	90-09-039	392-196-020	AMD-P	90-11-128	400-06-050	AMD-P	90-13-106
392-183A-020	NEW	90-09-039	392-196-020	AMD	90-16-002	400-06-050	AMD-E	90-13-107
392-183A-025	NEW	90-09-039	392-196-030	AMD-P	90-11-088	400-06-050	AMD	90-17-063
392-183A-030	NEW	90-09-039	392-196-030	AMD-P	90-11-128	400-06-070	AMD-P	90-13-106
392-184-003	AMD-P	90-11-128	392-196-030	AMD	90-14-093	400-06-070	AMD-E	90-13-107
392-184-003	AMD	90-16-002	392-196-030	AMD	90-16-002	400-06-070	AMD	90-17-063
392-185-003	AMD-P	90-11-128	392-196-037	NEW-P	90-11-088	400-06-160	AMD-P	90-13-106
392-185-003	AMD	90-16-002	392-196-037	NEW	90-14-093	400-06-160	AMD-E	90-13-107
392-185-005	AMD-P	90-11-128	392-196-040	AMD-P	90-11-088	400-06-160	AMD	90-17-063
392-185-005	AMD	90-16-002	392-196-040	AMD	90-14-093	402-10-010	DECOD-P	90-22-094
392-185-010	AMD-P	90-11-128	392-196-045	AMD-P	90-11-088	402-12-010	DECOD-P	90-22-094
392-185-010	AMD	90-16-002	392-196-045	AMD	90-14-093	402-12-030	DECOD-P	90-22-094
392-185-060	AMD-P	90-11-128	392-196-051	REP-P	90-11-088	402-12-040	DECOD-P	90-22-094
392-185-060	AMD	90-16-002	392-196-051	REP	90-14-093	402-12-050	DECOD-P	90-22-094
392-185-100	AMD-P	90-11-128	392-196-052	REP-P	90-11-088	402-12-080	DECOD-P	90-22-094
392-185-100	AMD	90-16-002	392-196-052	REP	90-14-093	402-12-090	DECOD-P	90-22-094
392-185-120	AMD-P	90-11-128	392-196-066	AMD-P	90-11-088	402-12-100	DECOD-P	90-22-094
392-185-120	AMD	90-16-002	392-196-066	AMD	90-14-093	402-12-125	DECOD-P	90-22-094
392-190-005	AMD-P	90-11-128	392-196-070	REP-P	90-11-088	402-12-130	DECOD-P	90-22-094
392-190-005	AMD	90-16-002	392-196-070	REP	90-14-093	402-12-140	DECOD-P	90-22-094
392-190-055	AMD-P	90-11-128	392-196-072	REP-P	90-11-088	402-12-150	DECOD-P	90-22-094
392-190-055	AMD	90-16-002	392-196-072	REP	90-14-093	402-12-160	DECOD-P	90-22-094
392-191-001	AMD	90-02-078	392-196-075	REP-P	90-11-088	402-12-170	DECOD-P	90-22-094
392-191-005	AMD	90-02-078	392-196-075	REP	90-14-093	402-12-200	DECOD-P	90-22-094
392-191-007	NEW-P	90-19-038	392-196-080	AMD-P	90-11-088	402-12-210	DECOD-P	90-22-094
392-191-007	NEW	90-22-045	392-196-080	AMD-P	90-11-128	402-12-250	DECOD-P	90-22-094
392-191-010	AMD	90-02-078	392-196-080	AMD	90-14-093	402-16-210	DECOD-P	90-22-094
392-191-020	AMD	90-02-078	392-196-080	AMD	90-16-002	402-16-220	DECOD-P	90-22-094
392-191-025	NEW	90-02-078	392-196-085	AMD-P	90-11-088	402-16-230	DECOD-P	90-22-094
392-191-030	NEW	90-02-078	392-196-085	AMD	90-14-093	402-16-232	DECOD-P	90-22-094
392-191-030	AMD-P	90-19-038	392-196-085	AMD-E	90-16-090	402-16-234	DECOD-P	90-22-094
392-191-030	AMD	90-22-045	392-196-085	AMD-P	90-19-071	402-16-238	DECOD-P	90-22-094
392-191-035	NEW	90-02-078	392-196-085	AMD	90-22-042	402-16-240	DECOD-P	90-22-094
392-191-035	AMD-P	90-19-038	392-196-100	AMD-P	90-11-088	402-16-250	DECOD-P	90-22-094
392-191-035	AMD	90-22-045	392-196-100	AMD	90-14-093	402-16-260	DECOD-P	90-22-094
392-191-040	NEW	90-02-078	392-200-003	AMD-P	90-11-128	402-16-270	DECOD-P	90-22-094
392-191-040	AMD-P	90-19-038	392-200-003	AMD	90-16-002	402-16-280	DECOD-P	90-22-094
392-191-040	AMD	90-22-045	392-200-015	AMD-P	90-11-128	402-19-010	DECOD-P	90-22-094
392-191-045	NEW	90-02-078	392-200-015	AMD	90-16-002	402-19-190	DECOD-P	90-22-094
392-191-060	NEW	90-02-078	392-202-003	AMD-P	90-11-128	402-19-220	DECOD-P	90-22-094
392-191-065	NEW	90-02-078	392-202-003	AMD-P	90-15-071	402-19-240	DECOD-P	90-22-094
392-191-070	NEW	90-02-078	392-202-003	AMD	90-16-002	402-19-250	DECOD-P	90-22-094
392-191-075	NEW	90-02-078	392-202-005	AMD-P	90-15-071	402-19-300	DECOD-P	90-22-094
392-191-080	NEW	90-02-078	392-202-005	AMD	90-19-041	402-19-330	DECOD-P	90-22-094
392-191-085	NEW	90-02-078	392-202-027	NEW-P	90-15-071	402-19-350	DECOD-P	90-22-094
392-191-090	NEW	90-02-078	392-202-027	NEW	90-19-041	402-19-370	DECOD-P	90-22-094
392-191-095	NEW	90-02-078	392-202-070	AMD-P	90-15-071	402-19-400	DECOD-P	90-22-094
392-192-005	NEW-P	90-19-037	392-202-070	AMD	90-19-041	402-19-500	DECOD-P	90-22-094
392-192-005	NEW	90-22-046	392-202-075	AMD-P	90-15-071	402-19-530	DECOD-P	90-22-094
392-192-010	NEW-P	90-19-037	392-202-075	AMD	90-19-041	402-19-540	DECOD-P	90-22-094
392-192-010	NEW	90-22-046	392-202-080	AMD-P	90-15-071	402-19-550	DECOD-P	90-22-094
392-192-020	NEW-P	90-19-037	392-202-080	AMD	90-19-041	402-19-580	DECOD-P	90-22-094
392-192-020	NEW	90-22-046	392-202-087	NEW-P	90-15-071	402-19-590	DECOD-P	90-22-094
392-192-030	NEW-P	90-19-037	392-202-087	NEW	90-19-041	402-21-010	DECOD-P	90-22-094
392-192-030	NEW	90-22-046	392-202-113	NEW-P	90-15-071	402-21-030	DECOD-P	90-22-094
392-192-040	NEW-P	90-19-037	392-202-113	NEW	90-19-041	402-21-050	DECOD-P	90-22-094
392-192-040	NEW	90-22-046	392-210-005	AMD-P	90-11-128	402-22-010	DECOD-P	90-22-094
392-192-050	NEW-P	90-19-037	392-210-005	AMD	90-16-002	402-22-020	DECOD-P	90-22-094
392-192-050	NEW	90-22-046	392-310-010	AMD-P	90-11-128	402-22-040	DECOD-P	90-22-094
392-192-060	NEW-P	90-19-037	392-310-010	AMD	90-16-002	402-22-045	DECOD-P	90-22-094
392-192-060	NEW	90-22-046	392-315-005	AMD-P	90-11-128	402-22-050	DECOD-P	90-22-094
392-192-070	NEW-P	90-19-037	392-315-005	AMD	90-16-002	402-22-055	DECOD-P	90-22-094
392-192-070	NEW	90-22-046	392-315-075	AMD-P	90-11-128	402-22-060	DECOD-P	90-22-094
392-193-005	AMD-P	90-11-128	392-315-075	AMD	90-16-002	402-22-065	DECOD-P	90-22-094
392-193-005	AMD	90-16-002	392-315-080	AMD-P	90-11-128	402-22-070	DECOD-P	90-22-094
392-193-020	AMD-P	90-11-128	392-315-080	AMD	90-16-002	402-22-090	DECOD-P	90-22-094
392-193-020	AMD	90-16-002	392-315-130	AMD-P	90-11-128	402-22-110	DECOD-P	90-22-094



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
402-70-080	AMD C 90-19-067	415-112-727	NEW-P 90-21-064	440-44-043	REP-P 90-22-093
402-70-080	DECOD P 90-22-094	415-112-727	NEW-E 90-21-065	440-44-045	REP-P 90-22-093
402-70-085	NEW-P 90-06-106	415-113-010	NEW-E 90-11-129	440-44-048	DECOD-P 90-22-094
402-70-085	NEW C 90-19-067	415-113-010	NEW-P 90-17-089	440-44-050	REP-P 90-06-106
402-70-090	AMD-P 90-06-106	415-113-010	NEW 90-22-038	440-44-050	REP-C 90-19-067
402-70-090	AMD-C 90-19-067	415-113-020	NEW-E 90-11-129	440-44-050	DECOD-P 90-22-094
402-70-090	DECOD-P 90-22-094	415-113-020	NEW-P 90-17-089	440-44-057	REP-P 90-06-106
402-80-010	DECOD P 90-22-094	415-113-020	NEW 90-22-038	440-44-057	REP-C 90-19-067
402-80-020	DECOD-P 90-22-094	415-113-030	NEW-E 90-11-129	440-44-057	DECOD-P 90-22-094
402-80-030	DECOD P 90-22-094	415-113-030	NEW-P 90-17-089	440-44-058	REP-P 90-06-106
402-80-040	DECOD P 90-22-094	415-113-030	NEW 90-22-038	440-44-058	REP-C 90-19-067
402-80-050	DECOD-P 90-22-094	415-113-040	NEW-E 90-11-129	440-44-058	DECOD-P 90-22-094
402-80-060	DECOD-P 90-22-094	415-113-040	NEW-P 90-17-089	440-44-059	REP-P 90-06-106
402-80-065	DECOD-P 90-22-094	415-113-040	NEW 90-22-038	440-44-059	REP-C 90-19-067
402-80-070	DECOD-P 90-22-094	415-113-050	NEW-E 90-11-129	440-44-059	DECOD-P 90-22-094
402-80-080	DECOD-P 90-22-094	415-113-050	NEW-P 90-17-089	440-44-060	REP-P 90-06-106
402-80-090	DECOD-P 90-22-094	415-113-050	NEW 90-22-038	440-44-060	REP-C 90-19-067
402-80-100	DECOD-P 90-22-094	415-113-060	NEW-P 90-17-089	440-44-060	DECOD-P 90-22-094
402-990	DECOD-P 90-22-094	415-113-060	NEW 90-22-038	440-44-061	REP-P 90-06-106
415-02-090	REP-E 90-19-007	434-19-012	AMD-P 90-19-094	440-44-061	REP 90-11-126
415-02-090	REP-P 90-21-099	434-19-012	AMD 90-22-021	440-44-062	REP-P 90-06-106
415-02-090	REP-E 90-21-102	434-19-012	AMD 90-23-040	440-44-062	REP-C 90-19-067
415-100-041	NEW E 90-14-082	434-19-020	AMD-P 90-19-094	440-44-062	DECOD-P 90-22-094
415-100-041	NEW-P 90-21-058	434-19-020	AMD 90-22-021	440-44-065	DECOD-P 90-22-094
415-100-041	NEW-E 90-21-059	434-19-052	AMD-P 90-19-094	440-44-070	REP-P 90-22-093
415-100-045	NEW-E 90-14-082	434-19-052	AMD 90-22-021	440-44-075	DECOD-P 90-22-094
415-100-045	NEW-P 90-21-058	434-19-053	AMD-P 90-19-094	440-44-076	DECOD-P 90-22-094
415-100-045	NEW-E 90-21-059	434-19-053	AMD 90-22-021	440-44-080	DECOD-P 90-22-094
415-100-051	NEW-E 90-14-082	434-19-054	AMD-P 90-19-094	440-44-095	DECOD-P 90-22-094
415-100-051	NEW-P 90-21-058	434-19-054	AMD 90-22-021	440-44-100	DECOD-P 90-22-094
415-100-051	NEW-E 90-21-059	434-19-056	AMD-P 90-19-094	446-10-090	AMD-P 90-04-027
415-100-055	NEW E 90-14-082	434-19-056	AMD 90-22-021	446-10-090	AMD 90-10-097
415-100-055	NEW-P 90-21-058	434-19-059	AMD-P 90-19-094	446-20-020	AMD-P 90-15-020
415-100-055	NEW-E 90-21-059	434-19-059	AMD 90-22-021	446-20-020	AMD-E 90-15-021
415-104-108	NEW-E 90-19-007	434-19-060	AMD-P 90-19-094	446-20-020	AMD 90-20-003
415-104-108	NEW-P 90-21-099	434-19-060	AMD 90-22-021	446-20-285	AMD-P 90-15-020
415-104-108	NEW-E 90-21-102	434-19-061	AMD-P 90-19-094	446-20-285	AMD-E 90-15-021
415-104-201	NEW-E 90-14-084	434-19-061	AMD 90-22-021	446-20-285	AMD 90-20-003
415-104-201	NEW-E 90-21-060	434-19-075	AMD-P 90-19-094	446-20-290	AMD-P 90-15-020
415-104-201	NEW-P 90-21-061	434-19-075	AMD 90-22-021	446-20-290	AMD-E 90-15-021
415-104-205	NEW-E 90-14-084	434-19-084	AMD-P 90-19-094	446-20-290	AMD 90-20-003
415-104-205	NEW-E 90-21-060	434-19-084	AMD 90-22-021	446-20-500	NEW-P 90-15-020
415-104-205	NEW P 90-21-061	434-19-085	NEW-P 90-19-094	446-20-500	NEW-E 90-15-021
415-104-211	NEW-E 90-14-084	434-19-085	NEW 90-22-021	446-20-500	NEW 90-20-003
415-104-211	NEW-E 90-21-060	434-19-090	REP-P 90-19-094	446-20-510	NEW-P 90-15-020
415-104-211	NEW-P 90-21-061	434-19-090	REP 90-22-021	446-20-510	NEW-E 90-15-021
415-104-215	NEW-E 90-14-084	434-19-097	NEW-P 90-19-094	446-20-510	NEW 90-20-003
415-104-215	NEW-E 90-21-060	434-19-097	NEW 90-22-021	446-20-515	NEW-P 90-15-020
415-104-215	NEW-P 90-21-061	434-19-098	NEW-P 90-19-094	446-20-515	NEW-E 90-15-021
415-108-320	NEW-E 90-14-083	434-19-098	NEW 90-22-021	446-20-515	NEW 90-20-003
415-108-320	NEW-P 90-21-062	434-19-101	AMD-P 90-19-094	446-20-520	NEW-P 90-15-020
415-108-320	NEW-E 90-21-063	434-19-101	AMD 90-22-021	446-20-520	NEW-E 90-15-021
415-108-322	NEW-E 90-14-083	434-19-110	AMD-P 90-19-094	446-20-520	NEW 90-20-003
415-108-322	NEW-P 90-21-062	434-19-110	AMD 90-22-021	446-20-525	NEW-P 90-15-020
415-108-322	NEW E 90-21-063	434-19-113	REP-P 90-19-094	446-20-525	NEW-E 90-15-021
415-108-324	NEW-E 90-14-083	434-19-113	REP 90-22-021	446-20-525	NEW 90-20-003
415-108-324	NEW-P 90-21-062	434-19-114	AMD-P 90-19-094	446-20-530	NEW-P 90-15-020
415-108-324	NEW-E 90-21-063	434-19-114	AMD 90-22-021	446-20-530	NEW-E 90-15-021
415-108-326	NEW-E 90-14-083	434-19-115	AMD-P 90-19-094	446-20-530	NEW 90-20-003
415-108-326	NEW-P 90-21-062	434-19-115	AMD 90-22-021	448-12	REP-C 90-22-087
415-108-325	NEW-E 90-21-063	434-19-118	AMD-P 90-19-094	448-12-010	REP-P 90-20-050
415-108-340	NEW-E 90-19-008	434-19-118	AMD 90-22-021	448-12-015	REP-P 90-20-050
415-108-340	NEW-P 90-21-098	434-19-191	AMD-P 90-19-094	448-12-016	REP-P 90-20-050
415-108-340	NEW-E 90-21-101	434-19-191	AMD 90-22-021	448-12-020	REP-P 90-20-050
415-112-040	NEW-E 90-19-006	434-19-192	AMD-P 90-19-094	448-12-030	REP-P 90-20-050
415-112-040	NEW-P 90-21-100	434-19-192	AMD 90-22-021	448-12-040	REP-P 90-20-050
415-112-040	NEW-E 90-21-103	434-19-193	AMD-P 90-19-094	448-12-050	REP-P 90-20-050
415-112-720	NEW-E 90-14-085	434-19-193	AMD 90-22-021	448-12-055	REP-P 90-20-050
415-112-720	NEW-P 90-21-064	440-44-023	DECOD-P 90-22-094	448-12-060	REP-P 90-20-050
415-112-720	NEW-E 90-21-065	440-44-028	NEW 90-03-049	448-12-070	REP-P 90-20-050
415-112-722	NEW-E 90-14-085	440-44-030	AMD-P 90-11-092	448-12-075	REP-P 90-20-050
415-112-722	NEW-P 90-21-064	440-44-030	AMD 90-15-001	448-12-080	REP-P 90-20-050
415-112-722	NEW-E 90-21-065	440-44-030	DECOD-P 90-22-094	448-12-090	REP-P 90-20-050
415-112-725	NEW-E 90-14-085	440-44-035	REP-P 90-22-093	448-12-100	REP-P 90-20-050
415-112-725	NEW-P 90-21-064	440-44-040	REP-P 90-22-093	448-12-210	REP-P 90-20-050
415-112-725	NEW-E 90-21-065	440-44-041	REP-P 90-22-093	448-12-220	REP-P 90-20-050
415-112-727	NEW-E 90-14-085	440-44-042	REP-P 90-22-093	448-12-230	REP-P 90-20-050

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
448-12-240	REP-P	90-20-050	456-09-940	AMD-P	90-08-007	458-14-025	NEW	90-23-097
448-12-250	REP-P	90-20-050	456-09-940	AMD	90-11-105	458-14-027	NEW-W	90-11-032
448-12-260	REP-P	90-20-050	456-09-945	AMD-P	90-08-007	458-14-029	NEW-W	90-11-032
448-12-270	REP-P	90-20-050	456-09-945	AMD	90-11-105	458-14-030	REP-W	90-11-032
448-12-280	REP-P	90-20-050	456-09-955	AMD-P	90-08-007	458-14-030	REP-E	90-15-006
448-12-290	REP-P	90-20-050	456-09-955	AMD	90-11-105	458-14-030	REP-P	90-18-097
448-12-300	REP-P	90-20-050	456-09-960	NEW-P	90-08-007	458-14-031	NEW-W	90-11-032
448-12-320	REP-P	90-20-050	456-09-960	NEW	90-11-105	458-14-035	NEW-E	90-15-006
448-12-330	REP-P	90-20-050	456-10-110	AMD-P	90-08-006	458-14-035	NEW-P	90-18-097
448-12-340	REP-P	90-20-050	456-10-110	AMD	90-11-106	458-14-035	NEW-E	90-22-102
448-13	NEW-C	90-22-087	456-10-160	AMD-P	90-08-006	458-14-035	NEW	90-23-097
448-13-010	NEW-P	90-20-050	456-10-160	AMD	90-11-106	458-14-040	REP-W	90-11-032
448-13-020	NEW-P	90-20-050	456-10-310	AMD-P	90-08-006	458-14-040	REP-E	90-15-006
448-13-030	NEW-P	90-20-050	456-10-310	AMD	90-11-106	458-14-040	REP-P	90-18-097
448-13-040	NEW-P	90-20-050	456-10-315	AMD-P	90-08-006	458-14-042	NEW-W	90-11-032
448-13-050	NEW-P	90-20-050	456-10-315	AMD	90-11-106	458-14-045	REP-W	90-11-032
448-13-060	NEW-P	90-20-050	456-10-320	AMD-P	90-08-006	458-14-045	REP-E	90-15-006
448-13-070	NEW-P	90-20-050	456-10-320	AMD-W	90-08-096	458-14-045	REP-P	90-18-097
448-13-080	NEW-P	90-20-050	456-10-320	AMD-P	90-08-098	458-14-046	NEW-E	90-15-006
448-13-090	NEW-P	90-20-050	456-10-320	AMD	90-11-103	458-14-046	NEW-P	90-18-097
448-13-100	NEW-P	90-20-050	456-10-325	AMD-P	90-08-006	458-14-046	NEW-E	90-22-102
448-13-110	NEW-P	90-20-050	456-10-325	AMD	90-11-106	458-14-046	NEW	90-23-097
448-13-120	NEW-P	90-20-050	456-10-430	AMD-P	90-08-006	458-14-050	REP-W	90-11-032
448-13-130	NEW-P	90-20-050	456-10-430	AMD	90-11-106	458-14-050	REP-E	90-15-006
448-13-140	NEW-P	90-20-050	456-10-440	AMD-P	90-08-006	458-14-050	REP-P	90-18-097
448-13-150	NEW-P	90-20-050	456-10-440	AMD	90-11-106	458-14-052	REP-W	90-11-032
448-13-160	NEW-P	90-20-050	456-10-545	AMD-P	90-08-006	458-14-052	REP-E	90-15-006
448-13-170	NEW-P	90-20-050	456-10-545	AMD	90-11-106	458-14-052	REP-P	90-18-097
448-13-180	NEW-P	90-20-050	456-10-730	AMD-P	90-08-006	458-14-055	REP-W	90-11-032
448-13-190	NEW-P	90-20-050	456-10-730	AMD	90-11-106	458-14-055	REP-E	90-15-006
448-13-200	NEW-P	90-20-050	456-10-735	AMD-P	90-08-006	458-14-055	REP-P	90-18-097
456-09-110	AMD-P	90-08-007	456-10-735	AMD	90-11-106	458-14-056	NEW-E	90-15-006
456-09-110	AMD	90-11-105	456-10-740	AMD-P	90-08-006	458-14-056	NEW-P	90-18-097
456-09-150	AMD-P	90-08-007	456-10-740	AMD	90-11-106	458-14-056	NEW-E	90-22-102
456-09-150	AMD	90-11-105	456-10-755	AMD-P	90-08-006	458-14-056	NEW	90-23-097
456-09-210	AMD-P	90-08-007	456-10-755	AMD	90-11-106	458-14-060	REP-W	90-11-032
456-09-210	AMD	90-11-105	456-12-030	AMD-P	90-08-005	458-14-060	REP-E	90-15-006
456-09-230	AMD-P	90-08-007	456-12-030	AMD	90-11-107	458-14-060	REP-P	90-18-097
456-09-230	AMD	90-11-105	456-12-090	AMD-P	90-08-005	458-14-062	REP-W	90-11-032
456-09-310	AMD-P	90-08-007	456-12-090	AMD-W	90-21-006	458-14-062	REP-E	90-15-006
456-09-310	AMD	90-11-105	456-12-140	AMD-P	90-08-005	458-14-062	REP-P	90-18-097
456-09-315	AMD-P	90-08-007	456-12-140	AMD	90-11-107	458-14-065	REP-W	90-11-032
456-09-315	AMD	90-11-105	458-12-270	PREP	90-19-105	458-14-065	REP-E	90-15-006
456-09-320	AMD-P	90-08-007	458-12-275	PREP	90-19-105	458-14-065	REP-P	90-18-097
456-09-320	AMD-W	90-08-096	458-12-280	PREP	90-19-105	458-14-066	NEW-E	90-15-006
456-09-320	AMD-P	90-08-097	458-14	PREP	90-15-053	458-14-066	NEW-P	90-18-097
456-09-320	AMD	90-11-104	458-14-001	NEW-E	90-15-006	458-14-066	NEW-E	90-22-102
456-09-325	AMD-P	90-08-007	458-14-001	NEW-P	90-18-097	458-14-066	NEW	90-23-097
456-09-325	AMD	90-11-105	458-14-001	NEW-E	90-22-102	458-14-070	REP-W	90-11-032
456-09-430	AMD-P	90-08-007	458-14-001	NEW	90-23-097	458-14-070	REP-E	90-15-006
456-09-430	AMD	90-11-105	458-14-005	NEW-W	90-11-032	458-14-070	REP-P	90-18-097
456-09-440	AMD-P	90-08-007	458-14-005	NEW-E	90-15-006	458-14-075	REP-W	90-11-032
456-09-440	AMD	90-11-105	458-14-005	NEW-P	90-18-097	458-14-075	REP-E	90-15-006
456-09-520	AMD-P	90-08-007	458-14-005	NEW-E	90-22-102	458-14-075	REP-P	90-18-097
456-09-520	AMD	90-11-105	458-14-005	NEW	90-23-097	458-14-076	NEW-E	90-15-006
456-09-530	AMD-P	90-08-007	458-14-009	NEW-W	90-11-032	458-14-076	NEW-P	90-18-097
456-09-530	AMD	90-11-105	458-14-010	REP-W	90-11-032	458-14-076	NEW-E	90-22-102
456-09-655	AMD-P	90-08-007	458-14-010	REP-E	90-15-006	458-14-076	NEW	90-23-097
456-09-655	AMD	90-11-105	458-14-010	REP-P	90-18-097	458-14-080	REP-W	90-11-032
456-09-730	AMD-P	90-08-007	458-14-014	NEW-W	90-11-032	458-14-080	REP-E	90-15-006
456-09-730	AMD	90-11-105	458-14-015	NEW-W	90-11-032	458-14-080	REP-P	90-18-097
456-09-732	NEW-P	90-08-007	458-14-015	NEW-E	90-15-006	458-14-085	REP-W	90-11-032
456-09-732	NEW	90-11-105	458-14-015	NEW-P	90-18-097	458-14-085	REP-E	90-15-006
456-09-740	AMD-P	90-08-007	458-14-015	NEW-E	90-22-102	458-14-085	REP-P	90-18-097
456-09-740	AMD	90-11-105	458-14-015	NEW	90-23-097	458-14-086	REP-W	90-11-032
456-09-742	NEW-P	90-08-007	458-14-016	NEW-W	90-11-032	458-14-086	REP-E	90-15-006
456-09-742	NEW	90-11-105	458-14-017	NEW-W	90-11-032	458-14-086	REP-P	90-18-097
456-09-760	AMD-P	90-08-007	458-14-019	NEW-W	90-11-032	458-14-087	NEW-E	90-15-006
456-09-760	AMD	90-11-105	458-14-020	REP-W	90-11-032	458-14-087	NEW-P	90-18-097
456-09-762	NEW-P	90-08-007	458-14-020	REP-E	90-15-006	458-14-087	NEW-E	90-22-102
456-09-762	NEW	90-11-105	458-14-020	REP-P	90-18-097	458-14-087	NEW	90-23-097
456-09-925	AMD-P	90-08-007	458-14-021	NEW-W	90-11-032	458-14-090	REP-W	90-11-032
456-09-925	AMD	90-11-105	458-14-023	NEW-W	90-11-032	458-14-090	REP-E	90-15-006
456-09-930	AMD-P	90-08-007	458-14-025	NEW-W	90-11-032	458-14-090	REP-P	90-18-097
456-09-930	AMD	90-11-105	458-14-025	NEW-E	90-15-006	458-14-091	REP-W	90-11-032
456-09-935	AMD-P	90-08-007	458-14-025	NEW-P	90-18-097	458-14-091	REP-E	90-15-006
456-09-935	AMD	90-11-105	458-14-025	NEW-E	90-22-102	458-14-091	REP-P	90-18-097

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
458-14-092	REP-W	90-11-032	458-14-155	REP-P	90-18-097	458-30-225	AMD	90-24-087
458-14-092	REP-E	90-15-006	458-14-156	NEW-E	90-15-006	458-30-235	PREP	90-17-132
458-14-092	REP-P	90-18-097	458-14-156	NEW-P	90-18-097	458-30-235	AMD-P	90-20-130
458-14-094	REP-W	90-11-032	458-14-156	NEW-E	90-22-102	458-30-235	AMD	90-24-087
458-14-094	REP-E	90-15-006	458-14-156	NEW	90-23-097	458-30-260	AMD	90-02-080
458-14-094	REP-P	90-18-097	458-14-160	NEW-W	90-11-032	458-30-261	REP	90-02-080
458-14-095	NEW-E	90-15-006	458-14-160	NEW-E	90-15-006	458-30-262	NEW	90-02-080
458-14-095	NEW-P	90-18-097	458-14-160	NEW-P	90-18-097	458-30-262	PREP	90-17-132
458-14-095	NEW-E	90-22-102	458-14-160	NEW-E	90-22-102	458-30-262	AMD-P	90-20-130
458-14-095	NEW	90-23-097	458-14-160	NEW	90-23-097	458-30-262	AMD-P	90-24-086
458-14-098	REP-W	90-11-032	458-14-170	NEW-E	90-15-006	458-30-262	AMD	90-24-087
458-14-098	REP-E	90-15-006	458-14-170	NEW-P	90-18-097	458-30-275	PREP	90-17-132
458-14-098	REP-P	90-18-097	458-14-170	NEW-E	90-22-102	458-30-275	AMD-P	90-20-130
458-14-100	REP-W	90-11-032	458-14-170	NEW	90-23-097	458-30-275	AMD	90-24-087
458-14-100	REP-E	90-15-006	458-16-265	NEW-P	90-03-059	458-30-285	PREP	90-17-132
458-14-100	REP-P	90-18-097	458-16-265	NEW	90-06-048	458-30-285	AMD-P	90-20-130
458-14-105	NEW-E	90-15-006	458-19	PREP	90-18-096	458-30-285	AMD	90-24-087
458-14-105	NEW-P	90-18-097	458-20-100	PREP	90-19-107	458-30-290	PREP	90-17-132
458-14-105	NEW-E	90-22-102	458-20-100	AMD-P	90-21-165	458-30-290	AMD-P	90-20-130
458-14-105	NEW	90-23-097	458-20-100	AMD	90-24-049	458-30-290	AMD	90-24-087
458-14-110	REP-W	90-11-032	458-20-10001	PREP	90-19-106	458-30-295	PREP	90-17-132
458-14-110	REP-E	90-15-006	458-20-106	PREP	90-16-088	458-30-295	AMD-P	90-20-130
458-14-110	REP-P	90-18-097	458-20-107	AMD-E	90-06-077	458-30-295	AMD	90-24-087
458-14-115	REP-W	90-11-032	458-20-107	AMD-P	90-07-087	458-30-300	PREP	90-17-132
458-14-115	REP-E	90-15-006	458-20-107	AMD	90-10-080	458-30-300	AMD-P	90-20-130
458-14-115	REP-P	90-18-097	458-20-109	PREP	90-17-070	458-30-300	AMD	90-24-087
458-14-116	NEW-E	90-15-006	458-20-110	PREP	90-21-042	458-30-305	PREP	90-17-132
458-14-116	NEW-P	90-18-097	458-20-118	AMD-P	90-13-011	458-30-305	AMD-P	90-20-130
458-14-116	NEW-E	90-22-102	458-20-118	AMD-C	90-17-010	458-30-305	AMD	90-24-087
458-14-116	NEW	90-23-097	458-20-126	PREP	90-19-108	458-30-310	PREP	90-17-132
458-14-120	REP-W	90-11-032	458-20-127	PREP	90-21-041	458-30-310	AMD-P	90-20-130
458-14-120	REP-E	90-15-006	458-20-132	PREP	90-17-069	458-30-310	AMD	90-24-087
458-14-120	REP-P	90-18-097	458-20-138	PREP	90-19-078	458-30-315	PREP	90-17-132
458-14-121	REP-W	90-11-032	458-20-151	PREP	90-17-133	458-30-315	AMD-P	90-20-130
458-14-121	REP-E	90-15-006	458-20-163	PREP	90-18-072	458-30-315	AMD	90-24-087
458-14-121	REP-P	90-18-097	458-20-166	PREP	90-21-043	458-30-325	PREP	90-17-132
458-14-122	REP-W	90-11-032	458-20-17902	NEW-E	90-13-117	458-30-325	AMD-P	90-20-130
458-14-122	REP-E	90-15-006	458-20-17902	NEW-P	90-14-095	458-30-325	AMD	90-24-087
458-14-122	REP-P	90-18-097	458-20-17902	NEW	90-17-068	458-30-345	PREP	90-17-132
458-14-125	REP-W	90-11-032	458-20-185	AMD	90-04-038	458-30-345	AMD-P	90-20-130
458-14-125	REP-E	90-15-006	458-20-186	AMD	90-04-039	458-30-345	AMD	90-24-087
458-14-125	REP-P	90-18-097	458-20-186	PREP	90-19-079	458-30-590	PREP	90-17-132
458-14-126	REP-W	90-11-032	458-20-186	AMD-P	90-21-164	458-30-590	AMD-P	90-20-130
458-14-126	REP-E	90-15-006	458-20-186	AMD	90-24-036	458-30-590	AMD	90-24-087
458-14-126	REP-P	90-18-097	458-20-197	AMD-P	90-07-089	458-40-540	AMD-P	90-21-138
458-14-127	NEW-E	90-15-006	458-20-197	AMD	90-10-082	458-40-540	AMD	90-24-012
458-14-127	NEW-P	90-18-097	458-20-200	AMD-P	90-13-012	458-40-610	AMD-P	90-10-079
458-14-127	NEW-E	90-22-102	458-20-200	AMD-C	90-17-011	458-40-610	AMD-E	90-14-032
458-14-127	NEW	90-23-097	458-20-227	PREP	90-17-134	458-40-610	AMD	90-14-033
458-14-130	REP-W	90-11-032	458-20-22801	NEW	90-05-044	458-40-636	AMD-P	90-10-079
458-14-130	REP-E	90-15-006	458-20-22802	NEW-P	90-16-104	458-40-636	AMD-E	90-14-032
458-14-130	REP-P	90-18-097	458-20-22802	NEW	90-19-052	458-40-636	AMD	90-14-033
458-14-135	REP-W	90-11-032	458-20-231	PREP	90-13-070	458-40-640	AMD-P	90-10-079
458-14-135	REP-E	90-15-006	458-20-231	AMD-P	90-20-026	458-40-640	AMD-E	90-14-032
458-14-135	REP-P	90-18-097	458-20-231	AMD	90-23-020	458-40-640	AMD	90-14-033
458-14-136	NEW-E	90-15-006	458-20-256	NEW	90-04-058	458-40-660	AMD-P	90-10-079
458-14-136	NEW-P	90-18-097	458-20-257	NEW-E	90-06-078	458-40-660	AMD-E	90-14-032
458-14-136	NEW-E	90-22-102	458-20-257	NEW-P	90-07-088	458-40-660	AMD	90-14-033
458-14-136	NEW	90-23-097	458-20-257	NEW	90-10-081	458-40-660	AMD-P	90-22-096
458-14-140	REP-W	90-11-032	458-20-258	NEW-P	90-13-093	458-40-670	AMD-P	90-10-079
458-14-140	REP-E	90-15-006	458-20-258	NEW	90-17-003	458-40-670	AMD-E	90-14-032
458-14-140	REP-P	90-18-097	458-20-259	NEW-P	90-13-094	458-40-670	AMD	90-14-033
458-14-145	REP-W	90-11-032	458-20-259	NEW	90-17-007	458-40-670	AMD-P	90-22-096
458-14-145	REP-E	90-15-006	458-30-200	PREP	90-17-132	458-53	PREP	90-19-104
458-14-145	REP-P	90-18-097	458-30-200	AMD-P	90-20-130	458-53-030	AMD-P	90-21-166
458-14-146	NEW-E	90-15-006	458-30-200	AMD	90-24-087	458-53-142	AMD-P	90-21-166
458-14-146	NEW-P	90-18-097	458-30-205	PREP	90-17-132	458-53-150	AMD-P	90-21-166
458-14-146	NEW-E	90-22-102	458-30-205	AMD-P	90-20-130	458-276-130	AMD-E	90-14-028
458-14-146	NEW	90-23-097	458-30-205	AMD	90-24-087	458-276-130	AMD-E	90-22-001
458-14-150	REP-W	90-11-032	458-30-210	PREP	90-17-132	460-16A-102	AMD-P	90-23-033
458-14-150	REP-E	90-15-006	458-30-210	AMD-P	90-20-130	460-16A-200	NEW-P	90-23-033
458-14-150	REP-P	90-18-097	458-30-210	AMD	90-24-087	460-16A-205	NEW-P	90-23-033
458-14-152	REP-W	90-11-032	458-30-220	PREP	90-17-132	460-17A-030	AMD-P	90-23-034
458-14-152	REP-E	90-15-006	458-30-220	AMD-P	90-20-130	460-17A-070	AMD-P	90-23-034
458-14-152	REP-P	90-18-097	458-30-220	AMD	90-24-087	460-20A-400	AMD-P	90-05-051
458-14-155	REP-W	90-11-032	458-30-225	PREP	90-17-132	460-20A-400	AMD	90-09-058
458-14-155	REP-E	90-15-006	458-30-225	AMD-P	90-20-130	460-24A-040	NEW-P	90-06-061

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
460-24A-040	NEW	90-13-029	460-34A-045	REP-P	90-23-037	460-46A-020	AMD	90-09-059
460-24A-050	AMD	90-05-003	460-34A-050	REP-P	90-23-037	460-46A-020	AMD-P	90-23-036
460-24A-205	AMD-P	90-06-061	460-34A-055	REP-P	90-23-037	460-46A-025	AMD-P	90-02-087
460-24A-205	AMD	90-13-029	460-34A-060	REP-P	90-23-037	460-46A-025	AMD-S	90-05-061
460-31A-410	REP-P	90-23-037	460-34A-065	REP-P	90-23-037	460-46A-025	AMD	90-09-059
460-31A-415	REP-P	90-23-037	460-34A-070	REP-P	90-23-037	460-46A-040	AMD-P	90-02-087
460-31A-420	REP-P	90-23-037	460-34A-075	REP-P	90-23-037	460-46A-040	AMD-S	90-05-061
460-31A-425	REP-P	90-23-037	460-34A-080	REP-P	90-23-037	460-46A-040	AMD	90-09-059
460-31A-430	REP-P	90-23-037	460-34A-085	REP-P	90-23-037	460-46A-040	AMD-P	90-23-036
460-31A-435	REP-P	90-23-037	460-34A-090	REP-P	90-23-037	460-46A-050	AMD-P	90-23-036
460-31A-440	REP-P	90-23-037	460-34A-095	REP-P	90-23-037	460-46A-055	NEW-P	90-23-036
460-31A-445	REP-P	90-23-037	460-34A-100	REP-P	90-23-037	460-46A-061	NEW-P	90-23-036
460-31A-450	REP-P	90-23-037	460-34A-105	REP-P	90-23-037	460-46A-065	NEW-P	90-23-036
460-31A-455	REP-P	90-23-037	460-34A-110	REP-P	90-23-037	460-46A-071	NEW-P	90-23-036
460-31A-460	REP-P	90-23-037	460-34A-112	REP-P	90-23-037	460-46A-072	NEW-P	90-23-036
460-31A-465	REP-P	90-23-037	460-34A-115	REP-P	90-23-037	460-46A-090	AMD-P	90-02-087
460-31A-470	REP-P	90-23-037	460-34A-120	REP-P	90-23-037	460-46A-090	AMD-S	90-05-061
460-31A-475	REP-P	90-23-037	460-34A-125	REP-P	90-23-037	460-46A-090	AMD	90-09-059
460-31A-480	REP-P	90-23-037	460-34A-130	REP-P	90-23-037	460-46A-095	AMD-P	90-02-087
460-31A-485	REP-P	90-23-037	460-34A-135	REP-P	90-23-037	460-46A-095	AMD-S	90-05-061
460-31A-490	REP-P	90-23-037	460-34A-200	REP-P	90-23-037	460-46A-095	AMD	90-09-059
460-31A-495	REP-P	90-23-037	460-36A-100	REP-P	90-23-037	460-46A-095	AMD-P	90-23-036
460-31A-500	REP-P	90-23-037	460-36A-105	REP-P	90-23-037	460-46A-100	AMD-P	90-02-087
460-31A-505	REP-P	90-23-037	460-36A-110	REP-P	90-23-037	460-46A-100	AMD-S	90-05-061
460-31A-510	REP-P	90-23-037	460-36A-115	REP-P	90-23-037	460-46A-100	AMD	90-09-059
460-31A-515	REP-P	90-23-037	460-36A-120	REP-P	90-23-037	460-46A-105	AMD-P	90-02-087
460-31A-520	REP-P	90-23-037	460-36A-125	REP-P	90-23-037	460-46A-105	AMD-S	90-05-061
460-31A-525	REP-P	90-23-037	460-36A-130	REP-P	90-23-037	460-46A-105	AMD	90-09-059
460-31A-530	REP-P	90-23-037	460-36A-135	REP-P	90-23-037	460-46A-110	AMD-P	90-02-087
460-31A-535	REP-P	90-23-037	460-36A-140	REP-P	90-23-037	460-46A-110	AMD-S	90-05-061
460-31A-540	REP-P	90-23-037	460-36A-145	REP-P	90-23-037	460-46A-110	AMD	90-09-059
460-31A-545	REP-P	90-23-037	460-36A-150	REP-P	90-23-037	460-46A-110	AMD-P	90-23-036
460-31A-550	REP-P	90-23-037	460-36A-155	REP-P	90-23-037	460-46A-145	AMD-P	90-02-087
460-31A-555	REP-P	90-23-037	460-36A-160	REP-P	90-23-037	460-46A-145	AMD-S	90-05-061
460-31A-560	REP-P	90-23-037	460-36A-165	REP-P	90-23-037	460-46A-145	AMD	90-09-059
460-31A-565	REP-P	90-23-037	460-36A-170	REP-P	90-23-037	460-46A-150	AMD-P	90-02-087
460-31A-570	REP-P	90-23-037	460-36A-175	REP-P	90-23-037	460-46A-150	AMD-S	90-05-061
460-31A-575	REP-P	90-23-037	460-36A-180	REP-P	90-23-037	460-46A-150	AMD	90-09-059
460-31A-580	REP-P	90-23-037	460-36A-185	REP-P	90-23-037	460-46A-155	AMD-P	90-02-087
460-31A-585	REP-P	90-23-037	460-36A-190	REP-P	90-23-037	460-46A-155	AMD-S	90-05-061
460-31A-590	REP-P	90-23-037	460-36A-195	REP-P	90-23-037	460-46A-155	AMD	90-09-059
460-31A-595	REP-P	90-23-037	460-42A-081	AMD-P	90-23-035	460-46A-160	AMD-P	90-02-087
460-31A-600	REP-P	90-23-037	460-44A-060	REP-P	90-02-087	460-46A-160	AMD-S	90-05-061
460-31A-605	REP-P	90-23-037	460-44A-060	REP-S	90-05-061	460-46A-160	AMD	90-09-059
460-31A-610	REP-P	90-23-037	460-44A-060	REP	90-09-059	460-46A-165	AMD-P	90-02-087
460-31A-615	REP-P	90-23-037	460-44A-065	REP-P	90-02-087	460-46A-165	AMD-S	90-05-061
460-31A-620	REP-P	90-23-037	460-44A-065	REP-S	90-05-061	460-46A-165	AMD	90-09-059
460-31A-625	REP-P	90-23-037	460-44A-070	REP	90-09-059	460-90A-005	AMD-P	90-03-106
460-31A-630	REP-P	90-23-037	460-44A-070	REP-P	90-02-087	460-90A-005	AMD	90-06-051
460-31A-635	REP-P	90-23-037	460-44A-070	REP-S	90-05-061	460-90A-005	REP-P	90-20-126
460-31A-640	REP-P	90-23-037	460-44A-070	REP	90-09-059	460-90A-015	AMD-P	90-03-106
460-31A-645	REP-P	90-23-037	460-44A-500	AMD-P	90-02-087	460-90A-015	AMD-W	90-17-023
460-31A-650	REP-P	90-23-037	460-44A-500	AMD-S	90-05-061	460-90A-015	REP-P	90-20-126
460-31A-655	REP-P	90-23-037	460-44A-500	AMD	90-09-059	460-90A-017	AMD-P	90-03-106
460-31A-660	REP-P	90-23-037	460-44A-501	AMD-P	90-02-087	460-90A-017	AMD	90-06-051
460-31A-665	REP-P	90-23-037	460-44A-501	AMD-S	90-05-061	460-90A-017	REP-P	90-20-126
460-31A-670	REP-P	90-23-037	460-44A-501	AMD	90-09-059	460-90A-018	AMD-P	90-03-106
460-31A-675	REP-P	90-23-037	460-44A-502	AMD-P	90-02-087	460-90A-018	AMD	90-06-051
460-31A-680	REP-P	90-23-037	460-44A-502	AMD-S	90-05-061	460-90A-018	REP-P	90-20-126
460-31A-685	REP-P	90-23-037	460-44A-502	AMD	90-09-059	460-90A-022	REP-P	90-20-126
460-31A-690	REP-P	90-23-037	460-44A-503	AMD-P	90-02-087	460-90A-025	REP-P	90-20-126
460-31A-695	REP-P	90-23-037	460-44A-503	AMD-S	90-05-061	460-90A-027	REP-P	90-20-126
460-31A-700	REP-P	90-23-037	460-44A-503	AMD	90-09-059	460-90A-030	REP-P	90-20-126
460-31A-705	REP-P	90-23-037	460-44A-504	NEW-P	90-02-087	460-90A-032	AMD-P	90-03-106
460-31A-710	REP-P	90-23-037	460-44A-504	NEW-S	90-05-061	460-90A-032	AMD	90-06-051
460-31A-715	REP-P	90-23-037	460-44A-504	NEW	90-09-059	460-90A-032	REP-P	90-20-126
460-31A-720	REP-P	90-23-037	460-44A-508	AMD-P	90-02-087	460-90A-035	AMD-P	90-03-106
460-31A-725	REP-P	90-23-037	460-44A-508	AMD-S	90-05-061	460-90A-035	AMD	90-06-051
460-31A-730	REP-P	90-23-037	460-44A-508	AMD	90-09-059	460-90A-035	REP-P	90-20-126
460-34A-010	REP-P	90-23-037	460-46A	AMD-P	90-02-087	460-90A-045	REP-P	90-20-126
460-34A-015	REP-P	90-23-037	460-46A	AMD-S	90-05-061	460-90A-055	AMD-P	90-03-106
460-34A-020	REP-P	90-23-037	460-46A	AMD	90-09-059	460-90A-055	AMD-W	90-17-023
460-34A-025	REP-P	90-23-037	460-46A-010	AMD-P	90-02-087	460-90A-055	REP-P	90-20-126
460-34A-030	REP-P	90-23-037	460-46A-010	AMD-S	90-05-061	460-90A-060	REP-P	90-20-126
460-34A-035	REP-P	90-23-037	460-46A-010	AMD	90-09-059	460-90A-070	REP-P	90-20-126
460-34A-037	REP-P	90-23-037	460-46A-020	AMD-P	90-02-087	460-90A-080	REP-P	90-20-126
460-34A-040	REP-P	90-23-037	460-46A-020	AMD-S	90-05-061	460-90A-090	AMD-P	90-03-106



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
478-108-130	NEW-P 90-08-084	479-16-070	AMD 90-11-035	480-12-045	AMD-P 90-14-011
478-108-130	NEW 90 15-005	479-16-071	REP-P 90-07-060	480-12-045	AMD 90-17-049
478-108-140	NEW-P 90-08-084	479-16-071	REP 90-11-035	480-12-165	AMD 90-06-017
478-108-140	NEW 90-15-005	479-16-072	AMD-P 90-07-060	480-12-180	AMD 90-06-017
478-116	AMD-C 90-04-002	479-16-072	AMD 90-11-035	480-12-181	NEW-E 90-14-025
478-116-250	AMD-W 90-10-040	479-16-080	AMD-P 90-07-060	480-12-181	NEW-P 90-14-027
478-116-250	AMD-P 90-10-072	479-16-080	AMD 90-11-035	480-12-181	NEW 90-17-048
478-116-250	AMD 90-13-026	479-16-091	AMD-P 90-07-060	480-12-195	AMD 90-06-017
478-116-260	AMD-W 90-10-040	479-16-091	AMD 90-11-035	480-12-315	REP-P 90-23-082
478-116-510	AMD-P 90-08-084	479-16-092	AMD-P 90-07-060	480-12-321	AMD-P 90-22-095
478-116-510	AMD 90-15-005	479-16-092	AMD 90-11-035	480-12-322	REP-P 90-19-121
478-116-600	AMD-W 90-10-040	479-16-096	AMD-P 90-07-060	480-12-340	AMD-P 90-18-095
478-120-070	AMD-P 90-08-084	479-16-096	AMD 90-11-035	480-12-340	AMD 90-23-083
478-120-070	AMD-W 90-21-076	479-16-098	AMD-P 90-07-060	480-12-375	AMD-W 90-13-071
478-120-130	AMD-P 90-08-084	479-16-098	AMD 90-11-035	480-12-500	NEW-P 90-19-003
478-120-130	AMD-W 90-21-076	479-20-005	REP-P 90-07-060	480-12-510	NEW-P 90-19-003
478-124-035	NEW-P 90 20-102	479-20-005	REP 90-11-035	480-12-520	NEW-P 90-19-003
478-124-035	NEW 90 24-001	479-20-007	NEW-P 90-07-060	480-30-010	AMD-P 90-10-077
478-136-030	AMD-P 90-08-030	479-20-007	NEW 90-11-035	480-30-010	AMD-W 90-12-119
478-136-030	AMD 90-12-034	479-20-010	AMD-P 90-07-060	480-30-010	AMD-P 90-17-050
478-136-030	AMD-P 90 21 120	479-20-010	AMD 90-11-035	480-30-010	AMD 90-22-031
478-138-030	AMD-W 90-04-001	479-20-011	AMD-P 90-07-060	480-30-020	AMD-P 90-10-077
478-138-040	AMD-W 90-04-001	479-20-011	AMD 90-11-035	480-30-020	AMD-W 90-12-119
478-138-050	AMD-W 90-04-001	479-20-013	AMD-P 90-07-060	480-30-020	AMD-P 90-17-050
478-160-162	NEW-P 90-08-084	479-20-013	AMD 90-11-035	480-30-020	AMD 90-22-031
478-160-162	NEW 90-15-005	479-20-016	AMD-P 90-07-060	480-30-030	AMD-P 90-10-077
478-160-232	NEW-P 90-08-084	479-20-016	AMD 90-11-035	480-30-030	AMD-W 90-12-119
478-160-232	NEW 90 15 005	479-20-020	AMD-P 90-07-060	480-30-030	AMD-P 90-17-050
479-01-010	AMD-P 90-07-060	479-20-020	AMD 90-11-035	480-30-030	AMD 90-22-031
479-01-010	AMD 90 11-035	479-20-025	AMD-P 90-07-060	480-30-050	AMD-P 90-10-077
479-01-020	AMD-P 90-07-060	479-20-025	AMD 90-11-035	480-30-050	AMD-W 90-12-119
479-01-020	AMD 90 11-035	479-20-027	AMD-P 90-07-060	480-30-050	AMD-P 90-17-050
479-01-030	AMD-P 90-07-060	479-20-027	AMD 90-11-035	480-30-050	AMD 90-22-031
479-01-030	AMD 90-11-035	479-20-031	AMD-P 90-07-060	480-30-060	AMD-P 90-10-077
479-01-040	NEW-P 90-07-060	479-20-031	AMD 90-11-035	480-30-060	AMD-W 90-12-119
479-01-040	NEW 90 11-035	479-20-033	AMD-P 90-07-060	480-30-060	AMD-P 90-17-050
479-12	AMD P 90-07-060	479-20-033	AMD 90-11-035	480-30-060	AMD 90-22-031
479-12	AMD 90-11-035	479-20-036	AMD-P 90-07-060	480-30-070	AMD-P 90-10-077
479-12-010	AMD-P 90-07-060	479-20-036	AMD 90-11-035	480-30-070	AMD-W 90-12-119
479-12-010	AMD 90-11-035	479-20-037	AMD-P 90-07-060	480-30-070	AMD-P 90-17-050
479-12-020	AMD-P 90-07-060	479-20-037	AMD 90-11-035	480-30-070	AMD 90-22-031
479-12-020	AMD 90-11-035	479-20-060	REP-P 90-07-060	480-30-097	NEW 90-06-017
479-13	AMD P 90 07 060	479-20-060	REP 90-11-035	480-30-100	AMD 90-06-017
479-13	AMD 90 11-035	479-20-070	REP-P 90-07-060	480-30-100	AMD-E 90-09-034
479-13-010	AMD-P 90-07-060	479-20-070	REP 90-11-035	480-30-100	AMD-P 90-09-094
479-13-010	AMD 90 11-035	479-20-075	AMD-P 90-07-060	480-30-100	AMD-P 90-10-077
479-13-035	AMD-P 90-07-060	479-20-075	AMD 90-11-035	480-30-100	AMD-W 90-12-119
479-13-035	AMD 90-11-035	479-20-080	REP-P 90-07-060	480-30-100	AMD 90-13-119
479-13-040	REP P 90-07-060	479-20-080	REP 90-11-035	480-30-100	AMD-P 90-17-050
479-13-040	REP 90-11 035	479-20-083	REP-P 90-07-060	480-30-100	AMD 90-22-031
479-13-050	REP-P 90 07 060	479-20-083	REP 90-11-035	480-30-110	AMD-P 90-10-077
479-13-050	REP 90 11 035	479-20-086	AMD-P 90-07-060	480-30-110	AMD-W 90-12-119
479-13-060	AMD-P 90 07 060	479-20-086	AMD 90-11-035	480-30-110	AMD-P 90-17-050
479-13-060	AMD 90 11 035	479-20-089	AMD-P 90-07-060	480-30-110	AMD 90-22-031
479-13-070	AMD P 90 07 060	479-20-089	AMD 90-11-035	480-35-120	AMD-E 90-14-024
479-13-070	AMD 90 11 035	479-20-095	AMD-P 90-07-060	480-35-120	AMD-P 90-14-026
479-16-015	AMD P 90 07 060	479-20-095	AMD 90-11-035	480-35-120	AMD 90-17-047
479-16-015	AMD 90 11 035	479 24 010	AMD-P 90-07-060	480-40-010	AMD-P 90-10-077
479-16-016	AMD P 90 07 060	479 24-010	AMD 90-11-035	480-40-010	AMD-W 90-12-119
479-16-016	AMD 90 11 035	479 24 020	AMD-P 90-07-060	480-40-010	AMD-P 90-17-050
479-16-020	AMD P 90 07 060	479 24-020	AMD 90-11-035	480-40-010	AMD 90-22-031
479-16-020	AMD 90 11 035	479 24-030	AMD-P 90-07-060	480-40-020	AMD-P 90-10-077
479-16-030	AMD P 90 07 060	479 24-030	AMD 90-11-035	480-40-020	AMD-W 90-12-119
479-16-030	AMD 90 11 035	479-24-040	AMD-P 90-07-060	480-40-020	AMD-P 90-17-050
479-16-035	AMD P 90 07 060	479 24-040	AMD 90-11-035	480-40-020	AMD 90-22-031
479-16-035	AMD 90 11 035	479 24 050	AMD P 90-07-060	480-40-030	AMD-P 90-10-077
479-16-040	AMD P 90 07-060	479-24-050	AMD 90-11-035	480-40-030	AMD-W 90-12-119
479-16-040	AMD 90 11-035	479 24-060	REP P 90-07-060	480-40-030	AMD-P 90-17-050
479-16-045	AMD P 90 07 060	479-24-060	REP 90-11-035	480-40-030	AMD 90-22-031
479-16-045	AMD 90 11 035	479-24-070	AMD-P 90-07-060	480-40-040	AMD-P 90-10-077
479-16-050	AMD P 90 07 060	479-24-070	AMD 90-11-035	480-40-040	AMD-W 90-12-119
479-16-050	AMD 90 11-035	479-112-017	AMD-P 90-11-017	480-40-040	AMD-P 90-17-050
479-16-060	AMD-P 90-07 060	479-112-017	AMD-E 90-11-018	480-40-040	AMD 90-22-031
479-16-060	AMD 90 11 035	479-112-017	AMD 90-16-028	480-40-050	AMD-P 90-10-077
479-16-061	REP P 90 07-060	479 113 035	AMD P 90-11-017	480-40-050	AMD-W 90-12-119
479-16-061	REP 90 11 035	479 113-035	AMD-E 90-11-018	480-40-050	AMD-P 90-17-050
479-16-070	AMD-P 90 07 060	479 113 035	AMD 90-16-028	480-40-050	AMD 90-22-031



### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
480-40-060	AMD-P	90-10-077	480-110-066	AMD-P	90-10-078	490-500-275	AMD-P	90-07-035
480-40-060	AMD-W	90-12-119	480-110-066	AMD-W	90-04-056	490-500-275	AMD	90-11-114
480-40-060	AMD-P	90-17-050	480-110-066	AMD	90-17-061	490-500-280	AMD-P	90-07-035
480-40-060	AMD	90-22-031	480-110-081	AMD-W	90-04-056	490-500-280	AMD	90-11-114
480-40-065	NEW	90-06-017	480-120-021	AMD-P	90-19-118	490-500-340	NEW-P	90-07-035
480-40-070	AMD-P	90-10-077	480-120-081	AMD-W	90-04-055	490-500-340	NEW	90-11-114
480-40-070	AMD-W	90-12-119	480-120-106	AMD-P	90-19-118	490-500-350	AMD-P	90-07-035
480-40-070	AMD-P	90-17-050	480-120-138	AMD	90-08-010	490-500-350	AMD	90-11-114
480-40-070	AMD	90-22-031	480-120-138	AMD-P	90-19-118	490-500-387	REP-P	90-07-035
480-40-075	AMD-P	90-10-077	480-120-141	AMD-P	90-19-118	490-500-387	REP	90-11-114
480-40-075	AMD-W	90-12-119	480-120-142	NEW	90-24-090	490-500-390	AMD-P	90-07-035
480-40-075	AMD-P	90-17-050	480-120-142	NEW-P	90-19-120	490-500-390	AMD	90-11-114
480-40-075	AMD	90-22-031	480-120-400	NEW-P	90-19-119	490-500-405	AMD-P	90-07-035
480-40-100	NEW	90-06-017	480-120-400	NEW-C	90-22-017	490-500-405	AMD	90-11-114
480-40-110	AMD-P	90-10-077	480-120-405	NEW-P	90-19-119	490-500-415	AMD-P	90-07-035
480-40-110	AMD-W	90-12-119	480-120-405	NEW-C	90-22-017	490-500-415	AMD	90-11-114
480-40-110	AMD-P	90-17-050	480-120-410	NEW-P	90-19-119	490-500-417	NEW-P	90-07-035
480-40-110	AMD	90-22-031	480-120-410	NEW-C	90-22-017	490-500-417	NEW	90-11-114
480-40-120	AMD-P	90-10-077	480-120-415	NEW-P	90-19-119	490-500-418	NEW-P	90-07-035
480-40-120	AMD-W	90-12-119	480-120-415	NEW-C	90-22-017	490-500-418	NEW	90-11-114
480-40-120	AMD-P	90-17-050	480-120-420	NEW-P	90-19-119	490-500-420	AMD-P	90-07-035
480-40-120	AMD	90-22-031	480-120-420	NEW-C	90-22-017	490-500-420	AMD	90-11-114
480-40-130	AMD-P	90-10-077	480-120-425	NEW-P	90-19-119	490-500-430	AMD-P	90-07-035
480-40-130	AMD-W	90-12-119	480-120-425	NEW-C	90-22-017	490-500-430	AMD	90-11-114
480-40-130	AMD-P	90-17-050	480-120-430	NEW-P	90-19-119	490-500-435	AMD-P	90-07-035
480-40-130	AMD	90-22-031	480-120-430	NEW-C	90-22-017	490-500-435	AMD	90-11-114
480-70-050	AMD	90-13-118	480-120-435	NEW-P	90-19-119	490-500-525	AMD-P	90-07-035
480-70-050	AMD-P	90-24-048	480-120-435	NEW-C	90-22-017	490-500-525	AMD	90-11-114
480-70-060	AMD-P	90-24-048	480-121-040	AMD-P	90-19-120	490-500-560	AMD-P	90-07-035
480-70-070	AMD-P	90-24-048	480-121-040	AMD	90-24-090	490-500-560	AMD	90-11-114
480-70-100	AMD-P	90-24-048	480-122-010	AMD-E	90-14-066	490-500-570	AMD-P	90-07-035
480-70-130	AMD-P	90-24-048	480-122-010	AMD-P	90-14-089	490-500-570	AMD	90-11-114
480-70-150	AMD-P	90-24-048	480-122-010	AMD	90-19-020	490-500-600	NEW-P	90-07-035
480-70-230	AMD-P	90-24-048	480-122-020	AMD-E	90-14-066	490-500-600	NEW	90-11-114
480-70-260	AMD-P	90-24-048	480-122-020	AMD-P	90-14-089	490-500-605	NEW-P	90-07-035
480-70-280	AMD-P	90-24-048	480-122-020	AMD	90-19-020	490-500-605	NEW	90-11-114
480-70-325	NEW	90-06-017	480-122-030	AMD-E	90-14-066	490-500-610	NEW-P	90-07-035
480-70-330	AMD-P	90-24-048	480-122-030	AMD-P	90-14-089	490-500-610	NEW	90-11-114
480-70-335	NEW	90-06-017	480-122-030	AMD	90-19-020	490-500-615	NEW-P	90-07-035
480-70-340	AMD-P	90-24-048	480-122-040	AMD-E	90-14-066	490-500-615	NEW	90-11-114
480-70-350	AMD-P	90-24-048	480-122-050	AMD-E	90-14-066	490-500-620	NEW-P	90-07-035
480-70-360	AMD-P	90-24-048	480-122-050	AMD-P	90-14-089	490-500-620	NEW	90-11-114
480-70-390	AMD-P	90-24-048	480-122-050	AMD	90-19-020	490-500-625	NEW-P	90-07-035
480-70-400	AMD-P	90-24-048	480-122-060	AMD-E	90-14-066	490-500-625	NEW	90-11-114
480-70-405	AMD-P	90-24-048	480-122-060	AMD-P	90-14-089	490-800-012	Λ/R-E	90-19-073
480-70-420	AMD-P	90-24-048	480-122-060	AMD	90-19-020	490-800-012	Λ/R-P	90-22-097
480-70-440	AMD-P	90-24-048	480-122-070	AMD-E	90-14-066	490-800-020	REP-E	90-19-073
480-70-500	NEW	90-13-118	480-122-070	AMD-P	90-14-089	490-800-020	REP-P	90-22-097
480-70-500	AMD-P	90-24-048	480-122-070	AMD	90-19-020	490-800-030	Λ/R-E	90-19-073
480-70-510	NEW	90-13-118	480-122-080	AMD-E	90-14-066	490-800-030	Λ/R-P	90-22-097
480-70-520	NEW-W	90-15-051	480-122-080	AMD-P	90-14-089	490-800-035	NEW-E	90-19-073
480-70-530	NEW	90-13-118	480-122-080	AMD	90-19-020	490-800-035	NEW-P	90-22-097
480-70-540	NEW	90-13-118	480-122-090	AMD-E	90-14-066	490-800-040	Λ/R-E	90-19-073
480-70-550	NEW	90-13-118	480-122-090	AMD-P	90-14-089	490-800-040	Λ/R-P	90-22-097
480-70-560	NEW	90-13-118	480-122-090	AMD	90-19-020	490-800-050	Λ/R-E	90-19-073
480-70-570	NEW	90-13-118	480-149-060	AMD-P	90-10-077	490-800-050	Λ/R-P	90-22-097
480-70-570	AMD-P	90-24-048	480-149-060	AMD-W	90-12-119	490-800-060	Λ/R-E	90-19-073
480-70-600	NEW-P	90-20-117	480-149-060	AMD-P	90-17-050	490-800-060	Λ/R-P	90-22-097
480-70-600	NEW	90-24-091	480-149-070	AMD	90-22-031	490-800-070	Λ/R-E	90-19-073
480-70-610	NEW-P	90-20-117	480-149-070	REP-P	90-10-077	490-800-070	Λ/R-P	90-22-097
480-70-610	NEW	90-24-091	480-149-070	REP-W	90-12-119	490-800-080	Λ/R-E	90-19-073
480-70-620	NEW-P	90-20-117	480-149-070	REP-P	90-17-050	490-800-080	Λ/R-P	90-22-097
480-70-620	NEW	90-24-091	480-149-070	REP	90-22-031	490-800-090	Λ/R-E	90-19-073
480-70-630	NEW-P	90-20-117	480-149-120	AMD-P	90-10-077	490-800-090	Λ/R-P	90-22-097
480-70-630	NEW	90-24-091	480-149-120	AMD-W	90-12-119	490-800-100	Λ/R-E	90-19-073
480-70-640	NEW-P	90-20-117	480-149-120	AMD-P	90-17-050	490-800-100	Λ/R-P	90-22-097
480-70-640	NEW	90-24-091	480-149-120	AMD	90-22-031	490-800-105	Λ/R-E	90-19-073
480-70-990	AMD-P	90-03-009	490-500-005	AMD-P	90-07-035	490-800-105	Λ/R-P	90-22-097
480-70-990	AMD	90-09-015	490-500-005	AMD	90-11-114	490-800-120	Λ/R-E	90-19-073
480-110-021	AMD-P	90-10-078	490-500-145	AMD-P	90-07-035	490-800-120	Λ/R-P	90-22-097
480-110-021	AMD	90-17-061	490-500-145	AMD	90-11-114	490-800-130	Λ/R-E	90-19-073
480-110-026	AMD-P	90-10-078	490-500-257	AMD-P	90-07-035	490-800-130	Λ/R-P	90-22-097
480-110-026	AMD	90-17-061	490-500-257	AMD	90-11-114	490-800-170	Λ/R-E	90-19-073
480-110-028	NEW-P	90-10-078	490-500-260	AMD-P	90-07-035	490-800-170	Λ/R-P	90-22-097
480-110-028	NEW	90-17-061	490-500-260	AMD	90-11-114	490-800-180	Λ/R-E	90-19-073
480-110-046	AMD-P	90-10-078	490-500-270	AMD-P	90-07-035	490-800-180	Λ/R-P	90-22-097
480-110-046	AMD	90-17-061	490-500-270	AMD	90-11-114	490-800-190	Λ/R-E	90-19-073

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
490-800-190	Λ/R-P	90-22-097	504-15-650	NEW-S	90-05-060	504-48-010	REP-P	90-18-078
490-800-200	Λ/R-E	90-19-073	504-15-650	NEW	90-11-078	504-48-010	REP	90-21-093
490-800-200	Λ/R-P	90-22-097	504-15-750	NEW-S	90-05-060	504-48-015	NEW-P	90-18-078
490-800-205	Λ/R-E	90-19-073	504-15-750	NEW	90-11-078	504-48-015	NEW	90-21-093
490-800-205	Λ/R-P	90-22-097	504-15-810	NEW-S	90-05-060	504-48-020	NEW-P	90-18-078
490-800-208	Λ/R-E	90-19-073	504-15-810	NEW	90-11-078	504-48-020	NEW	90-21-093
490-800-208	Λ/R-P	90-22-097	504-15-830	NEW-S	90-05-060	504-48-030	NEW-P	90-18-078
490-800-210	Λ/R-E	90-19-073	504-15-830	NEW	90-11-078	504-48-030	NEW	90-21-093
490-800-210	Λ/R-P	90-22-097	504-15-860	NEW-S	90-05-060	504-48-040	NEW-P	90-18-078
490-800-220	Λ/R-E	90-19-073	504-15-860	NEW	90-11-078	504-48-040	NEW	90-21-093
490-800-220	Λ/R-P	90-22-097	504-15-900	NEW-S	90-05-060	504-48-050	NEW-P	90-18-078
490-800-230	Λ/R-E	90-19-073	504-15-900	NEW	90-11-078	504-48-050	NEW	90-21-093
490-800-230	Λ/R-P	90-22-097	504-15-920	NEW-S	90-05-060	504-48-060	NEW-P	90-18-078
490-800-240	Λ/R-E	90-19-073	504-15-920	NEW	90-11-078	504-48-060	NEW	90-21-093
490-800-240	Λ/R-P	90-22-097	504-15-940	NEW-S	90-05-060	504-48-070	NEW-P	90-18-078
490-800-250	Λ/R-E	90-19-073	504-15-940	NEW	90-11-078	504-48-070	NEW	90-21-093
490-800-250	Λ/R-P	90-22-097	504-17-010	REP-S	90-05-060	508-60-005	REP-P	90-11-059
490-800-255	NEW-E	90-19-073	504-17-010	REP	90-11-078	508-60-005	REP	90-21-089
490-800-255	NEW-P	90-22-097	504-17-020	REP-S	90-05-060	508-60-008	REP-P	90-11-059
491-02-095	NEW-P	90-19-080	504-17-020	REP	90-11-078	508-60-008	REP	90-21-089
491-02-095	NEW	90-24-033	504-17-030	REP-S	90-05-060	508-60-010	REP-P	90-11-059
504-15-010	NEW-S	90-05-060	504-17-030	REP	90-11-078	508-60-010	REP	90-21-089
504-15-010	NEW	90-11-078	504-17-040	REP-S	90-05-060	508-60-020	REP-P	90-11-059
504-15-020	NEW-S	90-05-060	504-17-040	REP	90-11-078	508-60-020	REP	90-21-089
504-15-020	NEW	90-11-078	504-17-050	REP-S	90-05-060	508-60-030	REP-P	90-11-059
504-15-030	NEW-S	90-05-060	504-17-050	REP	90-11-078	508-60-030	REP	90-21-089
504-15-030	NEW	90-11-078	504-17-060	REP-S	90-05-060	508-60-040	REP-P	90-11-059
504-15-040	NEW S	90-05-060	504-17-060	REP	90-11-078	508-60-040	REP	90-21-089
504-15-040	NEW	90-11-078	504-17-070	REP-S	90-05-060	508-60-050	REP-P	90-11-059
504-15-050	NEW-S	90-05-060	504-17-070	REP	90-11-078	508-60-050	REP	90-21-089
504-15-050	NEW	90-11-078	504-17-080	REP-S	90-05-060	508-60-060	REP-P	90-11-059
504-15-060	NEW S	90-05-060	504-17-080	REP	90-11-078	508-60-060	REP	90-21-089
504-15-060	NEW	90-11-078	504-17-090	REP-S	90-05-060	508-60-070	REP-P	90-11-059
504-15-080	NEW S	90-05-060	504-17-090	REP	90-11-078	508-60-070	REP	90-21-089
504-15-080	NEW	90-11-078	504-17-100	REP-S	90-05-060	508-60-080	REP-P	90-11-059
504-15-100	NEW S	90-05-060	504-17-100	REP	90-11-078	508-60-080	REP	90-21-089
504-15-100	NEW	90-11-078	504-17-110	REP-S	90-05-060	516-04-010	AMD	90-10-042
504-15-200	NEW-S	90-05-060	504-17-110	REP	90-11-078	516-08-002	REP	90-10-042
504-15-200	NEW	90-11-078	504-17-120	REP-S	90-05-060	516-08-005	REP	90-10-042
504-15-210	NEW-S	90-05-060	504-17-120	REP	90-11-078	516-08-010	REP	90-10-042
504-15-210	NEW	90-11-078	504-17-130	REP-S	90-05-060	516-08-070	REP	90-10-042
504-15-220	NEW-S	90-05-060	504-17-130	REP	90-11-078	516-08-080	REP	90-10-042
504-15-220	NEW	90-11-078	504-17-140	REP-S	90-05-060	516-08-090	REP	90-10-042
504-15-250	NEW-S	90-05-060	504-17-140	REP	90-11-078	516-08-100	REP	90-10-042
504-15-250	NEW	90-11-078	504-17-150	REP-S	90-05-060	516-08-110	REP	90-10-042
504-15-300	NEW-S	90-05-060	504-17-150	REP	90-11-078	516-08-120	REP	90-10-042
504-15-300	NEW	90-11-078	504-17-160	REP-S	90-05-060	516-08-130	REP	90-10-042
504-15-350	NEW-S	90-05-060	504-17-160	REP	90-11-078	516-08-140	REP	90-10-042
504-15-350	NEW	90-11-078	504-17-170	REP-S	90-05-060	516-08-150	REP	90-10-042
504-15-360	NEW-S	90-05-060	504-17-170	REP	90-11-078	516-08-170	REP	90-10-042
504-15-360	NEW	90-11-078	504-17-180	REP-S	90-05-060	516-08-190	REP	90-10-042
504-15-410	NEW-S	90-05-060	504-17-180	REP	90-11-078	516-08-230	REP	90-10-042
504-15-410	NEW	90-11-078	504-17-185	REP-S	90-05-060	516-08-240	REP	90-10-042
504-15-420	NEW-S	90-05-060	504-17-185	REP	90-11-078	516-08-250	REP	90-10-042
504-15-420	NEW	90-11-078	504-17-195	REP-S	90-05-060	516-08-260	REP	90-10-042
504-15-430	NEW-S	90-05-060	504-17-195	REP	90-11-078	516-08-270	REP	90-10-042
504-15-430	NEW	90-11-078	504-17-200	REP-S	90-05-060	516-08-280	REP	90-10-042
504-15-440	NEW-S	90-05-060	504-17-200	REP	90-11-078	516-08-290	REP	90-10-042
504-15-440	NEW	90-11-078	504-17-215	REP-S	90-05-060	516-08-300	REP	90-10-042
504-15-450	NEW S	90-05-060	504-17-215	REP	90-11-078	516-08-310	REP	90-10-042
504-15-450	NEW	90-11-078	504-17-220	REP-S	90-05-060	516-08-320	REP	90-10-042
504-15-460	NEW-S	90-05-060	504-17-220	REP	90-11-078	516-08-330	REP	90-10-042
504-15-460	NEW	90-11-078	504-17-235	REP-S	90-05-060	516-08-340	REP	90-10-042
504-15-470	NEW S	90-05-060	504-17-235	REP	90-11-078	516-08-350	REP	90-10-042
504-15-470	NEW	90-11-078	504-17-240	REP-S	90-05-060	516-08-360	REP	90-10-042
504-15-510	NEW-S	90-05-060	504-17-240	REP	90-11-078	516-08-370	REP	90-10-042
504-15-510	NEW	90-11-078	504-17-250	REP-S	90-05-060	516-08-380	REP	90-10-042
504-15-520	NEW S	90-05-060	504-17-250	REP	90-11-078	516-08-390	REP	90-10-042
504-15-520	NEW	90-11-078	504-17-900	REP-S	90-05-060	516-08-400	REP	90-10-042
504-15-540	NEW-S	90-05-060	504-17-900	REP	90-11-078	516-08-420	REP	90-10-042
504-15-540	NEW	90-11-078	504-17-910	REP-S	90-05-060	516-08-430	REP	90-10-042
504-15-560	NEW S	90-05-060	504-17-910	REP	90-11-078	516-08-440	REP	90-10-042
504-15-560	NEW	90-11-078	504-17-930	REP-S	90-05-060	516-08-450	REP	90-10-042
504-15-580	NEW S	90-05-060	504-17-930	REP	90-11-078	516-08-460	REP	90-10-042
504-15-580	NEW	90-11-078	504-48-005	NEW-P	90-18-078	516-08-470	REP	90-10-042
504-15-600	NEW S	90-05-060	504-48-005	NEW	90-21-093	516-08-480	REP	90-10-042
504-15-600	NEW	90-11-078	504-48-010	NEW-E	90-15-008	516-08-490	REP	90-10-042

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #		
516-08-500	REP	90-10-042	516-56-050	AMD	90-10-042
516-08-510	REP	90-10-042	516-56-060	AMD	90-10-042
516-08-520	REP	90-10-042	516-56-070	AMD	90-10-042
516-08-530	REP	90-10-042	516-60-001	AMD	90-10-042
516-08-540	REP	90-10-042	516-60-002	AMD	90-10-042
516-08-550	REP	90-10-042	516-60-003	AMD	90-10-042
516-08-560	REP	90-10-042	516-60-004	AMD	90-10-042
516-08-570	REP	90-10-042	516-60-005	AMD	90-10-042
516-08-600	REP	90-10-042	516-60-006	AMD	90-10-042
516-08-610	REP	90-10-042	516-60-007	AMD	90-10-042
516-08-620	REP	90-10-042	516-60-015	AMD	90-10-042
516-08-630	REP	90-10-042	516-60-016	AMD	90-10-042
516-11-010	AMD	90-10-042	516-60-017	AMD	90-10-042
516-11-030	REP	90-10-042	516-60-030	AMD	90-10-042
516-11-040	AMD	90-10-042	516-108-010	NEW	90-10-042
516-11-050	REP	90-10-042	516-108-020	NEW	90-10-042
516-11-060	AMD	90-10-042	516-108-030	NEW	90-10-042
516-11-070	AMD	90-10-042	516-108-040	NEW	90-10-042
516-11-080	AMD	90-10-042	516-108-050	NEW	90-10-042
516-11-090	AMD	90-10-042	516-108-060	NEW	90-10-042
516-11-100	AMD	90-10-042	516-108-070	NEW	90-10-042
516-11-110	AMD	90-10-042	516-108-080	NEW	90-10-042
516-12-430	AMD-P	90-13-081	516-108-090	NEW	90-10-042
516-12-430	AMD	90-17-032	516-133-020	NEW	90-10-042
516-12-440	AMD-P	90-13-081	516-400-010	NEW	90-10-042
516-12-440	AMD	90-17-032			
516-12-470	AMD P	90-13-081			
516-12-470	AMD	90-17-032			
516-13-020	AMD	90-10-042			
516-13-030	AMD P	90-17-030			
516-13-080	AMD-P	90-13-081			
516-13-080	AMD C	90-17-030			
516-22-134	AMD	90-10-042			
516-22-146	AMD	90-10-042			
516-22-150	AMD	90-10-042			
516-24-001	AMD	90-10-042			
516-24-050	AMD	90-10-042			
516-24-060	AMD	90-10-042			
516-24-115	AMD	90-10-042			
516-24-120	REP	90-10-042			
516-24-130	AMD	90-10-042			
516-26-010	AMD	90-10-042			
516-26-020	AMD	90-10-042			
516-26-090	AMD	90-10-042			
516-26-100	AMD	90-10-042			
516-31-010	AMD	90-15-026			
516-36	AMD	90-10-042			
516-36-001	AMD	90-10-042			
516-36-020	AMD	90-10-042			
516-36-030	AMD	90-10-042			
516-36-040	AMD	90-10-042			
516-37	AMD	90-10-042			
516-37-001	AMD	90-10-042			
516-37-005	AMD	90-10-042			
516-37-010	AMD	90-10-042			
516-37-011	AMD	90-10-042			
516-37-100	AMD	90-10-042			
516-38	AMD	90-10-042			
516-38-050	AMD	90-10-042			
516-38-051	AMD	90-10-042			
516-38-110	AMD	90-10-042			
516-38-115	AMD	90-10-042			
516-38-116	AMD	90-10-042			
516-38-117	AMD	90-10-042			
516-52-001	AMD E	90-10-012			
516-52-020	NEW E	90-10-012			
516-52-020	NEW P	90-13-080			
516-52-020	NEW	90-17-031			
516-56	AMD	90-10-042			
516-56-001	AMD	90-10-042			
516-56-002	AMD	90-10-042			
516-56-010	AMD	90-10-042			
516-56-011	AMD	90-10-042			
516-56-012	AMD	90-10-042			
516-56-021	AMD	90-10-042			
516-56-023	AMD	90-10-042			
516-56-030	AMD	90-10-042			

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>ACCOUNTANCY, BOARD OF</b>		<b>AGRICULTURE, DEPARTMENT OF—cont.</b>	
Public records	90-21-094	Herbicides, restrictions, exemption for 2,4-D	90-08-017
Rules coordinator	90-08-026		90-13-019
Superseded rules, repeal of	90-21-095		90-13-020
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>		Japanese beetle quarantine	90-11-100
Rules coordinator	90-10-003		90-13-010
<b>AFRICAN AMERICAN AFFAIRS, COMMISSION ON</b>			90-15-042
Meetings	90-10-071	Marketing and fair practices, agricultural products	90-01-038
<b>AGRICULTURE, DEPARTMENT OF</b>			90-01-039
Agricultural marketing and fair practices	90-01-038	Milk inspection, quality standards	90-02-020
	90-01-039		90-14-075
	90-08-069	Noxious weed control board meetings	<b>90-24-059</b>
Apples		Noxious weed grant program	90-16-074
apple maggot and plum curculio quarantine	90-20-112		90-20-002
	<b>90-24-034</b>	Noxious weed list, additions, deletions, and changes	90-01-004
inspection fees	90-03-034		90-21-097
	90-05-065	Organic food certification	90-08-090
	90-09-031		90-12-097
standards for apples marketed in Washington	90-01-113	Organic food, transition to organic producer certification	90-02-001
	90-03-035	Pesticide applicators and applications notice to registered with department as hypersensitive to pesticides	90-01-146
	90-03-036		90-02-005
	90-05-066		90-06-012
	90-05-067		90-07-042
	90-09-032	record-keeping requirements, pesticide applicators	90-01-147
	90-10-086		90-06-014
	90-11-009		90-11-024
	90-13-078		90-17-066
Asparagus commission	90-13-073		90-19-117
establishment of, withdrawal	90-05-068		90-22-022
Barley commission		restrictions, exemption for 2,4-D	90-08-017
promotional hosting authority	90-21-140		90-13-019
Bees			90-13-020
honey bee tracheal mite quarantine, repeal	90-16-073	restrictions on use in Benton, Franklin, and Walla Walla counties	90-04-109
	90-20-001		90-08-062
Bean seed quarantine	90-03-090		90-09-011
	90-06-105	Potatoes	90-11-025
Blueberry assessment, definitions and rates	90-17-098	assessment rates	90-14-034
Blueberry quarantine rules	90-09-056	Pseudorabies, control and eradication in swine	90-01-074
	90-12-123		90-09-068
Cattle		Purple loosestrife (lythrum) quarantine	90-17-131
brand inspections	90-20-137		90-11-089
	90-23-087	Rapeseed	90-15-062
identification through licensing of certified feedlots	90-20-138	production districts	90-03-071
	90-23-088		90-07-013
production record branding	90-20-139	Rules coordinator	90-05-069
	90-23-089	Scrapie, indemnification for sheep or goats destroyed for exposure to	90-05-049
Chrysanthemum white rust disease quarantine	90-21-070		90-07-066
	90-23-056		90-10-045
Commission merchants, dealers, brokers, buyers, and agents license fees	90-20-135	Seeds	
	<b>90-24-003</b>	certification standards and fees	90-09-064
Egg commission			90-12-098
continuation	90-18-079	labeling requirements	90-02-059
	<b>90-24-016</b>		90-03-026
Fertilizers		mandatory arbitration rules	90-04-003
fertigation equipment requirements	90-20-143	noxious weed seeds	90-03-026
Fruit trees		vegetable seeds, standards, schedule of charges, and assessment fees	90-09-064
registration and certification	90-19-032	Sheep, scrapie, indemnification for animals destroyed for exposure to	90-09-064
	90-23-006		90-05-049
Goats, scrapie, indemnity for animals destroyed for exposure to	90-05-049		90-07-066
	90-07-066		90-10-045
	90-10-045		
Grape nursery stock certification	90-06-050		
	90-10-043		
Herbicide use rules in eastern Washington, solicitation of preproposal comment	90-05-054		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**AGRICULTURE, DEPARTMENT OF—cont.**

Slaughtering establishments  
 custom farm slaughtering, special  
 slaughter conditions 90-07-065  
 90-10-046

Strawberry commission  
 assessment rates and collection 90-05-059  
 90-11-001  
 90-11-026

Swine  
 pseudorabies control and eradication  
 solicitation of preproposal  
 comment 90-17-131  
 90-23-013

Weights and measures  
 calibration services fee schedules 90-20-136  
**90-24-004**

Wine commission  
 assessments for, collection and penalties  
 for noncompliance 90-17-099  
 90-18-080  
 90-19-023  
 90-23-042

Yellow nutsedge quarantine 90-21-079  
 90-23-057

Yogurt, frozen standards 90-02-021  
 90-14-076

**APPRENTICESHIP AND TRAINING COUNCIL**  
(See **LABOR AND INDUSTRIES,**  
**DEPARTMENT OF**)

**ARTS COMMISSION**

Meetings 90-01-034

**ASIAN AMERICAN AFFAIRS, COMMISSION ON**

Meetings 90-01-056  
 90-04-062

**ATTORNEY GENERAL'S OFFICE**

Fire fighters  
 satisfaction of medical benefits obligations  
 of fire protection district to disabled  
 fire fighters, requirements 90-18-001

Motor vehicles  
 new vehicle warranties  
 arbitration procedures amended and  
 motorcycles included 90-11-034  
 90-19-024

imposition of fine on manufacturer  
 for noncompliance with arbitration  
 decision 90-22-089

Motorcycles  
 arbitration fee collection upon sale or  
 lease of motorcycles with engine  
 displacements of 750 or more  
 cubic centimeters 90-11-033  
 90-11-034  
 90-19-024

arbitration, inclusion of motorcycles with  
 engine displacements of 750 or more  
 cubic centimeters 90-11-034  
 90-19-024

Opinions  
 AIDS education (1990, No. 1) 90-03-025

architects or professional engineers,  
 duty to sign and stamp each page  
 of drawing submitted in support of  
 application for building permit  
 (1990, No. 9) 90-20-023

cities and towns, liability for election  
 costs prior to effective date of  
 incorporation (1990, No. 14) 90-22-080

county commissioners, election by  
 commissioner districts (1990, No. 6) 90-13-035

county weed programs, levy of assessment  
 on land in incorporated area for  
 (1990, No. 11) 90-21-092

ferry crossings, application of  
 ten-mile rule (1990, No. 16) **90-24-020**

**ATTORNEY GENERAL'S OFFICE—cont.**

municipal corporations, authority to  
 tax municipal utility operations  
 (1990, No. 3) 90-10-061

school district's authority to select  
 and use curricula and instructional  
 materials containing advertising  
 (1990, No. 13) 90-22-055

sheriff's duty to provide police services  
 within a city and authority to enter into  
 interlocal to provide those services  
 (1990, No. 4) 90-12-031

wetlands regulation, extent of department  
 of ecology rule-making authority  
 (1989, No. 21) 90-02-007

wildlife department, appointment of director,  
 governor's authority (1990, No. 2) 90-07-007

Rules coordinator 90-11-109

**BANKING, DIVISION OF**  
(See **GENERAL ADMINISTRATION,**  
**DEPARTMENT OF**)

**BASIC HEALTH PLAN**

Meetings 90-11-052

Rules coordinator 90-09-053

**BELLEVUE COMMUNITY COLLEGE**

Meetings 90-03-033

Organization/operation information 90-03-076  
 90-03-080  
 90-09-065  
 90-03-077  
 90-03-079  
 90-09-066  
 90-03-078  
 90-03-081  
 90-09-067

Practice and procedure

Student athletic participation

**BIG BEND COMMUNITY COLLEGE**

Academic transcripts 90-02-018

Bookstore operations 90-02-019

Classified employees, reduction in force 90-02-018

Classified staff, development and  
 training 90-02-018

Designated authority 90-02-019

Elections 90-02-018

Environmental Policies Act 90-02-018

Facilities, equipment, and supplies,  
 use of 90-02-019

Family Educational Rights and Act of 1974 90-02-019

Food service 90-02-018

Library operation 90-02-019

Off-campus housing 90-02-018

Organization and operations information 90-02-016

Personnel files 90-02-019

Practice and procedure 90-02-016

Residence housing 90-02-019

Student athletes, suspension for unlawful  
 drug use, procedure 90-02-017

Student rights and responsibilities 90-02-019

Swimming pool and diving 90-02-018

Tenure, collective bargaining related to 90-02-018

Traffic 90-02-019

**BLIND, DEPARTMENT OF SERVICES**  
**FOR THE**

Administrative reviews and fair hearings 90-11-047

**BLIND, WASHINGTON STATE SCHOOL**  
**FOR THE**

Agency description 90-10-101  
 90-16-003  
 90-10-109  
 90-16-011  
 90-10-108  
 90-16-010  
 90-17-078  
 90-23-054  
 90-10-104  
 90-16-006

Environmental Policy Act (SEPA) rules

Family Educational Rights and Privacy Act

Medications, administration of

Nonresident tuition

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**BLIND, WASHINGTON STATE SCHOOL FOR THE—cont.**

Practice and procedure 90-10-102  
 90-16-004  
 Public records 90-10-107  
 90-16-009  
 Rules coordinator 90-10-055  
 Special education programs 90-10-106  
 90-16-008  
 90-17-079  
 90-23-055  
 Student conduct code 90-10-103  
 90-16-005  
 Use of school facilities 90-10-105  
 90-16-007

**BOILER RULES, BOARD OF**  
(See **LABOR AND INDUSTRIES, DEPARTMENT OF**)

**BUILDING CODE COUNCIL**

Amendments, local and statewide, consideration policies and procedures 90-02-002  
 90-02-003  
 90-02-108  
 90-02-002  
 90-02-003  
 90-02-110  
 Barrier-free facilities 90-02-025  
 Building permit exemption guidelines, solicitation of preproposal comment 90-02-025  
 Child day care centers and family day care homes, building code requirements solicitation of preproposal comment 90-17-153  
 90-16-102  
 90-02-002  
 90-02-003  
 90-02-110  
 90-05-064  
 90-11-020  
 90-13-040  
 90-17-150  
 90-16-100  
 90-17-152  
 Historic building code solicitation of preproposal comments 90-01-125  
 90-01-089  
 90-10-073  
 90-11-095  
 90-17-154  
 90-07-083  
 90-13-033  
 90-20-046  
 Meetings 90-02-110  
 90-17-149  
 90-16-101  
 90-02-110  
 Permit exemption guidelines 90-02-110  
 Rules coordinator 90-17-149  
 Uniform building, additions, deletions, and exceptions 90-02-110  
 90-17-149  
 Ventilation and indoor air quality code solicitation of preproposal comment 90-16-101  
 Water conservation performance standards 90-02-110

**CENTENNIAL COMMISSION**

Ceasing of operations, due date for claims 90-05-070

**CENTRAL WASHINGTON UNIVERSITY**

Meetings 90-01-084  
 90-15-048  
 Parking 90-01-006  
 Rules coordinator 90-09-063

**CENTRALIA COLLEGE**

Meetings 90-05-042  
 90-07-048  
 90-09-060  
 Parking and traffic 90-14-111  
 90-17-060  
 Practice and procedure 90-03-074  
 90-05-005  
 Rules coordinator 90-21-039  
 Student athletic participation loss of eligibility 90-03-073  
 90-05-009  
 Student records, confidentiality 90-05-004

**CHIROPRACTIC DISCIPLINARY BOARD**  
(See **HEALTH, DEPARTMENT OF**)

**CLARK COLLEGE**

Athletes, ineligibility, use of legend drugs, procedure 90-04-079  
 90-10-026  
 90-17-101  
 90-18-034  
 90-22-049  
 90-01-083  
 Meetings 90-01-083

**CLEMENCY AND PARDONS BOARD**

Meetings 90-05-026  
 90-05-057  
 90-22-079

**CODE REVISER**

Rules coordinator 90-01-016

**COLUMBIA BASIN COLLEGE**

Practice and procedure 90-03-082  
 90-07-006  
 Rules coordinator 90-03-082

**COLUMBIA RIVER GORGE COMMISSION**

Administrative rules 90-03-058  
 90-08-089  
 90-11-084  
 90-11-085

Approval by commission of development proposal for two year period, hearing notice 90-14-112  
 90-18-058  
 Director, decision-making procedure 90-18-058  
 Hearing dates and notice 90-18-058  
 Major development actions review and approval 90-03-058  
 90-08-089  
 90-11-084

New residential development review and approval 90-03-058  
 90-11-084

**COMMUNITY COLLEGE EDUCATION, BOARD FOR**

Admissions policy 90-16-067  
 90-20-009  
 90-09-069  
 90-13-095  
 90-15-003  
 90-20-009  
 90-15-004  
 90-16-068  
 90-20-009  
 90-19-077  
 90-22-028  
 90-22-032  
 90-16-067  
 90-20-009  
 Community college presidents, compensation 90-16-067  
 90-20-009  
 90-13-095  
 90-15-003  
 90-20-009  
 90-15-004  
 90-16-068  
 90-20-009  
 90-19-077  
 90-22-028  
 90-22-032  
 90-16-067  
 90-20-009  
 Meetings 90-19-077  
 90-22-028  
 90-22-032  
 90-16-067  
 90-20-009  
 Resident student, defined 90-16-067  
 90-20-009

Retirement plan accumulations, self-direct investment option 90-04-066  
 Running start program 90-19-083  
 Special funds, defined for faculty tenure purposes 90-16-068  
 90-20-009

Tuition and fees, ungraded courses and courses for unemployed or underemployed resident students 90-16-069  
 90-20-009

**COMMUNITY DEVELOPMENT, DEPARTMENT OF**

Allocation formula, low-income weatherization programs, public hearing notice 90-12-107  
 Archaeological excavation and removal permits application to privately owned land 90-01-090  
 90-01-091

Border areas, supplemental law enforcement for 90-22-107

Building code building permit surcharges and fees 90-03-017  
 90-09-008

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>COMMUNITY DEVELOPMENT, DEPARTMENT OF</b> —cont.		<b>COUNTY ROAD ADMINISTRATION BOARD—cont.</b>	
Classification guidelines, agricultural lands, forest lands, mineral resources land, and critical areas	90-18-063 90-21-161	County road accident reports, cooperative processing of	90-13-002 90-17-076
Community services block grant program, hearing notice	90-14-030	Environmental and shoreline management permit analysis requirements	90-01-031 90-07-076
Emergency management council meetings	90-18-081 90-22-040 <b>90-24-050</b>	Internal processing timetables	90-01-027 90-07-072
Fire protection policy board meetings	90-08-019	Local access roads	90-01-030 90-07-075
Fire protection services division fire safety standards	90-20-061	Priority programming technique, submittal dates	90-01-030 90-07-075
Fireworks public displays, safety standards	90-04-097 90-10-006	RATA projects funding eligibility requirements	90-16-025 90-17-093 90-22-083
Hazardous materials advisory committee meetings	90-10-038 90-13-052	Right of way acquisition requirements	90-01-032 90-07-077
Public works board meetings	90-06-039 90-11-056 90-16-048 90-21-071 90-20-046	Road engineers licensing requirements	90-01-029 90-07-074
rules coordinator	90-20-046	sharing among counties, conformance with Interlocal Cooperation Act	90-01-029 90-07-074
Rules coordinator	90-20-046	Rules coordinator	90-21-087
Weatherization assistance program state plan, public hearing notice	90-01-064	Utilities on county road rights of way	90-01-033 90-13-001 90-17-074 90-22-081
<b>CONSERVATION COMMISSION</b>		Utilities on county road rights of way, policy requirements	90-01-028 90-07-073
Rules coordinator	90-08-027	<b>CRIMINAL JUSTICE TRAINING COMMISSION</b>	
<b>CONVENTION AND TRADE CENTER</b>		Corrections officers	
Meetings	90-02-012 90-03-030 90-04-052 90-06-076 90-07-070 90-08-031 90-11-010 90-13-004 90-14-007 90-15-009 90-16-021 90-19-013 90-21-004 90-21-040 90-22-005 90-23-005	academy equivalency certification physical requirements for admission to basic correction academies	90-21-009 90-21-012
<b>CORRECTIONS, DEPARTMENT OF</b>		D.A.R.E. officers certification/decertification	90-21-010
Mitigation funds for local governments	90-16-046 90-21-130 90-16-024	Law enforcement officers physical requirements for admission to basic law enforcement academy	90-21-011
Rules coordinator	90-16-024	Railroad special agents training requirements	90-03-085 90-07-012
<b>COUNTY ROAD ADMINISTRATION BOARD</b>		<b>DEAF, WASHINGTON STATE SCHOOL FOR THE</b>	
Bridge inspection procedure	90-13-003 90-17-075 90-17-124 90-22-082	Agency description	90-10-110 90-16-012 90-10-117 90-16-020
Country arterial preservation programs	90-17-124 90-22-082	Environmental Policy Act (SEPA) rules	90-10-116 90-16-018 90-17-077 90-23-053
County arterial preservation program and account	90-11-113	Family Educational Rights and Privacy Act	90-10-111 90-16-013 90-10-115 90-16-017
County legislative authority, substitution of term for term, county commissioners, in rules	90-01-026 90-01-027 90-01-028 90-01-029 90-01-030 90-01-031 90-07-071 90-07-072 90-07-073 90-07-074 90-07-075 90-07-076	Medications, administration of	90-10-112 90-16-014 90-10-111 90-16-013 90-10-115 90-16-017
		Nonresident tuition	90-10-070 90-10-114 90-16-016 90-10-113 90-16-015
		Practice and procedure	
		Public records	
		Rules coordinator	
		Special education programs	
		Use of school facilities	
		<b>DEFERRED COMPENSATION, COMMITTEE FOR</b>	
		Clarification of terminology to eliminate unnecessary restrictions and promote consistency, general housekeeping changes	90-02-086 90-05-078 90-20-045 90-23-021

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**DEFERRED COMPENSATION, COMMITTEE FOR**  
—cont.

Rules coordinator 90-20-059

**EASTERN WASHINGTON UNIVERSITY**

Meetings 90-04-005  
90-04-090  
90-06-011  
90-08-004  
90-10-030  
90-11-101  
90-12-102  
90-13-110  
90-16-052  
90-18-036  
90-20-028  
90-21-110  
90-22-016  
90-23-004  
Rules coordinator 90-05-011  
90-09-017

**ECOLOGY, DEPARTMENT OF**

Agricultural water supply facilities,  
Referendum 38 grants and loans 90-13-104  
90-20-109

Air pollution  
grasses grown for seed,  
burning of 90-06-102  
90-19-062  
90-19-063

open burning 90-06-102  
90-19-062  
90-19-063

sensitive areas 90-06-102  
90-19-062  
90-19-063

solid fuel burning device standards 90-06-102  
90-14-040  
90-19-062  
90-19-063

solid waste incinerator facilities 90-06-102  
90-19-062  
90-19-063  
sources 90-01-099  
90-05-052  
90-17-126

toxic pollutants, solicitation  
of preproposal comment 90-05-006  
weather modification 90-06-102

Aluminum plants, control and prevention  
of air pollutant emissions 90-01-099  
90-05-052  
90-17-126

Batteries  
vehicle battery recycling 90-16-095  
Delegation of powers 90-07-014  
Drought relief, emergency 90-02-096  
90-06-010  
90-08-080  
90-15-052  
90-20-100

solicitation of preproposal comment 90-05-048  
90-08-080

environmental laboratories, accredi-  
tation of 90-07-017  
90-12-086  
90-21-090

Environmental Policy Act (SEPA),  
designation of responsible official 90-07-014  
Floodplain management 90-06-059  
90-11-059  
90-21-089

Forest practices subject to review under  
SEPA and SEPA rules **90-24-064**

Gasoline vapor recovery, stage one and  
stage two, solicitation of preproposal  
comment 90-16-034

**ECOLOGY, DEPARTMENT OF—cont.**

Ground water, East King County management  
area, notice of intent to create 90-04-091  
Ground water quality standards 90-11-074  
90-22-023

Hazardous substance tax 90-03-020  
Hazardous waste  
dangerous waste regulation 90-06-002  
90-20-101

facilities plans 90-22-085  
financial assistance to local governments  
generator fees 90-11-122  
90-15-025  
90-20-044  
90-20-054  
90-22-086

management facilities siting criteria 90-10-085  
90-20-016

Incinerator ash management standards 90-02-088  
90-10-047

Kraft pulping mills, control and  
prevention of air pollutant emissions 90-01-099  
90-05-052  
90-17-126

Model Toxics Control Act  
cleanup, identification, and investigation,  
processes and standards 90-02-097  
90-02-098  
90-08-086  
90-08-120  
90-15-066

financial assistance to local governments  
grant programs, solicitation of  
preproposal comment 90-04-092  
moderate risk waste grants 90-12-094  
90-18-066

public participation grants, eligibility 90-11-123  
90-18-065  
remedial action grants 90-01-079  
90-01-124  
90-10-057  
90-10-058

spending proposals report, hearing dates  
and solicitation of comments 90-17-091

Motor vehicle emission inspection 90-06-062

Ocean management 90-16-040

Ocean uses  
policies and guidelines, preproposal  
comments 90-03-057

Public participation grants, eligibility 90-11-123  
90-18-065

Records, indexing of public records 90-14-041  
90-16-084  
90-21-119

Rules coordinator 90-01-114  
Sediment management standards 90-19-084

Shorelines  
Bogachiel River, addition to rivers  
and streams constituting shorelines 90-02-107  
90-06-068  
90-06-069

Shoreline master program  
Bothell, city of 90-01-093  
90-06-067  
Bucoda, town of 90-05-076  
90-08-122  
90-11-072

Chelan County 90-13-091  
Friday Harbor, town of 90-05-075  
90-08-122

90-11-072  
Grays Harbor County 90-01-094  
90-03-112  
90-07-061  
90-08-122

90-11-072  
90-13-079  
90-20-097

Island County 90-20-097



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**ECOLOGY, DEPARTMENT OF—cont.**

Issaquah, city of 90-13-092  
 90-20-108  
 Jefferson County 90-07-027  
 King County 90-20-098  
 90-21-105  
 Kirkland, city of 90-02-106  
 Klickitat County 90-09-096  
 90-14-091  
 Lacey, city of 90-05-076  
 90-08-122  
 90-11-072  
 Medina, city of 90-20-099  
 Monroc, city of 90-07-028  
 90-15-058  
 90-23-048  
 North Bend, city of 90-09-097  
 90-14-090  
 ocean management 90-16-040  
 Okanogan, city of 90-21-107  
 Olympia, city of 90-05-076  
 90-08-122  
 90-11-072  
 Oroville, town of 90-21-108  
 Port Townsend, city of 90-07-027  
 Redmond, city of 90-02-101  
 90-23-106  
 Renton, city of 90-05-074  
 90-17-127  
 Richland, city of 90-02-105  
 San Juan County 90-03-111  
 90-06-024  
 90-07-026  
 90-08-122  
 90-11-072  
 90-13-089  
 90-23-105  
**90-24-084**  
 Seattle, city of 90-15-059  
 90-20-111  
 Snohomish County 90-07-025  
 Sumas, city of 90-01-096  
 90-07-063  
 Tacoma, city of 90-03-110  
 90-08-122  
 90-11-072  
 Tenino, town of 90-05-076  
 90-08-122  
 90-11-072  
 Thurston County 90-01-095  
 90-05-077  
 90-08-122  
 90-11-072  
 Tonasket, town of 90-21-106  
 Tumwater, city of 90-05-076  
 90-08-122  
 90-11-072  
 90-15-057  
 90-20-110  
 Twisp, town of 90-22-110  
 90-23-103  
 Whatcom County 90-13-090  
 90-20-107  
 Winthrop, town of 90-22-111  
 90-23-104  
 Yelm, town of 90-05-076  
 90-08-122  
 90-11-072  
 Solid fuel burning devices, sale  
 and use of 90-23-098  
 Solid fuel burning devices, increase in  
 retail sales fee 90-22-008  
 90-23-098  
 State/environmental protection agency  
 agreement, public hearing notice 90-09-033  
 Sulfite pulping mills, control and prevention  
 of air pollutant emissions 90-01-099

**ECOLOGY, DEPARTMENT OF—cont.**

Underground storage tanks  
 program 90-15-060  
 90-17-065  
**90-24-017**  
 servicing firms and individuals,  
 licensing requirements 90-14-031  
 90-22-007  
 Waste  
 dangerous waste regulation 90-06-002  
 90-20-101  
 solicitation of preproposal comment 90-01-071  
 hazardous waste facilities plans 90-22-085  
 hazardous waste fees 90-22-086  
 moderate risk waste grants 90-12-094  
 90-18-066  
 reduction/recycling grants program 90-16-089  
 90-22-084  
 solid waste incinerator and landfill  
 operators certification 90-17-125  
 solicitation of preproposal comment 90-13-027  
 solid waste management, financial  
 assistance to counties and cities for  
 comprehensive planning 90-11-122  
 90-18-064  
 90-07-015  
 Wastewater discharge permit fees  
 Wastewater discharge standards  
 upland fin-fish rearing and hatching  
 facilities 90-03-086  
 exemptions, preproposal comments 90-06-071  
 treatment requirements 90-14-078  
**90-24-060**  
**90-24-032**  
 Wastewater operator certification program  
 solicitation of preproposal comment  
 Water 90-11-074  
 ground water quality standards 90-22-023  
 surface water quality standards  
 solicitation of preproposal comment 90-18-067  
 Wells 90-07-016  
 construction and maintenance standards  
 Woodstoves and other solid fuel burning  
 devices, solicitation of preproposal  
 comment 90-16-033  
**ECONOMIC DEVELOPMENT FINANCE  
 AUTHORITY**  
 Meetings 90-03-108  
**EDMONDS COMMUNITY COLLEGE**  
 Adjudicative proceedings, procedural  
 rules 90-02-062  
 90-08-022  
 Athletes, loss of eligibility for  
 unlawful drug use, procedure **90-24-025**  
 Meetings 90-01-011  
 90-03-062  
 90-05-010  
 90-05-012  
 90-07-009  
 90-11-075  
 90-13-069  
 90-15-023  
 90-15-047  
 90-19-065  
 90-21-080  
 90-23-014  
 90-02-063  
 90-08-022A  
 Organization  
**EDUCATION, STATE BOARD OF**  
 Basic Education Act  
 supplemental requirements, repeal  
 of student learning objective  
 requirement 90-01-137  
 Certification  
 general provisions separated from  
 procedures for administration of  
 certification proceedings 90-02-073

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**EDUCATION, STATE BOARD OF—cont.**

Consultant special limited certificates  
for educational staff associate roles 90-08-111  
90-09-027  
90-13-082  
90-17-004  
90-21-157  
**90-24-066**

Discipline of students 90-02-074  
90-21-163  
**90-24-068**

Excellence in teacher preparation award 90-21-153  
90-02-104

Exit examinations 90-17-005  
90-17-151  
90-20-090

Funding priority system 90-21-152  
90-06-107  
90-09-028  
90-21-049  
90-21-050  
90-22-069

High school credit for courses taken  
in grade seven or eight 90-08-112  
90-08-114  
90-12-075  
90-12-121  
90-21-074  
90-08-115  
90-12-076

Investigatory files, establishment, security,  
disclosure, retention and destruction 90-08-113  
90-12-073  
90-17-071  
90-22-002  
90-23-084  
90-02-075

Mandatory areas of study in  
common schools 90-02-076  
90-21-154  
90-01-078  
90-01-136  
90-04-032  
90-21-151  
90-21-155  
90-01-077  
90-01-135  
90-04-031

Meetings 90-01-137  
90-21-158  
**90-24-067**

Professional certification 90-13-083  
90-17-009  
90-21-156

continuing education 90-01-014  
90-17-102

course approval, courses offered  
by out-of-state institution  
in Washington 90-01-102  
90-08-028  
90-09-057  
90-11-120  
90-17-104

preparation requirements

unprofessional conduct  
unprofessional conduct, administrative  
procedures

Physical education requirement

Project approval moratorium

Rules coordinator

School accreditation

School construction assistance program

School construction  
determination of availability of  
suitable buildings in neighboring  
districts 90-01-075

eligibility criteria and state  
matching rates 90-01-076

Self-study, criteria and reporting  
requirements 90-01-138

Student learning objectives requirement,  
repeal 90-01-137

Student teaching pilot projects extension 90-21-158  
**90-24-067**

Title 28A RCW, amendments to conform  
to recodification of title 90-13-083  
90-17-009  
90-21-156

**EMPLOYMENT SECURITY DEPARTMENT**

Family independence program 90-01-014  
90-17-102

Rules coordinator 90-01-102  
90-08-028  
90-09-057  
90-11-120  
90-17-104

Unemployment insurance  
agricultural coverage rules

benefit year, establishment

**EMPLOYMENT SECURITY DEPARTMENT—cont.**

discharge for drug use or violation of  
employer drug abuse policy as  
misconduct 90-01-101  
90-14-094

overpayment recovery, payments to  
other states 90-11-119  
90-17-103

overpayments, charging of interest on 90-11-121  
90-17-105

**ENERGY FACILITY SITE EVALUATION  
COUNCIL**

Procedural rules 90-03-087  
90-05-018  
90-09-029  
90-13-032  
90-22-034  
90-22-066  
90-09-004  
90-15-049  
90-09-029  
90-13-032  
90-22-034  
**90-24-083**

Rules coordinator

Terminology, revision of obsolete language

**ENGINEERS AND LAND SURVEYORS**

Advertisement of professional services 90-03-028  
90-05-071  
90-15-046  
90-21-032  
90-17-107  
90-21-033  
90-04-010  
90-17-013  
90-17-014  
90-17-106  
90-21-034  
90-15-046  
90-21-032  
90-21-035  
90-15-046  
90-21-032  
90-05-071

Land surveying standards

License renewals

License fees

Licenses, expiration date of

Reciprocity

Seals

Solicitation of professional work

**ENVIRONMENTAL HEARINGS OFFICE**

Harrison, William A., designation as  
administrative appeals judge 90-22-077

**EXECUTIVE ORDERS**

(See GOVERNOR, OFFICE OF THE)

**EVERETT COMMUNITY COLLEGE**

Meetings 90-02-024  
90-03-011  
90-07-049  
90-14-088  
90-21-126  
90-23-060  
**90-24-010**  
90-03-012  
90-03-019  
90-09-006  
90-09-049

Procedural rules

Student athletes, suspension for unlawful  
drug use 90-02-011  
90-03-021  
90-09-005

**EVERGREEN STATE COLLEGE, THE**

Adjudicative proceedings, brief 90-04-011

Contracts, mid-contract termination  
with adequate cause 90-04-011

Family Educational Rights and Privacy  
Act of 1974 90-04-011

Financial aid 90-04-011

Library  
circulation policy 90-03-037  
90-04-028  
90-10-001  
90-13-028

**Subject/Agency Index**  
(Citations in bold type refer to material in this issue)

**EVERGREEN STATE COLLEGE, THE—cont.**

Meetings 90-05-007  
 90-09-018  
 90-10-005  
 90-11-111  
 90-19-004  
 90-19-049  
 90-21-091  
 90-04-011  
 Organization 90-04-011  
 Procedure, model rules 90-04-011  
 Public records 90-04-011  
 Scholarships 90-04-011  
 Student athletes, loss of eligibility 90-05-031  
 Tuition and fees 90-04-011  
 Use of college facilities 90-11-067

**FINANCIAL MANAGEMENT, OFFICE OF**

County indigent defense costs 90-12-009  
 Official lagged, semi-monthly paydates 90-14-077  
 90-17-017

**FIRE PROTECTION POLICY BOARD**

Meetings 90-03-070

**FISHERIES, DEPARTMENT OF**

Commercial  
 bottomfish seasons 90-06-001  
 buoy brand numbers 90-06-079  
 90-19-081  
 clams 90-11-012  
 razor clam harvest 90-01-018  
 coastal bottomfish catch limits 90-02-010  
 90-04-047  
 90-06-080  
 90-07-031  
 90-13-108  
 90-13-109  
 90-16-001  
 90-20-048  
 90-21-162  
 crabs, seasons and areas 90-02-055  
 90-23-045  
 food fish, unlawful acts 90-02-111  
 herring 90-10-032  
 closure of season 90-07-002  
 spawn on kelp permits 90-07-003  
 Indian off-reservation subsistence fishing closures 90-10-053  
 moon snails, classification, permit requirements, and bag limits 90-15-040  
 salmon 90-06-058  
 Atlantic, classifications food fish  
 Columbia River above Bonneville, seasons 90-04-046  
 90-17-025  
 90-18-061  
 90-19-012  
 90-19-058  
 90-21-046  
 Columbia River below Bonneville, seasons 90-05-008  
 90-05-030  
 90-17-046  
 90-19-088  
 90-19-111  
 90-20-010  
 90-20-021  
 90-21-008  
 90-21-066

**FISHERIES, DEPARTMENT OF—cont.**

Grays Harbor, seasons 90-09-092  
 90-14-099  
 90-18-021  
 90-18-023  
 90-19-011  
 90-20-047  
 90-21-003  
 90-21-024  
 90-21-083  
 Puget Sound, areas and seasons 90-09-093  
 90-13-025  
 90-16-060  
 90-17-008  
 90-17-045  
 90-17-084  
 90-18-026  
 90-18-062  
 90-19-010  
 90-19-057  
 90-20-020  
 90-20-064  
 90-20-103  
 90-21-007  
 90-21-047  
 90-21-067  
 90-21-096  
 90-22-013  
 90-22-053  
 90-23-009  
 90-23-052  
 90-23-099  
 troll fishery, seasons and gear 90-10-033  
 90-11-046  
 90-11-086  
 90-12-010  
 90-12-036  
 90-13-007  
 90-13-034  
 90-15-063  
 90-17-082  
 90-17-090  
 90-18-025  
 90-18-043  
 90-19-030  
 90-19-055  
 90-19-074  
 90-20-019  
 90-20-030  
 Willapa Bay, seasons 90-09-092  
 90-14-099  
 90-18-021  
 90-18-023  
 90-19-029  
 90-19-059  
 90-22-047  
 90-10-034  
 Yakima treaty subsistence fishing  
 San Juan Islands marine reserve, unlawful acts 90-02-111  
 90-06-043  
 90-06-045  
 sea cucumber harvest closures 90-10-051  
 90-11-060  
 90-13-024  
 90-19-056  
 sea urchin seasons 90-02-009  
 90-03-067  
 90-21-025  
 90-11-071  
 shad, Columbia River harvest  
 shrimp 90-10-035  
 Puget Sound fishery seasons and areas 90-11-030  
 90-17-085  
 spawn on kelp permits 90-07-002  
 90-07-003

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**FISHERIES, DEPARTMENT OF—cont.**

sturgeon seasons  
    Columbia River  
        above Bonneville 90-03-006  
        Columbia River  
        below Bonneville 90-05-008  
                                  90-05-030  
Extenuating circumstances defined 90-03-068  
Fisheries regional enhancement groups 90-04-026  
Personal use  
    bag limits 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
bottomfish  
    areas and seasons 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
                          90-21-162  
    possession limits 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
Canadian origin food fish  
    and shellfish, proof of origin 90-06-081  
                                  90-08-001  
                                  90-21-162  
catch record cards 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
clams  
    areas and seasons  
        hardshell 90-06-058  
        razor 90-07-039  
                  90-08-008  
                  90-08-034  
                  90-10-011  
                  90-19-110  
                  90-21-077  
  
    licenses  
        razor 90-07-040  
crab  
    areas and seasons 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
definitions 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
food fish, bag limits 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
food fishing, closed areas 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
halibut, catch records 90-09-050  
                          90-09-051  
                          90-17-080  
  
halibut, season and bag limits 90-08-033  
                          90-17-012  
                          90-18-022  
                          90-20-063  
  
lawful and unlawful acts 90-02-112  
                          90-06-025  
                          90-06-026  
                          90-15-050  
  
licensing  
    catch record cards 90-03-068  
    free licenses, nonretention of fecs 90-03-068  
    moon snails, classification and  
        bag limits 90-15-040

**FISHERIES, DEPARTMENT OF—cont.**

salmon  
    bag limits 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-12-064  
                  90-15-050  
                  90-17-080  
  
    catch records 90-09-050  
                  90-17-080  
  
    Chehalis River 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
    Columbia River 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-08-032  
                  90-14-015  
                  90-15-045  
                  90-15-050  
                  90-18-044  
  
    Grays Harbor saltwater seasons 90-21-026  
    Icicle River 90-13-006  
    Klickitat River 90-07-032  
                  90-12-082  
  
    Little White Salmon River  
        saltwater seasons and bag limits 90-07-032  
                  90-02-112  
                  90-06-025  
                  90-06-026  
                  90-12-064  
                  90-13-056  
                  90-15-050  
                  90-16-064  
                  90-17-044  
                  90-17-067  
                  90-17-083  
                  90-18-024  
                  90-18-052  
                  90-18-060  
                  90-19-005  
                  90-20-034  
  
    Skagit River 90-12-064  
                  90-20-034  
  
    Wenatchee River 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-06-042  
                  90-06-044  
                  90-13-006  
                  90-15-050  
  
    Willapa Bay 90-19-059  
                  90-19-112  
  
    Wind River 90-07-032  
                  90-12-035  
                  90-12-067  
  
San Juan Island marine preserve area 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
shellfish  
    areas 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
    bag limits 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
    gear, unlawful acts 90-02-112  
                  90-06-025  
                  90-06-026  
                  90-15-050  
  
oysters  
    season and areas  
        Twanoh State Park 90-03-007  
                  90-03-027  
                  90-04-041

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>FISHERIES, DEPARTMENT OF</b> ---cont.		<b>GAMBLING COMMISSION</b> ---cont.	
shrimp, Puget Sound fishery	90-10-035	Pull tab series, assembly, packaging, and operation	90-15-043
sturgeon	90-09-050		90-15-064
catch records	90-17-080		90-16-062
Rules coordinator	90-14-113		90-16-063
			90-21-053
<b>FOREST PRACTICES APPEALS BOARD</b>			<b>90-24-006</b>
Harrison, William A., designation as administrative appeals judge	90-22-077	Punchboard and pull tabs business restrictions	90-20-004
Procedure before board	90-16-054		<b>90-24-005</b>
	90-22-051	Punchboards and pull tabs, prizes	90-05-032
	90-23-093		90-07-020
			90-07-021
<b>FOREST PRACTICES BOARD</b>			90-11-058
Forest practices subject to environmental review under SEPA and SEPA rules	90-23-041		90-20-004
Local government participation in forest practices decisions in conversion and developing areas	90-10-099	Raffles	<b>90-24-005</b>
Meetings	90-02-081	conduct of	90-05-032
	90-02-082	Records index	90-10-098
	90-03-024		90-15-043
	90-07-008		90-15-064
	90-09-048		90-16-062
	90-14-103		90-16-063
	90-15-016	Reporting requirements	90-21-053
	90-20-123		90-05-034
	90-20-152	Special amusement game license test	90-10-007
	90-22-009	Summary suspensions	90-21-052
Rules coordinator	90-20-024		90-03-060
			90-03-061
			90-07-018
<b>FRUIT COMMISSION</b>		Telephone charges as valuable consideration	90-10-008
Bartlett pear assessment rates	90-03-091		90-13-022
	90-17-020	Washington blackjack	90-05-032
			90-07-019
			90-07-022
<b>GAMBLING COMMISSION</b>			90-11-058
Adjudicative proceedings	90-09-073		<b>90-24-006</b>
	90-10-008	<b>GENERAL ADMINISTRATION, DEPARTMENT OF</b>	
	90-13-022	Acquisition of goods	90-20-141
	90-21-052		90-20-142
	90-21-054	Banking, division of	
Amusement games, operation at regional shopping centers	<b>90-24-006</b>	business administration 7(a) loan guaranty program lenders	90-01-001
Bingo	90-20-004	collection of examination costs and semi-annual assessment	90-09-091
	<b>90-24-005</b>		90-12-007
Bingo, reporting requirements	90-05-034	collective investment funds	90-03-105
	90-10-007		90-07-011
Commission hours, location, and services	90-11-057	fee schedule, processing and investigation of applications	90-09-090
	90-15-044		90-12-008
Cranes, electronic authorization for use	90-01-015	handguns, sale to retiring state law enforcement officer	90-11-011
	90-01-021		90-16-075
	90-05-033	insurance agents, authority for state-chartered banks and trust companies to act as	90-10-074
Deputy director	90-15-064	Rules coordinator	90-20-022
	90-16-062		
	90-16-063	<b>GOVERNOR, OFFICE OF THE</b>	
	90-21-053	Clallam and Wahkiakum counties, state of emergency declared	90-08-013
Donated prizes, reporting requirements	90-10-008	Crime victims' advocacy, office of	90-06-053
	90-13-022	Economic advisors, establishing governor's council of	90-19-116
Electronic cranes, authorization for use	90-01-015	Environment 2010 action agenda	90-21-131
	90-01-021	Federal low-income housing tax credit allocation	90-03-016
	90-05-033	Flood emergency declared for Whatcom, Skagit, King, Snohomish, and Grays Harbor counties	90-23-016
	90-20-004	Flood emergency declared for Yakima, Clallam, Pacific, Mason, Jefferson, Thurston, Lewis, Kitsap, Cowlitz, Pierce, Chelan, Kittitas, and Wahkiakum counties	<b>90-24-002</b>
	<b>90-24-005</b>	Log export restrictions	90-19-091
Fund raising events, limits on amount of rent, lease, or other payments	90-20-004		90-22-105
	<b>90-24-005</b>		
Fund raising events, providing food and beverages to volunteers	<b>90-24-006</b>		
Income requirements, bingo and charitable games	90-05-034		
	90-10-007		
	90-20-004		
	<b>90-24-005</b>		
Interpretive and policy statements	90-05-032		
Prizes	<b>90-24-006</b>		
Procedural rules	90-03-064		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**GOVERNOR, OFFICE OF THE—cont.**

Special session of legislature called for June 5, 1990 90-12-003  
 State of emergency proclamation termination of emergency 90-03-043  
 Twin Rivers correction center, population limit increased 90-08-068  
 Wetlands protection 90-01-050  
 90-10-027  
 Workforce 2000 initiative 90-04-086

**GOVERNOR'S TIMBER TEAM**

Timber exports, restrictions on export of timber from state and local lands 90-19-091  
 90-22-105

**GRAYS HARBOR COLLEGE**

Athletes, loss of eligibility for unlawful drug use 90-18-082  
 Meetings 90-01-024  
 Rules coordinator 90-15-007  
 Student conduct code 90-18-082  
 90-22-029

**GREEN RIVER COMMUNITY COLLEGE**

Meetings 90-02-056  
 90-21-001  
 Practice and procedure 90-12-012  
 90-12-108  
 90-12-109  
 90-22-067

**HARDWOODS COMMISSION**

(See **TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF**)

**HEALTH, BOARD OF**

Adjudicative proceedings 90-01-129  
 90-06-049  
 Communicable (contagious) diseases control 90-16-098  
 90-18-074  
 90-18-083  
 90-18-085  
 90-21-056  
 Confidentiality 90-02-095  
 90-07-033  
 Infectious diseases, control of 90-11-038  
 90-18-074  
 Pesticide poisoning, reporting of cases by physicians 90-06-063  
 90-10-036  
 Prenatal tests for congenital and heritable disorders 90-02-094  
 Public water systems, volatile organic chemical monitoring requirements **90-24-071**  
 Rules coordinator 90-20-053  
**90-24-085**  
 Variances, waivers, and exceptions to rules, procedures 90-01-134  
 Water recreation facilities, safety and health requirements 90-02-072  
 90-07-010

**HEALTH CARE AUTHORITY**

Rules coordinator 90-01-086  
 90-19-050  
 State employees benefits board plans, eligibility 90-04-087  
 90-12-037

**HEALTH, DEPARTMENT OF**

Acupuncture license renewal 90-05-053  
 90-11-093  
 requirements 90-08-002  
 90-12-114  
 Adjudicative proceedings 90-05-038  
 90-06-018  
 Administrative Procedure Act, program rules, conforming amendments 90-06-019

**HEALTH, DEPARTMENT OF—cont.**

Certificate of need definitions 90-02-093  
 review fees 90-11-092  
 90-15-001  
 Chiropractic disciplinary board auxiliary staff, delegation of services to 90-09-077  
 90-14-130  
 90-22-037  
 billing rules solicitation of preproposal comment 90-20-052  
 electromyography, prohibition on use 90-04-029  
 90-08-035  
 90-08-036  
 90-16-059  
 90-20-053  
**90-24-085**  
 90-21-116  
 transfer of rules to Title 246 WAC  
 Chiropractic examiners, board of continuing education, board approval 90-11-045  
 90-22-036  
 90-11-045  
 90-20-053  
**90-24-085**  
 90-21-117  
 transfer of rules to Title 246 WAC  
 Community health clinics medical and dental services funds, eligibility and distribution 90-01-131  
 90-04-082  
 Dental disciplinary board discrimination prohibited as unprofessional conduct **90-24-075**  
 rules coordinator 90-20-053  
**90-24-085**  
 90-21-129  
 transfer of rules to Title 246 WAC  
 Dental examining board rules coordinator 90-20-053  
**90-24-085**  
 90-21-114  
 transfer of rules to Title 246 WAC  
 Dental hygienists continuing education requirements 90-19-066  
 90-23-011  
 education programs, approval 90-01-130  
 90-12-002  
 90-19-066  
 90-01-130  
 90-19-066  
 examination and licensure  
 review procedures for applicants failing written or practical examinations 90-09-062  
 90-12-068  
 Dentists  
 AIDS education requirements 90-08-011  
 anesthesia administration of 90-06-065  
 90-14-125  
 90-14-129  
 90-18-041  
 90-18-042  
 90-06-101  
 90-18-040  
 permit fees 90-01-127  
 90-04-083  
 90-05-039  
 90-07-068  
 90-14-079  
 90-14-081  
 90-18-038  
 school of dentistry licensed faculty, facility defined 90-07-067  
 90-11-083  
 substance abuse monitoring programs 90-10-037  
 90-16-099  
 Drug manufacturing or storage sites, illegal, contractor certification for decontamination of **90-24-070**

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**HEALTH, DEPARTMENT OF—cont.**

Drugless therapists 90-14-043  
90-17-088

Emergency medical technicians  
certification and recertification 90-14-042  
90-14-044  
training requirements 90-21-143

Fees, refund of overpayments 90-04-030  
90-08-003

Health care assistants  
AIDS prevention and information  
education, waivers 90-06-004  
90-11-019  
90-14-131

Hearing aid council  
defamation of competitors 90-01-025  
90-03-069  
90-08-107  
90-21-048  
personal disclosure 90-01-025  
90-08-107  
90-21-048  
rules coordinator 90-20-053  
**90-24-085**

HIV and AIDS training and record-keeping  
requirements 90-21-143

HIV drugs and treatments, administration  
of state and federal funds for 90-11-063  
90-17-087

HIV insurance program requirements 90-01-133  
90-03-052

Hospital charity care, procedures, data  
collection, criteria for identifying  
indigent persons, and penalties  
for noncompliance 90-22-109

Hospitals, licensing rules 90-08-099  
90-12-014  
renal dialysis services and facilities 90-20-035  
**90-24-044**

Licensing fees 90-01-128  
90-04-094  
90-08-009  
90-18-039

Kidney transplantation and kidney  
disease treatment centers 90-12-096

Massage board  
examination and reexamination 90-07-069  
90-13-005  
rules coordinator 90-20-053  
**90-24-085**  
rules, transfer to Title 246 WAC 90-20-134

Medical disciplinary board  
addresses of licensees,  
responsibility to file with board 90-14-080  
90-20-049  
rules coordinator 90-20-053  
**90-24-085**  
transfer of rules to Title 246 WAC 90-21-085

Medical examiners, board of  
examination scores, FLEX  
examination passage requirements 90-12-113  
90-12-116  
90-18-009  
rules coordinator 90-20-053  
**90-24-085**  
surgical assistants, applications for  
registration, revised due date 90-09-007  
90-11-044

Medical test sites licensure 90-14-128  
90-20-017

Naturopathic physicians, license fees 90-08-100  
90-08-101  
90-13-084  
90-18-075

Newborns, screening tests

**HEALTH, DEPARTMENT OF—cont.**

Nursing, board of  
AIDS education requirement for nurses  
obtaining interstate endorsement 90-22-020  
**90-24-073**  
90-04-059

catheterization in schools  
nurse technicians, definition and  
function of **90-24-074**  
nursing assistants, duties and training  
requirements 90-10-084  
90-12-115  
90-17-042  
90-20-018

nursing assistants, repeal of training  
and registration requirements 90-12-117  
90-17-043  
90-20-053  
**90-24-085**

rules coordinator  
transfer of rules to  
Title 246 WAC **90-24-072**

Nursing home administrators, board  
of examiners for  
rules coordinator 90-20-053  
**90-24-085**

Nursing homes  
certificate of need criteria 90-08-102  
90-08-105  
90-12-071  
90-12-072  
90-21-075  
90-14-127  
90-17-086

certificate of need definitions  
examination failures, repeat  
examinations 90-04-059  
review, definitions and standards 90-08-102  
90-08-103  
90-10-083

Occupational therapists  
licensing requirements 90-04-096  
90-16-036  
90-16-071  
90-16-096  
90-22-011

Occupational therapy practice, board of  
meetings **90-24-063**  
rules coordinator 90-20-053  
**90-24-085**  
transfer of rules to Title 246 WAC 90-23-008

Open heart surgery programs 90-10-022  
90-13-116

Optometrists  
examinations 90-08-106  
90-11-080

Optometry board  
contact lenses, prescriptions, records,  
and identification, solicitation of  
preproposal comment 90-09-025  
90-12-065  
90-20-053  
**90-24-085**  
rules coordinator **90-24-035**  
transfer of rules to Title 246 WAC

Osteopathic medicine and surgery, board of  
rules coordinator 90-20-053  
**90-24-085**  
transfer of rules to Title 246 WAC **90-24-055**

Physical therapist licensure requirements 90-04-095  
90-16-035  
90-16-070  
90-21-073

Physical therapy, board of  
meetings **90-24-062**  
licensing fees 90-21-141  
rules coordinator 90-20-053  
**90-24-085**  
rule, transfer to Title 246 WAC 90-20-133

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**HEALTH, DEPARTMENT OF—cont.**

Physicians and surgeons  
licensing fees 90-04-093  
90-06-100

Physician's assistants  
licensing fees 90-04-093  
90-06-100

Podiatric medical board  
rules coordinator 90-20-053  
**90-24-085**  
90-23-010

transfer of rules to Title 246 WAC 90-23-010

Podiatrists  
fees, renewal of licenses, active  
and inactive 90-11-096  
90-11-097  
90-16-057

unprofessional conduct or impairment,  
mandatory reporting 90-06-064  
90-12-013

Practical nursing, board of  
rules coordinator 90-20-053  
**90-24-085**  
90-21-084

transfer of rules to Title 246 WAC 90-21-084

Prenatal tests, provision of  
information on 90-08-104  
90-21-055

Psychiatric services and units  
standards for construction, maintenance,  
and operation of 90-19-051  
90-23-012

Psychology, examining board of  
continuing education 90-05-016  
90-05-040  
90-18-069  
**90-24-069**  
**90-24-069**  
90-01-132  
90-09-042  
90-15-027  
90-17-029  
90-18-084  
90-21-113  
90-10-100  
90-05-015  
90-05-017  
90-20-053  
**90-24-085**  
90-23-022

licensing requirements and procedures  
meetings 90-01-132  
90-09-042  
90-15-027  
90-17-029  
90-18-084  
90-21-113  
90-10-100  
90-05-015  
90-05-017  
90-20-053  
**90-24-085**  
90-23-022

psychologists, education requirements  
repealed sections 90-10-100  
90-05-015  
90-05-017  
90-20-053  
**90-24-085**  
90-23-022

rules coordinator 90-20-053  
**90-24-085**  
90-23-022

transfer of rules to Title 246 WAC 90-23-022

Radiation protection programs  
fees 90-06-106  
90-11-126  
90-19-067

Renal dialysis services and facilities,  
hospital licensing standards 90-20-035

Rules coordinator 90-02-004  
90-20-053  
**90-24-085**

Rules, transfer of department of health and  
department of health related boards rules  
to Title 246 WAC 90-22-010  
90-22-093  
90-22-094

Rural health care facilities licensing  
standards 90-22-068

Surgery, ambulatory, planning and  
standards 90-12-096  
90-16-058

Tertiary services, changes to list of  
and process for identifying 90-14-126  
90-21-028

Veterinarians  
substance abuse monitoring programs 90-16-097

Veterinary board of governors  
rules coordinator 90-20-053  
**90-24-085**

substance abuse, voluntary  
monitoring plans 90-21-029

**HEALTH, DEPARTMENT OF—cont.**

transfer of rules to Title 246 WAC 90-21-115  
90-22-012

**HEARING AID COUNCIL**  
(See **HEALTH, DEPARTMENT OF**)

**HIGHER EDUCATION COORDINATING BOARD**  
American Indian endowed scholarship  
program **90-24-076**

Community scholarship foundation  
demonstration project 90-04-068  
90-09-003

Educational opportunity grant project 90-11-130  
90-14-029  
90-16-023

Environmental Policy Act (SEPA)  
implementation 90-16-032  
90-16-055  
90-20-013  
90-20-014  
90-10-002  
90-11-108  
**90-24-023**  
**90-24-024**

Pacific rim language scholarship program 90-16-082  
90-20-011  
90-04-067

State need grant program revisions  
Tacoma branch campus, notice of  
action taken 90-23-047

Washington distinguished professorship  
trust fund program 90-12-093  
90-16-030

Washington graduate fellowship  
trust fund program 90-12-092  
90-16-029

Washington rural physician, pharmacist,  
and midwife scholarship program 90-16-093  
90-20-012

**HIGHER EDUCATION PERSONNEL BOARD**  
Administrative hearings, filing of  
prehearing statements, briefs,  
and written argument 90-09-074  
90-13-017

Affirmative action plans, requirements,  
approval 90-02-054

Allocation appeals 90-02-052

Eligible lists, certification of  
candidates 90-13-016  
90-13-121  
90-17-037

Exempt classifications, positions, and  
employees 90-01-007  
90-01-126  
90-06-023  
90-13-015  
90-13-120  
90-17-037

Exempt status, appeals from classification  
of position as or as not exempt 90-09-076  
90-14-018  
90-02-092  
90-17-036  
90-23-059

Meetings 90-01-007  
90-01-005

Remedial action 90-01-007

Rules coordinator 90-01-005

Salaries 90-02-053  
pro rata pay 90-06-082  
90-01-042  
90-02-053  
90-06-083  
90-10-044  
90-01-007

special pay 90-01-042  
90-02-053  
90-06-083  
90-10-044  
90-01-007

Temporary appointments 90-01-007

Workers' compensation, change in  
terminology 90-09-075  
90-14-018



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>HIGHER EDUCATION PERSONNEL BOARD—cont.</b>		<b>INSURANCE COMMISSIONER—cont.</b>	
Workers' compensation, return-to-work program	90-21-137	Health care policies	
		small business group policies	
		(Washington basic coverage policy)	90-12-095
<b>HIGHLINE COMMUNITY COLLEGE</b>			90-16-087
Athletes, suspension for drug or steroid use, procedures	90-01-080		90-18-076
Meetings	90-11-002	Licensing requirements, licensees maintaining more than one place of business	
	90-16-076		90-19-109
	90-19-025		90-22-039
<b>HISPANIC AFFAIRS, COMMISSION ON</b>		Life and disability insurance, out-of-state group contracts, unfair practices	
Meetings	90-04-053	Medicare supplement insurance	
	90-07-046		90-23-079
	90-21-078		90-01-092
	<b>90-24-065</b>		90-04-089
			90-07-059
<b>HORSE RACING COMMISSION</b>			90-13-085
Claiming races, next start requirements, horses claimed but not processed	90-14-067		90-17-038
Daily triple	90-13-072	Public documents and indexes	90-17-100
	90-14-100		90-15-022
	90-19-002	Rate filing requirements	90-18-037
Impaired horses	90-14-101		90-10-056
	90-19-001	Rate standards	90-13-041
			90-21-136
Owner's license, use of facsimile application and trainer as agent	90-09-010	Rules coordinator	<b>90-24-043</b>
	90-14-023	Senior health benefits advisors (SHIBA) program, conflict of interest rule	90-04-049
<b>HUMAN RIGHTS COMMISSION</b>		Separate accounts requirements	
Findings following an investigation	90-13-086		90-14-104
	90-15-024	Title insurers and agents, unfair practices	90-17-058
Meetings	90-01-009		90-01-036
	90-01-081		90-04-042
	90-01-082		
	90-03-084		90-17-059
	90-05-050		90-20-104
	90-08-025		
	90-09-044	<b>INTEREST RATES</b>	
	90-09-045	(See inside front cover)	
	90-10-062	<b>INVESTMENT BOARD</b>	
	90-10-063	Meetings	90-01-055
	90-11-031		90-15-041
	90-11-094	<b>JUDICIAL CONDUCT, COMMISSION ON</b>	
	90-12-033	Meetings	90-16-047
	90-12-087		90-23-049
	90-12-088	Procedural rules	90-03-095
	90-13-014		90-08-077
	90-14-087		90-10-059
	90-16-077		
	90-18-077	<b>LABOR AND INDUSTRIES, DEPARTMENT OF</b>	
	90-20-095	Agricultural	
	90-21-127	minors, employment of	90-07-078
	90-22-078		90-08-093
	90-23-061		90-12-069
Rules coordinator	90-20-094	pesticide posting and record-keeping requirements	90-14-038
Settlement of cases	90-13-086		
	90-15-024	rest and meal periods	90-11-023
Withdrawal of complaints	90-13-086		90-07-078
	90-15-024		90-08-093
			90-12-069
<b>HYDRAULIC APPEALS BOARD</b>			90-14-037
Harrison, William A., designation as administrative appeals judge	90-22-077	safety standards	90-01-148
<b>INDETERMINATE SENTENCE REVIEW BOARD</b>			90-03-029
Parole revocation proceedings, discovery in	90-14-014		90-05-002
Victim's rights	90-04-080	Apprenticeship and training council affirmative action plan compliance calculation	90-11-023
<b>INDUSTRIAL INSURANCE APPEALS, BOARD OF</b>		agreements, standards for new programs	90-11-041
Rules coordinator	90-11-110	correspondence, submission for consideration at meetings	
<b>INFORMATION SERVICES, DEPARTMENT OF</b>		meetings	90-10-019
Information services board meetings	90-01-010	tie breaking committee	90-10-020
<b>INSURANCE COMMISSIONER</b>			90-10-021
Agents, brokers and adjusters, qualifications	90-01-035		90-01-012
	90-04-060		90-06-104
			90-07-085
			90-16-031

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**LABOR AND INDUSTRIES, DEPARTMENT OF**

—cont.	
Apprenticeship committees approval and operation of	90-06-103 90-07-084 90-16-019 90-17-052 90-21-118
Asbestos related disease claims	90-02-006 90-04-007
Boiler rules, board of meetings	90-04-065 90-07-082
shop inspections	90-16-066 90-20-029
Boilers pressure vessels, clearance stamping of boilers and unfired pressure vessels	90-04-009 90-16-066 90-20-029 90-04-009
standards for new construction	
Compressed air work safety standards	90-12-106 90-17-051
Construction safety standards	90-03-029 90-03-093 90-09-026 90-11-041 90-12-106 90-17-021 90-17-051
Electricity installation of wires and equipment, inspection fees	90-12-104 90-14-102 90-17-041 90-19-014 90-19-015
journeyman electrician certification of competency, fees	90-12-104 90-17-041
Explosives safety standards	90-03-029 90-11-041 90-20-121
Firefighters safety standards	90-12-106 90-17-051 90-20-121
Grain handling facilities safety standards	90-03-029 90-11-041
Handicapped workers prevailing wages	90-06-008 90-14-001 90-14-002
Logging safety standards	90-03-093 90-17-021
Material handlers, repeal of enjoined rules	90-08-061
Occupational health standards general standards	90-15-065 90-20-091 90-20-121
safety standards	90-03-029 90-03-093 90-11-041 90-12-106 90-17-021
Passenger vessel safety standards	90-20-121

**LABOR AND INDUSTRIES, DEPARTMENT OF**

—cont.	
Prevailing wages filing fees	90-09-047 90-17-039 90-17-040 90-22-050 <b>90-24-053</b>
handicapped workers	90-06-008 90-14-001 90-14-002 90-19-061
terms and procedures used to determine for public works projects	90-23-101
Public records	90-02-089 90-07-004
Reassumption of jurisdiction	90-03-093 90-17-021 90-19-035
Rules coordinator	
Safety and health standards general	90-03-029 90-11-041 90-15-065 90-20-091 90-20-121
Shake and shingle mills with automated processes, definitions	90-01-013
Victims of crimes rights of victim who has repressed memory of criminal act	90-20-120
Workers compensation asbestos related disease claims	90-02-006 90-04-007
benefits, payment of, reduction, suspension, or denial	90-13-112 90-18-050 90-18-051 90-19-028
manual of rules, classifications, rates, and rating system	90-08-092 90-11-099 90-13-018 90-16-103 90-20-092 90-20-119 90-21-160 <b>90-24-041</b> <b>90-24-042</b>
maximum fee schedule	90-04-057 90-13-111 90-18-028
medical aid rules	90-04-057 90-13-111 90-18-028
conversion factors reciprocal agreements	90-21-159 90-13-112 90-18-050 90-18-051 90-19-028
reopenings	90-13-112 90-18-050 90-18-051 90-19-028 90-20-118 90-22-054
retrospective premium adjustments	90-19-093 <b>90-24-040</b>
self-insured employers applications for certification as	90-09-071 90-14-036
surety requirements	90-19-092 <b>90-24-039</b>
vocational rehabilitation services, provision of	90-09-072 90-14-009 90-14-035

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**LABOR AND INDUSTRIES, DEPARTMENT OF**

—cont.  
worker review or receipt of  
own claim file 90-12-103  
90-12-105  
90-18-002

**LEGAL FOUNDATION OF WASHINGTON**

Meetings 90-04-006  
90-16-038  
90-17-092

**LIBRARY**

(See WASHINGTON STATE LIBRARY)

**LICENSING, DEPARTMENT OF**

Adjudicative proceedings 90-17-026  
90-17-072  
90-21-086  
90-08-118  
90-13-039

Aircraft fuel tax rules

Architect licenses  
license period, solicitation  
of preproposal comment  
registration examination 90-05-041  
90-06-066  
90-11-062  
90-13-059  
90-17-097  
90-03-032

renewal

services and renewal

Auctioneer  
fees 90-03-107  
90-06-052  
90-17-024

Camping clubs 90-03-106  
90-06-051  
90-17-023  
90-20-126

Cemetery prearrangement telephone  
solicitations 90-13-105  
90-17-073

Collection agency  
fees 90-03-107  
90-06-052  
90-17-024

Commercial telephone solicitation 90-01-002  
90-02-060  
90-02-061  
90-11-068

Cosmetology, barber and manicurist rules 90-03-018  
90-07-030

Court reporters, licensing requirements 90-05-058  
90-10-009  
90-14-096  
90-20-008

Court reporters, standards of professional  
practice and transcript  
preparation guidelines 90-14-096

Debt adjuster  
fees 90-03-107  
90-06-052  
90-17-024

Dental examiners, board of  
AIDS education requirements for  
licensure 90-04-085

Employment agency  
fees 90-03-107  
90-06-052  
90-17-024

Engineers and land surveyors  
advertisement of professional services 90-03-028  
90-05-071  
90-17-013  
90-17-014  
90-17-106  
90-21-034  
90-15-046  
90-21-032  
90-17-107  
90-21-033

expiration date of licenses

land surveying standards

license renewals

**LICENSING, DEPARTMENT OF—cont.**

licensing fees 90-04-010  
reciprocity 90-15-046  
90-21-032  
90-21-035  
90-15-046  
90-21-032

seals

Escrow  
inactive officer license 90-03-098  
officer and agent fees 90-03-099

Funeral directors/embalmers  
continuing education approval 90-20-106  
**90-24-056**  
licensing fees 90-04-110  
90-07-024  
90-20-129  
90-14-098  
90-17-148

prearrangement funeral services

Investment advisers and adviser  
salespersons registration and  
examination requirements 90-01-061  
90-01-062  
90-05-003

Landscape architect fees, examination  
regrading 90-11-061  
90-15-039

Landscape architects licenses  
services and renewal 90-03-031

Manufactured homes  
title elimination 90-06-015  
90-06-016  
90-11-091

Marine fuel use study, public hearing  
announcement 90-01-040  
90-05-019  
90-14-021  
90-14-022  
90-17-062  
90-23-092  
90-08-116  
90-13-037

Master license handling fee

Motor vehicle excise tax rules  
Motor vehicle fuel tax rules

Motor vehicles  
advertising and pricing practices of  
dealers, prohibited practices 90-04-048  
90-12-089  
90-20-086  
90-22-052  
90-23-095  
90-14-070  
90-14-073  
90-20-140  
90-23-091  
90-06-022  
90-10-013

campers, titling as motor homes

certificate of inspection  
dealer temporary permits 90-14-069  
90-14-072  
90-22-073  
90-23-051

disclosure of vehicle owner names  
and addresses 90-14-069  
90-14-072  
90-22-073  
90-23-051

driver training schools, place  
of business defined 90-22-106

drivers' licenses  
applications, required information 90-22-106  
driving record abstracts, release of 90-14-039  
90-17-028  
90-22-106

waiver of driving tests for  
new residents with valid license  
from previous home state 90-22-106

higher education institutions license  
plate emblems, criteria to obtain 90-22-112  
90-22-112  
90-23-090

license plate emblems, display of  
license plates, special  
odometer disclosures, duties of  
dealers and salesmen 90-18-027  
**90-24-054**

**Subject/Agency Index**  
(Citations in bold type refer to material in this issue)

**LICENSING, DEPARTMENT OF—cont.**

owners' names and addresses,  
disclosure of 90-14-069  
90-14-072  
90-22-073

parking tickets outstanding,  
information to be supplied  
by jurisdiction 90-23-091  
recreational vehicle defined 90-14-039  
90-17-028  
90-10-091  
90-13-057  
90-13-058  
90-16-072  
90-23-090  
90-22-112

special license plates and emblems  
criteria to obtain 90-23-096  
title, "guaranteed title"  
defined 90-22-112  
veterans license plate emblems 90-23-090  
90-22-112  
90-23-090

Notaries public  
fees 90-03-107  
90-06-052  
90-17-024

Real estate appraiser certification 90-17-147  
90-23-094

Real estate brokers, salespersons, and  
land development representatives  
fees 90-02-048

Real estate commission 90-20-051  
90-23-039

broker responsibility for supervision of  
affiliated licenses 90-01-044  
brokers, required records 90-10-075  
90-11-008  
90-11-098  
90-20-051  
**90-24-058**  
90-20-051

business practices, requirements  
clock hours credits, procedures to  
obtain 90-01-047  
course approval 90-02-102  
90-05-072  
90-10-010

fees for real estate course, school,  
and instructor approval 90-10-075  
90-11-008  
90-11-098  
90-20-051

instructor approval 90-20-051  
licensing requirements, brokers, salespersons,  
and land development representatives  
meetings 90-01-112  
90-04-061  
90-06-027  
90-20-051

school approval 90-01-043  
suit or complaint against licensee,  
notice to commission 90-01-045  
trust fund administration 90-01-046  
90-02-103  
90-05-073  
90-09-014  
90-20-051  
90-20-125  
**90-24-031**

Rules coordinator

Securities division  
cattle feeding programs 90-23-037  
commodity pools 90-23-037  
corporate limited offering exemption 90-23-036  
debt offering standards 90-23-033  
dual representation and affiliation 90-05-051  
90-09-058  
90-23-037

equipment programs  
exchange and national market system  
exemption from registration 90-23-035

**LICENSING, DEPARTMENT OF—cont.**

exempt transactions 90-02-087  
90-05-061  
90-09-059

investment advisers, registration  
requirements 90-06-061  
90-13-029

oil and gas programs  
promotional shares 90-23-037  
real estate investment trusts 90-23-033  
90-23-037  
uniform limited offering  
registration (ULOR-C) 90-23-034

Special fuel licensees, additional  
reporting requirement 90-08-060  
90-08-119  
90-13-036  
90-08-117  
90-13-038  
90-20-127  
90-20-089

Special fuel tax rules

power take off use

Telephone solicitation, cemetery  
prearrangements 90-13-105

Telephones, commercial solicitation 90-01-002  
90-11-068

Timeshare registration, fees and  
exemptions 90-04-088  
90-07-023

Tow truck operators  
abandoned vehicles, duties 90-01-060

Uniform commercial code  
filing fees 90-01-121  
90-01-122

Vehicle dealers  
manufacturer franchise disputes  
petition fees 90-03-022

Vessel registration  
cruising license, defined 90-01-048  
90-08-018  
90-01-048  
90-01-048

decals, placement, size, and color  
exemptions 90-01-048  
owners' names and addresses,  
disclosure of 90-14-071  
90-14-074  
90-22-074  
90-23-051  
90-01-048

records, destruction by director

**LIQUOR CONTROL BOARD**

Advertising of liquor 90-21-038

Beer  
alcohol content  
labeling 90-03-089  
90-10-090  
90-17-019  
90-18-008

Business entertainment, record-keeping  
requirements 90-10-088  
90-14-003

Educational activities, approval 90-10-087  
90-14-012

Licenses, transfer of 90-20-042  
**90-24-008**

Limited partnerships, definition  
and description of 90-20-043  
**90-24-009**

Operations and procedures 90-02-109

Ownership interests, definition  
and description of 90-20-041  
90-20-043  
**90-24-007**  
**90-24-009**

Sales  
private clubs 90-10-089  
90-14-004

Suspension notices  
posting 90-03-088  
90-17-018

## Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

### LOTTERY COMMISSION

Change of ownership, addition or deletion of substantial owner	90-07-086 90-11-040
Financial management	90-07-086 90-11-040
Instant game number 20 through instant game number 39, repeal	90-21-002
<u>Instant game number 48 – Black Jack</u> definitions	90-03-023
<u>Instant game number 49 – Play it Again</u> criteria	90-03-023
definitions	90-03-023
<u>Instant game number 53 – Aces Wild</u> criteria	90-03-109 90-06-060
definitions	90-03-109 90-06-060
ticket validation	90-03-109 90-06-060
<u>Instant game number 54 – Two for the Money</u> criteria	90-03-109 90-06-060
definitions	90-03-109 90-06-060
ticket validation	90-03-109 90-06-060
<u>Instant game number 55 – Jackpot</u> criteria	90-07-086 90-11-040
definitions	90-07-086 90-11-040
ticket validation	90-07-086 90-11-040
<u>Instant game number 56 – Silver Bells</u> criteria	90-11-127 90-15-014
definitions	90-11-127 90-15-014
ticket validation	90-11-127 90-15-014
<u>Instant game number 57 – Treasure Island</u> criteria	90-11-127 90-15-014 90-16-094
definitions	90-11-127 90-15-014
ticket validation	90-11-127 90-15-014
<u>Instant game number 58 – Photo Finish</u> criteria	90-16-094 90-19-048
definitions	90-16-094 90-19-048
ticket validation	90-16-094 90-19-048
<u>Instant game number 59 – Lucky Draw</u> criteria	90-19-090 90-22-088 90-23-086
definitions	90-19-090 90-22-088 90-23-086
ticket validation	90-19-090 90-22-088
<u>Instant game number 60 – Double Feature</u> criteria	90-19-090 90-22-088
definitions	90-19-090 90-22-088
ticket validation	90-19-090 90-22-088
<u>Instant game number 61 – Triple Play</u> criteria	90-23-086
definitions	90-23-086
ticket validation	90-23-086

### LOTTERY COMMISSION—cont.

Lotto drawings	90-16-094 90-19-048
6 of 49 Lotto rules	90-16-094 90-19-048
Meetings	90-19-047
Prizes, payment of	90-23-086
Public records, index	90-23-085 90-23-086
Quinto	90-03-109 90-06-060 90-19-089
Rules coordinator	
<b>MARINE EMPLOYEES' COMMISSION</b>	
Fact-finding surveys	90-03-040 90-06-046
Grievance arbitration cases, procedures	90-01-119
Impasse rules	90-03-039 90-06-047
Meetings	90-03-056 90-05-055 <b>90-24-061</b>
Practice and procedure rules	90-01-115
Representation cases, procedural rules	90-01-116
Rules coordinator	90-21-037
Security disputes, procedural rules	90-01-120
Unfair labor practices cases, procedural rules	90-01-118
Unit clarification cases, procedural rules	90-01-117
<b>MARITIME COMMISSION</b>	
Rules coordinator	90-22-104
Vessel assessment schedule	90-22-103
<b>MEDICAL EXAMINERS, BOARD OF</b>	
Examinations for licensure, applications	90-01-103 90-05-001
<b>METROPOLITAN SEATTLE, MUNICIPALITY OF</b>	
Meetings	90-03-038
<b>MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF</b>	
Annual goal setting process	90-06-040 90-06-041
Goals for 1990-91	90-13-023 90-18-059 90-20-151 90-21-139 90-10-014
Rules coordinator	
<b>NATURAL RESOURCES, DEPARTMENT OF</b>	
Burning, rule burn and burn barrel privileges suspended	90-17-015 90-18-053
Fire hazard areas, closures due to condition of slash	90-15-012
Forest fire advisory board meetings	90-20-105
Forest protection zone Vashon and Maury Island, removal from	90-12-015 90-15-061
Geodetic control minimum standards	90-03-066 90-06-028
Land boundary surveys minimum standards	90-03-066 90-06-028
Land descriptions guidelines for preparation	90-03-066 90-06-028
Meetings	90-01-049 90-01-104 90-06-057 90-07-001 90-19-033 <b>90-24-021</b> <b>90-24-022</b>
Open water disposal sites	90-02-085

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**NATURAL RESOURCES, DEPARTMENT OF—cont.**

Surveys  
minimum standards for boundary and  
geodetic control surveys 90-01-063

**OIL AND GAS CONSERVATION COMMITTEE**

Meetings 90-01-065  
90-07-029  
90-14-016  
90-20-124

**OLYMPIC COLLEGE**

Meetings 90-07-047  
90-09-037  
**90-24-057**

**OUTDOOR RECREATION, INTERAGENCY  
COMMITTEE FOR**

Meetings 90-01-019  
90-04-051  
90-09-001  
90-12-070  
90-16-056  
90-17-056  
90-20-060

**PARKS AND RECREATION COMMISSION**

Beach recreation management plans,  
preparation by local government 90-06-006  
90-06-109  
90-10-024

Boating pumpout grants 90-06-110  
90-10-052

Boating safety grant and contract program 90-01-145  
90-04-064

Boating safety, local programs,  
approval of 90-09-070  
90-13-008

Fee changes 90-04-108  
90-07-062  
90-07-064  
90-08-121

Meetings 90-01-037  
Metal detector use in parks 90-04-025  
Ocean beach driving 90-04-106  
90-07-050

Park aides, dress standards 90-15-075  
90-16-105  
90-20-031

Passes for low-income senior citizens,  
the disabled, and disabled veterans 90-04-024

Public records, central index filing  
system 90-13-009  
90-16-106  
90-20-032

Recreational and conference center  
housing and meeting room fees,  
Ft. Worden State Park 90-19-095  
90-23-031

Rules coordinator 90-10-025  
Sno-park permit fee 90-06-108  
90-10-023

Waterways, uniform state marking system 90-04-107  
90-07-051

**PENINSULA COLLEGE**

Meetings 90-01-008

**PERSONNEL APPEALS BOARD**

Rules coordinator 90-12-001

**PERSONNEL, DEPARTMENT OF**

Applications, medical disqualifications 90-08-072  
90-12-020

Applications, time limit for filing 90-20-144  
90-23-023

Appointment status, reallocation upward 90-20-149  
90-23-028

**PERSONNEL, DEPARTMENT OF—cont.**

Assignment pay 90-03-102  
90-10-015  
90-12-017  
90-13-066

Call-back for work, when compensable 90-11-112  
90-15-036  
90-15-037  
90-15-038

Career executive program  
development and training 90-08-070  
90-12-025

general 90-08-073  
limit on number of positions 90-12-023  
90-12-024

Certification of name to fill vacancies 90-12-021  
90-12-022

Department organization, description  
and location 90-01-108  
90-03-048  
90-07-056

Examinations 90-03-047  
announcements, required information 90-05-029

reexamination, limited to three  
attempts in 12-month period 90-20-147  
90-23-026

use of aids by applicants 90-03-047  
90-05-029

waiver or modification of  
minimum qualifications or tests 90-20-146  
90-23-025

Exempt employees, return to classified  
service 90-08-074  
90-12-026

90-12-027  
90-03-101  
90-07-053  
90-07-057

General procedures 90-03-101  
90-07-053  
90-07-057  
90-10-017  
90-10-018

Hearings 90-03-101  
general procedures 90-07-053  
90-07-057  
90-10-017  
90-10-018

grievance arbitration  
procedures 90-03-103  
90-03-104  
90-08-020  
90-17-022

In-training positions, designation of,  
appointment to, and removal from 90-16-050  
90-19-044  
90-21-133  
90-23-029

Law enforcement personnel 90-03-044  
work period designation 90-10-039  
90-13-068

Lottery employees, special pay 90-20-148  
90-23-027

Noncompetitive service defined 90-01-107  
90-03-102  
90-07-054  
90-10-015  
90-11-043  
90-12-017  
90-13-066

Overtime compensation 90-08-075  
90-07-052  
90-12-028  
90-01-109  
90-20-145  
90-23-024  
90-22-076

Personnel board, filling of vacancies 90-08-075  
90-07-052

Personnel records, agency guidelines 90-12-028  
90-01-109  
90-20-145  
90-23-024  
90-22-076

Political activity by state employee 90-01-109  
90-20-145  
90-23-024  
90-22-076

Promotional testing 90-20-145  
90-23-024  
90-22-076

Public records, inspection and copying of 90-22-076

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>PERSONNEL, DEPARTMENT OF—cont.</b>		<b>PILOTAGE COMMISSIONERS, BOARD OF—cont.</b>	
Registers, removal of candidate's name for cause	90-12-018 90-15-033 90-19-046 90-21-132	Physical standards	90-08-094 90-09-016 90-09-030 90-13-065
Return to work program	90-08-071 90-12-016 90-13-067 90-15-034 90-15-035	Pilot qualifications	
Rules coordinator	90-19-016 90-20-037	drug and alcohol convictions	
Salary, classes requiring licensure as registered nurse	90-20-150	disqualification on account of	90-19-086 90-23-080
Salary, increase on promotion	90-18-086 90-19-042 90-20-150 90-21-135 90-23-030	reporting requirements	90-20-040 <b>90-24-019</b>
Shift premium	90-03-102 90-12-017 90-13-066 90-11-042 90-20-150 90-22-075	sanctions for drug and alcohol offenses	90-19-085 90-23-081 90-16-109
Special pay ranges	90-11-042 90-20-150 90-22-075	solicitation of preproposal comment	90-19-085 90-23-081 90-16-109
Standby compensation	90-22-075	Pilotage rates	
Suspension without pay of permanent employees	90-01-111	Grays Harbor	90-03-096 90-09-013 90-03-097 90-08-095 90-13-055 90-14-086 90-17-034 90-20-038 90-20-115 90-20-116
Temporary appointment option, following upward reallocation	90-01-110	Puget Sound	90-03-096 90-09-013 90-03-097 90-08-095 90-13-055 90-14-086 90-17-034 90-20-038 90-20-115 90-20-116
Transfer rights	90-01-106 90-03-045 90-05-027 90-05-028 90-07-055 90-10-016 90-11-043	Qualifications for pilot applicants	90-10-060 90-13-076 90-17-094 90-22-014
Trial service, reversion for failure to perform satisfactorily	90-12-019 90-15-032 90-19-045 90-21-134	Rules coordinator	90-22-014
Work period designations, state patrol communications officers and commercial vehicle enforcement officers	90-16-049 90-19-043 90-21-135	<b>POLLUTION CONTROL HEARINGS BOARD</b>	
		Harrison, William, designation as administrative appeals judge	90-22-077
		Practice and procedure rules	90-14-097
		Public records	90-14-097
		<b>POLLUTION LIABILITY INSURANCE AGENCY</b>	
		Assessments	<b>90-24-045</b>
		Eligibility	<b>90-24-045</b>
		Practice and procedure	90-15-067 90-18-057 90-10-093 90-14-019 90-18-071 90-21-051
		Public records	90-10-093 90-14-019 90-18-071 90-21-051
		Reimbursement	<b>90-24-045</b>
		Reserve funds, establishment and use	90-08-085 90-10-094 90-14-020 90-10-092
		Rules coordinator	90-10-092
<b>PHARMACY, BOARD OF</b>		<b>PRODUCTIVITY BOARD</b>	
Animal control agencies and humane societies, possession and use of legend drugs	90-19-021	Meetings	90-16-078
Hospital pharmacy standards	90-19-022	<b>PUBLIC DISCLOSURE COMMISSION</b>	
Impaired pharmacist rehabilitation	90-03-054	Campaign reporting	
Outpatient parenteral products	90-03-055 90-11-070	abbreviated	90-12-091 90-16-083 90-17-081 90-12-091 90-16-083 90-17-081
Preceptor certification	90-02-058 90-03-053 90-11-069 90-11-079	mini	90-12-091 90-16-083 90-17-081
Rules coordinator	90-20-053 <b>90-24-085</b>	Contributions	
Transfer of rules to Title 246 WAC	90-21-142	definition of "contribution"	90-23-003
<b>PIERCE COLLEGE</b>		identification of sources	90-17-156 90-20-088 90-23-001 90-17-156 90-20-088
Meetings	90-16-039 90-19-075 90-22-006 90-19-115	limitations on contributions	90-17-156 90-20-088
Student rights and responsibilities	90-19-115	uncertain sources, handling contributions from	90-23-002
<b>PILOTAGE COMMISSIONERS, BOARD OF</b>		Contributions and expenditures, forms for summary of total	90-12-091 90-16-083 90-17-081
Exempt vessels		Declaratory orders, petition requisites	90-12-091 90-16-083 90-17-081
radar endorsement required of captain	90-16-108 90-20-039		
Incapacitation period, rule repeal	90-08-076 90-13-077		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**PUBLIC DISCLOSURE COMMISSION—cont.**

Earmarked contributions, reporting form	90-12-091 90-16-083 90-17-081
Enforcement procedures	90-12-091 90-16-083 90-17-081
Grass roots lobbying campaigns, registration and reporting form	90-12-077 90-12-091 90-16-083 90-17-081
Hearings	90-12-091 90-16-083 90-17-081
Lobbyist report of expenditures	90-17-155 90-20-087 90-20-088 90-22-018
Lobbyist employers, expenditure reports	90-17-155 90-20-087 90-20-088 90-22-018
Lobbyist employers, political contribution reporting form	90-12-004 90-12-091 90-16-083 90-17-081 90-23-107 90-23-108
Lobbyist registration statement	90-23-108
Operations and procedures	90-12-091 90-16-083
Rule-making petitions	90-12-091 90-16-083
Rules coordinator	90-19-036

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Practice and procedure rules, general	90-06-070
Representation case rules	90-06-072
Rules coordinator	90-03-075
Unfair labor practice case rules	90-06-074
Union security dispute case rules	90-06-075
Unit clarification case rules	90-06-073

**PUBLIC INSTRUCTION, SUPERINTENDENT OF**

Allocations, general, 1989-91 salary	90-22-025
Allocations, special, 1989-91 certificated instructional staff	90-01-142
local education enhancement program	90-01-139 90-06-007
procedures for allocating state moneys to school districts	<b>90-24-052</b>
vocational equipment	90-01-143 90-18-087 90-22-027
Allocations, special, 1990-91 early intervention services	90-19-070 90-23-043
kindergarten through third grade, additional 1.3 staff units for	90-22-041
procedures for allocating state moneys to school districts	<b>90-24-052</b>
supplies and equipment	90-19-053 90-23-044 90-23-100
Assessed valuation, submission of revised data	90-09-021 90-12-080
Assessment and individual education plan requirements, applicability	90-16-042 90-16-091 90-16-092 90-19-069 90-20-062
Athletes, student, loss of eligibility	90-05-036 90-09-039

**PUBLIC INSTRUCTION, SUPERINTENDENT OF —cont.**

Aversive therapy	90-04-045 90-10-096
Basic education allocation, withholding for repayment of federal moneys	90-18-088
Buses replacement, allocation of state funds	90-01-144 90-02-077
school bus hazard warning lamps and stop lamps	90-19-114 90-22-043
school bus operating rules	90-19-113
Certificated instructional staff ratio compliance	90-09-020 90-12-078
Citizen complaint process, federal grant program administration	90-07-044 90-11-029 90-20-113 90-20-114 90-21-088 90-23-062
Cooperative partnerships among small districts	90-01-140
Credits, total eligible credits for general apportionment purposes, 1989-90 school year	90-10-095 90-13-088
Definitions and rules of construction	90-07-043 90-11-027
Drop-outs and at-risk students, attendance at school of choice	90-09-022 90-12-081
Early intervention services allocation	90-19-070 90-23-043
Emergency advance payments, determination of amount	90-15-068 90-19-040
Emergency school closures, definition, "prior school year"	90-15-069 90-19-039
Emergency school closures, eligibility for continued state support	90-01-141
Enhancement funds, 1989-91 certificated instructional staff	90-01-142
local education enhancement program	90-01-139 90-01-143 90-18-087 90-22-027
vocational equipment	90-22-024
Enrollment reporting	90-15-071
Excellence in education awards	90-19-041
Federal forest funds, basic education allocation, Skamania County	90-09-019 90-12-079
Federal grant program administration, citizen complaint process	90-07-044 90-11-029 90-20-113 90-20-114 90-21-088 90-23-062
Federal moneys, withholding from basic education allocation for repayment of	90-18-088
Handicapped students, definitions and independent educational assessment of	90-11-039 90-16-045 90-21-031A
Indigency, determination for purpose of receiving free transcript	90-22-026
Independent educational assessment	90-20-062
Kindergarten through third grade, special allocation for additional 1.3 staff units	90-22-041
Local education enhancement program	90-01-139



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**PUBLIC INSTRUCTION, SUPERINTENDENT OF**

—cont.

Nonimmigrant alien permits 90-13-087  
90-20-015

Nonresident school attendance,  
adjudication principles 90-12-074  
90-15-070  
90-19-068

Paraprofessional classroom assistants  
training program 90-07-045  
90-11-028

Personnel evaluations, minimum criteria  
and procedural standards 90-02-078

Privacy rights of students 90-16-044  
90-16-107  
90-19-054

Professional development programs 90-19-037  
90-22-046

Professional performance capabilities,  
evaluation of 90-19-038  
90-22-045

Public records access 90-19-072  
90-22-044

Residence defined for attendance  
purposes 90-04-044

Rules coordinator 90-23-063

Running start program **90-24-018**

Salary allocations 90-22-025

School buses, replacement, allocation  
of state funds 90-01-144  
90-02-077

Shared leave program 90-12-122  
90-17-110

Sick leave, conversion to postretirement  
medical benefits 90-12-029  
90-16-043

State board of education, publication  
of names of electors 90-04-043

Teacher assistance program 90-11-088  
90-14-093  
90-16-090  
90-19-071  
90-22-042

Title 28A RCW, amended references to  
recodified sections in 90-11-128  
90-16-002

University of Washington, transition  
school and early entrance  
program, funds allocation 90-05-035  
90-09-038

**PUBLIC WORKS BOARD**  
(See **COMMUNITY DEVELOPMENT,  
DEPARTMENT OF**)

**PUGET SOUND WATER QUALITY AUTHORITY**

Environment Policy Act (SEPA) rules 90-13-106  
90-13-107  
90-17-063

Meetings 90-05-047  
90-08-091  
90-12-111  
90-14-092  
90-19-076

Procedural rules 90-13-106  
90-13-107

Stormwater control, solicitation of  
preproposal comment 90-11-116

Water quality management plan  
adoption as rule, solicitation of  
preproposal comment 90-11-118

1991 draft plan, notice of proposed  
amendments and public hearings 90-11-115

1991 draft plan, proposed  
final plan and public hearings 90-20-122

Wetlands protection, solicitation of  
preproposal comment 90-11-117

**REAL ESTATE COMMISSION**

(See **LICENSING, DEPARTMENT OF**)

**RETIREMENT SYSTEMS, DEPARTMENT OF**

Actuarial tables, schedules, and factors  
law enforcement officers  
and fire fighters 90-19-007  
90-21-099  
90-21-102

public employees' retirement system 90-19-008  
90-21-098  
90-21-101

teachers' retirement system 90-19-006  
90-21-100  
90-21-103

Portability of public retirement benefits,  
election by first-class city employees  
regarding participation in department  
programs 90-11-129  
90-17-089  
90-22-038  
90-21-005

Rules coordinator

Survivor benefit options  
judicial retirement system 90-14-082  
90-21-058  
90-21-059

law enforcement officers and  
fire fighters 90-14-084  
90-21-060  
90-21-061

public employees' retirement system 90-14-083  
90-21-062  
90-21-063

teachers' retirement system 90-14-085  
90-21-064  
90-21-065

**REVENUE, DEPARTMENT OF**

Accounting  
tax liability, test for when it arises  
under cash, accrual, and completed  
contract methods 90-07-089  
90-10-082

Agricultural land valuation **90-24-086**

Appeals, small claims, and settlements 90-21-165  
**90-24-049**  
90-19-107

solicitations of preproposal comment

Automobile dealers, demonstrator and executive  
vehicles 90-17-069

solicitation of preproposal comment 90-17-069

Bankruptcy liquidation sales, removal of  
real estate excise tax exemption 90-01-003

Business and occupation tax  
community antenna television services  
solicitation of preproposal comment 90-17-134

Health Insurance Coverage Access Act  
deductions 90-18-072

solicitation of preproposal comment 90-18-072

timber harvesters, small, exemption from 90-13-094  
90-17-007

travel agents and tour operators 90-13-093  
90-17-003

Cigarettes, penalty for failure to  
to affix stamps 90-21-164  
**90-24-036**  
90-19-079

solicitation of preproposal comment 90-19-079

Cigarettes, tax rates, penalties, and  
procedures 90-01-150  
90-04-039

Electronic funds transfer, payment  
of taxes by, requirements 90-16-104  
90-19-052

Equalization, county boards of  
practice and procedure 90-11-032  
90-22-102

revised chapter relating to 90-15-006  
90-18-097  
90-23-097

solicitation of preproposal comments 90-15-053

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**REVENUE, DEPARTMENT OF—cont.**

Excise tax	
real estate, removal of exemption for bankruptcy liquidation sales reporting frequency forms	90-01-003 90-02-022 90-05-044 90-02-049 90-02-050
timber	
trade shows, conventions, and seminars, collections and exemptions	90-01-151
Finance charges, carrying charges, interest, and penalties	
solicitation of preproposal comment	90-17-070
Freight and delivery charges, exclusion from measure of business and occupation tax or retail sales tax	
solicitation of preproposal comment	90-21-042
Health Insurance Coverage Access Act assessment deductions	
solicitation of preproposal comment	90-18-072
Hotels and motels, taxation on long distance calls made to customers	
solicitation of preproposal comment	90-21-043
Internal distribution tax	
solicitation of preproposal comment	90-20-026 90-23-020 90-13-070
Leased departments	90-13-012 90-17-011 90-02-023
Liability	
Motor vehicle fuel and special fuel sales	
solicitation of preproposal comment	90-19-108
Natural gas, use tax on brokered natural gas	90-13-117 90-14-095 90-17-068
Open Space Taxation Act rules	<b>90-24-087</b>
agricultural land valuation	<b>90-24-086</b>
solicitation of preproposal comment	90-17-132
Personal services rendered to others	90-20-130
solicitation of preproposal comment	90-19-078
Property tax	
annual ratio study	90-21-166
solicitation of preproposal comment	90-19-104
exemption	
nonprofit homes for the aging	90-03-059 90-06-048 90-21-138 <b>90-24-012</b>
forest land values, 1991	
head of family personal property tax exemption solicitation of preproposal comment	90-19-105 90-01-022 90-01-023 90-01-041
levies	
levies, rates, and limits solicitation of preproposal comment	90-18-096 90-22-001
Public records indexes	90-13-012
Real estate, leased departments	
Real estate, sale, rental, or license to use distinguished	90-13-011 90-17-010
Real estate excise tax	
bankruptcy liquidation sales, removal of exemption	90-01-003 90-14-028
Records, indexing of public records	
Rule-making procedure	
solicitation of preproposal comment	90-19-106
Rules coordinator	90-11-090
Sales and use taxes	
capital assets, sales to affiliated entities, tax liability solicitation of preproposal comment	90-16-088

**REVENUE, DEPARTMENT OF—cont.**

deduction for prosthetic and orthotic devices and prescription drugs, application to dentists laboratories, and physicians	90-17-133
solicitation of preproposal comments magazines and periodicals from out-of-state solicitation of preproposal comment	90-21-041
Timber excise tax	
definitions	90-10-079
lump sum sales defined	90-02-049 90-02-050
scale sales, defined	90-02-049 90-02-050
stumpage value tables and adjustments stumpage values, computation for reporting and payment purposes	90-22-096 90-10-079 90-14-032 90-14-033
stumpage values, determination of solicitation of preproposal comment	90-14-013
Timber harvestors, business and occupation tax exemption for small harvestors	90-13-094
Tobacco products, tax rates and revised forms	90-01-149 90-04-038
Trade shows, conventions, and seminars excise tax, collections and exemptions	90-01-151 90-04-058
Travel agents and tour operators, business and occupation tax	90-13-093
Use tax	
brokered natural gas	90-13-117
Valuation procedures and standards	90-02-080
Warranties and maintenance agreements	90-06-077 90-06-078 90-07-087 90-07-088 90-10-080 90-10-081
<b>RULES COORDINATORS</b>	
Accountancy, board of	90-08-026
Administrative hearings, office of	90-10-003
Agriculture, department of	90-05-069
Attorney general's office	90-11-109
Basic health plan	90-09-053
Blind, Washington State School for the	90-10-055
Building code council	90-20-046
Central Washington University	90-09-063
Centralia College	90-21-039
Chiropractic disciplinary board	90-20-053 <b>90-24-085</b>
Chiropractic examining board	90-20-053 <b>90-24-085</b>
Code reviser	90-01-016
Columbia Basin College	90-03-082
Community development, department of	90-20-046
Conservation commission	90-08-027
Corrections, department of	90-16-024
County road administration board	90-21-087
Deaf, Washington State School for the	90-10-070
Deferred compensation committee for	90-20-059
Dental disciplinary board	90-20-053 <b>90-24-085</b>
Dental examining board	90-20-053 <b>90-24-085</b>
Eastern Washington University	90-05-011 90-09-017
Ecology, department of	90-01-114
Education, state board of	90-21-151
Employment security department	90-17-102
Energy facility site evaluation council	90-09-004 90-15-049
Fisheries, department of	90-14-113
Forest practices board	90-20-024
General administration, department of	90-20-022
Grays Harbor College	90-15-007

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**RULES COORDINATORS—cont.**

Health, board of 90-20-053  
**90-24-085**  
 Health care authority 90-01-086  
 90-19-050  
 Health, department of 90-02-004  
 90-20-053  
**90-24-085**  
 Hearing aids, council on 90-20-053  
**90-24-085**  
 Higher education personnel board 90-01-005  
 Human rights commission 90-20-094  
 Industrial insurance appeals, board of 90-11-110  
 Insurance commissioner 90-04-049  
 Labor and industries,  
 department of 90-19-035  
 Licensing, department of 90-20-125  
**90-24-031**  
 Lottery commission 90-19-089  
 Marine employees' commission 90-21-037  
 Maritime commission 90-22-104  
 Massage, board of 90-20-053  
**90-24-085**  
 Medical disciplinary board 90-20-053  
**90-24-085**  
 Medical examiners, board of 90-20-053  
**90-24-085**  
 Minority and women's business  
 enterprises, office of 90-10-014  
 Nursing, board of 90-20-053  
**90-24-085**  
 Nursing home administrators, board  
 of examiners for 90-20-053  
 Occupational therapy practice,  
 board of 90-20-053  
**90-24-085**  
 Optometry board 90-20-053  
**90-24-085**  
 Osteopathic medicine and surgery,  
 board of 90-20-053  
**90-24-085**  
 Parks and recreation commission 90-10-025  
 Personnel appeals board 90-12-001  
 Personnel, department of 90-19-016  
 90-20-037  
 Pharmacy, board of 90-20-053  
**90-24-085**  
 Physical therapy, board of 90-20-053  
**90-24-085**  
 Pilotage commissioners, board of 90-22-014  
 Podiatric medical board 90-20-053  
**90-24-085**  
 Pollution liability insurance agency 90-10-092  
 Practical nursing, board of 90-20-053  
**90-24-085**  
 Psychology, examining board of 90-20-053  
**90-24-085**  
 Public disclosure commission 90-19-036  
 Public employment relations  
 commission 90-03-075  
 Public instruction, superintendent of 90-23-063  
 Public works board 90-20-046  
 Retirement systems, department of 90-21-005  
 Revenue, department of 90-11-090  
 Shoreline Community College 90-10-004  
 Skagit Valley College 90-21-068  
 Social and health services,  
 department of 90-01-051  
 South Puget Sound Community College 90-08-021  
 Spokane Community Colleges 90-04-036  
 State employees benefits board 90-01-086  
 Tax appeals, board of 90-02-081  
 Traffic safety commission 90-21-027  
 Transportation, commission 90-20-033  
 Transportation, department 90-20-005  
 University of Washington 90-09-043

**RULES COORDINATORS—cont.**

Utilities and transportation commission 90-12-120  
**90-24-047**  
 Veterinary board of governors 90-20-053  
**90-24-085**  
 Volunteer firefighters, board for  
 Walla Walla Community College 90-22-033  
 Washington state patrol 90-23-038  
 Washington State University 90-09-002  
 Western Washington University 90-03-063  
 Whatcom Community College 90-21-068  
 90-01-097  
 90-02-032  
 90-21-068  
 90-10-054  
 Yakima Valley Community College  
**SEATTLE COMMUNITY COLLEGES**  
 Meetings 90-08-029  
 90-10-029  
 90-11-087  
 90-20-025  
 90-22-030  
**SECRETARY OF STATE**  
 Charitable solicitations 90-19-094  
 90-22-021  
 90-23-040  
**SECURITIES DIVISION**  
 (See **LICENSING, DEPARTMENT OF**)  
**SHORELINE COMMUNITY COLLEGE**  
 Adjudicative proceedings 90-10-049  
 90-13-051  
 90-10-050  
 90-13-050  
 90-10-004  
 Organization and operation information  
 Rules coordinator  
**SHORELINE HEARINGS BOARD**  
 Harrison, William A., designation as  
 administrative appeals judge 90-22-077  
**SKAGIT VALLEY COLLEGE**  
 Athletes, suspension for drug use,  
 procedure 90-01-098  
 90-02-031  
 90-05-045  
 90-01-054  
 90-12-090  
 90-01-098  
 90-02-031  
 90-05-045  
 90-02-031  
 90-05-045  
 90-21-068  
 90-01-098  
 90-02-031  
 90-05-045  
 Meetings  
 Organization  
 Procedural rules  
 Rules coordinator  
 Student records  
**SOCIAL AND HEALTH SERVICES,  
 DEPARTMENT OF**  
 Adjudicative proceedings 90-04-015  
 90-04-016  
 90-04-017  
 90-04-018  
 90-04-019  
 90-04-020  
 90-04-021  
 90-04-022  
 90-04-069  
 90-04-070  
 90-04-071  
 90-04-072  
 90-04-073  
 90-04-074  
 90-04-075  
 90-04-076  
 90-04-077  
 90-05-020  
 90-09-095  
 90-10-028

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

90-12-041  
90-13-013  
90-13-053  
90-13-054

notice and finding of responsibility  
(NFR), appeal procedure 90-17-135  
90-17-137  
90-21-030

petition for review 90-20-068  
90-20-069  
90-23-071

Adoption  
special needs children, adoption  
support services, extension of  
eligibility to adoptive families 90-20-006  
90-20-007  
90-23-076

Adult family homes  
clothing for resident,  
responsibility for 90-20-131  
90-23-066  
**90-24-028**

license fees 90-03-049  
notice of license action 90-20-132  
90-23-067  
**90-24-029**

minimum licensing requirements 90-03-051

Adult protective services, inclusion of  
developmentally disabled among those  
eligible for services 90-22-098

Aid to families with dependent children  
assistance unit 90-09-079  
90-12-039  
90-15-055  
90-16-080  
90-17-053

categorically needy medical assistance  
eligibility 90-02-034  
90-02-044  
90-06-033

census demonstration project employment,  
disregard for AFDC, unemployed  
eligibility 90-09-054  
90-09-055  
90-12-038  
90-13-042  
90-15-054  
90-15-056  
90-16-081  
90-17-035  
90-18-030  
90-18-089  
90-21-123  
90-22-035

child care, transitional period 90-03-100  
90-06-032

disregards from income and resources,  
eligible sources 90-07-037  
90-07-081  
90-11-003

earned income deductions, eligibility  
for 90-14-048  
90-17-116  
90-18-089  
90-14-047  
90-14-062  
90-15-031  
90-17-112  
90-18-005

fraud, ineligibility periods 90-09-079  
90-13-043  
90-18-029

good cause waiver of requirement to  
cooperate with support enforcement office 90-09-054  
90-16-081

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

job opportunities and basic skills  
training (JOBS) program 90-15-030  
90-18-031  
90-18-093  
90-20-055  
90-20-056  
90-20-057  
90-20-058

loans, when treated as income  
or resource 90-21-144  
**90-24-030**

overpayments, mandatory grant deductions  
to recover 90-22-099

Puyallup Indians settlement payments,  
disregard from income 90-07-037  
90-07-081  
90-11-003  
90-17-136  
90-17-139  
90-21-031  
90-23-064

standards of assistance 90-17-136  
90-17-139  
90-21-031  
90-23-064

support enforcement  
cooperation, eligibility condition 90-01-072  
90-01-073  
90-05-022

distribution of support payments 90-03-041  
90-03-042  
90-17-001

AIDS  
coordinated community AIDS service  
alternatives (CCASA) program 90-18-090  
90-18-094  
90-21-124

Alcohol or drug intoxication  
ADATSA, implementation of act, payment  
criteria for detoxification services 90-18-054  
90-21-125  
90-08-109  
90-08-110  
90-12-051

Medicaid payment for detoxification 90-01-123  
90-02-040  
90-05-024  
90-06-035

Assistance standards

Child care  
agencies, authority to require additional  
information of applicants and licensees 90-16-026  
90-16-027  
90-19-102  
90-20-076

day care centers, licensing  
requirements 90-18-091  
90-23-078

family day care homes, licensing  
requirements 90-21-150  
90-22-071  
90-03-100  
90-06-032

transitional period 90-15-010  
90-15-011  
90-19-101  
90-20-072

Child support obligations 90-11-124  
90-15-029  
**90-24-088**

Chore services program

Community health services  
pregnant women, eligibility for  
visits by community health worker 90-20-070  
90-20-071  
90-03-113

Community mental health  
Community options program entry system  
(COPES) personal care services 90-11-006  
90-15-019

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

Computer Matching and Privacy Protection Act of 1988, compliance rules notice of adverse action 90-06-098  
90-06-099  
90-09-035  
90-09-036

Criminal justice cost reimbursement, impact account 90-13-113  
90-16-086  
90-18-091

Day care centers, licensing requirements  
Emergency assistance program (CEAP), eligibility and income determination 90-23-065  
Environmental Policy Act (SEPA) 90-22-101

Family independence program caseload growth and FIP expenditures, control of 90-09-085  
90-09-088  
90-12-059

child care eligibility to support employment and training 90-18-055  
90-21-036  
90-21-122  
90-09-084  
90-12-042

gifts, limits on exemption from income management plan, implementation of second stage 90-21-149  
**90-24-026**  
90-22-101

Family planning programs  
Food stamps  
categorical eligibility 90-09-086  
90-12-058

combined allotment for applications received on or after 16th of month 90-11-015  
90-12-084  
90-09-081  
90-12-057  
90-09-083  
90-09-089  
90-12-055  
90-20-081  
90-20-082  
90-23-072

federal census taker income exclusion 90-08-041  
90-08-058  
90-11-013

household status for elderly, permanently disabled persons unable to prepare meals 90-10-066  
90-11-014  
90-11-016  
90-14-064

income budgeting, retrospective and special circumstances budgeting 90-18-032  
90-21-121  
90-09-078  
90-12-054  
90-20-079  
90-20-080  
90-23-074  
90-20-079  
90-20-080

income deductions 90-12-005  
90-12-006  
90-15-028  
90-02-039  
90-03-008  
90-03-050  
90-06-030

income, eligibility standards

income exclusions

issuance

monthly reporting, exclusion for homeless or seasonal farmworker recipients 90-07-080  
90-10-064

monthly reporting, items to be verified 90-20-077  
90-20-078  
90-23-073

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

prospective income budgeting 90-14-050  
90-14-065  
90-17-117

public assistance households, application processing rules 90-09-080  
90-12-056

Puyallup Indians settlement payments, exclusion from resources 90-07-036  
90-07-079  
90-11-004

resources, allowable maximums, nonexempt resources 90-20-083  
90-20-084  
90-23-075  
90-20-074  
90-20-085  
90-23-077

thrifty food plan standards

Funeral/interment program maximum cost standards 90-02-033  
90-02-046  
90-05-021  
90-05-023  
90-05-025  
90-10-031

General assistance benefits extended for women giving up newborn child for adoption 90-13-114  
90-13-115  
90-16-085  
90-23-064

standards of assistance

Handicapped persons vocational rehabilitation and services for 90-07-035

Homeless families, standards of assistance 90-11-081  
90-11-082  
90-15-018

Hospice clients, eligibility for medical assistance 90-04-013  
90-04-033

Income, when considered available to client 90-21-148  
**90-24-089**

Indian child welfare child care agencies, license revocation, denial, or suspension for failure to comply with Indian child welfare laws 90-16-026  
90-16-027

Interpretive and policy statement, indexing systems 90-13-030  
90-17-002

Job opportunities and basic skills training (JOBS) program 90-15-030  
90-18-089  
90-20-055  
90-20-056  
90-20-057  
90-20-058

Kitsap physician's service, Sound care plan, enrollment of recipients in Jefferson and Clallam counties 90-04-014

Limited casualty program eligibility determination, deduction for health insurance premiums 90-08-038  
90-12-053  
90-04-034  
90-04-035  
90-08-049

excess income, spenddown

Medicaid chemical-using, pregnant recipients, services to 90-01-053  
early and periodic screening, diagnosis, and treatment program 90-08-037  
90-08-055  
90-12-061  
90-21-145

eligibility, determination of

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

nursing homes, sanctions for failure to meet state and federal requirements 90-01-052  
personal care services 90-02-079  
90-02-084  
90-06-038

Medical assistance program  
AIDS or Class IV HIV disabling disease, program for persons with 90-14-053  
90-14-063  
90-17-118

bordering cities, medical care provided in 90-14-052  
90-17-121  
90-18-056

community alternatives program (CAPS) 90-08-046  
90-08-057

community options program entry system (COPES) 90-08-046  
90-08-057  
90-12-050

denture policy 90-08-042  
90-12-046

dispute conferences, contractor/provider 90-09-082  
90-12-063

eligibility 90-08-048  
90-08-052  
90-12-060

eligibility, cooperation in securing medical assistance support, condition of eligibility 90-04-012

income and resources, division between institutionalized and community spouse 90-02-036  
90-02-041  
90-06-029  
90-08-043  
90-08-059  
90-12-049

institutional and hospice clients 90-04-013  
90-04-033

institutionalized person, definition for purposes of eligibility determination 90-09-040  
90-09-041  
90-12-062

medical extensions 90-08-048  
90-08-052  
90-12-060

noncash resources, persons eligible when making effort to convert resource into cash 90-20-065  
90-20-073  
90-21-081  
90-21-082  
90-23-068

school districts, reimbursement for services provided 90-14-054  
90-17-119  
90-18-033

services provided, mandatory and optional 90-14-055  
90-14-058  
90-17-114  
90-17-122  
90-18-092

Medically needy  
eligibility determination  
institutional 90-02-037  
90-02-045  
90-06-037

own home 90-02-038  
90-02-042  
90-06-034

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

Medicare cost sharing 90-08-045  
90-08-050  
90-12-045  
90-14-051  
90-14-061  
90-17-113  
90-18-006

Medicare deductible and coinsurance, payment by department 90-08-040  
90-08-054  
90-12-047

needy children 90-08-047  
90-08-051  
90-12-043

nursing home recipients, transportation not authorized for services which are the responsibility of the facility 90-09-087  
90-12-040  
90-14-056  
90-16-053

outward bound residential alternatives program (OBRA) 90-08-046  
90-08-057  
90-12-050

pregnant women and infants, income limits for eligibility 90-08-044  
90-08-056  
90-12-052

residence defined 90-02-047  
termination of assistance 90-08-039  
90-08-053  
90-12-044

Mentally retarded, intermediate care facilities for asset capitalization 90-11-005  
90-11-007  
90-15-017

compensation for direct care staff 90-11-005  
90-11-007

recovery of rate increases when facilities are downsizing 90-11-005  
90-11-007

Nursing homes  
accounting and reimbursement system 90-05-013  
90-05-014  
90-09-061

criminal history background checks on applicants, employees and volunteers 90-13-031  
90-17-123  
90-08-108  
90-12-048

civil penalty fund 90-02-099  
90-02-100  
90-06-031

licensure program administration 90-02-099  
90-02-100  
90-06-031

Medicaid, sanctions for failure to meet state and federal requirements personal funds of residents, accounting and reimbursement requirements 90-01-052  
90-17-138  
90-20-075

Old age assistance standards of assistance 90-23-064

Organ transplants, payment for 90-20-066  
90-20-067  
90-23-070

Parole  
juvenile parole revocation rules 90-19-018  
90-19-019  
90-22-072

Pregnant women  
community health worker visits eligibility for 90-20-070  
90-20-071  
90-23-069

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

Refugee assistance  
  earned income exemption 90-14-048  
  90-17-116  
  eligibility conditions 90-21-044  
  90-21-045  
Rules coordinator 90-01-051  
Sexual predator program, special  
  commitment process 90-14-046  
  90-14-059  
  90-17-120  
Social Security income  
  medical assistance  
  eligibility determination 90-02-035  
  90-02-043  
  90-06-036  
Standards of assistance 90-01-123  
  90-02-040  
  90-11-081  
  90-11-082  
  90-17-136  
  90-17-139  
  90-21-031  
  90-23-064  
State hospitals  
  notice of finding of responsibility  
  (NFR), appeal procedure 90-17-135  
  90-17-137  
  schedule of charges revision 90-14-045  
  90-14-057  
  90-17-111  
  90-18-004  
Supplemental security income, state  
  supplementary payments 90-21-146  
Support enforcement, office of  
  distribution of payments by 90-03-041  
  90-11-048  
  90-17-001  
  nonassistance enforcement services,  
  applications, eligibility,  
  and termination 90-12-083  
  90-12-085  
  90-16-041  
Telephone assistance program 90-14-049  
  90-14-060  
  90-17-115  
  90-18-007  
Thrifty food plan standards 90-20-074  
  90-20-085  
Time loss payments to dependent  
  child, recovery by office of  
  financial recovery 90-21-147  
Upholstered furniture and bedding 90-22-101  
Vocational rehabilitation  
  handicapped persons, services for 90-07-035  
  90-11-114  
Women, infants, and children (WIC)  
  rules, transfer to Title 246 WAC  
  in conjunction with transfer of  
  program to department of health 90-22-100  
  90-22-101  
  special supplemental food program  
  food vendor provider agreements 90-10-065  
  90-12-112

**SOUTH PUGET SOUND COMMUNITY COLLEGE**

Athletes, loss of eligibility for  
  prohibited drug use 90-10-041  
  90-13-064  
  90-23-032  
Meetings 90-07-041  
  90-11-076  
  90-16-079  
  90-17-016  
Rules coordinator 90-08-021

**SPOKANE COMMUNITY COLLEGES**

Ballots, disposition of challenged  
  ballots 90-14-121  
  90-18-017  
  90-21-020  
Education records, student's right to inspect 90-14-119  
  90-18-015  
  90-21-018  
Firearms and dangerous instrumentalities,  
  prohibition on 90-14-124  
  90-18-020  
  90-21-023  
Firearms use 90-14-116  
  90-18-012  
  90-21-015  
Governance 90-14-114  
  90-18-010  
  90-21-013  
Health and safety rules, declaration  
  of purpose 90-14-123  
  90-18-019  
  90-21-022  
Meetings 90-02-013  
  90-18-035  
  **90-24-011**  
Organization and operation 90-14-115  
  90-18-011  
  90-21-014  
Parking permit, appeal of revocation  
  or refusal to grant 90-14-122  
  90-18-018  
  90-21-021  
Practice and procedure 90-14-120  
  90-18-016  
  90-21-019  
Rules coordinator 90-04-036  
Student conduct rules and  
  enforcement procedures 90-14-117  
  90-18-013  
  90-21-016  
Suspensions, summary proceedings 90-14-118  
  90-18-014  
  90-21-017

**STATE EMPLOYEES BENEFITS BOARD**  
(See HEALTH CARE AUTHORITY)

**SUPERINTENDENT OF PUBLIC INSTRUCTION**  
(See PUBLIC INSTRUCTION,  
SUPERINTENDENT OF)

**SUPREME COURT**

Accounts, examination and audit  
  of attorney accounts 90-08-079  
Attorneys, fees (RPC 1.5 (c)(2)) 90-19-100  
Bar examination, qualification for 90-11-054  
Cameras in courtrooms 90-11-055  
Case information cover sheet 90-08-082  
Court rules, adoption of and amendments to 90-11-053  
Discovery, scope and limits (CR 26(b)(3)) 90-13-021  
  90-17-057  
Inactive status 90-08-078  
Invoice of counsel representing  
  indigent party (RAP 15.4) 90-19-026  
Jurors 90-08-081  
Pleadings, form of 90-08-083  
Report of proceedings, filing  
  and service of (RAP 9.5) 90-19-034

**TACOMA COMMUNITY COLLEGE**

Meetings 90-01-085  
  90-02-057  
  90-07-005  
  90-11-036  
Student athletic participation  
  loss of eligibility 90-03-094  
  90-07-038

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>TAX APPEALS, BOARD OF</b>		<b>TRANSPORTATION, DEPARTMENT OF</b>	
Formal hearings, practice and procedure	90-08-007	Adopt-a-highway litter control program	90-19-009
	90-08-096		90-22-003
	90-08-097	Ferries	
	90-11-104	Checks, handling for dishonored checks	90-22-070
Informal hearings, practice and procedure	90-11-105	Contractors, prequalification of	90-22-092
	90-08-006	county ferry franchises, tolls and	
	90-08-096	financial assistance	90-16-061
	90-08-098		90-19-103
	90-11-103	Public records, indexing	
	90-11-106	requirements	90-20-036
Meetings	90-02-090		90-23-007
Public records, disclosure	90-08-005	Rules coordinator	90-20-005
	90-11-107	Traffic control devices, manual on	
	90-21-006	uniform traffic control devices	90-22-056
Rules coordinator	90-02-091	Urban arterial trust account moneys,	
		matching of	90-22-091
<b>TOXICOLOGIST, STATE</b>		<b>TRANSPORTATION IMPROVEMENT BOARD</b>	
Breath alcohol test program	90-20-050	Environmental Policy Act guidelines	90-07-060
	90-22-087		90-11-035
		Financial and payment requirements	90-07-060
<b>TRADE AND ECONOMIC DEVELOPMENT,</b>			90-11-035
<b>DEPARTMENT OF</b>		Meetings	90-02-083
Child care facility fund	90-12-110		90-04-008
	90-17-054		90-06-013
Business and job retention			90-09-012
advisory committee			90-10-048
meetings	90-14-008		90-12-011
	90-18-070		90-14-017
Community economic revitalization board			90-18-068
meetings	90-06-005		90-20-093
	90-18-003		90-22-019
	90-21-109		<b>90-24-051</b>
	90-22-048	Organization	90-07-060
	90-23-050	Procedure	90-07-060
Economic development finance authority		Project proposals	90-07-060
general plan, hearing schedule	90-15-002	Transportation improvement account	
Hardwoods commission		program implementation	90-11-018
assessments	90-22-090	project matching funds and value	
board procedures	90-22-090	engineering study requirements	90-11-017
	<b>90-24-013</b>		90-16-028
election of board members	90-22-090	Transportation plans	90-07-060
meetings	90-14-010	Urban arterial projects	90-07-060
	90-15-015		
	90-17-064	<b>TREASURER</b>	
	90-19-031	(See inside front cover)	
	90-19-060	<b>UNIVERSITY OF WASHINGTON</b>	
	90-21-112	Adjudicative proceedings, practice	
	90-22-108	and procedure	90-08-084
purpose	90-22-090		90-15-005
Meetings	90-03-015		90-21-076
	90-04-063	Alcohol and other prohibited substances	
	90-04-081	use and possession at athletic events	
Public records disclosure	90-19-027	and concerts, inspection procedures	90-21-120
	90-22-065	Anabolic steroids, loss of	
		athletic eligibility for	
		unlawful use	90-20-102
<b>TRAFFIC SAFETY COMMISSION</b>			<b>90-24-001</b>
Meetings	90-02-064	Meetings	90-02-015
	90-19-064		90-02-051
Rules coordinator	90-21-027		90-03-002
			90-03-003
<b>TRANSPORTATION COMMISSION</b>			90-03-004
Meetings	90-03-001		90-03-005
	90-06-003		90-03-013
	90-17-006		90-03-014
	90-17-096		90-04-004
	90-20-096		90-04-054
	90-21-069		90-05-037
	90-23-015		90-05-046
Rules coordinator	90-20-033		90-05-056
Stalled vehicles, removal	90-01-100		90-05-062
			90-05-063



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**UNIVERSITY OF WASHINGTON—cont.**

90-06-009  
90-06-020  
90-06-021  
90-08-087  
90-09-009  
90-16-065  
Parking and traffic 90-04-002  
90-10-072  
90-13-026  
Rules coordinator 90-09-043  
Smoking in outdoor facilities 90-08-030  
90-12-034  
Special events, procedures and fees 90-10-040  
University stadium boat moorage facilities 90-04-001

**USURY**  
(See inside front cover)

**UTILITIES AND TRANSPORTATION COMMISSION**

Accounting and reporting procedures 90-01-058  
Biohazardous waste transportation of 90-02-008  
90-13-118  
90-15-051  
Buses  
excursion services, regulation as charter buses 90-10-077  
90-12-119  
90-17-050  
90-22-031  
passengers standing while riding, safety requirements 90-09-034  
90-09-094  
90-13-119  
Common carriers  
extension of credit by transporters of recyclable materials and by small package delivery companies, monthly billing allowed 90-18-095  
90-23-083  
Electric utilities  
cost effective generation and conservation resources and fair rate of return policy solicitation of preproposal comment 90-12-118  
Excursion services, regulation as charter buses 90-10-077  
90-12-119  
90-17-050  
90-22-031  
Garbage/refuse collection companies  
solid waste collection companies tariff charges 90-24-048  
90-03-009  
90-09-015  
Interstate tariff filings, repeal of requirement 90-23-082  
Limousine charter party carriers identification decals 90-14-024  
90-14-026  
90-17-047  
90-22-095  
Log road classification 90-19-121  
Log shipments, intrastate rates 90-24-046  
Meetings  
Motor carriers  
accounting and reporting procedures, common and contract carriers applications and protests 90-01-058  
90-14-011  
90-17-049  
brokers and forwarders  
bond or deposit requirements registration, interstate brokers and forwarders 90-13-071  
90-13-071  
log shipments, intrastate rates 90-19-121  
out-of-service criteria, adoption of North American uniform rules 90-02-026  
90-06-017

**UTILITIES AND TRANSPORTATION COMMISSION—cont.**

Pole trailer reaches 90-14-025  
90-14-027  
90-17-048  
Recyclable materials, transportation of 90-19-003  
Recycling authority, residential, bidding for 90-20-117  
90-24-091  
Rules coordinator 90-12-120  
90-24-047  
Solid waste collection companies 90-24-048  
Telecommunications  
alternate operator services 90-19-118  
90-19-120  
90-24-090  
customer-owned pay telephones 90-01-057  
90-01-059  
90-08-010  
disconnection of telephone service 90-02-027  
90-04-055  
extended area service, standards and procedures for creation of new routes 90-19-119  
90-22-017  
90-14-066  
90-14-089  
90-19-020  
90-04-056  
90-10-078  
90-17-061  
telephone assistance program  
Water companies

**VOCATIONAL EDUCATION, BOARD FOR Meetings**

90-01-017  
90-06-054  
90-11-102  
90-12-066  
90-14-068  
90-16-051  
90-17-027  
90-23-046  
90-19-073  
90-22-097  
Private vocational schools

**VOCATIONAL EDUCATION, COUNCIL ON Meetings**

90-16-022  
90-17-055  
90-22-015

**VOLUNTEER FIREFIGHTERS, BOARD FOR Meetings**

90-03-010  
90-08-088  
90-15-013

Retirement, actuarial tables, schedules, and factors 90-19-080  
90-24-033

Rules coordinator 90-22-033

**WALLA WALLA COMMUNITY COLLEGE**

Associated students, bylaws and constitution 90-03-065  
Rules coordinator 90-23-038

**WASHINGTON INSTITUTE OF APPLIED TECHNOLOGY**

Meetings 90-04-037  
90-08-016  
90-09-046  
90-11-037  
90-12-030  
90-20-027  
90-24-014

**WASHINGTON STATE LIBRARY**

Library commission 90-03-046

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>WASHINGTON STATE LIBRARY--cont.</b>		<b>WHATCOM COMMUNITY COLLEGE--cont.</b>	
Meetings	90-04-078	Organization	90-01-097
	90-09-023		90-02-032
	90-09-024		90-05-043
	90-12-032	Parking and traffic rules	90-01-097
	90-14-005		90-02-032
	90-14-006		90-05-043
Western library network meetings	90-01-020	Procedural rules	90-01-097
			90-02-032
			90-05-043
<b>WASHINGTON STATE PATROL</b>		Rules coordinator	90-01-097
Assistance vans	90-13-063		90-02-032
	90-18-049		90-05-043
Commission on equipment, public records	90-13-061		90-21-068
	90-18-045		
Emergency tow truck, definition	90-06-056	<b>WILDLIFE, DEPARTMENT OF</b>	
Emergency vehicle lighting	90-01-087	Coffeepot Lake game reserve	90-13-098
Emergency vehicle permits	90-04-023	Deleterious exotic wildlife additions to list	<b>90-24-080</b>
	90-07-034	additions to list, solicitation of preproposal comments on diploid grass carp	90-17-140
Load fastening devices, standards	90-01-088		90-06-084
	90-06-055		90-10-067
Motor vehicle safety inspections, repeal of obsolete rules	90-08-024	Duck Lake game reserve	90-13-099
	90-11-022		90-19-096
Motorcycle helmets, exemption for operators and riders of antique motorcycles	90-23-058	Endangered, threatened, and sensitive wildlife species classified	90-04-098
Public records, copying charges	90-04-027		90-04-099
	90-10-097		90-11-065
Rules coordinator	90-09-002	Expired rules, repeal	90-11-066
School bus warning lamps	90-13-062	Falconry	90-13-074
	90-18-046	permits, requirements	90-13-075
	90-18-047	reports, requirements	90-01-066
Sex offender central registry	90-15-020		90-17-142
	90-15-021		90-22-064
	90-20-003		90-17-144
Sunscreen tint film decals, standards	90-10-076		90-22-061
	90-13-060	Fishing	
Sunscreening devices	90-13-063	fishing contests	90-14-105
	90-18-048		90-22-057
Tires, safety standards	90-08-023	game fish regulations, 1990-92	90-01-067
	90-11-021	Sauk River	90-02-067
			90-04-101
			90-08-064
<b>WASHINGTON STATE UNIVERSITY</b>		Spokane River	90-02-066
Environmental Protection Act (SEPA) guidelines	90-15-008		90-04-104
	90-18-078		90-08-063
	90-21-093	Toutle River, south fork	90-02-069
Meetings	90-08-014		90-04-103
	90-08-015		90-08-067
Rules coordinator	90-03-063	Tye River	90-02-068
Traffic and parking regulations	90-01-105		90-04-102
	90-05-060		90-08-065
	90-11-078	game fish seasons and catch limits, 1988-90	
		Carbon River	90-02-071
<b>WESTERN WASHINGTON UNIVERSITY</b>		Cedar River	90-02-070
Bicycle traffic and parking regulation	90-17-030	Columbia River	90-08-066
Firearms and dangerous weapons	90-13-080	Lake Sammamish	90-02-070
	90-17-031	Lake Washington	90-02-070
Health and safety rules	90-10-012	Lake Washington Ship Canal	90-02-070
Meetings	90-21-128	Puyallup River	90-02-071
	<b>90-24-015</b>	Salmon Bay	90-02-070
Model rules of procedure	90-02-029	Sammamish River	90-02-070
	90-02-030	Tokul Creek	90-03-072
	90-10-042	game fish seasons and catch limits, 1990-92	90-01-068
	90-15-026	Bogachiel rearing pond	90-06-086
Parking and traffic	90-13-081		90-19-082
	90-17-032	Cashmere Pond	90-14-106
Rules coordinator	90-21-068		90-15-072
		Cedar River	90-22-058
<b>WHATCOM COMMUNITY COLLEGE</b>			<b>90-24-038</b>
Athletes, suspension for drug use, procedure	90-01-097	Grande Ronde River	<b>90-24-079</b>
	90-02-032		90-16-110
	90-05-043		90-19-017
Meetings	90-02-014		90-23-018
	90-11-073		
	90-22-004		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**WILDLIFE, DEPARTMENT OF—cont.**

Lake Sammamish 90-24-038  
90-24-079

Lake Washington 90-24-038  
90-24-079

Sammamish River 90-24-038  
90-24-079

statewide 90-06-087  
90-10-069  
90-23-017

Snake River 90-24-078

Tokul Creek 90-24-037

Tolt River 90-14-107  
90-21-111

Warden Lake and South Warden Lake 90-13-103  
90-17-033

    handicapped anglers or those under 15  
    or over 70 years old,  
    special steelhead season 90-09-052

Game management units 90-04-100

Hunting 90-04-100

    bear and small game seasons, 1990-91 90-06-097  
90-13-048

    bighorn sheep, additional permit  
    in sheep unit 2, Vulcan mountain 90-17-108

    blind and visually handicapped hunters 90-12-100

    bow and arrow requirements 90-03-092

    Brant geese, reporting requirements  
    for Pacific County 90-17-109  
90-17-145  
90-22-060

    Canadian goose season  
    closure 90-02-065  
September 1990 90-12-101  
90-13-096

    seasons in certain counties 90-16-037

Coffeepot Lake game reserve 90-13-098  
90-17-129

deer hunting seasons, 1990 90-06-093  
90-13-044

deer hunting seasons, opening  
1991, 1992, and 1993 **90-24-081**

disabled hunters 90-12-100

Duck Lake game reserve 90-13-099  
90-19-096

elk 90-02-028

    Doty—Area 051 90-06-094  
seasons, 1990-91 90-13-045  
90-15-073  
90-17-128

    seasons, opening dates,  
    1991, 1992, and 1993 **90-24-081**

    White River—GMU 472, repeal of  
    1989 closure 90-15-074  
90-19-099

firearm restriction areas 90-06-093  
90-13-044

game management units 90-04-100  
90-13-049  
90-17-146  
90-21-104

general hunting seasons and  
rules, 1989-90, repeal 90-14-110

handguns and cartridges, determination  
of suitability for hunting 90-06-091  
90-14-108

hours, closure notices, and  
hound hunting areas 90-06-096  
90-13-047

hunter education training program  
requirements 90-12-099  
90-19-087

migratory waterfowl season, emergency  
closure in Skagit County 90-23-019  
90-23-102  
**90-24-077**

**WILDLIFE, DEPARTMENT OF—cont.**

mountain goat, sheep, moose, cougar,  
and lynx seasons 90-04-105  
90-11-064

muzzleloading firearms 90-06-092  
90-14-109

orange clothing requirements 90-17-130  
90-22-059

September Canada goose season, 1990  
snow goose season, closure 90-12-101  
special deer and elk permit seasons,  
1990-91 90-01-070  
90-06-095  
90-13-046

special game areas, boundary descriptions 90-04-100  
90-13-049

turkey seasons **90-24-082**

    1991 spring season 90-13-100

    upland bird seasons 90-13-101  
90-17-095

    upland game bird seasons, opening  
    dates, 1991, 1992, and 1993 **90-24-081**

    wild turkey seasons 90-03-083

Land management rules 90-06-090  
90-11-049

Protected wildlife, threatened, sensitive,  
and other species classified 90-04-098  
90-04-099  
90-11-065  
90-11-066  
90-17-141  
90-22-062

Raptor capture permits 90-17-143

Raptor marking and identification  
requirements 90-22-063  
90-06-089

Road management agreements, enforcement 90-11-050

Sampling data, collection by department  
personnel 90-01-069

Trapping 90-13-102  
seasons 90-19-098  
90-13-097  
90-19-097

wild animals 90-13-097  
90-19-097

Triploid grass carp, game fish  
classification 90-06-085  
90-10-068  
90-06-087  
90-10-069

closed season 90-06-089  
90-11-050

Vehicles using department lands 90-06-088  
90-11-051

Violations of wildlife code, three  
convictions, forfeiture of privileges 90-06-088  
90-11-051

**YAKIMA VALLEY COMMUNITY COLLEGE**

Alcohol use on campus 90-07-058  
90-11-077

Rules coordinator 90-10-054









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